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**MITIGATION MONITORING AND REPORTING PROGRAM**

**Jade and Ruby at Pariva Mixed-Use Project**

**CITY OF SANTA CLARA**

**May 2026**

# P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

On \_\_\_\_\_, the City Council approved Mitigated Negative Declaration (MND) for the Jade and Ruby at Pariva Mixed-Use Project. The Initial Study/Mitigated Negative Declaration (IS/MND) concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or 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 IS/MND concluded that mitigation measures would not be required to reduce significant impacts.

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Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<b>Air Quality</b>				
<p><b>IMPACT AIR-1:</b> The proposed project would generate toxic air contaminants in excess of Air District thresholds resulting in Cancer Risk of 48.73 per million and particulate matter emissions of 0.3 µg/m<sup>3</sup>.</p>	<p><b>MM AIR - 1.1:</b> Prior to issuance of grading permits the proposed project will implement a feasible plan to reduce diesel particulate matter emissions by 80 percent such that the increased cancer risk and annual 2.5 micron particulate matter (PM<sub>2.5</sub>) concentration from construction would be reduced below toxic air contaminant (TAC) significance levels as follows:</p> <ul style="list-style-type: none"> <li>• All diesel-powered construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 Final emission standards for PM (PM<sub>10</sub> and PM<sub>2.5</sub>)</li> </ul> <p>Alternatively, the applicant shall develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 80 percent or greater. Elements of the plan could include a combination of some of the following measures:</p> <ul style="list-style-type: none"> <li>• Installation of electric power lines during early construction phases to avoid use of diesel portable equipment,</li> <li>• Use of electrically-powered equipment,</li> </ul>	<p>Prior to issuance of any demolition, grading, and/or building permits (whichever occurs earliest).</p>	<p>Project Applicant and air quality professional</p>	<p>Director of Community Development or Director's Designee</p>

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	<ul style="list-style-type: none"> <li>• Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,</li> <li>• Change in construction build-out plans to lengthen phases, and</li> <li>• Implementation of different building techniques that result in less diesel equipment usage.</li> </ul> <p>The construction operations plan would be subject to review by an air quality expert and approved by the Director of Community Development or the Director’s designee prior to issuance of grading permits.</p>			
<b>Biology</b>				
<p><b>Impact BIO-1.1:</b> Project construction could impact nesting birds on or adjacent to the site, if present.</p>	<p><b>MM BIO – 1.1:</b> Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31.</p> <p>If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30</p>	<p>No more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than</p>	<p>Project applicant and Qualified ornithologist</p>	<p>Director of Community Development or the Director’s designee</p>

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	<p>days prior to the initiation of these activities during the late part of the breeding season (May through August).</p> <p>During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area of nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction free buffer zone to be established around the nest to ensure that nests of bird species protected by the Migratory Bird Treaty Agreement (MBTA) or Fish and Game Code shall not be disturbed during project construction.</p>	<p>30 days prior to the initiation of these activities during the late part of the breeding season (May through August)</p>		
<b>Cultural Resources</b>				
<p><b>Impact CUL-2.1:</b> Construction of the proposed project would result in excavation in an area which has moderate sensitivity for archeological resources, and could disturb unrecorded archeological resources.</p>	<p><b>MM CUL-2.1-1:</b> Prior to commencement of any ground-disturbing activity on-site, the project applicant shall retain a registered professional archaeologist to be present during all ground-disturbing activity associated with the project. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of the existing structure or site improvements within the development area shown on the project plans. A registered professional archaeologist shall be given five days’ written notice prior to the start of any ground-disturbing activity. The project applicant shall document receipt of notification in writing.</p>	<p>Prior to commencement of any ground-disturbing activity on-site</p>	<p>Project Applicant and registered professional archaeologist</p>	<p>Director of Community Development or the Director’s designee</p>

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	<p><b>MM CUL-2.1.2:</b> In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. The archaeologist, in consultation with the project applicant, shall make the necessary plans for treatment of the find(s) if the resource is eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Construction within a radius determined by the archaeologist shall not recommence until the assessment is complete.</p> <ul style="list-style-type: none"> <li>• Any treatment other than preservation in place must be approved by the City of Santa Clara. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in resource.</li> <li>• The culturally affiliated tribe(s) who consulted on the project, or if no consultation occurred the tribe identified by the Native American Heritage Commission (NAHC), shall determine the disposition of any tribal cultural resources (TCR) artifacts discovered during on-site excavation or construction</li> </ul>	<p>In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity</p>	<p>Registered professional archaeologist and project applicant</p>	<p>Santa Clara County Coroner, Native American Heritage Commission (NAHC)</p>

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	<p>activities or TCR artifacts resulting from execution of a treatment plan. The disposition of TCR artifacts shall include, but not be limited to, reburying in close proximity of the finds without scientific study, allowing scientific study before reburying the materials either near the origin of the find or in another protected place, or temporary curation at a facility at an institution that meets the U.S. Secretary of the Interior’s criteria for curation (36 CFR 79) prior to reburial. Disposition of any TCR artifacts shall be subject to approval by the culturally affiliated tribe. All curation fees and related expenses shall be paid by the project applicant.</p> <ul style="list-style-type: none"> <li>• To ensure adequate space and protection are provided for reburial of any TCRs discovered on the project site, the Permittee shall designate a cultural easement area. The easement area shall be in a location that will not be subject to future disturbance and that will not require the relocation of buildings or other physical improvements on the site.</li> <li>• The registered professional archaeologist shall file State of California Department of Parks and Recreation (DPR) Series 523 forms for the cultural easement/TCR reburial location (if used) with the California Historical Resources Information System (CHRIS) Center in accordance with the guidelines established by the California Office of Historic Preservation. The DPR Series 523 forms shall establish a permanent record of the cultural easement location and any TCRs discovered on the project site for future site identification and</li> </ul>			

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	protection. The registered professional archeologist shall also file a Sacred Lands File record with the NAHC on behalf of the culturally affiliated tribe.			
<p><b>Impact CUL-3.1:</b> Construction activities could disturb human remains on-site</p>	<p><b>MM-CUL 3.1-1:</b> In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</p>	<p>In the event that human remains are discovered during excavation and/or grading of the site</p>	<p>Project applicant</p>	<p>Santa Clara County Coroner and the Native American Heritage Commission</p>
<b>Hazards and Hazardous Materials</b>				
<p><b>Impact HAZ-1:</b> Construction on the project site would disturb soils containing benzene and tetrachloroethylene which could impact construction workers on the project site.</p>	<p><b>MM HAZ-1.1:</b> The proposed project will implement a site specific soil management plan in collaboration with the Regional Water Quality Control Board or Department of Toxic Substances Control. This report will be submitted to the regulatory agency and the City of Santa Clara Planning Department prior to approval of grading permits. The measures in this plan could include:</p> <ul style="list-style-type: none"> <li>• A study of the site identifying the extent of hazards on site</li> </ul>	<p>Prior to approval of grading permits</p>	<p>Project Applicant</p>	<p>Regional Water Quality Control Board or Department of Toxic Substances Control and City of Santa Clara</p>

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	<ul style="list-style-type: none"> <li>• Implementation of the remediation per an approved remedial plan to address environmental impacts</li> <li>• Submission of a remediation completion report</li> <li>• Development of a soil management plan (SMP) to address potential unknown environmental impacts during grading and redevelopment, and identify safety processes for workers on-site</li> </ul>			Planning Department
<b>Noise and Vibration</b>				
<p><b>Impact NOI-2:</b> Construction of the proposed project would generate vibration levels up to 0.368 in/sec PPV at the nearest residences adjoining the site to the east, exceeding the vibratory impact threshold of 0.3 in/sec PPV.</p>	<p><b>MM NOI-2.1</b> During construction of the proposed project, the construction manager will be required to implement the following vibration control measures to reduce the vibratory impacts below 0.3 in/sec PPV.</p> <ul style="list-style-type: none"> <li>• Avoid dropping heavy equipment and using vibratory rollers within 30 feet of sensitive structures adjoining the project site to the east.</li> <li>• Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 30 feet of adjacent buildings. Only use static compaction mode when compacting materials within 15 feet of buildings.</li> </ul> <p>These measures will be included in construction plans and confirmed by the Director of Community Development or the Director’s designee prior to the issuance of grading permits.</p>	Prior to the issuance of grading permits	Project Applicant	Director of Community Development or the Director’s designee

In addition to mitigation measures listed above, there are also other conditions of approval the project shall implement, including the following:

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<b>Construction Dust Emissions Best Management Practices</b>	
<ul style="list-style-type: none"> <li>• During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by the Air District and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor would implement the following best management practices (BMPs) that are required of all projects:               <ul style="list-style-type: none"> <li>○ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>○ All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>○ 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.</li> <li>○ All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>○ 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.</li> <li>○ All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</li> <li>○ All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</li> <li>○ Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a six- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.</li> <li>○ Publicly visible signs shall be posted with the telephone number and name of the 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 General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.</li> </ul> </li> </ul>	
<b>Expansive Soils Condition</b>	
<ul style="list-style-type: none"> <li>• To avoid or minimize potential damage from expansive soils and other geologic events, and consistent with General Plan Policy 5.10.5-P6, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a geotechnical report to the City. The geotechnical investigation report shall be reviewed and approved by the City of Santa Clara’s Building Division as part of the building permit review and issuance process. The building shall meet the requirements of applicable Building and Fire</li> </ul>	

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Codes, including the 2022 California Building Code, as adopted or updated by the City. The project shall be designed to withstand potential geologic hazards identified on the site, including expansive capacity of soils, and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

**Paleontological Resources**

- If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, the Director of Community Development or the Director’s designee shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Community Development or the Director’s designee.

**Bicycle Facilities**

- The proposed project will include a designated secure bicycle room for employees associated with the commercial space on the project site. The space will be confirmed on during final building inspection prior to issuance of occupancy permits.

**Transportation Demand Management Plan**

- Prior to issuance of occupancy permits, the proposed project will submit a Transportation Demand Management (TDM) plan with measures to reduce on-site Vehicle Miles Traveled (VMT). The TDM plan will be submitted and approved by the City of Santa Clara Planning Division prior to issuance of occupancy permits. The following TDM measures shall be included in the plan and implemented to reduce VMT associated with the proposed project:
  - Program Administration. The proposed project shall provide TDM information, TDM marketing, and designate a TDM Coordinator to achieve a 4.0 percent VMT reduction.
    - Designating a Transportation Coordinator: The homeowner’s association (HOA) will designate a transportation coordinator.
    - Online Kiosk/TDM Information Board: The transportation coordinator will set up and maintain an on-site bulletin board and/or online kiosk with information on non-auto transportation alternatives. The online kiosk will contain site-specific information about the transportation resources available to residents.
    - Transportation Information Brochures: New residents will receive a transportation information packet from the transportation coordinator. The packets will contain information about bikeway maps, 511 bicycling resources, locations of adjacent bus stops, VTA transit maps, VTA bus schedules for adjacent bus routes, and the coordinator’s

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- Trip Planning Assistance: The transportation coordinator will assist with providing residents with information regarding transportation resources.
- Share information on VTA TDM programs such as Vanpool, Guaranteed Ride Home, Smart Commute, and Adult Bike Education Classes.
- Bike Sharing Program. The project will provide space for or provide subsidies to a public bike sharing program for a 1.7 percent reduction. Currently, there are no areawide public bike share programs in operation. If a public bike share program is established ‘Prior to Final’ for the Building Permit, the developer will provide space for or provide subsidies to a public bike sharing program. Alternatively, if there are no areawide public bike share programs operating within the vicinity of the site when the project obtains its Building Permit, the developer will provide a bike with each townhome.
- Mixed Use Development. The proposed project will incorporate residential and commercial uses within the same site, reducing VMT by approximately 5.1 percent.
- School Pool Program. The proposed project will fully or partially implement a school pool program. This measure will achieve a maximum VMT reduction of 8.25 percent assuming full participation or a 2.9 percent reduction assuming a 35 percent participation rate.
  - This program will reduce the number of private vehicle trips to and from schools by coordinating carpools for students.
- Monitoring. The success of the TDM measures will be monitored by:
  - Resident surveys conducted by the Transportation Coordinator
  - Driveway counts obtained by a consultant that the Transportation Coordinator will work with to prepare a TDM monitoring report
  - The Transportation Coordinator will submit reports with the results of the surveys to the City of Santa Clara’s Planning Division annually for the project's lifespan

**Well Removal Ordinance**

- The proposed project will apply for a permit as required by Valley Water’s Wells Ordinance 90-1 for projects which remove wells, including water wells, cathodic protection wells, observation wells, and monitoring wells.

**Vapor Intrusion Condition**

- If the hazardous material sampling determines that vapor encroachment issues exist, the proposed project will:

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- Design and implement a vapor intrusion mitigation system (VIMS) under the foundations of future homes in any areas still impacted with PCE above screening levels
- Provide long-term operation and maintenance for the VIMS systems

**Construction Water Quality Best Management Practices**

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains;
- Earthmoving or other dust-producing activities would be suspended during period of high winds;
- All exposed or disturbed soil surfaces would be watered at least twice daily to control dust as necessary;
- Stockpiles of soil or other materials that can be blown by the wind would be watered or covered;
- All trucks hauling soil, sand, and other loose materials shall be covered;
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily (with water sweepers); and
- Vegetation in disturbed areas would be replanted as quickly as possible.

**Interior Noise Building Design Measures**

- The project applicant shall prepare final design plans that incorporate building design and acoustical treatments to ensure compliance with the California Building Code and City noise standards. A project-specific acoustical analysis shall be prepared to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA CNEL or lower within the residential units. The applicant shall conform with any special building construction techniques requested by the City of Santa Clara Building Department, which may include sound-rated windows and doors, sound-rated wall construction, and acoustical caulking.
  - The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less at residential interiors.
  - Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residential units on the project site, so that windows can be kept closed at the occupant’s discretion to control interior noise and achieve the interior noise standards.
  - Preliminary calculations indicate that residential units located along the western façades of project buildings directly adjacent to Lawrence Expressway would require windows and doors with a minimum rating of STC 42 with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.

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- Preliminary calculations indicate that residential units located along the southern boundary of the project directly facing Homestead Road would require windows and doors with a minimum rating of STC 36 with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
- Units along the northern façades of project buildings facing Lochinvar Avenue located would require windows and doors with a minimum rating of STC 30 with adequate forced-air mechanical ventilation
- All remaining units would require windows and doors with standard construction materials and adequate forced-air mechanical ventilation.
- The implementation of these noise insulation features would reduce interior noise levels to 45 dBA CNEL or less within residential units and would allow the project to conform with the City of Santa Clara policy 5.10.6-P2.

Sources: City of Santa Clara. *Draft IS/MND for the Jade and Ruby at Pariva Mixed-Use Project*. May 2026.