CALENDAR ITEM
C53

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W 27047
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ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:
City of San Jose

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:
Sovereign land in Alviso Slough, adjacent to Assessor's Parcel Number (APN) 015-01-037, near Alviso, Santa Clara County.

AUTHORIZED USE:
Construction, use, and maintenance of a storm water pump station, force main, and outfall discharge structure.

LEASE TERM:
20 years, beginning April 20, 2017.

CONSIDERATION:
Public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:
Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, section 2000, subdivision (b).

Public Trust and State's Best Interests Analysis:
The City of San Jose (City) has applied for a General Lease – Public Agency Use for the construction, use and maintenance of a storm water pump station, force main and outfall discharge structure, adjacent to Alviso Slough, near Alviso. The facilities to be constructed would benefit the public by improving the storm water capacity of the Alviso area to reduce flood risk. The Project is designed to protect the Alviso area from

100-year storm events. The outfall structure and section of the force main are the portion of the Project extending onto sovereign land.

An existing storm water pump station built in 1987 serves the Alviso area and has a maximum discharge capacity of approximately 30 cubic feet per second. It will remain in operation condition during the construction of the proposed storm water pump station, force main and outfall structure and will be used in emergency flooding situations and as a permanent backup. The existing storm water pump station is not located on sovereign land.

The proposed storm water pump station will have a discharge capacity of approximately 110 cubic feet per second and its installation would remove the Alviso community from the 100-year flood zone designation, as mapped by the Federal Emergency Management Agency (FEMA). The storm water force main pipe would pass under the Santa Clara Valley Water District levee to the new outfall discharge structure in Alviso Slough. The pipeline will be installed under the levee via jack and bore methods. The outfall discharge structure will be located on sovereign land in Alviso Slough at the toe of the levee slope. The structure would consist of a 9-foot square reinforced concrete box with an open top and discharges would bubble up and over the top of the discharge structure to dissipate the velocity of flow before draining directly into Alviso Slough.

The lease includes certain provisions protecting the public use of the proposed lease area by requiring the Applicant to obtain necessary permits. The lease does not alienate the State's fee simple interest or permanently impair public rights. The lease requires the Applicant to conduct all repair and maintenance work safely and indemnify the Commission in the event of any liability resulting from the proposed action. The lease also has a limited term of 20 years, which allows the Commission flexibility to determine if the Public Trust needs of the area have changed over time.

Greenhouse Gas Analysis:

The City adopted a Mitigated Negative Declaration (MND) for the Alviso Storm Pump Station project in April 2016. Within that document, the City provided a brief explanation of State and federal strategies being implemented to reduce greenhouse gas (GHG) emissions, and noted that neither the City nor the Bay Area Air Quality Management District (BAAQMD) have established a quantitative threshold or standard pursuant to the California Environmental Quality Act (CEQA) for determining whether a project's construction-related GHG emissions are significant.

While the MND disclosed that construction would result in minor increases in GHG emissions, the City determined those emissions would be intermittent and substantially less than the stationary source reporting limit of 25,000 metric tons of carbon dioxide equivalent (CO_2e), as required by the California Air Resources Board. Finally, the City indicated that the standard permit conditions for air quality impacts would further reduce construction-related GHG emissions and concluded that construction would not have a significant impact on the environment from direct or indirect GHG emissions.

As indicated above, the BAAQMD has not established a CEQA threshold of significance for construction-related GHG emissions and provides no guidance referring a CEQA lead or responsible agency to other adopted thresholds to measure the significance of GHG emissions from construction projects. However, the BAAQMD does note that the Lead Agency should quantify and disclose the GHG emissions that would occur during construction, and make a determination on the significance of these construction-generated GHG emission impacts. In the absence of the CEQA lead agency or BAAQMD threshold, the Commission must decide whether the GHG emissions from the activities occurring under its jurisdiction will have a potentially significant impact on climate change. An Air Quality Report was prepared for the Alviso Storm Pump Station project construction emissions in October 2016, utilizing CalEEMod.2013.2.2 (California Emissions Estimator Model), and it found GHG emissions from construction activities for the 2017 project year to be approximately 66 metric tons CO_2e.

For this project, Commission staff recommends relying upon the Sacramento Metropolitan Air Quality Management District's (SMAQMD) GHG thresholds adopted in October 2014. These thresholds were developed with a regional perspective and are in compliance with expert advice from the California Air Pollution Control Officers Association (CAPCOA). SMAQMD's guidance includes an adopted threshold of 1,100 metric tons of CO_2e per year. As noted above, the project's construction and demolition emissions were calculated to be no higher than 66 metric tons CO_2e. Therefore, the anticipated GHG emissions from the project's construction activities are less than significant, and no CEQA mitigation to offset impacts to climate change is required.

Climate Change:

Climate change impacts, including sea-level rise, more frequent and intense storm events, and increased flooding and erosion, affect both open coastal areas and inland waterways in California. The lease area

located within the Alviso Slough (Guadalupe River), a tidally-influenced site consisting of shallow coastal areas already vulnerable to flooding at current sea levels. The structure within this lease area would be an outfall discharge structure in Alviso Slough at the toe of the levee slope.

This area will be at an even higher risk of flood exposure given projected scenarios of sea-level rise. In the MND for the Alviso Storm Pump Station Project, the City indicates that the region will experience between 12 and 18 inches of sea-level rise by 2050. While this information has been gathered from the National Research Council, it was based upon pre-2012 information and modeling and is considered to be a more conservative estimate. According to the National Research Council's 2012 data, the region could see up to 1 foot of sea-level rise (from year 2000 levels) by 2030, 2 feet by 2050, and possibly more than 5 feet by 2100. Rising sea levels can lead to more frequent flood inundation in low-lying areas and larger tidal events. In addition, as stated in *Safeguarding California* (California Natural Resources Agency 2014), climate change is projected to increase the frequency and severity of natural disasters related to flooding and storms (especially when coupled with sea-level rise).

In tidally influenced waterways, more frequent and powerful storms can result in increased flooding conditions and damage from storm created debris. Climate change and sea-level rise will further influence coastal and riverine areas by changing erosion and sedimentation rates. Near-coastal riverine areas will be exposed to increased wave force and run up, potentially resulting in greater bank or levee erosion than previously experienced. Finally, in tidally influenced waterways, flooding and storm flow will likely increase scour, decreasing bank stability and structure. The combination of these projected conditions could increase the likelihood of damage to structures within the lease premises during the term of the lease. The outfall discharge structure is fixed and not adaptable to variable water levels, and may require more frequent maintenance to ensure continued function during and after storm seasons. The MND explains that the elevation of the top of the outfall structure is at 5 feet, which would prevent most high tides from entering the discharge structure. However, the top of the outfall structure may experience periodic or continuous inundation with rising water levels and more frequent flooding, potentially requiring additional construction to maintain the outfall structure's utility.

Regular maintenance, as required by the lease, will reduce the likelihood of severe structural degradation or dislodgement. Pursuant to the proposed lease, the Applicant acknowledges the lease premises and

adjacent levee are located in an area that may be subject to effects of climate change, including sea-level rise.

Conclusion:

For all the reasons above, Commission staff believes the proposed lease is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.

2. A MND, State Clearinghouse No. 2016012064, was prepared by the City of San Jose and adopted on April 26, 2016, for this project. The California State Lands Commission staff has reviewed this document.

   A Mitigation Monitoring Program was adopted by the City of San Jose.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the CEQA review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS REQUIRED:

Santa Clara Valley Water District
San Francisco Bay Regional Water Quality Control Board
California Department of Fish and Wildlife
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
National Marine Fisheries Service

EXHIBITS:

A. Land Description
B. Site and Location Map
C. Mitigation Monitoring Program

RECOMMENDED ACTION:
It is recommended that the Commission:

CEQA FINDING:

Find that a MND, State Clearinghouse No. 2016012064, and a Mitigation Monitoring Program were prepared by the City of San Jose and adopted on April 26, 2016, for this Project and that the Commission reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit C attached hereto.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location at this time or for the foreseeable term of the lease, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the City of San Jose beginning April 20, 2017, for a term of 20 years, for the construction, use, and maintenance of a storm water pump station, force main and outfall discharge structure as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

W27047

EXHIBIT A

LAND DESCRIPTION

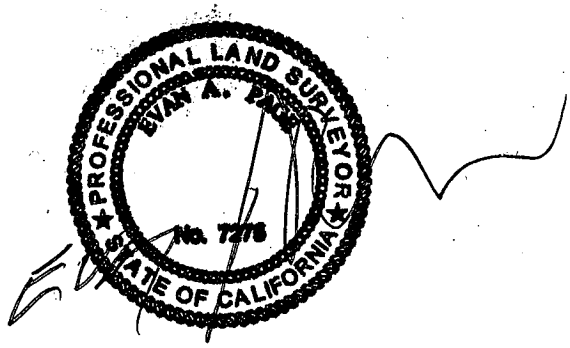
A 31 foot wide strip of land comprised of sovereign lands and unsold swamp and overflowed lands, lying in the bed of the Alviso Slough and the Simonds Canal, Town of Alviso, City of San Jose, County of Santa Clara, California, the centerline of said strip being more particularly described as follows:

COMMENCING at a standard City of San Jose monument in a monument well, marking the centerline intersection of Catherine Street and "Future Hope Street" as shown on the Record of Survey filed in Book 515 of Maps at Page 31, records of Santa Clara County; thence S 00°15'05" W along the centerline of "Future Hope Street" 17.00 feet; thence N 89°44'55" W parallel with the centerline of Catherine Street 207 feet, more or less to the right (easterly) bank of the Alviso Slough and/or Simonds Canal, said point being the POINT OF BEGINNING of this strip; thence continuing N 89°44'55" W, 92.5 feet to the POINT OF TERMINATION.

The sidelines of this strip, being 15.5 feet each side of the described centerline, to be lengthened or shortened as necessary to begin at the right bank of the Alviso Slough and/or Simonds Canal.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of the Alviso Slough and/or Simonds Canal.

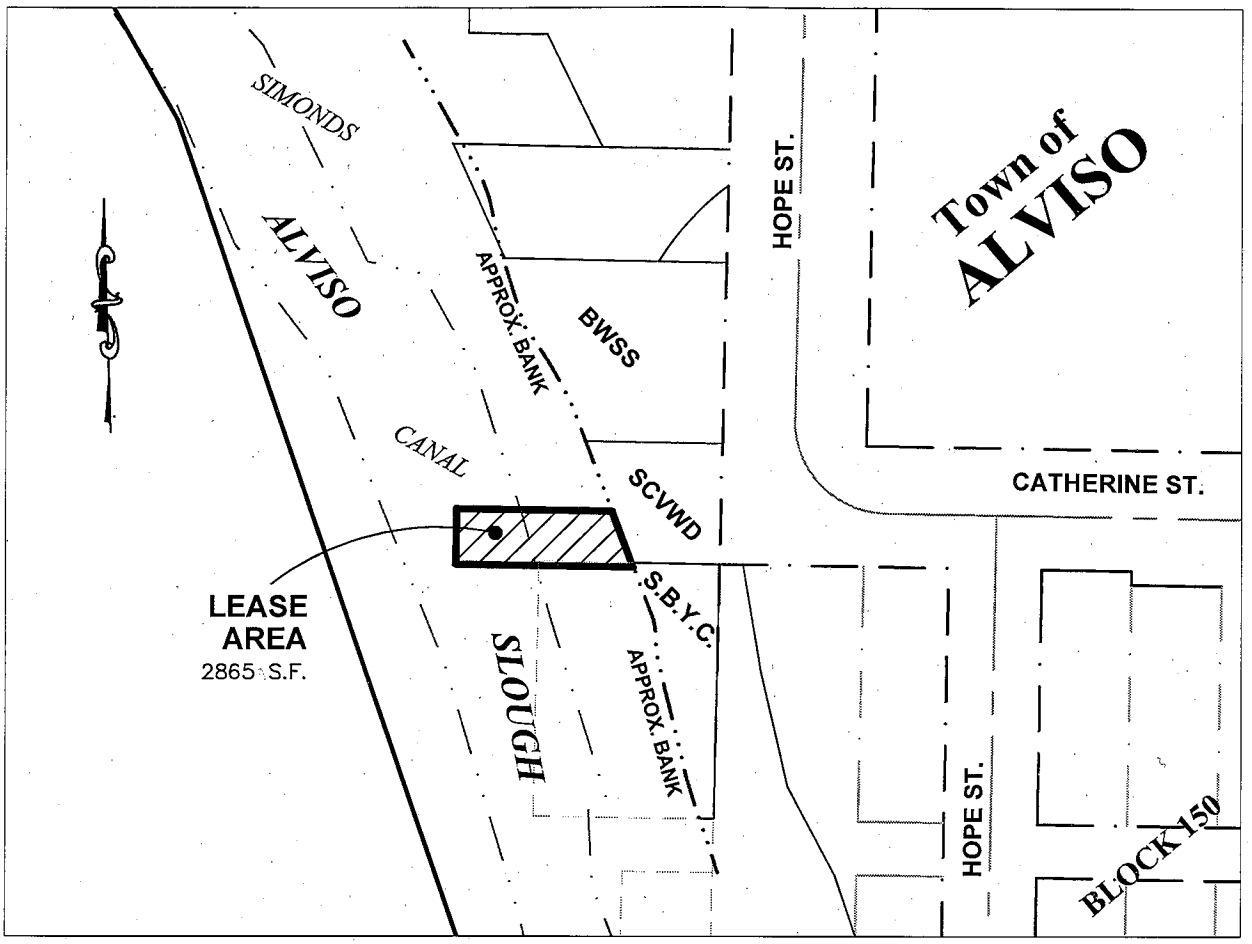
Bearings are based upon those shown on the record of Survey filed in Book 515 of Maps at Page 31, records of Santa Clara County, California.



FEB. 07, 2017

NO SCALE

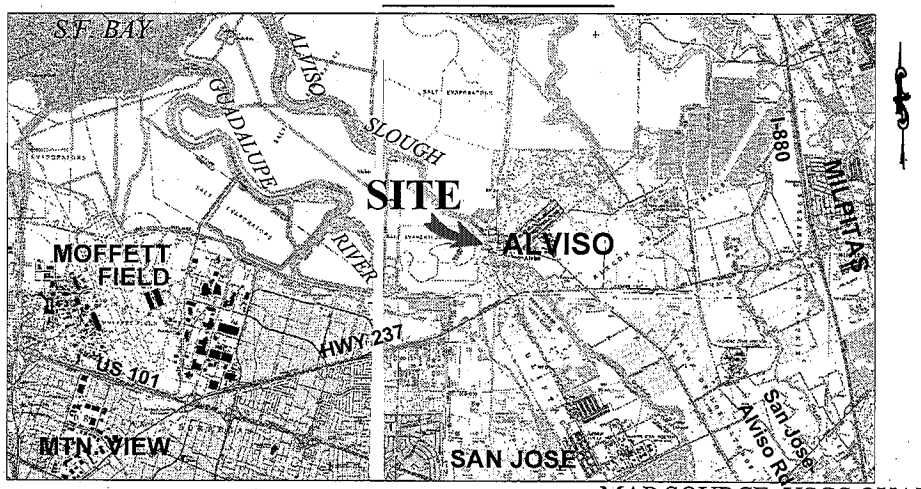
SITE



City of San Jose, Storm Water Force Main Outlet, Alviso Sough

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

W27047
GENERAL LEASE - PUBLIC AGENCY USE
TOWN OF ALVISO
CITY OF SAN JOSE
SANTA CLARA COUNTY

EAP 01/2017

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM

ALVISO STORM PUMP STATION PROJECT
(W 27047, State Clearinghouse No. 2016012064)

The California State Lands Commission (Commission) is a responsible agency under the California Environmental Quality Act (CEQA) for the Alviso Storm Pump Station Project (Project). The CEQA lead agency for the Project is the City of San Jose.

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to discuss feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:[1]

> *In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The lead agency has adopted an MND; State Clearinghouse No. 2016012064, and adopted a MMP for the whole of the Project (see Exhibit C, Attachment C-1) and remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. The full text of each mitigation measure, as set forth in the MMP prepared by the CEQA lead agency and listed in Table C-1, is incorporated by reference in this Exhibit C. Any mitigation measures adopted by the Commission that differ substantially from those adopted by the lead agency are shown as follows:

- Additions to the text of the mitigation measure are <u>underlined</u>; and
- Deletions of the text of the mitigation measure are shown as ~~strikeout~~ or as otherwise noted.

[1] The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures

Potential Impact	Mitigation Measure (MM)[2]	Difference Between CSLC MMP and Lead Agency MMP
BIO-1. Impacts from non-native invasive plant species.	**MM BIO-1.1**.	None
BIO-4. Impacts to special status nesting/foraging birds.	**MM BIO-4.1, MM BIO-4.2**	None
BIO-5. Impacts to other nesting/foraging birds.	**MM BIO-5.1**	None
BIO-6. Impacts to special status fish and essential fish habitat.	**MM BIO-6.1, MM BIO-6.2, MM BIO-6.3, MM BIO-6.4**	None
BIO-7. Impacts to bed and bank of Alviso Slough.	**MM BIO-7.1**	None
BIO-8. Impacts to jurisdictional wetlands and waters.	**MM BIO-8.1, MM BIO-8.2, MM BIO-8.3**	None
CUL-1. Impacts to unknown archaeological resources.	**MM CUL-1.1**	See below
HAZ-1. Impacts from construction-related materials	**MM HAZ-1.1**	None
HAZ-2. Impacts from asbestos-material and contaminated soil	**MM HAZ-2.1**	None
HAZ-3. Impacts from residual total petroleum hydrocarbons in soil	**MM HAZ-3.1, MM HAZ-3.2**	None

MM CUL-1.1: A qualified archaeologist shall be on-site at all times during construction activities to monitor all excavation and earth-moving activities associated with the project. Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by the archaeologist. Commission staff shall be notified of any significant cultural resources or paleontological specimens discovered on lands under the jurisdiction of the Commission. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Supervising Environmental Planner. The final disposition of archaeological and historical resources and paleontological specimens from lands under the jurisdiction of the Commission must be approved by the Commission.

In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and will make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations

[2] See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

regarding proper burial, which will be implemented in accordance with Section 15063.5(e) of the CEQA Guidelines. If the human remains are Native American and are found on lands under the jurisdiction of the Commission, Commission staff shall also be notified to address any landowner responsibilities.

ATTACHMENT C-1

Mitigation Monitoring Program Adopted by the

City of San Jose

MITIGATION MONITORING AND REPORTING PROGRAM

Alviso Storm Pump Station Project
File No. PP15-062

CITY OF SAN JOSE
January 2016

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a mitigation monitoring or reporting program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study 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.

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	BIOLOGICAL RESOURCES			
Impact BIO-1: Construction activities could introduce or cause the spread of non-native invasive plant species to the project site and/or to adjacent areas.	**MM BIO-1.1:** The project shall implement the following measures to reduce the potential for the introduction of non-native invasive plant species. • During construction, all seeds and straw materials used on the project site shall be weed-free rice straw, and all gravel and fill material placed in the top two feet of fill that is not to be covered in hardscape shall be certified weed free. • Construction vehicles and all equipment shall be washed (including wheels, undercarriages, and bumpers) before and after entering the project site. Vehicles shall be cleaned at existing construction yards or legally operating car washes. Tools such as hand clippers, pruners, saws, etc., shall be washed before and after entering the project work area. All washing shall take place where rinse water is collected and disposed of in either a sanitary sewer or landfill. • Ground disturbing equipment and tools used at Alviso Slough within the areas infested by perennial pepperweed must be cleaned before being used in New Chicago Marsh, due to the particularly invasive qualities of this species within wetlands and its potential to cause habitat degradation. A written log shall be kept for all vehicles/equipment/tool washing that states the date, time, location, type of equipment washed, methods used, and staff present. The log shall be available to the City of San José for inspection at any time and shall be submitted to the Department of Planning, Building and Code Enforcement (PBCE) on a monthly basis during construction. • Following project construction, native seed from a local source shall be planted on any disturbed area that will not be landscaped and maintained to minimize the potential for the germination of seeds from non-native, invasive plant species.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. Construction logs shall be submitted to the Supervising Environmental Planner, City of San José Planning, Building and Code Enforcement (PBCE) on a monthly basis during construction.	The measure shall be implemented for the duration of construction activities.

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
Impact BIO-2: Construction of the pump station and wet well could directly impact salt marsh harvest mouse and salt marsh wandering shrew.	**MM BIO-2.1:** Worker Environmental Awareness Program: Prior to any construction activities, a U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW)-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include descriptions of the salt marsh harvest mouse and salt marsh wandering shrew, their habitats, importance of the species, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished. **MM BIO-2.2:** Herbaceous Cover Removal: Prior to the start of construction activities within New Chicago Marsh (including vehicle/equipment access), herbaceous vegetation shall be removed from impact areas to eliminate cover for salt marsh harvest mice and wandering shrews, thereby discouraging those species from occurring in areas of impact. Vegetation removal shall start where the marsh intersects the current parking area, and shall proceed gradually northwards towards the open marsh habitat. Vegetation shall not be removed during a short-term flooding event that temporarily inundates New Chicago Marsh, as these are the conditions in which salt marsh harvest mice and salt marsh wandering shrews are most likely to be present on the project site. A qualified biologist familiar with the biology of these species shall conduct a pre-construction survey prior to vegetation removal, and shall monitor the vegetation removal process. Vegetation shall be removed using hand-held equipment (e.g., weed-whackers). This will allow any small mammals to escape the project impact area under the cover of vegetation, and will encourage movement of such small mammals towards available vegetated habitat to the north outside the project site. All herbaceous vegetation that could potentially conceal a salt marsh harvest mouse or salt marsh wandering shrew within the project impact area in New Chicago Marsh shall be removed. All vegetation that is removed shall be hauled off-site the day it is removed, and shall not be left on the project site where it could provide potential cover for small mammal species. **MM BIO-2.3:** Exclusion Barrier: The area of vegetation removal shall extend approximately 2 to 3 feet beyond the limit of the work area in New Chicago Marsh, to create an open area that will discourage salt marsh harvest mice and salt marsh wandering shrews from approaching the exclusion barrier. After removal of the vegetation and prior to the start of construction activities within New Chicago Marsh, a barrier shall be installed at the outer limits of the	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. A compliance package shall be prepared and submitted to the Supervising Environmental Planner, Department of PBCE, prior to any ground disturbance activities.	All measures shall be implemented prior to and during any construction activity

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	work area within and along New Chicago Marsh to exclude salt marsh harvest mice and salt marsh wandering shrews from the project site. This barrier shall be shown on the project site plans and shall be constructed under the guidance of a qualified biologist. The barrier shall consist of a 3-foot tall, tight cloth, smooth plastic, or sheet-metal (or similar material approved by the USFWS) fence toed into the soil at least 3 inches deep and supported with stakes placed on the inside of the barrier. A qualified biologist shall conduct a pre-construction survey of the area where vegetation was removed prior to construction access, and shall monitor the installation of the barrier. Following the installation of the barrier, designated construction personnel shall check its integrity each morning that construction activities occur, and shall initiate repairs immediately as needed. **MM BIO-2.4:** Environmentally Sensitive Area Fencing: Within New Chicago Marsh, the limits of the work boundary shall be clearly demarcated with Environmentally Sensitive Area fencing to avoid inadvertent disturbance of any habitat outside of the designated construction area during construction activities. This fencing can be combined with the exclusion barrier but must not be outside that barrier. **MM BIO-2.5:** Visual Screening: Green screen fencing shall be installed along the work boundary limits between work areas and natural habitats within New Chicago Marsh to screen project activities from view of the marsh and avoid potential visual disturbance of salt marsh harvest mice and salt marsh wandering shrews. This fencing can be combined with the fencing described above but must not be outside the exclusion barrier. **MM BIO-2.5:** Immediate Work Stoppage: If a salt marsh harvest mouse or salt marsh wandering shrew, or an animal that could be a harvest mouse or wandering shrew (e.g., a similar species of mouse or shrew), is observed within the project site during project activities, all work that could result in the injury or death of the individual shall stop immediately and the qualified biologist shall be immediately notified. The animal shall be allowed to leave the area on its own and shall not be handled.			

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
Impact BIO-3: Outdoor safety lighting could increase lighting in adjacent marsh habitat that could result in indirect impacts to salt marsh harvest mouse and salt marsh wandering shrew.	**MM BIO-3.1:** Orientation of Lights: Lighting installed on the perimeter of the facility shall be directed downward and inward toward the facility roads and buildings, away from the marsh, thus limiting the amount of light spilling into areas outside of the facility. **MM BIO-3.2:** Shielding: Shielding shall be installed on each light to block illumination from shining upward or outward into New Chicago Marsh.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans and required as part of the project.	The measure shall be implemented during the lifetime of the project.
Impact BIO-4: Construction of the new outfall discharge structure would create construction noise that could indirectly disturb nesting and foraging Ridgway's rails and black rails that may be in proximity to the project site.	**MM BIO-4.1**: Worker Environmental Awareness Program: Prior to any construction activities, a USFWS and CDFW-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include descriptions of the California Ridgway's rail and California black rail, their habitats, the importance of the species, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project would be accomplished. **MM BIO-4.2**: Seasonal Avoidance or Protocol-Level Surveys: To avoid causing the abandonment of an active Ridgway's rail or black rail nest, activities within or adjacent to tidal marsh areas shall be avoided during the rail breeding season from February 1 through August 31 unless protocol-level surveys are conducted by a USFWS/CDFW-approved biologist (for Ridgway's rails) and CDFW-approved biologist (for black rails) to determine rail locations and territories. If breeding rails are determined to be present, construction activities shall not occur within 700 feet of an identified calling center (nesting area). If the intervening distance across a major slough channel (e.g., Alviso Slough) or across a substantial barrier between the rail calling center and any construction activity area is greater than 200 feet, then construction activity may proceed at that location within the breeding season.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. All survey results shall be submitted to the Supervising Environmental Planner, Department of PBCE, prior to any ground disturbance activities.	The measures shall be implemented prior to any construction activities.
Impact BIO-5: Construction activities could cause disturbance to birds nesting and foraging in the project area.	**MM BIO-5.1**: Pre-Construction Nesting Bird Survey: Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be disturbed by construction, the	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. All survey results shall be submitted to the Supervising Environmental Planner , Department of PBCE,	The measure shall be implemented prior to issuance of grade permit of any construction activity

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	ornithologist shall designate an adequate buffer zone to be established around the nest, in consultation with the CDFW. The buffer would ensure that nests shall not be disturbed during project construction.		prior to any ground disturbance activities.	
Impact BIO-6: Construction of the new outfall discharge structure could cause both direct and indirect impacts to special-status fish species and Essential Fish Habitat (EFH).	**MM BIO-6.1**: Water Quality: To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. A Stormwater Pollution Prevention Plan (SWPPP) that includes BMPs for erosion control shall be prepared and implemented in compliance with the Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) General Permit. Erosion control designs for the project shall be prepared by a registered Civil Engineer in conformance with industry standards. A SWPPP shall outline the various BMPs and define techniques for placement and maintenance. A SWPPP shall be prepared prior to any grading or construction activities. The erosion control design plans shall employ typical erosion control devices including straw wattles, check dams, fabric blankets, and silt fencing. All erosion control materials shall be biodegradable and natural fiber All grading shall occur within dewatered areas. If the impact area is inundated at the time of construction, New Chicago Marsh shall also require dewatering. If dewatering is necessary inside the work area for New Chicago Marsh, the dewatering shall proceed as described below in Secondary Dewatering and Maintenance Dewatering. • Dewatering within Alviso Slough shall occur as follows: *Initial Dewatering*. Initial dewatering shall be performed after the sheet pile cofferdam is installed and an appropriate settling period of approximately one day has transpired. The purpose of the settling period is to allow the suspended solids from the pile installation to come out of suspension, allowing the majority of the water to be discharged directly into surrounding receiving waters without affecting water quality. As the entrapped water is drawn down inside the cofferdam and the majority of water has been removed, the final 5 to 20 percent of the remaining water may have turbidity beyond acceptable limits. In this circumstance, secondary dewatering shall be necessary.	City of San José Public Works Department	All measures shall be required as part of the project. A compliance package shall be submitted to the Supervising Environmental Planner, Department of PBCE, prior to any ground disturbance activities.	All measures shall be implemented prior to any construction activity and during the duration of construction activities

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	Secondary Dewatering. Secondary dewatering shall be performed by pumping the remaining entrapped water to a set of settling tanks to be treated prior to discharge. Treatment may consist of settlement periods, alone or in combination with addition of flocculent and filtration. As turbidity limits are reached, the water shall be discharged into the surrounding receiving water. *Maintenance Dewatering*. Maintenance dewatering shall be performed to keep the excavation area dry and workable due to any leakage through the sheet pile cofferdam. A small cut-off trench, sloped to drain to several sumps, shall be installed just inside the sheetpile cofferdam. This water shall be pumped to the settling tanks for treatment as noted above. The number of pumps used shall be a function of the rate of infiltration through the sheetpile cofferdam. • BMPs intended to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, fiber rolls, biodegradable natural-fiber erosion control fabric (no plastic fabric allowed), watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. • Sediment control during the rainy season shall be implemented by installing catch basins, silt fences, and sand bags, and by restoring all exposed slopes as per the Erosion Control Plan. All of these sediment controls shall be maintained during the construction phase of the project. • BMPs shall be implemented to reduce the risk of spills and other accidental exposure to hazardous materials and waste during construction and operation of the new pump station. During construction, as staging areas are established across the site, temporary hazardous materials storage shall not be located immediately adjacent to any streambed. If excess materials must be disposed of, it shall be done in accordance with local, state, and federal regulations. Vehicles shall not be refueled within 50 feet of any jurisdictional waterway. • Secondary containment of the generator and its fuel tanks shall be implemented to prevent spills into New Chicago Marsh.			

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	• Construction and Operations crews shall be directed to use BMPs where applicable, such as for prevention of soil erosion and sedimentation of streams and introduction and spread of invasive plant species. These measures shall be identified prior to construction and incorporated into the construction and maintenance operations **MM BIO-6.2**: Work Window: All work within the bed and banks of Alviso Slough shall be conducted between June 15 and October 15. This work window is based on the potential presence of adult salmonids migrating upstream in the winter and out-migrating smolts in the spring. The work window also is designed to avoid impacts on longfin smelt, as they have been documented arriving in Alviso Slough in October, but have not been recorded in the slough in July or August. **MM BIO-6.3**: Work Environmental Awareness Program: Prior to any construction activities, a National Marine Fisheries Service (NMFS)-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the California Central Coast steelhead, green sturgeon, longfin smelt, and Central Valley fall-run Chinook salmon and their habitat, the importance of these species, the general measures that are being implemented to conserve them as they relate to the project, and the boundaries within which the project may be accomplished. **MM BIO-6.4**: Biological Monitoring and Relocation: Before and during dewatering of the work area, fish shall be captured and relocated away from the work area by a NMFS-approved biologist. Fish shall be captured by seine, dip net, and/or electrofisher, and then transported and released to suitable instream locations outside of the work area. All captured fish shall be kept in cool, shaded, aerated water protected from excessive noise, jostling, or overcrowding any time they are not in the stream, and fish shall not be removed from this water except when released. To avoid predation, the biologist shall use at least two containers to separate young-of-year fish from larger age classes and other potential aquatic predators. Captured fish shall be relocated as soon as possible to an instream location in which suitable habitat conditions are present to allow for adequate survival of transported fish and fish already present.			

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
Impact BIO-7: Construction activities would involve impacts to habitats in New Chicago Marsh, a community of special concern, and impact the bed and bank of Alviso Slough.	**MM BIO-7.1**: Streambed Alteration Agreement from CDFW: Prior to any construction activities, a Streambed Alteration Agreement shall be obtained from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. Proof of permit shall be submitted to the Supervising Environmental Planner, Department of PBCE.	The measure shall be implemented prior to any construction activity
Impact BIO-8: Construction activities would discharge fill material into wetlands and waters that are considered jurisdictional by other regulatory agencies.	**MM BIO-8.1**: Obtain Regulatory Permits: Prior to any construction activities a Section 404 fill discharge permit shall be obtained from the U.S. Army Corps of Engineers (USACE), a Section 401 Water Quality Certification shall be obtained from the California Regional Water Quality Board-San Francisco Region (RWQCB), and an Administrative permit shall be obtained from the Bay Conservation and Development Commission (BCDC). The construction of a proposed outfall into Alviso Slough would also require a Section 10 Letter of Permission from USACE. **MM BIO-8.2**: Avoidance and Minimization: To the extent practicable, disturbance within aquatic and wetland habitats shall be avoided and minimized. Where impacts are unavoidable, the project shall maintain natural water flow and drainage patterns to the extent practicable. The work area within Alviso Slough shall be dewatered to maintain existing drainage patterns in the remainder of the channel during dewatering. New Chicago Marsh shall be dewatered as needed. **MM BIO-8.3**: Mitigation for Impacts on Jurisdictional Wetlands and Waters: Loss of jurisdictional wetlands or other waters through fill placement for rock slope protection, outfall installation, or raising ground surface elevation, and temporary impacts resulting from dewatering and construction access, shall be mitigated through the purchase of mitigation credits or off-site creation of wetlands/waters. If purchase of mitigation credits is pursued, appropriate number of credits shall be purchased at the San Francisco Bay Wetland Mitigation Bank for tidal aquatic/marsh restoration prior to construction. This mitigation shall be provided at a ratio of 1:1 on an acreage basis. This would result in a total of 0.2 acre mitigation credits to compensate for the 0.16 acre of permanent and temporary impacts.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. Proof of permits shall be submitted to the Supervising Environmental Planner, Department of PBCE.	All measures shall be implemented prior to any construction activity

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	If the creation of wetlands/waters is pursued, mitigation shall be conducted using a minimum ratio of 3:1 for permanent impacts and 2:1 for temporary impacts, resulting in the creation of 0.27 acre of tidal wetlands and 0.13 acre of tidal waters. Habitat creation shall be concurrent with or prior to impacts on existing wetlands. Due to topography and existing vegetation, it is unlikely that mitigation can occur on-site, and thus mitigation would likely need to take place off-site on a nearby upland area controlled by the City. If through the regulatory permitting and review process it is determined that the City must create habitat, a qualified biologist selected by the City shall develop a Wetland and Jurisdictional Waters Mitigation and Monitoring Plan (WJWMMP), which shall be reviewed and approved by the USACE. The WJWMMP shall include, but is not limited to, the following components: • Summary of habitat impacts and proposed mitigation ratios • Goal of the restoration to achieve no net loss of habitat functions and values • Location of mitigation site(s) and description of existing site conditions • Mitigation design and approach (i.e., hydrology, grading, soil preparation, planning plan, irrigation, maintenance.) • Monitoring and Report Requirements • Success Criteria The USACE or other regulatory agency may modify the WJWMMP or add conditions during the permitting and review process			
	CULTURAL RESOURCES			
Impact CUL-1: Construction activities could impact unknown archaeological resources.	**MM CUL-1.1:** A qualified archaeologist shall be on-site at all times during construction activities to monitor all excavation and earth-moving activities associated with the project. Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by the archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Supervising Environmental Planner. In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and will make a determination as to whether the remains are of Native American origin or	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. The archeologist shall be onsite during all construction activities to monitor excavation and earth-moving activities. The mitigation program shall be developed and implemented under the direction of the	The measure shall be implemented during all earth moving activities.

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. **MM CUL-1.2:** Mechanical subsurface presence/absence testing shall be performed by a qualified archaeologist along or immediately adjacent to the proposed force main route to search for possible buried prehistoric and historic archaeological deposits during earth-moving and construction activities.		Supervising Environmental Planner, Department of PBCE, prior to ground disturbing activities.	
Impact CUL-2: Construction activities could impact unknown paleontological resources.	**MM CUL-2.1:** Construction activities that involve substantial excavation (construction of wet well and force main) shall be monitored by a qualified paleontologist. Should evidence of paleontological resources be discovered during construction, all work within 50 feet of the find shall be stopped to allow adequate time for evaluation by the paleontologist. The material shall be evaluated and if significant, a mitigation program including the collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Supervising Environmental Planner.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. The paleontologist shall be onsite during all construction activities to monitor excavation and earth-moving activities. The mitigation program shall be developed and implemented under the direction of the Supervising Environmental Planner, Department of PBCE, prior to ground disturbing activities.	The measure shall be implemented during all earth moving activities.

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
HAZARDS AND HAZARDOUS MATERIALS				
Impact HAZ – 1: Construction activities would involve the use of hazardous materials that if not properly used, transported, stored, or disposed of could expose the public or environment to hazardous materials.	**MM HAZ - 1.1:** The City of San José shall ensure that all construction-related hazardous materials and hazardous wastes shall be stored, handled, and used in a manner consistent with relevant and applicable federal, state, and local laws. In addition, construction-related hazardous materials and hazardous wastes shall be staged and stored away from stream channels and steep banks to prevent them from entering surface waters in the event of an accidental release.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans prior to issuance of permits.	The measure shall be implemented during the lifetime of the project.
Impact HAZ-2: Hazardous material contamination from asbestos-material and soil could pose a risk to construction workers if encountered during excavation and construction activities.	**MM HAZ-2.1:** The San José Environmental Services Department (ESD) shall require soil sampling to evaluate if asbestos is present. Sampling for asbestos shall be performed at locations of planned earthwork. Sampling and construction activities within the South Bay Asbestos Area (SBAA) shall be coordinated with ESD and the U.S. Environmental Protection Agency (US EPA) Region 9.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans prior to issuance of permits. Sampling for asbestos and coordinating with ESD and US EPA regarding the results of sampling is required as part of the project.	The measure shall be implemented prior to any construction activity.
Impact HAZ-3: Soil is impacted by residual petroleum hydrocarbons that could expose construction workers to hazardous materials during construction activity.	**MM HAZ-3.1:** Prior to initiation of earthwork activities or construction, a Site Management Plan (SMP) shall be developed to establish management practices for handling contaminated soil if encountered. Based on the long developed history of the project area, buried structures, debris, or impacted soil, soil vapor and/or ground water may be encountered during excavation activities; these materials may require special monitoring, handling and/or disposal. The SMP shall include but is not limited to: • Personnel experienced and qualified in the identification and handling of petroleum hydrocarbon-impacted soil shall be on-site during excavation. • Specific procedures and protocol for the identification of petroleum hydrocarbon-impacted soils shall be established. • Specific procedures and protocols for the proper handling and disposal of petroleum hydrocarbon-impacted soils shall be identified.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans prior to issuance of permits. Copies of the SMP and City HSP shall be submitted to the Supervising Environmental Planner, City of San José Planning, Building and Code Enforcement (PBCE) prior to start of construction.	The measure shall be implemented prior to the issuance of a demolition permit.

Environmental Impacts	Mitigation Measures	Responsibility for Mitigation Implementation	Method of Compliance	Timing of Compliance
	MM HAZ-3.2: If the pre-construction testing indicates that there is contamination present at concentrations that could pose a risk to workers' health or the environment, then the City shall prepare a Health and Safety Plan (HSP) to provide general health and safety guidance such that construction activities can be conducted in a safe manner. Contractors shall be responsible for the health and safety of their employees during construction activities, and the HSP shall be kept on-site during all construction activities. In addition, on-site contractors performing work on this project shall be required to develop their own site-specific Health and Safety Plan. The Health and Safety Plan prepared by on-site contractors shall, at a minimum, include the City's HSP. Each contractor shall be solely responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines. The contractors must verify that all on-site personnel are qualified, trained, and prepared to implement the HSP and safely perform the planned site work. Field personnel shall be required to indicate in writing that they have read and understand the provisions of the HSP.			

Standard Permit Conditions				
In addition to the mitigation measures listed above, the following standard permit conditions shall be implemented.				
Environmental Issue	**Standard Measure(s)**	**Responsibility for Mitigation Implementation**	**Method of Compliance**	**Timing of Compliance**
Air Quality	Consistent with General Plan policies, all basic Bay Area Air Quality Management District (BAAQMD) BMPs and dust control measures shall be implemented during all phases of construction on the project site to reduce dustfall emissions • All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour. • Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites. • Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more. • Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replanting of vegetation in disturbed areas as soon as possible after completion of construction. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage for minimizing idling times shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's	City of San José Public Works Department	All measures shall be printed on construction documents, contracts, and project plans and reviewed by the Director of PBCE.	The measures shall be implemented during the construction phase of the project.

Standard Permit Conditions				
In addition to the mitigation measures listed above, the following standard permit conditions shall be implemented.				
Environmental Issue	**Standard Measure(s)**	**Responsibility for Mitigation Implementation**	**Method of Compliance**	**Timing of Compliance**
	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 person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.			
Geology and Soils	To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which shall be included in a report to the City. The structural designs will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of San José's Building Division as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the California Building Code. A grading permit shall be obtained prior to the issuance of a Public Works Clearance. These standard practices, including the measures outlined below, would ensure that the project is designed properly to account for the erosion conditions and expansive soils on the site.	City of San José Public Works Department	All measures shall be printed on all construction documents, contracts, and project plans. Submittal of the structural design report to the Director of the City's Building Division, for review and approval.	The measure shall be implemented prior to any grading or building permit

Standard Permit Conditions				
In addition to the mitigation measures listed above, the following standard permit conditions shall be implemented.				
Environmental Issue	**Standard Measure(s)**	**Responsibility for Mitigation Implementation**	**Method of Compliance**	**Timing of Compliance**
	• The project shall conform to the recommendations in engineering reports for the project. • All excavation and grading work shall be scheduled during dry weather months, to the extent possible, or construction sites will be weatherized. • Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting. • Ditches shall be installed, if necessary, to divert runoff around excavations and graded areas. • The project shall prepare and implement an Erosion Control Plan in conformance with the requirements of the Department of Public Works			
Hydrology and Water Quality	Consistent with the General Plan policies and National Pollution Discharge Elimination System (NPDES) permit standards, the project shall implement stormwater pollution prevention measures including, but are not limited to the following: • Utilize on-site sediment control BMPs to retain sediment on the project site; • Utilize stabilized construction entrances and/or wash racks; • Implement damp street sweeping; • Provide temporary cover of disturbed surfaces to help control erosion during construction; and • Provide permanent cover to stabilize the disturbed surfaces after construction has been completed. The design of the stormwater features to pump groundwater will require review by the City's Environmental Services Engineering section to determine conformance with the City's Stormwater Permit requirements during the Building Permit stage. In the	City of San José Public Works Department	All measures shall be printed on construction documents, contracts, and project plans and reviewed by the Director of PBCE.	The measures shall be implemented during the construction phase of the project.

Standard Permit Conditions				
In addition to the mitigation measures listed above, the following standard permit conditions shall be implemented.				
Environmental Issue	**Standard Measure(s)**	**Responsibility for Mitigation Implementation**	**Method of Compliance**	**Timing of Compliance**
	event it is not feasible to discharge pumped groundwater to stormwater treatment features, volumes up to 10,000 gallons per day (gpd) may be discharged to the stormwater system if testing determines that the discharge is uncontaminated, as outlined in the City's Stormwater Permit.			
Noise	The City's Municipal Code (Section 20.40.600) limits noise from mechanical and other stationary equipment to 55 decibels at the closest residential property line. Prior to construction, during the design phase of the building, an acoustical study shall be required to demonstrate to the City's building official that noise emissions from stationary equipment in the new building would conform to the City's requirements. Completion of this study would be required prior to issuance of a building permit. The following measures will be implemented as part of a construction noise logistics plan, as necessary, to reduce construction noise and vibration levels consistent with City of San José policy: • Limit demolition and construction activities to non-holiday, daytime hours between 7:00 a.m. and 7:00 p.m.; • Construct fences around construction sites adjacent to operational businesses, residences or noise-sensitive land uses; • Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists; • Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; • Locate all stationary noise-generating equipment, such as air compressors and portable	Director of PBCE City of San José Public Works Department	All measures shall be printed on construction documents, contracts, and project plans and reviewed by the Director of PBCE.	The measures shall be implemented during the construction phase of the project.

Standard Permit Conditions				
In addition to the mitigation measures listed above, the following standard permit conditions shall be implemented.				
Environmental Issue	**Standard Measure(s)**	**Responsibility for Mitigation Implementation**	**Method of Compliance**	**Timing of Compliance**
	power generators, as far away as possible from businesses, residences, and noise-sensitive land uses; • Prohibit all unnecessary idling of internal combustion engines; • Notify all adjacent businesses, residences, and noise-sensitive land uses of the construction schedule in writing; • A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected; • Designate a disturbance coordinator, responsible for responding to complaints about construction noise. The name and telephone number of the disturbance coordinator shall be posted at the construction site and made available to businesses, residences, and noise-sensitive land uses adjacent to the construction site; • Provide written schedule to adjacent land uses and nearby residences of "noisy" construction activities; • If pile driving is necessary, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile; and • If pile driving is necessary, consider the use of "acoustical blankets" for receivers located within 100 feet of the site.			

Source: *Alviso Storm Pump Station Initial Study.* January 2016.