

**MITIGATION MONITORING AND REPORTING PROGRAM**

**Block 21 Mixed-Use Project  
PA-2021-063**

**CITY OF SAN MATEO**

**May 2022**

# 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 and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study for the *Block 21 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 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 Initial Study concluded that the impacts from implementation of the project would be less than significant and for which no mitigation measures would be required.

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<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<i>Mitigation Measures</i>			
<b>AIR QUALITY</b>			
<p><b>MM AIR-3.1:</b> Prior to issuance of a demolition permit, the applicant shall submit a construction management plan to the Building Division that demonstrates that all cranes, forklifts, generator sets, and welders used in project construction shall be equipped with Tier 4 diesel engines or better (e.g., natural gas generators or electric welders).</p> <p>Prior to issuance of a demolition permit, the applicant shall also submit an emissions reduction plan to the Planning Division that details 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 (i.e., Tier 4 or better).</p> <p>Alternatively, if use of Tier 4 equipment is not available, the applicant may propose use of equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 53 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment. The use of Tier 3 equipment shall not exceed five percent of all equipment usage (described in terms of total horsepower hours during a phase). Alternatively, the project may also use electrical or non-diesel fueled equipment. All construction vehicles shall be properly maintained and equipped with exhaust mufflers that meet State standards.</p>	<p>Prior to issuance of any demolition or construction permits.</p>	<p>Project applicant/project contractors</p>	<p>Director of Community Development or the Director's designee</p>

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The construction management plan and emissions reduction plan are subject to review and approval of the Community Development Director, or his/her designee.			
<b>BIOLOGICAL RESOURCES</b>			
<p><b>MM BIO-1.1:</b> Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the applicant shall submit a phasing plan to the City's Planning Division with a schedule of both on-site and off-site demolition and construction activities to review the activities that may occur during the nesting season subject to the satisfaction of the Community Development Director, or his/her designee. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive).</p> <p><b>MM BIO-1.2:</b> If any demolition and construction are scheduled during the nesting season, between September 1 and January 31 (inclusive), the applicant shall engage a qualified ornithologist to complete a pre-construction survey for nesting birds to ensure that no nests are disturbed during demolition or construction. During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. This survey shall be completed no more than 14 days prior to the initiation of any construction or demolition activities during the early part of the breeding season (February 1 through April 30 inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31 inclusive).</p>	<p><b>MM BIO-1.1:</b> Prior to the issuance of the first building permit or site development permit for tree removal.</p> <p><b>MM BIO-1.2:</b> Prior to the issuance of any demolition- or construction-related permits.</p>	Project Applicant; Project Contractor	<p>Director of Community Development or the Director's designee</p> <p>California Department of Fish and Wildlife</p>

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<p>If an active nest is found sufficiently close to work areas to be disturbed by construction (typically 300 feet for raptors and 100 feet for other species), the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest to ensure that bird nests shall not be disturbed during project construction.</p> <p>Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her designee should demolition and construction activities occur during the nesting season.</p>			
<b>CULTURAL RESOURCES</b>			
<p><b>MM CUL-2.1:</b> Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the project applicant shall hire a qualified Professional Archaeologist to develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for the treatment of cultural resources as well as procedures to follow in the event of a cultural resources discovery. This training program shall be given to the crew before ground disturbing work commences and shall include handouts to be given to new workers.</p>	<p>Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure</p>	<p>Project Applicant; Professional Archaeologist</p>	<p>Director of Community Development or the Director's designee</p>

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<p><b>MM CUL-2.2:</b> The applicant shall note on all construction plans that require ground disturbing activities that there is a potential for exposing buried cultural resources including prehistoric Native American burials.</p> <p><b>MM CUL-2.3:</b> If any prehistoric or significant historic period cultural materials are exposed during construction grading and/or excavation whether on-site or off-site, the applicant shall halt all construction activities within 50 feet of the find, and the Professional Archaeologist shall provide identification, evaluation, and further recommendations consistent with CEQA and City of San Mateo requirements.</p> <p>If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, the applicant shall notify the Community Development Director, or his/her designee, and provide avoidance, preservation in-place, recordation, additional archaeological testing and data recovery measures to reduce impacts to a less than significant level. The applicant shall also complete a formal Archaeological Monitoring Plan (AMP) and/or Archaeological Treatment Plan (ATP) that includes data recovery if significant archaeological deposits are exposed during ground disturbing construction. The applicant shall submit the AMP and/or ATP to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the applicant in consultation with the</p>			

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California Office of Historic Preservation and the City of San Mateo.			
<b>MM CUL-3.1:</b> In the event that human remains are discovered during excavation and/or grading whether on-site or within the public right-of-way, the applicant shall halt all activity within a 50-foot radius of the find and notify the Community Development Director, or his/her designee. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws (i.e., Native American burials, Chapter 1492, Section 7050.5 to the Health and Safety Code, Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code). 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 CEQA Guidelines.	During construction	Project Applicant; Project Contractor;	Director of Community Development or the Director's designee  San Mateo County Coroner  Native American Heritage Commission
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<b>MM HAZ-2.1:</b> To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (Asbestos Containing Materials (ACMs), lead-based paints, and polychlorinated biphenyls	Prior to issuance of any demolition permits	Project Applicant; Project Contractors	Director of Community Development or

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<p>(PCBs)), the applicant shall implement the following measures prior to and during demolition and construction:</p> <p>(A) Prior to issuance of a demolition permit, the applicant shall submit a PCB Screening Assessment Form to the Building Division. If on-site buildings do contain PCBs that exceed threshold limits, the applicant shall follow applicable federal and state laws, which includes reporting to the Environmental Protection Agency, Regional Water Quality Control Board, and Department of Toxic Substances Control, who may require additional sampling and abatement of PCBs. As required under the Toxic Substances Control Act (TSCA), all building materials containing PCBs at levels greater than 50 parts per million (ppm) shall be removed upon discovery. If demolition is likely to impact such materials, they must be properly characterized by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) and removed in accordance with TSCA regulations.</p> <p>(B) In conformance with local, state, and federal laws, the applicant shall engage a qualified professional to complete an asbestos building survey and a lead-based paint survey to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition prior to issuance of a demolition permit. Written findings of the surveys shall be submitted to the Building Division subject to the satisfaction of the Community Development Director, or his/her designee.</p> <p>(C) The applicant shall retain a registered asbestos abatement contractor to remove and dispose of all potentially friable</p>			<p>the Director's designee</p> <p>San Mateo County Environmental Health Department</p>



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<p>asbestos-containing materials, in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to the issuance a demolition permit. The applicant shall conduct all construction activities in accordance with California Division of Occupational Safety and Health (Cal/OSHA) standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Quality Management District (BAAQMD) regulations.</p> <p>(D) Prior to any demolition activities, the applicant shall remove all building materials containing lead-based paint in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. The applicant shall dispose any debris or soil containing lead-based paint or coatings at landfills that meet acceptance criteria for the waste being disposed.</p> <p>(E) Prior to the issuance of a demolition permit, the applicant shall obtain a permit from the San Mateo County Environmental Health Department (CUPA) to remove the fuel underground storage tanks (USTs), dispensers, associated product piping, and underground hoists at the onsite ARCO gasoline service station. Proof of obtainment of this permit shall be submitted to the City's Building Division prior to the issuance of a demolition permit. Removal activities and compliance soil sampling will be conducted by an environmental consultant and environmental contractor under the oversight of the CUPA. If stained soils, free product, and/or elevated petroleum hydrocarbon concentrations are detected in</p>			

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<p>soil at concentrations that exceed applicable ESLs established by the SF-RWQCB, over-excavation of the contaminated soil may occur at the time of the UST/piping removal, at the direction of the CUPA, and/or potentially during the construction excavation for the subsurface garage.</p> <p>(F) If previously unknown ‘orphan’ USTs or piping are encountered during construction excavation activities for the underground parking garage, the applicant shall halt all work, notify the City’s Building Division and CUPA, and obtain additional permits to remove the encountered tanks and/or piping. Removals and compliance sampling will be under the oversight of the CUPA. The removal of known or new USTs found during construction, along with any contaminated soil that is removed at that time will be reported to the CUPA in a UST removal report. Remediation Excavation of soil for the construction of the underground parking garage will remove and properly dispose of contaminated soils that may be present beneath the site. If soil contamination at concentrations that exceed applicable ESLs is observed at the base of the construction related excavation, additional localized excavation(s) may occur as a contingency. The excavation depth will likely be limited by the elevation of the water table at the time of construction dewatering and is anticipated to be at most 2 or 3 extra vertical feet. Oversight of remediation shall be provided by the GPP. Implementation of the RMP and SMP will be provided in a Construction Completion Report submitted to the GPP.</p>			

<p><b>MM HAZ-2.2:</b></p>	<p>To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (petroleum hydrocarbons, chlorinated solvents, lead, and asbestos), the applicant shall incorporate the following measures at all times during the construction phase of the project.</p> <p>Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the applicant shall obtain a Phase II Environmental Site Assessment following building demolition and site clearance that investigates current soil and groundwater conditions. The applicant shall submit the Phase II Assessment to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Prior to excavation, soil samples shall be collected by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) to pre-characterize soil for waste characterization and soil management purposes. Depth discrete soil samples shall be collected at various depths from 0.5 feet below ground surface (bgs) to the maximum depth of the proposed subsurface garage excavation and analyzed for constituents that may be present, such as metals, volatile organic compounds (VOCs), and petroleum hydrocarbons. The soil borings shall be advanced by an environmental professional and an environmental drilling contractor under permit and oversight of the San Mateo County Health - Groundwater Protection Program (GPP).</p> <p>Groundwater samples shall also be collected from select soil borings to evaluate if vapor intrusion to indoor air is a potential concern and to facilitate submittal of a construction dewatering discharge permit to the sanitary sewer by the general contractor or its subcontractors. Soil vapor samples shall not be necessary because the subsurface garage shall be below the water table and no vadose zone shall remain beneath the building. The Phase II</p>	<p>Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure</p>	<p>Project Applicant; Project Contractor; Environmental Professional</p>	<p>Director of Community Development or the Director's designee</p> <p>San Mateo County Environmental Health Department</p>
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<p>results shall be provided to the GPP and a Redevelopment Management Plan (RMP) that shall include a Soil Management Plan (SMP). The SMP shall be developed for GPP approval that describes remediation and/or mitigation actions, as necessary, based on the findings of the Phase II. Proof of GPP approval shall be submitted to the Building Division prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure. Because the base of the building foundation shall likely be at or below the water table, a waterproofing barrier shall likely be necessary to mitigate potential water/moisture intrusion. If VOCs such as benzene and perchloroethylene (PCE) are detected in groundwater above the Groundwater Vapor Intrusion Human Health Risk Environmental Screening Levels (ESLs) established by the San Francisco Regional Water Quality Control Board (SF-RWQCB) for residential land use, the selected waterproofing material shall also be required to serve as a VOC vapor intrusion barrier and be installed along the walls and beneath the building foundation to prevent water/moisture and vapor intrusion into the building.</p>			
<b>HYDROLOGY AND WATER QUALITY</b>			
<p><b>MM HYD-1.1:</b> On-Site Excavation and Dewatering: The applicant shall implement the following measures to reduce potential impacts to surface waters from contaminated groundwater in the site vicinity:</p> <p>(A) The applicant shall notify the Regional Water Quality Control Board (RWQCB) prior to any dewatering required by the proposed project.</p>	<p>Prior to the issuance of any permits associated with construction activities involving excavation,</p>	<p>Project Applicant; Project Contractor; Project Hydrogeologist</p>	<p>Director of Community Development or the Director's designee</p>

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<p>(B) The applicant shall have a qualified hydrogeologist collect groundwater samples at the project site prior to the issuance of any permits associated with 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 by the hydrogeologist that levels of PCE, TCE, and petroleum hydrocarbons (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, and submitted to the Director of Community Development or the Director's designee.</p> <p>(C) The applicant shall dispose any contaminated groundwater that is dewatered from the project site during construction activities in accordance with local and regional requirements for safe transport and disposal of contaminated groundwater.</p>	trenching, or other subsurface activities		Regional Water Quality Control Board
<b>NOISE</b>			
<b>MM NOI-1.1:</b> The applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, the applicant and contractor shall incorporate the following best management practices to reduce noise from construction activities on nearby sensitive land uses:	Prior to the issuance of any demolition permits.	Project Applicant; Project Contractor	Director of Community Development or the Director's designee

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<p>(A) The applicant and/or contractor shall prepare a detailed construction plan identifying the schedule for major noise-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. This construction plan shall be submitted to the Building Division subject to the review and satisfaction of the Community Development Director, or his/her designee prior to the issuance of a demolition permit.</p> <p>(B) The applicant and/or contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that measures be implemented to reduce the noise impact. The applicant and/or contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</p> <p>(C) Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</p> <p>(D) Use of exceptionally loud equipment such as jackhammers and concrete saws within 35 feet of shared property lines shall be prohibited.</p> <p>(E) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</p>			

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<p>(F) Unnecessary idling of internal combustion engines shall be strictly prohibited.</p> <p>(G) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors and property lines. If they must be located within 35 feet of receptors and property lines, adequate muffling (with barriers or enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors.</p> <p>(H) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists.</p> <p>(I) Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.</p>			

**SOURCE:** City of San Mateo. *Block 21 Mixed-Use Project*. May 2022.