

**MITIGATION MONITORING OR REPORTING PROGRAM**

**406 East Third Avenue Mixed-Use Project**

**CITY OF SAN MATEO**

**May 2019**

# P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or 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 Initial Study for the *406 East Third Avenue Mixed-Use Project* concluded that the implementation of the project could result in 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 or 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 Initial Study concluded that the impacts from implementation of the project would be less than significant and for which no standard or mitigation measures would be required.

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<b>AIR QUALITY</b>				
<b>Impact AIR-3:</b> Construction activities associated with the proposed project would result in fine particulate matter emissions in exceedance of BAAQMD thresholds. <b>(Significant Impact)</b>	<b>MM AIR-3:</b> Project construction shall not result in an exceedance of the BAAQMD Significant Impact Threshold (Maximum Project Boundary Pollutant Concentration) of 0.3 µg/m3 for TAC. To achieve conformance with this threshold, all rubber-tired dozers, graders, cranes, excavators, backhoes, loaders, and tractors used during construction shall be CARB Tier 3 Certified. The project applicant shall submit an Emissions Reduction Plan to the Community Development Director prior to issuance of a demolition permit. The Emissions Reduction Plan shall detail the equipment to be used during construction and be signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards set forth in this measure.	Prior to issuance of demolition or grading permits and during construction.	Community Development Department – Planning Division	Community Development Department – Building Division
<b>BIOLOGICAL RESOURCES</b>				
<b>Impact BIO-4:</b> Construction of the project could result in impacts to nesting migratory birds. <b>(Significant Impact)</b>	<b>MM BIO-4.1:</b> Construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside of the nesting season, all impacts on nesting birds protected under the MBTA and CDFW will be avoided. The nesting season for most birds in San Mateo County extends from February 1st through August 30th.  <b>MM BIO-4.2:</b> If it is not possible to schedule construction activities between September 1 and January 31 then preconstruction surveys for nesting birds shall be conducted	Prior to issuance of demolition or grading permits.	Community Development Department – Planning Division	Community Development Department and California Department of Fish and Wildlife

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.</p> <p><b>MM BIO-4.3:</b> If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species), to ensure that nests of species protected by the MBTA and CDFW shall not be disturbed during project implementation.</p> <p><b>MM BIO-4.4:</b> If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1st).</p>			
<b>CULTURAL RESOURCES</b>				
<p><b>Impact CUL-2:</b> Development of the project could result in impacts to buried prehistoric or historical</p>	<p><b>MM CUL-2:</b> A presence/absence testing program to determine if there are any buried prehistoric or historical archaeological deposits within the project area shall be implemented prior to any earth disturbing activities. The work shall be conducted after the demolition of the existing</p>	<p>Prior to issuance of demolition or grading permits and during demolition.</p>	<p>Community Development Department – Planning Division</p>	<p>Community Development Department – Building Division</p>

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
archaeological deposits <b>(Significant Impact)</b>	<p>buildings and the removal of asphalt/concrete, but before beginning construction or grading for the new building. If any potentially CRHR-eligible archaeological deposits, cultural materials, or graves are encountered, a research design and treatment plan will be needed prior to fieldwork to test these findings. A qualified prehistoric and historical archaeologist shall conduct subsurface exploration of the project site to determine if there is potential for disturbance of previously unrecognized archaeological deposits during construction activities. In the event that buried or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete.</p> <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 shall be stopped. The San Mateo County Coroner shall be notified and make a determination as to whether the remains are of 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 will notify the Native American Heritage Commission (NAHC) immediately. Once the 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</p>			

<b>MITIGATION MONITORING OR REPORTING PROGRAM</b> <b>406 E. THIRD AVENUE MIXED-USE PROJECT</b>				
<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	CEQA Guidelines.			
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Impact HAZ-2:</b> The project could result in construction workers, future residents and occupants of the site, and nearby receptors being exposed to substantial risks and hazards related to soil and groundwater contamination and vapor intrusion at the site. <b>(Significant Impact)</b>	<b>MM HAZ-2:</b> Prior to the issuance of a grading permit, but following demolition of the existing structures on the site, the project shall fully implement all the provisions of the Site Management and Contingency Plan prepared for the project site, including the proposed pre-construction subsurface investigation contained in the Plan. The Plan shall be implemented under the oversight of the SMCEH.	Prior to the issuance of a grading permit, but following demolition of the existing structures on the site.	Community Development Department – Building Division	Community Development Department – Building Division
<b>HYDROLOGY AND WATER QUALITY</b>				
<b>Impact HYD-1:</b> The project could result in contamination of surface waters in the vicinity of the project due to dewatering activities conducted during construction of	<b>MM HYD-1:</b> On-Site Excavation and Dewatering: The project shall implement the following measures to reduce potential impacts to surface waters from contaminated groundwater in the site vicinity: <ul style="list-style-type: none"> <li>The RWQCB shall be notified prior to any dewatering required by the proposed project.</li> </ul>	Prior to any construction activities involving excavation, trenching, dewatering, or other subsurface activities which	Community Development Department – Building Division	Community Development Department – Building Division

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
the project. <b>(Significant Impact)</b>	<ul style="list-style-type: none"> <li>Groundwater samples shall be collected by a qualified hydrogeologist at the project site prior to any construction activities involving excavation, trenching, or other subsurface activities which could expose construction workers to contaminated groundwater and/or subsurface materials. In order to proceed, a determination must be made that levels of PCE, if present in the groundwater, are at an acceptable level that would not pose a risk to the health of construction workers and/or adjacent uses during construction activities, as established by RWQCB Environmental Screening Level thresholds.</li> <li>Any contaminated groundwater that is dewatered from the project site during construction activities shall be disposed of in accordance with local and regional requirements for safe transport and disposal of contaminated groundwater.</li> </ul>	could expose construction workers to contaminated groundwater and/or subsurface materials.		
<b>NOISE</b>				
<b>Impact NOI-1.1:</b> Noise generated by rooftop mechanical equipment could exceed the City's nighttime noise threshold of 55 dBA L50 and nighttime ambient noise levels	<b>MM NOI-1.1:</b> Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses, in conformance with 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 specific noise reduction measures necessary to reduce noise to comply with the noise limit of 55 dBA L50 or less at residential property lines, and 60 dBA L50 or less at	Prior to the issuance of building permits.	Community Development Department – Building Division	Community Development Department – Building Division

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p>during periods without rail activity.</p> <p><b>Impact NOI-1.2:</b> Construction noise generated by the proposed project would result in a significant temporary noise impact.</p>	<p>commercial property lines. Noise reduction measures could include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Selection of equipment that emits low noise levels;</li> <li>• Installation of additional noise barriers such as enclosures, and;</li> <li>• Increased height screening walls to block the line of sight between the noise source and the nearest receptors.</li> </ul> <p><b>MM NOI-1.2:</b> The project applicant would be required to incorporate the following mitigation measures into the proposed project to minimize the impact of construction noise on existing sensitive receptors.</p> <ul style="list-style-type: none"> <li>• Construction activities shall be limited to the hours between 7:00 am and 7:00 pm, Monday through Friday, Saturdays between 9:00 am and 5:00 pm, and Sundays and Holidays between 12:00 pm and 4:00 pm, in accordance with the City’s Municipal Code, unless permission is granted with a development permit or other planning approval.</li> <li>• Use of the concrete saw within 50 feet of shared property lines shall be limited, as feasible.</li> <li>• Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> </ul>	<p>Prior to the issuance of building permits.</p>	<p>Community Development Department – Building Division</p>	<p>Community Development Department – Building Division</p>



**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<ul style="list-style-type: none"> <li>• Unnecessary idling of internal combustion engines should be strictly prohibited.</li> <li>• Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.</li> <li>• Utilize “quiet” air compressors and other stationary noise sources where technology exists.</li> <li>• A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.</li> <li>• Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.</li> <li>• The contractor shall prepare a detailed construction plan identifying the schedule for major noise-</li> </ul>			

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p><b>Impact NOI-2:</b> Groundborne vibration generated during construction of the proposed project would result in a potentially significant impact on adjoining structures.</p>	<p>generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.</p> <ul style="list-style-type: none"> <li>• 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 a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.</li> </ul> <p><b>MM NOI-2:</b>The project applicant would be required to incorporate the following mitigation measures into the proposed project to reduce vibration impacts on adjoining structures to the north and south of the project site to a less than significant level.</p> <ul style="list-style-type: none"> <li>• Prohibit impact or vibratory pile driving. Drilled piles cause lower vibration levels where geological conditions permit their use.</li> <li>• A list of all heavy construction equipment to be used for this project known to produce high vibration</li> </ul>	<p>Prior to and during construction activities on the site.</p>	<p>Project applicant</p>	<p>Community Development Department – Planning Division</p>

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.</p> <ul style="list-style-type: none"> <li>• A construction vibration-monitoring plan shall be implemented to document conditions at all structures located within 25 feet of proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be undertaken under direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry accepted standard methods. The construction vibration monitoring plan should be implemented to include the following tasks: <ul style="list-style-type: none"> <li>○ Identification of sensitivity to groundborne vibration of all structures located within 25 feet of construction. A vibration survey (described below) would need to be performed.</li> <li>○ Performance of a photo survey, elevation survey, and crack monitoring survey for all structures located within 25 feet of</li> </ul> </li> </ul>			

**MITIGATION MONITORING OR REPORTING PROGRAM  
406 E. THIRD AVENUE MIXED-USE PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating construction 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.</p> <ul style="list-style-type: none"> <li>○ Development of a vibration monitoring and construction contingency plan to identify where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction located near shared property lines. Construction contingencies would be identified for when vibration levels approach the limits.</li> <li>○ If vibration levels approach limits (0.3 in/sec PPV), suspend construction and implement contingencies to either lower vibration levels or secure the affected structure.</li> <li>○ Conduct a post-survey on the structure where either monitoring has indicated high levels or</li> </ul>			

<b>MITIGATION MONITORING OR REPORTING PROGRAM</b> <b>406 E. THIRD AVENUE MIXED-USE PROJECT</b>				
<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	<p>complaints of damage. Make appropriate repairs in accordance with the Secretary of the Interior's Standards where damage has occurred as a result of construction activities.</p> <ul style="list-style-type: none"> <li>○ The results of all vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report will include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits will be included together with proper documentation supporting any such claims.</li> <li>○ Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.</li> </ul>			

**SOURCE:** City of San Mateo, *406 East Third Avenue Mixed-Use Project*, April 2019.