

**115 El Camino Real - El Camino Real/Downtown Mitigation Monitoring and Reporting Program**

	Action	Timing	Implementing Party	Monitoring Party
AIR QUALITY				
<b>IMPACT BEING ADDRESSED: Impact AIR-1: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation. (Significant)</b>				
<p><i>Mitigation Measure AIR-1a</i> : During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.</p> <p><u>Basic Controls that Apply to All Construction Sites</u></p> <ol style="list-style-type: none"> <li>1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>2. All haul trucks transporting soil, sand, or other loose material off site shall be covered.</li> <li>3. 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.</li> <li>4. All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>5. 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.</li> <li>6. 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.</li> <li>7. All 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.</li> </ol>	<p>Exposed surfaces shall be watered twice daily.</p> <p>Trucks carrying demolition debris shall be covered.</p> <p>Dirt carried from construction areas shall be cleaned daily.</p> <p>Speed limit on unpaved roads shall be 15 mph.</p> <p>Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.</p> <p>Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.</p> <p>Construction equipment shall be properly tuned and maintained.</p>	<p>Measures shown on plans, construction documents and on-going during demolition, excavation and construction.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>PW/CDD</p>

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<p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>	<p>Signage will be posted with the appropriate contact information regarding dust complaints.</p>			
<p><b><i>Impact AIR-2: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants from increased vehicle traffic and on-site area sources that would contribute substantially to an air quality violation. (Significant)</i></b></p>				
<p><b>Mitigation Measure AIR-2:</b> Mitigation Measure TR-2 of Section 4.13, Transportation, Circulation and Parking, identifies Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, although the precise effectiveness of a TDM program cannot be guaranteed. As the transportation demand management strategies included in Mitigation Measure TR-2 represent the majority of available measures with which to reduce VMT, no further mitigation measures are available and this impact is considered to be significant and unavoidable.</p>	<p>See Mitigation Measure TR-2.</p>			

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<p><b>Impact AIR-5: Implementation of the Specific Plan would locate sensitive receptors in an area of elevated concentrations of toxic air contaminants associated with roadway traffic which may lead to considerable adverse health effects. (Potentially Significant)</b></p>				
<p><b>Mitigation Measure AIR-5:</b> The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within 200 feet of the edge of El Camino Real or within 100 feet of the edge of Ravenswood Avenue, Oak Grove Avenue east of El Camino Real, or Santa Cruz Avenue west of University Avenue shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index, and/or PM<sub>2.5</sub> concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below any other City-adopted threshold of significance, such filtration shall not be required.</p>	<p>A health risk analysis shall be prepared. If one or more thresholds are exceeded, a filtration system shall be installed; Certified engineer to provide report documenting that system reduces health risks Plan developed for ongoing maintenance and disclosure to buyers and/renters.</p>	<p>Simultaneous with a building permit submittal</p>	<p>Project sponsor(s)</p>	<p>CDD</p>

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	Action	Timing	Implementing Party	Monitoring Party
<p><b>Impact AIR-7: Implementation of the Specific Plan would expose sensitive receptors to elevated concentrations of Toxic Air Contaminants (TACs) associated with Caltrain operations which may lead to considerable adverse health effects. (Potentially Significant)</b></p>				
<p><b>Mitigation Measure AIR-7:</b> The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within approximately 1,095 feet of the edge of the Caltrain right-of-way shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index, and/or PM<sub>2.5</sub> concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below any other City-adopted threshold of significance, such filtration shall not be required.</p>	<p>A health risk analysis shall be prepared. If one or more thresholds are exceeded, a filtration system shall be installed; Certified engineer to provide report documenting that system reduces health risks Plan developed for ongoing maintenance and disclosure to buyers and/renters.</p>	<p>Simultaneous with a building permit submittal</p>	<p>Project sponsor(s)</p>	<p>CDD</p>

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BIOLOGICAL RESOURCES				
<b>Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)</b>				
<p><b>Mitigation Measure BIO-1a:</b> Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered.</p> <p><b>If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied:</b> no further mitigation is required.</p> <p><b>If active nests of special-status birds are found during the surveys:</b> implement Mitigation Measure BIO-1b.</p>	<p>A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground-disturbing activity will commence between February 1 through August 31.</p>	<p>Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.</p>	<p>Qualified wildlife biologist retained by project sponsor(s)</p>	<p>CDD</p>

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<p><b>Mitigation Measure BIO-1b:</b> Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following:</p> <ol style="list-style-type: none"> <li>1. Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity;</li> <li>2. Distance and amount of vegetation or other screening between the Plan area and the nest; and</li> <li>3. Sensitivity of individual nesting species and behaviors of the nesting birds.</li> </ol>	<p>If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted.</p> <p>Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.</p>	<p>Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p><b><i>Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)</i></b></p>				
<p><b>Mitigation Measure BIO-3a:</b> Reduce building lighting from exterior sources.</p> <ol style="list-style-type: none"> <li>a. Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid uplighting of rooftop antennae and other tall equipment, as well as of any decorative features;</li> <li>b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour;</li> <li>c. Utilize minimum wattage fixtures to achieve required lighting levels;</li> <li>d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting</li> <li>e. Use cutoff shields on streetlight and external lights to prevent upwards lighting.</li> </ol>	<p>Reduce building lighting from exterior sources.</p>	<p>Prior to building permit issuance and ongoing.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>

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<p><b>Mitigation Measure BIO-3b:</b> Reduce building lighting from interior sources.</p> <p>a. Dim lights in lobbies, perimeter circulation areas, and atria;</p> <p>b. Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October);</p> <p>c. Use gradual or staggered switching to progressively turn on building lights at sunrise.</p> <p>d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present;</p> <p>e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting;</p> <p>f. Schedule nightly maintenance to conclude by 11 p.m.;</p> <p>g. Educate building users about the dangers of night lighting to birds.</p>	<p>Reduce building lighting from interior sources.</p>	<p>Prior to building permit issuance and ongoing.</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>
<p><b>Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)</b></p>				
<p><b>Mitigation Measure BIO-5a:</b> Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented.</p> <p><b>If no active roosts present:</b> no further action is warranted.</p> <p><b>If roosts or hibernacula are present:</b> implement Mitigation Measures BIO-5b and 5c.</p>	<p>Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity.</p> <p>Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.</p>	<p>Prior to tree pruning or removal or issuance of demolition, grading or building permits.</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>

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<p><b>Mitigation Measure BIO-5b:</b> Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.</p>	<p>If any active nursery or maternity roosts or hibernacula are located, no disturbance buffer zones shall be established during the maternity roost and breeding seasons and hibernacula.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>
<p><b>Mitigation Measure BIO-5c:</b> Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the “take” of individuals is prohibited.</p>	<p>A qualified bat biologist shall direct the eviction of non-breeding roosts.</p>	<p>Prior to tree removal or pruning or issuance of demolition, grading or building permits.</p>	<p>Qualified bat biologist retained by project sponsor(s)</p>	<p>CDD</p>



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CULTURAL RESOURCES				
<b>Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)</b>				
<p><b>Mitigation Measure CUL-1:</b> Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior's Standards:</p> <p><b>Site-Specific Evaluations:</b> In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old.</p> <p>The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.</p> <p><b>Treatment in Accordance with the Secretary of the Interior's Standards.</b> Any future proposed project in the Plan Area that would affect previously recorded historic resources, or those identified as a result of site-specific surveys and evaluations, shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). The Standards require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.</p>	<p>A qualified architectural historian shall complete a site-specific historic resources study. For structures found to be historic, specify treating conforming to Secretary of the Interior's standards, as applicable.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified architectural historian retained by the Project sponsor(s).</p>	<p><b>CDD - Completed</b> (Historic Resource Evaluation completed by Architectural Resources Group, dated August 12, 2014. The evaluation found that the building displays characteristics of the Minimal Traditional style of architecture and was constructed at a time of increasing development in Menlo Park, but that these associations do not rise to a level that would warrant listing on the National Register of Historic Places (NRHP) or California Registrar of Historical Resources (CRHR)).</p>

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<b>Impact CUL-2: The proposed Specific Plan could impact currently unknown archaeological resources. (Potentially Significant)</b>				
<p><b>Mitigation Measure CUL-2a:</b> When specific projects are proposed that involve ground disturbing activity, a site-specific cultural resources study shall be performed by a qualified archaeologist or equivalent cultural resources professional that will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If historic or unique resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant based on either the Secretary of the Interior's Standards described in Mitigation Measure CUL-1 (if the site is historic) or the provisions of Public Resources Code Section 21083.2 (if a unique archaeological site).</p>	<p>A qualified archeologist shall complete a site-specific cultural resources study.</p> <p>If resources are identified and cannot be avoided, treatment plans will be developed to mitigate impacts to less than significant, as specified.</p>	<p>Simultaneously with a project application submittal.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p><b>CDD - Completed</b> (Cultural Resources Assessment completed by Pacific Legacy, dated May 18, 2018. The assessment concluded that archival research revealed that there are no recorded cultural resources located within the study area, and no traces of significant cultural materials, prehistoric or historic, were noted during the surface reconnaissance.)</p>
<p><b>Mitigation Measure CUL-2b:</b> Should any archaeological artifacts be found during construction, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the resource is determined to be a historical resource or unique resource, the archaeologist shall prepare a plan to identify, record, report, evaluate, and recover the resources as necessary, which shall be implemented by the developer. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated as described in Mitigation Measure CUL-2a above. Additionally, Public Resources Code Section 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.</p>	<p>If any archaeological artifacts are discovered during demolition/construction, all ground disturbing activity within 50 feet shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours.</p> <p>A qualified archaeologist shall inspect any archaeological artifacts found during construction and if determined to be a resource shall prepare a plan meeting the specified standards which shall be implemented by the project sponsor(s).</p>	<p>Ongoing during construction.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD</p>

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<b>Impact CUL-3: The proposed Specific Plan may adversely affect unidentifiable paleontological resources. (Potentially Significant)</b>				
<p><b>Mitigation Measure CUL-3:</b> Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards. (SVP, 1996)</p>	<p>A qualified paleontologist shall conduct training for all construction personnel and field supervisors.</p> <p>If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards.</p>	<p>Prior to issuance of grading or building permits that include subsurface excavations and ongoing through subsurface excavation.</p>	<p>Qualified archaeologist retained by the project sponsor(s).</p>	<p>CDD</p>
<b>Impact CUL-4: Implementation of the Plan may cause disturbance of human remains including those interred outside of formal cemeteries. (Potentially Significant)</b>				
<p><b>Mitigation Measure CUL-4:</b> If human remains are discovered during construction, CEQA Guidelines 15064.5(e)(1) shall be followed, which is as follows:</p> <p>* In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p> <p>1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>a) The San Mateo County coroner must be contacted to determine that no investigation of the cause of death is required; and</p> <p>b) If the coroner determines the remains to be Native American:</p>	<p>If human remains are discovered during any construction activities, all ground-disturbing activity within the site or any nearby area shall be halted immediately, and the County coroner must be contacted immediately and other specified procedures must be followed as applicable.</p>	<p>On-going during construction</p>	<p>Qualified archeologist retained by the project sponsor(s)</p>	<p>CDD</p>

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<p>1. The coroner shall contact the Native American Heritage Commission within 24 hours;</p> <p>2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;</p> <p>3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or</p> <p>2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission.</p> <p>b) The descendant identified fails to make a recommendation; or</p> <p>c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>				
<b>GREENHOUSE GASES AND CLIMATE CHANGE</b>				
<b><i>Impact GHG-2: The Specific Plan could conflict with applicable plans, policies or regulations of an agency with jurisdiction over the Specific Plan adopted for the purpose of reducing the emissions of GHGs. (Significant)</i></b>				
<p><b>Mitigation Measure GHG-2a:</b> All residential and/or mixed use developments of sufficient size to require LEED certification under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.</p>	<p>Install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces</p>	<p>Simultaneous with project application submittal</p>	<p>Project sponsor(s)</p>	<p>CDD</p>

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HAZARDOUS MATERIALS				
<b>Impact HAZ-1: Disturbance and release of contaminated soil during demolition and construction phases of the project, or transportation of excavated material, or contaminated groundwater could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (Potentially Significant)</b>				
<p><b>Mitigation Measure HAZ-1:</b> Prior to issuance of any building permit for sites where ground breaking activities would occur, all proposed development sites shall have a Phase I site assessment performed by a qualified environmental consulting firm in accordance with the industry required standard known as ASTM E 1527-05. The City may waive the requirement for a Phase I site assessment for sites under current and recent regulatory oversight with respect to hazardous materials contamination. If the Phase I assessment shows the potential for hazardous releases, then Phase II site assessments or other appropriate analyses shall be conducted to determine the extent of the contamination and the process for remediation. All proposed development in the Plan area where previous hazardous materials releases have occurred shall require remediation and cleanup to levels established by the overseeing regulatory agency (San Mateo County Environmental Health (SMCEH), Regional Water Quality Control Board (RWQCB) or Department of Toxic Substances Control (DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional in accordance with Cal/OHSA regulations (contained in Title 8 of the California Code of Regulations) and approved by SMCEH prior to the commencement of groundbreaking.</p>	<p>Prepare a Phase I site assessment.</p> <p>If assessment shows potential for hazardous releases, then a Phase II site assessment shall be conducted.</p> <p>Remediation shall be conducted according to standards of overseeing regulatory agency where previous hazardous releases have occurred.</p> <p>Groundbreaking activities where there is identified or suspected contamination shall be conducted according to a site-specific health and safety plan.</p>	<p>Prior to issuance of any grading or building permit for sites with groundbreaking activity.</p>	<p>Qualified environmental consulting firm and licensed professionals hired by project sponsor(s)</p>	<p>CDD</p>
<b>Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)</b>				
<p><b>Mitigation Measure HAZ-3:</b> All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils. For projects that disturb less than one acre, a list of BMPs to be implemented shall be part of building specifications and approved of by the City Building Department prior to issuance of a building permit.</p>	<p>Implement best management practices to reduce the release of hazardous materials during construction.</p>	<p>Prior to building permit issuance for sites disturbing less than one acre and on-going during construction for all project sites</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>

**115 El Camino Real - El Camino Real/Downtown Mitigation Monitoring and Reporting Program**

	Action	Timing	Implementing Party	Monitoring Party
NOISE				
<p><b>Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise levels in the Specific Plan area above levels existing without the Specific Plan and in excess of standards established in the local general plan or noise ordinance, or applicable</b></p>				
<p><i>Mitigation Measure NOI-1a:</i> Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements:</p> <p>* Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;</p> <p>* Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible; and</p>	<p>A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.</p>	<p>Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction</p>	<p>Project sponsor(s) and contractor(s)</p>	<p>CDD</p>

<b>115 El Camino Real - El Camino Real/Downtown Mitigation Monitoring and Reporting Program</b>				
	<b>Action</b>	<b>Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
* When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.				
<i>Mitigation Measure NOI-1c:</i> The City shall condition approval of projects near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction control noise plan to address complaints.	Condition projects such that if justified complaints from adjacent sensitive receptors are received, City may require changes in construction noise control plan.	Condition shown on plans, construction documents and specifications. When justified complaint received by City.	Project sponsor(s) and contractor(s) for revisions to construction noise control plan.	CDD
<b><i>Impact NOI-3: The Specific Plan would introduce sensitive receptors to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code. (Potentially Significant)</i></b>				
<i>Mitigation Measure NOI-3:</i> Interior noise exposure within homes proposed for the Specific Plan area shall be assessed by a qualified acoustical engineer to determine if sound rated walls and windows would be required to meet the Title 24 interior noise level standard of 45 dBA, Ldn. The results of each study shall be submitted to the City showing conceptual window and wall assemblies with Sound Transmission Class (STC) ratings necessary to achieve the noise reductions for the project to satisfy the interior noise criteria within the noise environment of the Plan area.	Interior noise exposure assessed by qualified acoustical engineer and results submitted to City showing conceptual window and wall assemblies necessary to meet City standards.	Simultaneous with submittal for a building permit.	Project sponsors(s) and contractor(s)	CDD

115 El Camino Real - El Camino Real/Downtown Mitigation Monitoring and Reporting Program				
	Action	Timing	Implementing Party	Monitoring Party
TRANSPORTATION, CIRCULATION AND PARKING				
<b>Impact TR-1: Traffic from future development in the Plan area would adversely affect operation of area intersections. (Significant)</b>				
Mitigation Measures TR-1a through TR-1d: (see EIR for details)	Payment of fair share funding.	Prior to building permit issuance.	Project sponsor(s)	PW/CDD
<b>Impact TR-2: Traffic from future development in the Plan area would adversely affect operation of local roadway segments. (Significant)</b>				
Mitigation Measure TR-2: New developments within the Specific Plan area, regardless of the amount of new traffic they would generate, are required to have in-place a City-approved Transportation Demand Management (TDM) program prior to project occupancy to mitigate impacts on roadway segments and intersections. TDM programs could include the following measures for site users (taken from the C/CAG CMP), as applicable: <ul style="list-style-type: none"> <li>* Commute alternative information;</li> <li>* Bicycle storage facilities;</li> <li>* Showers and changing rooms;</li> <li>* Pedestrian and bicycle subsidies;</li> <li>* Operating dedicated shuttle service (or buying into a shuttle consortium);</li> <li>* Subsidizing transit tickets;</li> <li>* Preferential parking for carpoolers;</li> <li>* Provide child care services and convenience shopping within new developments;</li> <li>* Van pool programs;</li> <li>* Guaranteed ride home program for those who use alternative modes;</li> <li>* Parking cashout programs and discounts for persons who carpool, vanpool, bicycle or use public transit;</li> <li>* Imposing charges for parking rather than providing free parking;</li> <li>* Providing shuttles for customers and visitors; and/or</li> <li>* Car share programs.</li> </ul>	Develop a Transportation Demand Management program.	Submit draft TDM program with building permit. City approval required before permit issuance. Implementation prior to project occupancy.	Project sponsor(s)	PW/CDD
<b>Impact TR-7: Cumulative development, along with development in the Plan area, would adversely affect operation of local intersections. (Significant)</b>				
Mitigation Measures TR-7a through TR-7n: (see EIR for details)	Payment of fair share funding.	Prior to building permit issuance.	Project sponsor(s)	PW/CDD
<b>Impact TR-8: Cumulative development, along with development in the Plan area would adversely affect operation of local roadway segments. (Significant)</b>				
Mitigation Measure TR-8: Implement TR-2 (TDM Program).	See Mitigation Measure TR-2.			