

MITIGATION MONITORING AND REPORTING PROGRAM

PUBLIC STORAGE REMODEL

March 2015

PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the Mitigation Monitoring and Reporting Program is to ensure compliance with the mitigation measures during project implementation.

On March 25, 2015, the Initial Study/Mitigated Negative Declaration (IS/MND) was adopted for the Public Storage project. The IS/MND concluded that the implementation of the project could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they shall be implemented.

**MITIGATION MONITORING AND REPORTING PROGRAM
LANDMARK TOWER MIXED-USE DEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
NOISE				
	NOISE-1: Project grading and construction activities shall not occur outside the hours of 7:00 a.m. to 7:00 p.m. on weekdays and weekends, and shall not occur on the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, as per the City of Milpitas Noise Ordinance.			
AIR QUALITY				
<p><i>Construction activities such as demolition, excavation and grading operations, use of construction vehicles, and windblown exposed earth could generate fugitive particulate matter that affecting local and regional air quality. The effects of these dust generating activities will be increased dust generation and locally elevated levels of PM10 downwind of construction activity. Construction dust also</i></p>	<p>AIR-1: BAAQMD has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. The following construction practices shall be implemented during construction of the proposed project:</p> <ul style="list-style-type: none"> a) Water all active construction areas at least twice daily. b) Cover all trucks hauling soil, sand, or other loose materials or require all trucks to maintain at least two feet of freeboard c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction site. d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. 	During project Construction	Project Inspection	Building/ Planning Divisions

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<i>has the potential for creating a nuisance at nearby properties.</i>	f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). g) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) h) Install sandbags or other effective erosion control measures to prevent silt runoff to public roadways. i) Replant vegetation in disturbed areas as quickly as possible.			

CULTURAL RESOURCES

<i>The project may cause an impact to an archeological resources during project construction from earth moving activities.</i>	CUL-1: As required by County ordinance, this project has incorporated the following guidelines. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.	During project Construction	Project Inspection	Building/ Planning Divisions
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HYDROLOGY, DRAINAGE, AND WATER QUALITY				
<p><i>Construction activities such as demolition, excavation and grading operations, use of construction vehicles, and windblown exposed earth could potentially affect the water quality. In order to prevent impact to water quality the City requires a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI) to the State of California Water Resource Quality Control Board to control the discharge of storm water pollutants including sediments associated with construction activities. Along with these documents, the</i></p>	<p>HYDRO-1.1: Prior to construction of the project, the City shall require the applicant to submit a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI) to the State of California Water Resource Quality Control Board to control the discharge of storm water pollutants including sediments associated with construction activities. Along with these documents, the applicant may also be required to prepare an Erosion Control Plan. The Erosion Control Plan may include Best Management Practices (BMPs) as specified in the California Storm Water Best Management Practice Handbook (such as silt fences/straw waddles around the perimeter of the site, regular street cleaning, and inlet protection) for reducing impacts on the City’s storm drainage system from construction activities. The SWPPP shall include control measures during the construction period for:</p> <ul style="list-style-type: none"> • Soil stabilization practices, • Sediment control practices, • Sediment tracking control practices, • Wind erosion control practices, and • Non-storm water management and waste management and disposal control practices. 	Prior to project Construction	Project Inspection	Public Works
	<p>HYDRO-1.2: Prior to issuance of a grading permit, the applicant shall be required to submit copies of the NOI and Erosion Control Plan (if required) to the Department of Public Works. The applicant shall also be required to maintain a copy of the most current SWPPP on-site and provide a copy to any City representative or inspector on demand.</p>	Prior to issuance of grading permit	Project Inspection	Public Works
	<p>HYDRO-1.3: The development shall comply with City of Milpitas ordinances, including erosion- and dust-control during site preparation and grading, and maintaining adjacent streets free of dirt and mud during construction.</p>	During project Construction	Project Inspection	Public Works

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<p><i>applicant may also be required to prepare an Erosion Control Plan. The Erosion Control Plan may include Best Management Practices (BMPs) as specified in the California Storm Water Best Management Practice Handbook (such as silt fences/straw waddles around the perimeter of the site, regular street cleaning, and inlet protection) for reducing impacts on the City's storm drainage system from construction activities.</i></p>	<p>HYDRO-1.4: The proposed development shall comply with the NPDES permit issued to the City of Milpitas. This will reduce the construction impacts to less than significant with the mitigation measures listed above.</p>	<p>During project Construction</p>	<p>Project Inspection</p>	<p>Public Works</p>

SOURCE: City of Milpitas, *Public Storage Remodel Draft Initial Study/Mitigated Negative Declaration*, November, 2014.