

Mitigation Monitoring and Reporting Program

The City of Milpitas (City) is the lead agency responsible for authorizing the proposed recycled water pipeline extension project. The Initial Study / Mitigated Negative Declaration (IS/MND) prepared for the project provides analysis of the environmental effects resulting from constructing 50,560 linear feet of new recycled water pipeline, a 1.5-million gallon (MG) storage tank at Cardoza Park, and four pump stations. The proposed project would provide approximately 750 acre-feet per year of recycled water in the City for non-potable demands such as irrigation, offsetting potable and raw water usage. After considering the environmental analysis provided in the Draft IS/MND and public comments submitted on the Draft IS/MND, the City of Milpitas has determined that the project would not have a significant effect on the environment upon implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP).

Twenty three (23) mitigation measures have been identified, which would reduce or avoid potential environmental impacts associated with project implementation. Section 21081.6 of the California Public Resources Code requires a lead or responsible agency that approves or carries out a project, where an IS/MND has identified measures to mitigate significant environmental effects, to adopt a “reporting monitoring program for adopted or required changes to mitigate or avoid significant environmental effects.” This MMRP has been prepared in accordance with Section 21081.6 of the Public Resources Code.

A mitigation monitoring checklist has been developed for the proposed project, and is intended for use by the City, as the lead agency and designated monitoring entity for the proposed project. The checklist, presented as **Table 1** and **Table 2**, summarizes the mitigation and improvement measures for the proposed project (respectively), anticipates timing, and identifies responsible parties for ensuring implementation of each mitigation measure. These mitigation and improvement measures are presented using the naming conventions and categories in the Initial Study.

Table 1: Mitigation Monitoring and Reporting Checklist for the Recycled Water Pipeline Extension Project

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
Aesthetics					
<p>Mitigation Measure AES-1: Design, Vegetation, and Screening of Above-Ground Storage Tank, Cardoza Park Pump Station, Country Club Drive Pump Station, Old Calaveras Boulevard Pump Station, and Ben Rodgers Park Pump Station</p> <p>Vegetation and/or fencing shall be placed around the storage tank and pump station structures to provide screening if existing vegetation is deemed insufficient. Landscaping shall include re-vegetation of disturbed areas in the parking lot at Cardoza Park to minimize contrasts with the existing vegetation and to screen the storage tank and pump station from surrounding areas. The tank and pump stations shall be painted with low-glare earth-tone colors that blend with the surrounding terrain.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> Confirm siting and design requirements are included in project specifications. Confirm design measures are implemented. <p>Document compliance and retain in the project file.</p>	<ol style="list-style-type: none"> Design Construction 	<ol style="list-style-type: none"> _____ _____
Air Quality					
<p>Mitigation Measure AIR-1: Dust Abatement Program</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments.</p> <p>The City shall require the construction contractor(s) to implement a dust abatement program that includes, but is not necessarily limited to, the following BAAQMD-recommended measures as needed to control dust:</p> <ul style="list-style-type: none"> Water¹ all active construction areas at least twice a day. 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> Confirm Dust Abatement is included in project specifications. Confirm measures are implemented during construction <p>Document compliance and retain in project file.</p>	<ol style="list-style-type: none"> Design Construction 	<ol style="list-style-type: none"> _____ _____

¹ The City of Milpitas Municipal Code Title VIII, Chapter 6, Section 5 prohibits the use of potable water for construction purposes including dust control and compaction. The City requires pre-approval for construction water customers, which includes a recycled water meter for use with the City's fill station sites.

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials						
<ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, exposed stockpiles, and staging areas at construction sites. • Sweep daily (with water or vacuum sweepers) all paved access roads, parking areas, and staging areas at construction sites. • Sweep streets daily (with water or vacuum sweepers) if visible soil material is carried onto adjacent public streets. 											
<p>Mitigation Measure AIR-2: Construction Schedule Phasing</p> <p>The City shall include provisions in the bid specifications to phase the construction activities to comply with the following scheduling restrictions:</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="background-color: #003366; color: white;">Project Component</th> <th style="background-color: #003366; color: white;">Construction Restriction</th> </tr> </thead> <tbody> <tr> <td>Pump Station</td> <td>Construct one at a time</td> </tr> <tr> <td>Segment 1 and 2</td> <td>No more than 3 months of overlap</td> </tr> </tbody> </table>	Project Component	Construction Restriction	Pump Station	Construct one at a time	Segment 1 and 2	No more than 3 months of overlap	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm construction phasing is included in project specifications. 2. Confirm schedule is implemented during construction <p>Document compliance and retain in project file.</p>	<ol style="list-style-type: none"> 1. Design 2. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____
Project Component	Construction Restriction										
Pump Station	Construct one at a time										
Segment 1 and 2	No more than 3 months of overlap										

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Biological Resources					
<p>Mitigation Measure BIO-1: General Requirements for Special Status Species</p> <p>The following measures shall be implemented for the construction of Segment 3:</p> <ul style="list-style-type: none"> • Prior to start of project construction activities, a qualified biologist shall conduct mandatory Worker Environmental Awareness Program (WEAP) training to familiarize all personnel conducting project activities with the identification and life-history of special status wildlife and plants. • A qualified biologist shall conduct a survey within 7 days of initial ground disturbing activities within suitable habitat for special status species. The survey area shall include the project area and a 150-foot buffer. • All work areas within 150 feet of suitable aquatic habitat shall be flagged for monitoring during construction. • Off-road travel of project-related vehicles and construction equipment shall be restricted to designated construction areas. • All trash shall be removed from the site daily and disposed of properly to avoid attracting potential predators to the site. • No pets shall be permitted on site during project activities. • All vehicles and equipment shall be in good working condition and free of leaks. All leaks shall be contained and cleaned up immediately to 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm protection measures are included in project specifications. 2. Confirm pre-construction surveys conducted. 3. Confirm completion of WEAP prior to construction of Segment 3 and retain sign-in sheet in file. 4. Confirm that suitable aquatic habitat is flagged. 5. Monitor construction activities to verify that measures are implemented during construction. <p>Document compliance and</p>	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 4. Pre-construction 5. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 4. _____ 5. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>reduce the potential or soil/vegetation contamination.</p> <ul style="list-style-type: none"> All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from riparian habitat or water bodies and in a location from which a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The number of access routes, size of staging areas, and the total construction area shall be limited to the minimum necessary to achieve the project goals. The biologist(s) shall maintain sufficiently detailed records of any individual observed, captured, or relocated, including size, coloration, any distinguishing features and photographs (preferably digital) to assist in determining whether translocated animals are returning to the project area. No herbicide shall be used within 50 feet of water ways. 			retain in project file.		
<p>Mitigation Measure BIO-2: California Red-legged Frog, Alameda Whipsnake, and California Tiger Salamander Protection Measures</p> <p>In addition to Mitigation Measure BIO-1, the following measures shall be implemented for the construction of Segment 3:</p> <ul style="list-style-type: none"> If feasible, initial ground disturbing activities adjacent to suitable habitat for these species shall be conducted between May 1 and October 31 during dry weather conditions to minimize the potential for 	City of Milpitas	City of Milpitas, CDFW/USFWS if needed	<ol style="list-style-type: none"> Confirm protection measures are included in project specifications.. Confirm completion of focused habitat assessment. Monitor construction 	<ol style="list-style-type: none"> Design Pre-construction Construction Construction 	<ol style="list-style-type: none"> _____ _____ _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>encountering CRLF, Alameda whipsnake, and CTS. Work shall be restricted to daylight hours.</p> <ul style="list-style-type: none"> • A focused habitat assessment to determine the potential for CRLF, Alameda whipsnake, and CTS shall be conducted by a qualified biologist for all areas within 150 feet of the Segment 3 alignment that may contain suitable habitat for the species. If suitable habitat is present and would be directly impacted by the project, protocol-level surveys to determine presence or absence of CRLF, Alameda whipsnake, and CTS are recommended. According to the CTS survey protocol (USFWS, 2003), a drift fence study conducted during each of two fall/winter rainy seasons with aquatic sampling in spring between the two fall/winter is the primary method used to study CTS in upland habitats. • A qualified biologist shall be present on site during initial ground disturbance in portions of the project area that contain suitable habitat for Alameda whipsnake, suitable upland habitat for CRLF or CTS or within 150 feet of potential CRLF or CTS aquatic habitat. • If CRLF, Alameda whipsnake, and CTS are found to be present, the USFWS (for CRLF and CTS) and CDFW (for CTS and Alameda whipsnake) shall be consulted to determine the appropriate course of action. • To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force shall be followed at all times. 			<p>activities to verify that measures are implemented as needed during initial ground disturbance activities.</p> <p>4. Document consultation with CDFW if CRLF, Alameda whipsnake, or CTS are found.</p> <p>Document compliance and retain in project file</p>		<p>4. _____</p>

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>Mitigation Measure BIO-3: Western Burrowing Owl Protection Measures</p> <p>In addition to Mitigation Measure BIO-1, the following measures shall be implemented for the construction of Segment 3:</p> <ul style="list-style-type: none"> • Prior to the commencement of construction activities within suitable habitat for western burrowing owl, a qualified biologist shall conduct protocol surveys in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation within all areas of the project area that contain suitable habitat for the species. The survey methodology shall consist of walking parallel transects 7 to 20 meters apart, adjusting for vegetation height and density as needed, and noting any potential burrows with fresh burrowing owl sign or presence of burrowing owls. Copies of the survey results shall be submitted to CDFW. • If burrowing owls are detected on site, no ground-disturbing activities, such as vegetation clearance or grading, shall be permitted within a buffer of no fewer than 100 meters (330 feet) from an occupied burrow during the breeding season (February 1 to August 31), unless otherwise authorized by CDFW. During the non-breeding (winter) season (September 1 to January 31), ground-disturbing work can proceed as long as the work occurs no closer than 50 meters (165 feet) from the burrow. Depending on the level of disturbance, a smaller buffer may be established in consultation with CDFW. 	City of Milpitas	City of Milpitas, CDFW if needed	<ol style="list-style-type: none"> 1. Confirm protection measures are included in project specifications. 2. Confirm completion of protocol surveys for construction activities within suitable habitat. 3. Confirm buffers are established if burrowing owls are found on site. 4. Document consultation with CDFW and implementation of passive relocation program if burrow avoidance is infeasible. 5. Monitor construction activities to verify that measures are implemented as needed during construction. 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Construction 4. Construction 5. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 4. _____ 5. _____

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<ul style="list-style-type: none"> If burrow avoidance is infeasible during the non-breeding season or during the breeding season (February 1 through August 31), where resident owls have not yet begun egg laying or incubation, or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with Appendix E1 (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the 2012 CDFW Staff Report on Burrowing Owl Mitigation. If passive relocation is required, a qualified biologist shall prepare a Burrowing Owl Exclusion and Mitigation Plan and Mitigation Land Management Plan in accordance with CDFW’s 2012 Staff Report on Burrowing Owl Mitigation and for review by CDFW prior to passive relocation activities. The Burrowing Owl Exclusion and Mitigation Plan shall include all necessary measures to minimize impacts to burrowing owls during passive relocation, including all necessary monitoring of owls and burrows during passive relocation efforts. The Mitigation Land Management Plan shall include a requirement for the permanent conservation of off-site Burrowing Owl Passive Relocation Compensatory Mitigation. If passive relocation is required, the City shall implement the Mitigation Land Management Plan and permanently conserve off-site habitat suitable for burrowing owl at a ratio of 15 acres per passively relocated burrowing owl pair, not to exceed the size of the final project footprint. Land identified to mitigate for passive relocation of burrowing owl 			Document compliance and retain in project file		

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<p>may be combined with other off-site mitigation requirements of the project if the compensatory habitat is deemed suitable to support the species. The Passive Relocation Compensatory Mitigation plan shall be approved by CDFW. If the project is located within the service area of a CDFW-approved burrowing owl conservation bank, the project proponent may purchase available burrowing owl conservation bank credits in lieu of placing off-site habitat into a conservation easement, if acceptable to the CDFW.</p> <ul style="list-style-type: none"> The City shall mitigate for the loss of acres of burrowing owl foraging habitat by providing habitat management lands at a ratio of ten acres per burrow identified within the final project footprint. These lands must be on suitable habitat for burrowing owl within the Santa Clara County HCP prior to completion of the project. Land identified to mitigate for foraging habitat may be combined with other offsite mitigation requirements of the proposed project if the compensatory habitat is deemed suitable. A Foraging Habitat Compensatory Mitigation Plan describing the proposed mitigation, including suitability for meeting the objectives of the mitigation, and methods for preserving the mitigation values of the habitat shall be provided to the City of Milpitas and CDFW for approval. 					
<p>Mitigation Measure BIO-4: Foothill Yellow-legged Frog Protection Measures</p> <p>In addition to Mitigation Measure BIO-1, the following measures shall be implemented for the construction of Segment 3 only:</p>	City of Milpitas	City of Milpitas	1. Confirm protection measures are included in project specifications.	1. Design 2. Pre-construction 3. Pre-construction 4. Construction	1. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<ul style="list-style-type: none"> • A focused habitat assessment to determine the potential for FYLF shall be conducted by a qualified biologist for all areas within 150 feet of the project alignment that may contain suitable habitat for the species. • If the focused habitat assessment finds no suitable aquatic habitat for this species occurs within 150 feet of the proposed project, no further action is necessary • If suitable aquatic habitat is for this species is identified within 150 feet of the proposed project a qualified biologist shall conduct a survey within 48 hours of initial ground disturbing activities within FYLF habitat. The survey area should include all potential suitable habitat in the project area and suitable habitat located within a 100 feet of the project area. <ul style="list-style-type: none"> ○ If an FYLF is encountered, all activities within 100 feet of the species shall cease until the species leaves the site. If the species has become entrapped in the project area, it will be safely relocated by a qualified biologist 100 feet from the project area. ○ To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times. • A qualified biologist shall be present on site during initial ground disturbance in portions of the project area that are suitable upland habitat for FYLF and within 150 feet of potential aquatic habitat. 			<ol style="list-style-type: none"> 2. Confirm completion of focused habitat assessment. 3. If suitable habitat is found, verify completion of survey within 48 hours of initial ground disturbance. 4. Confirm buffers established if FYLF are encountered during construction. 5. Monitor construction activities to verify that measures are implemented as needed during construction. Document compliance and retain in project file 	5. Construction	<ol style="list-style-type: none"> 2. _____ 3. _____ 4. _____ 5. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>Mitigation Measure BIO-5: Roosting Pallid Bats Protection Measures</p> <p>In addition to Mitigation Measure BIO-1, the following measures shall be implemented for the construction of Segment 3:</p> <ul style="list-style-type: none"> • A qualified biologist shall conduct a pre-construction survey for roosting pallid bats. The survey shall be conducted within 50 feet of project activities within 15 days prior to any grading of rocky outcrops or removal of trees (particularly trees 12 inches in diameter or greater at 4.5 feet above grade with loose bark or other cavities). • If active maternity roosts or non-breeding bat hibernacula are found in trees scheduled to be removed, relocation or other measures shall be determined in consultation with the County and/or CDFW, as appropriate, and a qualified biologist. 	City of Milpitas	City of Milpitas, County of Santa Clara County/CDFW if needed	<ol style="list-style-type: none"> 1. Confirm protection measures are included in project specifications. 2. Confirm completion of pre-construction survey. 3. Document consultation with County and/or CDFW if roosting pallid bats found. 4. Monitor construction activities to verify that measures are implemented as needed during construction. Document compliance and retain in project file 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 4. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 4. _____
<p>Mitigation Measure BIO-6: Special Status Plant Surveys</p> <p>The following measures shall be implemented for the construction of Segment 3:</p>	City of Milpitas	City of Milpitas, CDFW/USFWS if needed	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 	<ol style="list-style-type: none"> 1. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<ul style="list-style-type: none"> • Prior to the commencement of any ground-disturbing activities, surveys for special status plants (fragrant fritillary [<i>Fritillaria liliacea</i>] and arcuate bush mallow [<i>Malacothamnus arcuatus</i>]) shall be conducted in suitable habitats within the proposed project impact area. The surveys shall be conducted in general accordance with CDFW <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</i> (2009), California Native Plant Society <i>Inventory of Rare and Endangered Plants of California</i> (sixth edition, 2001), and U.S. Fish and Wildlife Service <i>Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants</i> (2000) protocols for special status plant surveys. The survey area shall be traversed on foot by walking meandering transects to ensure thorough coverage of the area; surveys shall be timed to ensure adequate coverage of the spring and summer bloom periods; and the surveys shall be floristic in nature (meaning all plant species observed shall be identified to a sufficient level to determine rarity). If no special status plant species are observed during the focused surveys, no further action shall be required. ○ If special status plants are observed, all special status plant species identified on site shall be mapped onto a site-specific aerial photograph and their location shall be recorded with a Global Positioning System (GPS). Field data shall be recorded on the population size, cover, and associated species. The results shall be evaluated in the context of known local populations (the 			<ol style="list-style-type: none"> 2. Confirm pre-construction surveys are conducted. 3. Confirm mapping of special status plants if observed. 4. Confirm restoration plan submittal to CDFW/USFWS if avoidance is not feasible. 5. Monitor construction activities to verify that measures are implemented as needed during construction. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 4. Pre-construction 5. Construction 	<ol style="list-style-type: none"> 2. _____ 3. _____ 4. _____ 5. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	<u>Implementation Schedule</u> - Design - Pre-Construction - Construction - Operation	<u>Verification:</u> Status/ Date Completed/ Initials
<p>definition of local population should be determined by a qualified botanist on a species by species basis) for any non-listed special status plant species to determine the extent of impacts to the local population. If impacts are determined to affect less than 10% of the local population of any non-listed special status plant species, no further measures are necessary. If impacts are determined to affect more than 10% of the local population of any non-listed special status plant species the following measure should be implemented.</p> <ul style="list-style-type: none"> ○ If feasible, measures shall be implemented to avoid special status plants within the limits of disturbance. If special status plants cannot be avoided, a qualified biologist shall prepare a mitigation and monitoring plan in consultation with wildlife agencies. If a state-listed plant species would be impacted, the restoration plan shall be submitted to CDFW for review and approval. If a federally listed plant species would be impacted, the restoration plan shall be submitted to USFWS for review and approval. The Special Status Plant Mitigation and Monitoring Plan (Plan) shall be developed by a qualified biologist. The Plan shall include at a minimum the following: the species and number of individuals to be relocated; a map depicting the relocation planting area; replanting site preparation methods; irrigation and weed control methods; schedule of replanting and monitoring activities; success criteria; reporting requirements; and a list of suitable contingency measures in the event of relocation failure. 					

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<p>Mitigation Measure BIO-7: Preconstruction Nesting Bird Surveys</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments.</p> <ul style="list-style-type: none"> • If construction occurs within the bird breeding season (February 1 through August 31), then no more than seven days prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 300-foot buffer, where feasible. If the project is phased, a subsequent pre-construction nesting bird and raptor survey may be required prior to each phase of construction within the project area. • Pre-construction nesting bird and raptor surveys shall be conducted during the time of day when birds are active and should be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors on site and within the designated vicinity. A report of the nesting bird and raptor survey results, if applicable, shall be submitted to the lead agency for review and approval prior to land use clearance for grading. • If nests are found, their locations shall be flagged. An appropriate avoidance buffer ranging in size from 25 to 50 feet for song birds, and up to 250 feet for raptors depending upon the species and the proposed work activity shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests shall be monitored at a 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm protection measures are included in project specifications. 2. Confirm completion of pre-construction surveys of nesting birds and raptors. 3. Confirm buffers established if nests are found during surveys. 4. Monitor construction activities to verify that measures are implemented as needed during construction. Document compliance and retain in project file 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 4. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 4. _____

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<p>minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is completed and all the young have fledged.</p>					
<p>Mitigation Measure BIO-8: Protected Trees</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments where trees are to be removed.</p> <ul style="list-style-type: none"> • Prior to obtaining a permit from the City Public Works Department, a tree survey shall be conducted by an International Society of Arboriculture (ISA) Certified Arborist/City Qualified Arborist for protected trees that occur within 25 feet of the impact area. The tree survey shall identify protected trees, including protected oak trees and woodlands. • Removal of protected trees shall be compensated by the following, in accordance with the City’s Tree Maintenance and Protection Ordinance: <ul style="list-style-type: none"> ○ Reimbursement to the City Public Works Department for the full costs of time and materials to prune, remove and/or replace trees within the public right-of-way or tree planting easements; ○ Reimbursement to the City Public Works Department for the value of the removed or damaged tree as determined by an arborist certified by the International Society of Arboriculture utilizing the current edition of the 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm protection measures are included in project specifications. 2. Confirm completion of tree survey. 3. Confirm permit has been obtained. 4. Confirm compensation required by permit has been provided, if necessary. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 4. Pre-construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 4. _____

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<p>"Guide for Plant Appraisal, International Society of Arboriculture"; or</p> <ul style="list-style-type: none"> o A combination of the above terms as determined by the Public Works Director. 					
Cultural Resources					
<p>Mitigation Measure CUL-1: Workers Environmental Awareness Program</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments.</p> <p>Prior to construction of the proposed project, the City or the City’s construction contractor shall retain a qualified archaeologist meeting the Secretary of the Interior’s Standards for archaeology to conduct a WEAP for all construction personnel working on the proposed project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and notification to a qualified archaeologist in the event of unanticipated discoveries.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm completion of construction crew training. Retain sign-in sheet in project file. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 	<ol style="list-style-type: none"> 1. _____ 2. _____
<p>Mitigation Measure CUL-2: Unanticipated Discovery of Cultural Resources</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments.</p> <p>In the event that archaeological resources are unearthed during construction for the proposed project, all earth disturbing work within 50 feet of the find shall be temporarily suspended or redirected until a qualified archaeologist meeting the Secretary of the Interior’s Standards for archaeology has evaluated the nature and significance of the find. Evaluation of significance for the</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm suspension of construction activities if resources are discovered. 	<ol style="list-style-type: none"> 1. Design 2. Construction 3. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>find may include the determination of whether or not the find qualifies as an archaeological site. Isolated finds do not qualify as historic properties under the National Historic Preservation Act (NHPA) or historical resources under CEQA and require no management consideration under either regulation. Should any resource(s) be identified, an evaluation of eligibility for the NRHP and CRHR may be required through the development of a treatment plan including a research design and subsurface testing through the excavation of test units and shovel test pits. After effects on the find have been appropriately mitigated, work in the area may resume. Mitigation of effects on the find may include a damage assessment of the find, archival research, and/or data recovery to remove any identified archaeological deposits, as determined by a qualified archaeologist.</p> <p>If prehistoric or Native American cultural resources are identified during project construction, a Native American consultant shall also be contacted to provide input regarding the treatment and disposition of the find.</p>			<p>3. If cultural resources are discovered, confirm that construction is halted and appropriate measures are taken.</p> <p>Document compliance and retain in project file</p>		<p>3. _____</p>
<p>Mitigation Measure CUL-3: Develop and Implement Paleontological Mitigation Program</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all five segments.</p> <p>A qualified paleontologist approved by the City of Milpitas shall be retained to develop and implement a Paleontological Mitigation Program (PMP) following final design and prior to project construction. The PMP shall include the following components:</p> <ul style="list-style-type: none"> o Prior to the start of construction, construction personnel shall be informed of the appearance of fossils and the procedures for notifying 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm completion of PMP. 3. Confirm construction crew are informed of paleontological resources. Retain 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Pre-construction 4. Construction 	<p>1. _____</p> <p>2. _____</p> <p>3. _____</p>

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>paleontological staff should fossils be discovered by construction staff.</p> <ul style="list-style-type: none"> ○ Any excavations or other ground disturbing activity in areas mapped as high paleontological sensitivity (refer to details in the PRA) shall be monitored on a full-time basis by a qualified paleontological monitor. Should no fossils be observed during the first 50 percent of excavations, paleontological monitoring could be reduced to weekly spot-checking under the discretion of the qualified paleontologist. ○ If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover them. Typically fossils can be safely salvaged quickly by a single paleontologist without disrupting construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. ○ Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps. ○ Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the 			<p>sign-in sheet in project file.</p> <p>4. Monitor construction activities to verify that measures are implemented as needed during construction.</p> <p>Document compliance and retain in project file</p>		<p>4. _____</p>

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.</p>					
Hazards and Hazardous Materials					
<p>Mitigation Measure HAZ-1: Hazardous Materials Management and Spill Prevention and Control Plan</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all 5 segments.</p> <p>Before construction begins, the City shall require its construction contractor to prepare a Hazardous Materials Management Spill Prevention and Control Plan that includes a project-specific contingency plan for hazardous materials and waste operations. The Plan shall be applicable to construction activities, and shall establish policies and procedures according to applicable codes and regulations, including but not limited to the California Building and Fire Codes, and federal and California Occupational Safety and Health Administration (OSHA) regulations. Elements of the Plan shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> • A discussion of hazardous materials management, including delineation of hazardous material storage areas, access and egress routes, waterways, emergency assembly areas, and temporary hazardous waste storage areas; • Notification and documentation of procedures; and • Spill control and countermeasures, including employee spill prevention/response training. 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm preparation of Hazardous Materials Management Spill Prevention and Control Plan 3. Monitor construction activities to verify that measures are implemented as needed during construction. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>Mitigation Measure HAZ-2: Contingency Plan for Contaminated Soil or Groundwater</p> <p>This mitigation applies to the proposed project as a whole, and therefore is required for all 5 segments.</p> <p>While there are no known areas of contaminated soil within the project site, the City of Milpitas shall require its construction contractors to follow the procedures below in the event contaminated soil or groundwater is encountered (either visually or through odor detection) during excavation activities:</p> <ul style="list-style-type: none"> • Stop work in areas of contact; • Notify the San Francisco Bay Regional Water Quality Control Board and the California Department of Toxic Substances Control; • Contain the areas of contamination; • Perform appropriate clean up procedures; and • Segregate, profile, and dispose of all contaminated soil. Required disposal method shall depend on the type and concentration of contamination identified. Any site investigation or remediation shall be performed in accordance with applicable regulations. 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in in project specifications. 2. Monitor construction activities to verify that measures are implemented as needed during construction. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 1. Design 2. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____
<p>Mitigation Measure HAZ-3: Phase I Environmental Site Assessment</p> <p>During the design phase, the City or its contractor shall conduct a Phase I Environmental Site Assessment (ESA) to clarify the potential for soil contamination due to the adjacent open hazardous materials sites. The recommendations set forth in the Phase I ESA shall be implemented before construction begins. Follow-up</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm that Phase I ESA is prepared. 	<ol style="list-style-type: none"> 1. Design 2. Design 3. Pre-construction 	<ol style="list-style-type: none"> 1. _____ 2. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>sampling may be conducted, if necessary, to characterize soil and groundwater quality. Prior to construction, contractors shall be informed of the locations of potential areas of hazardous materials that may be encountered during construction, and shall ensure that safety precautions are in place to avoid or minimize exposure to potentially contaminated soils, and to reduce the potential for accidental damage to underground storage tanks that could cause accidental release of hazardous materials into the environment.</p>			<p>3. Confirm Phase I ESA recommendations are implemented</p> <p>Document compliance and retain in project file</p>		
<p>Mitigation Measure HAZ-4: Implement Fire Safety Construction Practices</p> <p>The City shall require its construction contractor to implement fire safety practices, including but not limited to: clearing dried vegetation or other material that could ignite during construction from staging areas, welding areas, or other areas slated for construction. Construction equipment that includes a spark arrestor shall be equipped in good working order. Additionally, construction crews shall have a spotter during welding activities to look out for potentially dangerous situations, such as accidental sparks. Other construction equipment, including those with hot vehicle catalytic converters, shall be kept in good working order and used only within cleared construction zones. During construction of the proposed project, the construction contractors shall require vehicles and crews working at the project site to have access to functional fire extinguishers.</p>	City of Milpitas	City of Milpitas	<p>1. Confirm requirements are included in project specifications.</p> <p>2. Monitor construction activities to verify that measures are implemented as needed during construction.</p> <p>Document compliance and retain in project file</p>	<p>1. Design 2. Construction</p>	<p>1. _____ 2. _____</p>

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
Hydrology and Water Quality					
<p>Mitigation Measure HYD-1: Development and Implementation of Frac-Out Contingency Plan</p> <p>If HDD is employed for trenchless installation at creek crossings in Segment 1 and 5, a Frac-Out Contingency Plan shall be developed by the contractor. The Frac-Out Contingency Plan shall include a description of potential short-term and long-term impacts of frac-out in terrestrial and aquatic systems; design and construction criteria to minimize the potential for frac-out, including but not limited to minimum depth and drilling fluid requirements; identification of equipment such as a vacuum truck, absorbent pads, or straw logs, and actions to minimize and contain frac-out, including halting directional boring, relieving pressure, inspecting equipment, and using a standing pipe to contain mud; identification of appropriate follow-up measures, including notification of appropriate entities and environmental compliance documentation. Construction personnel shall be trained to recognize frac-out and briefed on the use of any safety equipment and actions included in the Frac-Out Contingency Plan</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm that frac-out contingency plan is developed and measures are included in project specifications. 2. Monitor construction activities to verify that measures are implemented as needed during construction. <p>Document compliance and retain in project file</p>	<ol style="list-style-type: none"> 1. Design 2. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____
Noise					
<p>Mitigation Measure NOI-1: Implement Noise Control Measures during Construction</p> <p>To reduce noise during construction, the City shall require its construction contractor implement the following noise control measures:</p> <ul style="list-style-type: none"> • Locate Staging Areas away from Sensitive Receptors. The City shall require the contractor to 	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm pre-construction notification has occurred. 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 3. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	<u>Implementation Schedule</u> - Design - Pre-Construction - Construction - Operation	<u>Verification:</u> Status/ Date Completed/ Initials
<p>select staging areas as far as feasibly possible from sensitive receptors.</p> <ul style="list-style-type: none"> Idling Prohibition and Enforcement. The City shall prohibit unnecessary idling of internal combustion engines. In practice, this would mean turning off equipment if it would not be used for five or more minutes. Equipment Location, Mufflers, and Shielding. The City shall require its contractors to locate stationary noise-generating construction equipment such as air compressors and generators as far as possible from homes and businesses. Mufflers and/or temporary noise barriers shall be used as necessary to meet the City’s applicable sound level limits (unless a variance has been obtained in advance from the City). Use of temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate for construction at the pump station and storage tank sites and can provide a 10 to 15 dBA reduction in noise levels. Pre-Construction Notification. Prior to construction, written notification to residents within 100 feet of the proposed project segment(s) undergoing construction shall be provided, identifying the type, duration, and frequency of construction activities. Notification materials shall also identify a mechanism for residents to register complaints with the City if construction related noise impacts should occur. 			<p>3. Monitor construction activities to verify that measures are implemented as needed during construction.</p> <p>Document compliance and retain in project file</p>		<p>3. _____</p>

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>Mitigation Measure NOI-2: Noise Reduction Features</p> <p>The City shall include noise reduction features as part of the proposed project to ensure that noise levels associated with proposed pump stations would be in conformance with applicable City performance standards (General Plan Policy 6-I-7) avoiding Day-Night Noise Level (Ldn) exposure increases of more than 3 dB or more than 65 dB at the property line, whichever is more restrictive.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm noise limits at property line are achieved 	<ol style="list-style-type: none"> 1. Design 2. Operation 	<ol style="list-style-type: none"> 1. _____ 2. _____
<p>Mitigation Measure NOI-3: Vibration Monitoring</p> <p>The City shall require its contractors to conduct vibration monitoring at any residences or buildings located less than 50-feet from construction activities. Ground vibration level at the nearest residential structure to the construction site will be monitored using vibration sensor(s) or velocity transducer with adequate sensitivity capable of measuring peak particle velocity level in the frequency range of 1 hertz (Hz) to 100 Hz. If the vibration level due to construction activities exceeds 0.2 inch/second, the contractor shall make modifications/revisions to construction methods for approval by the City.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in project specifications. 2. Confirm vibration monitoring is conducted. 3. Monitor construction activities to verify that measures are implemented as needed during construction. Document compliance and retain in project file 	<ol style="list-style-type: none"> 1. Design 2. Construction 3. Construction 	<ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____
Transportation/Traffic					
<p>Mitigation Measure TRA-1: Develop and Implement Construction Staging and Traffic Management Plan</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> 1. Confirm requirements are included in 	<ol style="list-style-type: none"> 1. Design 2. Pre-construction 	<ol style="list-style-type: none"> 1. _____

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
<p>Prior to construction or the issuance of applicable permits, the contractor shall submit a Traffic Management and Construction Staging Plan to the City of Milpitas for review and approval. The contractor shall work with the City of Milpitas to ensure that the City concurs with the provisions and requirements of the Traffic Management and Construction Staging Plan. This plan shall:</p> <ul style="list-style-type: none"> • Show the impact of various construction stages, including proposed lane closures, detours, staging areas, and routes of construction vehicles. • Describe traffic control measures that will be implemented to manage traffic and reduce potential traffic impacts in accordance with stipulations of the most recent version of the California Manual of Uniform Traffic Control Devices (CMUTCD). Traffic control measures may include, but are not limited to, flag persons, warning signs, lights, barricades and cones to provide safe passage of vehicular (including cars and buses), bicycle and pedestrian traffic, and access by emergency responders. • Demonstrate the location of transit stops and transit and bicycle routes that would be temporarily impacted by construction activities, and shall recommend places to temporarily relocate transit stops and transit and bicycle routes, if necessary. • Require written notification of the timing, location, and duration of construction activities, and the location of lane closures or detours (if any) to all emergency service providers (fire, police, and ambulance) prior to road closure. Emergency service vehicles shall be given priority for access. 			<p>project specifications.</p> <ol style="list-style-type: none"> 2. Review and approve Traffic Management and Construction Staging Plan. 3. Confirm measures are implemented during construction. <p>Document compliance and retain in project file</p>	<p>3. Construction</p>	<p>2. _____</p> <p>3. _____</p>

Table 2: Improvement Measure Monitoring and Reporting Checklist for the Recycled Water Pipeline Extension Project

Mitigation Measure	Responsible Party	Review & Approval	Monitoring and Reporting Action	Implementation Schedule - Design - Pre-Construction - Construction - Operation	Verification: Status/ Date Completed/ Initials
Recreation					
<p>Improvement Measure REC-1: Effects on Rose Elementary, Randall Elementary, Merryhill Elementary and Middle, and Rancho Middle Schools.</p> <p>The City shall coordinate with school officials to identify the appropriate timing of construction adjacent to school property. Construction shall occur either on weekends or during the summer, when school is not in session.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> Confirm requirements are included in project specifications. Confirm coordination with school officials have occurred. 	<ol style="list-style-type: none"> Design Pre-construction 	<ol style="list-style-type: none"> _____ _____
<p>Improvement Measure REC-2: Effects on Neighborhood Trails.</p> <p>Prior to construction, the City or its contractors shall post signage along the Hillcrest Park and Ben Rogers Neighborhood Park Trails informing the public of anticipated construction activities and schedule.</p>	City of Milpitas	City of Milpitas	<ol style="list-style-type: none"> Confirm requirements are included in project specifications. Confirm posting of signage. 	<ol style="list-style-type: none"> Design Pre-construction 	<ol style="list-style-type: none"> _____ _____