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# APPENDICES

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# **APPENDIX A: MITIGATION AND MONITORING REPORTING PLAN**



**MITIGATION MONITORING AND REPORTING PROGRAM**

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**STRATFORD SCHOOL AT PARTRIDGE AVENUE FINAL EIR APPENDIX A – MITIGATION**

1. STATUTORY REQUIREMENT

When a lead agency makes findings on significant environmental effects identified in an environmental impact report (EIR), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

2. ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The City of Sunnyvale (City) is the lead agency responsible for the adoption of the MMRP. Stratford School is the project applicant and is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

Verification of mitigation compliance and responsibility for compliance is the responsibility of the applicant-designated project manager. The project manager will be responsible for coordinating plan reviews and field verification with the appropriate City department staff or outside agencies.

3. MITIGATION MEASURES AND REPORTING PROGRAM

Table 1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the Impact Analysis chapters of the Draft EIR.

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
<i>Air Quality</i>				
MM 3.2.1a	During construction activities, the applicant and/or its contractor shall ensure that all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) is California Air Resources Board (CARB) Tier 3 Certified or better. <sup>1</sup>	<ul style="list-style-type: none"> <li>Equipment inspection</li> </ul>	<ul style="list-style-type: none"> <li>Preconstruction and during construction</li> </ul>	<ul style="list-style-type: none"> <li>Project manager</li> </ul>
MM 3.2.1b	<p>Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District's (BAAQMD) Basic Construction Mitigation Measures are noted on the construction documents. These basic construction mitigation measures include the following:</p> <ol 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> </ol>	<ul style="list-style-type: none"> <li>Construction plan approval</li> </ul>	<ul style="list-style-type: none"> <li>Preconstruction</li> </ul>	<ul style="list-style-type: none"> <li>City of Sunnyvale</li> </ul>

<sup>1</sup> NO<sub>x</sub> emissions are primarily associated with use of diesel-powered construction equipment (e.g., graders, excavators, rubber-tired dozers, tractor/loader/backhoes). The Clean Air Act of 1990 directed the EPA to study, and regulate if warranted, the contribution of off-road internal combustion engines to urban air pollution. The first federal standards (Tier 1) for new off-road diesel engines were adopted in 1994 for engines over 50 horsepower and were phased in from 1996 to 2000. In 1996, a Statement of Principles pertaining to off-road diesel engines was signed between the EPA, CARB, and engine makers (including Caterpillar, Cummins, Deere, Detroit Diesel, Deutz, Isuzu, Komatsu, Kubota, Mitsubishi, Navistar, New Holland, Wis-Con, and Yanmar). On August 27, 1998, the EPA signed the final rule reflecting the provisions of the Statement of Principles. The 1998 regulation introduced Tier 1 standards for equipment under 50 horsepower and increasingly more stringent Tier 2 and Tier 3 standards for all equipment with phase-in schedules from 2000 to 2008. As a result, all off-road, diesel-fueled construction equipment manufactured in 2006 or later has been manufactured to Tier 3 standards.

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Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</p> <p>5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>6. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>7. A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>			
<b>Biological Resources</b>				
<p><b>MM 3.3.1</b></p>	<p><b>Nesting Bird Preconstruction Surveys.</b> If clearing and/or construction activities will occur during the raptor or migratory bird nesting season (February 15–August 15), the applicant and/or its contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before construction activities. The qualified biologist shall survey the construction zone and a 500-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.</p> <p>If active nest(s) are identified during the preconstruction survey, a qualified biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance should occur within the no-activity setback until the nest is deemed inactive by the qualified biologist.</p>	<ul style="list-style-type: none"> <li>• Preconstruction surveys for work done between February 15 and August 15</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 14 days prior to construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project manager</li> <li>• City</li> </ul>

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<b>Cultural Resources</b>				
<b>MM 3.4.2</b>	If during the course of grading or construction unknown archeological and paleontological resources are discovered, the contractor shall halt work immediately within 20 feet of the discovery, the City of Sunnyvale shall be notified, and a professional archaeologist, who meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, or paleontologist shall be retained to determine the significance of the discovery. A qualified professional shall determine impacts, significance, and mitigation in consultation with recognized local Native American groups, if appropriate. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to inadvertently uncover cultural resources and the procedures to follow subsequent to an inadvertent discovery of cultural resources.	<ul style="list-style-type: none"> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project manager</li> <li>• City of Sunnyvale</li> <li>• Qualified archaeologist</li> </ul>
<b>Hazards and Hazardous Materials</b>				
<b>MM 3.7.2a</b>	Prior to construction, the applicant shall implement an Operations and Maintenance Plan. The plan shall include measures which would ensure that the assessment, repair, and maintenance of damaged materials within the buildings shall be done in a manner to protect the health and safety of workers and building occupants as described in applicable state and local regulations. If necessary, the applicant shall retain a Division of Occupational Safety and Health (Cal/OSHA) registered asbestos contractor to remove asbestos-containing materials to ensure safety to the surrounding neighborhoods.	<ul style="list-style-type: none"> <li>• Review of Operations and Maintenance Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project manager</li> <li>• City of Sunnyvale</li> </ul>
<b>MM 3.7.2b</b>	Prior to construction, the applicant shall consult with a certified lead risk assessor to determine options for control and correction of lead-based paint hazards. If lead-based paints are found to be present, to prevent accidental release of lead-based paint, the applicant and/or its contractor shall use the following techniques during construction: <ul style="list-style-type: none"> <li>• Stabilize loose and flaky paint prior to construction activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to construction</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project manager</li> <li>• Contractor</li> <li>• Certified Lead Risk Assessor</li> </ul>

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	<ul style="list-style-type: none"> <li>Require all workers to wear OSHA-level protective material for handling lead-based paint per OSHA requirements for lead in construction.</li> <li>Remove all lead-based paint materials to a scrap yard or landfill that can accept such materials.</li> </ul>			
MM 3.7.2c	If project construction includes removing existing site improvements that would expose unimproved areas, the applicant shall contact the local planning or other applicable oversight agency department to determine whether sampling relating to the former agricultural use of the subject property is required prior to construction activities. Sampling activities shall take place as directed by the applicable oversight agency.	<ul style="list-style-type: none"> <li>Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>Prior to construction</li> </ul>	<ul style="list-style-type: none"> <li>Project manager</li> <li>City of Sunnyvale</li> </ul>
MM 3.7.2d	<p>If hazardous materials are encountered during construction or accidentally released as a result of construction activities, the contractor shall implement the following procedures:</p> <ul style="list-style-type: none"> <li>Stop all work in the vicinity of any discovered contamination or release.</li> <li>Identify the scope and immediacy of the problem.</li> <li>Coordinate with responsible agencies (Department of Toxic Substances Control, Central Coast Regional Water Quality Control Board, or EPA).</li> <li>Conduct the necessary investigation and remediation activities to resolve the situation before continuing construction work.</li> </ul>	<ul style="list-style-type: none"> <li>Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>During construction</li> </ul>	<ul style="list-style-type: none"> <li>Project manager</li> <li>Contractor</li> </ul>
<b>Transportation</b>				
MM 3.14.1a	To reduce the conflict point in the drive aisle between the two southern parking lots and to improve the efficiency of the drop-off/pick-up loop, the project applicant shall restrict project site access at the Partridge Avenue driveway to only allow outbound travel during drop-off/pick-up times. The applicant shall place a sign indicating no left or right turns into the parking lot from Partridge Avenue during the specified drop-off and pick-up times on the school property and the public right-of-way to enforce the one-way operation of the driveway.	<ul style="list-style-type: none"> <li>Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>Project operation</li> </ul>	<ul style="list-style-type: none"> <li>Project applicant</li> </ul>

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<b>MM 3.14.1b</b>	To improve pedestrian circulation and visibility at the Partridge Avenue driveway, the project applicant shall construct a curb extension at the northern end of the driveway as shown on <b>Figure 3.14-12a</b> . Additionally, the project applicant shall install an ADA-compliant raised crosswalk across the driveway to facilitate a continuous and direct extension of the sidewalk. The driveway exit shall include a stop sign and stop bar to clearly delineate the right-of-way.	<ul style="list-style-type: none"> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project manager</li> <li>• City of Sunnyvale</li> </ul>
<b>MM 3.14.1c</b>	<p>The project applicant shall implement the following enforcement strategies:</p> <ul style="list-style-type: none"> <li>• Provide at least three staff stationed throughout the project site to facilitate drop-off/pick-up procedures: one along the northern parking lot; one adjacent to the drop-off/pick-up area, and one at the Partridge Avenue driveway.</li> <li>• Install a “no stopping/passenger loading” sign along the northern parking lot.</li> <li>• Restrict passenger loading on Dunford Way and Partridge Avenue during peak drop-off and pick-up times.</li> <li>• Discourage parking in the neighborhood through communication with parents and students.</li> <li>• Encourage carpooling, walking, and biking to school, to the extent feasible.</li> </ul>	<ul style="list-style-type: none"> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• Project operation</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant</li> </ul>
<b>MM 3.14.1d</b>	The project applicant shall continually monitor circulation around the immediate area and work with the City and community to identify and resolve issues as appropriate and reasonable. Additionally, the project applicant shall continue to actively communicate with parents about drop-off/pick-up procedures.	<ul style="list-style-type: none"> <li>• Site monitoring</li> </ul>	<ul style="list-style-type: none"> <li>• Project operation</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant</li> </ul>

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MM 3.14.5a	The project applicant shall install sharrows on Dunford Way between Wolfe Road and the eastern city limits per California Manual on Uniform Traffic Control Devices (CA MUTCD) to clearly delineate Dunford Way as a bike route and increase driver awareness of possible bicyclists on the road (shown in <b>Figure 3.14-12b</b> ).	<ul style="list-style-type: none"> <li>• Site Inspection</li> </ul>	<ul style="list-style-type: none"> <li>• During Construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant</li> <li>• City of Sunnyvale</li> </ul>
MM 3.14.5b	The project applicant shall fund the City’s engineering study to determine the need for the installation of crosswalks and yield signs as shown in <b>Figure 3.14-13</b> . If the engineering study finds that crosswalks and yield signs are warranted, the applicant shall fund the installation of crosswalks and yield signs. Additionally, the applicant shall fund the installation of advance school warning signs in both directions along Dunford Way and Partridge Avenue along the school’s frontage. The signs will be SW 24-1 (CA) signs as defined by the California Manual on Uniform Traffic Control Devices (MUTCD).	<ul style="list-style-type: none"> <li>• Site inspection and monitoring</li> </ul>	<ul style="list-style-type: none"> <li>• Project operation</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant</li> <li>• City of Sunnyvale</li> </ul>

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