

CITY OF SANTA CLARA, CALIFORNIA

# **Dual-Brand Hotel at Coleman and Brokaw**

MITIGATION MONITORING AND REPORTING PROGRAM  
(MMRP)

AUGUST 2021



# ***Dual-Brand Hotel at Coleman and Brokaw***

## **Mitigation Monitoring and Reporting Program (MMRP)**

### **1. Introduction**

Assembly Bill (AB) 3180, enacted by the California Legislature in 1988, requires lead agencies to prepare and adopt a program to monitor and/or report on all mitigation measures required in conjunction with certification of an Environmental Impact Report (EIR) or adoption of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA).

A public agency must certify an EIR or adopt a Mitigated Negative Declaration when approving a discretionary project that could significantly affect the environment in an adverse manner. The monitoring or reporting program is intended to ensure the successful implementation of measures that public agencies impose to reduce or avoid the significant adverse impacts identified in an environmental document. Adoption of the monitoring program is to occur when a public agency makes the findings to approve a project requiring an EIR or when adopting a Mitigated Negative Declaration. There is no statutory requirement for a lead agency to circulate a monitoring program for public review prior to adopting the program.

The monitoring program should specify the steps whereby implementation of project mitigation measures can be verified during project construction and operation. Typically, the monitoring program should, for each mitigation measure, identify the entity responsible for implementing the measure and an individual, qualified professional, or agency responsible for ensuring compliance. The monitoring program should also identify: the action or actions required to ensure compliance; when and how frequently monitoring should occur; a mechanism for reporting compliance or non-compliance; and an agency that receives and monitors the reports on compliance. AB 3180, as promulgated in Public Resources Code Section 21081.6, does not require a mitigation monitoring program to include measures imposed to mitigate the environmental effects of less-than-significant impacts.

AB 3180 does not provide State reimbursement for implementing the mitigation monitoring requirements because local agencies have the authority to levy fees sufficient to pay for such programs. Local agencies may recover the monitoring and reporting costs through charging a service fee pursuant to Government Code sections 65104 and 66000 *et seq.*

### **2. Monitoring Program**

The purpose of this Mitigation Monitoring and Reporting Program (MMRP) is to present a thorough approach for monitoring the implementation of the measures required to mitigate the significant and potentially significant impacts identified in the *Dual-Brand Hotel at Coleman and Brokaw Project Initial Study/Mitigated Negative Declaration*. The monitoring program identifies each mitigation measure for a significant impact and specifies the means for verifying successful implementation. Failure to comply with all required mitigation measures will constitute a basis for withholding building permits or undertaking legal enforcement actions.

#### Project Approvals

Prior to each successive approval during development of the proposed project, the City of Santa Clara Planning Division of Building Division, as applicable, shall confirm via the MMRP table (included in this document) proper implementation of all mitigation measures required to that point in time. If any mitigation measures have not been implemented as required, the permit or other approval shall be withheld until successful implementation of the measure has been confirmed by the City. If

noncompliance of required mitigation measures occurs following completion of construction and project occupancy, the failure shall be grounds for revocation of the occupancy permit(s) for the project, or other enforcement action by the City Attorney.

### MMRP Table

The heart of this document is the MMRP table, which identifies the monitoring and reporting requirements for each mitigation measure identified in the Mitigated Negative Declaration. More specifically, the table provides the following information for each mitigation measure:

- **Impact Summary**— a brief one-sentence summary statement of the impact being mitigated.
- **Mitigation Measure**— the verbatim text of the mitigation measure as adopted by the City. In some cases, the measure may differ slightly from the language presented in the Mitigated Negative Declaration circulated for public review.
- **Implementation Responsibility**— the entity responsible for implementing the mitigation measure.
- **Monitoring Responsibility**— the person or agency responsible for physically verifying that the mitigation measure has been implemented and for recording the verification in the MMRP table. In some cases, an outside regulatory agency may be involved in determining or ensuring mitigation compliance, but reporting of compliance in the MMRP table is the responsibility of City staff in all cases.
- **Monitoring Activity**— all activities necessary to verify successful implementation of the mitigation measure. Where certain monitoring activities are verified during the normal course of project review and approvals (e.g., verification of compliance with building codes), such verification has been noted but has not been incorporated into the MMRP, and no separate reporting is required beyond that which normally occurs.
- **Timing/Frequency of Monitoring**— the phase of the project during which monitoring activities must occur and/or milestone(s) at which single-event monitoring activities must occur followed by how often monitoring activities must occur. Typically, the monitoring occurs once, weekly, or monthly.
- **Date & Monitor's Initials/Status/Comments**— the initials of the Responsible Monitor verifying that implementation of the mitigation measure has been satisfactorily completed. A notation shall be provided for each required occurrence of monitoring and/or verification, as stipulated in the MMRP table for each mitigation measure. The notation by the proper monitor should be dated and initialed, and should note any irregularities or problems in compliance. When final implementation of a mitigation measure has been verified by the designated monitor, a notation of full and completed implementation shall be made in this space.

### Reporting

Reporting shall be satisfied by a written notation in the space provided for each mitigation measure in the MMRP table, as noted above. The MMRP table shall be maintained on file at the offices of the Santa Clara Planning Division until, at a minimum, all mitigation measures have been successfully implemented and verified.

## Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
<b>AIR QUALITY</b>					
<p><b>Impact:</b> Generation of airborne particulate matter and criteria air pollutants during construction.</p> <p><b>Mitigation Measure AQ-1:</b> <i>BAAQMD Required Fugitive Dust Control Measures.</i> The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:</p> <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 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>A publicly visible sign shall be posted with the telephone number job-site project superintendent to contact 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.</li> </ul>	Project Sponsor and Construction Contractor	Bay Area Air Quality Management District (BAAQMD), City of Santa Clara Planning Division	Monthly site visits shall be made by City staff to verify compliance with requirements. Additional site visits shall be promptly made in response to any complaints received by the City or BAAQMD. Any excessive dust observed shall be discussed with the project sponsor and reported in the MMRP table.	During construction/ Monthly and in response to complaints	
<p><b>Impact:</b> Generation of criteria air pollutants during construction.</p> <p><b>Mitigation Measure AQ-2:</b> <i>BAAQMD Required Exhaust Emissions Reduction Measures.</i> The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:</p> <ul style="list-style-type: none"> <li>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,</li> </ul>	Project Sponsor and Construction Contractor	Bay Area Air Quality Management District (BAAQMD), City of Santa Clara Planning Division	Monthly site visits shall be made by City staff to verify compliance with requirements. Additional site visits shall be promptly made in response to any complaints received by the City or BAAQMD. Any excessive dust observed shall be discussed with the project sponsor and reported in the MMRP table.	During construction/ Monthly and in response to complaints	

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<p>Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> <li>All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> </ul>					
<p><b>Impact:</b> Generation of criteria air pollutants during construction.</p> <p><b>Mitigation Measure AQ-3:</b> BAAQMD Regulation 8, Rule 3 for Architectural Coatings. In order to minimize emissions of volatile organic compounds (VOCs), architectural coatings employed during construction of the proposed project shall comply with BAAQMD Regulation 8: Organic Compounds, Rule 3: Architectural Coatings (Rule 8-3). The Rule 8-3 VOC architectural coating limits specify that the use paints and solvents with a VOC content of 100 grams per liter or less for interior and 150 grams per liter or less for exterior surfaces shall be required.</p>	Project Sponsor and Construction Contractor	City of Santa Clara Planning Division	Prior to execution of the contracts, the City shall verify that project construction contracts require the use of architectural coatings that comply with BAAQMD Rule 8-3 pertaining to architectural coatings.	Prior to execution of contracts/Once	
<b>BIOLOGICAL RESOURCES</b>					
<p><b>Impact:</b> Potential adverse effects on migratory birds.</p> <p><b>Mitigation Measure BR-1:</b> If any site grading or project construction will occur during the general bird nesting season (February 1<sup>st</sup> through August 31<sup>st</sup>), a bird nesting survey shall be conducted by a qualified raptor biologist prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities; if conducted during the late part of the breeding season (May to August), the survey shall be performed no more than 30 days prior to initiation of these activities. If active nests are identified, a 250-foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Wildlife) shall be established around the nest tree and the site shall be protected until September 1<sup>st</sup> or until the young have fledged. A biological monitor shall be present during earth-moving activity near the buffer zone to make sure that grading does not enter the buffer area.</p>	Project Sponsor	City of Santa Clara Planning Division  Qualified Wildlife/Raptor Biologist	A qualified biologist shall conduct and document the required pre-construction nesting survey if any site grading or project construction will occur during the general bird nesting season. If an active nest of a protected bird species is found during the survey, Planning staff shall receive written confirmation from the Biological Monitor that a protective buffer zone was successfully installed and maintained throughout the construction period until the young have fledged.	<p>Verification of nesting bird survey: Prior to issuance of grading permit/ Once</p> <p>Verification of confirmation from Biological Monitor that protective buffer has been established: Prior to issuance of grading permit/ Once</p> <p>Verification of confirmation from Biological Monitor that protective buffer has been</p>	

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Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
				maintained for the required period: Throughout construction/ Monthly	
<p><b>Impact:</b> Removal of a protected tree, in conflict with General Plan policy.</p> <p><b>Mitigation Measure BR-2:</b> The project sponsor shall plant 24-inch box replacement trees at a 2:1 replacement ratio for the deodar cedar proposed for removal. Replacement trees shall be of specimen species approved by the City Arborist.</p>	Project Sponsor	<p>City of Santa Clara Planning Division</p> <p>City of Santa Clara Building Division</p>	Prior to issuance of a building permit, Planning staff shall verify provision of the required replacement trees on the project landscape plan. Prior to issuance of an occupancy permit, Building Division staff shall verify planting of the trees in accordance with the approved landscape plan.	<p>Verification of landscape plan: Prior to issuance of building permit/ Once</p> <p>Verification of planting of trees in accordance with landscape plan: Prior to issuance of occupancy permit/ Once</p>	
<b>CULTURAL RESOURCES</b>					
<p><b>Impact:</b> Potential damage to significant archaeological or historical resources.</p> <p><b>Mitigation Measure CR-1:</b> Prior to issuance of a grading permit, the City shall retain the services of a qualified professional archaeologist, to be funded by the project sponsor, to conduct an Extended Phase I Archaeological Assessment that includes subsurface testing for buried cultural resources using manual or mechanical excavation, or a combination of the two. The appropriate locations, methods, and timing of the subsurface testing shall be determined by the archaeologist. If any intact cultural deposits are identified during the subsurface testing that could qualify as a historical or archaeological resource under CEQA, they shall be evaluated for significance, including potential California Register of Historical Resources (CRHR) eligibility or City of Santa Clara Historic Resources Inventory eligibility, and appropriate mitigation measures shall be identified to reduce potential impacts to a less-than-significant level. All recommended mitigation shall be implemented prior to issuance of a building permit.</p>	<p>City of Santa Clara Planning Division</p> <p>Professional Archaeologist</p>	City of Santa Clara Planning Division	Prior to issuance of a building permit, City staff shall verify receipt of a professional-quality report from the professional archaeologist documenting the results of the Extended Phase I Archaeological Assessment and the implementation of any additional mitigation requirements that are identified during that process.	Prior to issuance of building permit/ Once	

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Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
<p><b>Impact:</b> Potential damage to significant archaeological or historical resources.</p> <p><b>Mitigation Measure CR-2:</b> Throughout site grading and all other ground-disturbing project construction activities, a qualified archaeological monitor shall be present to observe the construction activities in order to identify any historic or prehistoric cultural resources that could be encountered during the ground-disturbing activities. In the event that any cultural resources are discovered, all ground disturbance within 100 feet of the find shall be halted until the archaeologist can evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). (Construction personnel shall not collect any cultural resources.) The results of any additional archaeological effort required through the implementation of this measure and/or Mitigation Measures CR-1 or CR-3 shall be presented in a professional-quality report, to be submitted to the Santa Clara Planning Division and the Northwest Information Center at Sonoma State University in Rohnert Park.</p>	<p>Project Sponsor/ Project Construction Superintendent</p> <p>Archaeological Monitor</p>	<p>City of Santa Clara Planning Division</p>	<p>City staff shall receive written verification from the Archaeological Monitor that monitoring was successfully completed and, in the event that cultural resources were encountered during site disturbance, that any additional mitigation requirements were implemented. City staff shall verify receipt of the archaeologist's report prior to issuance of a building permit.</p>	<p>Prior to issuance of building permit/ Once</p>	
<p><b>Impact:</b> Potential damage to significant buried human remains.</p> <p><b>Mitigation Measure CR-3:</b> In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Santa Clara County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the City, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial.</p>	<p>Project Sponsor/ Project Construction Superintendent</p> <p>Archaeological Monitor</p>	<p>City of Santa Clara Planning Division</p>	<p>If human remains are encountered during construction, City staff shall receive written verification from the Archaeological Monitor that proper notification, treatment, documentation, and return of remains occurred.</p>	<p>Within 3 weeks of completion of mitigation requirements/ Once</p>	

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<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
<p><b>Impact:</b> Potential exposure of construction workers to hazardous materials that may be present in the site groundwater.</p> <p><b>Mitigation Measure HM-1:</b> Prior to the issuance of a grading permit, the project sponsor shall retain the services of a qualified environmental professional to prepare a Site Management Plan (SMP) to govern construction work at the project site. The SMP shall establish management practices for handling contaminated groundwater, soil vapor, soil, and other materials during project construction, including proper offsite disposal. A copy of the SMP shall be provided to all construction contractors prior to the initiation of work at the site and construction contracts shall require all contractors to adhere to the provisions of the SMP. Prior to its implementation, the SMP shall be reviewed and approved by the California Department of Toxic Substances Control (DTSC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and/or the Santa Clara Fire Department (the Certified Unified Program Agency (CUPA) for hazardous materials in Santa Clara), whichever of these agencies claims jurisdiction.</p> <p>The SMP shall include the following provisions, as well as any other requirements deemed appropriate by the regulatory agencies:</p> <ul style="list-style-type: none"> <li>Establish procedures for dewatering of construction excavations and excavated soils, consistent with applicable federal, State, and local regulations, specifying methods of sampling and testing, water collection, handling, transport, on-site or offsite treatment, discharge, and disposal for all water produced by dewatering activities.</li> <li>Establish procedures for sampling and testing site soils to ensure construction workers are not exposed to hazardous levels of residual petroleum hydrocarbons and/or volatile organic compounds (VOCs).</li> <li>Establish contingency measures to be followed if soils with contaminant levels in excess of the applicable Environmental Screening Levels (ESLs) for residential use established by the RWQCB are encountered. These measures shall include</li> </ul>	Project Sponsor/ Construction Contractor	Santa Clara Fire Department  City of Santa Clara Building Division	Prior to issuance of a grading permit, Building Division staff shall verify (with DTSC or the RWQCB, if applicable) that an acceptable SMP has been prepared. Prior to issuance of a building permit, Building Division staff shall verify with the Fire Department (or DTSC or the RWQCB, if applicable) that the SMP was properly implemented. If any remediation was required due to hazardous substances encountered during subsequent site investigation or project construction, Building Division staff shall verify with the Fire Department, RWQCB, and/or DTSC that remediation was completed to the satisfaction of those agencies, as applicable.	<p>Verification of completion of acceptable SMP: Prior to issuance of grading permit/ Once</p> <p>Verification of satisfactory implementation of the SMP: Prior to issuance of building permit/ Once</p> <p>Verification of completion of any required site remediation: Prior to issuance of a building permit / Once</p>	



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<p>procedures for excavation, containment, and/or treatment of the contaminated soils to achieve contaminant levels below their ESLs. Any soils requiring offsite disposal shall be submitted to laboratory analysis for hazardous materials by a State-certified laboratory. If contaminant levels do not exceed established limits for non-hazardous waste, the soil may be disposed of at a Class II or III solid waste landfill. If the soil is classified as a hazardous waste, it shall be handled and hauled in accordance with State and federal regulations for hazardous waste and disposed of at a licensed Class I hazardous waste disposal facility.</p> <ul style="list-style-type: none"> <li>Identify measures to protect future occupants of the site from exposure to groundwater contaminants at the site, including intrusion of soil-gas vapors emitted from the groundwater plume. Such measures may include vapor intrusion barriers or vapor extraction systems.</li> </ul>					
<p><b>Impact:</b> Potential exposure of construction workers to hazardous materials that may be present in the site groundwater.</p> <p><b>Mitigation Measure HM-2:</b> Prior to the issuance of a grading permit, the project sponsor shall prepare and implement during site preparation and grading activities a Health and Safety Plan (HASP). The HASP shall identify the measures necessary to protect workers and to prevent their exposure to petroleum hydrocarbons and volatile organic compounds (VOCs) that may occur in soils and groundwater at the site. The HASP shall be prepared in accordance with the Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard promulgated at 29 CFR 1910.120. It shall be prepared and implemented in accordance with all other applicable State and federal occupational safety and health standards.</p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuance of a grading permit, Building Division staff shall verify that an acceptable HASP has been prepared. During site preparation and grading activities, Building Division staff shall conduct weekly site inspections to verify that the HASP is being properly implemented.	<p>Verification of completion of acceptable HASP: Prior to issuance of grading permit/ Once</p> <p>Inspections to verify implementation of the HASP: Throughout site grading/ Weekly</p>	

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<p><b>Impact:</b> Soil vapor concentrations of volatile organic compounds (VOCs) could adversely affect the indoor air quality of the hotel, posing a potential health risk to workers and guests.</p> <p><b>Mitigation Measure HM-3:</b> In order to prevent the potential accumulation of VOC vapors within the habitable spaces of the proposed hotel, no subsurface spaces below the hotel structure shall be constructed. A continuous vapor barrier shall be constructed below the building's concrete slab to prevent the migration of VOC vapors into the building. Prior to constructing the vapor barrier, the applicant shall implement Mitigation Measures HM-1 and HM-2.</p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuance of a building permit, Building Division staff shall verify that an acceptable vapor barrier is included in project plans. Building Division staff shall verify installation of the vapor barrier during the regular construction monitoring and inspection.	<p>Verification of vapor barrier in project plans: Prior to issuance of building permit/ Once</p> <p>Verification of satisfactory installation of vapor barrier: During normal construction inspections/ Once, or as necessary</p>	
<p><b>Impact:</b> Friable asbestos could be released during building demolition, posing a potential health risk to construction workers.</p> <p><b>Mitigation Measure HM-4:</b> Prior to issuance of a demolition permit for the existing buildings on the site, a comprehensive survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos abatement contractor. Sampling for ACBM shall be performed in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA). If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations, including Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2 pertaining to demolition, removal, and disposal of ACBM. BAAQMD shall be notified at least ten business days in advance of building demolition, in compliance with Regulation 11, Rule 2. To document compliance with the applicable regulations, the project sponsor shall provide the City of Santa Clara Building Division with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the demolition permit.</p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Building Division staff shall confirm receipt of BAAQMD notice prior to issuance of a demolition permit.	Prior to issuance of Demolition Permit/ Once	

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Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
<p><b>Impact:</b> Lead from lead-based paint could be released during building demolition, posing a potential health risk to construction workers.</p> <p><b>Mitigation Measure HM-5:</b> Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Santa Clara Building Division prior to issuance of a demolition permit.</p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Building Division staff shall confirm receipt of lead clearance report prior to issuance of a demolition permit.	Prior to issuance of Demolition Permit/ Once	
<p><b>Impact:</b> Polychlorinated biphenyls (PCBs) present in the existing buildings could be released during building demolition, posing a potential health risk to construction workers.</p> <p><b>Mitigation Measure HM-6:</b> Prior to issuance of a demolition permit for the existing buildings on the site, the applicant shall retain the services of a qualified environmental assessor to conduct a Priority Building Materials Screening Assessment to evaluate the potential presence of PCBs-containing building materials in the buildings proposed for demolition. The assessment shall be performed in accordance with the guidance provided in the <i>Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package</i> (May 2019) prepared by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). If PCBs are present at a concentration equal to or greater than 50 parts per million (ppm) in building materials, the applicant shall submit a completed and certified PCBs Screening Assessment Form (included in SCVURPPP's PCBs Screening Assessment Applicant Package) to SCVURPPP for review and inclusion in reporting required in its annual reports on compliance with the Municipal Regional Stormwater Permit issued to Bay Area agencies by the San Francisco Bay Regional Water Quality Control Board (RWQCB).</p> <p>Assessing the concentrations of PCBs on site must be performed according to the <i>Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition</i></p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Building Division staff shall confirm receipt of PCB assessment report prior to issuance of a demolition permit. If PCBs are present in building materials at a concentration of 50 ppm or greater, Building Division staff shall confirm receipt of copy of hazardous waste disposal manifest demonstrating appropriate disposal.	<p>Verification of PCB assessment report: Prior to issuance of Demolition Permit/ Once</p> <p>Verification of hazardous waste disposal manifest: Prior to issuance of Building Permit/ Once</p>	

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<p>(August 2018) prepared by Bay Area Stormwater Management Agencies Association (BASMAA) unless prior sampling data is available in existing building records.</p> <p>If PCBs are present at a concentration equal to or greater than 50 ppm, they shall be disposed of in accordance with the federal Toxic Substances Control Act (Code of Federal Regulations Title 40, Part 761, Subpart D). The demolition of the buildings on the site shall also comply with all other federal, State, and local regulations pertaining to the handling and disposal of PCBs.</p>					
<b>HYDROLOGY AND WATER QUALITY</b>					
<p><b>Impact:</b> Sediment released during project construction could adversely affect water quality.</p> <p><b>Mitigation Measure WQ-1:</b> Prior to issuance of a grading permit the project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Bay Area Stormwater Management Agencies Association's (BASMAA) <i>Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities</i> (2004), the California Stormwater Quality Association's <i>California Stormwater Best Management Practices Handbook</i> (December 2019), the prescriptive standards included in the CGP, or as required by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and sedimentation. The SWPPP shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before</p>	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuance of a grading permit, Building Division shall verify preparation of the SWPPP and confirm its adequacy. During site grading and earthwork, Public Works and/or Building Division staff shall conduct monthly (or more frequent) site inspections to verify proper implementation of all required BMPs.	<p>Verification of SWPPP: Prior to issuance of grading permit/ Once</p> <p>Monitoring of Construction: During construction/ Monthly, or more frequently</p>	

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Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during and after construction activities. The SWPPP shall also be reviewed and approved by the Santa Clara Public Works Department.					
<b>Impact:</b> Sediment released during project construction could adversely affect water quality.  <b>Mitigation Measure WQ-2:</b> All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15th and April 15th unless approved erosion control measures are in place.	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuing a grading permit, City staff shall verify that the construction contract prohibits grading activities outside the stipulated summer construction season, unless authorized by the City. Staff shall conduct periodic site inspections to verify grading does not occur outside the permitted period and to verify proper stabilization of cut-and-fill slopes.	Verification of Plans: Prior to issuance of grading permit/ Once  Monitoring of Construction: During construction/ Periodically, or consistent with standard City practice	
<b>NOISE</b>					
<b>Impact:</b> The proposed hotel would be exposed to existing ambient noise levels greater than 55 dBA CNEL, in conflict with General Plan policy.  <b>Mitigation Measure NOI-1:</b> Prior to the issuance of a building permit, the City shall retain the services of a qualified noise consultant or acoustical engineer (to be paid for by the applicant) to conduct a detailed noise analysis to determine any special noise insulation features necessary to ensure that interior noise levels in the proposed hotel rooms, lobby, and dining room would not exceed 45 dBA CNEL with all doors and windows closed. The noise analysis should stipulate required Sound Transmission Class (STC) ratings for window, door, wall, and floor/ceiling assemblies to be employed in the project in order to achieve the required level of sound insulation. The acoustical design recommendations shall be incorporated into project plans and implemented during project construction.	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuance of a building permit, Building Division staff shall verify completion of noise analysis and recommendations for noise insulation features. Prior to issuance of an occupancy permit, Building Division staff shall verify installation of all required noise insulation features.	Verification of completion of acceptable noise analysis: Prior to issuance of building permit/ Once  Verification of installation of all required noise insulation features: Prior to issuance of occupancy permit/ Once	
<b>Impact:</b> Construction activity could cause vibration levels that could cause architectural and structural damage to the nearest adjacent building.  <b>Mitigation Measure NOI-2:</b> The construction contractor shall avoid the use of pile driving, impact hammers,	Project Sponsor/ Construction Contractor	City of Santa Clara Building Division	Prior to issuance of a grading permit, Building Division staff shall verify completion of the construction vibration monitoring plan and pre-construction survey	Verification of completion of construction vibration monitoring plan	

## Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
<p>vibratory rollers and other vibration-generating construction equipment (hoe rams, large bulldozers, caisson drillings, loaded trucks, jackhammers) where possible. Auger cast piles should be used in lieu of impact techniques. A construction vibration monitoring plan shall be prepared and implemented to document conditions prior to, during, and after vibration-generating construction activities. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods. The construction vibration monitoring plan shall be implemented to include the following tasks:</p> <ul style="list-style-type: none"> <li>• Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of any vibratory roller activities and 25 feet of other construction activities identified as sources of high vibration levels.</li> <li>• Performance of a photo survey, elevation survey, and crack monitoring survey for each structure of normal construction within 100 feet of vibratory roller activities and/or within 25 feet of other construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, at regular intervals during construction, and after project completion, and shall include internal and external crack monitoring in structures, settlement, and distress, and shall document the condition of foundations, walls, and other structural elements in the interior and exterior of said structures.</li> <li>• Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits.</li> <li>• At a minimum, vibration monitoring shall be conducted during demolition, grading, and paving activities. Monitoring results may indicate the need for more or less intensive measurements.</li> </ul>			<p>of adjacent buildings. Weekly site visits shall be made by City staff to verify compliance with the vibration monitoring plan. Additional site visits shall be promptly made in response to any complaints received by the City. Prior to issuance of an occupancy permit, City staff shall verify receipt of post-construction surveys of adjacent structures for vibration damage and the final vibration monitoring report.</p>	<p>and pre-construction surveys: Prior to issuance of grading permit/ Once</p> <p>Verification of compliance with construction vibration monitoring plan: Throughout construction/ Weekly and in response to complaints</p> <p>Verification of post-construction surveys of adjacent structures and final vibration monitoring report: Prior to issuance of occupancy permit/ Once</p>	

## Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring Activity	Timing/ Frequency of Monitoring	Date & Monitor's Initials/ Status/Comments
<ul style="list-style-type: none"> <li>If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.</li> <li>Designate a person (developer's representative or job-site superintendent) responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.</li> <li>Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.</li> <li>The results of all vibration monitoring shall be summarized and submitted in a report to the Santa Clara Planning Department shortly after substantial completion of each phase identified in the project schedule. The report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims.</li> </ul>					