APPENDIX L
TO THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

MITIGATION, MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

PARK VIEW TOWERS

CITY OF SAN JOSE

May 2008

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 monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

The Final EIR concluded that the implementation of this project could result in a number of significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Final EIR concluded that the impacts from implementation of the project would be less-than-significant.

MITIGATION MONITORING AND REPORTING PROGRAM PARK VIEW TOWERS				
Impact	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
HISTORIC RESOURCES				
Excavation and construction of the proposed underground parking garage could cause significant damage to the church building and/or to the nearby Sainte Clare Club building. **(Significant Impact)**	A geotechnical investigation by a California-licensed geo-technical engineer completed to a degree of specificity that the City Geologist can determine that all appropriate measures are proposed to avoid impacts to nearby historic structures, is proposed and will be required as a condition of project approval. The project sponsor and its contractors will follow the recommendations of the final geotechnical report(s) regarding any excavation and construction for the project. The project sponsor will ensure that the construction contractor conducts a pre-construction survey of existing conditions and monitors the adjacent buildings for damage during construction, if recommended by the geotechnical engineer. If dewatering is necessary during or after construction, the final soils report will address the potential settlement and subsidence impacts of this dewatering. Based on this discussion, the soils report would determine whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, such monitoring will follow City of San José procedures. Instruments would be used to monitor potential settlement and subsidence. If unacceptable movement were to occur during construction, groundwater recharge would be used to halt this settlement. The project sponsor would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be born by the project sponsor. If dewatering is necessary, the project sponsor and its contractor would follow the geotechnical engineers' recommendations regarding dewatering to avoid settlement of adjacent streets, utilities, and buildings that potentially occur as a result of dewatering. The project sponsor and its contractor will follow the geotechnical engineers' recommendations regarding installation of settlement markers around the perimeter of shoring to monitor any ground movements outside of the shoring itself. Shoring systems would be modified as necessary in the event that substantial movements are detected.	Before, during and after construction phase.	Project applicant	Director of Public Works

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
HISTORIC RESOURCES				
The design of Tower Two was modified so it would not deviate from the adopted Design Guidelines for the District in the following specific area: The two tower buildings are significantly taller than recommended by the guidelines and are therefore inconsistent in height and scale with the historic structures in the District. This would result in a significant impact.. **(Significant Impact)**	To reduce the identified significant impacts to the Historic District and the First Church of Christ Scientist, the following specific changes were incorporated into the proposed project design to reduce the impacts: Building height for Tower Two has been revised to step down within the 69-foot distance measured from the front property line. The design of Tower Two steps down to the Saint James Street frontage, with the building height within 43 feet of the property line being no more than 45 feet high, which is less than the height of the dome on the First Church of Christ Scientist building. The modified design of the project, with Tower Two establishing a gradual transition between the new project, the church and the park, will be less than significant.	Prior to issuance of any permits.	Project applicant.	Director of Planning, Building, and Code Enforcement