

**RESPONSE MEMO AND
MITIGATION MONITORING AND REPORTING PROGRAM**

**Sunnyvale WPCP
Primary Treatment Facility Project**

CITY OF SUNNYVALE

March 2015

memorandum

date March 3, 2015

to Craig Mobeck/City of Sunnyvale

from Jill Hamilton/ESA

subject Sunnyvale WPCP Primary Treatment Facility Initial Study/Mitigated Negative Declaration (IS/MND):
Response to Comments and MMRP

attached Attachment A: Mitigation Monitoring and Reporting Program

Public Review of the IS/MND

On November 17, 2014, the City of Sunnyvale (City) Public Works Department issued an IS/MND for the Sunnyvale Water Pollution Control Plant (WPCP) Primary Treatment Facility Project (project). The project would replace some existing preliminary and primary treatment facilities at the WPCP with new facilities. On November 17, 2014, the IS/MND and Notice of Completion were sent to the California State Clearinghouse to initiate the required 30-day period for public and agency review. A Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was also distributed to interested organizations, non-City owners of continuous property, and local, state, and federal agencies at the beginning of the 30-day period. The NOI was posted in the Santa Clara County Clerk's office for 30 days.

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) 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 and reporting program is to ensure compliance with the mitigation measures during project implementation. The MMRP for the project is included as **Attachment A**.

The City will consider whether to adopt this MND at a future City Council meeting.

Responses to Comments Received on the Draft IS/MND

Four comment letters or emails were received on the IS/MND during the comment period. **Table 1** summarizes the comments received, as well as responses to those comments. The comments did not identify potential significant environmental effects of the project or otherwise question the City's finding that the project, including mitigation measures, would not have a significant effect on the environment. No changes will be made to the IS/MND text in response to these comments; however, several staff initiated text changes have been made and are presented in **Table 2** below. This memorandum coupled with the Draft MND constitutes the Final MND.

**TABLE 1
RESPONSES TO COMMENTS RECEIVED**

| Commenter/Agency | Comment Summary | Response |
|---|---|--|
| Chris Rummel / <i>Santa Clara County Department of Environmental Health</i> (November 19, 2014) | Satisfied concern that the Primary Treatment Facility project will not include work near the former Household Hazardous Waste facility. | No response needed. |
| Roy Molseed / <i>Santa Clara Valley Transportation Authority</i> (November 20, 2014) | No comment. | No response needed. |
| Erik Alm / <i>California Department of Transportation (Caltrans)</i> (December 16, 2014) | <ul style="list-style-type: none"> Truck Route Plan requested for review After review of truck route, Transportation Management Plan or construction Traffic Impact Analysis may be required prior to construction, if Caltrans determines that traffic restrictions or detours are needed that may affect State highways. If Caltrans determines that project may affect State highways, requests that fair share contribution of the project, financing, scheduling, implementation responsibilities, and monitoring should be discussed for all proposed mitigation measures and should be included in the MMRP. Hazardous Materials: informs of the requirement to obtain a hazardous materials transportation license from CHP. Transportation Permit: Required from Caltrans if movement of oversized or excessive load vehicles would occur on State highways | As indicated in the Draft MND, implementation of the proposed project would result in a temporary increase in vehicles during construction, including up to 15 trucks per hour which would likely access the site via either State Route 237 or U.S. 101. No long-term (i.e., post-construction) increase in vehicle trips is expected. The City does not anticipate that any oversized or excessive load vehicles would be required. As indicated on Draft MND page 68 and consistent with Caltrans' comments, transport of water treatment chemicals would continue to comply with all hazardous materials regulations. The City acknowledges the requirements regarding vehicles hauling hazardous materials to the site. The City will provide Caltrans with a copy of the Truck Route Plan when the plan is complete. |
| <i>California State Clearinghouse.</i> (December 17, 2014) | <ul style="list-style-type: none"> Acknowledges City's compliance with State Clearinghouse review requirements pursuant to CEQA. Cover letter for letter received from Caltrans, the only agency to respond to the PMND through the State Clearinghouse. Agencies the Clearinghouse notified include: California Resources Agency; CDFW, Region 3; California Department of Parks and Recreation; DWR; Caltrans, Divisions of Aeronautics; CHP; Caltrans, District 4; California Air Resources Board; SWRCB, Division of Financial Assistance; SWRCB, Division of Drinking Water; RWQCB, Region 2; Native American Heritage Commission; CPUC | No response needed. |

The following staff-initiated text changes are hereby made to the MND. These changes do not materially affect the conclusions in the Draft MND.

| Page Number | Modified Text |
|-----------------|---|
| 42, paragraph 2 | "Impacts to jurisdictional features associated with the channel are addressed below. [Reviewers: Conclusions will be confirmed following CDFW review of permit application] " |
| 43, paragraph 2 | "Mitigation Measure BIO-3a: Habitat Mitigation. To offset impacts to wetlands and other waters, the City of Sunnyvale would mitigate for this loss, at a mitigation ratio of 1:1 on an acreage basis, by purchasing mitigation bank credits (totaling 0.3 ac) at the San Francisco Bay Wetland Mitigation Bank <u>or developing compensatory mitigation.</u> " |
| 43, paragraph 4 | "The City of Sunnyvale requires a Tree Removal Permit from the Trees and Landscape Division <u>Department of Community Development</u> to remove trees on public property that meet certain criteria." |
| 45, paragraph 1 | <p>"The tree ordinance typically applies to 'street trees' that occur within right-of-way areas along roadways, and tThe ordinance's application to public lands must be determined on a case-by-case basis after a permit application is submitted to the Trees and Landscape Division <u>Department of Community Development</u>. Because this project is a City project, and because the trees in question are not associated with a public right-of-way, it is possible that no Tree Removal Permit or mitigation is necessary. However, if tThe City determined <u>s</u> that mitigation is required, <u>and would implement the mitigation as described below.</u></p> <p><u>Mitigation Measure BIO-4: Tree Replacement</u> At the discretion of the Director of Community Development, the project would be required to replace the <u>any removed protected</u> trees at a 1:1 ratio, typically within 90 days from the day the trees are removed. [City Reviewers: Please make this determination and incorporate information into your review comments] If replacement cannot occur, an in-lieu fee would be required.</p> <p>Compliance with this tree ordinance would reduce impacts resulting from conflicts with local policies and ordinances to a less-than-significant level."</p> |
| 86, bullet 5 | "Construction traffic to and from the project site shall be routed via designated truck routes <u>that use freeways as far as to the extent possible. Designated truck routes</u> Trucks shall not traverse through or adjacent to any residential areas, <u>including along Lawrence Expressway, between the hours of 6:00 p.m. and 7:00 a.m.</u> and shall be required to use freeways to the extent possible. Preferred access to the site shall be from SR-237 through Caribbean Drive or North Mathilda Avenue." |

ATTACHMENT A

SUNNYVALE WATER POLLUTION CONTROL PLANT PRIMARY TREATMENT FACILITY PROJECT

Mitigation Monitoring and Reporting Program

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
|---|---|---|--|--|--|
| Air Quality | | | | | |
| <p>Mitigation Measure AIR-1: During active construction, the City shall require construction contractors to implement all the BAAQMD's Basic Construction Mitigation Measures, listed below:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. 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. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 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. 6. 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, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 8. Post a publicly visible sign 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. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. | Contractor(s) shall prepare a Construction Air Pollutant Control Plan that adheres to all specifications in this measure | City of Sunnyvale Public Works Department | <p>Verify inclusion of Construction Air Pollutant Control Plan in applicable construction plans and specifications; field inspections</p> <p>Inspect construction site to verify compliance with Construction Air Pollutant Control Plan measures.</p> | <p>Prior to commencement of construction.</p> <p>One inspection shall occur during each phase of construction.</p> | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |
| Biological Resources | | | | | |
| <p>Mitigation Measure BIO-1a: Pre-construction Surveys. The City would retain a qualified biologist, or require the contractor to retain a qualified biologist to conduct pre-construction surveys for burrowing owls in potential habitat in conformance with CDFW protocols, with the final survey occurring no more than 2 days prior to the start of any ground-disturbing activity such as clearing and grubbing, excavation, or grading, or any similar activity within 250 feet of suitable habitat that could disturb nesting owls. If no burrowing owls are located during these surveys, no additional action would be warranted. However, if burrowing owls are located on or immediately adjacent to impact areas the following mitigation measures would be implemented.</p> | <p>Contractor(s) shall prepare construction plans that incorporate owl pre-construction surveys.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to conduct pre-construction surveys.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>Review pre-construction survey reports.</p> | <p>No more than 2 days before start or restart of construction.</p> | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
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| Biological Resources (cont.) | | | | | |
| Mitigation Measure BIO-1b: Buffer Zones. If burrowing owls are present during the nonbreeding season (generally 1 September to 31 January), the City contractor would maintain a 150-foot buffer zone, within which no new project-related activity would be permissible, around the occupied burrow(s) if feasible, though a reduced buffer is acceptable during the non-breeding season as long as construction avoids direct impacts to the burrow(s) used by the owls. During the breeding season (generally 1 February to 31 August), a 250-foot buffer, within which no new project-related activity would be permissible, would be maintained between project activities and occupied burrows. Owls present at burrows on the site after 1 February would be assumed to be nesting on or adjacent to the site unless evidence indicates otherwise. This protected area would remain in effect until 31 August, or based upon monitoring evidence, until the young owls are foraging independently. | <p>Contractor(s) shall prepare construction plans that incorporate buffer zones.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to establish buffer zones.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>If burrowing owls are present, inspect construction site to confirm buffer zones.</p> | No more than 2 days before start or restart of construction. | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |
| Mitigation Measure BIO-1c: Relocation. If ground-disturbing activities would directly impact occupied burrows, the qualified biologist will evict the owls occupying burrows to be disturbed evicted during the non-nesting season. No burrowing owls will be evicted from burrows during the nesting season (1 February through 31 August) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). | <p>Contractor(s) shall prepare construction plans that include a relocation plan.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to conduct owl relocation.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>If burrowing owls are present, evict occupied burrows.</p> | No more than 2 days before start or restart of construction. | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |
| Mitigation Measure BIO-2a: Nesting Deterrence. Nesting deterrence can be implemented to minimize the potential for nesting birds to constrain project activities or to be impacted by those activities. The most effective nesting deterrence in non-developed portions of the main plant includes vegetation removal to remove nesting substrate. However, because removal of vegetation prior to the nesting season will not be feasible, removal of nest-starts (incomplete nests that do not yet contain eggs or young) by qualified biologists will be necessary. Such nest-start removal will begin early in the breeding season (e.g., February) and continue regularly until vegetation can be removed and construction commences. Some species, such as barn swallows (<i>Hirundo rustica</i>) or black phoebes (<i>Sayornis nigricans</i>), may establish nests on buildings or other structures. To deter birds from nesting on structures, netting or other deterrence devices may be installed to preclude birds from constructing nests. Such nesting deterrence should be implemented under the supervision of qualified biologists in order to prevent death or injury as a result of improperly installed deterrence devices, and such devices will require regular maintenance to ensure that they are functioning properly. | <p>Contractor(s) shall prepare construction plans that include nest deterrence activities.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to conduct nest deterrence activities.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>Remove nest starts and install deterrence devices.</p> | Remove nest starts and install deterrence devices starting early in breeding season (i.e., February) and continuing through vegetation removal. | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
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| Biological Resources (cont.) | | | | | |
| <p>Mitigation Measure BIO-2b: Pre-construction Surveys. Prior to commencement of new activities (i.e., activities that are not currently ongoing in any given area) during the breeding season, pre-construction surveys will be conducted by a qualified biologist no more than 7 days prior to the initiation of new disturbance in any given area. Pre-disturbance surveys should be used to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation. During this survey, the biologist will inspect all potential nesting habitats (e.g., trees, shrubs, buildings, and various substrates on the ground) in the project area for nests. Surveys will be conducted within search radii corresponding to disturbance-free buffer zones described below for raptors (300 feet) and non-raptors (100 feet), including in off-site areas adjacent to the project (where such areas are accessible).</p> | <p>Contractor(s) shall prepare construction plans that incorporate pre-construction surveys.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to conduct pre-construction surveys.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>Review pre-construction survey reports.</p> | No more than 7 days before start or restart of construction. | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |
| <p>Mitigation Measure BIO-2c: Buffer Zones. If an active nest is found, a qualified biologist will determine the extent of a disturbance-free buffer zone to be established around the nest until nesting has been completed. Disturbance-free buffer zones are typically 300 feet for raptors and 100 feet for non-raptors. Nests will be considered active until surveys conducted by a qualified ornithologist confirm nesting is complete. However, construction within 100 feet of these nests may proceed if, based on monitoring of the birds behavior, a qualified biologist determines that such activities are not likely to result in the abandonment of the nest. Per CDFW recommendations, monitoring should be conducted as follows:</p> <ul style="list-style-type: none"> A qualified biologist should monitor activity at each nest for three days (8 hours of monitoring each day) prior to the onset of construction activities to develop a baseline of the normal behavior of the birds attending the nest. If the behavior observed at the nest is consistent on Days 1 and 2 of monitoring, Day 3 of monitoring may be skipped. A qualified biologist should monitor activity at each nest for 8 hours on the first day that construction occurs within the standard buffer (e.g., within 100 feet of a non-raptor nest). If the biologist determines that the birds' behavior is not adversely affected, Project activities may continue. The biologist should continue to monitor the nests for 1 hour/day on any day when construction activities occur within the standard buffer around an active nest. <p>If at any time the biologist determines that Project activities within the standard buffer is adversely affecting the behavior of the birds such that the nest is in jeopardy of failing, construction activities should retreat to honor the standard buffer until the nest is no longer active (i.e., the young have fledged).</p> | <p>Contractor(s) shall prepare construction plans that incorporate buffer zones.</p> <p>The Contractor shall identify a qualified biologist and shall engage the qualified biologist to establish buffer zones.</p> | City of Sunnyvale Public Works Department | <p>Review qualifications of Contractor-nominated biologist and either approve or recommend identification of additional candidates.</p> <p>If active nests are present, inspect construction site to confirm buffer zones. Monitor nests as directed for 3 days prior to construction and on the first day of construction for days that construction would occur within 100 feet of nests.</p> | No more than 3 days before start or restart of construction. | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
|--|---|---|--|---|---|
| Biological Resources (cont.) | | | | | |
| Mitigation Measure BIO-3a: Habitat Mitigation. To offset impacts to wetlands and other waters, the City of Sunnyvale would mitigate for this loss, at a mitigation ratio of 1:1 on an acreage basis, by purchasing mitigation bank credits (totaling 0.3 ac) at the San Francisco Bay Wetland Mitigation Bank or developing compensatory mitigation. | Contractor(s) shall prepare construction plans that incorporate habitat mitigation. | City of Sunnyvale Public Works Department | This measure shall be printed on all construction documents, contracts, and project plans prior to issuance of building permits. | Within one year of construction. | <i>Verified by:</i> <i>Date:</i> |
| Mitigation Measure BIO-4: Tree Replacement. At the discretion of the Director of Community Development, the project would replace any removed protected trees at a 1:1 ratio. If replacement cannot occur, an in-lieu fee would be required. | Contractor(s) shall prepare construction plans that incorporate tree replacement | City of Sunnyvale | Replace trees that are determined to be of "protected" per the City of Sunnyvale Municipal Code (19.94) Review qualifications of Contractor-nominated arborist/biologist and either approve or recommend identification of additional candidates. This measure shall be printed on all construction documents, contracts, and project plans prior to issuance of building permits. | Proof by completion of construction. | <i>Verified by:</i> <i>Date:</i> |
| Cultural Resources | | | | | |
| Mitigation Measure CUL-1: Accidental Discovery of Archaeological Resources. The City or its contractor shall implement the following measure should construction activities result in the accidental discovery of a cultural resource: If prehistoric or historic-period archaeological resources are encountered, all construction activities within 100 feet shall halt and the City of Sunnyvale shall be notified. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include deposits | Contractor(s) shall monitor worker activities A Secretary of the Interior-qualified archaeologist shall inspect the findings within 24 hours of discovery. | City of Sunnyvale Public Works Department | This measure shall be printed on all construction documents, contracts, and project plans prior to issuance of building permits. Review qualifications of Contractor-nominated archaeologist and either approve or recommend identification of additional candidates. | The Public Works Department shall be responsible for ensuring that contractors are implementing these measures during ground-disturbing demolition and construction phases. | <i>Verified by:</i> <i>Date:</i> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
|---|---|--|---|--|--|
| Cultural Resources | | | | | |
| <p>of metal, glass, and/or ceramic refuse. A Secretary of the Interior-qualified archaeologist shall inspect the findings within 24 hours of discovery. If it is determined that the project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan in consultation with City of Sunnyvale and, for prehistoric resources, the appropriate Native American representative. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.</p> | | | | | |
| <p>Mitigation Measure CUL-2: Accidental Discovery of Human Remains. The City or its contractor shall implement the following measure should construction activities result in the discovery of human remains:</p> <p>In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease until the Santa Clara County Coroner has been contacted to determine that no investigation of the cause of death is required. The Native American Heritage Commission (NAHC) will be contacted within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the City of Sunnyvale for the appropriate means of treating the human remains and any grave goods.</p> | <p>Contractor(s) shall monitor worker activities</p> <p>Contractor(s) shall halt work and notify the County Coroner, if necessary. If appropriate, Coroner shall notify NAHC. NAHC shall notify Most Likely Descendant.</p> | <p>City of Sunnyvale Public Works Department</p> | <p>This measure shall be printed on all construction documents, contracts, and project plans prior to issuance of building permits.</p> <p>Review qualifications of Contractor-nominated archaeologist and either approve or recommend identification of additional candidates.</p> | <p>If resources are encountered, review of treatment and monitoring plan prior to continuation of construction</p> | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
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| Noise | | | | | |
| <p>Mitigation Measure NOISE-1: The City shall require construction contractors to implement the following mitigation measures:</p> <ul style="list-style-type: none"> Consistent with Section 16.08.030 of the Municipal Code, all noise generating construction activities at the project site shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday and between 8:00 a.m. and 5:00 p.m. on Saturdays. There shall be no construction activity at the project site on Sundays and national holidays when city offices are closed. Any emergency construction activities that will need to take place outside the hours stated above shall be completed as expeditiously as possible to reduce the duration of the impact. No extreme noise generating activities at the project site shall take place outside the hours listed above. Any onsite construction activities that will need to take place outside the above mentioned hours will need prior approval from the City. Signs shall be posted at the construction site that include construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems. All construction vehicles and equipment, fixed and mobile, shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). Construction staging areas shall be located as far as practicable from existing recreational uses so as to cause minimal disruption to these activities. Construction traffic to and from the project site shall be routed via designated truck routes that use freeways to the extent possible. Trucks shall not traverse through or adjacent to any residential areas, including along Lawrence Expressway, between the hours of 6:00 p.m. and 7:00 a.m. Preferred access to the site shall be from SR-237 through Caribbean Drive or North Mathilda Avenue. Prohibit unnecessary idling of internal combustion engines. | <p>Contractor(s) shall include allowable construction hours in excavation, grading and construction plans.</p> <p>City will confirm prior approval before onsite activities occur outside of the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday and between 8:00 a.m. and 5:00 p.m. on Saturdays</p> <p>Contractor(s) shall construct and post signs at the construction site in accordance with the specifications of this measure.</p> | <p>City of Sunnyvale Public Works Department</p> | <p>Review construction plans for inclusion of allowable construction hours and truck routes.</p> <p>Inspect construction site to confirm compliance with posting and construction staging specifications in this measure.</p> | <p>Prior to issuance of building or grading permit(s).</p> <p>One inspection shall occur during construction, between the hours of 10:01 p.m. and 6:59 a.m.</p> | <p><i>Verified by:</i></p> <p><i>Date:</i></p> |

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (CONTINUED)

| Mitigation Measures Adopted as Conditions of Approval | Implementation Procedures | Monitoring Responsibility | Monitoring and Reporting Action | Monitoring Schedule | Verification of Compliance |
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| Transportation and Traffic | | | | | |
| Mitigation Measure TRANS-1a: As part of pre-construction submittals, the contractor(s) shall submit a truck route plan to the City of Sunnyvale Public Works Department for review and approval to help minimize impacts to adjacent roadways. | Contractor(s) shall obtain approval of truck route plan and implement the plan during construction. | City of Sunnyvale Public Works Department | Verify, review and approve truck route plan; Building Department must receive the approvals. | Prior to issuance of building or grading permit(s) | <i>Verified by:</i> <i>Date:</i> |
| Mitigation Measure TRANS-1b: To the extent possible, heavy truck movements shall be limited to the hours before 7:00 a.m., between 9:00 a.m. and 4:00 p.m., and after 6:00 p.m. | Contractor(s) shall include allowable truck movement hours in excavation, grading and construction plans. | City of Sunnyvale Public Works Department | Review excavation, grading and construction plans for inclusion of allowable truck movement hours. Inspect construction site to confirm compliance with specifications in this measure. | Prior to issuance of building or grading permit(s). One inspection shall occur during each phase of construction. | <i>Verified by:</i> <i>Date:</i> |