

Cheeneey Street Townhomes Project
File # PLN2019-13847
OPR Summary Form Attachment A

Impacts	Mitigation Measures	Level of Impact
Air Quality		
<p>Impact AIR-3: Construction of the project could expose sensitive receptors to substantial pollutant concentrations.</p>	<p>MM AQ-3.1: All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on-site for more than two days continuously shall meet the U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines.</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>
Biological Resources		
<p>Impact BIO-1: Construction activities associated with the proposed project could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment, which would constitute a significant impact under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Sections 3503, 3503.5, and 3800.</p>	<p>MM BIO-1.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31.</p> <p>If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).</p> <p>During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area of nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>

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	protected by the Migratory Bird Treaty Act (MBTA) or Fish and Game Code shall not be disturbed during project construction.	
Cultural Resources		
<p>Impact CUL-2: Construction of the proposed project could result in impacts to as yet unidentified buried archaeological resources and/or undiscovered human remains</p>	<p>MM CUL-1.1: In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Community Development Director will be notified, and a qualified archeologist will be retained. The archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Community Development Director.</p> <p>MM CUL-1.2: 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 will be stopped. The Santa Clara County Coroner will be notified and shall 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 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.</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>
Hazards and Hazardous Materials		
<p>Impact HAZ-2: Construction of the project could expose construction workers and the environment to elevated levels of arsenic in the soil on-site.</p>	<p>MM HAZ-2.1: Due to the elevated levels of arsenic on-site, the applicant shall prepare a Health and Safety Plan and Soil Management Plan to be implemented during ground disturbing activities. The Health and Safety Plan and Soil Management Plan shall be reviewed by the Santa Clara Fire Department (SCFD) for approval prior to issuance of grading permits to confirm that adequate</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>

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	<p>measures are included to protect construction workers and surrounding residents from elevated levels of arsenic in the shallow soil on-site.</p> <p>MM HAZ-2.2: Soil materials removed from the site shall be characterized and disposed of according to the California Hazardous Waste Regulations. Contaminated soil that exceeds regulatory thresholds shall be handled by trained personnel using appropriate protective equipment and engineering and dust controls, in accordance with local, state and federal laws. Any contaminated soils that are removed from the site shall be disposed of at a licensed hazardous materials disposal site.</p>	