

RESOLUTION NO. 2011-37

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
MAKING CERTAIN FINDINGS REQUIRED BY THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH THE DOWNTOWN
OPPORTUNITY STUDY: SOUTH PLAZA OFFICE DEVELOPMENT FOR WHICH
AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED, AND
ADOPTING MITIGATION MEASURES AND APPROVING A MITIGATION
MONITORING PROGRAM FOR THE PROJECT**

WHEREAS, all required public notices and public hearings were duly given and duly held according to law; and

WHEREAS, the City Council intends to approve a final environmental impact report (Final EIR) for the Downtown Opportunity Study: South Plaza Office Development, referred herein as the “Project”; and

WHEREAS, such Project was the subject of a Final EIR, prepared by the City of Los Altos as the lead agency in compliance with the requirements of the California Environmental Quality Act of 1970, as amended (CEQA); and

WHEREAS, the City Council, the Planning Commission and the Traffic Commission held a duly noticed public meeting on the Draft EIR on March 15, 2011; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Final EIR on June 16, 2011; and

WHEREAS, CEQA requires that in the approval of a Project for which a Final EIR has been prepared, the decision-making body shall review said Final EIR and make certain findings regarding the significant effects on the environment identified in said Final EIR; and

WHEREAS, the EIR evaluated the worst case environmental impacts with regard to phased construction lasting up to six years, and prepared a traffic impact analysis consistent with the requirements of the Santa Clara County Congestion Management Agency, evaluating cumulative 2014 traffic impacts to show the highest possible traffic impact, and will require the specific project, once established, to be reviewed for consistency with said EIR; and

WHEREAS, the City Council of the City of Los Altos is the decision-making body for the Project; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision is based in the office of the City Clerk; and

WHEREAS, on July 26, 2011, the City Council certified that as the decision-making body, it has reviewed and considered the information contained in the Final EIR, which is comprised of the Draft EIR dated February 2011 and the Final EIR dated June 2011, and other information in the record, prior to acting upon or approving the Project, and found that the Final EIR has been

completed in compliance with CEQA and reflects the independent judgment and analysis of the City of Los Altos as lead agency for the Project.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY make the following findings with respect to the significant effects on the environment of the Project as identified in the Final EIR.

I. FINDINGS OF SIGNIFICANT ENVIRONMENTAL IMPACT

The Final EIR for the Project concluded that it would result in the following significant environmental impacts, but that all of these impacts could be mitigated to a less than significant level with the adoption of mitigation measures:

1. Noise impact from construction activities and mechanical equipment;
2. Air quality impact from construction;
3. Cultural resource impact from the potential for discovery of archaeological resources during construction;
4. Biological resource impact from construction activities that could disturb or destroy raptor nests;
5. Hydrology and drainage impacts from an increase in the rate and amount of storm water and from construction activities;
6. Hazardous materials impacts during construction from exposure to soil contaminants during pavement removal; and
7. Greenhouse gas emissions from project operation.

The City finds that by incorporating into the Project all the mitigation measures outlined in the EIR, with the exception of greenhouse gas emissions, all the above listed impacts are substantially lessened, reducing them to a less than significant level.

Even after mitigation, there is one significant and unavoidable impact of the Project, the greenhouse gas emissions that result from operation of a new 200,000 square-foot office building. The EIR concludes that the greenhouse gas emissions impact is significant because operation of a new 200,000 square-foot office building would exceed the Bay Area Air Quality Management District's threshold of 1,100 metric tons of carbon dioxide equivalents per year and 4.6 metric tons of carbon dioxide equivalents per service population per year. For the reasons set forth in the Statement of Overriding Considerations below, the City finds that there are economic, legal, social, technological and other benefits of the Project that override the significant greenhouse gas emissions impact.

II. STATEMENT OF INFEASIBILITY

Findings Concerning Additional Mitigation

The EIR concludes that the development of a new 200,000 square-foot office building would result in a greenhouse gas emission impact that is significant and unavoidable due to the fact that yearly operations of this project would generate carbon dioxide equivalents that exceed the Bay Area Air Quality Management District's recently published thresholds of significance. The City hereby finds that there are no feasible mitigation measures that could be imposed to eliminate the significant unavoidable greenhouse gas emissions impact.

III. FINDINGS CONCERNING PROJECT ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(d), the EIR identifies and evaluates the comparative merits of alternatives to the Project, which could eliminate any significant adverse environmental impacts of the Project or reduce them to a level of insignificance. These alternatives are evaluated in the Draft EIR even if they would impede to some degree the attainment of Project objectives or would be more costly.

Findings Concerning Project Alternatives

The EIR must describe a range of reasonable alternatives to the Project, or the location of the Project, which would feasibly obtain most of the basic objectives of the Project, but would avoid or substantially lessen any of the significant environmental effects of the Project, and evaluate the comparative merits of the alternatives. Even if a Project alternative will avoid or substantially lessen any of the significant environmental effects of the Project, the decision-maker may reject the alternative if it determines that specific considerations make the alternative infeasible.

The City finds that the alternatives identified in the EIR as environmentally superior are infeasible for the following reasons.

1. No Project Alternative (No Development)

Under the No Project Alternative, the project site would remain as it is today. The Project site would continue to operate as surface parking lots.

Since no development would occur, this alternative would avoid all the adverse environmental impacts that are anticipated to occur under the proposed Project. However, the beneficial water quality impact anticipated to occur under the proposed Project would not occur under this alternative. This alternative would not meet any of the Project objectives.

Based on the foregoing, the City finds that this alternative is not a feasible alternative to the Project and that the Project is preferable to this alternative based on the overriding considerations set forth below.

2. Location Alternative

Under the Location Alternative, the Project would be located on North Parking Plazas 7, 8, and 10. The North Parking Plazas are under the control of the City, located within the Downtown and are currently used as public parking lots. The development amount and design assumptions of the North Plazas are the same as what is proposed by the Project.

This alternative would reduce the Project's exterior noise impact from San Antonio Road. This site, compared to the Project site, is set back further and shielded by existing structures from San Antonio Road. However, there are existing commercial structures, historic structures, residences located adjacent to the North Parking Plazas and construction-related noise and vibration impacts would be greater than those of the proposed Project. Development on this site would also result in air quality, cultural resource, biological resource, water quality, and greenhouse gas emission impacts

that are similar in magnitude to the proposed Project. Development on this site is not expected to result in any impacts that would not occur under the proposed Project.

Based on the foregoing, the City finds that this alternative is not a feasible alternative to the Project and that the Project is preferable to this alternative based on the overriding considerations set forth below.

3. Design Alternative

Under the Design Alternative, a parking structure with a maximum height of 45 feet would be constructed on Plaza 3 and office buildings totaling approximately 133,000 square feet (i.e., approximately two-thirds of the office development under the proposed project) would be constructed on Plazas 1 and 2. The development amount and design assumptions on Plazas 1 and 2 are the same as those under the proposed Project, except there would be no below-grade parking on Plaza 2. The parking needed on Plaza 2 would be provided in the parking structure on Plaza 3. Similar to the proposed project, this alternative would provide parking for the new office uses and replacement parking for the public parking lost as a result of this alternative and other public parking recently lost Downtown.

This alternative would avoid the exterior noise impact that occurs under the proposed Project by not constructing noise sensitive uses near San Antonio Road on Plaza 3. Constructing a parking structure on Plaza 3 has the added benefit of shielding the office space on Plazas 1 and 2 from the noise generated by traffic on San Antonio Road. The reduced square footage of office uses under this alternative would reduce the greenhouse emissions impact, but not to a less than significant level. This alternative would also not lessen, reduce to a less than significant level, or avoid any of the other impacts anticipated to occur under the proposed Project. The greenhouse gas emission impact would remain significant and unavoidable under this alternative.

Based on the foregoing, the City finds that this alternative is not a feasible alternative to the Project and that the Project is preferable to this alternative based on the overriding considerations set forth below.

4. Reduced Development Alternative

Under the Reduced Development Alternative, development would only occur on Plaza 2 and the square footage of office building would be reduced to 52,500 square feet. No development would occur on Plazas 1 and 3. Plazas 1 and 3 would continue to be used as surface parking for the surrounding Downtown businesses. This alternative would provide parking for the new office uses and replacement parking for the public parking lost as a result of the Project.

By reducing the square footage of the proposed Project by 146,500 square feet, this alternative reduces the significant unavoidable greenhouse gas emission impact under the proposed Project to a less than significant level. This alternative also avoids the exterior noise impact that occurs under the proposed project by not constructing noise sensitive uses near San Antonio Road on Plaza 3. This alternative would also not lessen, reduce to a less than significant level, or avoid any of the other impacts anticipated to occur under the proposed project. However, this alternative would not meet the Project objective of generating 800 additional daytime customers for Los Altos businesses or creating a substantial number of Downtown jobs.

Based on the foregoing, the City finds that this alternative is not a feasible alternative to the Project and that the Project is preferable to this alternative based on the overriding considerations set forth below.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

After review of the entire administrative record, including the EIR and the oral and written testimony and evidence presented during the public meetings, the City Council finds, pursuant to CEQA Section 21081 (b) and CEQA Guidelines Section 15093, that specific economic, legal, social, technological or other benefits of the Project outweigh the Project's unavoidable adverse environmental impacts and finds that the significant and unavoidable adverse impacts are acceptable in light of the Project's benefits.

The City Council further finds that, in the event it is determined that the mitigation measures identified in the EIR above do not reduce the significant environmental impacts identified and analyzed in the EIR to a less-than-significant level, the benefits described below outweigh any and all potential adverse impacts of the Project.

The City Council adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts of the Project and the anticipated benefits of the Project. The City Council finds that each of the benefits set forth below in this Statement of Overriding Considerations constitutes a separate and independent ground for finding that the benefits of the Project outweigh the risks of its potential significant adverse environmental impacts. The benefits of the Project, which constitute the specific economic, legal, social, technological and other considerations that justify the approval of the Project, are as follows:

1. The Project is consistent with and furthers the goals and objectives of the Los Altos General Plan.
2. The Project will generate up to 800 additional daytime customers for Downtown Los Altos businesses.
3. The Project will provide new commercial buildings with Class A office space that will attract new employers to the City of Los Altos.
4. The Project will provide additional public parking to serve Downtown Los Altos.

V. ADOPTION OF THE MITIGATION AND MONITORING PROGRAM

The City Council hereby adopts the mitigation measures set forth in the Final EIR into a Mitigation Monitoring and Reporting Program attached hereto as Exhibit A, incorporated herein by this reference.

I HEREBY CERTIFY that the forgoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a regular meeting thereof held on the 26th day of July 2011, by the following vote:

AYES: CARPENTER, CASAS, FISHPAW, SATTERLEE, PACKARD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Ronald D. Packard, MAYOR

Attest:


Lee Price, MMC, CITY CLERK

EXHIBIT A

**MITIGATION MONITORING AND REPORTING
PROGRAM**

**Downtown Opportunity Study:
South Plaza Office Development**

July 2011

PREFACE

Section 21081 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 July 26, 2011 the Environmental Impact Report was certified for The Downtown Opportunity Study: South Plaza Office Development project. The Final Environmental Impact Report concluded that implementation of the project could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they will be implemented.

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MITIGATION MONITORING AND REPORTING PROGRAM
THE DOWNTOWN OPPORTUNITY STUDY: SOUTH PLAZA OFFICE DEVELOPMENT

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
AIR QUALITY				
Impact AIR-1: The proposed project would result in short-term demolition and construction-related air quality impacts from dust PM10 and diesel exhaust.	MM AIR – 1.0: The project shall implement all BAAQMD basic construction mitigation measures, which are: <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	During construction, the applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director 9

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). 			

NOISE

Impact NOI – 1: The exterior noise levels on the easternmost portion of the site (Plaza 3) would exceed the City's maximum acceptable outdoor noise exposure standard for commercial uses. As a result, interior noise levels could be unacceptable.	MM NOI – 1.1: An acoustical consultant shall participate in the design of the office building adjacent to San Antonio Road on Plaza 3 to recommend project specific measures that would adequately reduce interior noise to levels appropriate for the proposed use. A detailed analysis shall be conducted so that the design of the project incorporates treatments necessary to minimize noise intrusion in noise sensitive areas. Noise reduction measures may include the incorporation of a complete forced-air mechanical ventilation system and sound-rated construction methods to allow occupants to control traffic noise intrusion by closing windows and doors.	During the design and construction of the office building adjacent to San Antonio Road on Plaza 3, the applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director
Impact NOI – 2: During project construction,	MM NOI – 2.1: A construction-noise mitigation plan shall be developed in close coordination with adjacent noise-sensitive land uses so that construction activities	Prior to and during project construction, the applicant shall ensure this measure is	This measure shall be printed on all construction documents, contracts, and	Los Altos Community Development Director

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adjacent businesses in the vicinity of the site would be intermittently exposed to high noise levels.	<p>can be scheduled to minimize noise disturbance. The construction mitigation plan shall include the following measures to reduce construction-related noise impacts to a less than significant level:</p> <ul style="list-style-type: none"> • Pursuant to the Municipal Code, restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours between 7:00 AM and 7:00 PM, Monday through Friday and 9:00 AM to 6:00PM on Saturday. Construction shall be prohibited on Sundays and city observed holidays. • Temporary noise control barriers, such as blankets, plywood, or other materials, would be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occur that cannot be resolved by proper scheduling. • Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment. • Prohibit all unnecessary idling of internal combustion engines. • Route construction-related traffic to and from the site via designated truck routes and avoid residential streets where possible. • Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. • Locate all stationary noise-generating equipment, such as air compressors and portable power 	implemented.	plans.	

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	<p>generators, as far away as possible from adjacent land uses.</p> <ul style="list-style-type: none"> • Shield adjacent sensitive uses from stationary equipment with individual noise barriers or partial acoustical enclosures. • Locate staging areas and construction material storage areas as far away as possible from adjacent land uses. • Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. <p>Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</p> <ul style="list-style-type: none"> • Hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed. 			
Impact NOI – 3: Existing historic structures in the vicinity of the project site could be exposed to	<p>MM NOI – 3.1: The project shall implement the following measures to reduce construction-related vibration impacts to a less than significant level:</p> <ul style="list-style-type: none"> • A list of all heavy construction equipment to be used for this project and the anticipated time duration of using equipment that has been known to produce high 	Prior to and during project construction, the project applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
construction-related vibration during the excavation of below-grade parking garages and during foundation construction.	<p>vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.</p> <ul style="list-style-type: none"> • A construction vibration monitoring plan shall be implemented to document conditions prior to, during, and after vibration generating construction activities. All plan tasks shall be undertaken under the direction of a Professional Structural Engineer licensed in the State of California and be in accordance with industry accepted standard methods. The construction vibration monitoring plan would include the following tasks: <ul style="list-style-type: none"> – Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 50 feet of the project site. – Performance of a photo survey, elevation survey, and crack monitoring survey for each sensitive structure within 50 feet of construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, in regular intervals during construction, and after project completion, and shall include internal and external crack monitoring in structures, settlement, and distress. 			

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>The condition of foundations, walls and other structural elements in the interior and exterior of said structures shall be documented.</p> <ul style="list-style-type: none"> - Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. - At a minimum, vibration monitoring shall be conducted during pavement demolition and excavation. Monitoring results may indicate the need for more or less intensive measurements. - If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. - Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site. - Conduct post-construction surveys on structures where either monitoring has indicated high levels or complaints of damage. Make appropriate repairs or compensation where damage has 			

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>occurred as a result of construction activities.</p> <ul style="list-style-type: none"> The results of all vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report shall include a description of measurement methods, equipment used, calibration certificates and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. 			
Impact NOI – 4: Noise levels from project operation may exceed the standards established in the Los Altos General Plan and Municipal Code. [Significant Impact]	MM NOI – 4.1: To reduce noise levels generated by mechanical equipment, the project shall locate the heating, ventilating, and air conditioning (HVAC) equipment away from sensitive receivers (e.g., residences). The project shall shield rooftop mechanical equipment with rooftop screens or perimeter parapet walls, employ noise control baffles, sound attenuators, or enclosures where required. The goal of this mitigation is achieve a continuous noise level of 60 dBA or less at commercially zoned properties and 45 dBA or less at properties within R1 zoning districts. HVAC noise controls shall be analyzed and reviewed by a qualified acoustical consultant prior to issuance of a building permit.	During design and construction, the project applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director

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CULTURAL RESOURCES

Impact CUL – 1: It is possible that archaeological	MM CUL – 1.1: A qualified archaeologist shall complete a visual inspection of the ground surface after the existing vegetation and asphalt has been removed to	During construction, the project applicant shall ensure these measures are	These measures shall be printed on all construction documents, contracts, and	Los Altos Community Development Director
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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>resources are present on-site. In the event historic or prehistoric archaeological resources are encountered during site development, impacts to these resources would be considered significant.</p>	<p>search for obscured prehistoric archaeological resources. In the event that any materials listed below are encountered, work shall stop in the area designated as sensitive by the qualified archaeologists until plans have been submitted to the City of Los Altos for the evaluation and if necessary, the mitigation of impacts to any significant cultural deposits.</p> <p>Evaluation normally takes the form of limited hand excavation of the suspected cultural deposit to determine if it contains information and/or materials that make it eligible for placement on the California Register of Historic Resources. Mitigation can take the form of additional hand excavation to ensure that significant archaeological materials and information are retrieved for analysis and report preparation as required by CEQA.</p> <p>Indicators of archaeological deposits include, but are not limited to, the following: darker than surrounding soils of a friable nature, concentrations of bone, stone, or both freshwater and salt water shellfish, artifacts of these materials, and evidence of fire (ash, charcoal, fire affected earth or rock), and burials both human and animal.</p> <p>MM CUL – 1.2: If human remains are discovered during construction, construction activities that could disturb the remains and any associated artifacts would halt and the project proponent shall contact the local Coroner's Office and the Native American Heritage Commission (NAHC). The NAHC would then name a</p>	<p>implemented.</p>	<p>plans.</p>	

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	Most Likely Descendant (MLD) to advise the project proponent on the manner of exposure and removal of burials and associated grave materials, and to help designate a place for the reburial of these resources.			

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BIOLOGICAL RESOURCES

Impact BIO-1: Construction of the proposed project could disturb or destroy active raptor and/or migratory bird nests.	<p>MM BIO – 1.1: In compliance with the MBTA and the California Fish and Game Code, the following measures shall be implemented during the redevelopment of the parking lots to reduce and avoid construction-related impacts to nesting raptors and/or migratory birds:</p> <ul style="list-style-type: none"> • Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February through August. • If it is not possible to schedule demolition and construction between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding 	Prior to and/or during construction, the project applicant shall ensure this measure is implemented.	These measures shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director
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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>season (May through August). During this survey, the ornithologist will inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be disturbed by construction, the ornithologist, in consultation with CDFG, will determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests will not be disturbed during project construction.</p> <ul style="list-style-type: none"> • If all necessary approvals have been obtained, possible nesting substrate (i.e., trees) that would be removed by the project shall be removed before the start of the nesting season (February) to help preclude nesting. • A report summarizing the results of the pre-construction survey and subsequent efforts to protect nesting raptors and/or migratory birds (if found to be present) shall be submitted to the Community Development Director. 			

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HYDROLOGY AND WATER QUALITY

Impact HYD – 1: Construction activities could degrade water quality downstream of the site.	MM HYD – 1.1: The proposed project shall file a Notice of Intent (NOI) with the SWRCB and prepare a SWPPP prior to commencement of construction. The project's SWPPP shall include measures for: <ul style="list-style-type: none"> • Soil stabilization; • Sediment control; • Sediment tracking control; 	During construction, the project applicant shall ensure these measures are implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director
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	<ul style="list-style-type: none"> • Wind erosion control; and • Non-storm water management and waste management and disposal control. <p>MM HYD – 1.2: The following measures shall be implemented during demolition, site excavation, grading, and construction, as necessary. All measures shall be included in the project's SWPPP and printed on all construction documents, contracts, and project plans.</p> <ul style="list-style-type: none"> • Restrict grading to the dry season or meet City requirements for grading during the rainy season. • Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction. Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed. • Cover soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff with secure plastic sheeting or tarps. • Implement regular maintenance activities such as, but not limited to, sweeping driveways between the construction area and public streets. Clean sediments from streets, driveways, and paved areas on-site using dry sweeping methods. Designate a concrete truck washdown area. • Dispose of all wastes properly and keep site clear of 			

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	<p>trash and litter. Clean up leaks, drips, and other spills immediately so that they do not contact stormwater.</p> <ul style="list-style-type: none"> Place fiber rolls or silt fences around the perimeter of the site. Protect existing storm and sewer inlets in the project area from sedimentation with filter fabric and sand or gravel bags. 			20
Impact HYD – 2: The proposed project could degrade water quality downstream of the project site.	<p>MM HYD – 2.1: Consistent with local, state, and federal requirements, the following standard water quality control measures shall be implemented by the proposed project to reduce post-construction water quality impacts to a less than significant level:</p> <ul style="list-style-type: none"> The proposed project shall comply with the requirements of the NPDES Municipal Stormwater Permit, as well as other local, state, and federal requirements. Specifically, the project shall comply with provision C.3 of the NPDES Municipal Stormwater Permit, which provides enhanced performance standards for the management of stormwater for new development. The project shall implement BMPs for reducing the volume of runoff and pollution in runoff. These BMPs may include source control measures, site design elements, and post-construction treatment measures such as the following: <ul style="list-style-type: none"> Vegetated swales and flow-through areas; 	During design and construction, the project applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director

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MITIGATION MONITORING AND REPORTING PROGRAM
THE DOWNTOWN OPPORTUNITY STUDY: SOUTH PLAZA OFFICE DEVELOPMENT

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> – Bioretention areas or basins; – Disconnected downspouts that are directed into landscape areas; – Minimization of impervious surfaces and increased use of permeable pavement; – Location of all storm drain inlets to be stenciled with, “No Dumping! Flows to Bay” to discourage illegal dumping; – Location and design of trash enclosures (all shall be covered) and materials handling areas; and – Use effective, site-specific erosion and sediment control methods during post-construction periods. <ul style="list-style-type: none"> • The project shall comply with all City of Los Altos’ ordinances, policies, and processes regarding the post-construction treatment of stormwater runoff that are in place at the time of development. Specifically, a stormwater management plan (SWMP) shall be developed prior to issuance of building permits for each phase of project construction, to ensure compliance with City of Los Altos and NPDES permit requirements. The SWMP shall meet the criteria for stormwater protection outlined in Chapters 10.16 of the Los Altos Municipal Code. The purpose of the SWMP is to: <ul style="list-style-type: none"> – Identify the pollutants of concern; – Identify the site constraints that could limit the types of BMPs and site design measures that can be implemented; – Incorporate site design measures to minimize 			

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	<p>imperviousness and redirect runoff from impervious surfaces to pervious surfaces; and</p> <ul style="list-style-type: none"> – Select BMPs (both source and treatment control measures) for those impervious areas that cannot be served by site design measures. 			
Impact HYD – 3: Dewatering during project construction, if needed, could pollute surface water with sediment or other contaminants.	<p>MM HYD – 3.1: If dewatering is necessary, the following measures shall be implemented to reduce the potential for water quality impacts to occur as a result of sediment or other contaminants in the groundwater:</p> <ul style="list-style-type: none"> • The groundwater below the project site shall be sampled, tested for contaminants, and evaluated against the RWQCB discharge thresholds in place at the time of construction. <ul style="list-style-type: none"> – If groundwater contaminant levels are below RWQCB discharge thresholds, the project shall obtain a permit from the City of Los Altos to discharge the groundwater pumped from below the site into the City's stormdrain system. This permit will specify the sediment removal measures to be implemented during dewatering (e.g., settling tank, particulate filters, etc.) and the frequency of ongoing water quality testing. – If groundwater contaminant levels are above RWQCB discharge thresholds, the project shall obtain an NPDES permit from the RWQCB prior to discharging the water into the stormdrain system. This permit will specify the groundwater treatment measures and the water quality treatment standards that shall be achieved prior to discharge 	During construction, the project applicant shall ensure this measure is implemented.	This measure shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director

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	into the stormdrain system, the sediment removal measures to be implemented during dewatering (e.g., settling tank, particulate filters, etc.), and the frequency of ongoing water quality testing.			
HAZARDOUS MATERIALS				
Impact HAZ – 1: The existing pavement on-site could be obscuring on-site sources of contamination.	MM HAZ – 1.1: Prior to the start of ground disturbing activities associated with the proposed project (e.g., grading, trenching, etc.), the project proponent shall have a qualified hazardous materials consultant complete a Phase I Environmental Site Assessment for the project site. Depending on the results of the Phase I, the hazardous materials consultant may also need to test the soil/groundwater. MM HAZ – 1.2: If on-site soil is contaminated above regulatory thresholds, then an Integrated Environmental Safety and Health Plan (IESHP) shall be prepared for the construction of the project. The IESHP shall provide a methodology to: 1) monitor hazardous substances in soils; 2) assess and prioritize the risks associated with each hazard; 3) develop measures to minimize risk to the workers, public, and the environment by controlling airborne emissions; 4) provide for coordination with the DTSC, BAAQMD, and other agencies as needed; and 5) control emissions of ordinary particulate matter or airborne dirt that would not be classified as “hazardous.”	Prior to construction, the project applicant shall ensure these measures are implemented.	These measures shall be printed on all construction documents, contracts, and plans.	Los Altos Community Development Director
GREENHOUSE GAS EMISSIONS				
Impact GGE – 1: Project	MM GGE – 1.1: In conjunction with meeting the requirements of the City’s Green Building Regulations,	During design, construction and operation	This measure shall be printed on all construction	Los Altos Community Development Director

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Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
construction and operation would generate a substantial amount of greenhouse gas emissions.	<p>the project proposes to implement the following BAAQMD recommended measures to reduce project greenhouse gas emissions to the greatest extent feasible:</p> <ul style="list-style-type: none"> • Provide free transit passes for all employees; • Provide bicycle parking at a ratio of at least one bicycle parking space per 20 vehicle parking spaces; • Provide employees information on automobile alternative transportation modes (bus, bicycle); • Include outdoor electrical outlets to allow for the use of electrically powered landscape equipment; • Use low VOC architectural coatings; • Plant shade trees within 40 feet of the south side or within 60 feet of the west side of the project site; • Require cool roof materials; • Install green roofs; • Require smart meters and programmable thermostats; • Install solar water heaters or tankless water heaters; • Install solar panels; • Provide necessary infrastructure to use recycled water for outdoor irrigation; • Install low-water use appliances and fixtures; and • Require building tenant to successfully participate in a recycling program. 	the project applicant shall ensure this measure is implemented.	documents, contracts, and plans.	

SOURCE: City of Los Altos. The Downtown Opportunity Study: South Plaza Office Development FEIR, June 2011.