

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Santa Clara and SVP to ensure that the mitigation measures adopted as a condition of project approval are implemented. The MMRP is consistent with CEQA Guidelines (Sections 15074(d), 15091(d), and 15097) for the implementation of mitigation.

SVP will be responsible for monitoring the implementation of the mitigation measures presented in Table 1. SVP will designate specific personnel to implement and document all aspects of the MMRP. SVP will ensure that the designated personnel have authority to enforce mitigation requirements and will be capable of terminating project construction activities found to be inconsistent with mitigation objectives. Additionally, SVP will be responsible for ensuring that construction personnel understand their responsibility to adhere to the MMRP requirements and other contractual requirements related to the implementation of mitigation.

Table 1. Mitigation Monitoring Plan

Impact Category	Mitigation Measure	Monitoring Requirement	Timing of Action
Air Quality			
Construction-Phase Air Quality	<p>MM AQ-1. Implement Basic Construction Air Quality Mitigation The project shall ensure that basic construction emissions control measures are implemented as “Best Management Practices,” as follows:</p> <ul style="list-style-type: none"> ▪ All exposed soil surfaces (e.g., parking areas, staging areas, soil piles, and graded areas) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ 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. ▪ All areas to be paved shall be completed as soon as possible. Foundation pads shall be laid as soon as possible after grading. ▪ 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 air-borne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage regarding idling shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ Post a publicly visible sign with the telephone number and person to contact at SVP regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations. 	Emissions from construction equipment exhaust are reduced	During construction
Biological Resources			
Nesting Birds	<p>MM BIO-1. Biological Monitoring. A qualified biologist will be assigned to the project and will monitor the project periodically. The qualified biologist will be the point of contact for any employee or contractor who might inadvertently kill or injure a special-status species or anyone who finds a dead, injured, or entrapped individual. The qualified biologist or biological monitor shall have the authority and responsibility to halt any project activities that are not in compliance with applicable mitigation measures, permit conditions, or other project requirements, or will have an unauthorized adverse effect on biological resources.</p>	Monitor implementation of specified biological monitor activities	Prior to and during construction

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Nesting Birds	MM BIO-2. Worker Environmental Awareness Training. Prior to construction, a construction employee education program will be conducted in reference to all sensitive environmental resources potentially affected by site work (e.g., air quality, biological resources, cultural resources, hydrology and water quality, hazardous materials) and the measures associated with their protection (i.e., mitigation measures and applicable laws and regulations).	Review and attend construction employee education program and monitor training implementation	Prior to construction
Nesting Birds	MM BIO-3. Preconstruction Nesting Bird Surveys and Nest Protection. A preconstruction nesting bird surveys shall be conducted of the site and vicinity by a qualified biologist no more than 7 days before any work activities are performed during the nesting season (February 1 to August 31). A Preconstruction nesting bird survey also shall be required prior to any vegetation removal or trimming that occurs during the nesting season. Surveyors will search for all potential nest types (e.g., ground, cavity, shrub/tree, structural, etc.) and determine whether the nest is active. A nest will be determined to be active if eggs or young are present in the nest. Upon discovery of active nests, Silicon Valley Power's biological monitor will determine if there is need for a buffer or shield to minimize disturbance of the nest. Upon this determination and execution of any required minimization action, work may proceed. The extent of mitigation will be based upon: acclimation of the species or individual to disturbance, nest type (cavity, tree, ground, etc.), and level and duration of construction activity. If there is a period of 7 or more days during nesting season in which construction does not occur, a new survey shall be undertaken to determine if any nests have been established. In the unlikely event a special-status or listed species is found nesting nearby, CDFW and USFWS will be notified and the City of Santa Clara will be provided with nest survey results, if requested. When active nests are identified, monitoring for significant disturbance to the birds will be implemented.	Ensure preconstruction bird nesting surveys are conducted and monitor for significant disturbance to birds if nests are identified	No more than 7 days before planned construction work
Cultural Resources			
Unanticipated Discoveries of Historical Resources or Unique Archaeological Resources	MM CR-1. Worker Training and Management of Unanticipated Discoveries of Historical Resources, Unique Archaeological Resources. SVP shall conduct a worker environmental awareness program (WEAP) for project personnel who, during the course of project work, might encounter or alter historical resources or important/unique archaeological materials. This program may be combined with any similar required program, such as for biological resources. The WEAP may include a kickoff tailgate session that describes how to identify cultural resources and what to do if an unanticipated discovery is made during construction, presents site avoidance requirements and procedures to be followed if unanticipated cultural resources are discovered during project construction, and includes a discussion of disciplinary and other actions that could be taken against persons violating historic preservation laws and SVP policies. If previously unidentified cultural resources are identified during construction, construction work within 100 feet of the find shall be halted and directed away from the discovery until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the City of Santa Clara, State Historic Preservation Officer, any interested Tribes, and any other responsible public agency, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be eligible to the National or California Registers, qualify as a unique archaeological resource under California Environmental Quality Act Section 21083.2, or are determined to be tribal cultural resource as defined in Section 21074.	Review and attend worker environmental awareness program; Monitor implementation of unanticipated discovery protocols	Prior to construction and during construction

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Unanticipated Discoveries of Human Remains	<p>MM CR-2. Treatment of Human Remains. Any human remains discovered are to be treated with respect and dignity. Upon discovery of human remains, all work within 50 feet of the discovery area must cease immediately, nothing is to be disturbed, and the area must be secured. The Santa Clara County Coroner's Office must be called. The Coroner has two working days to examine the remains after notification. The appropriate land manager/owner of the site is to be called and informed of the discovery. If the remains are located on federal lands, federal land managers, federal law enforcement, and the federal archaeologist must be informed as well, due to complementary jurisdiction issues. It is very important that the suspected remains, and the area around them, are undisturbed and the proper authorities called to the scene as soon as possible, as it could be a crime scene. The Coroner will determine if the remains are archaeological/historic or of modern origin and if there are any criminal or jurisdictional questions.</p> <p>After the Coroner has determined the remains are archaeological/historic-era, the Coroner will make recommendations concerning the treatment and disposition of the remains to the person responsible for the excavation, or to his or her authorized representative. If the Coroner believes the remains to be those of a Native American, he/she shall contact the Native American Heritage Commission (NAHC) by telephone within 24 hours.</p> <p>The NAHC will immediately notify the person it believes to be the most likely descendant (MLD) of the remains. The MLD has 48 hours to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC.</p> <p>According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052).</p>	Monitor implementation of human remain discovery protocols	During construction
Geology and Soils			
Seismically-Induced Liquefaction	<p>MM G-1. Conduct Geotechnical Investigations for Liquefaction. Because seismically induced liquefaction-related ground failure has the potential to damage or destroy project components, the design-level geotechnical investigations to be performed by SVP shall include investigations designed to assess the potential for liquefaction to affect the new project poles and substation components at the project site. Where liquefaction hazards are found to exist/verified, appropriate engineering design and construction measures shall be incorporated into the project designs as deemed appropriate by the project engineer. Design measures that would mitigate liquefaction-related impacts could include bigger foundations, installation of flexible bus connections, and/or incorporation of slack in cables to allow ground deformations without damage to structures.</p>	Ensure a design-level geotechnical investigation is performed	At least 60 days before final Project design
Expansive Soils	<p>MM G-2. Conduct Geotechnical Investigations for Expansive Soils. Because expansive soils have the potential to damage or destroy project components, the design-level geotechnical investigations to be performed by SVP shall include investigations designed to assess the potential for expansive soils to affect the new project components at the project site. Where expansive soils are found to exist, appropriate engineering design and construction measures shall be incorporated into the project designs as deemed appropriate by the project engineer. Design measures that would mitigate impacts from expansive soil could include over-excavation and replacement with engineered fill or soil improvements.</p>	Ensure a design-level geotechnical investigation is performed	At least 60 days before final Project design

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Unanticipated Discoveries of Paleontological Resources	<p>MM G-3. Worker Training and Management of Unanticipated Discoveries of Paleontological Resources. In the event that unanticipated paleontological resources or unique geologic resources are encountered during ground-disturbing or other construction activities, a paleontologist must be retained who meets the professional paleontologist qualifications (Society of Vertebrate Paleontology's Standard Procedures, 2010) and has demonstrated experience in carrying paleontological projects to completion. This qualified paleontologist must develop and implement a Paleontological Resources Management Plan (PRMP) for the project area that meets the standards set forth by the Society of Vertebrate Paleontology (2010). This shall include:</p> <ul style="list-style-type: none"> ▪ A Worker Environmental Awareness Program (WEAP) wherein all construction personnel are trained on the processes to be followed upon encountering any fossils. ▪ A monitoring plan for ground disturbing activities that provides the monitor(s) with the authority to temporarily halt or divert equipment. Monitors shall be onsite for any disturbance of sediments with high or unknown paleontological sensitivity. Monitors must have demonstrated sufficient paleontological training and field experience to have acceptable knowledge and experience of fossil identification, salvage and collection methods, paleontological techniques, and stratigraphy. ▪ A recovery plan for significant fossils that provides for the treatment of specimens to the point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. ▪ A specimen identification, analysis, and curation plan that includes identification to the lowest taxonomic level possible; taxonomic, taphonomic, and biostratigraphic analysis; and curation to the standards of the repository where they will be curated. 	Review Paleontological Resource Monitoring Program; Monitor implementation of Program	Prior to construction and during construction
Hazards and Hazardous Materials			
Hazardous Substances Control	<p>MM HM-1. Hazardous Substance Control and Emergency Response. SVP shall implement its hazardous substance control and emergency response. procedures as needed. These procedures identify methods and techniques to minimize the exposure of the public and site workers to potentially hazardous materials during all phases of project construction through operation. They address worker training appropriate to the site worker's role in hazardous substance control and emergency response. The procedures also require implementing appropriate control methods and approved containment and spill-control practices for construction and materials stored on site. If it is necessary to store chemicals on site, they shall be managed in accordance with all applicable regulations. Material safety data sheets shall be maintained and kept available on site, as applicable.</p> <p>No known soil contamination was identified within the project area. In the event that soils suspected of being contaminated (on the basis of visual, olfactory, or other evidence) are removed during site grading activities or excavation activities, the excavated soil shall be tested and, if contaminated above hazardous waste levels, shall be contained and disposed of at a licensed waste facility. The presence of known or</p>	Collect and analyze soil samples and, if contamination is discovered, ensure that construction activities are conducted according to SVP's hazardous substance control and emergency response procedures	Prior to construction and during construction

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	<p>suspected contaminated soil shall require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations.</p> <p>All hazardous materials and hazardous wastes shall be handled, stored, and disposed of in accordance with all applicable regulations, by personnel qualified to handle hazardous materials. The hazardous substance control and emergency response procedures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Proper disposal of potentially contaminated soils. ▪ Establishing site-specific buffers for construction vehicles and equipment located near sensitive resources. ▪ Emergency response and reporting procedures to address hazardous material spills. ▪ Stopping work at that location and contacting the City Fire Department Hazardous Materials Division immediately if visual contamination or chemical odors are detected. Work will be resumed at this location after any necessary consultation and approval by the Hazardous Materials Division. <p>SVP shall complete its Emergency Action Plan Form as part of project tailboard meetings. The purpose of the form is to gather emergency contact numbers, identify first aid locations and provide other tailboard safety information.</p>		
Hydrology and Water Quality			
Water Quality	<p>MM HYD-1. SWPPP or Erosion Control Plan Development and Implementation. Following project approval, SVP will prepare and implement a SWPPP, if required by State law, or erosion control plan to minimize construction impacts on surface water and groundwater quality. Implementation of the SWPPP or erosion control plan will help stabilize graded areas and reduce erosion and sedimentation. The plan will designate BMPs that will be adhered to during construction activities. Erosion and sediment control measures, such as straw wattles, covers, and silt fences, will be installed before the onset of winter rains or any anticipated storm events. Suitable stabilization measures will be used to protect exposed areas during construction activities, as necessary. During construction activities, measures will be in place to prevent contaminant discharge.</p> <p>The project SWPPP or erosion control plan will include erosion control and sediment transport BMPs to be used during construction. BMPs, where applicable, will be designed by using specific criteria from recognized BMP design guidance manuals. Erosion-minimizing efforts may include measures such as properly containing stockpiled soils.</p> <p>Erosion control measures identified will be installed in an area before construction begins during the wet season and before the onset of winter rains or any anticipated storm events. Temporary measures such as silt fences or wattles, intended to minimize sediment transport from temporarily disturbed areas, will remain in place until disturbed areas have stabilized. The plan will be updated during construction as required by the SWRCB.</p> <p>A worker education program shall be established for all field personnel prior to initiating fieldwork to provide training in the appropriate application and construction of erosion and sediment control measures contained in the SWPPP. This education program will also discuss appropriate hazardous materials</p>	Ensure a SWPPP is prepared and implemented, or if a SWPPP is not required, ensure that an erosion control plan is developed and implemented to minimize construction impacts on surface water and groundwater quality	Prior to and during construction

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	management and spill response. Compliance with these requirements will be ensured by the on-site construction contractor.		
Traffic/Transportation			
Traffic Control	<p>MM T-1. Construction Traffic Control Plan. Prior to the start of construction, Silicon Valley Power (SVP) shall prepare and submit a Construction Traffic Control Plan for review and approval to the City of Santa Clara (City) Planning Department for public roads and transportation facilities that would be directly affected by the construction activities and/or would require permits and approvals. SVP shall submit the Construction Traffic Control Plan to the City prior to conducting activities covered in the traffic control permits. The Construction Traffic Control Plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ Identification of any routes that would require lane closures or detours to accommodate material and equipment deliveries and methods to ensure safety. ▪ Avoidance of peak travel hours (8:00 10:00 a.m. and 4:00 6:00 p.m.) to the maximum extent feasible. ▪ Plans to coordinate in advance with emergency service providers to avoid restricting the movements of emergency vehicles. Police departments and fire departments shall be notified in advance by SVP of the proposed locations, nature, timing, and duration of any roadway disruptions, and shall be advised of any access restrictions that could impact their effectiveness. At locations where roads will be blocked, provisions shall be ready at all times to accommodate emergency vehicles. ▪ Plans to coordinate in advance with property owners, if any, that may have limited access to properties. 	Ensure that a Construction Traffic Control Plan is submitted by SVP and approved by the City of Santa Clara	Prior to construction
Tribal Cultural Resources			
Unanticipated Tribal Cultural Resources	<p>MM TRC-1. Management of Unanticipated Tribal Cultural Resources. During project-level construction, should subsurface tribal cultural resources be discovered, all activity in the vicinity of the find shall stop and a qualified archaeologist and an authorized tribal representative shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and Section 21074. If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agency and any local Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to tribal cultural resources. Methods of avoidance may include, but shall not be limited to, project reroute or redesign, project cancellation, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local Native American representatives expressing interest in the tribal cultural resource.</p>	Confirm that all activity in the vicinity of a found subsurface tribal cultural resource is ceased and that an authorized tribal representative is contacted	During construction

