

MITIGATION MONITORING OR REPORTING PROGRAM

1111 Comstock Data Center

File Nos. PLN2019-13941 / CEQ2020-01079

CITY OF SANTA CLARA

October 2020

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.

The Initial Study concluded that the implementation of the 1111 Comstock Data Center 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 Initial Study concluded that the impacts from implementation of the project would be less than significant.

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Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
BIOLOGICAL RESOURCES				
Impact BIO-1: Construction disturbance during nesting bird breeding season could result in incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment.	MM BIO 1-1: Construction shall be scheduled to avoid the nesting bird 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. <ul style="list-style-type: none"> • If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest 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 days prior to the initiation of these activities during the late part of the breeding season (May through August). • During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with 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 MBTA or Fish and Game Code shall not be disturbed during project construction. • A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal. 	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) No more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During all phases of construction (if a buffer is established).	Project Applicant	Director of Community Development California Department of Fish and Wildlife

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CULTURAL RESOURCES				
<p>Impact CUL-1: Subsurface cultural resources could be uncovered during construction of the proposed project.</p>	<p>MM CUL-1.1: After demolition of the existing building and paved parking lot on the site, a qualified archaeologist shall complete mechanical presence/absence testing for archaeological deposits and cultural materials. In the event any prehistoric site indicators are discovered, additional backhoe testing will be conducted to map the aerial extent and depth below the surface of the deposits. In the event prehistoric or historic archaeological deposits are found during presence/absence testing, the significance of the find will be determined. If deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:</p> <ul style="list-style-type: none"> • Identify scope of work and range of subsurface effects (include location map and development plan), • Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found), • Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information), • Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals. 	After demolition and prior to project construction	Project Applicant	Director of Community Development

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	<ul style="list-style-type: none"> Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.). Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report), Disposition of the artifacts, Appendices: site records, update site records, correspondence, consultation with Native Americans, etc. <p>MM CUL-1.2: In the event that prehistoric or historic resources that are not discovered during presence/absence testing are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared as outlined in MM CUL-1.1.</p>	During all phases of construction	Project Applicant	Director of Community Development

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Impact CUL-2: Construction could result in the exposure or destruction of undiscovered subsurface prehistoric human remains.	MM CUL-2.1: 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 will be stopped. The Santa Clara County Coroner will 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 will notify the Native American Heritage Commission (NAHC) immediately. Once the 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.	During construction	Project Applicant	Santa Clara County Coroner Native American Heritage Commission (NAHC)
GEOLOGY AND SOILS				
Impact GEO-1: Ground disturbing activities of 10 feet in depth or more at the site has the potential to impact undiscovered paleontological resources.	MM GEO-1.1: Drilling activities associated with the proposed augered foundation piles shall be monitored by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.	During construction	Project Applicant	Director of Community Development

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NOISE AND VIBRATION				
Impact NOI-1: Testing of all generators simultaneously under 10 percent load concurrent with operation of HVAC equipment or a single generator operating under full load would exceed industrial noise levels to the north.	MM NOI-1: The proposed seven-foot, six-inch parapet wall will be constructed without any gaps or cracks and have a minimum surface weight of three-pounds per square foot (such as one-inch thick wood, ½-inch laminated glass, masonry block, concrete, or metal one-inch). MM NOI-1.2: The proposed generator testing schedule shall be followed wherein under 10 percent load, all generators may be tested simultaneously, and under full load, only one at a time may be tested.	During all project operations	Project Applicant	Director of Community Development
Impact NOI-2: Construction vibration could result in cosmetic damage to the Trescal instrument calibration facility.	MM NOI-2.1: <ul style="list-style-type: none"> Place operating equipment on the construction site as far as possible from vibration sensitive receptors. Avoid using vibratory rollers and tampers near sensitive areas. Avoid dropping heavy objects or materials near shared property lines. 	Prior to and during construction	Project Applicant	Director of Community Development

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	<ul style="list-style-type: none"> • A construction vibration-monitoring plan shall be implemented to document conditions at the adjacent Trescal building, located at 1065 Comstock Street, prior to, during, and after vibration generating construction activities within 15 feet of the building. All plan tasks shall be performed in accordance with industry accepted standard methods. The construction vibration monitoring plan should be implemented to include the following tasks: <ul style="list-style-type: none"> ○ Performance of a photo survey, elevation survey, and crack monitoring survey for the Trescal building in the area adjoining the project site. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating construction activities within 15 feet of the building, and shall include internal and external crack monitoring in the structure, settlement, and distress, and shall document the condition of the foundation, walls, and other structural elements in the interior and exterior of said structure to the extent that access is provided by the owner of the building. ○ Conduct a post-survey on the structure where monitoring has indicated high levels or complaints of damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities. ○ Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site. 	See previous page	See previous page	See previous page

SOURCE: City of Santa Clara, *1111 Comstock Data Center Project Initial Study*, September 2020.