

EXHIBIT B: MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the Sherwin-Williams Development Project (project). The MMRP, which is found in Table 1, lists mitigation measures recommended in the EIR prepared for the project and identifies mitigation monitoring requirements. Implementation of the Final MMRP is required as a condition of approval for the project.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The third column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Schedule," refers to when monitoring will occur to ensure that the mitigating action is completed or will be completed on the basis of approved plans, contracts or agreements

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
C. TRANSPORTATION AND CIRCULATION			
<p>TRANS-1a: The project applicant shall undertake the following measures to reduce the level of traffic on Horton Street north of 53rd Street (analysis segment A):</p> <ul style="list-style-type: none"> • Pay the Transportation Impact Fee; • Work with the City so that the final project design does not preclude the installation of desired traffic calming measures along the Horton Street corridor, as identified by the City; and • Pay for the installation of permanent Level 4 traffic calming measures and traffic restriction (diversion) measures on Horton Street (Level 5) per the Sherwin Williams - Horton Street Turn Restriction Assessment Memorandum (see Appendix B) that would result in the reduction of existing with project daily volumes to a level below 3,000 vehicles per day. 	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit
<p>TRANS-1b: Implement TRANS-1a to reduce the level of traffic on Horton Street between 45th and 53rd streets (analysis segment B).</p>	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit
<p>TRANS-1c: Implement TRANS-1a to reduce the level of traffic on Horton Street south of Sherwin Avenue (analysis segment C).</p>	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit
<p>TRANS-1d: The applicant shall pay for the installation of a traffic signal at the Hollis Street/45th Street (#16) intersection, with necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority; and a hard wired signal interconnect to the traffic signal at Park Avenue and Hollis Street.</p>	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of first of building permit

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Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><u>TRANS-2</u>: The project applicant shall undertake the following measures:</p> <ul style="list-style-type: none"> • Pay the Transportation Impact Fee; • Work with City Staff to identify additional bicycle boulevard treatments that could be installed along the 45th Street corridor, including horizontal and vertical speed control; and • Pay for the installation of a traffic signal at the Hollis Street/45th Street (#16) intersection, with necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority; and a hard-wired signal interconnect to the traffic signal at Park Avenue and Hollis Street (same as TRANS-1d). 	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit
<p><u>TRANS-3</u>: The project applicant shall undertake the following measures:</p> <ul style="list-style-type: none"> • Pay the Transportation Impact Fee; and • Work with City Staff to identify additional Level 4 bicycle boulevard treatments that could be installed along the 53rd Street corridor beyond those being installed as part of the ECCL project. 	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit
<p><u>TRANS-4a</u> (Near-Term Condition): Implement Mitigation Measure TRANS-1a to reduce the level of traffic on Horton Street north of 53rd Street (analysis segment A). Implementation of this measure would reduce the impact to Horton Street north of 53rd Street to a less-than-significant level in the Near-Term Condition. In the Cumulative Condition, the impact to Horton Street north of 53rd Street would remain significant and unavoidable.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	See TRANS-1a
<p><u>TRANS-4b</u>: Implement Mitigation Measure TRANS-1a to reduce the level of traffic on Horton Street between 45th and 53rd streets (analysis segment B). Implementation of this measure would reduce the traffic volume on Horton Street between 45th Street and 53rd Street to a level considered acceptable for a bicycle boulevard for the Near-Term Condition and the Cumulative Condition.</p>	Project Applicant Engineer	City of Emeryville Community Development Department, Public Works Department	See TRANS-1a
<p><u>TRANS-4c</u>: Implement Mitigation Measure TRANS-1a to reduce the level of traffic on Horton Street south of Sherwin Avenue (analysis segment C). Implementation of this measure would reduce the traffic volume on Horton Street south of Sherwin Avenue to a level considered acceptable for a bicycle boulevard for the Near-Term Condition and for the Cumulative Condition.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	See TRANS-1a
<p><u>TRANS-4d</u>: Implement Mitigation Measure TRANS-1d.</p>	Project Applicant	Project Applicant	Prior issuance of first building permits
<p><u>TRANS-4e</u>: Along with implementation of TRANS-1a, the applicant shall coordinate with the City to extend the eastbound left-turn pocket on 40th Street at Hollis Street to provide at</p>	Project Applicant, City of Emeryville	City of Emeryville Community	Prior to issuance of building permits

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least 200 feet of vehicle storage and adjust the traffic signal timings to accommodate changed travel patterns in the Cumulative Condition.	Public Works Department, City Engineer	Development Department, Public Works Department	
<u>TRANS-5:</u> Implement Mitigation Measure TRANS-2 to reduce this impact to 45th Street, west of San Pablo Avenue, in the Near-Term and Cumulative Conditions to a less-than-significant level.	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	See TRANS-2
<u>TRANS-6:</u> Implement Mitigation Measure TRANS-3 to reduce this impact to 53rd Street, west of San Pablo Avenue, under Near-Term and Cumulative with Project Conditions to a less-than-significant level.	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	See TRANS-3
<u>TRANS-7:</u> The project applicant shall install a traffic signal at the Hollis Street/45th Street intersection (#16), including hard-wired signal interconnect to the traffic signal at Park Avenue and Hollis Street, and necessary improvements for transit, bicycle and pedestrian infrastructure at the intersection, including directional curb ramps, bicycle detection, and transit priority (included as part of Mitigation Measures TRANS-1d and TRANS-2). Installation of a traffic signal would reduce this impact to a less-than-significant level and with incorporation of pedestrian, bicycle and transit improvements, would not result in secondary impacts to other travel modes.	Project Applicant, City of Emeryville Public Works Department, City Engineer	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of first certificate of occupancy
<u>TRANS-8:</u> The City of Emeryville does not have plans to increase the vehicular capacity of the San Pablo Avenue/40th Street intersection (#27). Extending the southbound left-turn pocket vehicle storage was reviewed, but an extension of the southbound left-turn pocket would require the removal or relocation of an existing mid-block pedestrian crossing, which is not recommended. To reduce the impact, there are transit, pedestrian, and bicycle improvements planned in the area that would provide increased travel options through the area, also the project would contribute their fair share to these improvements through the payment of the Transportation Impact Fee, and the City undergoes a regular process of updating traffic signal timings to accommodate changing travel patterns and minimize vehicle queue spillback. However, there is no assurance that the impact would be mitigated to a less-than-significant level. Therefore, this impact is considered significant and unavoidable.	Not Applicable	City of Emeryville Community Development Department, Public Works Department	Not Applicable
<u>TRANS-9:</u> Although construction impacts are expected to be temporary, development of a construction management plan would reduce the potential for construction vehicle conflicts with other roadway users. The plan should include:	Project Applicant, City of Emeryville Public Works	City of Emeryville Community Development	Prior to approval of demolition, grading or building

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<ul style="list-style-type: none"> • Project staging plan to maximize on-site storage of materials and equipment; • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure schedule and process; signs, cones, and other warning devices for drivers; and designation of construction access routes; • Permitted construction hours; • Location of construction staging; • Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations and along the project frontage on Sherwin Avenue and Horton Street; • Provisions for street sweeping to remove construction related debris on public streets; and • Provisions for pavement maintenance where increased heavy vehicle traffic has the potential to degrade the pavement. • Truck deliveries to the project shall occur not earlier than 7:00 a.m. and not later than 4:00 p.m. • If lane closures are required on Sherwin Avenue and/or Horton Street, the applicant shall notify property owners within 300 feet of the project site ten days in advance of the lane closures. 	Department, City Engineer	Department, Public Works Department	permits
D. AIR QUALITY			
<p><u>AIR-1:</u> Consistent with guidance from the BAAQMD, the following actions shall be required in relevant construction contracts and specifications for the project:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Construction equipment idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 	Project Applicant, Construction Manager	City of Emeryville Community Development Department	Ongoing and throughout demolition, grading, and/or construction

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Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><i>AIR-1 Continued</i></p> <ul style="list-style-type: none"> • All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • The project applicant shall post a publicly visible sign with the telephone number and person to contact at the City of Emeryville regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. • All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or a moisture probe. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • Vegetative ground cover (e.g., fast-germinating native grass seed) or other plants that offer dust mitigation measures shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. • The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. To the extent feasible, activities shall be phased to reduce the amount of disturbed surfaces at any one time. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. • The project contractor shall use low volatile organic compound (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. • All contractors shall use equipment that meets California ARB's most recent certification standard (as of 2016, the certification date is July 26, 2007) for off-road heavy duty diesel engines. 			

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Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p><u>AIR-2a</u>: To reduce health risk levels for future residents of the project site, the project applicant shall provide an air ventilation system with filtration that can remove particulate matter from indoor air to a level sufficient to achieve compliance with the BAAQMD threshold. To reduce health risk levels for future residents of the project site, the control efficiency must result in a reduction of 60 percent of particulates of 2.5 microns or less, such as Minimum Efficiency Reporting Value (MERV)-11 filters or other indoor air filtration systems. This reduction could be accomplished via a duct routed from the return side of the ceiling mounted fan coil to the exterior of the building. A MERV-11 filter box could be installed in line with this duct along with a supply fan to overcome the pressure drop of this filter. The filter box would be installed in a concealed location such as a closet. This measure would reduce the maximum single source carcinogenic health risk level for future residents to 8.4 (which would be below the BAAQMD’s significance criteria of 10). The ventilation system shall be certified to the satisfaction of the City to achieve the stated performance effectiveness from indoor areas.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permits
<p><u>AIR-2b</u>: The project applicant shall disclose to potential occupants of the project that the proximity of the project site to the freeway, railroad tracks, and industrial sources of air pollution could result in increased long-term health risks. The disclosure shall indicate the specifications for the installed air filtration system. The property manager shall be required to maintain particulate filters to ensure proper operation of HVAC equipment.</p>	Project Applicant	City of Emeryville Community Development Department	Prior to issuance of certificate of occupancy permit
F. NOISE			
<p><u>NOI-1</u>: All residential units shall be designed and equipped with an alternate form of ventilation, such as mechanical ventilation or air conditioning to allow windows and doors to remain closed. Interior noise would be reduced to meet the standard of 45 dBA CNEL when all windows and doors are closed.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permits

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<p><u>NOI-2:</u> The final project design shall incorporate standard industrial noise control measures for any project stationary noise sources to meet the City of Emeryville Municipal Code standards of 55 dBA during the night and 65 dBA during the day. Such measures may include enclosing equipment in sound-attenuating structures, using buildings to shield these noise sources from sensitive receptors, or mounting equipment on resilient pads to reduce both groundborne and airborne vibration noises. The project sponsor shall ensure that operational noise from stationary sources do not exceed the thresholds set forth in the City of Emeryville Municipal Code for the surrounding residential land uses. The project sponsor shall use standard design features/approaches, including installation of relatively quiet models of mechanical equipment, installation of exhaust silencers, orientation of shielding to protect sensitive land uses, and installation within enclosures when necessary to reduce stationary, or fixed source, noise levels to below the established threshold when measures at the property line of the nearest affected sensitive receptor. Loading and unloading activities shall be restricted to the hours of 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance building permit
<p><u>NOI-3:</u> The project contractor shall implement the following measures:</p> <ul style="list-style-type: none"> • General construction noise on private and public projects shall be limited to weekdays from 7:00 a.m. to 6:00 p.m. The loudest activities shall be limited to weekdays from 8:00 a.m. to 5:00 p.m., as stated in the City's Municipal Code. • The applicant shall designate a construction liaison that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures to correct the problem. The applicant shall conspicuously post a telephone number for the liaison at the construction site. • The project contractor shall, to the extent feasible, place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Construction activities shall be prohibited on holidays. • If the project applicant requests construction hours outside the Municipal Code's designated hours, the project applicant shall provide a Construction Noise Reduction Plan to meet a maximum permissible noise level of 55 dBA at the project boundary. 	Project Applicant, Construction Manager	City of Emeryville Community Development Department	Ongoing and throughout demolition, grading, and/or construction

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Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p>NOI-3 <i>Continued</i></p> <ul style="list-style-type: none"> • Whenever feasible, the project contractor shall encourage implementation of the following strategies throughout all phases of construction: <ul style="list-style-type: none"> ○ Use smaller or quieter equipment; ○ Use electric equipment in lieu of gasoline or diesel powered equipment; ○ Turn off all idling equipment when anticipated to not be in use for more than 5 minutes; ○ Minimize drop height when loading excavated materials onto trucks; ○ Minimize drop height when unloading or moving materials on-site; and ○ Sequence noisy activities to coincide with noisiest ambient hours (i.e., 8:00 a.m. to 9:00 a.m. or 4:00 p.m. to 6:00 p.m.). 			
G. GEOLOGY, SOILS, AND SEISMICITY			
<p>GEO-1: The project site is located within a mapped seismic hazard zone (under the Seismic Hazard Zone Mapping Act), and the following specific criteria for project approval shall apply:</p> <ul style="list-style-type: none"> (a) The potential for the nature and severity of the seismic hazards, including liquefaction potential, at the site have been fully evaluated in a site-specific geotechnical report and appropriate mitigation measures have been proposed. (b) The geotechnical report(s) for the project shall be prepared by a registered civil engineer or certified engineering geologist who has competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazards affecting the project site, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following: <ul style="list-style-type: none"> ○ Project description and a description of the geologic and geotechnical conditions at the site; ○ Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current standards of practice. 	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance 1 building permits as to (a), (b), (c) and (e) and prior to certificate of occupancy for Building 1-31 as to (d)

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p>GEO-1 <i>Continued</i></p> <ul style="list-style-type: none"> o Recommendations for appropriate mitigation measures. o Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. <p>(c) Prior to approving the project, the City shall independently conduct a review of the geotechnical reports to determine the adequacy of the hazard evaluation and proposed mitigation measures. Such reviews shall be conducted by a certified engineering geologist or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. Analysis presented in the geotechnical report shall conform with the California Geological Survey (formerly known as the California Division of Mines and Geology) recommendations presented in the Guidelines for Evaluating Seismic Hazards in California. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils report shall be implemented as a condition of project approval.</p> <p>(d) Prior to approval of an occupancy permit for the redeveloped Building 1- 31, a design-level seismic upgrade report shall be prepared, submitted to the City for review and approval, and the upgrade recommendations shall be implemented. Prior to approving the design-level report, the City shall independently review the seismic upgrade report to determine the adequacy of the hazards evaluation and proposed mitigation measures. Such reviews shall be conducted by a structural engineer or registered civil engineer who has competence in the field of seismic hazard evaluation and mitigation.</p> <p>(e) All foundation designs and geotechnical remedies shall consider existing hazardous materials remediation systems and ensure that these remediation systems are not adversely affected. Any geotechnical remedies that could result in alteration of the direction or flow velocity of groundwater shall be approved by the DTSC prior to implementation.</p>			
<p><u>GEO-2a</u>: Prior to issuance of a grading permit, a final site-specific geotechnical report that evaluates the project site and the proposed grading plan for potential impacts associated with differential settlement shall be prepared and submitted to the City Department of Public Works for approval. The report shall include specific recommendations for mitigation of potential settlements associated with native soil/fill boundaries and areas of differential fill thickness. Recommendations for specific foundation designs which minimize the potential for damage related to settlement shall be presented in the report.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of building permit

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Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p><u>GEO-2b</u>: For areas with expansive soils with moderate to high shrink-swell potential, recommendations for proposed building foundations and improvements shall take into account the following conditions: foundation design may include drilled pier and grade beams, deepened footings (extending below expansive soil), or post-tensioned slabs. Alternatively, expansive soil shall be removed and replaced with compacted non-expansive soil prior to foundation construction. The final geotechnical report for the project shall require that subgrade soils for pavements consist of moisture-conditioned, lime-treated, or non-expansive soil, and that surface (including roof drainage) and subsurface water be directed away from foundation elements to minimize variations in soil moisture.</p>	Project Applicant	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of grading permit
<p><u>GEO-2c</u>: All excavation and shoring activities shall be conducted under the supervision of a certified engineering geologist and/or registered civil engineer who has competence in the field of soils and shoring systems.</p>	Project Applicant, Construction Manager	City of Emeryville Community Development Department, Public Works Department	Ongoing during excavation, grading, and shoring activities
<p>H. HYDROLOGY AND WATER QUALITY</p>			
<p><u>HYD-1a</u>: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a SWPPP designed to reduce potential adverse impacts to surface water quality during the project construction period. The SWPPP shall be designed to address the following objectives:</p> <ol style="list-style-type: none"> 1. All pollutants and their sources, including sources of sediment associated with construction, construction site erosion and all other activities associated with construction activity are controlled; 2. Where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; and 3. BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity to the BAT/BCT standard. <p>The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum BMPs required for this type of project (based on final determination of the project's Risk Level status, to be determined as part of the Notice of Intent for coverage under the Construction General Permit); these include: BMPs for erosion and sediment control, site management and housekeeping, waste management, management of non-stormwater discharges, runoff and runoff controls, and BMP inspection/maintenance/repair activities. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction.</p>	Project Applicant, Construction Manager	City of Emeryville Community Development Department, Public Works Department	Prior to issuance of demolition, grading or building permits

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Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><i>HYD-1a Continued</i></p> <p>The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the project Risk Level), sampling of the site effluent and receiving waters. A Qualified SWPPP Practitioner (QSP) shall be responsible for implementing the BMPs at the site. The QSP shall also be responsible for performing all required monitoring and BMP inspection, maintenance, and repair activities.</p>			
<p><u>HYD-1b</u>: The project applicant shall comply with the applicable requirements of Provision C.3 of the MRP. Responsibilities include, but are not limited to, designing BMPs into project features and operations to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in a design-level stormwater control plan (SCP). The SCP will serve as the overall stormwater quality management document that will describe measures to mitigate potential water quality impacts associated with the operation of the proposed project. At a minimum, the SCP for the project shall include:</p> <ol style="list-style-type: none"> 1. An inventory and accounting of existing and proposed impervious areas. 2. LID design details incorporated into the project. LID features, include minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff and are required by the MRP. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. 3. Measures to address potential stormwater contaminants. These may include measures to cover or control potential sources of stormwater pollutants at the project site. 4. All stormwater runoff from impervious surfaces shall be treated with Bay-Friendly Landscaping. 5. All stormwater treatment landscaping shall be maintained using a Bay-Friendly Landscaping company or staff. 6. All stormwater treatment measures shall consider existing hazardous materials remediation systems and ensure that these remediation systems are not adversely affected. 7. Any stormwater treatment measures that could result in alteration of the direction or flow velocity of groundwater shall be approved by the DTSC prior to implementation. 	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public Works Department</p>	<p>Prior to approval of demolition, grading or building permits and during site grading and construction</p>

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<p><u>HYD-2</u>: As a condition of approval of the final grading and drainage plans for the project, it must be demonstrated through detailed hydraulic analysis that implementation of the proposed drainage plans will:</p> <ol style="list-style-type: none"> 1. Not increase peak runoff rates from any subareas, and/or that there is no increase in combined peak runoff volumes from subareas draining to the same downstream conveyance component (i.e., reductions in one subarea can offset increases in another subarea, if they drain to the same downstream conveyance), or that the downstream conveyance has adequate capacity to handle the proposed increase. The final drainage plan for the project shall document runoff rates for the final design and shall be prepared by a licensed professional engineer. 2. Include drainage components that are designed in compliance with City of Emeryville standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of Emeryville Department of Public Works. Any improvements deemed necessary by the City, will be part of the conditions of approval. 	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public Works Department</p>	<p>Prior to approval of demolition, grading or building permits</p>
<p>I. HAZARDS AND HAZARDOUS MATERIALS</p>			
<p><u>HAZ-1</u>: A Spill Response Plan, including emergency preparedness and response procedures, shall be developed by the contractor(s) to establish the procedures to be followed in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These procedures shall include evacuation procedures, notification procedures, spill containment procedures, and required personal protective equipment, as appropriate, in responding to the emergency. In addition, an accurate up-to-date inventor of hazardous materials, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident. The contractor(s) shall submit the Spill Response Plan to the City for approval prior to demolition or development activities.</p> <p>Compliance with these mitigation measures may occur in coordination with compliance with the Stormwater Pollution Prevention Plan and Best Management Practices required for the proposed project (See Mitigation Measures HYD-1 and HYD-2 for additional detail). Implementation of this mitigation measure would reduce this potential impact to a less-than-significant level.</p>	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public Works Department</p>	<p>Prior to approval of demolition, grading or building permits and during site grading and construction</p>
<p><u>HAZ-2b</u>: As a condition of approval for construction permits for residential housing on the Successor Agency parcel (under development Option A), an evaluation of soil gas conditions and indoor air quality shall be performed on the Successor Agency parcel and DTSC review and approval for construction shall be obtained. If the evaluation of soil gas condi-</p>	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public</p>	<p>Prior to approval of demolition, grading or building permits related to</p>

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tions indicates that vapor intrusion to indoor air could pose a significant health risk for future occupants (e.g., if vapor intrusion could result in an excess cancer risk of greater than one in a million or an appropriate health risk threshold determined by DTSC), DTSC may require further investigation and/or implementation of engineering controls (e.g., installation of sub-slab vapor barriers and ventilation systems) to address the potential for vapor intrusion to indoor air. If engineering controls are required by DTSC to mitigate vapor intrusion risks, operations and maintenance and monitoring of the engineering controls would be required by DTSC to ensure their effectiveness and demonstrate that performance standards are being achieved (e.g., monitoring of sub-slab concentrations of VOCs to		Works Department, DTSC	the Successor Agency parcel, during site grading and construction and prior to issuance of an occupancy permit

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Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><i>HYD-2b Continued</i> demonstrate that the sub-slab ventilation system is functioning properly and that concentrations of VOCs are not accumulating beneath buildings at concentrations that could exceed the level of protection offered by sub-slab vapor barriers). If the performance standards for the engineering controls are not achieved, additional engineering controls would be required by DTSC (e.g., converting a passive sub-slab ventilation system to an active sub-slab ventilation system, or maintaining positive pressure within buildings using the HVAC systems). The City shall ensure that the requirements specified by DTSC are implemented prior to occupancy of the proposed structures.</p>			
<p><u>HAZ-2c</u>: As a condition of approval for construction permits for the Successor Agency parcel, a LUC for the Successor Agency parcel shall be prepared and approved by DTSC. The land use covenant shall define restrictions and requirements intended to prevent potential exposure of construction workers, the public, and the environment to hazardous materials which are present in the subsurface of the Successor Agency parcel. At the discretion of the DTSC, these restriction and requirements may include, but not be limited to:</p> <ul style="list-style-type: none"> • Prohibiting any use of groundwater for any purpose other than groundwater monitoring. • Requiring preparation of a Soil Management Plan (SMP) and DTSC approval prior to performing any activities that will disturb soil on the property or import soil to the property. • Prohibiting activities including any drilling, extraction of groundwater, installation of preferential pathways (e.g., utility trenches), or other construction or development activities without written approval from DTSC. • Prior to construction or other development of the property, the owner shall submit an evaluation of soil gas conditions and indoor air quality and obtain DTSC approval, and DTSC may require further investigation and/or implementation of engineering controls to address the potential for vapor intrusion to indoor air. • Allowing access to the property for DTSC personnel for the purpose of performing inspections, monitoring, and other activities. • Preparing annual inspection reports and submitting them to DTSC to document that the restriction and requirements of the LUC are being followed, and describes the actions to be taken if violations of the LUC are identified. 	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public Works Department, DTSC</p>	<p>Prior to approval of demolition, grading or building permits related to the Successor Agency parcel, during site grading and construction and prior to issuance of an occupancy permit</p>

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p><u>HAZ-2d</u>: As a condition of approval for construction permits for the Successor Agency parcel and the Sherwin-Williams parcel, a SMP shall be prepared which provides guidelines for soil and groundwater disturbing activities to be performed on the Successor Agency parcel and the Sherwin-Williams parcel. The SMP shall include, but not be limited to, the following elements:</p> <ul style="list-style-type: none"> • Dust and vapor controls; • Storm water controls; • Excavated soil stockpile management; • Soil stockpile sampling procedures; • Soil and/or groundwater transportation and disposal procedures; • Groundwater dewatering, treatment, and/or discharge; • Notification and response procedures if previously unidentified subsurface features of environmental concern (e.g., buried tanks, drums, hazardous materials pipelines, or hazardous building materials) are discovered; • Notification and response procedures if previously unidentified areas of potential soil or groundwater contamination (e.g., soil or groundwater exhibiting discoloration and/or odors, or soil containing rubble or other debris) are discovered; • Notification and response procedures if previously installed remedial features are inadvertently damaged; • Importing of clean fill materials; and • Health and safety requirements. <p>The SMP shall be reviewed and approved by DTSC prior to conducting soil or groundwater disturbing activities at the project site. The SMP shall be revised if previously unidentified environmental hazards are discovered which require additional measures to be incorporated into the SMP to ensure protection of construction workers, the surrounding public, and the environment, such as changes in health and safety requirements (e.g., worker training or personal protective equipment [PPE] requirements), material handling/sampling protocol, or air monitoring requirements. Any revisions to the SMP shall be reviewed and approved by DSTC prior to conducting soil or groundwater disturbing activities that would be affected by the revisions to the SMP.</p>	<p>Project Applicant, Construction Manager</p>	<p>City of Emeryville Community Development Department, Public Works Department, DTSC</p>	<p>Prior to approval of demolition, grading or building permits, during site grading and construction and prior to issuance of an occupancy permit</p>

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
J. CULTURAL RESOURCES			
<p><u>CULT-1</u>: Any renovation or alteration of Building 1-31 shall be conducted in accordance with the Secretary of the Interior’s Standards for Rehabilitation (Standards) and undertaken with the assistance of a historic preservation architect meeting the Secretary of the Interior’s Professional Qualifications Standards. The City shall confirm that the architectural firm responsible for overseeing the renovation of Building 1-31 has retained a qualified historic preservation architect. Renovation plans of Building 1-31 shall be reviewed by the preservation architect to ensure compliance with the Standards and to make changes to the plans to ensure compliance, as appropriate. The historic preservation architect shall regularly evaluate the ongoing renovation to ensure it continues to satisfy the Standards. The historic preservation architect shall submit status reports to the City Planning Department describing the renovation’s compliance with the Standards and recommended measures to ensure compliance if corrective measures are necessary. These reports shall be submitted to the City according to a schedule agreed upon prior to commencement of the renovation. The City shall be responsible for ensuring that the recommendations of the preservation architect are implemented as a condition for project approval.</p>	<p>Project Applicant, Historic Preservation Architect, Construction Manager</p>	<p>City of Emeryville Community Development Department, Planning Division</p>	<p>Prior to issuance of demolition, or building permit for Building 1-31 and ongoing throughout demolition, grading and construction</p>
<p><u>CULT-2</u>: Archaeological monitoring shall be conducted for construction-related ground disturbance. Project ground disturbance shall cease within 25 feet of an archaeological discovery or discovery of human remains. The archaeological deposit shall be evaluated in accordance with an Archaeological Monitoring and Evaluation Plan (AMEP) prepared and implemented for the project. The purpose of the AMEP is to ensure that significant archaeological deposits discovered during construction are identified, evaluated, and appropriately treated through the use of a pre-established research design and field evaluation strategy, consistent with the requirements of CEQA Guidelines §15126.4 (b)(3)(C). The AMEP shall be approved by the City well in advance of construction, and its implementation shall be made a condition of the issuance of a grading or building permit for the project. The AMEP shall be prepared by professionals who meet or exceed the Secretary of the Interior’s Professional Qualifications Standards in archeology.</p>	<p>Project Applicant, Archeological Monitor, Archeological Professional, Construction Manager</p>	<p>City of Emeryville Community Development Department, Planning Division</p>	<p>Prior to approval of demolition, grading or building permits and ongoing throughout demolition and grading</p>

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><i>CULT-2 Continued</i> The AMEP shall include a construction monitoring component and an evaluation component. The monitoring component of the AMEP shall describe the specific methods and procedures for archaeological monitoring, including the frequency of such monitoring and notification procedures in the event archaeological deposits are identified. The evaluation component of the AMEP would guide fieldwork if archaeological resources or human remains are identified during monitoring. The purpose of this component is to establish the procedures and methods to evaluate the significance of discoveries made during archaeological monitoring, as well as the recovery and analysis of significant discoveries. The treatment of human remains during the evaluation process shall be addressed, including the respectful treatment of such remains in consultation with appropriate descendant communities.</p>			
<p><u>CULT-3</u>: Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be stopped and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City for review, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.</p> <p>The applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources and shall include the following directive in the appropriate contract documents. The City shall verify that the following directive is included in the appropriate contract documents:</p> <p>“The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as animal tracks.”</p>	<p>Project Applicant, Archeological Monitor, Paleontology Professional, Construction Manager</p>	<p>City of Emeryville Community Development Department, Planning Division</p>	<p>Prior to approval of demolition, grading or building permits and ongoing throughout demolition and grading</p>

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p><u>CULT-4</u>: The treatment of human remains and of associated or unassociated funerary objects discovered during project ground disturbance shall comply with applicable State laws. This shall include immediate notification of the County Coroner, and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project Applicant, Archeological Monitor, Archeological Professional, Construction Manager</p>	<p>City of Emeryville Community Development Department, Planning Division</p>	<p>Ongoing throughout demolition and grading</p>

Source: LSA Associates, Inc., 2016.

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