MITIGATION MONITORING AND REPORTING PROGRAM

San José-Santa Clara Regional Wastewater Facility
Digested Sludge Dewatering Facility Project
Addendum

August 2019

Planning File No. PP18-018
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 or reporting program is to ensure compliance with the mitigation measures during Project implementation.

The Addendum to the Environmental Impact Report for the San José-Santa Clara Water Pollution Control Plant Master Plan concluded that implementation of the Project could result in significant effects on the environment and mitigation measures 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 Addendum concluded that the impacts from implementation of the Project would be less than significant.

The City of San José hereby agrees to fully implement the Mitigation Measures described below which have been developed in conjunction with the preparation of an Addendum for the proposed project. The City understands that these mitigation measures or substantially similar measures shall be adopted as conditions of approval to avoid or significantly reduce potential environmental impacts to a less than significant level.

The following abbreviations are used:

- BAAQMD = Bay Area Air Quality Management District
- CCR = California Code of Regulations
- CDFW = California Department of Fish and Wildlife
- CEQA = California Environmental Quality Act
- CFR = Code of Federal Regulations
- CM = Construction Management Resources Team
- DTSC = Department of Toxic Substance Control
- ESD = Environmental Services Department
- ET = Environmental Team Project Lead
- HASP = Health and Safety Plan
- HCP = Santa Clara Valley Habitat Conservation Plan
- NAHC = Native American Heritage Commission
- OSHA = Occupational Safety and Health Administration
- PM = San José-Santa Clara Regional Wastewater Facility Capital Improvements Program - Project Manager
- PBCE = Planning, Building and Code Enforcement
- RWQCB = Regional Water Quality Control Board
- SCCDEH = Santa Clara County Department of Environmental Health
- SCVHA = Santa Clara Valley Habitat Agency
- SVOCs = semi-volatile organic compounds
- USACE = U.S. Army Corps of Engineers
- USFWS = U.S. Fish and Wildlife Service
- VOCs = volatile organic compounds
## AIR QUALITY

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| AQ-1       | The Project could violate an air quality standard or contribute substantially to an existing or projected air quality violation. | Bay Area Air Quality Management District (BAAQMD) Basic Control Measures:  
- 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 vehicle speeds on unpaved roads shall be limited to 15 mph.  
- 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 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.  
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.  
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond to the satisfaction of the Lead Agency.  
- 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 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.  
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.  
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond to the satisfaction of the Lead Agency. | 1. Ensure that contract documents include a requirement for BAAQMD Basic Construction Measures.  
2. Monitor to ensure that contractor implements measures in contract documents:  
- Include discussion of this mitigation measure in contractor environmental training sessions.  
- Post signage.  
- Maintain site inspection checklists.  
- Review contractor’s equipment tune-up and emissions logs.  
- Notify PM and ET of non-compliance and ensure corrective action. | 1. Design  
1. Project Manager (PM)  
1. Environmental Team (ET) | 1. Environmental Team (ET) |

## BIOLOGICAL RESOURCES

| Impact No. | Impact Summary | Mitigation Measure BIO-1: Reduce Impacts to Tarplant.  
For purposes of reducing direct impacts to Congdon’s tarplant and pappose tarplant, the project proponent shall:  
- Conduct surveys for Congdon’s tarplant and pappose tarplant May 1st through October 31st (inclusive). This shall be conducted by a qualified biologist.  
- Avoid damaging or removing individuals of Congdon’s tarplant and pappose tarplant while conducting the above activities whenever possible.  
- When mowing is necessary, conduct mowing in areas occupied by Congdon’s and pappose tarplant (known natural and reseeded locations) before May 1st (to avoid the blooming season [May to mid-November]) or after seeds have been set (mid-November). Do not mow in areas with Congdon’s and pappose tarplant from May to mid-November, even if those areas have burrowing owls or are part of the burrowing owl habitat management area. Mow no lower than 6 inches | The Project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager the following:  
- Signed electronic copies (pdf) of the plant survey;  
- Signed documentation of seed collection and post-construction seeding results if required;  
- Signed documentation of mowing and annual weed control activities; and  
- If reseeding is required, annual monitoring reports documenting success of the planted population.  
- Signed documentation of appropriate trail signage.  
- A report of any instance of noncompliance with these measures. | Prior to, during, and after ground disturbing activities | ET and qualified biologist  
Department of Planning, Building, and Code Enforcement (PBC) |
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<td>in areas with Congdon's tarplant in order to minimize removal of tarplant foliage prior to flowering. Conditions in areas occupied by burrowing owl, and Congdon's tarplant and pappose tarplant will change over time, and conflicts between measures to reduce impacts to the tarplant and burrowing owl habitat management strategies (e.g., mowing) may arise. To adapt to changing conditions, this measure may require refinement by a qualified biologist in coordination with CDFW to ensure adequate protection of these species. If individuals of Congdon’s tarplant and pappose tarplant cannot be avoided through the provisions listed above, the permanent loss of Congdon's and pappose tarplants shall be mitigated at a minimum mitigation-to-impact ratio of 1:1. To address permanent loss of Congdon’s tarplant and pappose tarplant individuals, the following measures shall be implemented:</td>
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<td>• During October 1st and November 30th (inclusive) the project proponent shall track Congdon’s tarplant and pappose tarplant within the area to determine when plants have set seeds. Once seeds have set, seeds from individuals of Congdon’s tarplant and pappose tarplant from within the area shall be collected during October 1st or November 30th, inclusive prior to initiation of activities that will impact individuals, and immediately sown at reseeding location(s) to allow the plant to flower and produce seed before the end of the next blooming period, thereby avoiding a temporal loss (i.e., the species missing a flowering cycle).</td>
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<td>• Seed of Congdon’s tarplant and pappose tarplant shall be applied either alone or as a component of the revegetation mix within the impact area for any temporary impacts and within a proposed replacement area for permanent impacts. The replacement area shall be determined in consultation with CDFW.</td>
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<td>• Areas seeded with Congdon’s tarplant and pappose tarplant shall be monitored during the first 5 years following reseeding. Monitoring shall be conducted during the peak blooming period (May 1st – November 30th, inclusive). The planted population will be compared to a known reference population each time monitoring is conducted to accurately verify the degree of success of the planted population.</td>
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<td>• During the first year of monitoring, revegetation shall be considered successful if the species in 70% of the reseeded area are occurring at densities comparable to the reference population. If unsuccessful, seed shall be collected and sown in the unsuccessful areas prior to the rainy season that year. If reseeding is necessary at any point during the</td>
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<td>BIO-2</td>
<td>The Project could have a substantial adverse effect, either directly or through habitat modifications, on raptors and migratory birds.</td>
<td>Mitigation Measure BIO-2d: Raptor and Migratory Bird Nest Measures. If possible, construction shall be scheduled between September 1st and January 31st (inclusive) to avoid the nesting season. If Project construction is scheduled during breeding bird season (February 1st–August 31st, inclusive), City’s Environmental Services Department (ESD) or its contractor shall retain a qualified wildlife biologist to conduct a survey for nesting raptors and 1. If possible, schedule construction between September 1st and January 31st (inclusive).</td>
<td>1. Construction</td>
<td>1. PM</td>
<td>1. ET</td>
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monitoring period, the monitoring period shall reset (extended by five years) for the affected area.

- During each subsequent year of monitoring, revegetation will be considered successful if the species is found to be occurring in 80% of the reseeded area at densities comparable to the reference population. If revegetation is unsuccessful for two consecutive years, seed will be collected and sown in the unsuccessful areas prior to the rainy season that year.

- During the final two years of monitoring, if seeding of previously unoccupied habitat is successful (plants occur in 80% of the reseeded area at densities comparable to the reference population), then the mitigation will be deemed successful and no additional monitoring will be required. If unsuccessful, the area will be deemed unsuitable habitat. In this case, revegetation of additional areas, determined in consultation with CDFW will occur, and an additional two years of monitoring will be conducted.

For purposes of reducing indirect impacts on Congdon’s tarplant and pappose tarplant, the project proponent shall:

- Modify weed control activities, in areas of occupied Congdon’s tarplant and pappose tarplant habitat. Broadcast herbicides will not be used in or around areas supporting Congdon’s tarplant and pappose tarplant. In areas supporting Congdon’s tarplant and pappose tarplant, herbicides will only be applied through spot treatment. Herbicide applications will be conducted by persons familiar with Congdon’s tarplant and pappose tarplant and able to identify the species to avoid it.

- Install informational and warning signs in areas adjacent to habitat occupied by Congdon’s tarplant and pappose tarplant instructing people utilizing the site to stay clear of known occurrences.
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<td>BIO-2</td>
<td>The Project could have a substantial adverse effect, either directly or through habitat modifications, on Western burrowing owls located at or near the Project site.</td>
<td>Mitigation Measure BIO-2e: Western Burrowing Owl Measures. To avoid or minimize direct impacts of Project activities on western burrowing owls, the City shall ensure the following procedures are implemented consistent with the HCP. This survey methodology is consistent with accepted survey protocols for this species.</td>
<td>1. Retain a qualified biologist to conduct a habitat survey to map areas with burrows or burrow complexes that could support burrowing owls or occupied burrows in all HCP mapped occupied habitat. If suitable habitat is identified, perform two pre-construction surveys within 250 feet of construction activities, between 2 to 14 days prior to ground disturbing activities pre-construction surveys and establish buffer zones around active nests.</td>
<td>1. Pre-construction</td>
<td>1. ET/Qualified Biologist</td>
<td>1. ET/Habitat Agency, (CDFW)</td>
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**BIO-2 (cont.)**

Mitigation Measure BIO-2e: Western Burrowing Owl Measures.

To avoid or minimize direct impacts of Project activities on western burrowing owls, the City shall ensure the following procedures are implemented consistent with the HCP. This survey methodology is consistent with accepted survey protocols for this species.

a. Habitat Survey

i. Western burrowing owl habitat surveys shall be required in the Project area in all HCP modeled occupied habitat. Surveys are not required in sites that are mapped as potential burrowing owl nesting or only overwintering habitat. Modeled habitat types may change throughout the permit term based on the best available scientific data. Habitat surveys are required in both breeding and non-breeding seasons.

2. If suitable habitat is identified, ensure that requirements for compliance with nesting bird
   2. Design
   2. PM
   2. ET

3. ESD shall notify the PBCE Senior Environmental Planner when the mitigation actions will occur for approval prior to the start of construction.

4. Construction

4. ET

4. USFWS, and/or CDFW

5. Submit survey reports and any final compliance report, if applicable.

5. Construction

5. ET

5. PBCE

6. Within 7 days prior to construction

2. ET and qualified biologist

2. CDFW, USFWS

7. Construction

3. ET or biological monitor

3. ET

8. Submit reports, if applicable, to USFWS/CDFW per consultation requirements.

4. Construction

4. ET

4. USFWS, and/or CDFW

9. Monitor to ensure that contractor implements measures in contract documents regarding buffer zones and avoidance measures established by biologist and/or USFWS/CDFW:
   - Include discussion of this mitigation measure in environmental training sessions.
   - Maintain site inspection logs.
   - Notify PM and ET of non-compliance and ensure corrective action.

Construction activities that are scheduled to begin outside the breeding season (September 1st through January 31st, inclusive) can proceed without surveys. If possible, all necessary tree and vegetation removal shall be conducted before the start of breeding bird season to minimize the opportunity for birds to nest at the Project site and conflict with Project construction activities.

ESD shall notify the PBCE Senior Environmental Planner when the mitigation actions will occur for approval prior to the start of construction.

Preliminary Habitat Survey shall be conducted before the start of construction. Surveys shall be performed for the Project areas and for suitable habitat within 300 feet. If an active nest is discovered, a no-disturbance buffer zone around the nest tree (or, for ground-nesting species, or nests identified on Facility buildings, the nest itself) shall be established. The no disturbance zone shall be marked with flagging or fencing that is easily identified and avoided by the construction crew, and shall not affect the nesting birds. In general, the minimum buffer zone widths shall be as follows: 100 feet (radius) for non-raptor species and 300 feet (radius) for raptor species; however, the buffer zone widths may be adjusted if an obstruction, such as a building, is within line-of-sight between the nest and construction. Buffer zone widths and other avoidance measures may be modified based on consultation with CDFW and the USFWS. Buffer zones shall remain in place as long as the nest is active or young remain in the area and are dependent on the nest.

To avoid or minimize direct impacts of Project activities on western burrowing owls, the City shall ensure the following procedures are implemented consistent with the HCP. This survey methodology is consistent with accepted survey protocols for this species.

a. Habitat Survey

i. Western burrowing owl habitat surveys shall be required in the Project area in all HCP modeled occupied habitat. Surveys are not required in sites that are mapped as potential burrowing owl nesting or only overwintering habitat. Modeled habitat types may change throughout the permit term based on the best available scientific data. Habitat surveys are required in both breeding and non-breeding seasons.

2. Contract a qualified biologist to conduct surveys for nesting raptors and migratory birds within 7 days of start of project construction or within 7 days of start of construction after any construction breaks of 14 days or more (if construction commences between February 1st and August 31st, inclusive). If active nests are located during survey, establish buffer zones and consult with USFWS/CDFW as required.

3. Western burrowing owl habitat surveys

3. Construction

3. ET or biological monitor

3. ET

4. Construction

4. ET

4. USFWS, and/or CDFW

5. Submit survey reports and any final compliance report, if applicable.

5. Construction

5. ET

5. PBCE

6. Within 7 days prior to construction

2. ET and qualified biologist

2. CDFW, USFWS
### Mitigation Monitoring and Reporting Program

#### Digested Sludge Dewatering Facility

**Impact No.** | **Impact Summary** | **Mitigation Measures** | **Implementation Actions** | **Implementation Schedule** | **Responsible Party/Actions** | **Reviewing and Approving Party/Actions**
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#### BIO-2 (cont.)

**ii** Qualified biologist(s) shall conduct a pedestrian survey of the Project area and accessible areas within 250 feet of the Project area. Pedestrian survey transects shall be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines shall be no more than 50 feet and can be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Poor weather may affect the biologist's ability to detect burrowing owls; therefore, the biologist shall avoid conducting surveys when wind speed is greater than 20 kilometers per hour and there is precipitation or dense fog. The biologist shall map areas with burrows or burrow complexes that could support burrowing owls and all burrows that may be occupied (as indicated by tracks, feathers, egg shell fragments, pellets, prey remains, or excrement).

**b Preconstruction Surveys**

**i** A qualified biologist shall conduct preconstruction surveys in all suitable habitat identified in the habitat surveys within 250 feet of construction activity, between 14 and 4 days prior to initiating ground disturbance related to Project construction activities. The 250-foot buffer zone shall be surveyed to identify burrows and owls outside of the Project area which may be impacted by factors such as noise and vibration (heavy equipment) during project construction. As burrowing owls may recolonize a site after only a few days, time lags between Project activities shall require subsequent take avoidance surveys including but not limited to a final survey conducted no more than 2 days prior to ground disturbance to ensure absence. A minimum of two surveys shall be conducted (if owls are detected on the first survey, a second survey is not needed).

**ii** The preconstruction survey shall be a minimum of 3 hours, beginning 1 hour before sunrise and continuing until 2 hours after sunrise (3 hours total) or beginning 2 hours before sunset and continuing until 1 hour after sunset. Additional time may be required for large project sites.

**c Avoidance Measures**

The City shall employ avoidance measures described below to avoid direct take of individual burrowing owls during Project construction.

**Breeding Season Avoidance Measures - February 1 to August 31 (inclusive)**

**i** If preconstruction surveys identify evidence of Western burrowing owls within 250 feet of the Project area during the breeding season, the Project proponent shall avoid all nest sites that could be disturbed by Project construction activities during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following

3. If avoidance of active nests is not feasible and construction occurs in breeding season, prepare an Avoidance, Minimization and Monitoring Plan for CDFW approval. If avoidance measures are not feasible, coordinate with CDFW for passive relocation.

4. Monitor prior to and during Project construction as required by the mitigation measure.

5. Monitor to ensure that contractor implements measures in contract documents regarding avoidance measures established by the biologist.
   - Include in environmental training,
   - Monitor site inspection logs,
   - Notify PM and ET of non-compliance and ensure corrective actions.

6. Submit final compliance reporting documentation, if applicable

7. Submit Avoidance, Minimization and Monitoring Plan report, if required, to CDFW.
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<td>BIO-2</td>
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<td><em>Fledging</em>. Avoidance shall include establishment of a 250-foot no-disturbance buffer zone around active nest sites by a qualified biologist.</td>
<td>ii If active nests cannot be avoided, construction may occur within 250 feet of active nest sites if 1) the nest is not disturbed, and 2) the Project proponent develops and implements an Avoidance, Minimization, and Monitoring Plan, subject to approval by CDFW the Habitat Agency overseeing the HCP. The plan shall incorporate the following criteria: 1. A qualified biologist shall monitor the owls for at least 3 days prior to Project construction to determine baseline nesting and foraging behavior (i.e., behavior without construction). The same qualified biologist shall monitor the owls during construction and find no change in owl nesting and foraging behavior in response to construction activities.</td>
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### BIO-2 (cont.)

2. If there is any change in owl nesting and foraging behavior as a result of Project construction activities, these activities shall cease within the 250-foot buffer. Construction shall not resume within the 250-foot buffer until the adult owls and juveniles from the occupied burrows have moved out of the project site.

3. If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the no-disturbance buffer zone may be removed. The biologist shall excavate the burrow to prevent reoccupation after receiving approval from CDFW.

### Non-Breeding Season Avoidance Measures – September 1st to January 31st (inclusive)

i If preconstruction surveys identify evidence of Western burrowing owls within 250 feet of the Project area during the non-breeding season (September 1st to January 31st, inclusive), the Project proponent shall establish a 250-foot no-disturbance buffer around occupied overwintering burrows as determined by a qualified biologist.

ii If occupied burrows cannot be avoided, construction may occur within 250 feet of overwintering burrows sites if:

1. A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).

2. The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.

3. If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the no-disturbance buffer zone may be removed. The biologist shall excavate the burrow to prevent reoccupation after receiving approval from CDFW.
The Project could have a substantial adverse effect, either directly or through habitat modifications, on Western pond turtles located at or near the Project site.

**Mitigation Measure BIO-2b: Western Pond Turtle Measures.**

- **a.** Prior to the start of construction activities, the project proponent shall retain a qualified biologist to conduct preconstruction surveys for pond turtles in all suitable habitats (aquatic and upland) in the vicinity of the work site. Surveys shall take place no more than 72 hours prior to the onset of site preparation and construction activities with the potential to disturb turtles or their habitat.

- **b.** If preconstruction surveys identify active western pond turtle nests within the Project site, the biologist shall establish no-disturbance buffer zones around each nest using temporary orange construction fencing. The demarcation shall be permeable to allow young turtles to move away from the nest following hatching. The radius of the buffer zone and the duration of exclusion shall be determined in consultation with the CDFW. The buffer zones and fencing shall remain in place until the young have left the nest, as determined by the qualified biologist.

- **c.** A qualified biologist shall monitor construction activities in the vicinity of suitable habitat within which western pond turtle is found (either during the survey or observed during construction), and remove and relocate western pond turtles in proposed construction areas to suitable habitat outside the project limits, consistent with CDFW protocols and handling permits. Relocation sites shall be subject to CDFW approval.

- **d.** If any turtles are found in the Project site, construction activities shall halt within 50 feet and the qualified biologist shall be notified. If the biologist determines the turtle is a western pond turtle, the turtle shall be relocated into nearby suitable habitat consistent with CDFW protocols and handling permits.

- **e.** Passive Relocation

  If avoidance measures described above cannot be implemented with the Project, Passive Relocation shall be implemented according to the protocol described in the HCP and in coordination with, and approval by CDFW.

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**Implementation Actions**

1. Ensure that requirements for compliance with any biological resources buffer zones and species protection are included in contract documents.

2. Retain a qualified biologist to perform preconstruction surveys. If active nests are located during the survey, establish buffer zones with fencing in consultation with CDFW.

3. Monitor to ensure that exclusion fencing and buffer zones are implemented:
   - Include in environmental training.
   - Relocate turtles to suitable habitat, if encountered.
   - Maintain site inspection and monitoring logs, results of any consultation with CDFW.
   - Notify PM and ET of non-compliance and ensure corrective action.

4. Submit reports, if applicable, to CDFW per consultation requirements. Submit final compliance monitoring report.
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<td>BIO-3</td>
<td>The Project could have indirect impacts on the riparian wetland community.</td>
<td><strong>Mitigation Measure BIO-3a: Riparian Woodland Habitat Avoidance Measures.</strong> Design of program-level Regional Wastewater Facility (RWF) improvements and planned land uses will avoid areas of riparian woodland habitat to the extent feasible. Riparian habitat impact avoidance shall be consistent with the City’s General Plan Riparian Habitat Policy and HCP setbacks. To reduce impacts on riparian woodland habitat during development east of Zanker Road construction and maintenance activities, the project proponent and/or its contractor shall implement the following measures: 1. Minimize cutting and trimming of adjacent shrubs and trees during construction and maintenance activities to the maximum extent possible. Shrubs that need to be trimmed should be cut at least 1 foot above ground level to leave the root systems intact and allow for regeneration. 2. Contract a certified arborist to perform or oversee necessary trimming of riparian trees. Install orange construction barrier fencing around the boundaries of riparian habitat to be avoided prior to initiation of construction activities. The protected area shall be designated an environmentally sensitive area and would be clearly identified on the construction specifications. Fencing shall be maintained throughout the construction period.</td>
<td>The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Division Manager contract language meeting the requirements of this mitigation measure as well as documentation of the qualifications of the certified arborist. Construction inspector shall monitor contractor compliance, report non-compliance and ensure corrective action.</td>
<td>Pre-construction (especially any ground disturbance including vegetation removal, grading, soil hauling etc.)</td>
<td>PBCE, CM, CDFW, U.S. Army Corps of Engineers (USACE), ESD</td>
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<td>BIO-3</td>
<td>(cont.) Mitigation Measure BIO-3c: Control of Non-Native Invasive Plant Species. To minimize introduction and spread of non-native invasive plant species, the project proponent or its contractor shall implement the following: 1. A qualified biologist or botanist shall conduct field training for construction workers to inform them about invasive species and methods to minimize spread of invasive species for the duration of all associated project and program activities mentioned above.</td>
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1. Ensure that requirements for control of non-native invasive species and revegetation are included in contract documents. (Spec. BIO-3c) 1. Design 1. PM 1. PBCE
### MITIGATION MONITORING AND REPORTING PROGRAM
#### DIGESTED SLUDGE DEWATERING FACILITY

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|            |                | b. Revegetate areas disturbed during construction with approved native plant species. | 2. Monitor to ensure that contractor implements measures in contract documents regarding invasive plants and revegetation:  
  - Include in environmental training.  
  - Maintain site inspection logs.  
  - Approve contractor’s planting mix.  
  - Notify PM and ET of non-compliance and ensure corrective action. | 2. Construction | 2. CM | 2. ET |
|            |                | c. Remove invasive plant seeds and plant parts from all clothing, shoes, vehicles, and equipment prior to entering or working in or near any environmentally sensitive area, including riparian woodland habitat. |  |  |  |
|            |                | d. Stage construction and maintenance equipment in weed-free areas. |  |  |  |
|            |                | e. Gather and bag invasive plant seeds or plant parts found in the containment area and take them to an appropriate disposal facility. |  |  |  |
|            |                | f. Implement the following measures to prevent the spread of noxious weeds and invasive plants when present. |  |  |  |
|            |                | g. Educate crews in the use of weed-free materials when available, ensure vehicles leaving paved roads do not spread weeds in sensitive habitats (including salt marsh or upland refugia habitat for salt marsh harvest mouse, salt marsh wandering shrew, California clapper rail, California black rail, dusky footed woodrat, and all aquatic and wetland habitats); and |  |  |  |
|            |                | h. Avoid entering patches of invasive plants to the maximum extent possible. |  |  |  |

**BIO-4**  
The Project could have a substantial adverse effect on wetlands through direct removal, filling, hydrological interruption, or other means.

**Mitigation Measure BIO-4a: Wetland Avoidance Measures**  
Access roads, work areas, and infrastructure shall be sited to avoid and minimize direct and indirect impacts to jurisdictional features. Prior to the beginning of any construction-related activities, the following measures shall be applied to protect potential jurisdictional features:

1. A protective barrier (such as silt fencing) shall be erected around water features adjacent to the Project at the “top of bank” or at the feature boundary to isolate them from Project activities and reduce the potential for incidental fill, erosion, or other disturbance;

2. Signage shall be installed on the fencing to identify sensitive habitat areas and restrict construction activities;

3. No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity shall occur at the Project site until a representative of the City has inspected and approved the protection fencing; and

4. The City shall ensure that the temporary fencing is continuously maintained until the Project is completed.

5. Drainage from all proposed facilities where chemical spills could occur during Project operation shall be directed away from sensitive resources and/or include other measures to minimize potential for release of potential pollutants to the environment.

1. Ensure that wetlands are clearly designated on site plans and requirements for minimizing impacts to wetlands are included in contract documents.

2. Install construction fencing around designated wetlands according to delineation created by qualified biologist, and ensure that contractor ejects signage for protection of environmentally sensitive areas.

3. Monitor to ensure that contractor implements measures in contract documents:
  - Include in contractor environmental training.  
  - Maintain site inspection logs.  
  - Notify PM and ET of non-compliance and ensure corrective action.

4. Submit final compliance reporting documentation, if applicable.

1. Design  
2. Construction  
3. CM/ET  
4. PBCE

1. If wetlands cannot be avoided, retain a qualified biologist or permitting specialist to assist with preparation of resource agency permit applications to USACE, RWQCB, and

1. Design (and at least one year prior to construction)  
1. ET  
1. PBCE
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</thead>
<tbody>
<tr>
<td>BIO-4b</td>
<td>Wetlands Restoration for Project-Level Improvements.</td>
<td>CDFW. This may include preparation of a Restoration Mitigation Monitoring Plan (RMMP).</td>
<td>2. Ensure that requirements for compliance with resource agency permits are included in contract documents (specifications to be determined). This may include site restoration according to RMMP.</td>
<td>2. Design</td>
<td>2. PM</td>
<td>2. PBCE</td>
</tr>
<tr>
<td>BIO-5</td>
<td>Compensate for Removal of Protected Trees. As part of the project condition of approval, the trees to be removed shall be replaced on-site or off-site at the accepted ratios or through payment of an in-lieu fee to Our City Forest to compensate for the loss of the trees. Protected trees that are lost shall be replaced at a minimum of four 24-inch box trees per tree removed. Tree replacement amounts shall be subject to the City’s Arborist and/or PBCE, who would determine the final mitigation for impacts to protected trees. Replacement trees shall be planted in a suitable location on Facility property or on other City property, to be identified by the City Arborist and approved by PBCE.</td>
<td>1. Requirements for tree replacement or payment of in-lieu fees in accordance with City policies and guidelines shall be included in contract documents. Include the City’s Tree Replacement Ratio information in the contract documents, if applicable.</td>
<td>1. Design</td>
<td>1. PM</td>
<td>1. ET</td>
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<tr>
<td>BIO-5b</td>
<td>Minimize Construction Effects on Protected Trees to be Retained.</td>
<td>The project proponent shall implement the following tree-protection measures prior to and during project construction.</td>
<td>2. Monitor contractor for compliance with tree replacement as specified by City policies and guidelines.</td>
<td>2. Construction</td>
<td>2. CM</td>
<td>2. ET</td>
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<td></td>
<td>• Retain a certified arborist to oversee protection of native trees to be retained on the project site.</td>
<td>3. Submit final compliance reporting documentation, if applicable.</td>
<td>3. Construction</td>
<td>3. ET</td>
<td>3. PBCE</td>
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</table>

Mitigation Monitoring and Reporting Program
DIGESTED SLUDGE DEWATERING FACILITY

San José-Santa Clara Wastewater Facility Digested Sludge Dewatering Facility Project – Preliminary - Subject to Revision
Mitigation Monitoring and Reporting Program

August 2019
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<tr>
<td>BIO-5</td>
<td>The Project could conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.</td>
<td>Mitigation Measure BIO-2: Western Burrowing Owl Measures, as described above.</td>
<td>3. If trees in project area to be protected, monitor to ensure that contractor implements measures in contract documents: include in environmental training, maintain site inspection checklists, notify PM and ET of non-compliance.</td>
<td>3. Construction</td>
<td>3. CM</td>
<td>3. ET</td>
</tr>
<tr>
<td>BIO-5</td>
<td>The Project could conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.</td>
<td>Mitigation Measure BIO-2: Western Burrowing Owl Measures, as described above.</td>
<td>4. Submit final compliance report, if applicable.</td>
<td></td>
<td>4. Post-construction</td>
<td>4. ET</td>
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### CULTURAL RESOURCES

**Mitigation Measure CUL-1a: Inadvertent Discovery of Archaeological Resources.**

If prehistoric or historic-era archaeological resources are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt and the contractor shall notify ESD personnel and the PBCE Senior Environmental Planner. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe-footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

The City’s ESD or its contractor shall retain a Secretary of the Interior-qualified archaeological to inspect the findings within 24 hours of discovery. If it is determined that the Project could damage a historical resource as defined by CEQA (CEQA Guidelines §15064.5), construction shall cease in an area determined by the archaeologist until a mitigation plan has been prepared, approved by the PBCE Senior Environmental Planner, and implemented to the satisfaction of the archaeologist (and Native American representative if the resource is prehistoric, who would be identified by the Native American Heritage Commission (NAHC)).

If the Native American representative identifies the find as a tribal resource, ESD or its contractor shall proceed to Mitigation Measure CUL-1b. For archaeological resources, the archaeologist, in consultation with the PBCE Senior Environmental Planner and the City’s Historic Preservation Officer, shall determine when construction can resume.

1. Ensure that measures related to archaeological discoveries are included in contract documents. | 1. Design | 1. ET and FM | 1. ET |
2. Ensure that all personnel complete environmental training prior to beginning work. Monitor to ensure that the contractors implement measures in contract document. | 2. Construction | 2. ET and CM | 2. ET |
3. Evaluate the potential discovery and advise the ET as to the significance of the discovery. If warranted, proceed with measures that may include the following: a. On-site preservation of resource; b. Archaeological monitoring program with prior review/approval of ET, or c. Archaeological testing program with prior review/approval of ET. | 3. Construction | 3. CM and qualified archeologist | 3. ET |
4. Prepare a Final Archaeological Resources Report if warranted. Submit to ET for review and approval. | 4. Construction | 4. ET and qualified archeologist | 4. PBCE |
5. Ensure that contract documents include measures related to discovery of human remains. | 5. Design | 5. ET and PM | 5. ET |
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<tr>
<td>CUL-1</td>
<td>Could directly or indirectly disturb human remains, including those interred outside of formal cemeteries.</td>
<td><strong>Mitigation Measure CUL-1:</strong> Inadvertent Discovery of Tribal Cultural Resources.</td>
<td>1. Evaluate the potential discovery and advise the ET as to the significance of the discovery.</td>
<td>1. Construction</td>
<td>1. Native American representative, ET</td>
<td>1. PBCE</td>
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<td></td>
<td></td>
<td>The Native American representative shall make recommendations to the City for the appropriate measures to treat the tribal cultural resource which shall be implemented in accordance with Section 15064.5 of the CEQA Guidelines.</td>
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<tr>
<td>CUL-2</td>
<td>Implementation of the Project could disturb human remains, including those interred outside of formal cemeteries.</td>
<td><strong>Mitigation Measure CUL-2:</strong> Inadvertent Discovery of Human Remains.</td>
<td>1. Include in environmental training. Monitor to ensure that the contractor implements measures in contract document including reporting human remains if encountered and suspending work in the vicinity.</td>
<td>1. Construction</td>
<td>1. ET and CM</td>
<td>1. ET</td>
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<td>If human remains are encountered by construction personnel during project implementation, all construction activities within 100 feet shall halt and the contractor shall notify the PBCE Senior Environmental Planner. ESD shall contact the Santa Clara County Coroner to determine whether or not the remains are Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall contact the NAHC within 24 hours. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the City for the appropriate means of treating the human remains and any associated funerary objects which shall be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</td>
<td>2. Confirm identification of human remains, if needed. If human remains are confirmed, perform required coordination and notifications.</td>
<td>2. Construction</td>
<td>2. ET and qualified archaeologist</td>
<td>2. ET</td>
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<td>3. Monitor to ensure the appropriate disposition of human remains.</td>
<td>3. Construction</td>
<td>3. ET and qualified archaeologist</td>
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<td>4. Submit final compliance report, if applicable.</td>
<td>4. Construction</td>
<td>4. ET</td>
<td>4. PBCE</td>
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### GEOLOGY AND SOILS

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<td>GEO-1</td>
<td>The Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</td>
<td>If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find and the contractor shall notify ESD personnel and the PBCE Senior Environmental Planner. ESD or its contractor shall retain a qualified paleontologist to inspect the findings within 24 hours of discovery to assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in</td>
<td>1. Evaluate the potential discovery and advise the ET as to the significance of the discovery.</td>
<td>1. Construction</td>
<td>1. Qualified paleontologist, ET</td>
<td>1. PBCE</td>
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<td>conformance with Society of Vertebrate Paleontology standards, and in consultation with the PBCE Senior Environmental Planner.</td>
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<tr>
<td>GHG-1</td>
<td>The Project's operational GHG emissions combined with the 30-year amortized construction emissions, would exceed the BAAQMD significance threshold for operation.</td>
<td>Mitigation Measure GHG-1a: GHG Reduction Strategy Measures. The following measures identified in the GHG Reduction Strategy shall be implemented:  1. An evaluation of post-2020 operational energy efficiency and associated design measures shall be completed for energy-intensive Facility improvements, such as the mechanical drying improvements.  2. The proposed number of parking spaces would not exceed requirements in the Municipal Code.</td>
<td>The project proponent shall prepare and submit to the satisfaction of the Director of PBCE or designee plans and specifications meeting the requirements of the mitigation measure. Project proponent shall submit prepare and submit to the satisfaction of the Planning Environmental Division Manager an evaluation of post-2020 operational energy efficiency meeting the requirements of this measure.</td>
<td>Design Post-Year 2020 Operations (for energy-intensive RWF improvements).</td>
<td>Director of Planning, Building &amp; Code Enforcement</td>
<td>PBCE</td>
</tr>
<tr>
<td>HAZ-1</td>
<td>The Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, could create a significant hazard to the public or the environment.</td>
<td>Mitigation Measure HAZ-1a: Pre-Construction Hazardous Materials Assessment. Prior to construction, ESD or its contractor shall ensure that a limited soil and/or groundwater investigation is performed at proposed construction work areas to characterize soil and groundwater quality. If the results reveal soils and/or groundwater contamination exist in excess of applicable regulatory screening levels (Environmental Screening Levels or California human health screening levels) for the proposed site use, the City shall contact the appropriate regulatory agency (the Santa Clara County Department of Environmental Health [SCCDEH], RWQCB, or DTSC), as appropriate. ESD or its contractor shall complete subsequent site investigations and/or remedial activities required by the regulatory agency to ensure that residual impact, if any, shall not pose a continuing significant threat to groundwater resources, human health, or the environment. The results of the pre-construction hazardous materials assessment shall be incorporated into the Site Health and Safety Plan prepared in accordance with Mitigation Measure HAZ-1b, below, and the Soil and Groundwater Management Plan.</td>
<td>1. Evaluate project location with respect to known underground fuel tank leaks or spills and proximity to landfills. Assess need for subsurface sampling to evaluate potential presence of contaminants.  2. If warranted, retain a qualified environmental professional to prepare a workplan, conduct soil and groundwater sampling, and report results. Report shall provide recommendations for agency consultation and/or additional cleanup, depending upon findings.  3. Ensure that contract documents include site-specific sampling report and/or general information about potential soil and groundwater contaminants anticipated. If warranted, include site cleanup in project and prepare final cleanup report.</td>
<td>1. Feasibility / Development  2. Feasibility / Development  3. Design</td>
<td>1. ET and ESD’s Hazardous Material Specialist  2. ET and qualified environmental professional  3. PM and ET</td>
<td>1. ET</td>
</tr>
<tr>
<td>HAZ-1</td>
<td>Plan prepared in accordance with Mitigation Measure HAZ-1c, below, to determine whether: specific soil and groundwater management and disposal procedures for contaminated materials are required; excavated soils are suitable for reuse; and construction worker health and safety procedures for working with contaminated materials are required.</td>
<td>Mitigation Measure HAZ-1b: Health and Safety Plan. ESD or its contractor shall retain a qualified environmental professional to prepare a site-specific Health and Safety Plan (HASP) in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8</td>
<td>1. Ensure that contract documents include preparation of a Health and Safety Plan and documentation of compliance in accordance with the mitigation measure.</td>
<td>1. Design</td>
<td>1. PM</td>
<td>1. ET</td>
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### Unique Identifiers:
- **GHG-1**: GHG Reduction Strategy Measures. The following measures identified in the GHG Reduction Strategy shall be implemented:
  - An evaluation of post-2020 operational energy efficiency and associated design measures shall be completed for energy-intensive Facility improvements, such as the mechanical drying improvements.
  - The proposed number of parking spaces would not exceed requirements in the Municipal Code.

---

**HAZARDS AND HAZARDOUS MATERIALS**

1. Evaluate project location with respect to known underground fuel tank leaks or spills and proximity to landfills. Assess need for subsurface sampling to evaluate potential presence of contaminants.
2. If warranted, retain a qualified environmental professional to prepare a workplan, conduct soil and groundwater sampling, and report results. Report shall provide recommendations for agency consultation and/or additional cleanup, depending upon findings.
3. Ensure that contract documents include site-specific sampling report and/or general information about potential soil and groundwater contaminants anticipated. If warranted, include site cleanup in project and prepare final cleanup report.
4. A copy of the pre-construction hazardous materials assessment shall be submitted to the Director of PBCE or designee for approval.
5. Plan prepared in accordance with Mitigation Measure HAZ-1c, below, to determine whether: specific soil and groundwater management and disposal procedures for contaminated materials are required; excavated soils are suitable for reuse; and construction worker health and safety procedures for working with contaminated materials are required.
6. Ensure that contract documents include preparation of a Health and Safety Plan and documentation of compliance in accordance with the mitigation measure.
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<tr>
<td>HAZ-1</td>
<td></td>
<td></td>
<td>1. Review contractor’s Health and Safety Plan.</td>
<td>2. Construction</td>
<td>2. PM and CM</td>
<td>2. ET</td>
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<td>2. Review contractor’s Health and Safety Plan.</td>
<td>2. Construction</td>
<td>2. PM and CM</td>
<td>2. ET</td>
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<td>3. Monitor compliance by the contractor, report non-compliance or discovery of suspect hazardous materials to PM and ET. Ensure corrective action, sampling, remediation and/or disposal as warranted. (Note contractor is solely responsible for health and safety of its employees).</td>
<td>3. Construction</td>
<td>3. CM and ET</td>
<td>3. ET and ESD’s Hazardous Material Specialist</td>
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<td>4. A copy of the HASP shall be submitted to the Director of PBCE or designee.</td>
<td>4. Construction</td>
<td>4. CM and ET</td>
<td>4. PBCE</td>
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**HAZ-1 (cont.)**  
Mitigation Measure HAZ-1c: Soil and Groundwater Management Plan. If hazardous materials or contaminated soil and groundwater above regulatory screening levels are identified under the pre-construction hazardous materials assessment, done in accordance with Mitigation Measure HAZ-1a, ESD shall require the construction contractor to prepare and implement a Soil and Groundwater Management Plan, that specifies the method for handling and disposal of contaminated soil and groundwater prior to construction. The Soil and Groundwater Management Plan shall establish the sampling and laboratory analysis program which may include the following:  
1. Ensure that contract documents include a Soil and Groundwater Management Plan meeting the requirements of the mitigation measure and requirement for submittal of final compliance report documenting disposal of materials.  
2. Review contractor’s Soil and Groundwater Management Plan.  
3. Monitoring and sampling, as required by the District or other agencies, shall be conducted.  
4. Compliance with CCR Title 8, Section 5192. Because anticipated contaminants vary depending upon the location of proposed improvements in the Project area and may vary over time, the HASP shall address site-specific worker health and safety issues during construction. The HASP shall include the following information:  
   • Results of sampling conducted in accordance with Mitigation Measure HAZ-1a.  
   • All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction areas and to reduce hazards outside of the construction areas. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations.  
   • Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP.  
   • The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations be present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall implement procedures to be followed in the event of an unanticipated hazardous materials release that may impact health and safety. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to 1) immediately stopping work in the vicinity of the unknown hazardous materials release; 2) notifying SCCDEH, RWQCB, or DTSC; and 3) retaining a qualified environmental firm to perform sampling, remediation, and/or disposal.  
   • Documentation that HASP measures have been implemented during construction.  
   • Provision that submittal of the HASP to ESD, or any review of the contractor’s HASP ESD, shall not be construed as approval of the adequacy of the contractor as a health and safety professional, the contractor’s HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.  

**Implementation Actions:** 
2. Design / Construction  
3. Construction  
4. A copy of the HASP shall be submitted to the Director of PBCE or designee.  
5. Monitoring and sampling, as required by the District or other agencies, shall be conducted.  
6. Compliance with CCR Title 8, Section 5192. Because anticipated contaminants vary depending upon the location of proposed improvements in the Project area and may vary over time, the HASP shall address site-specific worker health and safety issues during construction. The HASP shall include the following information:  
   • Results of sampling conducted in accordance with Mitigation Measure HAZ-1a.  
   • All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction areas and to reduce hazards outside of the construction areas. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations.  
   • Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP.  
   • The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations be present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall implement procedures to be followed in the event of an unanticipated hazardous materials release that may impact health and safety. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to 1) immediately stopping work in the vicinity of the unknown hazardous materials release; 2) notifying SCCDEH, RWQCB, or DTSC; and 3) retaining a qualified environmental firm to perform sampling, remediation, and/or disposal.  
   • Documentation that HASP measures have been implemented during construction.  
   • Provision that submittal of the HASP to ESD, or any review of the contractor’s HASP ESD, shall not be construed as approval of the adequacy of the contractor as a health and safety professional, the contractor’s HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.  

**Implementation Schedule:** 
2. Design / Construction  
3. Construction  
4. A copy of the HASP shall be submitted to the Director of PBCE or designee.  
5. Monitoring and sampling, as required by the District or other agencies, shall be conducted.  
6. Compliance with CCR Title 8, Section 5192. Because anticipated contaminants vary depending upon the location of proposed improvements in the Project area and may vary over time, the HASP shall address site-specific worker health and safety issues during construction. The HASP shall include the following information:  
   • Results of sampling conducted in accordance with Mitigation Measure HAZ-1a.  
   • All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction areas and to reduce hazards outside of the construction areas. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations.  
   • Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP.  
   • The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations be present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall implement procedures to be followed in the event of an unanticipated hazardous materials release that may impact health and safety. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to 1) immediately stopping work in the vicinity of the unknown hazardous materials release; 2) notifying SCCDEH, RWQCB, or DTSC; and 3) retaining a qualified environmental firm to perform sampling, remediation, and/or disposal.  
   • Documentation that HASP measures have been implemented during construction.  
   • Provision that submittal of the HASP to ESD, or any review of the contractor’s HASP ESD, shall not be construed as approval of the adequacy of the contractor as a health and safety professional, the contractor’s HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.  

**Responsible Party/Actions:** 
2. PM and CM  
3. CM and ET  
4. PM and CM, and ESD’s Hazardous Material Specialist  
5. PBCE
## MITIGATION MONITORING AND REPORTING PROGRAM
### DIGESTED SLUDGE Dewatering Facility

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### HYD-1

Any changes or increases in runoff from the Project sites need to be adequately characterized and drainage systems need to be planned in a manner that avoids significant impacts related to flooding.

#### Mitigation Measure HYD-1: Comprehensive Drainage Plan.

- The City shall prepare and implement a comprehensive drainage plan for the future plant expansion area, the south and east of the Facility operational area.
- The plan shall be consistent with the provisions and requirements of the Municipal Regional Permit (NPDES Permit Order R2-2009-0374), as well as with the subsequent policies and guidance set forth by the relevant regulatory agencies.

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<tr>
<td>1. Retain a qualified hydrologic engineer to prepare a Comprehensive Drainage Plan in accordance with the measure. The comprehensive plan will establish the framework and requirements for site drainage, and may establish phasing for development of detailed drainage design as development progresses (i.e. initially for CIP sites outside the existing operational area, as development progresses).</td>
<td>1. PM</td>
<td>1. PCBE</td>
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### HAZ-2

Construction requiring one lane closure of Zanker Road could interfere with the use of Tocce Lane during evacuation of the Facility.

#### Implementation of Mitigation Measure TR-1, described below in Transportation and Circulation, notifying Facility personnel of the temporary closure of Zanker Road and instructing personnel to evacuate using Mike Tocce Lane.

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<tr>
<td>2. Design and implement a Comprehensive Drainage Plan to mitigate flooding and runoff impacts.</td>
<td>2. CM and ET</td>
<td>2. ET and ESD's Hazardous Material Specialist</td>
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</tbody>
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## HYDROLOGY AND WATER QUALITY

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<td>permittee(s) (e.g., the City of San Jose). This plan shall incorporate the following elements:</td>
<td>The storm drain system and treatment capacity shall be designed in a manner to accommodate peak conditions from a design storm. The City requires that the storm drain system have the capacity for a 10-year event; however, the comprehensive drainage plan shall also plan for a 100-year event. The plan need not avoid all ponding and flooding during a 100-year event, but shall consider where water would pool and flow and include measures to avoid draining excess runoff to offsite pumps, to avoid flooding structures, and to avoid the release of untreated sewage during a 100-year runoff event.</td>
<td>and later for proposed economic development.</td>
<td>2. Design</td>
<td>2. PM</td>
<td>2. PBCE</td>
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<td>Actions necessary to prevent exceeding Headworks capacity and/or releasing of runoff offsite, as specified in the NPDES requirements, shall be identified and implemented. Such actions may include installation of additional pumping capacity or redirection of runoff to other surface waters (so long as such discharges are in compliance with NPDES requirements).</td>
<td>Proposed roads (including the Dixon Landing roadway east of the operational area) and recreational trails shall be designed to allow passage of surface water drainages, avoid fill within wetland habitats, and shall incorporate measures to reduce the impact of impervious surfaces on the rate and volume of stormwater runoff. The size and design of culverts, channels, cross drains, boardwalks, and/or bridges (as applicable) shall be determined based on drainage calculations that consider both a 10-year and 100-year storm event.</td>
<td>3. Ensure that drainage requirements are included in construction contract documents. (Spec HYD-1)</td>
<td>3. Design</td>
<td>3. PM</td>
<td>3. PBCE</td>
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<td>The drainage plan shall also identify measures to ensure that current rates of groundwater infiltration are not decreased significantly by the increase in impervious area with implementation of proposed PMP land uses to the south and east of the operational area. Where soils are suitable, such measures might include bioswales, infiltration galleries, or other measures that promote stormwater retention and infiltration rather than offsite conveyance.</td>
<td>A copy of the Comprehensive Drainage Plan shall be submitted to the PBCE Senior Environmental Planner.</td>
<td>5. Post-construction</td>
<td>5. ET</td>
<td>5. ET / PBCE sign off</td>
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<td>TR-1</td>
<td>The temporary closure along Zanker Road south of the Facility operational area would increase traffic volumes on the detour roadways.</td>
<td><strong>Mitigation Measure TR-4: Implement Project Traffic Control Plan.</strong> ESD or its contractor(s) shall prepare and implement a Traffic Control Plan to reduce traffic impacts on the roadways at and near the work site, as well as to reduce potential traffic safety hazards and ensure adequate access for emergency responders. ESD or its contractor(s) shall coordinate development and implementation of this plan with City departments (e.g., Emergency Services, Fire, Police, Transportation), as appropriate. To the extent applicable, the Traffic Control Plan shall conform to the Caltrans' California Manual on Uniform Traffic Control Devices, Part 6 (Temporary Traffic Control). The Traffic Control Plan shall include, but not be limited to, the following elements:</td>
<td>1. Incorporate into contract documents a requirement that contractor prepare a traffic plan in accordance with requirements of Coordinated Transportation Management Plan and this measure.</td>
<td>1. Design</td>
<td>1. PM</td>
<td>1. ET</td>
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<td>2. Review contractor’s traffic control plan.</td>
<td>2. Pre-construction</td>
<td>2. PM and CM</td>
<td>2. CM</td>
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<td>3. Monitor to ensure that contractor implements measures in contract documents. Report noncompliance to PM and ET and ensure corrective action.</td>
<td>3. Construction</td>
<td>3. CM</td>
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<td>4. Submit final compliance reporting documentation, if applicable.</td>
<td>4. Construction</td>
<td>4. ET</td>
<td>4. PBCE</td>
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## MITIGATION MONITORING AND REPORTING PROGRAM
### DIGESTED SLUDGE DEWATERING FACILITY

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<td>TRC-1, TRC-2</td>
<td>Implementation of the Project could cause a substantial adverse change in the significance of a tribal cultural resource pursuant to §21074.</td>
<td>Implement Mitigation Measures CUL-1a. Inadvertent Discovery of Archaeological Resources and CUL-1b. Inadvertent Discovery of Tribal Cultural Resources See Cultural Resources section, above.</td>
<td>1. Coordinate with appropriate utility service providers to determine the location of utilities. 2. Incorporate into contract documents a requirement that the contractor develop a utility avoidance plan to reduce service interruptions and address potential construction effects on existing utilities. (Spec UT-6)</td>
<td>1. Feasibility / Development 2. Design</td>
<td>1. PM 2. PBCE</td>
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<td>UT-1</td>
<td>The Project could affect other utilities during construction.</td>
<td>Mitigation Measure UT-6: Coordination With Utility Service Providers and Develop Utility Avoidance Plan Prior to construction, the project proponent shall coordinate with appropriate utility service providers and related agencies to determine the location of utilities and the City will incorporate into construction specifications the requirement that the contractor develop a plan to reduce service interruptions. The plan shall be approved by the City and submitted to appropriate utility providers. Utilities to be addressed in the plan shall include, but may not be limited to: water, recycled water, sewer, gas, electricity, telephone, cable. Coordination efforts shall include the following: - The project proponent shall coordinate with San Jose Municipal Water Supply (SJMWS) as the water purveyor to minimize or eliminate potential water interruptions. Such coordination efforts may include requiring the construction contractor to hot-tap existing water lines for new water line connections when possible to maintain service of existing water lines. Another option is to isolate construction areas and back feed water through alternate lines to provide continuous service.</td>
<td>3. Review contractor’s utility avoidance plan. 4. Monitor to ensure that contractor implements measures in contract documents. Report noncompliance to PM and ET and ensure corrective action. 5. Submit compliance report, if needed.</td>
<td>3. Pre-Construction 4. Construction 5. Post-construction</td>
<td>3. PM 4. CM 5. ET</td>
<td>3. N/A 4. ET 5. ET/PCBE sign off</td>
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<td>C-TR-1</td>
<td>The Project could have transportation impacts that are individually limited, but cumulatively considerable.</td>
<td>Mitigation Measure C-TR-1: Implement Coordinated Transportation Management Plan. Prior to construction, the City’s contractor(s) shall develop a Coordinated Transportation Management Plan and work with other projects’ contractors and appropriate City departments (e.g., Emergency Services, Fire, Police, Transportation) to prepare and implement a transportation management plan for roadways adjacent to and directly affected by the Project as well as planned Facility improvements and land uses, and to address the transportation impact of the overlapping construction projects within the vicinity of the Project. The transportation management plan shall include, but not be limited to, the following requirements: 1. Prepare a Coordinated Transportation Management Plan to outline requirements of project-specific transportation plans. 2. Incorporate into contract documents a requirement to ensure that contractor prepare a traffic plan in accordance with requirements of Coordinated Transportation Management Plan and this measure. 3. Monitor to ensure that contractor implements measures in contract documents. Report noncompliance to PM and ET and ensure corrective action.</td>
<td>1. Prepare a Coordinated Transportation Management Plan to outline requirements of project-specific transportation plans. 2. Design/Pre-Construction</td>
<td>1. Feasibility / Development 2. Design</td>
<td>1. CM and PM 2. PM</td>
<td>1. CM 2. ET</td>
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<td>• Coordination of individual traffic control plans for the Project with nearby projects.</td>
<td>noncompliance to PM and ET and ensure corrective action.</td>
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<td>• Coordination between the Project contractor and other project contractors in developing circulation and detour plans that include safety features (e.g., signage and flaggers). The circulation and detour plans shall address:</td>
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<td>- Full and partial roadways closures</td>
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<td>- Circulation and detour plans to include the use of signage and flagging to guide vehicles through and/or around the construction zone, as well as any temporary traffic control devices</td>
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<td>- Bicycle/Pedestrian detour plans, where applicable</td>
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<td></td>
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<td>- Parking along public roadways</td>
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<td>- Haul routes for construction trucks and staging areas for instances when multiple trucks arrive at the work sites</td>
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<td>• Protocols for updating the transportation management plan to account for delays or changes in the schedules of individual projects.</td>
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<td>• A comprehensive and continual outreach program to notify affected citizens (i.e., residents of Alviso, commuters, etc.) of all construction activity and roadway closures for the duration of the projects.</td>
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SOURCE: San José-Santa Clara Regional Wastewater Facility Digested Sludge Dewatering Facility Addendum, August 2019.