



MITIGATION MONITORING & REPORTING PROGRAM
University Circle Phase II Office Project

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
AIR QUALITY					
<p>MM AIR-2.1: During construction period ground disturbance, the project contractor shall implement the following measures recommended by BAAQMD to control dust and exhaust:</p> <ul style="list-style-type: none"> • Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per day at a frequency adequate to maintain minimum soil moisture of 12 percent. • Haul trucks transporting soil, sand, or other loose material off-site shall be covered. • Visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweeps at least once per day. The use of dry power sweeping is prohibited. • Vehicle speeds on unpaved surfaces shall be limited to 15 miles per hour (mph) • 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. 	Project Applicant and Contractors	During construction	Oversight of implementation by the City’s Planning Division and Building Division	<p>Ensure that the project contractor implements measures to control dust and exhaust.</p> <p>All measures will be printed on the project plans prior to issuance of permits.</p>	As needed during construction

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<ul style="list-style-type: none"> • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be posted for construction workers at all access points. • Construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and contact at the City of East Palo Alto regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD’s phone number shall also be included to ensure compliance with applicable regulations. • Excavation, grading, and/or demolition activities shall be suspended when average wind speed exceeds 20 miles per hour (mph) and visible dust extends beyond site boundaries. • Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at minimum of 50 percent air porosity. • Vegetative ground cover (e.g., fast-germinating native grass seed) shall be 					

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <ul style="list-style-type: none"> The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. Avoid tracking visible soil material on to public roadways by employing the following measures if necessary: (1) treat site access to a distance of 100 feet from public paved roads with a six to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment prior to leaving the site. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent. 					
<p>MM AIR-3.1: The project shall develop a plan demonstrating either of the following options:</p> <ol style="list-style-type: none"> All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emissions standards for particulate matter (PM₁₀ and PM_{2.5}), if feasible, or If use of Tier 4 equipment is not feasible, use equipment that meets the U.S. EPA emissions standards for Tier 3 engines and 	Project Applicant and Contractors	Prior to issuance of Grading or Building Permits	Oversight of implementation by the City’s Planning Division and Building Division	Review plan submitted by Project Applicant and Contractors to ensure that the project contractor implements measures to reduce particulate mater emissions from construction equipment during construction.	Once

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>includes CARB-certified Level 3 verifiable diesel emission control devices that altogether achieve a minimum 87 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment, or use alternatively fueled equipment or electric equipment;</p> <p>And provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators;</p> <p>And cranes, air compressors, and welders shall be powered by electricity or alternative fuel, or</p> <p>2) The applicant may develop a separate feasible plan that reduces on- and near-site construction diesel particulate matter emissions by a minimum of 87 percent or greater. Such a plan would have to be reviewed and approved by the City.</p>					

BIOLOGICAL RESOURCES

<p>MM BIO-1.1: Avoidance: the project applicant shall schedule demolition and construction activities that may directly or indirectly affect protected species to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive), as amended.</p> <p>MM BIO-1.2: Nesting Bird Surveys: If it is not</p>	<p>Project applicant and contractors</p>	<p>Prior to any tree removal and issuance of Demolition or Grading Permit</p>	<p>Oversight of implementation by the City’s Planning Division and Building Division</p>	<p>Verify pre-construction surveys</p> <p>Submittal of a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City of East Palo Alto Planning Manager</p> <p>All measures will be printed on</p>	<p>Once or if active nests are found, periodic monitoring and reporting until fledglings have left the nest</p>
---	--	---	--	--	---

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>possible to schedule demolition and construction that may directly or indirectly affect protected species between September 1st and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to initiation of construction activities during the early part of the breeding season (February 1st through April 31st inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st inclusive). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests.</p> <p>MM BIO-1.3: Buffer Zones: If an active nest is found sufficiently close to work areas to be disturbed by construction, 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, typically 250 feet, to ensure that raptor or migratory bird nests shall not be</p> <p>MM BIO-1.4: Reporting: Prior to any tree removal, or approval of any grading permits, (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City’s Director of Community and Economic Development or the Director’s</p>				the project plans prior to issuance of permits.	

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
designee.					
<p>MM BIO-4.1: Prior to issuance of building permits, the project shall reduce the amount of glazing (i.e., windows or reflective surfaces) to the extent feasible on the southern façade of the proposed office building and treat all remaining glass on the southern façade with bird-safe glazing treatments.</p>	Project applicant	Prior to issuance of building permits.	Oversight of implementation by the City’s Planning Division and Building Division	<p>Verify glazing reduced to the extent possible and bird-safe treatment applied to the remaining glass.</p> <p>Submittal of plans showing reduced glazing and/or information on bird-safe glazing treatment proposed for remaining windows to the satisfaction of the City of East Palo Alto Planning Manager</p>	Once prior to building permit issuance

CULTURAL RESOURCES

<p>MM CUL-2.1: Prior to issuance of grading or demolition permits, the project applicant shall retain a qualified archaeologist and Native American cultural resources monitor from Tamien Nation. The qualified archaeologist shall conduct subsurface borings within the southern section of the project site where the three levels of underground parking is proposed. The Native American cultural resources monitor shall be on site to monitor ground disturbing activities including soil borings. Soil borings shall be conducted where anticipated deep disturbances are proposed, away from the existing single-story underground parking. Boring locations shall be placed between 50 and 75 meters apart depending on the size of the area to be explored.</p>	Project applicant and contractors	Prior to grading and demolition permits and during ground-disturbing activities	Oversight of implementation by the City’s Planning Division and Building Division	<p>Await notification from project applicant if archaeological resources are encountered during soil borings, and subsequent grading or excavation</p> <p>Prepare research design and treatment plan to determine appropriate mitigation and/or data recovery if necessary</p>	<p>Once prior to grading and building permit issuance</p> <p>When resources are encountered, provide an evaluation report</p>
--	-----------------------------------	---	---	--	---

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>At least one boring shall sample the entire proposed impacts depth to provide a comparison of the stratigraphy to the previous nearby coring samples. At least 7 meters of undisturbed native soils shall be sampled below the fill if that can be completed within the proposed depth of impacts. Boring sample depths should be adjusted depending on findings of similar soils or missing layers. Samples from the three layers most likely to have archaeological resources shall be screened by a qualified archaeologist to determine if cultural materials are present.</p> <p>If archaeological resources are identified, the qualified archaeologist in consultation with a Native American representative shall prepare a research design and treatment plan tailored to the resources identified. The qualified archaeologist shall submit the research design and treatment plan approved by Tamien Nation to the City for review and approval. Once the research design and treatment plan is approved by the City, archaeological testing of the resource can begin. Testing shall be commensurate with the level of proposed impacts and determined in consultation with a Native American representative. After field testing, an evaluation report shall be prepared documenting the fieldwork, analyzing the cultural materials recovered, defining its boundaries within proposed impacts, and evaluating the resource per the California Register of Historic Resources criteria. If cultural materials are determined to be</p>					

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>Native American in origin, a Native American monitor shall be present during all archaeological testing.</p> <p>MM CUL-2.2: Prior to issuance of the Grading Permit, the project applicant shall submit evidence that an Archaeological Cultural Resources Awareness Training was held prior to ground disturbance. The training shall be facilitated by the project archaeologist in coordination with a Native American representative from Tamien Nation, registered with the Native American Heritage Commissions, for the City of East Palo Alto and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3</p> <p>MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during 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>					

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>MM CUL-3.1: If human remains are encountered as a result of construction activities, all work in the vicinity shall be halted and the County Coroner contacted. In the event that the County Coroner determines that the human remains are Native American, notification of the Native American Heritage Commission (NAHC) is required, who shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The qualified archaeologist, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d). The agreement shall incorporate ‘best practices’ as identified by the state NAHC. A final report shall be prepared by the project archaeologist in consultation with the MLD and approved by the City of East Palo Alto. Work on the project may proceed upon City approval.</p>	Project applicant and contractors	During construction	Oversight of implementation by the City’s Planning Division and Building Division	<p>Coroner will notify the NAHC to identify the MLD</p> <p>The City of East Palo Alto (in consultation with the MLD) will then develop and implement a plan for treatment, study, and reinternment of the remains.</p>	When resources are encountered
GEOLOGY AND SOILS					
<p>MM GEO-6.1: If paleontological resources are encountered during grading or excavation, all construction activities within 50 feet shall stop and the City of East Palo Alto Director of Community and Economic Development shall be notified. A qualified paleontologist shall inspect the findings within 48 hours of discovery. If it is determined that the proposed development could damage unique paleontological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines.</p>	Project applicant and contractors	During construction	Oversight of implementation by the City’s Planning Division and Building Division	<p>Await notification from project applicant if paleontological resources are encountered during grading or excavation</p> <p>Determine appropriate mitigation and/or data recovery</p>	When resources are encountered

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible (e.g., planning construction activities to avoid paleontological sites, incorporating sites into parks and other open spaces, covering sites with stable soils, and deeding the site into a permanent conservation easement) data recovery through excavation shall be conducted by a qualified paleontologist with a data recovery plan in place.				if necessary	
NOISE AND VIBRATION					
<p>MM NOI-1.1: The project applicant shall prepare a construction noise logistics plan for review and approval by the Department of Public Works prior to issuance of grading and/or demolition permits on the project. The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise to less than significant levels:</p> <ul style="list-style-type: none"> • Limit construction activity to weekdays between 7:00 a.m. and 7:00 p.m.¹ and Saturdays between 9:00 a.m. and 7:00 p.m. Prohibit construction on Sundays and holidays; • Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists; • Equip all internal combustion engine- 	Project applicant and contractors	Prior to issuance of grading and/or demolition permits	Oversight of implementation by the City's Planning Division and Building Division	<p>Review and verify construction noise logistics plan includes required measures to reduce construction noise logistics plan to less than significant levels.</p> <p>All measures will be printed on the project plans prior to issuance of permits.</p> <p>Review mechanical noise report to verify proposed mechanical equipment would not exceed the City's 55 dBA L₅₀ daytime exterior limit and 50 dBA L₅₀ nighttime exterior limit at the</p>	Once at approval and as needed during construction

¹ Excepting haul and truck deliveries between 7:00 and 10:00 pm.

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>driven equipment with mufflers, which are in good condition and appropriate for the equipment;</p> <ul style="list-style-type: none"> • Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses; • Locate staging areas and construction material areas as far away as possible from adjacent land uses; • Prohibit all unnecessary idling of internal combustion engines; • Construct solid eight- to 10-foot-tall plywood fences along the construction site boundaries with direct line-of-sight to noise-sensitive receptors. Constructing temporary noise barrier fences to shield these receptors would provide a five dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps. • Where feasible, limit the quantity of equipment operating simultaneously to 10 pieces of equipment or less. • The applicant shall designate a “disturbance coordinator” who would be responsible for responding to local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures 				<p>nearest residential property lines or specific noise reduction measures would be applied to comply with the City’s exterior noise limits.</p>	

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>warranted to correct the problem are implemented.</p> <ul style="list-style-type: none"> 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. <p>In addition, to reduce noise levels at nearby residential uses from non-exempt construction activities to a less than significant level between the hours of 7:00 p.m. and 10:00 p.m., the following measures shall be implemented by the project:</p> <ul style="list-style-type: none"> Prohibit use of noise-generating equipment outdoors between 7:00 p.m. and 10:00 p.m. Limit construction activity during the hours of 7:00 a.m. to 7:00 p.m. to truck loading and unloading activities only. Limit the number of truck deliveries to two trucks an hour between the hours of 7:00 p.m. and 10:00 p.m. Prohibit truck travel routes along Manhattan Avenue between the hours of 7:00 p.m. and 10:00 p.m. <p>MM NOI-1.2: Prior to issuance of building permits, project mechanical equipment shall be selected and designed to reduce impacts on surrounding uses and meet the City’s exterior and interior noise level requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected to determine</p>					<p>As needed during construction</p> <p>Once at approval and as needed during construction</p>

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>specific noise reduction measures necessary to reduce noise to comply with the City’s 55 dBA L₅₀ daytime exterior limit and 50 dBA L₅₀ nighttime exterior limit at the nearest residential property lines. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers, such as enclosures and parapet walls to block the line-of-sight between the noise receptors. Alternate measures may include locating equipment in less noise-sensitive areas.</p>					
<p>NOI-2.1: The proposed project shall incorporate the following measures during project construction:</p> <ul style="list-style-type: none"> • Limit vibration-inducing equipment. • Use of the heavy vibration-generating construction equipment shall be prohibited within 20 feet of existing on-site buildings. • Use of smaller equipment to minimize vibration levels below the limits near existing on-site buildings shall be required. • Modify/design or identify alternative construction methods to reduce vibration levels below the limits. • Avoid dropping heavy objects or materials. 	Project applicant and contractors	During construction	Oversight of implementation by the City’s Planning Division and Building Division	All measures will be printed on the project plans prior to issuance of permits.	Once at approval and as needed during construction
TRANSPORTATION AND TRAFFIC					
<p>MM TRA-1.1: Prior to issuance of grading and/or demolition permits for the project, the project applicant shall develop and submit to the Director of Community Development for review</p>	Project applicant	Prior to issuance of grading or building permit	Oversight of implementation by the City’s Planning Division and	Review enhanced TDM program and verify that required measures are implemented.	Once, prior to issuance of grading or building permit

Mitigation Measures	Implemented By	Implementation Timing	Monitored By	Monitoring Action	Monitoring Frequency
<p>and approval an enhanced TDM program demonstrates a reduction in project VMT to 15 percent below the Citywide average home-based work trip VMT.² The enhanced TDM program shall include the following measures:</p> <ul style="list-style-type: none"> • Expand University Circle Caltrain shuttle to meet more trains before 7 a.m., between 10 a.m. and 12 p.m., and after 6:30 p.m.,³ • Add a University Circle last-mile⁴ shuttle connection for Dumbarton Express riders, • Provide transit subsidies, • Provide vanpool subsidies, and/or • Provide commuter cash allowances. 			Building Division		

Source: City of East Palo Alto. *University Circle Phase II Office Project Final EIR*. March 2022.

² Chapter 10.32 of the Municipal Code was amended on June 1, 2021 requiring nonresidential developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips.

³ Consistent with the findings of the 2019 UC Commute Survey as shown in Appendix H to the EIR, expansion of shuttle service during these hours would better serve the over 20% of respondents who arrive at the UC Campus before 7 AM or after 10 AM and about 14% who leave after 6:30 PM, which are outside the existing shuttle hours.

⁴ Last mile refers to the beginning or end of an individual trip made primarily by public transportation. Source: Intelligent Mobility Xperience. “The first and last-mile: the problem and the solution.” Accessed March 25, 2021. <https://www.intelligent-mobility-xperience.com/the-first-and-last-mile-the-problem-and-the-solutions-a-917862/>