

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, California 95014

DRAFT RESOLUTION

OF THE PLANNING COMMISSION OF THE CITY OF CUPERTINO  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE DEVELOPMENT OF A  
VACANT PROPERTY LOCATED AT LOT 1 LINDY LANE (APN 356-25-031)

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SECTION I: PROJECT DESCRIPTION

Application No: EA-2016-01  
Applicant: Glush Dada  
Location: Lot 1 Lindy Lane (APN 356-25-031)

SECTION II: ENVIRONMENTAL REVIEW PROCESS

WHEREAS, Glush Dada submitted an application to the City of Cupertino on June 28, 2016 for a Hillside Exception, Two Story Permit and Minor Residential permits to allow the development of a new two-story home and accessory dwelling unit on a vacant lot on slopes greater than 30%, and associated environmental review ("Project"); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 et seq.) ("CEQA") together with the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) (hereinafter, "CEQA Guidelines"), the City prepared an Initial Study and proposed Mitigated Negative Declaration for the Project ("IS/MND"); and

WHEREAS, the Project is additionally described in the August 2017 "Qi Residence" Draft Initial Study/Mitigated Negative Declaration ("Draft IS/MND"); and

WHEREAS, on July 10, 2017 the City issued a Notice of Intent to Adopt a Mitigated Negative Declaration; and

WHEREAS, on July 10, 2017 the Draft IS/MND for the project was distributed to responsible agencies and the public for review and comment for a 20-day period that ended July 30, 2017; and

WHEREAS, the IS/MND concluded that significant environmental effect on Geology and Soils, Air Quality, Biological Resources, Cultural Resources, and Noise would be avoided

or reduced to less-than-significant levels by mitigation measures (“MM”) identified in the IS/MND; and

WHEREAS, ON July 27, 2017, prior to making any recommendations regarding the adoption of the Draft IS/MND, the City of Cupertino’s Environmental Review Committee held a duly noticed public hearing to receive public testimony where it reviewed and considered the information contained in the Draft IS/MND, voted 5-0-0 to recommend that the Planning Commission adopt the Draft IS/MND (EA-2016-01) and mitigation measures with amendments made with their motion;

WHEREAS, additional mitigation measures have been identified in response to the public comments received during the public comment period and these have been incorporated in the Final Initial Study/Mitigated Negative Declaration (“Final IS/MND”) as MM BIO-4 and MM BIO-5;

WHEREAS, the changes made after publication of the IS/MND, including changes recommended by the Environmental Committee, merely clarify, amplify or make insignificant modifications to the IS/MND, and recirculation of the IS/MND is not required;

WHEREAS, for all comments received following the close of the public review and comment period, responses have been provided with staff reports;

WHEREAS, the comments received on the IS/MND, along with responses to these comments, are included in the staff report, summarized;

WHEREAS, the Planning Commission has independently reviewed and considered the IS/MND together with the comments and the responses to those comments prior to taking action on the Project;

WHEREAS, the comments received do not require major revisions to the IS/MND due to new or substantially more severe significant effects on the environment; and

WHEREAS, prior to taking action on the Project, the Planning Commission held a duly noticed public hearing to receive staff’s presentation and public testimony and to further consider the information contained in the Final IS/MND, along with all staff reports, other pertinent documents, and all written and oral statements received prior to or at the public hearing;

NOW, THEREFORE, BE IT RESOLVED:

That after careful consideration of maps, facts, exhibits, testimony, staff reports, public comments, and other evidence submitted in this matter, the Planning Commission:

1. Finds that the Final IS/MND for the Project has been completed in compliance with the CEQA and reflects the independent judgment and analysis of the City.

2. Finds that, on the basis of the whole record before it, there is no substantial evidence that the Project as proposed and mitigated will have a significant effect on the environment.
3. Adopts the Final Mitigated Negative Declaration (Final MND) for the Project.
4. Adopts the Mitigation Monitoring and Reporting Program for the Project, attached hereto as Exhibit EA-1, and incorporated herein by reference, which incorporates all the mitigation measures required under the Final MND. The Planning Commission further makes the mitigation measures required conditions of approval of the Project to the extent they are within the responsibility and jurisdiction of the City as summarized below:

a. GEOLOGY AND SOILS MITIGATION MEASURES

**MM GEO-1:** Construction Shoring Plans – **Prior to approval of grading permits**, shoring plans shall be submitted to the City for review and approval. The contractor/geotechnical consultant shall document the existing conditions along the neighboring property prior to grading.

**MM GEO-2:** The project plans and shoring plans shall be reviewed by the project geotechnical consultant to assure that their recommendations have been properly incorporated. The Construction Shoring Plans, and Geotechnical Plan Review shall be submitted to the City for review and approval by City staff **prior to issuance of building permits**.

**MM GEO-3:** The Project Geotechnical Consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections shall include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements and excavations for foundations and retaining walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project should be described by the Project Geotechnical Consultant in a letter and submitted to the Town Engineer for review **prior to final (as-built) project approval**.

b. AIR QUALITY MITIGATION MEASURES

**MM AIR-1:**

The following shall be strictly adhered to during the construction of the proposed project and shall be incorporated into the building plans **prior to grading and/or**

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**building permit issuance** to ensure that the building contractor is aware of these requirements:

- 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 track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 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.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 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.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

c. BIOLOGICAL RESOURCES MITIGATION MEASURES

**MM BIO-1:**

- The applicant shall plant replacement trees in accordance with the replacements requirements of the Protected Tree Ordinance. The trees shall be planted **prior to final occupancy** of site permits.
- Any replacement tree or tree required to be planted for screening, shall be a native California Oak (Coast Live Oak) or any native species listed in the Protected Tree Ordinance.

**MM BIO-2:**

The following shall be indicated on the building plans, **prior to issuance of grading and/or building permits**:

- On-site irrigation shall be required at the start of construction until completion of construction to assure the survival of the trees near the construction envelope.
- The existing trees to remain shall be protected during construction per the City's Protected Tree Ordinance (Chapter 14.18 of the Municipal Code). The City's standard tree protection measures (City of Cupertino Standard Detail 6-4) shall be listed on the plans, and protective fencing shall be installed around the trees to remain **prior to issuance of grading permits**. A report ascertaining the good health of these trees shall be provided **prior to issuance of final occupancy**.

**MM BIO-3:**

Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Department of Fish and Game Code. If construction activities and any required tree removal occur during the breeding season (February 1 and August 31), a qualified biologist shall be required to conduct surveys **prior to tree removal or construction activities**. Preconstruction surveys are not required for tree removal or construction activities outside the nesting period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

**MM BIO-4:**

In order to allow the movement of wildlife, only 5,000 square feet (excluding the principal building) of net lot area may be enclosed with solid board fencing. Fencing shall not be located within the Slope Easement on the property.

**MM BIO-5:**

The project shall comply with Chapter 14.15: Landscape Ordinance of the City of Cupertino's Municipal Code. Turf shall not be planted on slopes greater than 25% and as the site is located within in an area designated wildland urban interface by Chapter 16.74, fire-prone plant materials and highly flammable mulches are strongly discouraged. Plants shall be selected, arranged and maintained to provide defensible space for wildfire protection, in conformance with California Public Resources Code Section 4291. The installation of invasive plant species and noxious weeds is prohibited.

d. CULTURAL RESOURCES MITIGATION MEASURES

**MM CR-1:**

In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. The City of Cupertino (or its representative) shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, the City of Cupertino (or its representative) and the archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures. All significant cultural materials recovered shall be subject to scientific analysis, professional museum duration, and a report prepared by the qualified archaeologist according to current professional standards.

e. NOISE MITIGATION MEASURES

**MM NOI-1:**

The following construction noise mitigation measures shall be taken in order to reduce noise event impacts to nearby receptor areas and shall be incorporated into the building plan set **prior to grading and/or building permit issuance**:

- Construction activities shall be limited to the hours of 7:00 am to 8:00 pm on weekdays and 9:00 am to 6:00 pm on weekends. Construction activities are prohibited on holidays.

- All construction equipment shall use noise-reduction features that are no less effective than those originally installed by the manufacturer. If no noise-reduction features were originally installed, then the contractor shall require that at least a muffler be installed on the equipment.
  - No individual device will produce a noise level more than 87 dBA at a distance of twenty-five feet or the noise level on any nearby property does not exceed 80 dBA.
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PASSED AND ADOPTED at an Regular Meeting of the Planning Commission of the City of Cupertino the 26th day of September 2017, by the following roll call vote:

Vote:           Members of the Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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Benjamin Fu  
Assist. Director of Community Development

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Don Sun  
Chair, Planning Commission





Mitigation Monitoring and Reporting Program

# Qi Residence

Lot 1 Lindy Lane, APN# 356-25-031

September 2017

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<b>GEOLOGY AND SOILS</b>				
<p><b>Impact A – Geo</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> </ul>	<p><b>Mitigation Measure GEO-1:</b> Construction Shoring Plans – Prior to approval of grading permits, shoring plans shall be submitted to the City for review and approval. The contractor/geotechnical consultant shall document the existing conditions along the neighboring property prior to grading.</p> <p><b>Mitigation Measure GEO-2:</b> The project plans and shoring plans shall be reviewed by the project geotechnical consultant to assure that their recommendations have been properly incorporated. The Construction Shoring Plans, and Geotechnical Plan Review shall be submitted to the City for review and approval by City staff prior to issuance of building permits.</p> <p><b>Mitigation Measure GEO-3:</b> The Project Geotechnical Consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections shall include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements and excavations for foundations and retaining</p>	<p>At the final design phase, the project proponent shall be responsible for ensuring that the recommendations in the final-design level geotechnical investigation are incorporated into the final project design. These recommendations shall be printed on all construction documents, contracts, and project plans.</p> <p>At the construction phase, the project proponent shall be responsible for completing all improvements related to these measures.</p>	<p>The Director of Public Works and City Geologist shall review the design-level geotechnical analysis and construction documents, contracts, and project plans <b>prior to issuance of grading and/or building permits.</b></p>	<p>Director of Public Works, City Geologist</p>

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<ul style="list-style-type: none"> <li>• Strong seismic ground shaking?</li> <li>• Seismic-related ground failure, including liquefaction?</li> <li>• Landslides?</li> </ul>	<p>walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project should be described by the Project Geotechnical Consultant in a letter and submitted to the Town Engineer for review prior to final (as-built) project approval.</p>			
<p><b>Impact B – Geo</b> Result in substantial soil erosion or the loss of topsoil?</p>				
<p><b>Impact C – Geo</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>				
<p><b>Impact D – Geo</b> Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?</p>				

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<b>AIR QUALITY</b>				
<b>Impact A- AIR</b> Conflict with or obstruct implementation of the applicable air quality plan?	<b>Mitigation Measure AIR-1:</b> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. 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. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 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	During the construction and post-construction phases, the project proponent shall be responsible for implementing these measures, including improvements.	Improvements related to these measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Community Development <b>prior to issuance of grading and/or building permits.</b>	Director of Community Development
<b>Impact B – AIR</b> Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				
<b>Impact C - AIR</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
<b>Impact D - AIR</b> Expose sensitive receptors to substantial pollutant concentrations?				

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>access points.</p> <p>7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.</p> <p>8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>			
<b>BIOLOGICAL RESOURCES</b>				
<p><b>IMPACT A - BIO</b></p> <p>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and</p>	<p><b>Mitigation Measure BIO-3:</b></p> <p>1. Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Department of Fish and Game Code. If construction activities and any required tree removal occur during the breeding season (February 1 and August 31), a qualified biologist shall be required to conduct surveys prior to tree removal or construction activities. Preconstruction surveys are not required for tree removal or construction activities outside the nesting</p>	<p>If construction activities and any required tree removal occur during the breeding season (February 1 and August 31), a qualified biologist (hired by the Project proponent) is responsible to shall be required to conduct surveys prior to tree removal or</p>	<p>If grading and/or tree removal begins during the stated dates in the mitigation measure, A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community</p>	<p>Director of Community Development</p>

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>Game or U.S. Fish and Wildlife Service?</p>	<p>period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if</p>	<p>construction activities. Preconstruction surveys are not required for tree removal or construction activities outside the nesting period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped.</p>	<p>Development <b>prior to the start of grading.</b></p>	

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.</p>			
<p><b>IMPACT D – BIO</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<p><b>Mitigation Measure BIO-4:</b> In order to allow the movement of wildlife, only 5,000 square feet (excluding the principal building) of net lot area may be enclosed with solid board fencing. Fencing shall not be located within the Slope Easement on the property.</p>	<p>Ongoing mitigation.</p>	<p>Construction plan sets shall demonstrate compliance with mitigation measure. <b>Prior to final occupancy and Ongoing monitoring by City Staff.</b></p>	
<p><b>IMPACT E - BIO</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><b>Mitigation Measure BIO-1:</b> 1. The applicant shall plant replacement trees in accordance with the replacements requirements of the Protected Tree Ordinance. The trees shall be planted prior to final occupancy of site permits. 2. Any replacement tree or tree required to be planted for screening, shall be a native California Oak (Coast Live Oak) or any native species listed in the Protected Tree Ordinance.</p>	<p>At the final design phase, the project proponent shall be responsible for including the mitigation measures on construction documents, contracts, and project plans.</p>	<p>The recommendations from the tree report shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of</p>	
<p><b>IMPACT F – BIO</b> Conflict with the provisions of an adopted Habitat Conservation</p>				

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</p>	<p><b>Mitigation Measure BIO-2:</b></p> <p>1. On-site irrigation shall be required at the start of construction until completion of construction to assure the survival of the trees near the construction envelope.</p> <p>2. The existing trees to remain shall be protected during construction per the City’s Protected Tree Ordinance (Chapter 14.18 of the Municipal Code). The City’s standard tree protection measures (City of Cupertino Standard Detail 6- 4) shall be listed on the plans, and protective fencing shall be installed around the trees to remain prior to issuance of building permits. A report ascertaining the good health of these trees shall be provided prior to issuance of final occupancy.</p> <p><b>Mitigation Measure BIO-5:</b></p> <p>The project shall comply with Chapter 14.15: Landscape Ordinance of the City of Cupertino’s Municipal Code. Turf shall not be planted on slopes greater than 25% and as the site is located within in an area designated wildland urban interface by Chapter 16.74, fire-prone plant materials and highly flammable mulches are strongly discouraged. Plants shall be selected, arranged and maintained to provide defensible space for wildfire protection, in</p>	<p>At the construction phase, the project proponent shall be responsible for ensuring the recommendations are implemented.</p>	<p>Community Development <b>prior to issuance of grading and/or building permits.</b></p>	



Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	conformance with California Public Resources Code Section 4291. The installation of invasive plant species and noxious weeds is prohibited.			
<b>CULTURAL RESOURCES</b>				
<b>IMPACT A – CR</b> Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<b>Mitigation Measure CR- 1</b> In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. The City of Cupertino (or its representative) shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, the City of Cupertino (or its representative) and the archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures. All significant cultural materials recovered shall be subject to scientific analysis, professional museum duration, and a report prepared by the qualified archaeologist according to current professional standards.	During site excavation, the project proponent shall be responsible for implementation of Archaeological monitoring. Monitoring shall be conducted during earthmoving activities by a qualified archaeologist.	All archaeological monitoring and reporting measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Community Development <b>prior to issuance of grading and/or permits.</b>	Director of Community Development
<b>IMPACT B – CR</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		During construction, the project proponent and contractor shall be responsible for notification of any discoveries.		
<b>IMPACT C – CR</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				
<b>IMPACT D – CR</b> Disturb any human remains, including those interred outside of formal cemeteries?				

Impact	Mitigation Measure	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<b>NOISE</b>				
<p><b>IMPACT A – NOI</b> Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>Mitigation Measure NOI- 1:</b></p> <ul style="list-style-type: none"> <li>• Construction activities shall be limited to the hours of 7:00 am to 8:00 pm on weekdays and 9:00 am to 6:00 pm on weekends. Construction activities are prohibited on holidays.</li> <li>• All construction equipment shall use noise- reduction features that are no less effective than those originally installed by the manufacturer. If no noise- reduction features were originally installed, then the contractor shall require that at least a muffler be installed on the equipment.</li> <li>• No individual device will produce a noise level more than 87 dBA at a distance of twenty-five feet or the noise level on any nearby property does not exceed 80 dBA.</li> </ul>	<p>At the construction phase, the project proponent and contractor shall be responsible for completing all improvements.</p>	<p>All attenuation measures shall be printed on construction documents, contracts, and project plans and reviewed by the Director of Public Works <b>prior to issuance of grading and/or building permits.</b></p>	<p>Director of Public Works</p>
<p><b>IMPACT D – NOI</b> A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>				