APPENDIX B
Plant Master Plan EIR Mitigation Measures

Mitigation measures were adopted by the City Council on November 19, 2013 as part of the mitigation monitoring and reporting program (MMRP) for the *San José/Santa Clara Water Pollution Control Master Plan Environmental Impact Report* (Plant Master Plan EIR). The Plant Master Plan EIR analyzed roadway improvements and improvements to all of the Facility's major process areas, which have existing pipelines that are integral and essential for continued function of the Facility – at a program level of detail in the Plant Master Plan EIR. The Plant Master Plan EIR identified programmatic mitigation measures for the Project. Chapter 3, *Environmental Setting, Impacts, and Mitigation Measures*, identifies the relevant mitigation measures that will be required for the Project.

This page intentionally left blank

MITIGATION MONITORING AND REPORTING PROGRAM

SAN JOSÉ/SANTA CLARA WATER POLLUTION CONTROL PLANT MASTER PLAN EIR
File No. PP11-043

CITY OF SAN JOSÉ
October 2013

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 mitigation measures (MM) 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 Environmental Impact Report concluded that implementation of the project could result in significant effects on the environment and identified mitigation measures that have been adopted as conditions of project approval to reduce or eliminate those significant effects. 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 Environmental Impact Report concluded that the impacts from implementation of the project would be less than significant.

This document uses the following project identification numbers to refer to proposed San José/Santa Clara Water Pollution Control Plant (WPCP) Improvements:

Project ID No.	Facility and Project
H1	Headworks Odor Control
H2	Influent Piping and Demolition
P1	Primary Treatment Odor Control
P2	Equalization Basin
P3	Demolition of West Primaries
S1	Nitrogen Removal
F1	Additional Filters
D1	Peak Hour Wet Weather Disinfection
D2	Advanced Disinfection
B1	Inactive Lagoons Rehabilitation
B2-P1	Dewatering Phase 1
B2-P2	Dewatering Phase 2
B3-P1	Covered Lagoons Phase 1
B3-P2	Covered Lagoons Phase 2

Project ID No.	Facility and Project
B4-P1	Thermal Drying Phase 1
B4-P2	Thermal Drying Phase 2
B5-P1	Greenhouse Drying Phase 1
B5-P2	Greenhouse Drying Phase 2
B6	Back-up Sludge Pipeline
B7	Retirement of Eastern Lagoons and Drying Beds
E1-P1	Solar Power Facility Phase 1
E1-P2	Solar Power Facility Phase 2
E2	Digester Gas Storage
SF1-P1	Landscaping and Road Repairs Phase 1
SF1-P2	Landscaping and Road Repairs Phase 2
SF2	Warehouse
SF3	Support Buildings

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Transportation					
Impact TR-3: The construction activities associated with WPCP improvements would increase traffic volumes on area roadways and affect levels of service at the study intersections and freeways.	Implement MM TR-4 for WPCP improvements.		See MM TR-4		
Impact TR-4: The construction activities associated with the project would temporarily reduce roadway capacity and increase traffic delays on area roadways.	**MM TR-4: Implement Project Traffic Control Plan.** The project proponent shall prepare and implement a traffic control plan to reduce traffic impacts on the roadways at and near the work site, as well as to reduce potential traffic safety hazards and ensure adequate access for emergency responders. The project proponent shall coordinate development and implementation of this plan with City departments (e.g., Emergency Services, Fire, Police, Transportation), as appropriate. To the extent applicable, the traffic control plan shall conform to the Caltrans' California Manual on Uniform Traffic Control Devices, Part 6 (Temporary Traffic Control)[1] and San José Public Works Department's Temporary Traffic Control Manual.[2] The traffic control plan shall include, but not be limited to, the following elements: • Circulation and detour plans to minimize impacts on local road circulation during road and lane closures. Flaggers and/or signage shall be used to guide vehicles through and/or around the construction zone.	WPCP Improvements	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager a traffic control plan meeting the requirements of the mitigation measure.	Prior to and during construction.

[1] California Department of Transportation (Caltrans), California Manual on Uniform Traffic Control Devices for Streets and Highways – Part 6: Temporary Traffic Control, amended January 2012.
[2] City of San José, Public Works Department, *Temporary Traffic Control Manual*, September 25, 2005, available online at http://www.sanjoseca.gov/DocumentCenter/View/931, accessed January 2, 2013.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Transportation (cont.)					
Impact TR-4 (cont.)	• Identifying truck routes designated by City of San José and Santa Clara County. Haul routes that minimize truck traffic on local roadways shall be utilized to the extent possible. • Sufficient staging areas for trucks accessing construction zones to minimize disruption of access to adjacent public rights-of-way. • Controlling and monitoring construction vehicle movement through the enforcement of standard construction specifications by onsite inspectors. • Scheduling truck trips outside the peak morning and evening commute hours to the extent possible. • Limiting the duration of road and lane closures to the extent possible. • Maintaining pedestrian and bicycle access and circulation during project construction where safe to do so. If construction activities encroach on bicycle routes or multi-use paths, advance warning signs (e.g., "Bicyclists Allowed Use of Full Lane" and/or "Share the Road") shall be posted that indicate the presence of such users. • Identifying detours for bicycles and pedestrians, where applicable, in all areas affected by project construction. • Storing all equipment and materials in designated contractor staging areas on or adjacent to the worksite, such that traffic obstruction is minimized. • Implementing roadside safety protocols. Advance "Road Work Ahead" warning and speed control signs (including those informing drivers of State legislated double fines for speed infractions in a construction zone) shall be posted to reduce speeds and provide safe traffic flow through the work zone. • Coordinating construction administrators of police and fire stations (including all fire protection agencies), and recreational facility managers. Operators shall be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures, where applicable. • Repairing and restoring affected roadway rights-of way to their original condition after construction is completed.				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Transportation (cont.)					
Impact TR-6: The project would result in inadequate emergency access.	Implement MM TR-4	See MM TR-4			
	Implement **MM C-TR: Implement Coordinated Transportation Management Plan** for WPCP improvements and proposed land uses (see MM C-TR below for description).	See MM C-TR			
Impact TR-8: The project would conflict with established measures of effectiveness for the performance of the circulation system, including all modes of transportation, under Envision 2040 plus Project Conditions.	**MM TR-8. Implement Transportation Demand Management Program.** To reduce potential impacts to travel mode shares and travel times in transit corridors, the project proponent would need to reduce the amount of vehicle traffic generated by future, planned economic activity within the project area. Such measures would include implementing a Transportation Demand Management (TDM) Program as well as establishing progressive parking strategies and developing bicycle facilities and transit services as part of the development projects. As development occurs within the project area, the City shall require the project proponent to implement measures that ensure that the project is consistent with land use goals, policies, and actions in the General Plan, specifically guidelines provided in Goal TR-7, *Transportation Demand Management*, and Goal TR-8, *Parking Strategies*, and subsequent policies (i.e., policies TR-1.4 through TR-1.10, TR-2.1 through TR-2.12, TR-3.1, TR-3.4, TR-7.1, and TR-8.2 through TR-8.9, which are listed in the Traffic Impact Analysis Report, included in Appendix E of the Draft EIR.	All economic development land uses.	Director of Planning, Building & Code Enforcement	Future development permits for the economic development land uses shall be consistent with land use goals and policies established in the General Plan and implement, as required by the Director of Planning, Building & Code Enforcement, measures such as those outlined in the mitigation measure to reduce the amount of vehicle traffic generated within the project area.	Planning and design phase.
Noise and Vibration					
Impact NOI-1: Project-related demolition and construction would temporarily increase noise exposure in the project vicinity.	**Mitigation Measure NOI-1: Develop and Implement Construction Noise and Vibration Logistics Plan.** Prior to construction of proposed economic development, the project proponent shall develop a Construction Noise Logistics plan that specifies hours of construction, noise and vibration minimization measures, requires posting or notification of construction schedules, and identifies a designated noise disturbance coordinator who shall respond to noise complaints. The Construction Noise and Vibration Logistics Plan shall be submitted to the City's Planning Division for review and approval prior to the commencement of construction activities. Noise minimization and noticing measures to be included in the plan	Applies to any pile driving for WPCP improvements and/or other planned land use and all construction activities for other proposed land uses south of the operational area.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager a construction noise and vibration logistics plan meeting the requirements of the mitigation measure.	Prior to and during construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	shall include, but not necessarily be limited to the following:				
Noise and Vibration (cont.)					
Impact NOI-1 (cont.)	• In the event pile driving is determined to be necessary, no pile driving shall occur before 7:00 a.m. or after 7:00 p.m., Monday through Friday, or at any time on weekends. In addition, the use of an impact pile driver shall be avoided where possible within 1,200 feet of any noise-sensitive uses, including the Environmental Education Center building, and within 200 feet of commercial uses. Instead, piles within 1,200 feet of a noise-sensitive use and/or within 200 feet of commercial uses shall be drilled where permitted by the geological conditions. If geologic conditions do not permit the use of drilling, the Construction Noise Logistics Plan shall substantiate those conditions, and the EEC shall be notified and consulted regarding the pile driving schedule for all pile driving within 1,200 feet of the EEC, and commercial uses within 200 feet of pile driving shall be notified of the schedule for pile driving. Portable acoustical barriers shall be installed around pile driving equipment where feasible. With regard to pile driver vibration, if use of an impact pile driver within 100 feet of commercial uses cannot be avoided, the plan shall specify vibration minimization measures depending on site-specific conditions. The plan shall demonstrate that pile driving vibration levels would not exceed 0.20 in/sec at the nearest uses. In addition: • All internal combustion engines for construction equipment used on the site shall be properly muffled and maintained; • A name, address, and phone number of a contact person shall be posted on the site to handle noise complaints; • Unnecessary idling of internal combustion engines shall be prohibited; and • All stationary noise generating construction equipment, such as air compressors and portable power generators, shall be located as far as practical from existing commercial uses.				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Impact NOI-2: Project-related demolition and construction would temporarily increase vibration exposure in the project vicinity.	**MM NOI-1: Develop and Implement Construction Noise and Vibration Logistics Plan.** (see MM NOI-1 above for description).	See MM NOI-1.			
Noise and Vibration (cont.)					
Impact NOI-4: Operations associated with proposed project-level and program-level WPCP improvements (e.g., pumps, mixers, etc.) and economic development uses (e.g., light industrial uses) would increase noise exposure to the surrounding existing environment.	**MM NOI-4: Shield Proposed Light Industrial Noise Sources from Nearby Noise-sensitive Uses.** The project proponent shall design the light industrial development areas so that all known, substantial noise sources (e.g., loading docks, dust collection systems, open manufacturing bays) are adequately shielded from nearby existing noise-sensitive uses (residences) by project buildings or other structures (e.g., noise barriers). Within the proposed light industrial developments, substantial noise sources shall be positioned away from neighboring noise-sensitive uses.	Light Industrial land uses.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager plans and specifications meeting the requirements of the mitigation measure.	Design phase.
Air Quality					
Impact AQ-1: The project would conflict with the 2010 Clean Air Plan.	**MM AQ-1: BAAQMD Basic Construction Measures.** Implement the following applicable BAAQMD Basic Construction Mitigation Measures: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as **soon** as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	All WPCP improvements and all other proposed land uses.	Director of Planning, Building & Code Enforcement and Construction Inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract specifications meeting the requirements of the mitigation measure. The construction inspector shall monitor compliance by the contractor, report non-compliance and ensures corrective action.	Before construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	6. 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.				
Air Quality (cont.)					
Impact AQ-1 (cont.)	7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. 8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.				
Impact AQ-2: Project construction could contribute substantially to existing ozone standard violations.	**MM AQ-2: BAAQMD Additional Construction Measures.** Implement the following BAAQMD Additional Construction Mitigation Measures: 1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. 2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. 3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. 4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. 5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. 6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site. 7. Site accesses to a distance of 100 feet from the paved road	All WPCP improvements and other proposed land uses.	Director of Planning, Building & Code Enforcement and Construction Inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager specifications meeting the requirements of the mitigation measure. Construction inspector shall monitor compliance by contractor, report non-compliance and ensure corrective action.	Before construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. 8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent. 9. Minimizing the idling time of diesel powered construction equipment to two minutes.				
Air Quality (cont.)					
Impact AQ-2 (cont.)	10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. 11. Use low Volatile Organic Compound (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). 12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM. 13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.				
Impact AQ-3: Project operations could contribute substantially to existing criteria pollutant standard violations.	**MM TR-8: Implement Transportation Demand Management Program** (see MM TR-8 above for description).	See MM TR-8 above.			
Greenhouse Gas Emissions					
Impact GHG-1: The proposed project	**MM TR-8: Implement Transportation Demand Management Program** (see MM TR-8 above for description).	See MM TR-8 above.			

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
would generate greenhouse gas emissions that may be inconsistent with State AB 32 reduction goals.	**MM GHG-1a: GHG Reduction Strategy Measures.** The following measures identified in the GHG Reduction Strategy shall be implemented as conditions of project approval for the economic development project components as well as for the applicable proposed WPCP improvements: • Economic development projects shall install photovoltaic panels or other clean energy power generation where feasible, especially over parking areas. These features would provide distributed	**MM GHG-1a:** WPCP Improvements and economic development land uses.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager plans and specifications meeting the requirements of the mitigation measure.	Design Post-Year 2020 Operations (for energy-intensive WPCP improvements).
Greenhouse Gas Emissions (cont.)					
Impact GHG-1 (cont.)	power from renewable sources consistent with the GHG Reduction Strategy and the City's Green Vision. • Economic development projects shall use recycled water wherever feasible and cost-effective (including non-residential uses outside of the Urban Service Area). • Economic development projects shall install and maintain trails when development occurs adjacent to existing or proposed designated trail locations. • Evaluate post 2020 operational energy efficiency and include operational and design measures as part of development review consistent with benchmarks such as those in EPA's Energy Star program for energy-intensive WPCP improvements, such as the mechanical drying improvements. • The proposed number of parking spaces would not exceed requirements in the Municipal Code. • Development shall include shared parking for the proposed mix of uses. The office uses will include a carpool program, which will reduce demand for parking spaces during daytime hours.			Project proponent shall submit prepare and submit to the satisfaction of the Planning Environmental Division Manager an evaluation of post-2020 operational energy efficiency meeting the requirements of this measure.	
	MM GHG-1b: Operational Emission Controls. The project proponent shall implement the following measures for specific development projects and write the measures into the Covenants, Codes, and Restrictions for occupants within the economic development area: • Increase building energy efficiency by 20 percent beyond Title 24 goals (Reduces CO_2e related to natural gas combustion); • Require use of electrically powered landscape equipment	**MM GHG-1b:** Economic development land uses.	Director of Planning, Building & Code Enforcement	The project proponent through coordination with the City's Planning Department shall ensure that proposed economic development incorporate applicable measures into the Covenants, Codes, and Restrictions for	Design phase.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	through permit conditions; • Require smart meters and programmable thermostats; • Adhere to the City's Private Sector Green Building Policy (City Council Policy 6-32) green building standards for private sector new construction. (Reduces CO_2e related to natural gas combustion); and • Install solar water heaters for all uses as feasible.			occupants.	

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources					
Impact BIO-1: The project could result in the loss of or damage to Congdon's tarplant, a special-status plant. Project activities also may affect Congdon's tarplant through habitat degradation or loss resulting from the spread of invasive plant species in all project and program-level activities. Mitigation measures that would prevent the spread of invasive plant species are discussed under Impact BIO-3.	**MM BIO-1: Reduce Impacts to Tarplant.** For purposes of reducing direct impacts to Congdon's tarplant, the project proponent shall: • Conduct surveys for Congdon's tarplant prior to implementing burrowing owl mitigation measures, including installation of artificial burrows, berm construction, and mowing. This shall be conducted by a qualified biologist. • Avoid damaging or removing individuals of Congdon's tarplant while conducting the above activities whenever possible. • When mowing is necessary, conduct mowing in areas occupied by Congdon's tarplant (known natural and reseeded locations) before June (to avoid the blooming season [June to mid November]) or after seeds have been set (mid-November). Do not mow in areas with Congdon's tarplant from June to mid-November, even if those areas have burrowing owls or are part of the burrowing owl habitat management area. Mow no lower than 6 inches in areas with Congdon's tarplant in order to minimize removal of tarplant foliage prior to flowering. Conditions in areas occupied by burrowing owl and Congdon's tarplant will change over time, and conflicts between measures to reduce impacts to the tarplant and burrowing owl habitat management strategies (e.g., mowing) may arise. To adapt to changing conditions, this measure may require refinement by a qualified biologist in coordination with CDFW to ensure adequate protection of both species. If individuals of Congdon's tarplant cannot be avoided through the provisions listed above, the permanent loss of Congdon's tarplants shall be mitigated at a minimum mitigation-to-impact ratio of 1:1. To address permanent loss of Congdon's tarplant individuals, the following measures shall be implemented: • During October and November the project proponent shall track Congdon's tarplant within the area to determine when plants have set seeds. Once seeds have set, seeds from individuals of Congdon's tarplant from within the area will be collected during October or November prior to initiation of activities that will impact individuals, and immediately sown	Owl habitat and economic development land uses and trails west and south of the existing operational area.	Director of Planning, Building & Code Enforcement	The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • signed electronic copies (pdf) of the plant survey; • signed documentation of seed collection and post-construction seeding results if required; • signed documentation of mowing and annual weed control activities; and • If reseeding is required, annual monitoring reports documenting success of the planted population. • signed documentation of appropriate trail signage. • A report of any instance of noncompliance with these measures.	Prior to, during, and after ground disturbing activities; trail signage prior to providing public access to trails.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-1 (cont.)	at reseeding location(s) to allow the plant to flower and produce seed before the end of the next blooming period, thereby avoiding a temporal loss (i.e., the species missing a flowering cycle). • Seed of Congdon's tarplant will be applied either alone or as a component of the revegetation mix within the impact area for any temporary impacts and within a proposed replacement area for permanent impacts. The replacement area will be determined in consultation with CDFW. • Areas seeded with Congdon's tarplant will be monitored during the first 5 years following reseeding. Monitoring will be conducted during the peak blooming period (July–November). The planted population will be compared to a known reference population each time monitoring is conducted to accurately verify the degree of success of the planted population. • During the first year of monitoring, revegetation will be considered successful if the species in 70% of the reseeded area are occurring at densities comparable to the reference population. If unsuccessful, seed will be collected and sown in the unsuccessful areas prior to the rainy season that year. If reseeding is necessary at any point during the monitoring period, the monitoring period will reset (extended by five years) for the affected area. • During each subsequent year of monitoring, revegetation will be considered successful if the species is found to be occurring in 80% of the reseeded area at densities comparable to the reference population. If revegetation is unsuccessful for two consecutive years, seed will be collected and sown in the unsuccessful areas prior to the rainy season that year. • During the final two years of monitoring, if seeding of previously unoccupied habitat is successful (plants occur in 80% of the reseeded area at densities comparable to the reference population), then the mitigation will be deemed successful and no additional monitoring will be required. If unsuccessful, the area will be deemed unsuitable habitat. In this case, revegetation of additional areas, determined in consultation with CDFW will occur, and an additional two years of monitoring will be conducted.				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-1 (cont.)	For purposes of reducing indirect impacts on Congdon's tarplant, the project proponent shall: • Modify weed control activities, in areas of occupied Congdon's tarplant habitat. Broadcast herbicides will not be used in or around areas supporting Congdon's tarplant. In areas supporting Congdon's tarplant, herbicides will only be applied through spot treatment. Herbicide applications will be conducted by persons familiar with Congdon's tarplant and able to identify the species to avoid it. • Install informational and warning signs along trails in areas adjacent to habitat occupied by Congdon's tarplant instructing trail users to stay on the trail.				
Impact BIO-2: The project could result in the loss of or damage to special-status wildlife species. Project activities also may to affect special-status wildlife species through degradation of remaining habitat in the project area. Habitat degradation could result from an increased human presence in the project area following completion of economic development components. Increased human presence brings additional noise, light, and trash. In addition, increased human	**MM BIO-2a: Special-Status Fish Measures.** The Master Plan includes restoration of Pond A18, which would increase migratory habitat for central California coastal steelhead and Central Valley / Chinook salmon. The project proponent or its contractor shall design the proposed roadways so that no permanent structures impede migration within habitats where steelhead or Chinook salmon have potential to occur. The placement of temporary structures within Coyote Creek will be avoided to the extent possible. Construction activities shall be conducted outside of the steelhead-winter-run and Chinook salmon fall-run periods of migration (October 1-June 1). Temporary construction activities and structures (including all falsework) shall occur above the ordinary high water mark to contain any construction debris and will be removed after construction is completed. The project proponent shall restore areas where temporary construction activities occur with native plant species and substrate matching native substrate conditions of the specific locations prior to the onset of the fall run period beginning on October 1. All work within Coyote Creek, its levees, and to the Bay-side of levees adjacent to tidally influenced water shall be completed (or stopped, work equipment and materials removed from the habitat, and resumed during the next year within the work window) by October 1. All ground-disturbing activities associated with salt	**MM BIO-2a:** Ranch Drive extension and restoration of Pond A18.	Director of Planning, Building & Code Enforcement and California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS) ESD Compliance, Construction inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Plans and specifications meeting the requirements of this mitigation measure. • Documentation that areas of temporary construction disturbance have been restored. Construction inspector shall monitor contractor compliance, report non-compliance and ensure corrective action.	Prior to, during, and after ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.) presence can result in the spread of invasive plant species in all project and program-level activities. In most cases existing City of San Jose policies are protective enough to reduce these potential impacts to a less-than-significant level (e.g., light, waste management), in other cases mitigation measures have been included.	pond restoration shall be completed outside of the species' migration window (October 1-June 1), ceasing ground-disturbance activities at least two weeks prior to October 1.				
	MM BIO-2b: Western Pond Turtle Measures. The Master Plan includes restoration of aquatic and riparian habitat in Artesian Slough and the eastern stormwater channel as well as restoring wetlands, all of which would increase habitat for western pond turtle. Prior to the start of construction activities at sites that can support western pond turtle, the project proponent shall retain a qualified biologist to conduct preconstruction surveys for pond turtles in all suitable habitats (aquatic and upland) in the vicinity of the work site. Surveys shall take place no more than 72 hours prior to the onset of site preparation and construction activities with the potential to disturb turtles or their habitat. If preconstruction surveys identify active nests within the project site, the biologist shall establish no-disturbance buffer zones around each nest using temporary orange construction fencing. The demarcation should be permeable to allow young turtles to move away from the nest following hatching. The radius of the buffer zone and the duration of exclusion shall be determined in consultation with the CDFW. The buffer zones and fencing shall remain in place until the young have left the nest, as determined by the qualified biologist. If any turtles are found in the project site, the City or its contractor(s) shall contact a qualified biologist to identify the turtle species. If the biologist determines the turtle is a western pond turtle, the turtle shall be relocated into nearby suitable habitat, likely in Coyote Creek, consistent with CDFW protocols and permits. The biologist shall monitor construction activities in the vicinity of suitable habitat within which western pond turtle is found (either during the survey or observed during construction), and remove and relocate western pond turtles in proposed construction areas to suitable habitat outside the project limits, consistent with CDFW protocols and permits. Relocation sites shall be subject to CDFW approval. Similarly, a qualified biologist will monitor all dewatering of suitable habitat for western pond turtle and relocate any turtles observed.	**MM BIO-2b:** WPCP improvements B7 and SF1-P2, Artesian Slough, freshwater wetland, eastern stormwater channel, and light industrial land uses east and northeast of the existing operational area.	Director of Planning, Building & Code Enforcement, Construction Inspector and CDFW, ESD Compliance, Construction inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Documentation demonstrating qualifications of the chosen consulting biologist • Copies of survey and monitoring logs • If required, results of any consultation with CDFW • Documentation of implementation of construction buffer zones, if buffer zones are required. Construction inspector shall monitor compliance by contractor, report non-compliance and ensure corrective action.	Prior to, during, and after ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)	**MM BIO-2c: Salt Marsh Harvest Mouse and Salt Marsh Wandering Shrew Measures.** ***Avoidance and Minimization During Construction and Maintenance*** Construction and maintenance work, including site preparation, shall avoid suitable salt marsh harvest mouse and salt marsh wandering shrew habitat to the extent possible during their breeding seasons (February 1 to November 30). As work during the species' breeding seasons will likely be necessary, a species avoidance plan shall be developed in consultation with USFWS and CDFW, and then implemented. The species avoidance plan shall include, at minimum, the following: 1. Species avoidance measures shall be implemented for all work within 100 feet of suitable salt marsh habitat in habitat that is capable of containing salt marsh harvest mouse and wandering shrew. 2. Prior to initiation of work within suitable habitat, a USFWS-approved biologist shall be retained to survey areas where disturbance is planned and supervise the hand removal of pickleweed, to avoid impacts on salt marsh harvest mouse and salt marsh wandering shrew. Monitoring will occur for the duration of all clearing work within suitable habitat. 3. If salt marsh harvest mouse or salt marsh wandering shrew or active nests of these species are observed during clearing activities, the following will occur: a. Clearing will cease and workers will move to a new area. b. Project activities within 100 feet of the observation will be postponed and a minimum no-disturbance buffer of 100 feet will be established. The buffer will remain in place until the biologist determines that the individuals have left the area and are not present in or near (within 100 feet) of the work area. Trapping and relocation would only be used if directed by the USFWS or CDFW. If no individuals are observed during the surveys or avoidance protocol above, then buffers will not be required.	**MM BIO-2c:** WPCP project-level improvements B3-P1, B5-P1, and B6; program-level improvements B1, B3-P2, B4-P2, B5-P2, and SF1-P2; proposed economic development; ; eastern stormwater channel; and Pond A18 restoration.	Director of Planning, Building & Code Enforcement, Construction Inspector, CDFW, and USFWS, ESD Compliance	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Documentation demonstrating qualifications of the USFWS-approved biologist retained for survey work. • Species avoidance plan. • Documentation that conditions from the species avoidance plan are incorporated into contract documents • Copy of habitat restoration and/or creation plans • Monitoring logs for restored/created habitat. Construction inspector shall monitor contractor, report non-compliance and ensure corrective action	Prior to, during, and following ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)	***Habitat Creation, Restoration*** The project proponent or its contractor shall create and/or restore salt marsh habitat at a ratio of 3:1 for project-level impacts and at a ratio of at least 1:1 for program-level impacts and impacts from other planned land uses. A more specific ratio will be developed in consultation with USFWS or CDFW for program-level and other land use impacts once project details are known and subsequent environmental analysis has occurred. The project proponent will implement one or more of the following options (i) enhancement of salt marsh in the area south of Dixon Landing Road, (ii) enhancement of salt marsh habitat in some inactive biosolids lagoons, and/or (iii) payment to the South Bay Salt Pond Project to restore salt marsh habitat in the vicinity of the project, or as otherwise deemed appropriate through consultation with USFWS and CDFW. The created and/or restored salt marsh will exhibit hydrology similar to other salt marsh habitat in the surrounding area and retain similar functions and values as those salt marsh habitats that are lost. Created and/or restored salt marsh location in Pond A18 will be subject to normal tidal fluctuations.				
	MM BIO-2d: Raptor and Migratory Bird Nest Measures. The project proponent and its contractors shall avoid conducting vegetation removal or ground disturbing activities during the nesting season (February 1–August 31), whenever possible. When vegetation removal related to construction must occur during the nesting season, a qualified wildlife biologist shall be retained to conduct a survey for nesting raptors and migratory bird nests in all areas where vegetation will be removed during that nesting season (February 1–August 31)**.** If an active nest is discovered, a no-disturbance buffer zone around the nest tree (or, for ground-nesting species, the nest itself) shall be established. The no-disturbance zone shall be marked with flags or fencing that is easily identified by the construction crew and will not affect the nesting bird. In general, the minimum buffer zone widths shall be as follows: 100 feet (radius) for non-raptor species; and 500 feet (radius) for raptor species. Buffer widths may be modified based on discussion with CDFW. Buffers shall remain in place as long as the nest is active or young remain in the area and are dependent on the nest. Prior to the initiation of construction activities in salt marsh, salt panne, tidal marsh, and freshwater wetlands,	**MM BIO-2d:** WPCP project-level improvements H1, H2, P2, D1, D2, B2-P1, B3-P1, B4-P1, B5-P1, B6, E2, SF1-P1, and SF2; program-level improvements H2, B1, B2-P2, B3-P2, B4-P2, B5-P2, B7, E1-P1, E1-P2, F1, and SF1-P2; and proposed land uses surrounding the existing operational area	Director of Planning, Building & Code Enforcement, Construction Inspector, CDFW, and USFWS	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager plans and specifications meeting the requirements of this measure. • Documentation demonstrating qualifications of the biologist retained for survey work. • Copies of survey results • Documentation that no-disturbance buffers are incorporated into construction plans as required by this	Prior to, during, and after ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
				measure.	
Biological Resources (cont.)					
Impact BIO-2 (cont.)	including Coyote Creek, the project proponent shall retain a qualified biologist to conduct surveys for California clapper rail and California black rail. These surveys are required at any time of the year. During the nesting seasons (February 1 – August 31) if either of these species are detected within 700 feet of what will be the active construction site, all construction activities within 700 feet of salt marsh habitat will be delayed until after the nesting season is over. If either of these species are detected outside of the nesting period, construction activities can commence but all salt marsh vegetation will be cleared by hand or with hand tools and a biologist will be retained on site during vegetation clearing activities to ensure that no birds are injured. Once the construction site is devoid of salt marsh vegetation regular construction can commence. Construction activities scheduled to begin before the breeding season (i.e., begin between September 1 and January 31) can proceed without nesting bird surveys, with the exception of those in or within 700 feet of California clapper rail and California black rail habitat, as described above. If any birds or raptors initiate nests within the specific no-disturbance buffers while construction is happening, then it is assumed that they are habituated to the construction activities, and construction can continue as long as the birds or their nests are not physically harmed.			The construction inspector shall monitor contractor compliance, report noncompliance, and ensure corrective action.	
	MM BIO-2e: Burrowing Owl Measures Impacts to burrowing owls shall be mitigated in one of two ways: (a) through participation in and coverage under the Santa Clara Valley Habitat Plan ("HCP") or (b) through compliance with habitat conservation strategies consistent with those in the HCP but enforced independently by the City. Option (a) is the City's preferred mitigation approach. Option (b) would become operative only in the event the HCP, which has been approved but is currently the subject of pending litigation, is deemed legally invalid. Under the approved HCP, most but not all PMP-related impacts to burrowing owls would be covered. Specifically, of the 255.4 acres of impacts to burrowing owl habitat, 0.9 acre would fall outside the HCP boundary and would not be covered under the plan. Although 254.5 acres of impact would be covered under the HCP, the City intends to retain the existing 180-acre	**MM BIO-2e:** WPCP project-level improvements B2-P1, B5-P1, SF1-P1, SF-2, and H1; program-level improvements B7, E1-P1, F1, D1, D2, and H2, and proposed land uses surrounding the existing operational area	Director of Planning, Building & Code Enforcement, ESD Compliance	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • If Option 1 is utilized, proof of payment of the HCP's burrowing owl fee or contribution to the Santa Clara Valley Habitat Plan Reserve System • Documentation avoidance measures	Prior to and during ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	burrowing owl area as a conservation-related design feature,			outline in Condition 15	
Biological Resources (cont.)					
Impact BIO-2 (cont.)	three (3) acres of which will be used to mitigate the 0.9 acre of impacts associated with project-level WPCP improvements. The three-acre site will be managed as burrowing owl habitat in perpetuity. The City may partner with local organizations to maintain this 180-acre burrowing owl management site. Maintenance activities shall include mowing the 180-acre site three times during the year (except as noted below) to keep grasses short and thereby allow owls to detect predators: once in late-January or early February when owls are selecting nest sites; once in mid-May when just prior to young emerging from burrows; and a third time in mid-June or early July as young start to disperse. Mowing should focus on areas within 25 feet of known or potential burrowing owl burrows. Around occupied burrowing owl burrows, grasses will be kept to less than 5-inches tall, except in areas where Congdon's tarplant is present [those areas will not be mowed below 6-inches]. In areas where Congdon's tarplant are present the third round of mowing will be omitted since the plants will be flowering during that time. For details on how to determine if Congdon's tarplant are present refer to Mitigation Measure BIO-1. In addition, to reduce predation of owls by perching raptors, no trees shall be planted in the burrowing owl habitat area, including along roadways. To provide prey forage for the owls, ground squirrels will not be controlled. The two mitigation options for impacts to burrowing owl are described below in greater detail: **Option 1: Potential Burrowing Owl Coverage under the Santa Clara Valley Habitat Plan** *For impacts within the Santa Clara Valley Habitat Plan Boundary:* The approved HCP covers PMP-related land uses east of Guadalupe River and Grand Boulevard, south of Los Esteros Road, and west of McCarthy Lane and Coyote Creek. It also covers the existing WPCP operational area. However, the HCP and its attendant EIR have been challenged in a legal proceeding pending in state court. Unless the HCP is deemed invalid, the PMP components located within the HCP boundaries will pursue coverage for burrowing owl impacts			of Chapter 6 of the HCP are incorporated into contract documents • Proof of a conservation easement for impacts outside of the HCP • Management plan for conservation easement meeting requirements of this measure. • If Option 2 is utilized, documentation verifying that mitigation occurs prior to project impacts and that mitigation lands meet the habitat criteria described in the measure	

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	under the HCP. This will be accomplished by paying the HCP's established burrowing owl fee or by contributing land to the Santa Clara Valley Habitat Plan Reserve System consistent with the Land In Lieu of Fee Program outlined in the HCP. Note that the Land In				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)	Lieu of Fee Program requires that all mitigation land meet the HCP's criteria for "Occupied Burrowing Owl habitat" and be within the Expanded Study Area for Burrowing Owl Conservation, both of which are described in the HCP. The City will utilize the avoidance measures outlined in Condition 15, Western Burrowing Owl [Chapter 6] of the HCP for burrowing owl. Implementation of these mitigation measures will reduce PMP-related impacts within the HCP boundary to less-than-significant. PMP land uses that fall outside the HCP boundary cannot be mitigated through the HCP without prior approval of all Santa Clara Valley Habitat Plan signatories, including the USFWS and CDFW. Therefore, project applicants in the non-covered areas will utilize the following mitigation strategy for impacts to burrowing owl. *For Impacts outside of the Santa Clara Valley Habitat Plan Boundary:* WPCP project-level improvements that are outside the HCP boundary will result in 0.9-acre of impact to "Occupied Burrowing Owl Habitat." To mitigate the loss of the 0.9-acre of burrowing owl habitat the City shall place a conservation easement over three (3) acres of habitat in the WPCP bufferlands that meets the "Occupied Burrowing Owl Habitat" criteria, as described in the HCP. Mitigation land shall be placed under a permanent conservation easement at or before the point in time when the WPCP project-level, impacts occur. Management of those 3 acres could be coordinated with the Santa Clara Valley Habitat Agency and shall be consistent with the management of the other 177 acres in the burrowing owl habitat area. This mitigation measure will reduce WPCP project-level impacts on burrowing owl to less-than-significant levels. **Option 2: Burrowing Owl Coverage without Santa Clara Valley Habitat Plan Approval** *For Impacts within the Santa Clara Valley Habitat Plan Boundary:* If legal challenges to the HCP prevent implementation of the plan, PMP-related impacts will have to be mitigated through some other means. The City intends to accomplish this mitigation by employing strategies consistent with				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Impact BIO-2 (cont.)	those set forth in the HCP. These strategies will be effective in preserving owl habitat and promoting the reproductive success of the species, even if the strategies are employed independent of the HCP. Specifically, the measures shall (1) include the avoidance and minimization provisions described in Condition 15, Western Burrowing Owl of the HCP, although it will be considered a separate and independent mitigation strategy of the PMP and this EIR; (2) ensure that mitigation occurs prior to project implementation and project-related impacts; (3) ensure that mitigation occurs in the HCP study area or the expanded study area for burrowing owl conservation [described in the burrowing owl conservation strategy]; and (4) ensure that mitigation occurs on lands that meet the following habitat criteria, which are consistent with the HCP: **Habitat Criteria** • Documented nesting burrowing owls on the parcel in at least one of the previous 3 years. • Be surrounded by at least 140 acres of foraging habitat within 0.5 mile of a nest site (including the parcel where nesting was documented). If there is no potential for foraging habitat to be protected through future acquisition, conservation easement, or management agreement, the nest site should not be acquired unless long-term viability of the site can be in some other way demonstrated. • Currently supports ground squirrels or is located adjacent to another parcel with ground squirrels, therefore supporting the potential for expansion of ground squirrel colonies. • Currently support grassland, barren, or other land cover types that can be managed or modified to enhance the site to increase the habitat quality for burrowing owls. Mitigation for program-level and other land use elements shall include permanent protection and management of burrowing owl habitat consistent with the provision listed above. Among the areas that may be used to satisfy this mitigation requirement is the 177-acre burrowing owl habitat area described in the Draft EIR. The actual acreage				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)	of burrowing owl mitigation will be determined during future "project-level" environmental analyses for these elements when more detailed information will be available on permanent and temporary impacts from each project, the quality of the habitat for burrowing owls at that time, and with consideration for the status of the burrowing owl population in the region at that time. The impact to burrowing owl remains less-than-significant with mitigation. *Impacts outside of the Santa Clara Valley Habitat Plan Boundary:* Mitigation of project-level components, as described above, would remain the same under this option.				
	MM BIO-2f: Trail Use Signage and Restrictions in Sensitive Habitat Permanent signage shall be installed along proposed trails that pass through burrowing owl habitat and salt marsh habitat. Within the burrowing owl habitat area and the preserved salt marsh habitat, signage shall include language that discourages people from encroaching on the sensitive habitat, consistent with the San Francisco Bay Conservation and Development Commission's design guidelines, as well as species-specific periods of elevated sensitivity. Signs shall be posted at trailheads and every 500 feet along the trail. No pets will be permitted on trails that enter preserved burrowing owl or salt marsh habitat. Signage near the burrowing owl habitat area shall include language notifying trail users that the area is used by burrowing owls during both the nesting and winter periods. A qualified wildlife biologist shall be retained to conduct monthly surveys for burrows occupied by burrowing owls starting in March and extending through June of each year. This is the time period when burrowing owls are most likely to initiate new nests that might require trail closure. With the exception of authorized personnel, public use of new trails that pass through burrowing owl habitat management areas will be prohibited during the active breeding period if burrowing owl nests are discovered within 250 feet of either side of the trail. With the exception of authorized personnel, use of trails will be restricted while nests within 250 feet are still active.	**MM BIO-2f:** Proposed trails south and north of the WPCP operational area.	Director of Planning, Building & Code Enforcement, and USFWS, ESD Compliance	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Proof that appropriate language is incorporated into contract documents. • Documentation that trail signage has been installed • Documentation of the qualifications of the biologist retained for survey work. • Copies of survey results • If nests are discovered, proof of notification of Planning Department of trail closure	Prior to construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)	**MM BIO-2g: Serpentine Grassland Measures** As required by the 2040 Envision San José General Plan, mitigation of indirect effects to serpentine grassland and Bay checkerspot butterfly habitat will be required for any changes in land use that would result in new vehicle trips within the City of San José. Through the Santa Clara Valley Habitat Plan, the project proponent shall provide payment of the nitrogen deposition fee to the Santa Clara Valley Habitat Plan Joint Powers Authority prior to ground-breaking activities. Should the Santa Clara Valley Habitat Plan not be in place at the time that either economic development or recreation facilities (including the community park and nature museum but excluding trails) are implemented, the project proponent shall pay a fee consistent with that described in the Santa Clara Valley Habitat Plan or a similar fee based on the numbers of vehicle trips, based on the nitrogen deposition model presented in Appendix E of the Santa Clara Valley Habitat Plan, in coordination with the City and the USFWS. The fee shall be paid to the City or to another organization or agency conducting serpentine habitat acquisition and management activities in Santa Clara County.	**MM BIO-2g:** Economic development land uses, community park and sports fields, and nature museum.	Director of Planning, Building & Code Enforcement, and USFWS, ESD Compliance	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Proof of payment of the fee to the Santa Clara Valley Habitat Plan Joint Powers Authority or proof of a similar fee as required by this measure	Prior to construction.
	MM BIO-2h: Ecological Screening Criteria for Fill use in Restoration Activities. Prior to restoration of Pond A18, the City shall require preparation and implementation of a fill screening and assessment plan as a condition of approval for the entity responsible for the restoration design. The plan shall ensure that any fill used in restoration of Pond A18 will satisfy ecological screening criteria in order to ensure suitability of the fill for habitat development and to avoid the introduction of contaminants. The ecological screening criteria and protocols included in the plan shall satisfy those developed by the San Francisco Bay Shoreline Study, and shall be developed based on previously established protocols such as RWQCB's "Draft Staff Report, Beneficial Reuse of Dredge Materials: Sediment Screening and Testing Guidelines," the USFWS Cullinan Ranch Contaminant Sampling Report and the USFWS's biological opinion for the Sears Point Wetlands and Watershed Restoration	**MM BIO-2h:** Restoration of Pond A18	Director of Planning, Building & Code Enforcement, and USFWS	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager language for contract documents for the design of restoration in Pond A18 requiring preparation ecological screening criteria for fill meeting the requirements of the mitigation measure.	

<table>
<tr><th>Environmental Impacts</th><th>Mitigation Measures</th><th>Applies To</th><th>Responsibility for Monitoring Compliance</th><th>Method of Monitoring Compliance</th><th>Timing of Compliance</th></tr>
<tr><td colspan="6">Biological Resources (cont.)</td></tr>
<tr><td>Impact BIO-2 (cont.)</td><td>Project. To facilitate the beneficial reuse of any dredged material, a sediment evaluation shall be required and include the following: consideration of sediment and sediment elutriate chemistry, mobility of contaminants, results of acute toxicity bioassays for sediments and sediment elutriate, as well as a set of sediment testing guidelines.
Soil or sediment to be used in restoration of Pond A18 within the future tidal area and within three feet of the surface shall be from locations within or adjacent to the project area; if imported soil or sediment must be used, it shall meet the standards for wetland surface material in the RWQCB's "Draft Staff Report, Beneficial Reuse of Dredge Materials: Sediment Screening and Testing Guidelines." If imported dredge material is to be used as wetland surface and/or wetland foundation material, the following screening criteria shall be used. Material used in constructing features within future tidal areas deeper than three feet below the surface shall be from locations within or adjacent to the project area or if imported shall meet the standards set forth below for wetland foundation material.[3]
<table>
<tr><th rowspan="2">Constituent</th><th colspan="2">Screening Criteria (equal to or less than)</th></tr>
<tr><th>Wetland Surface Screening Criteria (equal to or less than)</th><th>Wetland Foundation</th></tr>
<tr><th>Inorganics</th><th>(milligrams/ kilogram)</th><th>(milligrams/ kilogram)</th></tr>
<tr><td>Arsenic</td><td>15.3</td><td>70</td></tr>
<tr><td>Cadmium</td><td>0.33</td><td>9.6</td></tr>
<tr><td>Chromium</td><td>112</td><td>370</td></tr>
<tr><td>Copper</td><td>68.1</td><td>270</td></tr>
<tr><td>Lead</td><td>43.2</td><td>218</td></tr>
<tr><td>Mercury</td><td>0.43</td><td>0.7</td></tr>
<tr><td>Nickel</td><td>112</td><td>120</td></tr>
<tr><td>Selenium</td><td>0.64</td><td>n/a</td></tr>
<tr><td>Silver</td><td>0.58</td><td>3.7</td></tr>
<tr><td>Zinc</td><td>158</td><td>410</td></tr>
</table>
</td><td></td><td></td><td></td><td></td></tr>
</table>

[3] U.S. Fish and Wildlife Service (USFWS), 2013, Biological Opinion on the Sears Point Wetlands and Watershed Restoration Project in Sonoma County, California, January 10.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-2 (cont.)					

Constituent (cont.)	Screening Criteria (equal to or less than)	
	Wetland Surface Screening Criteria (equal to or less than)	Wetland Foundation
Organics	(micrograms/ kilogram)	(micrograms/ kilogram)
Dichlorodiphenyltrichloroethanes (DDTs), sum	7.0	46.1
Chlordanes, sum	1.1	4.8
Dieldrin	0.72	4.3
Hexachlorocyclohexane, sum	0.78	
Hexachlorobenzene	0.485	
Polychlorinated byphenyls (PCBs), sum	22.7	180
Polycyclic aromatic hydrocarbons (PAHs), total	3,390	44,792
Low molecular weights PAHs, sum	434	3,160
High molecular weights PAHs, sum	3,060	9,600
1-Methylnapthalene	12.1	
1-Methylphenanthrene	31.7	
2,3,5-Trimethylnaphthalene	9.8	
2,6-Dimethylnapthalene	12.1	
2-Methylnapthalene	19.4	670
Acenaphthene	26.0	500
Acenaphthylene	88.0	640
Anthracene	88.0	1,100
Benz(a)anthracene	412	1,600
Benzo(a)pyrene	371	1,600
Benzo(e)pyrene	294	
Benzo(b)fluoranthene	371	
Benzo(g,h,i)perylene	310	
Benzo(k)fluoranthene	258	
Biphenyl	12.9	
Chrysene	289	2,800
Dibenz(a,h)anthracene	32.7	260
Fluoranthene	514	5,100
Fluorene	25.3	540
Indeno(1,2,3-c,d)pyrene	382	

<table>
<tr><th>Environmental Impacts</th><th>Mitigation Measures</th><th>Applies To</th><th>Responsibility for Monitoring Compliance</th><th>Method of Monitoring Compliance</th><th>Timing of Compliance</th></tr>
<tr><td colspan="6">Biological Resources (cont.)</td></tr>
<tr><td>Impact BIO-2 (cont.)</td><td>
<table>
<tr><th rowspan="2"><u>Constituent</u> (cont.)</th><th colspan="2"><u>Screening Criteria (equal to or less than)</u></th></tr>
<tr><th><u>Wetland Surface Screening Criteria (equal to or less than)</u></th><th><u>Wetland Foundation</u></th></tr>
<tr><th><u>Organics</u></th><th><u>(micrograms/ kilogram)</u></th><th><u>(micrograms/ kilogram)</u></th></tr>
<tr><td><u>Napthalene</u></td><td><u>55.8</u></td><td><u>2,100</u></td></tr>
<tr><td><u>Perylene</u></td><td><u>145</u></td><td></td></tr>
<tr><td><u>Phenanthrene</u></td><td><u>237</u></td><td><u>1,500</u></td></tr>
<tr><td><u>Pyrene</u></td><td><u>665</u></td><td><u>2,600</u></td></tr>
<tr><td><u>Dioxins (total 2,3,7,8-Tetrachlorodibenzo-p-dioxin Toxic Equivalency Quantity (TCDD TEQ)</u></td><td><u>0.02</u></td><td><u>0.02</u></td></tr>
</table>
</td><td></td><td></td><td></td><td></td></tr>
<tr><td>Impact BIO-3: The project could result in the loss of or damage to riparian woodland habitat.</td><td>MM BIO-3a: Riparian Woodland Habitat Avoidance Measures
Design of program-level WPCP improvements and planned land uses will avoid areas of riparian woodland habitat to the extent feasible. Riparian habitat impact avoidance shall be consistent with the City's General Plan Riparian Habitat Policy and setback.
To reduce impacts on riparian woodland habitat during improvement SF1-P2—Landscaping and Road Work Phase 2, trails and development east of Zanker Road, Eastern Stormwater Channel, and Ranch Drive extension construction and maintenance activities, the project proponent and/or its contractor shall implement the following measures:
• Minimize cutting and trimming of adjacent shrubs and trees during construction and maintenance activities to the maximum extent possible. Shrubs that need to be trimmed should be cut at least 1 foot above ground level to leave the root systems intact and allow for regeneration.</td><td>MM BIO-3a: WPCP improvement SF1-P2, the proposed trails and development east of Zanker Road, arterial roads, and future expansion of secondary treatment facilities.</td><td>Director of Planning, Building & Code Enforcement, Construction Inspector, CDFW, U.S. Army Corps of Engineers (USACE), ESD Compliance</td><td>The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of this mitigation measure as well as documentation of the qualifications of the certified arborist
Construction inspector shall monitor contractor compliance, report non-compliance and ensure corrective action.</td><td>Prior to and during ground disturbing activities.</td></tr>
<tr><td colspan="6">Biological Resources (cont.)</td></tr>
<tr><td>Impact BIO-3 (cont.)</td><td>• Contract a certified arborist to perform or oversee necessary trimming of riparian trees.
Install orange construction barrier fencing around the</td><td></td><td>,</td><td></td><td></td></tr>
</table>

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	boundaries of riparian habitat to be avoided prior to initiation of construction activities. The protected area shall be designated an environmentally sensitive area and would be clearly identified on the construction specifications. Fencing shall be maintained throughout the construction period.				
	MM BIO-3b: Riparian Woodland Habitat Preservation, Restoration, Creation and Management If impacts to riparian woodland habitat cannot be avoided, the project proponent shall obtain all required permits to mitigate the project's impacts. In order to ensure that implementation of the Master Plan results in no net loss of riparian habitat functions and values, the project proponent shall compensate for the loss of riparian habitat through on-site restoration and creation and/or off-site protection and enhancement of riparian habitat. Mitigation shall be implemented by the project proponent in amounts acceptable to the Army Corps of Engineers, California Department of Fish and Wildlife, and San Francisco Regional Water Quality Control Board. The size and location(s) of the area(s) to be restored, created, enhanced, or preserved shall be determined based on appropriate mitigation ratios derived in consultation with CDFW and USACE. The project proponent shall also prepare, in consultation with CDFW and USACE, a mitigation plan that includes monitoring requirements and success criteria. Temporary impacts on riparian habitat will be mitigated through restoration of the disturbed area by at least a 1:1 ratio. The project proponent will also mitigate for permanent impacts on riparian habitat through restoration, creation and/or enhancement of riparian habitat with the mitigation habitat to be of the same or higher quality than the impacted habitat. Riparian mitigation will occur on-site, or at an agency approved location off-site. On-site restoration and enhancement opportunities include along the proposed alignment of Artesian Slough, and along lower Coyote Creek. The mitigation ratio for permanent impacts will be at least 1:1 but will be determined in consultation with the RWQCB, USACE, and CDFW once project-specific impacts are known. Mitigation will be implemented at and/or by the time of impact(s) in an amount proportionate to the impact to avoid temporal loss.	**MM BIO-3b:** WPCP improvement SF1-P2, proposed trails and development east of Zanker Road, arterial roadways, and future expansion of secondary treatment facilities.	Director of Planning, Building & Code Enforcement, CDFW, RWQCB, and USACE, ESD Compliance	The project proponent shall provide a copy of approved mitigation monitoring plan to the satisfaction of the Director of Planning, Building & Code Enforcement and appropriate agencies.	Prior to and following completion of ground disturbing activities.
Biological Resources (cont.)					
Impact BIO-3 (cont.)	The project proponent will develop a Mitigation Monitoring Plan				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	(MMP) to ensure that all removed habitat is replaced "in-kind" with the appropriate native overstory and understory species to maintain or increase structural complexity and habitat value. The MMP will be developed in the context of the federal and state permitting processes under the Clean Water Act (CWA) and California Fish and Game Code and will include success criteria as specified by the permitting agencies. The MMP will also include adaptive management guidelines for actions to be taken if the success criteria are not met. The initial annual monitoring will assess the progress of the plantings according to predetermined success criteria. If progress is not satisfactory, then adaptive management actions (including replanting, nonnative species removal, etc.) may be implemented. The MMP will remain in force until the success criteria are met. Riparian habitat along Artesian Slough will be managed as early successional riparian habitat and trees higher than 15 feet will be cut down. Managing the height of trees will avoid providing raptor perches that could lead to increased predation on the nearby burrowing owl population. A minimum of 25% of the felled trees will be laid down where they grew. The project proponent will be responsible for management of riparian habitat in perpetuity.				
	MM BIO-3c: Control of Non-Native Invasive Plant Species. To minimize introduction and spread of non-native invasive plant species, the project proponent or its contractor shall implement the following: • A qualified biologist or botanist shall conduct field training for construction workers to inform them about invasive species and methods to minimize spread of invasive species for the duration of all associated project and program activities mentioned above. • Revegetate areas disturbed during construction with approved native plant species. • Remove invasive plant seeds and plant parts from all clothing, shoes, vehicles, and equipment prior to entering or working in or near any environmentally sensitive area, including riparian woodland habitat. • Stage construction and maintenance equipment in weed-free areas.	**MM BIO-3c (riparian areas):** Project-level WPCP improvements B2-P1, B3-P1, B4-P1, B5-P1, B6; program-level improvements B1, B2-P2, B3-P2, B4-P2, B5-P2, B7, and SF1-P2; Pond A18 restoration, Artesian Slough riparian corridor; freshwater wetland; economic development; eastern stormwater channel; trails and	Director of Planning, Building & Code Enforcement and Construction Inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of this mitigation measure, as well as documentation of the qualifications biologist or botanist. Construction inspector shall maintain documentation of field training and otherwise monitor contractor compliance, report non-	Prior to, during and after completion of ground disturbing activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Biological Resources (cont.)					
Impact BIO-3 (cont.)	• Gather and bag invasive plant seeds or plant parts found in the containment area and take them to an appropriate disposal facility. • Implement the following measures to prevent the spread of noxious weeds and invasive plants when present. – Educate crews in the use of weed-free materials when available, ensure vehicles leaving paved roads do not spread weeds in sensitive habitats (including salt marsh or upland refugia habitat for salt marsh harvest mouse, salt marsh wandering shrew, California clapper rail, California black rail, dusky footed woodrat, and all aquatic and wetland habitat); and – Avoid entering patches of invasive plants to the maximum extent possible.	arterial roads, and future expansion of secondary treatment facilities.		compliance and ensure corrective action.	
Impact BIO-4: The project could result in the loss of or damage to wetlands and other waters.	**MM WQ-2: Water Quality Evaluation and Control Plan for Pond A18** (see MM WQ-2 below for description).	See MM WQ-2.			
	MM HYD-4b: Levee Erosion Assessment (see MM HYD-4b below for description).	See MM HYD-4b.			
	MM BIO-3c: Control of Non-Native Invasive Plant Species (see MM BIO-3c above for description).	See MMBIO-3c			
	MM BIO-4a: Wetlands Avoidance Measures Design of WPCP improvements and planned land uses shall avoid areas of wetland resources to the extent feasible. Prior to implementation, the City would undertake further environmental review of the project components mentioned above. Environmental review and impact assessments would include mitigation measures to reduce and minimize impacts to wetland resources. To reduce impacts on wetland resources during construction, the project proponent would implement the following measures: • Install orange construction barrier fencing around the boundaries of wetland resources to be protected prior to initiation of construction activities. • Designate the protected area an environmentally sensitive area and clearly identify the area on the construction specifications.	**MM BIO-4a:** WPCP project-level improvements B2-P1, B3-P1, B4-P1, B5-P1, B6, and SF1-P1; program-level improvements B1, B2-P2, B3-P2, B4-P2, B5-P2, B7, and SF1-P2; Pond A18 restoration, Artesian Slough riparian corridor; freshwater wetland; trail; economic development; arterial roads; and eastern	Director of Planning, Building & Code Enforcement and Construction Inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager plans and specifications meeting the requirements of this measure. Construction inspector shall monitor contractor compliance, report non-compliance and ensure corrective action.	Prior to and during construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
		stormwater channel.			
Biological Resources (cont.)					
Impact BIO-4 (cont.)	• Prohibit construction activity, traffic, equipment, or materials in fenced wetland areas.				
	MM BIO-4b: Wetlands Restoration for Project-Level Improvements. If it is determined during the design phase that impacts on wetland habitat cannot be avoided, the proponent shall obtain permits and approvals from the USACE, RWQCB, and CDFWG. In order to ensure that the proposed project results in no net loss wetland habitat functions and values, the project proponent shall compensate for the loss of wetland resources through either on-site restoration/creation and/or off-site protection and enhancement of riparian and wetland habitat. Temporary impacts to waters of the U.S. shall be mitigated through compensation at a 1:1 ratio to ensure no net loss of wetland habitat consistent with the terms of applicable state and federal permits. The project proponent shall also mitigate for permanent impacts to waters of the U.S. through creation and/or enhancement of waters of the U.S. and wetland habitat. The mitigation ratio for permanent impacts shall be at least 1:1, but will be determined at a later date through agency coordination and will be greater than the mitigation ratio associated with temporary impacts. Mitigation shall be implemented at and/or by the time of impact(s) in an amount proportionate to the impact to avoid temporal loss of habitat function. The project proponent could execute one of the following options, or another alternative, as approved by the agencies, for mitigating impacts to waters of the U.S. and wetlands: (a) purchasing credits at the appropriate ratio at an approved mitigation bank, (b) contributing funds to the South Bay Salt Ponds Restoration project in an amount equivalent to the purchase of credits at an approved mitigation bank, (c) restoring portions of Pond A18 and/or areas within the active or inactive biosolids lagoons, and/or (d) restoring degraded habitat within the SCVWD easement north of the active lagoons. The details of site restoration, monitoring, and adaptive management shall be specified in a mitigation monitoring plan (MMP) prepared by the project proponent in compliance with the Clean Water Act. The MMP shall include success criteria that will	**MM BIO-4b:** WPCP improvements B2-P1, B3-P1, B4-P1, B5-P1, and B6.	Director of Planning, Building & Code Enforcement, USACE, RWQCB, CDFW, ESD Compliance	The project proponent shall provide a copy of the approved mitigation monitoring plan to the satisfaction of the Director of Planning, Building & Code Enforcement.	Prior to and following construction

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	be assessed by comparing the performance of restored wetlands during the monitoring period against objective and				
Biological Resources (cont.)					
Impact BIO-4 (cont.)	verifiable, ecologically-based success criteria which reflect the goals and objectives of the site. Example success criteria may include, but are not limited to: 1) period of inundation, 2) percent vegetation cover, and 3) plant species richness, all aimed at replacing the functions and values that were lost in the wetland that was removed. The project proponent shall conduct annual monitoring to assess re-establishment of wetland vegetation, and if necessary, implement adaptive management actions (including replanting, nonnative species removal, etc.) to ensure that there is no net loss of wetland habitat. Wetland compensation habitat shall be set aside and protected in perpetuity through appropriate legal means, consistent with agency requirements and as specified in permits. The project proponent shall be responsible for all associated costs and logistics.				
	MM BIO-4c: Wetlands Restoration for Program-Level Improvements and Other Proposed Land Uses. If it is determined during the design phase that impacts on wetland habitat cannot be avoided, the proponent shall obtain permits and approvals from the USACE, RWQCB, and CDFW. In order to ensure that the proposed program development results in no net loss wetland habitat functions and values, the program proponent shall compensate for the loss of wetland resources through either on-site restoration/creation and/or off-site protection and enhancement of riparian and wetland habitat. Temporary impacts to waters of the U.S. shall be mitigated through compensation at a 1:1 ratio to ensure no net loss of wetland habitat consistent with the terms of applicable state and federal permits. The project proponent will also mitigate for permanent impacts to waters of the U.S. through creation and/or enhancement of waters of the U.S. and wetland habitat within the project site. The mitigation ratio for permanent impacts will be at least 1:1, but will be determined at a later date through agency coordination and will be greater than the mitigation ratio associated with temporary impacts. Mitigation shall be implemented at and/or by the time of impact(s) in an amount proportionate to the impact to avoid temporal loss. The size and location(s) of the area(s) to be enhanced/restored/created will be	**MM BIO-4c:** WPCP program-level improvements B1, B2-P2, B3-P2, B4-P2, B5-P2, B7, and SF1-P2; Pond A18 restoration; Artesian Slough riparian corridor; freshwater wetland; trail; economic development; arterial road; and stormwater channel.	Director of Planning, Building & Code Enforcement, USACE, RWQCB, CDFW, ESD Compliance	The project proponent shall provide a copy of the approved mitigation monitoring plan to the satisfaction of the Director of Planning, Building & Code Enforcement and appropriate agencies.	Prior to and following construction activities.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	determined based on appropriate mitigation ratios derived in consultation with USACE and the San Francisco Bay RWQCB.				
Biological Resources (cont.)					
Impact BIO-4 (cont.)	In compliance with the Clean Water Act, the project proponent shall retain a qualified biologist to prepare a mitigation monitoring program (MMP) that includes details of site restoration, monitoring, and adaptive management. The qualified biologist shall conduct annual monitoring to assess re-establishment of wetland vegetation, and if necessary, implement adaptive management actions (including replanting, nonnative species removal, etc.) to ensure that there is no net loss of wetland habitat. Wetland compensation habitat shall be set aside and protected in perpetuity through appropriate legal means, consistent with agency requirements and as specified in permits. The project proponent shall be responsible for all associated costs and logistics.				
Impact BIO-5: The project could result in the loss of or damage to protected trees.	**MM BIO-3a: Riparian Woodland Habitat Avoidance Measures** (see MM BIO-3a above for description).	See MM BIO-3a.			
	MM BIO-3b: Riparian Woodland Habitat Preservation, Restoration, Creation and Management (see MM BIO-3b above for description).	See MM BIO-3b.			
	MM BIO-3c: Control of Non-Native Invasive Plant Species (see MM BIO-3c above for description).	See MM BIO-3c.			
	MM BIO-5a: Avoid or Compensate for Removal of Protected Trees. To the maximum extent feasible, the project design shall avoid loss of any protected tree, which is any live or dead woody perennial plant with one trunk or aggregate of trunks equaling 56 inches in diameter or more measured two feet above grade. As part of project design, the project proponent and/or contractor shall retain a certified arborist to survey trees in the proposed project site and identify and evaluate trees that will be removed. If the arborist's survey does not identify any protected trees that would be removed or damaged as a result of the proposed project, no further mitigation is necessary. Protected trees that are lost as a result of the project will be replaced at a minimum of four 15-gallon trees per tree removed. Tree	**MM BIO-5a:** WPCP improvements SF1-P1 and SF1-P2, future expansion of secondary treatment facilities, arterial roadway, community park, trails, and economic development land uses south and east of the operational area.	Project proponent and Director of Planning, Building & Code Enforcement, Construction inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following: • Contract language meeting the requirements of this measure • The resume or other documentation for the consulting arborist	Prior to and after construction.

<table>
<tr><th>Environmental Impacts</th><th>Mitigation Measures</th><th>Applies To</th><th>Responsibility for Monitoring Compliance</th><th>Method of Monitoring Compliance</th><th>Timing of Compliance</th></tr>
<tr><td></td><td>replacement amounts shall be subject to the City's Director of</td><td></td><td></td><td></td><td></td></tr>
<tr><td colspan="6">Biological Resources (cont.)</td></tr>
<tr><td>Impact BIO-5 (cont.)</td><td>Planning, who will determine the final mitigation for impacts to protected trees based on the requirements set forth in EIR Table 4.7-11.
Table 4.7-11
TREE MITIGATION REQUIREMENTS
<table>
<tr><th rowspan="2">Diameter at Breast Height of Tree to be Removed</th><th colspan="3">Type of Tree to be Removed and Mitigation Ratio[a]</th><th rowspan="2">Minimum Size of Each Replacement Tree</th></tr>
<tr><th>Native</th><th>Non-Native</th><th>Orchard</th></tr>
<tr><td>18 inches or greater</td><td>5:1</td><td>4:1</td><td>3:1</td><td>24-inch box</td></tr>
<tr><td>12 - 18 inches</td><td>3:1</td><td>2:1</td><td>None</td><td>24-inch box</td></tr>
<tr><td>less than 12 inches</td><td>1:1</td><td>1:1</td><td>None</td><td>15-gallon container</td></tr>
</table>
NOTE: Trees greater that 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.
[a] x:x = tree replacement to tree loss ratio</td><td></td><td></td><td>• Results of the tree survey including identification of trees to be avoided
Construction inspector shall monitor contractor compliance, report non-compliance and ensure corrective action.</td><td></td></tr>
<tr><td></td><td>MM BIO-5b: Minimize Construction Effects on Protected Trees to Be Retained.
The project proponent shall implement the following tree-protection measures prior to and during project construction.
• Retain a certified arborist to oversee protection of native trees to be retained on the project site.
• Require that any tree or root pruning occurring for construction is first approved by the certified arborist.
• Require that the certified arborist evaluate injuries to retained trees as soon as possible for appropriate treatment.</td><td>MM BIO-5b: WPCP improvements SF1-P1 and SF1-P2, future expansion of secondary treatment facilities, arterial roadway, community park, trails, and economic development land uses south and east of the operational area.</td><td>Project proponent and Director of Planning, Building & Code Enforcement, Construction inspector</td><td>The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of this measure, and the resume or other documentation for the consulting arborist.
Construction inspector shall monitor contractor compliance, report non-compliance and ensure</td><td>Prior to and after construction.</td></tr>
</table>

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
				corrective action.	
Biological Resources (cont.)					
Impact BIO-6: The project could result in a potential interference with migration routes or nursery sites for native resident or migratory fish or wildlife species. The long-term transition of the project site from active biosolid lagoons to upland to Bay transition zone would benefit migratory birds that use the Bay Area coastal wetlands as a stopover foraging location. There is low potential to impact migratory routes of fish and other species which utilize Coyote Creek and the associated riparian corridor for movement through introduction of invasive plants and increased human presence adjacent to the riparian zone. Measures to prevent the spread of invasive plant species are discussed under Impact BIO-3. City ordinances regarding trash management and reducing light pollution would ensure that impacts	**MM BIO-2a: Special-Status Fish Measures** (see MM BIO-2a, above, for description). **MM BIO-3a: Riparian Woodland Habitat Avoidance Measures** (see MM BIO-3a, above, for description). **MM BIO-3b: Riparian Woodland Habitat Preservation, Restoration, Creation, and Management** (see MM BIO-3b, above, for description). **MM BIO-3c: Control of Non-Native Invasive Plant Species** (see MM BIO-3c, above, for description). **MM BIO-4a: Wetlands Avoidance Measures** (see MM BIO-4a, above, for description). **MM BIO-4b: Wetlands Restoration for Project-Level Improvements** (see MM BIO-4b, above, for description). **MM BIO-4c: Wetlands Restoration for Program-Level Improvements and Other Proposed Land Uses** (see MM BIO-4c, above, for description).	See MM BIO-2a, 3a, 3b, 3c, 4a, 4b, 4c	See MMs BIO-2a, BIO-3a, BIO-3b, BIO-3c, BIO-4a, BIO-4b, and BIO-4c		

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
related to increased human presence is less-than significant.					
Biological Resources (cont.)					
Impact BIO-7: The project would conflict with the provisions of the adopted Santa Clara Valley Habitat Plan a habitat conservation plan and natural community conservation plan.	**MM BIO-2e: Western Burrowing Owl Measures** (see MM BIO-2e, above, for description).	Same as MM BIO-2e: Other proposed land uses surrounding the existing operational area.	See MM BIO-2e		
Hydrology					
Impact HYD-1: The project could increase the risk of flooding due to runoff associated with increases in impervious area.	**MM HYD-1: Comprehensive Drainage Plan.** The City shall prepare and implement a comprehensive drainage plan for the future plant expansion area, the proposed solar power facilities, and all other proposed land uses to the south and east of the WPCP operational area. The plan shall be consistent with the provisions and requirements of the Municipal Regional Permit (NPDES Permit Order R2-2009-0074), as well as with the subsequent policies and guidance set forth by the relevant permittee(s) (e.g., the City of San José). This plan shall incorporate the following elements: • The storm drain system and treatment capacity shall be designed in a manner to accommodate peak conditions from a design storm. The City requires that the storm drain system have the capacity for a 10-year event; however, the comprehensive drainage plan shall also plan for a 100-year event. The plan need not avoid all ponding and flooding during a 100-year event, but shall consider where water would pool and flow and include measures to avoid draining excess runoff to offsite pumps, to avoid flooding structures, and to avoid the release of untreated sewage during a 100-year runoff event. • Actions necessary to prevent exceeding Headworks capacity and/or releasing of runoff offsite, as specified in the NPDES requirements, shall be identified and implemented. Such actions may include installation of additional pumping	WPCP Improvements F1, D1, D2, B2-P1, B2-P2, B3-P1, B3-P2, B4-P1, B4-P2, B5-P1, B5-P2, E1-P2, E2, SF1-P1, SF1-P2, SF2, and SF3, all proposed economic development and recreation land uses.	Director of Planning, Building & Code Enforcement,	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager a comprehensive Drainage Plan meeting the requirements of the measure.	Prior to construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	capacity or redirection of runoff to other surface waters (so long as such discharges are in compliance with NPDES requirements).				
Hydrology (cont.)					
Impact HYD-1 (cont.)	• Proposed roads east of the operational area) and recreational trails shall be designed to allow passage of surface water drainages, avoid fill within wetland habitats, and shall incorporate measures to reduce the impact of impervious surfaces on the rate and volume of stormwater runoff. The size and design of culverts, channels, cross drains, boardwalks, and/or bridges (as applicable) shall be determined based on drainage calculations that consider both a 10-year and 100-year storm event. The drainage plan shall also identify measures to ensure that current rates of groundwater infiltration are not decreased significantly by the increase in impervious area with implementation of proposed PMP land uses to the south and east of the operational area. Where soils are suitable, such measures might include bioswales, infiltration galleries, or other measures that promote stormwater retention and infiltration rather than offsite conveyance.				
Impact HYD-4: The project could result in the potential for increased scour and erosion from restoration of Pond A18.	**MM HYD-4a: Union Pacific Railroad Bridge Scour Assessment.** Prior to breaching of Pond A18 levees, the City shall require preparation and implementation a scour assessment for the Union Pacific Railroad Bridge as a condition of approval for the entity responsible for the restoration design. If the potential for scour is found to be manageable, then the tidal channels and bridge supports shall be monitored closely following construction. Regular inspections of the Union Pacific Railroad Bridge piers shall be conducted in coordination with a qualified engineer following breaching to look for evidence of scour or scour-related damage to bridge pier supports that appears to be associated with the Pond A18 restoration. If inspections identify the potential for excessive scour or scour-related damage to bridge piers based on conservative engineering judgment, then a more detailed engineering analysis shall be conducted to assess the potential effects of the project. If the more detailed analysis identifies potential effects of the project on the	**MM HYD-4a:** Restoration of Pond A18.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager language for contract documents for the design of restoration in Pond A18 requiring preparation of a scour assessment meeting the requirements of the mitigation measure.	Prior to restoration of Pond A18.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	bridge, the lead agency shall develop and implement a plan for protecting the piers. Possible measures to protect the piers include the following.				
Hydrology (cont.)					
Impact HYD-4 (cont.)	• Place rock armor along the bed and banks of the channel at the bridge and along the bed and railway embankment on both sides of the bridge to limit scour. • Place rock armoring across the channel for some distance upstream and/or downstream of the bridge to limit scour at the bridge supports and approaches. and • Modify the bridge structure, such as by constructing new pilings and underpinnings, to accommodate the scour. The potential for implementation of some of these measures to generate substantial impacts for the physical environment would require investigation as part of project-level evaluation under CEQA.				
	MM HYD-4b: Levee Erosion Assessment. Prior to restoration of Pond A18, the City shall require preparation and implementation of a levee erosion assessment as a condition of approval for the entity responsible for the restoration design. The potential for levee erosion is expected to be addressed in a feasibility study as part of the Shoreline Study (in progress). If detailed assessment suggests the potential for impacts, mitigation measures shall be implemented to reduce impacts to less than significant. Possible mitigation measures include: • Designing, monitoring, and implementing adaptive management to avoid impacts to the USFWS pond levees downstream as part of the broader Shoreline Study planning effort. • Regularly inspecting the pond levees downstream of Pond A18 in coordination with a qualified engineer following breaching to look for evidence of levee erosion that appears to be associated with Pond A18 restoration. If inspections identify excessive erosion along levees, develop and implement a plan to protect the pond levees. This shall be done in coordination with the lead agencies, including USFWS, SCVWD, and other partners involved in the Shoreline Study. • Coordinating with Cargill to mitigate impacts of erosion to	**MM HYD-4b:** Restoration of Pond A18 and Artesian Slough riparian corridor.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager language for contract documents for the design of restoration in Pond A18 requiring preparation of a levee erosion assessment meeting the requirements of the mitigation measure.	Prior to restoration of Pond A18.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	levees along the Cargill ponds through levee maintenance or cost-share. • Redirecting high velocity flows through the restored USFWS ponds and away from the Cargill levees, as possible.				
Hydrology (cont.)					
Impact HYD-4 (cont.)	(Note: If USFWS restores Ponds A9 through A17 prior to Pond A18 restoration, this mitigation measure may not be applicable to levees along Ponds A9 through A17. However, potential erosion impacts to other pond levees on the north side of Coyote Creek will need to be considered.)				
Impact HYD-6: The project could cause saltwater intrusion of regional groundwater sources.	**MM HYD-6: Proper Well Destruction/Abandonment.** Prior to breaching Pond A18 and prior to grading/construction activities associated with restoration of tidal marsh, freshwater wetland habitats, or creation of eastern stormwater channel, the City and/or its contractor shall identify and properly cap all abandoned wells that may be inundated by either saltwater of brackish water. Wells must be properly destroyed in accordance with local and State regulations by coordinating such activities with the SCVWD A well destruction work plan shall be prepared in consultation with SCVWD to ensure conformance to SCVWD specifications and shall include consulting the databases of well locations provided by SCVWD.	Restoration of Pond A18, Artesian Slough Riparian Corridor, Eastern Stormwater Channel, and Freshwater Wetland.	Director of Planning, Building & Code Enforcement, and SCVWD	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager a well destruction work plan meeting the requirements of the mitigation measure and approved by SCVWD.	Prior to pond restoration of Pond A18 and grading and construction activities associated with restoration of tidal marsh, freshwater wetland and slough creation/ restoration.
Impact HYD-7: The project could deplete groundwater supplies or interference with groundwater recharge.	**MM HYD-1 (Comprehensive Drainage Plan)** (see MM HYD-1 above for description).	See MM HYD-1 above.			
Water Quality					
Impact WQ-2: The project would alter of pond or downstream water quality due to proposed operations of Pond A18.	**MM WQ-2: Water Quality Evaluation and Control Plan for Pond A18.** During design of salt pond restoration and prior to breaching of Pond A18 levees, the City, in coordination with other agencies directly involved in planning and implementing Pond A18 restoration, shall require preparation of a water quality evaluation for the proposed levee removal and associated pond restoration activities. The water quality evaluation shall evaluate anticipated construction activities and anticipated changes to pond area and nearby hydrodynamics, and evaluate their	Restoration of Pond A18.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager language for contract documents for the design of restoration in Pond A18 requiring preparation of a water	Prior to completion of design phase of Pond A18 restoration.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	potential to influence each of the water quality parameters discussed in this analysis: temperature, salinity, DO, metals, mercury, methyl mercury, phytoplankton blooms, and nuisance algae. The water quality evaluation shall consider applicable			quality evaluation and control plan and meeting the requirements of the mitigation measure.	
Water Quality (cont.)					
Impact WQ-2 (cont.)	water quality standards and goals defined in the Basin Plan, the Bay Conservation and Development Commission's Bay Plan Policies on Water Quality, as applicable, and other applicable water quality standards. The water quality evaluation shall provide recommendations for the minimization of each category of potential water quality pollutants described above, sufficient to ensure that downstream beneficial uses would not be adversely affected, and that applicable water quality standards would not be exceeded. The City shall implement all recommendations identified in the water quality evaluation needed to preserve water quality and maintain consistency with the Basin Plan and other applicable water quality standards and requirements, and protect beneficial uses on site and downstream. The water quality evaluation shall also identify protocols and procedures for the deployment of long-term monitoring for temperature, salinity, dissolved oxygen, metals including mercury, methylmercury, phytoplankton blooms, and nuisance algae, and shall, in the event of exceedance of applicable standards established to protect beneficial use by the Regional Board, identify measures and actions as warranted to reduce pollutant emissions and protect beneficial use.				
Hazards and Hazardous Materials					
Impact HAZ-1: The project could result in the release of hazardous materials in soil or groundwater into the environment, and the creation of significant hazards due to the presence of documented hazardous materials sites within the PMP planning area.	**MM HAZ-1a: Pre-Construction Hazardous Materials Assessment.** Prior to issuance of grading permits for project construction, the City or its contractor shall ensure that a limited soil and/or groundwater investigation is performed at proposed WPCP construction work areas to characterize soil and/or groundwater quality. Generally, for projects within 250 feet of a known underground fuel tank leak or spill, the City shall perform the site assessment in general accordance with protocols described in the SWRCB Leaking Underground Fuel Tank Guidance Manual (September 2012), and coordinate with the RWQCB as required. For all other projects, the City shall conduct a site assessment including potential testing of soil and/or groundwater, and if testing reveals soil and/or groundwater	**MM HAZ-1a:** All WPCP improvements involving ground disturbance within the existing operational area and proposed land uses within the eastern lagoons and drying beds. Specifically, H1, H2, P1, P2, P3, S1, F1, D1, D2, B2-P2, B6, B7, E1-P2, E2, SF1-P1, SF1-P2, SF2, SF3, Freshwater Wetland, Eastern	Director of Planning, Building & Code Enforcement, Construction Inspector	The project proponent shall incorporate appropriate language into contract documents to the satisfaction of the Planning Environmental Division Manager meeting the requirements of this measure. The construction inspector shall monitor to ensure contractor implements measures in contract	Prior to construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	concentrations that exceed applicable regulatory screening levels, the City shall contact the SCCDEH or RWQCB, as appropriate, to secure regulatory oversight. The work plan will establish the sampling and laboratory analysis program which	Stormwater Channel, Light Industrial Development, Roads, Trails, Nature Museum, Flexible Space		documents, reports non-compliance and ensures corrective action.	
Hazards and Hazardous Materials (cont.)					
Impact HAZ-1 (cont.)	may include the following: analysis of subsurface soil samples within the WPCP for total petroleum hydrocarbons (as gasoline, diesel, and waste oil), Title 22 metals, and VOCs or any other chemicals of concern to evaluate the potential presence of contamination; collection of groundwater samples if subsurface excavations are anticipated to require dewatering; and additional analyses for VOCs and SVOCs for groundwater samples collected at construction locations within 1000 feet of adjacent landfills. The results of the hazardous materials assessment shall be incorporated into the Site Health and Safety Plan prepared in accordance with Mitigation Measure HAZ-1b and the Soil and Groundwater Management Plan prepared in accordance with Mitigation Measure HAZ-1c to determine whether: specific soil and groundwater management and disposal procedures for contaminated materials are required; excavated soils are suitable for reuse; and construction worker health and safety procedures for working with contaminated materials are required. If the pre-construction hazardous materials assessment identifies the presence of soil and/or groundwater contamination at concentrations in excess of applicable regulatory screening levels (ESLs or CHHSLs) for proposed site use, the City shall complete site assessment and remedial activities required by the regulatory agency to ensure that residual soil and/or groundwater contamination, if any, shall not pose a continuing significant threat to groundwater resources, human health, or the environment.				
	MM HAZ-1b: Health and Safety Plan. The City shall require the construction contractor for each individual construction contract to retain a qualified environmental professional to prepare a site-specific Health and Safety Plan (HASP) in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR Title 8, Section 5192). Because anticipated contaminants vary depending upon the location of proposed improvements in the project area and may vary over time, the HASP shall address site-specific worker health	**MM HAZ-1b:** All WPCP improvements and proposed land uses located outside the inactive biosolids lagoons. Specifically, WPCP Improvements H1, H2, P1, P2, P3, S1, F1, D1,	Director of Planning, Building & Code Enforcement, Construction inspector.	The project proponent shall incorporate appropriate language into contract documents to the satisfaction of the Planning Environmental Division Manager meeting the requirements of this measure, and	Prior to and during construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	and safety issues during construction of the individual projects. The HASP shall include the following information. • Results of sampling conducted in accordance with Mitigation Measure HAZ-1a (for the existing WPCP operational area).	D2, B2-P2, B5-P1, B6, B7, E1-P1, E1-P2, E2, SF1-P1, SF1-P2, SF2, SF3, and all other proposed land uses.		retain a qualified environmental professional to prepare the site-specific Health and Safety Plan. The	

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Hazards and Hazardous Materials (cont.)					
Impact HAZ-1 (cont.)	• All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations. • Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP. • The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations be present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall direct procedures to be followed in the event that an unanticipated hazardous materials release with the potential to impact health and safety is encountered. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release; notifying Santa Clara County Department of Environmental Health and retaining a qualified environmental firm to perform sampling, remediation, and/or disposal. • Documentation that HASP measures have been implemented during construction. Provision that submittal of the HASP to the City, or any review of the contractor's HASP by the City, shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.			construction inspector shall monitor compliance, report non-compliance and ensure corrective action. The project proponent shall submit the HASP to the Planning Environmental Division Manager.	

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Hazards and Hazardous Materials (cont.)					
Impact HAZ-1 (cont.)	**MM HAZ-1c: Soil and Groundwater Management Plan.** The City shall require the construction contractor to prepare and implement a Soil and Groundwater Management Plan, subject to review by the City, that specifies the method for handling and disposal of contaminated soil and groundwater prior to construction. The plan shall include all necessary procedures to ensure that excavated materials and fluids generated during construction are stored, managed, and disposed of in a manner that is protective of human health and in accordance with applicable laws and regulations. The plan shall include the following information. • Step-by-step procedures for evaluation, handling, stockpiling, storage, testing, and disposal of excavated material, including criteria for reuse and offsite disposal. All excavated materials shall be inspected prior to initial stockpiling, and spoils that are visibly stained and/or have a noticeable odor shall be stockpiled separately to minimize the amount of material that may require special handling. In addition, excavated materials shall be inspected for buried building materials, debris, and evidence of underground storage tanks; if identified, these materials shall be stockpiled separately and characterized in accordance with landfill disposal requirements. If some of the spoils do not meet the reuse criteria and/or debris is identified, these materials shall be disposed of at a permitted landfill facility. • Procedures to be implemented if unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, or contaminated soils. • Procedures for containment, handling and disposal of groundwater generated from construction dewatering, the method to analyzed groundwater for hazardous materials likely to be encountered at specific locations (based on the results of Mitigation Measure HAZ-1a), and the appropriate treatment and/or disposal methods.	**MM HAZ-1c:** All WPCP improvements and proposed land uses located outside the inactive biosolids lagoons. Specifically, WPCP Improvements H1, H2, P1, P2, P3, S1, F1, D1, D2, B2-P2, B5-P1, B6, B7, E1-P1, E1-P2, E2, SF1-P1, SF1-P2, SF2, SF3, and all other proposed land uses.	Director of Planning, Building & Code Enforcement, Construction inspector.	The project proponent shall incorporate appropriate language into contract documents, to the satisfaction of the Planning Environmental Division Manager, meeting the requirements of this measure. The construction inspector shall monitor compliance, report non-compliance and ensure corrective action. The project proponent shall submit the Soil and Groundwater Management Plan to the Planning Environmental Division Manager.	Prior to and during construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Hazards and Hazardous Materials (cont.)					
Impact HAZ-1 (cont.)	**MM HAZ-1d: Coordination with Regulatory Agencies.** Prior to construction activities in the inactive biosolids lagoons, the City shall enter into a Voluntary Cleanup Agreement with California Department of Toxic Substances (DTSC) in accordance with Health and Safety Code Section 25355.5 (a)(1)(C) for regulatory agency oversight of the investigation and/or remediation of the biosolids lagoons to ensure full protection of the environment and human health. Implementation of the Voluntary Cleanup Agreement would include: additional site characterization; risk evaluation and cleanup level determination, remedial action planning and implementation, land use covenant and long-term operations and maintenance or monitoring, and public outreach. The City shall comply with all the terms of the Voluntary Cleanup Agreement and provide the DTSC with documentation that all provisions of the agreement have been satisfied.	**MM HAZ-1a:** All WPCP improvements located within the inactive biosolids lagoons.	Director of Planning, Building & Code Enforcement, DTSC	The project proponent shall file a fully executed Voluntary Clean-up Agreement with the Planning and Environmental Division Manager. The project proponent shall copy the Planning and Environmental Division Manager on documentation to DTSC that all provisions of the agreement have been satisfied.	Prior to construction.
Impact HAZ-4: The project could result in ruptures of subsurface utilities.	**MM UT-6: Coordination with Utility Service Providers and Develop Utility Avoidance Plan** (see MM UT-6 below for description).	See MM UT-6.			
Public Services and Facilities					
Impact PS-1: The project would result in impacts to fire and police protection services.	**MM PS-1: Coordinate with SJFD and SJPD to Evaluate Project Effects on Staffing Levels Needed to Maintain Response Times and Mitigate Impacts of New or Expanded Facilities Needed as a Result of the Project.** The City shall coordinate with the SJFD and the SJPD early in the process of economic development planning to determine if proposed development would (i) increase staffing levels needed to maintain SJFD and SJPD response times, and, (ii) require new or physically altered SJFD or SJPD facilities. If new or physically	Proposed economic development.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract documents incorporating appropriate language meeting the requirements of this measure.	Planning and design phase.
Public Services and Facilities					
Impact PS-1 (cont.)	altered facilities are needed, then prior to approval of a site development permit for PMP economic development projects, the City shall conduct CEQA review of the proposed new or altered facilities and commit to implementing feasible measures				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	to reduce identified significant environmental impacts, if any. Feasible, effective measures to reduce construction impacts are routinely implemented in the City, including those identified to reduce the PMP's construction impacts. Such measures include but would not be limited to implementation of a traffic control plan and a construction noise logistics plan, measures to protect potentially affected sensitive species and protected trees, and preparation and implementation of a construction stormwater pollution prevention plan that would include standard construction best management practices (BMPs) to reduce erosion and prevent polluted runoff from leaving the construction site. If the addition or expansion of police or fire facilities is determined to have significant environmental impacts, as required by CEQA Section 21081.6, the City, as lead agency, shall not approve the project without adopting a Mitigation Monitoring and Reporting Program to avoid or mitigate any significant effects on the environment due to facility construction.				
Impact PS-2: The project would result in an increase in use of neighborhood and regional parks or other recreational facilities.	**MM PS-2: Project-level Evaluation of Economic Development Operational Impacts to Existing Recreational Facilities.** As part of future project-level environmental review, the City shall evaluate operational impacts on recreational facilities to determine if economic development would result in or accelerate substantial physical deterioration of recreational facilities in an around the planning area. Depending on the determination of project-level impacts, concurrent development of business and recreational uses may be required to alleviate pressure on existing facilities.	All economic development and flexible space land uses.	Director of Planning, Building & Code Enforcement	The Planning Department shall include evaluation of operational impacts to existing recreational facilities in CEQA document for economic development.	Environmental review phase.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
Utilities and Service System					
Impact UT-1: The Project may result in the construction of new or water treatment facilities, or the expansion of existing water treatment facilities.	**MM UT-1: Water Supply Assessment** Consistent with the requirements of Senate Bill (SB) 610, the City shall require preparation of a water supply assessment (WSA) for any PMP economic development component or combination of components that meets or exceeds project size thresholds established in Sections 10910-10915 of the California Water Code in conjunction with the City's project-level CEQA review of the economic development component(s). As required in Sections 10910-10915 of the California Water Code, if the WSA determines there is insufficient water supply to meet project demand, the WSA shall discuss alternative water supply sources and consider the environmental consequences of using these sources.	Proposed economic development.	Director of Planning, Building & Code Enforcement	The project proponent shall submit to the Planning Environmental Division Manager a Water Supply Assessment prepared in accordance with the California Water Code.	During project-level CEQA.
Impact UT-2: There would be insufficient water supply available to serve the project from existing entitlements and resources.	**MM UT-1: Water Supply Assessment** Consistent with the requirements of Senate Bill (SB) 610, the City shall require preparation of a water supply assessment (WSA) for any PMP economic development component or combination of components that meets or exceeds project size thresholds established in Sections 10910-10915 of the California Water Code in conjunction with the City's project-level CEQA review of the economic development component(s). As required in Sections 10910-10915 of the California Water Code, if the WSA determines there is insufficient water supply to meet project demand, the WSA shall discuss alternative water supply sources and consider the environmental consequences of using these sources.				
Impact UT-6: The project would result in disruption of regional or local utilities.	**MM UT-6: Coordination With Utility Service Providers and Develop Utility Avoidance Plan.** Prior to construction, the project proponent shall coordinate with appropriate utility service providers and related agencies to determine the location of utilities; and the City will incorporate into construction specifications the requirement that the contractor develop a plan to reduce service interruptions. The plan shall be approved by the City and submitted to appropriate utility providers. Utilities to be addressed in the plan shall include, but may not be limited to: water, recycled water, sewer, gas, electricity, telephone, cable. Coordination efforts shall include the following:	All WPCP improvements and other proposed land uses	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of this measure. The project proponent shall provide documentation to the Planning Environmental	Prior to construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	• The project proponent shall coordinate with SJMWS as the water purveyor to minimize or eliminate potential water interruptions. Such coordination efforts may include requiring the construction contractor to hot-tap[4] existing			Division Manager that the plan to reduce service disruptions has been submitted to utility	
Utilities and Service System (cont.)					
Impact UT-6 (cont.)	water lines for new water line connections when possible to maintain service of existing water lines. Another option is to isolate construction areas and back feed water through alternate lines to provide continuous service.			service providers in accordance with the measure.	
Cultural Resources					
Impact CUL-1: The project could result in a substantial adverse change in the significance of a historical resource.	**MM CUL-1: Compliance with Historic Resource Evaluation Procedures.** Prior to plan approval for the program-level improvement H2 Influent Piping and Demolition, the City or its contractor shall initiate the Historic Resource Evaluation Procedures for the Pump & Engine building, beginning with the completion of the City's Historic Evaluation Sheet[5] by the Project Manager and Historic Preservation Officer. If at that time the building still does not meet the criteria for a historical resource under the definition provided in the CEQA Guidelines Section 15064.5 or the City definition for a City Landmark Structure, no further measures would be warranted, as the proposed improvement would have no impact on significant historical resources. However, if at that time it is determined that the Pump & Engine building has achieved historic significance sufficient to meet the definition provided in CEQA Guidelines Section 15064.5, the City or its contractor shall determine whether decommissioning would have a substantial adverse impact on the qualities and characteristics which define the building's potential historic significance, thereby resulting in a significant impact on historic resources. If significant impacts are identified, the City or its contractors shall implement measures appropriate to mitigate the significant impacts. Such measures may include (but would not be limited to) the redesign of any substantial alterations to	WPCP improvement H2	Director of Planning, Building & Code Enforcement, and potentially the Historic Landmarks Commission and City Council	The project proponent shall submit to the Planning Environmental Division Manager the following: – A completed Historic Evaluation Sheet for the Pump & Engine Building. – (If warranted) Proof of consultation with the Historic Landmarks Commission and the City Council as described in the measure.	Prior to construction.

[4] *Hot-tap* means drilling into a pipe that is live (currently providing water) as a means of temporarily providing water, so service is not interrupted when connecting new lines to existing lines.

[5] City of San José, *Revised Guidelines for Historic Reports*. 2010.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	the exterior of the building in a way that would not result in adverse effects to the potential historic significance of the Pump & Engine building. In accordance with the City's Historic Resource Evaluation procedures, City staff would also refer this WPCP improvement to the Historic Landmarks Commission and City Council for review and comment.				
Cultural Resources (cont.)					
Impact CUL-2: The project could result in a substantial adverse change in the significance of a cultural landscape.	**MM CUL-2: Prepare an Addendum to the USFWS Cultural Landscape Report to Evaluate Pond A18.** Prior to completion of the program-level habitat and flood protection improvements of Salt Pond A18, the City should require condition that the entity responsible for the restoration of Pond A18 prepare an addendum to the USFWS cultural landscape report, including an evaluation of the historic significance of Pond A18. If Pond A18 is found to be a contributor to the potential Alviso Salt Pond Historic District, the entity shall implement the mitigation recommendations in that report with a preference for preservation in place. Preservation in place may not be a feasible option given the type and extent of physical alterations required to convert Pond A18 to marsh, mudflat and upland habitat; feasibility of preservation in place will be determined during the preparation of the addendum report outlined above. Other mitigation options may include tasks such as Historic American Building Survey / Historic American Engineering Record / Historic American Landscapes Survey (HABS/HAER/HALS) documentation, as well as public interpretation efforts such as videotaping resources, a public outreach program, or signage at appropriate points near publically accessible viewsheds of Pond A18.	Restoration of Pond A18.	Director of Planning, Building & Code Enforcement.	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager language for contract documents for the design of restoration in Pond A18 requiring preparation of an addendum to the USFWS cultural landscape report as described in this measure.	Prior to Pond A18 restoration.
Impact CUL-3: The project could result in a substantial change in the significance of an archaeological resource.	**MM CUL-3a: Accidental Discovery of Archaeological Resources.** If items of historic or archaeological interest, the City's contractor shall immediately cease all work activities are discovered, in the vicinity (within approximately 100 feet) of the discovery. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat- affected rocks, baked clay fragments, or faunal food remains (bone and shell); stone milling equipment (e.g., mortars, pestles,	**MM CUL-3a:** All WPCP improvements and other proposed land uses.	Director of Planning, Building & Code Enforcement, Qualified archaeologist, Construction Inspector	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting requirements of the mitigation measure.	During construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include the remains of stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City.				
Cultural Resources (cont.)					
Impact CUL-3 (cont.)	Any inadvertent discovery of cultural resources during construction shall be evaluated by a qualified archaeologist. If it is determined that the project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible the archaeologist shall develop a treatment plan in consultation with the City and appropriate Native American representatives (if the find is of Native American origin). Implementation of this measure, in conjunction with the WPCP's requirement for archaeological monitoring of any excavation work reaching a depth of 6 feet or more in undisturbed soils, would reduce potential impacts on archaeological resources to a less-than-significant level.			Construction inspector shall monitor compliance, report non-compliance and ensure corrective action.	
	MM CUL-3b: Project-level Cultural Resources Assessment. When project-level plans are completed for other proposed land uses, each proposed project area of potential effect (APE) shall be subject to a cultural resources investigation that includes, at a minimum, the following items. • A detailed APE map including depth of ground disturbance for all project components and locations of potential staging areas. • An updated records search at the Northwest Information Center: An updated records search shall be conducted for planned construction/excavation locations that have not had a records search completed within the previous five years.	**MM CUL-3b:** Any program-level WPCP improvements that involve substantial design changes (e.g., change in location, depth of excavation relative to information presented in the EIR) and economic development and recreation land uses.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting requirements of the mitigation measure.	Environmental review phase.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	Investigations should begin with a review of the data acquired for this document to determine whether the proposed activity will occur within a known area of high cultural sensitivity. An addendum records search at the Northwest Information Center will also be necessary to determine if any cultural resources have been recorded since the creation of this document. The				
Cultural Resources (cont.)					
Impact CUL-3 (cont.)	records search will identify resources within or near the project APE and determine whether that location has been previously surveyed up to current professional standards. In conjunction with the background research at the Northwest Information Center,[6] the Native American Heritage Commission will also be contacted for a Sacred Lands File check and a list of locally affiliated or interested Native American individuals and groups. The appropriate Native American representatives will be contacted to provide them an opportunity to share comments or concerns about a construction location. • An intensive cultural resources survey of the APE: If an adequate survey has not been completed for a project location within a ten-year period prior to the project initiation, a pedestrian survey is required. All areas of exposed ground should be closely inspected for the presence of cultural materials. Areas of dense vegetation should be inspected as closely as possible and any channel banks, road cuts, animal burrows, and other soil exposures should be carefully examined for the presence of buried cultural resources. If an archaeological deposit is encountered, a preliminary assessment of site boundaries should be made in consultation with the appropriate affiliated Native American representatives (if the cultural material is from an indigenous occupation). A map should be prepared depicting site boundaries in relation to the APE, and the site should be recorded on a standard California archaeological site record (DPR 523 form). • A geoarchaeological assessment for the potential for buried				

[6] Part of the California Historical Resources Inventory System (CHRIS), the NWIC is a repository of historical and archaeological data for the greater Bay Area. Housed at Sonoma State University, Rohnert Park.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	archaeological resources: Depending on the likelihood for encountering subsurface remains, based on an analysis of local site distribution and geomorphology of the project location, a series of small, hand-auger borings may be excavated, with all sediments passed through 0.25-inch screen, to assure that no subsurface archaeological materials are present. The auger				
Cultural Resources (cont.)					
Impact CUL-3 (cont.)	borings would also provide an initial assessment of the surface integrity of the landform (e.g., is a substantial amount of imported or redeposit fill material present?) and provide additional information about the potential for buried archaeological material. If the limited subsurface testing does not reveal buried cultural material, there will be less likelihood that unexpected discoveries will delay project activities. Any archaeological material recovered in auger holes will be recorded, cataloged, and redeposited, with sites mapped and recorded on DPR 523 forms as described above. • A report disseminating the results of this research: A CRSR will be prepared in accordance with the standards and guidelines published by the California Office of Historic Preservation (1990).[7] The report will include results of background research, descriptions of field work, findings, appropriate maps and photos, and a record of Native American consultation. All information regarding the site locations, Native American human remains, and associated funerary objects will be kept confidential and will not be made available for public disclosure. The final written report will be submitted to the Northwest Information Center within three months after fieldwork has been completed. • Recommendations for additional cultural resources work necessary to mitigate any adverse impacts on recorded and/or undiscovered cultural resources: The CRSR will include management recommendations, which could include archaeological and Native American monitoring, redesign of the project to avoid known significant sites, or test excavations to determine the significance of newly discovered resources. Consultation with Native American representatives				

[7] California Office of Historic Preservation, *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*. 1990.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	(if appropriate) and SHPO will be undertaken to ensure adequate consideration of cultural resources. These requirements should also apply in the event that substantial changes are made to the location, nature, or depth of excavation required for any of the program-level WPCP improvements.				
Cultural Resources (cont.)					
Impact CUL-4: The project could result in direct or indirect impacts on paleontological resources.	**MM CUL-4: Accidental Discovery of Paleontological Resources.** If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of San José.	All WPCP improvements and other proposed land uses.	Director of Planning, Building & Code Enforcement, Construction inspector	The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of the mitigation measure. Construction inspector shall monitor compliance, report non-compliance and ensure corrective action.	During construction.
Impact CUL-5: The project could result in disturbance of human remains.	**MM CUL-5: Accidental Discovery of Human Remains.** As required by County ordinance, this project has incorporated the following guidelines. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface	All WPCP improvements and other proposed land uses.	Director of Planning, Building & Code Enforcement, Construction inspector.	The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of the mitigation measure. Construction inspector shall monitor compliance, report non-compliance and ensure corrective action.	During construction.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	disturbance.				
Aesthetics					
Impact AES-1: The project would result in impacts on scenic resources, the visual character, or quality of the site and its surroundings.	**MM AES-1a: Landscape Program.** The following WPCP improvements would be visible from Zanker Road and Los Esteros Road : E1-P1, B2-P1, B2-P2, B4-P1, B4-P2, B5-P1, B5-P2, and SF2. The project proponent shall provide adequate screening along the frontages of these improvements. All landscaping plans shall be developed and implemented as part of construction contract for the above-listed improvements to provide immediate screening of new projects from well traveled viewpoints, while avoiding areas designated for future improvements. Landscaping shall rely mostly on native trees, shrubs, and grassland vegetation to minimize water consumption, accentuate visual corridors to nearby hillsides, and provide pedestrian access to naturally appearing and generally undisturbed natural areas. Ornamental landscaping shall be reserved for the immediate perimeter of specific buildings.	**MM AES-1a:** WPCP improvements B2-P1, B2-P2, B4-P1, B4-P2, B5-P1, B5-P2, and E1-P1, and SF2	Director of Planning, Building & Code Enforcement	The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of the mitigation measure.	Prior to and during construction.
	MM AES-1b: Building Orientation and Height Reduction. New development shall be designed to minimize adverse effects on views from SR 237, Coyote Creek Trail and other public views in the project site vicinity by orienting buildings in a manner that permits views of open space from major roadways and minimizes the height of buildings. Consistent with the City's Commercial and Industrial Design Guidelines and the Alviso Master Plan, the transitions between existing and new buildings shall be gradual. The height and mass of new buildings should not create abrupt changes from those of existing nearby buildings (i.e., buildings south of SR 237). As new economic development would be subject to site development permits, initial design plans shall be submitted to the Director of Planning for discretionary approval.	**MM AES-1b:** Economic development visible from SR 237.	Director of Planning, Building & Code Enforcement	The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of the mitigation measure.	During design
Aesthetics (cont.)					
Impact AES-2: The project would result in new sources of light	**MM AES-1a: Landscape Program** (see MM AES-1a above for description).				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
and glare.					
Growth Inducement					
	MM G-1: Growth Inducement Nitrogen Deposition Measure. In anticipation of future development, the City of Santa Clara may acquire and the tributary agencies may seek to purchase additional capacity from the WPCP. If and when this occurs, the City will include as an item of negotiation the collection of a nitrogen deposition mitigation fee as a requirement of, and as partial consideration for, each agency's acquisition of additional treatment capacity. All parties to an agreement with the City for increased capacity to their jurisdiction would be required to agree to report new vehicle trips generated as a result of development authorized by their associated planning authorities. The fee amount billed to offset the growth-inducing impact of WPCP expansion shall be substantially the same as the applicable nitrogen deposition fee applied under the HCP at the time the fee is assessed. The City will then provide the monies to the Santa Clara Valley Habitat Agency (Habitat Agency) or otherwise fund nitrogen deposition mitigation activities consistent with the strategies identified in the Habitat Conservation Plan (HCP). This mitigation fee will not be applied to the extent that Santa Clara or the tributary agency, as applicable, demonstrates that a development project is in a jurisdiction that already has a mechanism for full mitigation of nitrogen deposition impacts (e.g., coverage under the HCP) or the development project has otherwise satisfied its mitigation obligation under CEQA.	The measure applies when the additional capacity created by WPCP improvements S1, B2-P2, or B3-P2 is allocated among the agencies that the WPCP serves, and would be fully implemented following construction of the first of these improvements.	Director of Planning, Building and Code Enforcement.	At the time that the agencies served by the WPCP acquire additional capacity made possible by WPCP improvements S1, B2-P2, or B3-P2 and each year thereafter, the City's Director of Environmental Services shall confirm in an annual report to the Department of Planning, Building and Code Enforcement whether each such agency is subject to a nitrogen deposition fee for new developments authorized by the agency for that year and, if so, the amount of fees collected and the associated developments and vehicle trips. If the agency owes a nitrogen deposition fee, this fee shall be added to the next bill issued by the WPCP to the agency. Any fee collected shall be remitted to the Director of Planning no later than 60 days following the date that	At time that Santa Clara or tributary agencies seek to obtain additional WPCP capacity associated with improvements S1, B2-P2, or B3-P2.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
				payment is received from the agency. The nitrogen deposition fee revenue may only be used by the Santa Clara Valley Habitat Agency (Habitat Agency) or to otherwise fund nitrogen deposition mitigation activities consistent with the strategies identified in the Habitat Conservation Plan (HCP).	
Growth Inducement (cont.)					
	Mitigation in the event the HCP is overturned or held to be invalid. The HCP has been challenged in state court. In the event the HCP is overturned or held to be invalid, the monies collected as described above will be used to fund serpentine habitat mitigation activities consistent with those described in the HCP undertaken by another organization or agency; such other organization or agency will be identified in consultation with the U.S. Fish and Wildlife Service. In this case any nitrogen deposition fee that the City would have contributed, as an HCP participant, to the Habitat Agency will also be redirected to the organization or agency so identified. Success criteria will include the City filing a recordation of payment to Santa Clara Valley Habitat Agency (or other agency or organization undertaking mitigation activities consistent with the HCP). Management activities that will be undertaken by the Santa Clara Habitat Agency[8] with funding provided by Mitigation Measure G-1 are described below.				

[8] The Santa Clara Valley Habitat Agency (Habitat Agency) is a Joint Powers Authority (JPA) composed of the Cities of Gilroy, Morgan Hill, and San José, and the County of Santa Clara; it is referred to as the "Implementing Entity" in the HCP, and was formed and named following adoption of the HCP. As described in the HCP the agency will include, as part of its staff or contract resources, a network of scientists, administrators, and other specialists that oversee and carry out planning and design, habitat restoration, monitoring, and adaptive management programs (County of Santa Clara, City of San Jose, City of Morgan Hill, City of Gilroy, Santa Clara Valley Water District, Santa Clara Valley Transit, *Final Santa Clara Valley Habitat Plan*, August 2012, Section 8.3, page 8-3). In the event the HCP is held to be invalid in state court, these activities will be implemented by another organization or agency as described in Mitigation Measure G-1.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	Management Activities. Consistent with the nitrogen deposition mitigation strategies identified in the HCP, management activities funded pursuant to Mitigation Measure G-1 will help advance the following serpentine grasslands goals established in the HCP: • Natural Community-Level Goal 4. Maintain and enhance functional grassland communities that benefit covered species and promote native biodiversity; • Species-Level Goal 11. Improve the viability of existing Bay checkerspot butterfly populations, increase the number of populations, and expand the geographic distribution to ensure the long-term persistence of the species in the study area; and • Species-Level Goal 20. Maintain viability, protect, and increase the size and number of populations of covered serpentine plant species, including Coyote ceonothus, Santa Clara Valley dudleya, Metcalf Canyon jewelflower, most beautiful				
Growth Inducement (cont.)					
	jewelflower, smooth lessingia, fragrant fritillary, Mt. Hamilton thistle, Loma Prieta hoita, and Tiburon paintbrush, within the study area. Management activities will focus on controlling and/or removing non-native invasive plants in serpentine habitat areas. Such activities may include enhancement of degraded areas that once supported serpentine plants (and associated Bay checkerspot butterfly[9]) but have lost habitat value (e.g., due to lack of grazing[10]). Management activities typically include grazing, prescribed burning, and mowing; in certain circumstances seeding with native plants may also be appropriate. Management actions will be implemented so as to adequately protect other species covered by the HCP. • *Grazing*. Grazing has been shown to benefit most plant species covered by the HCP by reducing cover of invasive plants. Specifically, it has been shown to benefit the Bay checkerspot butterfly by reducing invasive plants and increasing habitat for the butterfly's host plant, dwarf plantain. Factors that may				

[9] The Bay checkerspot butterfly, an endangered subspecies whose known populations and individuals throughout its range are within HCP study area, is a key species the HCP is designed to protect and recover; because the butterfly depends on serpentine habitat, management actions to meet butterfly recovery goals and objectives are inherently linked with protection and enhancement of serpentine grasslands.

[10] County of Santa Clara, City of San Jose, City of Morgan Hill, City of Gilroy, Santa Clara Valley Water District, Santa Clara Valley Transit, *Final Santa Clara Valley Habitat Plan*, August 2012.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	affect the success of a grazing program include timing, stocking rate, rotation type, and grazing species.[11] • *Prescribed burning*. Prescribed burning may be used to control or eradicate invasive plants and prevent natural community type conversion. Factors to be considered if burns are implemented include blooming and seeding times of targeted nonnative species, the history of site use, and the likely condition of the native soil seed bank. Fires will be conducted when the seeds of targeted invasive plants will be destroyed. Single burns are generally unsuccessful; multiple burns are usually required. Burning may be used in conjunction with grazing or mowing to control invasive species and brush. If native vegetation on a site has been particularly denuded, supplementary seeding of native species may be required.				
Growth Inducement (cont.)					
	Prescribed burning can be particularly effective for eradicating species that are selectively avoided by grazing livestock, such as barbed goatgrass.[12] • *Mowing*. Mowing, an alternative to prescribed burning and grazing, is used when grazing is infeasible and can be safer and easier to implement on small scales than fire. Like burning, mowing needs to be timed to target the blooming and seeding times of the targeted nonnative species.[13] • *Seeding native forbs and grasses*. To protect the genetic integrity of the local landscape and ecosystems, natural revegetation will be encouraged by controlling weeds and non-native species. Seeding of native species will only occur in areas where natural revegetation is unlikely to occur. Where possible, seed sources of covered plants will come from the management site itself. If no seeds are available from on-site sources, they will be obtained from adjacent or nearby sites within the same watershed. If no seed source is available from the same watershed, decisions regarding where to introduce seed and how far away to collect it will be made in light of all available information about the targeted species the source				

[11] Ibid., pages 5-93 to 5-96.

[12] Ibid., pages 5-96 to 5-97.
[13] Ibid., page 5-97.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	population, and issues related to maintaining the integrity of existing populations.[14] ***Success Criteria***. Success criteria for management activities funded by the mitigation fee will be consistent with those developed for and described in the HCP, which includes the establishment of quantified biological goals in conjunction with, monitoring and adaptive management. Success criteria will include increasing the diversity and relative cover of native plants and forbs and increasing the diversity of native plants. The appropriate target increases in diversity and cover to be achieved will be determined by a qualified biologist in consultation with the wildlife agencies, and will depend on the initial condition of the habitat area to be preserved. Depending on the characteristics of the habitat area, success criteria may				
Growth Inducement (cont.)					
	also include occupancy of the habitat area by the Bay checkerspot butterfly at least four out of 10 consecutive years of the permit term, consistent with butterfly criterion established for the four core habitat units of the HCP.[15] ***Stay Ahead Provision***. The HCP includes a Stay Ahead Provision that requires reserve assembly and management to stay ahead of the impacts of covered activities. Pursuant to this provision, the Stay Ahead Provision requires that the HCP's conservation strategy must "be implemented at or faster than the rate at which impacts on habitat or covered species occur so that conservation always stays ahead of impacts and rough proportionality is maintained between impacts on habitats or covered species and conservation measures," as required of NCCPs by California Fish and Game Code 2820(b)(3)(B).[16] The Habitat Agency will monitor the status of the Stay Ahead Provision throughout HCP implementation, and the wildlife agencies will evaluate the status of the provision annually. If any of the wildlife agencies notifies the Habitat Agency that a rough proportionality between impacts and habitat acquisition and management activities has not been met, then the habitat agency				

[14] Ibid., pages 5-97 to 5-98.

[15] Ibid., page 5-137.
[16] Ibid., page 8-26.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	and wildlife agencies will meet to develop a plan to remedy the situation.[17] ***Mitigation Timeframe***. The proposed WPCP improvements are designed to accommodate projected flows over the PMP planning period to 2040, including projected average dry weather influent flows (ADWIF) of up to 182 million gallons per day (mgd). Any growth beyond the point that ADWIF reaches 182 mgd would not be attributable to capacity provided by the PMP. Therefore, Mitigation Measure G-1 will not apply to additional capacity purchased by a tributary agency when ADWIF exceeds 182 mgd. It is assumed that appropriate mitigation will have been identified for the future project that would provide such additional ADWIF capacity, should it be required at some point in the future.				
Cumulative					
Impact C-TR: Cumulative impacts related to transportation.	**MM C-TR: Implement Coordinated Transportation Management Plan.** Prior to construction, the project proponent its contractor(s) shall develop a Coordinated Transportation Management Plan and work with other projects' contractors and appropriate City departments (e.g., Emergency Services, Fire, Police, Transportation) to prepare and implement a transportation management plan for roadways adjacent to and directly affected by the planned WPCP improvements and land uses, and to address the transportation impact of the overlapping construction projects within the vicinity of the project in the region. The transportation management plan shall include, but not be limited to, the following requirements: • Coordination of individual traffic control plans for the project with nearby projects. • Coordination between the project contractor and other project contractors in developing circulation and detour plans that include safety features (e.g., signage and flaggers). The circulation and detour plans shall address: − Full and partial roadways closures − Circulation and detour plans to include the use of signage	All WPCP improvements and other proposed land uses.	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager a coordinated transportation management plan meeting the requirements of the mitigation measure.	Prior to construction.

[17] Ibid., page 8-26.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	and flagging to guide vehicles through and/or around the construction zone, as well as any temporary traffic control devices – Bicycle/Pedestrian detour plans, where applicable – Parking along public roadways – Haul routes for construction trucks and staging areas for instances when multiple trucks arrive at the work sites Protocols for updating the transportation management plan to account for delays or changes in the schedules of individual projects.				
Cumulative (cont.)					
Impact C-HYD: Cumulative impacts on hydrology.	**Project Design Feature C-HYD-3: Cumulative Scour Assessment.** The City shall require that the scour assessments undertaken as part of Mitigation Measure HYD-4a reflect the PMP's contribution to scour at the Union Pacific Railroad Bridge in light of increased tidal flows associated with sea level rise.	Proposed restoration of Pond A18	Director of Planning, Building & Code Enforcement	See MM HYD-4a.	Prior to Pond A19 restoration.

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	Project Design Feature C-HYD-1: Adaptive Management of Climate Change Effects on Coyote Creek Flood Risk. The City shall consider updated climate change science and guidance during planning and design of future project phases. Prior to future project phases, the City shall request that the SCVWD evaluate and provide a statement on the ability of the levee along Coyote Creek to provide protection from the 100-year river flood event. In particular, this input will focus on changes in extreme flood events (e.g. the 100-year event) that could result from increased storm intensity and/or increased backwater flooding due to sea level rise. If monitoring shows that extreme flood events are increasing in frequency or magnitude, the City shall request recommendations from the SCVWD regarding floodproofing or flood risk management. Subsequent management actions could include (but are not limited to) a SCVWD retrofit of the existing levee or increased floodproofing of Plant structures implemented by the City. The potential for implementation of any additional flood protection improvements to generate substantial impacts on the physical environment would require investigation as part of project-level evaluation under CEQA review for those flood protection projects.	Program-level WPCP improvements and proposed economic development and recreational land uses.	Director of Planning, Building & Code Enforcement SCVWD	Project proponent shall provide copy of correspondence with SCVWD addressing the requirements of this project design feature.	During design.
	Project Design Feature C-HYD-2: Floodproofing Design Considering Future Sea Level Rise. For any structures to be constructed and in operation or use prior to construction of the proposed flood control levee, the City shall insure that during design, the latest approved FEMA 100-year floodplain for the project site is used to develop necessary floodproofing measures. FEMA is currently in the process of updating its floodplain maps, which will consider sea level rise that occurred from the 1980s (when the currently-approved maps were created) to the present. Neither the current	All WPCP improvements and other proposed land uses implemented prior to construction of new flood control levee	Director of Planning, Building & Code Enforcement	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager plans and specifications meeting the requirements of the project design feature.	During design.
Cumulative (cont.)					
Impact C-HYD (cont.)	nor updated maps consider future sea level rise projected to occur from the present to the PMP planning horizon (2040). Therefore, the project proponent also shall incorporate future sea level rise projections into floodproofing designs for structures within the FEMA 100-year floodplain. Specifically, the City shall require that planning and design of structures within the				

Environmental Impacts	Mitigation Measures	Applies To	Responsibility for Monitoring Compliance	Method of Monitoring Compliance	Timing of Compliance
	100-year FEMA floodplain provide protection for either (1) the high end of projected sea level rise (e.g. NRC Curve III) over the design life of the structure or (2) a lower projected sea level rise with later improvements to protect against the higher rate, should a higher rate occur. Any improvements would need to occur before sea level exceeded the design elevation. The sea level rise projection shall take into account the design life of the structure (e.g., 50 years). The Flood Emergency Operation Plan prepared in accordance with City Standard Floodproofing requirements shall describe evacuation and access routes that allow access to and from the developed areas in the project site during the 100-year event, including future sea level rise.				