

**City of Los Altos Community Development Department**  
**Mitigation Monitoring and Reporting Plan**  
*pursuant to Public Resources Code Section 21081.6*

**Project Name:** 355 First Street Residential Project  
**File No:** XXX  
**Address:** 355, 365, 371, 373 1st St.  
**SCH#:** N/A  
**Date:** November 23, 2021  
**Approved by:** City Council  
**Resolution #**

<i>Mitigation Measure Number</i>	<i>Mitigation Measure</i>	<i>Monitoring Actions</i>	<i>Party Responsible for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
<b>Air Quality</b>					
AQ-1	<p>The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM<sub>10</sub>) and PM<sub>2.5</sub> emissions on the project plans and the contractor shall implement them during all phases of construction:</p> <ul style="list-style-type: none"> <li>a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;</li> <li>b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;</li> <li>c. 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;</li> </ul>	<p>Include BAAQMD BMPs in project plans</p> <p>Implement BAAQMD BMPs</p>	<p>Applicant</p> <p>Contractor</p>	<p>Prior to Approval of Final Plans</p> <p>During all Phases of Construction</p>	

	<p>d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour;</p> <p>e. 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;</p> <p>f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;</p> <p>g. 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; and</p> <p>h. Post a publicly visible sign with 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's phone number shall also be visible to ensure compliance with applicable</p>				
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	regulations.				
AQ-2	<p>Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions.</p> <p>The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures:</p> <ol style="list-style-type: none"> <li>a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and,</li> <li>b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or</li> </ol>	<p>Prepare demolition and construction emissions avoidance and reduction plan</p> <p>The plan shall also include a letter prepared by a qualified air quality consultant</p> <p>The plan shall include these measures for implementation by the applicant or developer</p>	<p>Project Developer</p> <p>City's Director of Planning or Director's designee</p>	<p>Prior to issuance of the demolition and grading permits</p>	

	minimize the affected sensitive receptors exposures by at least 30 percent.				
<b>Biological Resources</b>					
BIO-1	<p>Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.</p> <p>If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys.</p> <p>a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to</p>	<p>Retain qualified biologist to conduct survey, if construction occurs during the bird nesting season</p> <p>Conduct two surveys for active bird nests</p>	<p>Developers with oversight by the City of Los Altos</p>	<p>Prior to issuance of tree removal, demolition, and grading permits</p> <p>14 days prior to construction start</p>	

	<p>construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.</p> <p>b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until</p>	<p>Establish appropriate buffer between each nest and active construction</p>		<p>Prior to construction</p>	
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	<p>the young have fledged and the nest is no longer active.</p> <p>Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.</p>				
BIO 2	<p>Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.</p>	<p>Retain certified arborist to develop a site-specific tree protection plan</p>	<p>Developer</p>	<p>Prior to issuance of a tree removal permit and/or a grading permit</p>	
<b>Cultural Resources</b>					
CUL-1	<p>In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will</p>	<p>Include measure on the project plans</p>	<p>Developer and Contractor</p>	<p>During construction activities</p>	

	<p>be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.</p>				
CUL-2	<p>In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</p>	<p>Include measure on the project plans</p>	<p>Developer and Contractor</p>	<p>During construction activities</p>	

**Geology & Soils**

GEO-1	<p>The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.</p>	<p>Include measure on the project plans</p> <p>Hire a qualified paleontologist to provide worker training</p>	Developer and Contractor	Prior to issuing a grading permit	
GEO-2	<p>If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.</p>	<p>Include measure on the project plans</p>	Developer and Contractor	During Construction	





<b>Noise</b>					
NOI-1	<p>Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses:</p> <p>a. Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city’s municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval.</p> <p>b. Use of the concrete saw within 50 feet of any shared property line shall be limited.</p> <p>c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the</p>	Implement best management practices for construction equipment	City’s Director of Planning or Director’s designee	During construction activities	

	<p>equipment.</p> <p>d. Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices.</p> <p>e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.</p> <p>f. Utilize “quiet” air compressors and other stationary noise sources where technology exists.</p> <p>g. A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.</p> <p>h. Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.</p> <p>i. The contractor shall prepare a detailed construction</p>				
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	<p>plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule.</p> <p>j. Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</p>				
NOI-2	<p>Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city’s requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city’s noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.</p>	Retain qualified acoustical consultant	City’s Director of Planning or Director’s designee	Prior to issuance of a building permit	

NOI-3	<p>A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks:</p> <ul style="list-style-type: none"> <li>⊙ Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction.</li> <li>⊙ Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission.</li> <li>⊙ Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.</li> <li>⊙ Designate a person responsible for registering and investigating claims of excessive vibration. The</li> </ul>	Implement construction vibration-monitoring plan	Developer and State of California licensed Professional Structural Engineer	Prior to grading activities	
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	contact information of such person shall be clearly posted on the construction site.				
<b>Tribal Cultural Resources</b>					
TR-1	The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	
TR-2	The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities.  The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered.  Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	

	<p>Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit.</p> <p>The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.</p>				
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