

A P P E N D I X G

MITIGATION MONITORING AND
REPORTING PROGRAM



MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) for the Hyatt House Hotel at Vallco Park Project is attached as Table 1. The MMRP reflects the analysis of impacts and mitigation measures included in the Initial Study.

The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the Project. The MMRP includes the following information:

- ◆ A list of impacts and their corresponding mitigation measures.
- ◆ The party responsible for implementing mitigation measures.
- ◆ The timing for implementation of the mitigation measure.
- ◆ The agency responsible for monitoring the implementation of mitigation measures.
- ◆ The procedure and frequency for monitoring the implementation of mitigation measures.

The City of Cupertino must adopt this MMRP, or an equally effective program, if it approves the proposed Project with the mitigation measures included in the Initial Study. Public Resources Code Section 21081.6(a) requires an agency to adopt a program for reporting or monitoring mitigation measures that were adopted or made Conditions of Project Approval.

CITY OF CUPERTINO
 HYATT HOUSE HOTEL AT VALLCO PARK INITIAL STUDY
 MITIGATION MONITORING AND REPORTING PROGRAM

TABLE I MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
Air Quality							
AQ-1: Coarse inhalable particulate matter (PM ₁₀) and fine inhalable particulate matter (PM _{2.5}) levels downwind of areas disturbed during Project construction activities could possibly exceed State standards. This would be a <i>potentially significant</i> impact associated with construction-related criteria pollutant emissions.	<p>ΔQ-1: The Project's construction contractor shall comply with the following BAAQMD Best Management Practices for reducing construction emissions of PM₁₀ and PM_{2.5}:</p> <ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour (mph). Reclaimed water should be used whenever possible. ▪ Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer). ▪ Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas and staging areas at the construction site to control dust. ▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the Project site, or as often as needed, to keep streets free of visible soil material. ▪ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. ▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). ▪ Limit vehicle traffic speeds on unpaved roads to 15 mph. ▪ Replant vegetation in disturbed areas as quickly as 	Construction Contractor	During construction	City of Cupertino Community Development Department – Building Division (onsite) and City of Cupertino Public Works Department (right of way)	Review construction specifications materials and retain for administrative record / Conduct site inspections during construction activities	During regularly scheduled site inspections	Initials: _____ Date: _____

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Impact	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/ Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	possible. <ul style="list-style-type: none"> Install sandbags or other erosion control measures to prevent silt runoff from public roadways. 						
Biological Resources							
BIO-1: The Project would result in adverse impacts to trees located within the Project site.	BIO-1: The Project Applicant shall comply with Section 6.0, General Protection Measures, of the Arborist's Report prepared for this Project. The recommendations in this section serve as general design guidelines to help mitigate or avoid impacts to trees being retained. These measures are subject to revision upon reviewing the updated project design, and the Arborist should be consulted in the event any cannot be feasibly implemented.	Construction Contractor	Prior to issuance of grading permits	City of Cupertino Community Development Department – Planning Division	As recommended within the Arborist's Report	During regularly scheduled site inspections	Initials: _____ Date: _____
BIO-2: The Project would require the removal of trees within private property.	BIO-2: The Project Applicant shall comply with replacement requirements for trees removed from private property, or an in-lieu fee if a suitable replacement site is not available, as indicated in Municipal Code Section 14.18.190, Tree Replacement.	City of Cupertino Community Development Department – Planning Division	Prior to issuance of grading permits	City of Cupertino Community Development Department – Planning Division	As required by City of Cupertino	Once	Initials: _____ Date: _____
BIO-3: The Project would require the removal of trees local on public property.	BIO-3: In order to remove any public street trees within the Project site, the Project Applicant shall comply with Municipal Code Chapter 14.12, Trees. The Project Applicant shall pay the required fee, prior to the issuance of a building permit, per the New Street Tree Cost Schedule, for the purchase, planting, and maintenance of trees by the City. All public trees shall be protected against damage during construction operations. There shall be no storage of materials, tool washout, or vehicle parking near or upon public trees. This is in accordance with Municipal Code Section 14.12.120, Condition for Development or Building Permit. All planting costs associated with a building permit shall be collected by the Chief Building Inspector, or his/her designee, for deposit into the City's general fund prior to the issuance of a building permit. The fees for public tree removal and/or damage to branches and roots shall be as specified in the Public Tree Damage or Removal Fee Schedule adopted by	City of Cupertino Public Works Department	Prior to issuance of grading permits / During construction	City of Cupertino Community Development Department – Planning Division	Review construction specifications materials and retain for administrative record / Conduct site inspections during construction activities	Once / During regularly scheduled site inspections	Initials: _____ Date: _____

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Impact	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	Council Resolution. Damage and removal fees shall be deposited into the City’s tree fund. This is in accordance with Municipal Code Section 14.12.130, New Street Tree Costs and Public Tree Damage or Removal Fee Schedules.						
Cultural Resources							
CUL-1: Unknown subsurface resources may be accidentally encountered during construction activities and excavation.	<p><u>CUL-1:</u> If historic/prehistoric artifacts or human remains are discovered during ground disturbing activities, the following measures will be implemented:</p> <ul style="list-style-type: none"> ▪ In compliance with State law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code), in the event human remains are encountered during grading and construction, all work within 50 feet of the find will stop and the Santa Clara County Coroner’s office will be notified. If the remains are determined to be Native American, the Coroner would notify the Native American Heritage Commission to identify the “Most Likely Descendant” (MLD). The City of Cupertino, in consultation with the MLD, would then prepare a plan for treatment, study, and re-interment of the remains. ▪ In compliance with State law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code), in the event that historical artifacts are found, all work within 50 feet of the find will stop and a qualified archaeologist will examine the find. All significant artifacts and samples recovered during construction would be cataloged and curated by a qualified archaeologist and placed in an appropriate curation facility. The archaeologist must then submit a plan for evaluation of the resource to the City of Cupertino for approval. If the evaluation of the resource concludes that the found resource is eligible for the California Register of Historic Re- 	Construction Contractor	During construction	City of Cupertino Community Development Department – Planning Division	Review contract documents and retain for administrative record	Once	Initials: _____ Date: _____

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	sources, a mitigation plan must be submitted to the City of Cupertino for approval. The mitigation plan must be completed before earthmoving or construction activities can recommence within the designated resource area.						
CUL-2: Unknown subsurface paleontological resources could be encountered during construction activities.	CUL-2: If paleontological remains are uncovered, work at the place of discovery shall be halted immediately until a qualified archaeologist can evaluate the finds and determine the significance of the resource. Construction activities shall not recommence until the expert has issued an opinion about the resource and appropriate mitigation has been determined.	Construction Contractor	During construction	City of Cupertino Community Development Department – Planning Division	Review contract documents and retain for administrative record	Once	Initials: _____ Date: _____
CUL-3: Unknown human remains could be encountered during construction activities.	CUL-3: Compliance with Mitigation Measure CUL-1.	Construction Contractor	During construction	City of Cupertino Community Development Department – Planning Division	Review contract documents and retain for administrative record	Once	Initials: _____ Date: _____
Geology and Soils							
GEO-1: Large earthquakes could generate strong to violent ground shaking at the Project site and could cause damage to buildings and infrastructure and threaten public safety.	GEO-1: Prepare and submit geotechnical reports prior to the issuance of a building permit. A geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to construction. The Project geotechnical engineer shall provide geotechnical observation during the construction, which will allow the geotechnical engineer to compare the actual with the anticipated soil conditions and to check that the contractors' work conforms to the geotechnical aspects of the plans and specifications. The geotechnical engineer will prepare letters and as-built documents, to be submitted to the City, to document their observances during construction and to document that the work performed is in accordance with the Project plans and specifications.	Project Applicant	Prior to issuance of grading permits	City of Cupertino Community Development Department – Building Division	Review contract documents and retain for administrative record	Once	Initials: _____ Date: _____
Noise							
NOISE-1: The Project would result in hotel rooms that do not meet an interior noise	NOISE-1: Prior to the issuance of building permits, the project applicant shall submit an acoustic study to the satisfaction of the City's Community Development	Project Applicant	Prior to issuance of building permits	City of Cupertino Community Development	Review contract documents and retain for	Once	Initials: _____ Date: _____

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level of 45 dBA CNEL.	<p>Director to demonstrate that all hotel rooms meet an interior noise level due to exterior noise of 45 dBA CNEL, consistent with State and local noise standards. The study shall be based on precise grading and architectural plans including specific construction method details and materials to calculate the necessary exterior to interior noise reduction of approximately 30 dBA to achieve 45 dBA CNEL. The precise exterior to interior reduction would be determined in the acoustical study when precise grading plans with building elevations, footprints and architectural plans are available. The applicant will be required to incorporate into the Project design all required noise insulation features and techniques necessary to reduce interior noise levels to achieve the interior noise standard. To achieve the required interior noise levels, features such as upgraded exterior wall and roof assemblies, upgraded windows, and exterior doors may be required. In addition, a “windows closed” condition will be required with minimum supply of fresh air per UBC requirements.</p>			Department – Planning Division	administrative record		