

Chapter 5

Mitigation Monitoring and Reporting Program

INTRODUCTION

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with project development. The Environmental Impact Report for the proposed Menlo Gateway Project (proposed project) includes mitigation measures to reduce the potential environmental effects of the proposed project.

CEQA also requires reporting on and monitoring of mitigation measures adopted as part of the environmental review process (Public Resources Code section 21081.6). This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of Menlo Park in its implementation and monitoring of measures adopted from the Menlo Gateway Project EIR.

The mitigation measures are taken from the Menlo Gateway Project Draft EIR. Mitigation measures in this MMRP are assigned the same number they had in the Draft EIR. The MMRP is presented in table format and it describes the actions that must take place to implement each mitigation measure, the timing of those actions, the entities responsible for implementing and monitoring the actions, and verification of compliance.

As described in the Draft EIR in Chapter 2, Project Description, (see page 2-7), Phase 1 involves buildout of the Independence site, and Phase 2 involves buildout of the Constitution site. The traffic analysis in the Draft EIR did not account for phasing of development; the traffic analysis assumed that all buildings would be constructed at once. In order to more precisely identify the timing of when certain transportation mitigation measures would need to be implemented based on the phasing of construction of the buildings, DKS Associates prepared a supplemental analysis (transportation mitigation phasing), included as Appendix E in this Final EIR. The transportation mitigation phasing analysis is consistent with the assumptions and methodologies of the traffic analysis and all other respects of the Draft EIR.

Of the 11 impacted intersections, the transportation mitigation phasing analysis concluded that impacts to the following seven intersections were associated with construction of the Independence Phase, assuming the Independence Phase is constructed before the Constitution Phase.

- Marsh Road/Bohannon Drive
- Willow Road/Newbridge Street
- Bayfront Expressway/Willow Road
- Bayfront Expressway/Chrysler Drive

- Bayfront Expressway/Haven Avenue
- Marsh Road/Middlefield Road
- Constitution Drive/Chrysler Drive

The transportation mitigation phasing analysis concluded that impacts to the following four intersections were associated with construction of the Constitution Phase, assuming the Constitution Phase is constructed after the Independence Phase:

- Bayfront Expressway/University Avenue
- Bayfront Expressway/Chilco Street
- Marsh Road/US 101 NB offramp
- Independence Drive/Constitution Drive

Specific revisions to the wording of the mitigation measures are included in Chapter 2, Revisions to the Draft EIR. The mitigation measures, listed below in the MMRP, include the updated language that reflects the proper phasing of the project.

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
3.1 Aesthetics					
<p>AE-2 Implementation of the proposed project would create new sources of light or glare that could adversely affect day or nighttime views.</p>	<p>AE-2.1 <i>Design Lighting to Meet Minimum Safety and Security Standards.</i> The project sponsor shall incorporate lighting design specifications to meet minimum safety and security standards. The following measures shall be included in all lighting plans:</p> <ul style="list-style-type: none"> • Luminaires shall be designed with cutoff-type fixtures or features that cast low-angle illumination to minimize incidental spillover of light onto adjacent private properties. Fixtures that shine light upward or horizontally shall not spill any light onto adjacent private properties. • Luminaires shall provide accurate color rendering and natural light qualities. Low-pressure sodium and high-pressure sodium fixtures that are not color-corrected shall not be used, except as part of an approved sign or landscape plan. • Luminary mountings shall be downcast and pole heights minimized to reduce potential for back scatter into the nighttime sky and incidental spillover light onto adjacent properties and undeveloped open space. Light poles shall be no higher than 20 feet. Luminary mountings shall be treated with non-glare finishes. 	<p>Luminaires shall be designed to cast low-angle illumination.</p> <p>Luminaires shall provide accurate color rendering and natural light qualities.</p> <p>Luminary mountings shall be downcast to reduce spillover</p>	<p>Submittal of lighting plan concurrent with building permit application</p>	<p>Project Sponsor</p>	<p>CDD</p>

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
3.2 Air Quality					
<p>AQ-2 Construction activities associated with the proposed project would temporarily generate dust or diesel emissions exposing people to particulate matter.</p>	<p>AQ-2.1 <i>Implement Recommended Dust Control Measures.</i> To reduce particulate matter emissions during project demolition, excavation and construction phases, the project contractor(s) shall comply with the dust control strategies developed by the BAAQMD. The project sponsor shall include in all construction contracts the following requirements, or measures shown to be equally effective.</p> <ul style="list-style-type: none"> • All trucks hauling soil, sand, and other loose construction and demolition debris from the site shall be covered, or all such trucks shall maintain at least two feet of freeboard. • All exposed or disturbed soil surfaces in active construction areas shall be watered at least twice daily. • All unpaved parking areas and staging areas shall either be paved, watered three times daily, or treated with (non-toxic) soil stabilizers. • All paved parking areas and staging areas shall be swept daily (with water sweepers). • Mud and dirt carried onto paved streets from the construction areas shall be cleaned daily. • Exposed stockpiles (i.e., dirt, sand, etc.) shall be enclosed, covered, watered twice daily or non-toxic soil binders applied. 	<p>Trucks carrying demolition debris shall be covered.</p> <p>Exposed soil surfaces shall be watered twice daily.</p> <p>Unpaved parking areas shall be paved or watered three times daily.</p> <p>Paved parking areas shall be swept daily.</p> <p>Dirt carried from construction areas shall be cleaned daily.</p> <p>Stockpiles shall be enclosed or watered.</p>	<p>Measures shown on plans, construction documents and on-going during demolition, excavation and construction</p>	<p>Project Sponsor and Contractor(s)</p>	<p>PW/CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<ul style="list-style-type: none"> • Traffic speeds shall be limited on unpaved roads to 15 mph. • Sandbags or other erosion control measures shall be used to prevent silt runoff to public roadways. • In graded areas in which construction activities will not occur for a period of more than 30 days, a temporary vegetative cover shall be planted within 5 days of completion of grading. • Wheel washers shall be installed for all exiting trucks, or truck tires and tracks of all trucks and equipment leaving the site shall be washed. • Wind breaks at the windward side(s) of construction areas shall be installed. • Excavation and grading activity shall be suspended when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more. • To the extent possible, the area subject to excavation, grading, and other dust-generating construction activity shall be limited to only one activity. 	<p>Speed limit on unpaved roads shall be 15 mph.</p> <p>Erosion control measures shall be used.</p> <p>Vegetation shall be replanted</p> <p>Wheel washers installed.</p> <p>Install windbreaks.</p> <p>Halt excavation and grading when wind is over 25 mph.</p> <p>Only one dust generating activity at a time.</p>			
	<p>AQ-2.2 <i>Reduce Emissions from Heavy-duty Diesel-powered Equipment.</i> The project sponsor shall include in all construction contracts the following requirements, or measures shown to be equally effective, to reduce the emissions generated by heavy-duty diesel-powered construction equipment operating in the project area by the following means:</p>	<p>Include in all construction contracts requirements to reduce the emissions generated by heavy-duty diesel-powered construction equipment.</p>	<p>Measures shown on plans, construction documents and specification and ongoing during construction</p>	<p>Project Sponsor and Contractor(s)</p>	<p>CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<ul style="list-style-type: none"> • All construction equipment shall be maintained in proper working condition in accordance with manufacturer's specifications. • Diesel-powered construction equipment shall comply with the BAAQMD requirements or meet Tier 3 or Tier 4 EPA/ARB standards. • Diesel-powered motors shall be equipped with a catalyzed diesel particulate filter. • To the extent feasible, the existing electricity infrastructure surrounding the construction sites shall be used rather than electrical generators powered by internal combustion engines. 				
AQ-3 Operation of the proposed project would create new area and mobile sources of air pollutants that would generate emissions of NO_x, and PM₁₀ that would exceed BAAQMD's significance thresholds.	AQ-3.1 Implement Mitigation Measures TR-1.1(I) and TR-1CM.1(C)	See Mitigation Measures TR-1.1(I) and TR-1CM.1(C)			
AQ-2CM Construction activities associated with the project combined with other construction activities in the City could generate dust or diesel emissions, thus exposing people to particulate matter.	AQ-2CM.1 Implement Mitigation Measures AQ-2.1 and AQ-2.2.	See Mitigation Measures AQ-2.1 and AQ-2.2			
AQ-3CM Implementation of the proposed project combined with other cumulative development in the City would create new area and mobile sources of air pollutants that would generate emissions of NO_x, and PM₁₀.	AQ-3CM.1 Implement Mitigation Measures TR-1.1(I) and TR-1CM.1(C)	See Mitigation Measures TR-1.1(I) and TR-1CM.1(C)			

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
3.3 Biological Resources					
<p>BR-1 Removal of trees, shrubs, or woody vegetation within the project area could result in impacts to nesting birds.</p>	<p>BR-1.1 <i>Pre-construction nesting bird surveys.</i> To facilitate compliance with State and federal law (Fish and Game Code and the MBTA) and prevent impacts to nesting birds, the project sponsor shall avoid the removal of trees, shrubs, or weedy vegetation between February 1 through August 31 during the bird nesting period. If no vegetation or tree removal is proposed during the nesting period, no surveys are required. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than seven days prior to the removal of trees, shrubs, weedy vegetation, buildings, or other construction activity.</p> <p>A) Survey results shall be valid for 21 days following the survey. The area surveyed shall include all construction areas as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.</p> <p>B) In the event that an active nest for a protected species of bird is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until the biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.</p>	<p>A nesting bird survey shall be prepared if trees, shrubs, or weedy vegetation will be removed between February 1 through August 31.</p>	<p>Prior to Grading/ Construction</p>	<p>Project Sponsor</p>	<p>CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
<p>BR-2 Demolition of buildings within the project area could result in impacts to bats that may roost in buildings.</p>	<p>BR-2.1 <i>Conduct bat and bat roosting site surveys.</i> Prior to building demolition or tree removal activities, the project sponsor shall retain a qualified biologist to conduct a focused survey for bats and potential roosting sites within buildings to be demolished or trees to be removed. The surveys can be conducted by visual identification and can assume presence of pallid bats or the bats can be identified to a species-level with the use of an “Anabat” unit. If no roosting sites or bats are found, a letter report confirming absence shall be sent to the California Department of Fish and Game and no further mitigation is required.</p>	<p>Retain a qualified biologist to conduct a focused survey for bats and potential roosting sites within buildings to be demolished or trees to be removed.</p>	<p>Prior to building demolition or tree removal</p>	<p>Qualified Biologist retained by Project Sponsor</p>	<p>CDD</p>
	<p>BR-2.2 Monitoring and Exclusion Measures. A) If bats are found roosting outside of nursery season (May 1st through October 1st), then they shall be evicted as described under (B) below. If bats are found roosting during the nursery season, then they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats shall be evicted as described under (b). Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. A 250-foot (or as determined in consultation with the</p>	<p>Roosts shall be monitored to determine if the roost site is a maternal roost.</p>	<p>Prior to building demolition or tree removal</p>	<p>Qualified Biologist retained by Project Sponsor</p>	<p>CDD</p>

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>Department of Fish and Game) buffer zone shall be established around the roosting site within which no construction shall occur.</p> <p>B) Eviction of bats shall be conducted using bat exclusion techniques, developed by Bat Conservation International (BCI) and in consultation with the Department of Fish and Game, that allow the bats to exit the roosting site but prevent re-entry to the site. This would include, but not be limited to, the installation of one way exclusion devices. The devices shall remain in place for seven days and then the exclusion points and any other potential entrances shall be sealed. This work shall be completed by a BCI recommended exclusion professional. The exclusion of bats shall be timed and carried concurrently with any scheduled bird exclusion activities.</p>				
<p>BR-1CM Removal of buildings, trees, shrubs, or other woody vegetation associated with construction of the proposed project and other cumulative development within the City could result in impacts to nesting birds and bats.</p>	<p>BR-1CM.1 Implement of Mitigation Measures BR-1.1, BR-2.1 and BR-2.2</p>	<p>See Mitigation Measures BR-1.1, BR-2.1 and BR-2.2</p>			
<p>3.4 Cultural Resources</p>					
<p>CR-1 The proposed project has the potential to encounter and damage or destroy previously unknown subsurface archaeological resources during construction.</p>	<p>CR-1.1 <i>Perform pre-construction surveys, evaluate uncovered archaeological features, and mitigate potential disturbance for identified significant resources.</i> Prior to the initiation of earth-disturbing activities, the project sponsor shall hire a qualified</p>	<p>Retain a qualified archeologist to monitor project-related earth-disturbing activities.</p>	<p>Prior to grading activities and ongoing during construction</p>	<p>Qualified Archaeologist retained by Project Sponsor</p>	<p>CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>archaeologist (i.e., one who meets the Secretary of the Interior’s professional qualifications for archaeology or one under the supervision of such a professional) to monitor, to the extent determined necessary by the archaeologist, project-related earth-disturbing activities (e.g. grading, excavation, trenching).</p> <p>In the event that any prehistoric or historic-period subsurface archaeological features or deposits, including locally darkened soil (“midden”), that could conceal cultural deposits, animal bone, obsidian, and/or mortar are discovered during demolition/ construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the discovery shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours. The City shall consult with the project archeologist to assess the significance of the find. Impacts on any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the City and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation.</p> <p>If a Native American archaeological, ethnographic, or spiritual resources are discovered, all identification and treatment of the resources shall be conducted by a qualified archaeologist and Native American representatives who are approved by the local Native American</p>	<p>If any prehistoric or historic-period subsurface archaeological features or deposits are discovered during demolition/ construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the discovery shall be halted immediately, and the City of Menlo Park Community Development Department shall be notified within 24 hours.</p> <p>If any Native American resources are discovered all identification and treatment of the resources shall be conducted by a</p>			

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	community as scholars of the cultural traditions. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. When historic archaeological sites or historic architectural features are involved, all identification and treatment is to be carried out by historical archaeologists or architectural historians who meet the Secretary of the Interior's professional qualifications for archaeology and/or architectural history.	qualified archaeologist and Native American representatives who are approved by the local Native American community.			
CR-2 The proposed project has the potential to encounter or discover human remains during excavation or construction in the project area.	CR-2.1 <i>Comply with State regulations regarding the discovery of human remains.</i> If human remains are discovered during any construction activities, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As	If human remains are discovered during any construction activities, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the County coroner shall be notified immediately.	On-going during construction	Qualified Archeologist retained by the Project Sponsor	CDD

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains.</p> <p>The City of Menlo Park Community Development Department shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines Section 15064.5(e) and Public Resources Code Section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the Community Development Department, before the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.</p>				
<p>CR-1CM The proposed project, combined with other development in the City, would have a potentially significant cumulative impact on archaeological resources and human remains.</p>	<p>CR-1CM.1 Implementation of Mitigation Measures CR-1.1 and CR-2.1</p>	<p>Mitigation Measures CR-1.1 and CR-2.1</p>			
<p>3.5 Hydrology and Water Quality</p>					
<p>HY-7 Structures placed within the 100-year flood hazard area as a result of the proposed project could impede or redirect flood flow.</p>	<p>HY-7.1 <i>Prior to the first grading or building permit submittal for each phase of construction, the project sponsor shall submit a FEMA CLOMR-F application to the Public Works Department for review and approval.</i> In accordance with the National Flood Insurance Program (NFIP) (Code of Federal Regulations (CFR) 44 Part 65), Section 65.6 (Revision of base flood elevation determinations), the project sponsor shall prepare supporting data, including relevant hydraulic and</p>	<p>Prepare and obtain a CLOMR-F from FEMA and submit an elevation certificate to the City for each structure.</p>	<p>Prior to issuance of a grading or building permit</p>	<p>Project Sponsor</p>	<p>PW/CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	hydrologic analyses, delineation of floodplain boundaries and all other information required by FEMA to review and evaluate the request for a CLOMR-F. The analyses shall clearly show revised and new floodplain boundaries, for the project area and adjacent areas not affected by the revision. Upon receiving City approval, the project sponsor shall submit the CLOMR-F application to FEMA. Prior to issuance of a grading or building permit, the project sponsor shall obtain a CLOMR-F from FEMA. The project sponsor shall submit an elevation certificate prior to final signoff of the foundation inspection for each structure.				
3.6 Hazardous Materials					
HM-2 Site grading, landscaping, excavation, and construction activities in the project area could expose construction personnel and the public to existing contaminated soil and/or groundwater if approved remediation cleanup levels have not been achieved.	HM-2.1 <i>Concurrent with the first building permit submittal for each phase of construction, the project sponsor shall submit a Phase II Environmental Site Assessment (ESA) prepared by an appropriately registered professional for review by the Community Development Department. The Phase II shall include a risk analysis for future occupants of the buildings. If the Phase II for the Independence Phase indicates that the source of contamination is either on-site or upstream (i.e., the US 101 side of the site), then the project sponsor does not need to submit a Phase II for the Constitution Phase.</i>	Prepare Phase II ESA.	Concurrent with first building permit for each phase of construction	Project Sponsor	CDD/SMCHS
	HM-2.2 <i>Prior to, or at a minimum concurrent with the first grading or building permit submittal for each phase of construction, the project sponsor shall retain a qualified professional to prepare a work plan to</i>	Prepare a work plan to implement recommendations of the Phase II ESA.	Prior to first grading or building permit issued for each phase of construction	Project Sponsor	CDD/SMCHS

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p><i>implement recommendations in the Phase II Environmental Site Assessment. The project sponsor shall submit the Soil and Groundwater Management Plan (work plan) to the San Mateo County Health System (SMCHS). The work plan shall address soil, soil vapor, and/or groundwater, as appropriate. The work plan shall include specific soil removal and disposal measures, as appropriate, soil vapor management, and groundwater management, including dewatering and disposal. If a soil vapor and/or groundwater monitoring network is established through the work plan, the City shall ensure project design and construction will not adversely affect the long-term use of any monitoring network through damage of wells and related facilities, and will not adversely affect contaminant transport in groundwater as a result of soil disturbance or dewatering. Prior to issuance of a grading or building permit, the City of Menlo Park shall ensure the work plan has been approved by SMCHS and implemented.</i></p>				
	<p>HM-2.3 <i>If the Phase II Environmental Site Assessment identifies potential risk to future building occupants, the project sponsor shall retain a qualified professional to prepare a soil vapor study and risk management plan for review and approval of the Regional Water Quality Control Board (RWQCB). The plan shall use institutional controls and soil vapor system design. The project sponsor shall incorporate applicable interior, exterior,</i></p>	<p>Retain a qualified professional to prepare the soil vapor study and risk management plan and implement the recommendations.</p>	<p>Prior to building permit(s)</p>	<p>Project Sponsor and Contractor(s)</p>	<p>CDD/RWQCB</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	and subgrade project features into the project plans, subject to review and approval of the Community Development Department. Prior to issuance of building permits, the City shall ensure subgrade features (e.g., sub-slab venting, vapor barriers) have been installed.				
	<p>HM-2.4 <i>Prior to issuance of a grading permit that involves any below grade excavation activities that may encounter groundwater, the project sponsor shall prepare and the project contractor shall implement a site-specific health and safety plan, subject to review and approval of the Community Development Department. The site-specific health and safety plans shall follow California and federal Occupational Safety and Health Administration (Cal/OSHA and OSHA, respectively) standards under California Code of Regulations (CCR), Title 8, Section 5192, and 29 Code of Federal Regulations (CFR) 1910.120, respectively, and any other applicable health and safety laws, regulations and/or standards. Health and safety plans shall include, among other things, a description of health and safety training requirements for on-site construction personnel, a description of the level of personal protective equipment to be used, and any other applicable precautions to be undertaken to minimize direct contact with contaminated soil or groundwater.</i></p>	<p>Prepare and implement a site-specific health and safety plan.</p>	<p>Prior to grading permit for any below grade excavation activities</p>	<p>Project Sponsor and Contractor(s)</p>	<p>CDD/PW/SMCHS</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	HM-2.5 <i>Prior to issuance of a grading permit, the project sponsor shall submit plans that describe actions to be taken in the event unexpected debris, hazardous materials, or soil or groundwater contamination not previously identified is discovered. The plan shall be subject to review and approval of the Community Development Department.</i>	Prepare plan for the discovery of previously unknown contaminants.	Prior to grading	Project Sponsor and Contractor(s)	CDD/SMCHS
3.7 Land Use – There are no significant land use policy impacts.					
3.8 Noise					
NO-2 Construction activities associated with the proposed project would have the potential to expose sensitive receptors to excessive ground-borne vibration.	NO-2.1 <i>Notify nearby businesses of construction activities that could affect vibration-sensitive equipment. The project sponsor shall provide notification to property owners and occupants within 500 feet of the construction site, prior to the start of construction, informing them of the estimated start date and duration of vibration-generating construction activities, such as would occur during site preparation, grading, and pile driving, if required. This notification shall include information warning about potential for impacts related to vibration-sensitive equipment. The project sponsor shall identify a phone number for the property owners and occupants to call if they have vibration-sensitive equipment on their site.</i>	Provide notification to adjacent property owners and occupants, informing them of the estimated start date and duration of vibration-generating construction activities.	Prior to construction	Project Sponsor	CDD
	NO-2.2 <i>Implement construction best management practices to reduce construction vibration. If vibration-sensitive equipment is identified within 500 feet of the construction site, the project sponsor shall implement the following measures during construction of all project components:</i>	Implement construction best management practices to reduce construction vibration.	Measures shown on plans, construction documents and specification and on-going through construction	Project Sponsor and Contractor(s)	CDD

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<ul style="list-style-type: none"> To the extent feasible, construction activities that could generate high vibration levels at any identified vibration-sensitive locations, shall be scheduled during times that would have the least impact on nearby land uses. This could include restricting construction activities in the areas of potential impact to the early and late hours of the work day, such as from 8:00 am to 10:00 am or 4:00 pm to 6:00 pm Monday to Friday. Stationary sources, such as construction staging areas and temporary generators, shall be located as far from nearby vibration-sensitive receptors as possible. Trucks shall be prohibited from idling along streets serving the construction site where vibration-sensitive equipment is located. 				
NO-3 Operation of the proposed project would result in a substantial permanent ambient noise level increase in the project vicinity.	NO-3.1 Implement Mitigation Measures TR-1.1(I) and TR-1CM.1(C)	See Mitigation Measures TR-1.1(I) and TR-1CM.1 [®]			
NO-4 Construction of the proposed project would generate a short-term increase in noise levels that would exceed ambient noise levels in the area.	NO-4.1 <i>Implement construction best management practices to reduce construction noise.</i> The project sponsor shall implement the following measures during the construction of the proposed project: <ul style="list-style-type: none"> To the extent feasible, the noisiest construction activities shall be scheduled during times that would have the least impact on nearby residential land uses. This would include restricting typical demolition 	Schedule noisiest construction activities during times that will have the least impact on residential uses.	Measures shown on plans, construction documents and specification and on-going through construction	Project Sponsor and Contractor(s)	CDD

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>and exterior construction activities to the hours of 8:00 am to 6:00 pm Monday to Friday.</p> <ul style="list-style-type: none"> • Equipment and trucks used for project construction shall use 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) wherever feasible. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project 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 can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. • Construction contractors, to the maximum extent feasible, shall be required to use “quiet” gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting. 	<p>Construction equipment shall use best available noise control techniques.</p> <p>Impact tools shall be hydraulically or electrically powered wherever possible.</p> <p>Construction contractors shall be required to use “quiet” gasoline-powered compressors or other electric-powered compressors.</p>			

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<ul style="list-style-type: none"> Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible. Install temporary plywood noise barriers eight feet in height around the construction site to minimize construction noise to 90 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels. Trucks shall be prohibited from idling along streets serving the construction site. 	<p>Stationary noise sources shall be located as far from nearby receptors as possible, and they shall be muffled.</p> <p>Temporary plywood noise barriers shall be erected around the construction site.</p> <p>Trucks shall be prohibited from idling along streets.</p>			
3.9 Population and Housing – There are no significant population and housing impacts.					
3.10 Public Services – There are no significant public services impacts.					
3.11 Transportation and Circulation					
TR-1 Increases in traffic associated with the proposed project under the Near Term plus Project Conditions would result in increased delays at several intersections during peak hours causing a significant impact to the operation of the intersections.	TR-1.1 A) <i>Willow Road/Newbridge Street Intersection Improvements.</i> Prior to building permit issuance of the first building permit of the Independence Phase, the project sponsor shall pay a fee of \$125,000 as a contribution toward adaptive signal timing improvements based on impacts to the intersections of Willow Road/Newbridge Street. If Caltrans does not approve the use of adaptive signal	Payment of required fees.	Prior to first building permit on the Independence site	Project Sponsor	PW/CDD

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>timing at this intersection, the City of Menlo Park may use the money for other transportation improvements in the City.</p> <p>B) <i>Bayfront Expressway/Willow Road Intersection Improvements.</i> Prior to issuance of a building permit for the first building of the Independence Phase, the project sponsor shall submit complete plans to construct an eastbound right turn lane with a right turn overlap phase from Willow Road to Bayfront Expressway. The resulting intersection design would have a total of three eastbound right turn lanes. Complete plans shall include all necessary requirements to construct the improvements in the public right-of-way, including but not limited to, grading and drainage improvements, utility relocations, signal relocations/modifications, tree protection requirements, striping modifications further west on Willow Road, and a detailed cost estimate. The plans shall be subject to review and approval of the Public Works Department prior to submittal to Caltrans. Upon obtaining approval from the Caltrans, the project sponsor shall construct the improvements prior to occupancy of the first building on the Independence Site. If Caltrans approval has not been obtained, but the project sponsor demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Public Works</p>	<p>Prepare and submit complete plans to construct required improvements and a detailed cost estimate.</p>	<p>Prior to first building permit on the Independence site</p>	<p>Project Sponsor</p>	<p>PW/Caltrans</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>Director prior to occupancy of the first building, the project sponsor shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The project sponsor shall continue to pursue approval and construction for a period of 5 years from the date of occupancy of the first building. If the project sponsor continues to work diligently to the satisfaction of the Public Works Director, but has not yet obtained approval to construct the improvement, then the project sponsor shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park. Construction of this improvement shall count as a credit toward payment of the Transportation Impact Fee (TIF) pursuant to the TIF Ordinance against the Constitution Site Phase.</p> <p>C) <i>Bayfront Expressway and Chilco Street Intersection Improvements.</i> Prior to issuance of a building permit for the first building of the Constitution Phase, the project sponsor shall submit complete plans to construct an additional eastbound left turn lane from Chilco Street to Bayfront Expressway. Complete plans shall include all necessary requirements to construct the improvements in the public right-of-way, including but not limited to, grading and drainage improvements, utility relocations, signal relocations/modifications, tree protection requirements, median and striping</p>	<p>Prepare and submit complete plans to construct required improvements and a detailed cost estimate.</p>	<p>Prior to first building permit on the Constitution site</p>	<p>Project Sponsor</p>	<p>PW/Caltrans</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>modifications further west on Chilco Street, and a detailed cost estimate. The plans shall be subject to review and approval of the Public Works Department prior to submittal to Caltrans. Upon obtaining approval from the City of Menlo Park and Caltrans, the project sponsor shall construct the improvements prior to occupancy of the first building on the Constitution Site. If Caltrans approval has not been obtained, but the project sponsor demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Public Works Director prior to occupancy of the first building, the project sponsor shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency. The project sponsor shall continue to pursue approval and construction for a period of 5 years from the date of occupancy of the first building. If the project sponsor continues to work diligently to the satisfaction of the Public Works Director, but has not yet obtained approval to construct the improvement, then the project sponsor shall be relieved of responsibility to construct the improvement and the bond shall be released by the City upon payment to the City in an amount equal to the cost of the improvement based on an updated cost estimate at that time plus a 30% contingency. The City of Menlo Park may use the money to either</p>				

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>construct the improvement or for other transportation improvements located east of US 101.</p> <p>D) <i>Bayfront Expressway and Chrysler Drive intersection Improvements.</i> Prior to issuance of a building permit for the first building of the Independence Phase, the project sponsor shall submit complete plans to construct an additional eastbound left turn lane from Chrysler Drive to Bayfront Expressway. Complete plans shall include all necessary requirements to construct the improvements in the public right-of-way, including but not limited to, grading and drainage improvements, utility relocations, signal relocations/modifications, tree protection requirements, striping modifications further west on Chrysler Drive, and a detailed cost estimate. The plans shall be subject to review and approval of the Public Works Department prior to submittal to Caltrans. Upon obtaining approval from the City of Menlo Park and Caltrans, the project sponsor shall construct the improvements prior to occupancy of the first building on the Independence Site. If Caltrans approval has not been obtained, but the project sponsor demonstrates that it has worked diligently to pursue Caltrans approval to the satisfaction of the Public Works Director prior to occupancy of the first building, the project sponsor shall submit to the City a performance bond</p>	<p>Prepare and submit complete plans and a detailed cost estimate.</p>	<p>Prior to first building permit on the Independence site.</p>	<p>Project Sponsor</p>	<p>PW/Caltrans</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>for 100 percent of the estimated costs plus a 30 percent contingency. The project sponsor shall continue to pursue approval and construction for a period of 5 years from the date of occupancy of the first building. If the project sponsor continues to work diligently to the satisfaction of the Public Works Director, but has not yet obtained approval to construct the improvement, then the project sponsor shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park, unless the project sponsor seeks building permits for any building on the Constitution phase. Notwithstanding the foregoing, the project sponsor may not obtain building permits for any building on the Constitution phase if the project sponsor has not obtained Caltrans approval to construct the improvements prior to issuance of the first building permit of the Constitution phase, unless the project sponsor requests that the City perform a traffic study, with funds provided by the project sponsor, and such study indicates that the existing infrastructure is sufficient to accommodate the projected traffic from the Constitution site or other improvements or methods can be implemented to mitigate the traffic impact or a combination thereof. The study shall be subject to review and approval by the Public Works Department. In the event the traffic</p>				

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>study concludes other improvements or methods can mitigate the traffic impact, such methods and/or improvements shall be implemented prior to final building permit sign off for any building on the Constitution site. Construction of this improvement shall count as a credit toward payment of the Transportation Impact Fee (TIF) pursuant to the TIF Ordinance against the Constitution Site Phase.</p> <p>E) <i>Bayfront Expressway and Haven Avenue intersection Improvements.</i> Prior to issuance of a building permit for the Independence Phase, the project sponsor shall submit plans for pedestrian improvements at the intersection of Bayfront Expressway and Haven Avenue. The improvements may include, but not be limited to items such as enhancements to the three existing crosswalks at the intersection, curb ramp replacement and/or installation at the intersection, and the installation of a curb, gutter and sidewalk along the frontage of property located at 3760 Haven Avenue adjacent to the intersection in order to complete a missing link, in the sidewalk network. Complete plans shall include all necessary requirements to construct the improvements in the public right-of-way and a detailed cost estimate. The plans shall be subject to review and approval of the Public Works Department prior to submittal to Caltrans. Upon obtaining approval</p>	<p>Prepare and submit complete plans and a cost estimate for pedestrian improvements.</p>	<p>Prior to issuance of building permit on the Independence site.</p>	<p>Project Sponsor</p>	<p>PW/Caltrans</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>from the Caltrans, the project sponsor shall construct the improvements prior to occupancy of the first building on the Independence Site. If the project sponsor has not obtained Caltrans approval but can demonstrate that it has worked diligently to pursue Caltrans approval to the satisfaction of the Public Works Director prior to occupancy of the first building, the project sponsor shall submit to the City a performance bond for 100 percent of the estimated costs plus a 30 percent contingency not to exceed \$125,000 (2010 dollars). The project sponsor shall continue to pursue approval and construction for a period of 5 years from the date of occupancy of the first building. If the project sponsor continues to work diligently to the satisfaction of the Public Works Director, but has not yet obtained approval to construct the improvement, then the project sponsor shall be relieved of responsibility to construct the improvement and the City of Menlo Park may use the money to either construct the improvement or for other traffic improvements in the City, such as adaptive signal timing.</p> <p>F) <i>Independence Drive/Constitution Drive intersection Improvements.</i> The project sponsor shall implement TDM measures and pay the Traffic Impact Fees as partial mitigation, per Mitigation Measure TR-1.1(H) and (I).</p>	<p>Payment of traffic impact fees and compliance with TDM program.</p>	<p>Prior to issuance of first building permit and ongoing compliance with TDM program.</p>	<p>Project Sponsor</p>	<p>PW</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>G) <i>Constitution Drive/Chrysler Drive intersection Improvements</i>. Prior to issuance of a building permit for the first building of the Independence Phase, the project sponsor shall submit complete plans to install a traffic signal at the intersection of Constitution Drive and Chrysler Drive, plus modifications to the lane geometry subject to review and approval of the Public Works Department. The lane geometry modifications shall include restriping the southbound approach to include a dedicated left-turn lane, and a shared through/right-turn lane and restriping the eastbound approach from one shared left-through/right lane to include two approach lanes (one shared through-left and one shared through/right). This measure could require widening the current curb to curb distance and possibly obtaining additional right-of way. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, driveway apron modifications for the adjacent properties, striping modifications, and a detailed cost estimate. The plans shall be subject to review and approval of the Public Works Department. Upon obtaining approval from the City of Menlo Park, the project sponsor shall</p>	<p>Prepare and submit complete plans.</p>	<p>Prior to issuance of first building permit on the Independence site.</p>	<p>Project Sponsor</p>	<p>PW</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>(TDM) program consistent with the TDM plan in the EIR. Any modifications to the specifics or phasing of the TDM measures shall be subject to review and approval of the Public Works Department and the City/County Association of Governments (C/CAG) of San Mateo County. The project sponsor shall submit annual reports describing the specific items that are being implemented and the success of the respective items in terms of reducing trips to the project. The TDM plan shall include a payment to the City, based on the City's estimated cost, to run two shuttles from the site to Caltrain (a minimum of three shuttle runs during both the AM and PM peak times as defined by the City). The shuttle may stop at other stops between the site and Caltrain. One shuttle would provide access to the Menlo Park Caltrain Station and one would provide access to the Redwood City Caltrain Station. A modification of the access points would need to be agreed to by both parties. If the City, at its full discretion, does not choose to provide the shuttle service, the project sponsor shall provide the service at its full cost including, but not limited to, expenses such as coordination among the City, shuttle providers, and business, maintenance of signs and stops, production of timetables and dissemination of information.</p>				

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	J) Implement Mitigation Measures TR-1.1(A), TR-1.1(E) and TR-1CM.1	See Mitigation Measures TR-1.1(A), TR-1.1(E) and TR-1CM.1			
TR-2 Increases in traffic associated with the proposed project under the Near Term plus Project conditions would result in increased volumes on project area roadway segments during peak hours causing a potentially significant impact under Criterion #5, Criterion #6 or Criterion #7.	TR-2.1(G) Implement Mitigation Measures TR-1.1(I) and TR-1CM.1(C)	See Mitigation Measures TR-1.1(I) and TR-1CM.1(C)			
TR-3 Increases in traffic associated with the proposed project under Near Term plus Project conditions would result in significant impacts to several Routes of Regional Significance segments as defined under Criterion #4.	TR-3.1(C) Implement Mitigation Measures TR-1.1(I) and TR-1CM.1(C)	See Mitigation Measures TR-1.1(I) and TR-1CM.1(C)			
TR-1CM Increase in traffic associated with the proposed project under Long Term plus Project Conditions would result in increased delays at ten study intersections causing a significant cumulative impact to the operation of these intersections under Criteria #1, #2 and #3.	TR-1CM.1 Implement Mitigation Measures TR-1.1(A) through (G) as well as the following mitigation measures: A) <i>Marsh Road/Bohannon Drive</i> . Prior to issuance of a building permit for the first building of the Independence Phase, the project sponsor shall submit complete plans to construct a westbound right turn lane from Marsh Road to Florence Street subject to review and approval of the Public Works Department. The right turn lane shall be designed with a length of approximately 350 feet. Complete plans shall include all necessary requirements to construct the improvements in the public right-of-way, including but not limited to,	Prepare and submit complete plans for proposed improvements.	Prior to issuance of first building permit on the Independence site	Project Sponsor	PW

Notes: PW = Public Works - Engineering & Transportation
BAAQMD = Bay Area Air Quality Management District
RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
CDD = Community Development Planning & Building Divisions
SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>grading and drainage improvements, utility relocations, signal relocations/modifications, tree protection requirements, driveway apron modifications for the adjacent single-family residences, striping modifications further east on Marsh Road, and a detailed cost estimate. Upon obtaining approval from the City of Menlo Park, the project sponsor shall construct the improvements prior to occupancy of the first building on the Independence Site. Construction of this improvement shall count as a credit toward payment of the Transportation Impact Fee (TIF) pursuant to the TIF Ordinance.</p> <p>(B) <i>Bayfront Expressway/University Avenue.</i> Prior to building permit issuance of the first building permit of the Constitution Phase, the project sponsor shall pay a fee of \$125,000 as a contribution toward adaptive signal timing improvements based on impacts to the intersection of Bayfront Expressway and University Avenue. If Caltrans does not approve the use of adaptive signal timing at this intersection, the City of Menlo Park may use the money for other transportation improvements in the City.</p> <p>(C) <i>Marsh Road/US 101 NB Off-Ramp.</i> Upon completion of project build out in 2018 or later, total net new daily trips shall not exceed 9,242 trips. When calculating net new trips, a credit of 2,019 trips per day shall be used for the pre-project existing uses at the site.</p>	<p>Payment of required fees.</p> <p>Trip monitoring</p>	<p>Prior to issuance of first building permit on the Constitution site</p> <p>Upon completion of project build out</p>	<p>Project Sponsor</p> <p>Project Sponsor</p>	<p>PW/Caltrans</p> <p>PW</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>After project build out, the City of Menlo Park shall perform annual traffic counts with funds provided by the project sponsor. Counts shall be taken at driveways of the project site. Daily traffic counts shall be the average of at least three weekday counts (Tuesday, Wednesday or Thursday) taken over a three week period. Counts should be performed between mid-February and late May (before the end of school year) or between Labor Day and Thanksgiving Day. Counts should avoid days immediately before or after holidays or long weekends, and should not be performed on days of inclement weather conditions.</p> <p>Based upon the traffic counts, if the allowable number of net new trips is exceeded, the project sponsor shall prepare a plan of additional transportation demand management measures necessary to bring the number of trips into compliance with the trip limit within 90 days of being notified by the City and shall implement said plan within 180 days from said notification. If a second, consecutive annual traffic count shows that actual trips exceed the trip limitation, the project sponsor or property owner shall pay a penalty of \$100 (adjusted annually starting in 2010 per the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose area) per excess daily trip. Revenues from the payment of penalties under this provision are due to the City within 30 days of issuance of</p>				

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>the invoice and the City shall use the money for programs designed to reduce trips or traffic congestion within the City of Menlo Park. Additional monetary penalties shall apply for each consecutive year the trip limit is exceeded. If a subsequent annual trip count is below the annual limit, no annual penalty shall apply until at least two consecutive annual counts exceed the trip limit.</p> <p>(D) <i>Marsh Road/Middlefield Road (Atherton)</i>. Upon receipt of the first building permit for the Independence Phase of the project, the project owner shall make funds available to the Town of Atherton for qualifying traffic mitigations at the intersection of Marsh Road and Middlefield Road. Qualifying mitigations measures will include: the addition of a southbound left turn lane from Middlefield Road on to Marsh Road, or similar traffic mitigations that reduce delay at the intersection to less than significant levels as defined by the project EIR, or other improvements that substantially improve the level of service as determined by the City of Menlo Park. The amount of funds shall be a fair share contribution equal to 25.4% of the current estimated project costs of \$694,500 plus escalation costs (\$176,400 plus escalation). Escalation shall be calculated based on the Engineering News Record Construction Cost Index for the San Francisco Bay Area in 2010 and increase to the</p>	<p>Payment of fair-share funds to the Town of Atherton.</p>	<p>Upon receipt of the first building permit for the Independence site.</p>	<p>Project Sponsor</p>	<p>PW/CDD</p>

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	midpoint of construction. Funds will be payable to the Town of Atherton upon substantial completion of construction of the intersection improvements. Funds will remain available to the Town of Atherton for a seven year period, starting from when the funds first become available (issuance of building permits for the Independence Phase of the project).				
3.12 Utilities					
UT-1 The proposed project could exceed water supplies available under normal conditions to serve the project from existing entitlements.	UT-1.1 <i>Water Conservation Methods.</i> The project sponsor shall design and install the irrigation system with hook ups to allow for connections to a municipal reclaimed water system in the event that such a system becomes available in the future.	Design and install hook ups for future reclaimed water system	Prior to issuance of building permits	Project Sponsor	PW/CDD
3.13 Climate Change					
CC-1 Future development under the proposed project would result in a net increase in greenhouse gas emissions.	CC-1.1 <i>If the project is completed in 2017, greenhouse gas emissions shall be kept below 4.6 tonnes CO2e/service population annually during 2017.</i> To ensure this level of emissions efficiency, total net new trips to the project site shall not exceed 9,013 trips per day if the project is completed prior to 2018. When calculating net new trips a credit of 2,019 trips per day shall be used for the pre-project existing uses at the site. <ul style="list-style-type: none"> After project build out occurs in 2017, the City of Menlo Park shall perform a traffic count with funds provided by the project sponsor. Counts shall be taken at driveways of the project site. Daily traffic counts shall be the 	Trip monitoring	Upon completion of project build out	Project Sponsor	PW

Notes: PW = Public Works – Engineering & Transportation
BAAQMD = Bay Area Air Quality Management District
RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
CDD = Community Development Planning & Building Divisions
SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	<p>average of at least three weekday counts (Tuesday, Wednesday or Thursday) taken over a three week period. Counts shall be performed between mid-February and late May (before the end of the school year) or between Labor day and Thanksgiving day. Counts shall avoid days immediately before or after holidays or long weekends and shall not be performed on days of inclement weather conditions.</p> <ul style="list-style-type: none"> • Based upon the traffic counts, if the allowable number of net new trips is exceeded, the project sponsor shall implement a plan of additional transportation demand management measures necessary to bring the number of trips into compliance with the trip cap within 30 days of being notified by the City. The plan shall include at a minimum a \$3.50 per person, per day transit pass subsidy (i.e., C/CAG base transit subsidy plus \$2.50). (Note: Please see Mitigation Measure TR-1.1(I) regarding the TDM strategies). • Because the 9,013 net trip cap is only required as mitigation if the project is completed in 2017, and would not be required for 2018 or thereafter, any TDM measures, including the additional transit subsidy, that are necessary to meet the 9,013 vehicle trip cap in 2017 shall be discontinued on the later of (1) January 1, 2018 or (2) six months after the subsidy is first 				

Notes: PW = Public Works - Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 RWQCB = Regional Water Quality Control Board

Caltrans = California Department of Transportation
 CDD = Community Development Planning & Building Divisions
 SMCHS = San Mateo County Health System, Groundwater Protection Program

**Mitigation Monitoring and Reporting Program for the
Menlo Gateway Project EIR**

Impact	Mitigation Measure	Action	Timing	Implementing Party	Monitoring Party
	implemented. (Note: Please see Mitigation Measure TR-1CM.1(C) regarding trip limitation that would take effect for 2018 and thereafter).				

*Notes: PW = Public Works - Engineering & Transportation
BAAQMD = Bay Area Air Quality Management District
RWQCB = Regional Water Quality Control Board*

*Caltrans = California Department of Transportation
CDD = Community Development Planning & Building Divisions
SMCHS = San Mateo County Health System, Groundwater Protection Program*