APPENDIX A: MITIGATION MONITORING AND REPORTING PROGRAM

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. The City 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.

3. MITIGATION MEASURES AND REPORTING PROGRAM

Table A-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 sections of the Draft EIR.

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
Air Quality				
MM 3.5.3	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: 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 from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. NEW POLICY: In the cases where construction projects are projected to exceed the BAAQMD's air pollutant significance thresholds for NO_X, PM_{10}, and/or $PM_{2.5}$, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.	• Policy added to the Green Development Section of the LUTE	• As a motion by the city council to add this policy when adopting the LUTE	• City of Sunnyvale Planning Department
MM 3.5.5	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: In the case when a subsequent project's construction span is greater than 5 acres and/or is scheduled to last more than two years, the subsequent project applicant shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to the BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in one million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include but not be limited to: 1. Limiting the amount of acreage to be graded in a single day.	• Environmental Management Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department

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	2. Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal school hours. Notifying affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment.			
MM 3.5.6	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: The following measures shall be utilized in site planning and building designs to reduce TAC and $PM_{2.5}$ exposure where new receptors are located within 1,000 feet of emissions sources: • Future development that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 1,000 feet of Caltrain, Central Expressway, El Camino Real, Lawrence Expressway, Mathilda Avenue, Sunnyvale-Saratoga Road, US 101, State Route 237, State Route 85, and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures outlined by the BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual $PM_{2.5}$ exposures greater than 0.8 $\mu g/m^3$) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated. • Future nonresidential developments identified as a permitted stationary TAC source or projected to generate more than 100 heavy-duty truck trips daily will be evaluated through the CEQA process or BAAQMD permit process to ensure	• Environmental Management Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department

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	they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$ through source control measures. • For significant cancer risk exposure, as defined by the BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to avoid adverse public health impacts. Projects shall submit performance specifications and design details to demonstrate that lifetime residential exposures would not result in adverse public health impacts (less than 10 in one million chances).			
MM 3.5.7	The following will be added as a policy and actions to the Environmental Management Chapter of the General Plan: NEW POLICY: Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints. NEW ACTION: Consult with the BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in Sunnyvale. Use BAAQMD odor screening distances or city-specific screening distances to identify odor potential. NEW ACTION: Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated. NEW ACTION: Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.	• Environmental Management Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department
Greenhouse Gases and Climate Change				
MM 3.13.1	Upon adoption of the Draft LUTE, the City will update the Climate Action Plan to include the new growth projects of the Draft LUTE and make any necessary adjustments to the CAP to ensure year 2020 and 2035 greenhouse gas emission reduction targets are attained.	• Update Climate Action Plan	• With or prior to completion of the next biennial monitoring and implementation report for the Climate Action Plan	• City of Sunnyvale sustainability coordinator and Planning Department

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Noise				
MM 3.6.3	The following will be included as a policy or implementation measure to the Safety and Noise Chapter of the General Plan: New development and public projects shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and vibration. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies: • Equipment and trucks used for construction shall use 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; • Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools; and • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures. • Noise and vibration reducing pile-driving techniques shall be employed during construction and will be monitored to ensure no damage to nearby structures occurs (i.e., vibrations above peak particle velocity (PPVs) of 0.25 inches per second at nearby structures). These techniques shall include: – Installing intake and exhaust mufflers on pile-driving equipment; – Vibrating piles into place when feasible, and installing shrouds around the pile- driving hammer where feasible; – Implementing "quiet" pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;	• Safety and Noise Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department

TABLE A-1
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	– Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and – At least 48 hours prior to pile-driving activities, notifying building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.			
Transportation and Circulation				
MM 3.4.7a	The following roadway improvements shall be included in the City's fee program: • Restripe the westbound leg to one left turn lane, one shared through-right lane, and one right turn lane. Or • Convert the intersection to a two-lane roundabout.	• Update the City's Transportation Impact Fee Program to include the improvement	• With adoption of the 2016-17 Fee Schedule	• City of Sunnyvale Public Works Department
MM 3.4.7b	The following roadway improvements shall be included in the City's fee program: Construction of an exclusive southbound right turn lane for the length of the segment. The northbound leg will also require a second left turn lane. The eastbound inner left turn lane will require restricting the U-turn movement to allow for a southbound overlap right turn phase. Depending on the extent of the median on the north leg that could be removed, the north leg will be widened between 3 and 11 feet. The north leg will be realigned to accommodate the southbound right turn. There is existing right-of-way on the northeast quadrant of the intersection. The second northbound left turn lane will need to be the same length as the existing left turn lane. Right-of-way acquisition would be required from the southwest quadrant. The south leg will need to be realigned. The south leg will be widened by 10 feet.	• Update the City's Transportation Impact Fee Program to include the improvement	• With adoption of the 2016-17 Fee Schedule	• City of Sunnyvale Public Works Department