

CORN PALACE RESIDENTIAL DEVELOPMENT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment.” A Mitigation Monitoring and Reporting Program (MMRP) is required for the project because the EIR identifies potential significant adverse impacts related to the project implementation, and mitigation measure have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the project.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner before and during project construction and operation. The MMRP may be modified by the City during project implementation, as necessary, in response to changing conditions or other refinements; however, modifications to a mitigation measure that could reduce its effectiveness in reducing impacts may not occur without CEQA compliance.

The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the impact, individual mitigation measures, monitoring responsibility, mitigation timing, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR. Mitigation measures that are referenced more than once in the Draft EIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the City is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The City, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent. Section 21081.6 of the Public Resources Code, requires the lead agency to identify the “custodian of documents and other material” which constitutes the “record of proceedings” upon which the action on the project was based. The Sunnyvale City Manager, or designee, is the custodian of such documents for the Corn Palace Residential Development project.

Inquiries should be directed to:

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456 West Olive Avenue
Sunnyvale, CA 94086
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The location of this information is:

City of Sunnyvale, Community Development Department/Planning Division
456 West Olive Avenue
Sunnyvale, CA 94086

The EIR has been posted on the City's website: <https://sunnyvale.ca.gov/business/projects/cornpalace.htm>. Hard copies of the EIR are available for review at the City's One-Stop Permit Center at 456 W. Olive Avenue, Sunnyvale CA, 94086 and the Sunnyvale Public Library at 665 West Olive Avenue, Sunnyvale, CA 94086.

The City is responsible for overall administration of the MRRP and for verifying that City staff members and/or the construction contractor has completed the necessary actions for each measure. The City may designate a project manager to oversee implementation of the MMRP. Duties of the project manager include the following:

- ▲ ensure routine inspections of the construction site are conducted by appropriate City staff; check plans, reports, and other documents required by the MMRP; and conduct report activities;
- ▲ serve as a liaison between the City and the contractor or project applicant regarding mitigation monitoring issues;
- ▲ complete forms and maintain reports and other records and documents generated for the MMRP; and
- ▲ coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

The responsible party for implementation of each item will identify the staff members responsible for coordinating with the City on the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- ▲ Impact – This column provides the verbatim text of the identified impact.
- ▲ Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure
- ▲ Monitoring Responsibility – This column identifies the party responsible for enforcing compliance with the requirements of the mitigation measure.
- ▲ Timing – This column identifies the time frame in which the mitigation will be implemented.
- ▲ Verification – This column is to be dated and signed by the person (either project manager or his/her designee) responsible for verifying compliance with the requirements of the mitigation measure.

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Mitigation Measure	Monitoring Responsibility	Timing	Verification
Air Quality			
<p>Mitigation Measure 4.2-1: Implement Construction-Related Measures to Reduce Fugitive Dust Emissions</p> <p>The applicant shall require its construction contractors to implement BAAQMD’s Basic Construction Mitigation Measures (BAAQMD 2017b), including but not limited to the following:</p> <ul style="list-style-type: none"> ▲ Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day. ▲ Cover all haul trucks transporting soil, sand, or other loose material off-site. ▲ Remove all visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day (dry power sweeping is prohibited). ▲ Limit all vehicle speeds on unpaved roads to 15 miles per hour. ▲ Pave all roadways, driveways, and sidewalks as soon as possible, and lay building pads as soon as possible after grading (unless seeding or soil binders are used). ▲ Minimize idling times by shutting equipment off when not in use or reducing the maximum idling time to five minutes. The project will provide clear signage for construction workers at access points. ▲ Maintain and properly tune all construction equipment 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. ▲ Post a publicly visible sign with the telephone number and person to contact at the Lea Agency regarding dust complaints. The 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. 	City of Sunnyvale	Included in project improvement plans and implemented during construction activities.	
Archeological, Historic, and Tribal Cultural Resources			
<p>Mitigation Measure 4.3-1a: Document Historic Buildings Before Removal</p> <p>The project applicant shall complete documentation of the buildings present on the Corn Palace property before any construction/demolition work is conducted at the project site. Documentation shall consist of a written history of the property and photographs, as described below.</p> <ul style="list-style-type: none"> ▲ Written History. The Carey & Co. report, <i>Historic Resource Evaluation Report, Corn Palace</i>, shall be used for the written history of each building. The report shall be reproduced on archival bond paper. ▲ Photographs. Digital photographs shall be taken of the dwelling units and the Corn Palace following the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation Digital Photography Standards. <p>The documentation shall be prepared by an architectural historian, or historical architect as appropriate, meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The documentation shall be submitted to the City of Sunnyvale.</p>	City of Sunnyvale	Prior to construction/demolition work.	

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Mitigation Measure	Monitoring Responsibility	Timing	Verification
<p>Mitigation Measure 4.3-1b: Create an Interpretive Program, Exhibit, or Display</p> <p>The project applicant shall prepare a permanent exhibit/display of the history of the Corn Palace property including, but not limited to, historic and current photographs, interpretive text, drawings, video, interactive media, and oral histories. The exhibit shall include information related to historic agricultural uses of the site, dating back to at least the 1860's. The exhibit/display shall be developed in consultation with the City of Sunnyvale, local historical organizations, and those with an interest in the history of the Corn Palace property and/or agricultural historic within the City of Sunnyvale. The exhibit/display shall be displayed in a location at the proposed park, adjacent to the housing development, that is accessible to the public and may be incorporated into the interpretive exhibit</p>	<p>City of Sunnyvale, in consultation local historical organizations and interested parties</p>	<p>Design and installation of interpretive program, exhibit, or display shall be completed before occupation of new residences.</p>	
<p>Mitigation Measure 4.3-2: Halt Ground-Disturbing Activity Upon Discovery of Subsurface Archaeological Features</p> <p>In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a professional archaeologist, qualified under the Secretary of the Interior's Professional Qualification Standards, shall be retained to assess the significance of the find. Specifically, the archaeologist shall determine whether the find qualifies as an historical resource, a unique archaeological resource, or a tribal artifact. If the find does fall within one of these three categories, the qualified archaeologist shall then make recommendations to the City of Sunnyvale regarding appropriate procedures that could be used to protect the integrity of the resource and to ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to, preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery, with preservation in place being the preferred option if feasible. If the find is a tribal artifact, the City of Sunnyvale shall provide a reasonable opportunity for input from representatives of any tribe or tribes the professional archaeologist believes may be associated with the resource. The tribal representative will determine whether the artifact is considered a tribal cultural resource, as defined by PRC Section 21074. The City shall implement such recommended measures if it determines that they are feasible in light of project design, logistics, and cost considerations.</p>	<p>City of Sunnyvale</p>	<p>During construction if resources are discovered. If no resources are discovered, no further mitigation is required.</p>	
<p>Biological Resources</p>			
<p>Mitigation Measure 4.4-1: Congdon's Tarplant Survey and Avoidance</p> <p>Before commencing of any ground disturbance or vegetation removal activities, the project applicant shall implement the following measures to reduce potential impacts to Congdon's tarplant.</p> <ul style="list-style-type: none"> ▲ Before ground disturbance and during the May to November blooming period for Congdon's tarplant, a qualified botanist shall conduct a focused survey for Congdon's tarplant on the project site. This shall include visiting a reference population near the project site to confirm whether the species is blooming or otherwise identifiable in advance of the focused survey. ▲ If Congdon's tarplant is not found, the botanist shall document the findings in a letter report to the City of Sunnyvale and the project applicant and no further mitigation will be required. 	<p>City of Sunnyvale</p>	<p>Before commencing of any ground disturbance or vegetation removal activities.</p>	

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<ul style="list-style-type: none"> ▲ If Congdon's tarplant is found and it located outside of the permanent project footprint and can be avoided, the applicant will establish and maintain a protective buffer of sufficient size around the plant to be retained to ensure avoidance. ▲ If individual Congdon's tarplant specimens are found that cannot be avoided during construction, the project applicant shall consult with CDFW to determine the appropriate mitigation measures for direct and indirect impacts that could occur as a result of project construction. The project applicant shall implement measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include creation of offsite populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals. 	<p>City of Sunnyvale in consultation with CDFW</p>	<p>If individual Congdon's tarplant specimens are found that cannot be avoided during construction.</p>	
<p>Mitigation Measure 4.4-2: Protection of Burrowing Owl</p> <p>The applicant shall implement the following conditions before, and during, grading activities:</p> <ul style="list-style-type: none"> ▲ The applicant shall retain a qualified biologist to conduct focused breeding and nonbreeding season surveys for burrowing owls in areas of suitable habitat on the project site and accessible areas of suitable habitat on the project site. Surveys shall be conducted before the start of construction activities and in accordance with Appendix D of CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012). ▲ If no occupied burrows are found, a letter report documenting the survey methods and results shall be submitted to the City of Sunnyvale and CDFW and no further mitigation would be required. ▲ If an active burrow is found during the nonbreeding season (September 1 through January 31), the applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat proximate to the burrows to be destroyed, that provide substitute burrows for displaced owls. ▲ If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer unless a qualified biologist verifies through noninvasive means that either: (1) the birds have not begun egg laying, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to prevent burrowing owls from being detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report. ▲ If active burrowing owl nests are found on the project site and are destroyed by project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and 	<p>City of Sunnyvale, in consultation with CDFW</p>	<p>Conduct surveys before the start of construction activities.</p> <p>If occupied burrows are found during focused surveys, during construction that occurs between September 1 and January 31 burrowing owls shall be evicted from the site. A burrowing owl exclusion plan shall be prepared and submitted to CDFW.</p> <p>If occupied burrows are found during focused surveys, during construction that occurs during the breeding season (February 1 through August 31) no disturbance of buffers shall occur and protective buffers shall be established. If no occupied burrows are</p>	

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<p>burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls adversely affected are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards:</p> <ul style="list-style-type: none"> ➤ Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide. ➤ If feasible, mitigation lands shall be provided adjacent or proximate to the project site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the project site depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity. ➤ If suitable habitat is not available for conservation adjacent or proximate to the project site, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW. ➤ If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the project site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and trends in stressors. 		<p>present, no further mitigation needed.</p>	
<p>Mitigation Measure 4.4-3: Protection Measures for Nesting Raptors and Other Birds</p> <p>The applicant shall impose the following conditions before, and during, construction:</p> <ul style="list-style-type: none"> ▲ To minimize the potential for loss of nesting raptors and other native, migratory birds, tree removal activities will only occur during the nonbreeding season (September 1-January 31). If all suitable nesting habitat is removed during the nonbreeding season, no further mitigation will be required. ▲ Before removal of any trees or other vegetation, or ground disturbing activities between February 1 and August 31, a qualified biologist will conduct preconstruction surveys for nesting raptors and other birds and will identify active nests within 500 feet of the project site. The surveys will be conducted before the beginning of any construction activities between February 1 and August 31. ▲ Impacts to nesting raptors will be avoided by establishing appropriate buffers around active nest sites identified during preconstruction surveys. Activity will not commence within the buffer areas until a qualified biologist has 	<p>City of Sunnyvale, in consultation with CDFW</p>	<p>During construction that occurs between September 1 and January 31 remove trees when no active nests are present.</p> <p>7-14 days prior to ground disturbing or vegetation removal activities that occur between February 1 and August 31 conduct pre-construction surveys.</p>	

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<p>determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer will not likely result in nest abandonment. Typical buffers are 500 feet for raptors, but the size of the buffer may be adjusted if a qualified biologist, in consultation with CDFW, determines that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during construction activities may be required if the activity has potential to adversely affect the nest.</p> <ul style="list-style-type: none"> ▲ Trees will not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies that there is not an active nest in the tree. 		<p>During construction install appropriate buffers if occupied nests are present. If no occupied nests, no further mitigation needed.</p>	
<p>Mitigation Measure 4.4-4: Tree Protection Requirements</p> <p>The applicant will prepare and submit an arborist report to the director of community development showing the location, size, and species of all trees (protected and unprotected) on the project site. The report must indicate which, if any, protected trees are planned for removal and explain why the trees cannot be relocated or the project design altered to maintain the trees. An application for a protected tree removal permit will also be submitted to the director of community development. Removal of protected trees may be permitted at the discretion of the director.</p> <ul style="list-style-type: none"> ▲ Protected trees designated for preservation shall be protected during project construction using the following methods: <ul style="list-style-type: none"> ▣ Protective fencing shall be installed no closer to the trunk than the dripline, and far enough from the trunk to protect the integrity of the tree. The fence shall be a minimum of 4 feet in height and shall be set securely in place. The fence shall be made of sturdy but open material (e.g., chain link) to allow visibility to the trunk for inspections and safety. ▣ The existing grade level around a tree shall normally be maintained out to the dripline of the tree. Alternate grade levels, as described in the tree protection plan, may be approved by the director of community development. ▣ Drain wells shall be installed whenever impervious surfaces will be placed over the root system of a tree. ▣ Pruning that is necessary to accommodate a project feature, such as a building, road, or walkway, shall be reviewed and approved by the department of community development and the department of public works. ▣ New landscaping installed within the dripline of an existing tree shall be designed to reproduce a similar environment to that which existed before construction. 	<p>City of Sunnyvale</p>	<p>Within 14 days of initiating ground-disturbance or vegetation removal associated with project construction focused surveys for active nests shall be conducted.</p>	
<p>Hazards and Hazardous Materials</p>			
<p>Mitigation Measure 4.6-2: Complete Excavation, Validation Testing, and Case Closure Activities Associated with the FSRAWP</p> <p>The project applicant shall direct that all activities listed in the FSRAWP are completed by the contractor before the start of construction. These activities include the following and will be noted in the project's improvement plans.</p> <p>Design and pre-field work tasks:</p> <ul style="list-style-type: none"> ▲ pre-sampling surveys; 	<p>City of Sunnyvale, in consultation with DEH and SFRWQCB</p>	<p>Construction of the project will not begin until case closure has been granted by DEH.</p>	

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<ul style="list-style-type: none"> ▲ attainment of necessary permits (e.g., BAAQMD fugitive dust emission and City grading plan); ▲ preparation of a human health risk assessment and site-specific Health and Safety Plan to be approved by DEH; and ▲ pre-fieldwork activities, such as securing site access, delineation of exclusion zones, and placement of temporary construction fences. <p>Remedial actions consist of:</p> <ul style="list-style-type: none"> ▲ excavation of contaminated soils, ▲ soil grading to backfill excavation areas to match surrounding, ▲ confirmation sampling to ensure that contaminant levels meet SFRWQCB requirements, and ▲ completion of closure procedures through DEH approval process. <p>During the excavation activities discussed in the FSRAWP, a field engineer or geologist under the supervision of a California Professional Geologist or Engineer will document field observations. The field notes will contain pertinent observations about excavation dimensions, equipment operation, unusual conditions encountered during excavation, date and time of arrival, general site conditions, and other field observations relating to the project site. Field documentation will also include photographs, written logs, information about site meetings, health and safety training, and chain-of-custody records.</p> <p>Following attainment of Remedial Action Objectives, as validated by soil sampling and testing, a closure request report will be developed and submitted to DEH. The report will include any changes to the proposed design and will provide the results of the validation testing along with a request for unrestricted site case closure. Construction of the project will not begin until case closure has been granted by DEH.</p>		<p>Field observations shall be recorded during excavation activities.</p>	

Transportation and Circulation

<p>Mitigation Measure 4.7-5: Preparation and Implementation of a Temporary Traffic Control Plan</p> <p>Before the beginning of construction or issuance of building permits, the developer or the construction contractor will prepare a temporary traffic control plan (TTC) to the satisfaction of the City of Sunnyvale Division of Transportation and Traffic and subject to review by all affected agencies.</p> <p>The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale. At a minimum, the plan shall include and/or show:</p> <ul style="list-style-type: none"> ▲ provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow; ▲ provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions; ▲ description of proposed work zone; ▲ description of detours and/or lane closures (pedestrians, bicyclists, vehicular); ▲ description of no parking zone or parking restrictions; 	<p>City of Sunnyvale</p>	<p>Prior to the beginning of construction or issuance of building permits. Implemented during construction activities</p>	
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Mitigation Measure	Monitoring Responsibility	Timing	Verification
<ul style="list-style-type: none"> ▲ provide appropriate tapers and lengths, signs, and spacing; ▲ provide appropriate channelization devices and spacing; ▲ description of buffers; ▲ provide work hours/work days; ▲ dimensions of above elements and requirements per latest CA-MUTCD Part 6 and City of Sunnyvale's SOP for bike lane closures; ▲ provide proposed speed limit changes if applicable; ▲ description of bus stops, signalized and non-signalized intersection impacted by the work; ▲ show plan to address pedestrians, bicycle and ADA requirement throughout the work zone per CA-MUTCD Part 6 and City of Sunnyvale's SOP for Bike lane closures; ▲ indicate if phasing or staging is requested and duration of each; ▲ description of trucks including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns; ▲ provide all staging areas on the project site; and ▲ ensure that the contractor has obtained and read the City of Sunnyvale's TTC Guidelines and City of Sunnyvale's SOP for bike lane closures; ▲ ensure traffic impacts are localized and temporary. 			

Greenhouse Gas Emissions

<p>Mitigation Measure 4.8-1: Implement Project Features to be Consistent with A Future Qualified Climate Action Plan or Implement All Feasible On-Site Greenhouse Gas Reduction Measures And Purchase Carbon Offsets</p> <p>A. The applicant shall implement project design features sufficient to demonstrate that the project would be consistent with the next version of the City's climate action plan, referred to as CAP 2.0. This option can only be followed if the CAP 2.0 meets the criteria listed in Section 15183.5b(1) of the State CEQA Guidelines prior to any project-related demolition or construction activity. This option can also only be followed if the CAP 2.0 is aligned with the statewide GHG reduction target established by SB 32 of 2016 (i.e., 40 percent below 1990 levels by 2030) and any additional post-2030 statewide reduction targets established by the state legislature at the time. The applicant must follow the City's process for demonstrating that a project is consistent with the CAP 2.0.</p> <p>If CAP 2.0 is not adopted at the time of construction of project facilities, the applicant shall implement Parts B and C of this mitigation measure.</p> <p>B. The applicant shall implement all feasible measures to reduce GHG emissions associated with the project, including but not limited to the construction- and operation-related measures listed below. The applicant may refrain from implementing some of the measures below only if it provides substantial evidence to the City that substantiates why the measure is infeasible for this project. The GHG reductions achieved by the implementation of measures listed in Part B shall be estimated by a qualified third-party selected by the City. All GHG reduction estimates shall be</p>	<p>City of Sunnyvale</p>	<p>Prior to construction activities.</p>	
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Mitigation Measure	Monitoring Responsibility	Timing	Verification
<p>supported by substantial evidence. The effort to quantify the GHG reductions shall be fully funded by the project applicant. Measures should be implemented even if it is reasonable that its implementation would result in a GHG reduction, but a reliable quantification of the reduction cannot be substantiated. The applicant shall incorporate onsite design measures into the project and submit verification to the City prior to issuance of building permits. Many of these measures are identical to, or consistent with, the measures listed in Appendix B of the 2017 Scoping Plan (CARB 2017a: B-7 to B-8).</p> <p>a. Construction-related GHG Reduction Measures. Implementation of these measures shall be required in the contract the applicant establishes with its construction contractors and identified in the project improvement and site design plans.</p> <p>i. The applicant shall require its contractors to enforce idling of on- and off-road diesel equipment for no more than 5 minutes while on site. This measure is also required by Mitigation Measure 4.2-1, which addresses emissions of particulate matter.</p> <p>ii. The applicant shall implement waste, disposal, and recycling strategies in accordance with Sections 4.408 and 5.408 of the 2016 California Green Building Standards Code (CALGreen Code), or in accordance with any update to these requirements in future iterations of the CALGreen Code in place at the time of project construction.</p> <p>iii. Project construction shall achieve or exceed the enhanced Tier 2 targets for recycling or reusing construction waste of 75 percent for residential land uses as contained in Sections A4.408 and A5.408 of the CALGreen Code.</p> <p>iv. All diesel-powered, off-road construction equipment shall meet EPA's Tier 4 emissions standards as defined in 40 Code of Federal Regulation (CFR) 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available.</p> <p>v. All diesel-powered construction equipment shall be powered only with renewable diesel fuel. The renewable diesel fuel shall meet California's LCFS and be certified by CARB Executive Officer; be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables; contain no fatty acids or functionalized fatty acid esters; and have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines. Suppliers of renewable diesel in the San Francisco Bay Area include Ramos Oil, Propel Fuels, and Western States Oil. The cost of renewable diesel fuel is typically 5 to 6 cents higher per gallon than for conventional diesel fuel. Local governments that have adopted renewable diesel fuel for their diesel vehicle fleets include the City and County of San Francisco, Sacramento County, San Diego County, and Carlsbad (Western States Oil 2018). Moreover, staff at CARB</p>			

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<p>note that some large additional renewable diesel production projects are currently being planned (Wade, pers. comm., 2018).</p> <p>vi. The applicant shall implement a program that incentivizes construction workers to carpool, use public transit, or EVs to commute to and from the project site.</p>			
<p>b. Operational GHG Reduction Measures</p> <p>i. The applicant shall achieve as many residential zero net energy (ZNE) buildings as feasible. Prior to the issuance of building permits the project developer or its designee shall submit a Zero Net Energy Confirmation Report (ZNE Report) prepared by a qualified building energy efficiency and design consultant to the city for review and approval. The ZNE Report shall demonstrate that development within the project area subject to application of the California Energy Code has been designed and shall be constructed to achieve ZNE, as defined by CEC in its 2015 Integrated Energy Policy Report, or otherwise achieve an equivalent level of energy efficiency, renewable energy generation, or GHG emissions savings. This measure would differ than the project’s commitment zero net electricity because ZNE also concerns on-site consumption of natural gas.</p> <p>ii. All buildings shall include rooftop solar photovoltaic systems to supply electricity to the buildings. Alternatively, solar photovoltaic systems can be installed on canopies that also shade parking areas.</p> <p>iii. The applicant shall install rooftop solar water heaters if room is available after installing photovoltaic panels.</p> <p>iv. Any household appliances included in the original sale of the residential units shall be electric and certified Energy Star-certified (including clothes washers, dish washers, fans, and refrigerators, but not including tankless water heaters).</p> <p>v. The applicant shall install programmable thermostat timers in all residential dwelling units that allow users to easily control when the HVAC system will heat or cool a certain space, thereby saving energy.</p> <p>vi. Single-family residential buildings shall include efficiency design features that meet standards established by Tier 2 of CalGreen.</p> <p>vii. All buildings shall be designed to include cool roofs consistent with requirements established by Tier 2 of the CALGreen Code.</p> <p>viii. All buildings shall be designed to comply with requirements for water efficiency and conservation as established in the CALGreen Code.</p> <p>ix. If natural gas service is provided to the project site then natural gas connections must be provided in the backyards of single-family homes. This measure is not required if natural gas connections are not provided to the project site.</p>	<p>City of Sunnyvale</p>	<p>During project operation.</p>	

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Mitigation Measure	Monitoring Responsibility	Timing	Verification
<p>x. Electrical outlets shall be included on every exterior wall of all buildings. These exterior outlets will enable the use of electric-powered landscape maintenance equipment thereby providing an alternative to using fossil fuel-powered generators.</p> <p>xi. Any outdoor parking lot that is part the public park shall include trees and/or solar canopies designed to provide a minimum 50 percent shading of parking lot surface areas.</p> <p>xii. Provide a minimum of one single-port electric vehicle charging station at each new residential unit that achieves similar or better functionality as a Level 2 charging station (referring to the voltage that the electric vehicle charger uses).</p> <p>xiii. Create safe paths of travel to building and park access points, connecting to existing bicycle and pedestrian facilities.</p> <p>C. In addition to the measures listed under Part B, the applicant shall offset GHG emissions to zero by funding activities that directly reduce or sequester GHG emissions or by purchasing and retiring carbon credits.</p> <p>To the degree that a project relies on GHG mitigation measures, the City of Sunnyvale, BAAQMD, and CARB recommend that lead agencies prioritize on-site design features, such as those listed in Part B of this mitigation measure, and direct investments in GHG reductions within the vicinity of the project site to provide potential air quality and economic co-benefits locally. While emissions of GHGs and their contribution to climate change is a global problem, emissions of air pollutants, which have a localized effect, are often emitted from similar activities that generate GHG emissions (i.e., mobile, energy, and area sources). For example, direct investment in a local building retrofit programs could pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting, energy efficient appliances, energy efficient windows, insulation, and water conservation measures for homes within the geographic area of the project. Other examples of local direct investments include financing installation of regional electric vehicle charging stations, paying for electrification of public school buses, and investing in local urban forests. These investments would not only achieve GHG reductions, but would also directly improve regional and local ambient air quality. However, to adequately mitigate GHG emissions to zero, it is critical that any such investments in actions to reduce GHG emissions meet the criteria of being real, additional, quantifiable, enforceable, validated, and permanent, as stated in CEQA Guidelines Section 15126.4(C)(3). Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issues by a recognized and reputable accredited carbon registry (e.g., Climate Action Reserve).</p> <p>The CEQA Guidelines recommend several options for mitigating GHG emissions. State CEQA Guidelines Section 15126.4(C)(3) states that measures to mitigate the significant effects of GHG emissions may include “off-site measures, including offsets that are not otherwise required...” Through the purchase of GHG credits through voluntary participation in an approved registry, GHG emissions may be reduced at the project level. GHG reductions must meet the following criteria:</p> <ul style="list-style-type: none"> ▲ Real-represent reductions actually achieved (not based on maximum permit levels), ▲ Additional/Surplus-not already planned or required by regulation or policy (i.e., not double counted), 			

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<ul style="list-style-type: none"> ▲ Quantifiable-readily accounted for through process information and other reliable data, ▲ Enforceable-acquired through legally-binding commitments/agreements, ▲ Validated-verified through accurate means by a reliable third party, and ▲ Permanent-will remain as GHG reductions in perpetuity. <p>In partnership with offset providers, the applicant shall purchase credits to offset 966 MTCO_{2e} of the project's construction-related GHGs prior to the start of construction from a verified program that meets the above criteria. The applicant shall also purchase 675 MTCO_{2e} of the project's operational-related GHGs from available programs that not only meet the above criteria, but, demonstrate the ability to counterbalance GHG emissions over the lifespan of the project or "in perpetuity." For example, the purchase of an offset generated by a reforestation or forest preservation program would entail replanting or maintenance of carbon sequestering trees, which would continue to sequester carbon over several years, decades, or even centuries (Forest Trends 2017). The offsets purchased must offer an equivalent GHG reduction benefit annually or more GHGs reduced annually as opposed to a one-time reduction.</p> <p>Alternatively, if such offset programs are unavailable or infeasible, prior to commencing operation, the applicant shall also purchase credits to offset the project's operational emissions of 675 MTCO_{2e}/year multiplied by the number of years of operation between commencement of operation and 2050, which is the target year of Executive Order S-3-05. It should be noted, however, that this number is subject to change depending on alterations in the level of on-site mitigation applied to the project depending on the feasibility of individual measures, including those listed in Part B of this mitigation measure. Offset protocols and validation applied to the project could be developed based on existing standards (e.g., Climate Registry Programs) or could be developed independently, provided such protocols satisfy the basic criterion of "additionality" (i.e. the reductions would not happen without the financial support of purchasing carbon offsets).</p> <p>Prior to issuing building permits for development within the project, the city shall confirm that the project developer or its designee has fully offset the project's remaining (i.e. post implementation of GHG reduction measures listed in Part B) GHG emissions by relying upon one of the following compliance options, or a combination thereof:</p> <ul style="list-style-type: none"> ▲ demonstrate that the project developer has directly undertaken or funded activities that reduce or sequester GHG emissions that are estimated to result in GHG reduction credits (if such programs are available), and retire such GHG reduction credits in a quantity equal to the project's remaining GHG emissions; ▲ provide a guarantee that it shall retire carbon credits issued in connection with direct investments (if such programs exist at the time of building permit issuance) in a quantity equal to the project's remaining GHG emissions; ▲ undertake or fund direct investments (if such programs exist at the time of building permit issuance) and retire the associated carbon credits in a quantity equal to the project's remaining GHG emissions; or ▲ if it is impracticable to fully offset the project's GHG emissions through direct investments or quantifiable and verifiable programs do not exist, the project developer or its designee may purchase and retire carbon 	<p>City of Sunnyvale</p>	<p>Prior to issuing building permits.</p>	

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Mitigation Measure	Monitoring Responsibility	Timing	Verification
credits that have been issued by a recognized and reputable, accredited carbon registry in a quantity equal to the project’s remaining GHG Emissions.			
Noise and Vibration			
<p>Mitigation Measure 4.9-1: Implement Construction-Noise Reduction Measures</p> <p>To minimize noise levels during construction activities, the construction contractors shall comply with the following measures during all construction work that will be identified in project improvement plans:</p> <ul style="list-style-type: none"> ▲ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers’ recommendations. Equipment engine shrouds shall be closed during equipment operation. ▲ Noise-reducing enclosures and techniques shall be used around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ▲ Where available and feasible, construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. Self-adjusting backup alarms shall automatically adjust to 5 dB over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels. ▲ Designate a disturbance coordinator and post that person’s telephone number conspicuously around the construction site and provide to nearby residences. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. ▲ Install temporary noise curtains as close as feasible to noise-generating activity and that blocks the direct line of sight between the noise source and the nearest noise-sensitive receptor(s). Temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious, material with a surface weight of at least one pound per square foot. 	City of Sunnyvale	Included in project improvement plans and implemented during construction activities.	

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