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CITY OF CUPERTINO
MITIGATED NEGATIVE DECLARATION

As provided by the Environmental Assessment Procedure adopted by the City Council of the City of Cupertino on May 27, 1973, and amended on March 4, 1974, January 17 1977, May 1, 1978, and July 7, 1980, the City of Cupertino Planning Commission and City Council have reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project implementation. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15382).

PROJECT INFORMATION AND LOCATION

Project Name:	Parkside Trails Residential Project
Application Nos.:	EA-2014-04, GPA-2014-01, Z-2014-02, DA-2014-01, DP-2014-03, ASA-2014-04, TM-2014-02, TR-2014-14
Applicant:	Parkside Trails, LLC and Standard Pacific Homes
Location:	The project site is located off Stevens Canyon Road, immediately south of existing residences on Ricardo Road (APNs 351-10-028 and -043; and project-related parcels: APNs 356-27-026, 356-05-005, 356-05-007, 356-05-008 and 356-05-009).

PROJECT DESCRIPTION

The project applicant is requesting approval of a General Plan Amendment, Rezoning and Tentative Map to subdivide a 42.4-acre site into three parcels, the Residential (8.5 acres), Corridor (4.1 acres), and Park (29.8 acres) parcels, and further subdivide the Residential parcel into 18 residential lots and two common area lots for a proposed 18-unit single-family residential Planned Development. Approval of a Development Permit, Architectural Site Approval, Development Agreement, and Tree Removal Permit is also requested for the proposed development and for the removal and replacement of 135 protected trees. The General Plan land use designation and Zoning designation of the Residential, Corridor and Park parcels are proposed to be amended from *Very Low Density (5-20 Acre Slope Density Formula)* and *Residential Hillside (RHS)* to: *Low Density (1-5 DU/GR. Ac)* and *Planned Single-Family Residential Development with a minimum lot size of 10,000 square feet (P(R1-10))* (Residential parcel); *Riparian Corridor* and *OS, Open Space* (Corridor parcel); and *Parks and Open Space* and *OS, Open Space* (Park parcel). A Mitigated Negative Declaration is proposed.

DISCRETIONARY ACTION REQUEST

- **Tentative Map** to subdivide a 42.4-acre site into three parcels, the Residential (8.5 acres), Corridor (4.1 acres), and Park (29.8 acres) parcels, and further subdivide the Residential parcel into 18 residential lots and two common area lots for a proposed 18-unit single-family residential Planned Development;

- **General Plan Amendment** from *Very Low Density (5-20 Acre Slope Density Formula)* to: *Low Density (1-5 DU/GR. Ac)* (Residential parcel); *Riparian Corridor* (Corridor parcel); and *Parks and Open Space* (Park parcel);
- **Rezoning** from *Residential Hillside (RHS)* to: *Planned Single-Family Residential Development with a minimum lot size of 10,000 square feet (P(R1-10))* (Residential parcel); and *OS, Open Space* (Corridor and Park parcels);
- **Development Permit** to allow the construction of 18 single-family residential units, along with associated site and off-site improvements;
- **Development Agreement** to consider offsite components that could include land dedications, trail and parking lot easements, and land trades, as well as other offsite improvements being considered;
- **Architectural and Site Approval** to allow the construction of 18 single-family residential units, along with associated site and off-site improvements; and
- **Tree Removal Permit** to allow the removal and replacement of 135 protected trees.

FINDINGS OF DECISIONMAKING BODY

The Planning Commission and City Council finds the project described is consistent with the General Plan and will not have a significant effect on the environment based on the analysis completed in the attached Initial Study. The applicant, before the public release of this draft Mitigated Negative Declaration (MND), has agreed to make project revisions that mitigate the project's effects to a less than significant level. The applicant agrees to implement the mitigation measures identified in the Initial Study and summarized below:

REFER TO:

ATTACHMENT A: Summary of Impacts and Mitigation Measures
Planned Development (18 Residential Units and Associated Features)

and

ATTACHMENT B: Summary of Impacts and Mitigation Measures
Parkside Trails Residential Project Development Agreement
Possible Future Trails, Offsite Dedications, Easements, and Land Trade Measures

PUBLIC REVIEW PERIOD

The 30-day public circulation period for the Initial Study and draft MND is from July 11, 2014 to August 10, 2014.

Before 5:30 pm on August 10, 2014, any person may:

- Review the Initial Study/draft MND; and/or
- Submit written comments regarding the information, analysis, and mitigation measures in the Initial Study/draft MND. Before the MND is adopted, Planning Staff will review comments, and revise the draft MND, if necessary, to reflect concerns raised during the public review period.

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
Biological Resources	
PD Impact BIO-1: Construction and occupation of residences and an access road would result in limited direct impacts to riparian habitat (0.02 acre) and possible indirect impacts to riparian habitat and aquatic habitat and water quality along Stevens Creek. **Less Than Significant Impact with Mitigation Incorporated**	**PD MM BIO-1.1: Mitigation for Encroachment on Sensitive Habitat and Possible Spread of Weeds.** Mitigation for encroachment into approximately 0.02 acre of sensitive riparian habitat will be provided through the aggressive control of all infestations of Scotch broom, French broom, English ivy, Algerian ivy, German ivy, greater periwinkle, Italian thistle, star thistle, poison hemlock, pampas grass, giant reed, Johnson grass, smilo grass, Bermuda grass, and Himalayan/non-native blackberry. The control of these invasive species will be conducted using appropriate methodology, including hand removal, and/or mechanical removal (mowing or weed whipping), and shall include the complete removal of all associated root systems using methods acceptable to the City. An Invasive Species Management Plan shall be developed and implemented to reduce the presence and spread of non-native, invasive plant species within the riparian corridor. The Plan will be developed prior to grading any areas on the project site. Herbicides are not authorized unless they have been proven safe for use in steelhead streams and the type and application are approved in writing by a Pest Control Advisor (PCA), and have secured City's concurrence in advance, and are applied by a Licensed Qualified Applicator (LQA). The overarching goal of this mitigation is to halt the further expansion of existing invasive species and introduction of new invasive species into sensitive habitats on or adjacent to the Residential parcel (i.e., the Residential parcel and the area between the Residential parcel and Stevens Creek live creek channel). The Invasive Species Management Plan will include, but not be limited to, the following: • Establishing a Baseline. Prior to construction, invasive species populations within the Residential parcel and the area between the Residential parcel and Stevens Creek live creek channel will be mapped and quantified. The map and quantification will be provided to the City for review and approval. • Preconstruction Weed Control**.** Areas identified to have weed infestations will be treated prior to ground disturbance according to weed control methods detailed below and best management practices (BMPs) within all upland areas to be graded, after review and approval of methodologies by the City. • Weed Control Treatment Considerations. Weed control treatments will include all legally permitted herbicide, manual, and mechanical methods approved for application. The application of herbicides, if submitted and approved, will be in compliance with all state and federal laws and regulations under the prescription of a PCA, where concurrence has been provided by the City, and implemented by a Licensed Qualified Applicator. Herbicides, if approved, will not be applied during or within 72 hours of a scheduled rain event. Where manual and/or mechanical methods are used, disposal of the plant debris will take place at an appropriate offsite location. The timing of the weed control treatment will be determined for each plant species with the goal of controlling populations before they start producing seeds and/or encroach into adjacent areas from rhizomatous shoots. Consultation with a City approved wildlife biologist or plant ecologist will be required prior to weed control treatments in sensitive habitats with the intent of avoiding any adverse impacts to special-status species or sensitive habitats in the area.

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	• Construction Monitoring and Weed Control. Surveying and monitoring for weed infestations will occur quarterly until project grading operations are complete. Treatment of all identified weed populations will occur quarterly, at a minimum. Weeds shall be removed by the accepted methods in such a manner that the roots are removed and neighboring plants to remain are not harmed. During the initial efforts, removal shall be repeated at regular intervals as frequently as needed to all of remove the targeted weed species. • Post Construction Mapping. Once grading ceases, invasive plant populations within all sensitive habitats to be preserved will be mapped and the aerial extent and location of invasive populations documented on a quarterly basis for a minimum of three years following grading operations. • Additional Post Construction Weed Control. If, in any monitoring year, the size of existing populations within sensitive habitats expands by 20 percent or greater (interannual variation due to climate differences may account for as much as 10 percent annual changes) in terms of surface area from populations documented prior to construction, weed control measures will be implemented as outlined above within sensitive habitats. • Post Construction Monitoring and Success Criteria. Further monitoring and implementation of weed control measures can be discontinued and the invasive species control considered a success if invasive species population size in sensitive areas remains relatively constant (less than 10 percent fluctuation in size based on an acreage basis) for three consecutive years of normal rainfall. Normal rainfall is defined as the long-term annual average plus or minus 30 percent. The average yearly precipitation in Cupertino (as listed on the City of Cupertino website) in 2014 is 23 inches; therefore the normal range is 16-30 inches. If rainfall amounts are outside of this range, monitoring and weed control measures (if needed) will restart for another three consecutive years. Monitoring would continue until the invasive species population size remains relatively constant, as defined above. • Construction Materials Brought Onto the Site**.** During construction, all seeds and straw materials used on site will be weed-free rice straw, and all gravel and fill material will be certified weed free to the satisfaction of the City and any deviation from this will be approved by the City. • Cleaning of Construction Equipment. During construction, vehicles and all equipment will be washed (including wheels, undercarriages, and bumpers) before and after entering the project area. Vehicles will be cleaned at existing construction yards or legally operating car washes. The project applicant will document all vehicles have been washed prior to commencing project work to the satisfaction of the City. In addition, tools such as chainsaws, hand clippers, pruners, etc., will be washed before and after entering the project work area. All washing will take place where rinse water is collected and disposed of in

Impacts	Mitigation and/or Avoidance Measure(s)
	either a sanitary sewer or landfill, unless otherwise approved by the City. A written, daily log will be kept for all vehicle/equipment/tool washing that states the date, time, location, type of equipment washed, methods used, and staff present. The log will be available to the City for inspection at any time and will be submitted to the City on a monthly basis. • Sudden Oak Death. The Contractor is responsible for complying with any requirements regarding Sudden Oak Death (SOD), including any requirements from the Santa Clara Agricultural Commissioner or federal agencies regarding quarantines for plant material. The Contractor shall be thoroughly familiar with the provisions of 7 CFR Part 301, Phytophthora Ramorum; Quarantine and Regulations (Federal Register Vol. 67, No. 31 6827-6837, dated Thursday, February 14, 2002), hereafter referred to as the Rules and Regulations. The Contractor shall avoid activities that could result in a need to comply with the specified Rules and Regulations to the maximum extent practicable. In the event that a situation arises that cannot be avoided involving one or more of the quarantined species, soils or other regulated materials as defined therein, the Contractor shall implement the provisions in the specified Rules and Regulations. Furthermore, the Contractor shall contact the Santa Clara County Agriculture Commissioner (SCCAC) for additional information and direction. The Engineer shall be notified immediately in the event a situation arises requiring compliance with the Rules and Regulations and subsequent notification of the SCCAC. Furthermore, documentation shall be provided to the Engineer enumerating the steps taken to comply. The Contractor shall follow precautionary measures to help limit the inadvertent spread of SOD disease, including but not limited to the following: a. Conduct operations during the dry season as much as possible and in a manner that will minimize and prevent wet soil, mud and plant material adhering to vehicles, equipment, and boots; utilize paved and rocked roads and landings to the extent possible. b. Inspect material and equipment arriving at the site from areas where SOD exists before it enters the site to ensure that no host material (soil or attached pieces of plants) is being transported into the site. c. Completely clean all mud, dirt and soil from shoes, boots, vehicles and equipment that were used on any site within a SOD zone, to remove soil and any imbedded host plant material, prior to bringing such items to the work site. d. Equipment coming from potentially SOD-infested sites must be completely cleaned of soil and plant material at that site and inspected carefully to ensure potential SOD-containing soil, or parts of plants, is not transported to the project site. e. All plants and all soil material that is brought to the site for use in the project must be from SOD-free sources and SOD-free regions, and must be able to provide appropriate documentation or certification unless otherwise acceptable to the Engineer. f. If Contractor equipment or forces have worked in a SOD zone:

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	▪ Prepare and use sanitation kits consisting of chlorine bleach and water (10:90 mixture of bleach:water), Clorox Cleanup (registered trademark) or Lysol (registered trademark), a scrub brush, metal scraper, or boot brush; and plastic gloves. ▪ Disinfect tools used in tree removal and pruning with Lysol spray, a 70% or greater solution of alcohol or a Clorox solution (1 part Clorox: 9 parts water, or Clorox Clean-up). If equipment such as a chain saw cannot be treated with disinfectants, consider running it through a non-host plant before leaving the infested site to break fee any lodged material. ▪ Sanitize shoes, pruning gear, and other equipment before working in the project area. ▪ Before leaving a SOD disease infected site, use all reasonable methods to sanitize gear and equipment. Scrape, brush, and/or hose off accumulated soil and mud from clothing, gloves, boots, and shoes. Remove mud, earth and plant debris by blowing out or power washing trucks and other equipment and vehicles. If complete on-site sanitation is not possible, finish decontaminating at a local power was facility or an isolated area in an equipment yard. ▪ Additional information on Sudden Oak Death may be obtained by visiting http://suddenoakdeath.cnr.berkeley.edu/html/treatment___management.html. **PD MM BIO-1.2:** In conformance with the City of Cupertino's Municipal Code (Section 16.08.110 Interim Erosion and Sediment Control Plan), the project applicant shall prepare and submit an Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan to the City for review and approval to ensure the measures are acceptable and meet all applicable resource agency standards. The purpose of the Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan is to stabilize the soil, to reduce raindrop impact, to reduce the velocity of surface runoff, to prevent erosion, and ensure revegetation success. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall include specific measures that specially target any slopes which drain to the creek. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall specify the following and the location of all the measures listed in the plan shall be depicted on a site map: • A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications or berms and sediment detention basins, and a schedule for their maintenance and upkeep; • A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited to, types and methods of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep; • A delineation and brief description of the vegetative measures to be undertaken, including, but not limited to, seeding methods, and type, location and extent of preexisting and undisturbed vegetation types, and a schedule for maintenance and upkeep.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	PD MM BIO-1.3: Any contractors working within 100 feet of Stevens Creek will implement the following measures to minimize any potential construction effects on aquatic habitat and water quality: • The Project's Stormwater Pollution Prevention Plan (SWPPP) will include specific and detailed BMPs designed to mitigate construction-related pollutants. These controls will include methods to minimize the contact of construction materials, equipment, and maintenance supplies with stormwater within the creek. Additional control measures identified in this SWPPP will mitigate the release of construction-related pollutants from the main site during the various construction phases. Multiple and concurrent BMPs may be appropriate to address the steep terrain and the creek channel which comprised designated Critical Habitat for steelhead. • To the maximum extent practicable, all grading adjacent to the riparian habitat will occur during the dry season (15 May – 15 October). If grading is to occur during the rainy season the primary BMPs selected will focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) will be used only as secondary measures. • BMPs intended to reduce erosion of exposed soil into the bed and banks of the creek in the study area may include, but are not limited to soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales and sediment basins. • No equipment will be operated in the live stream channel, nor within the jurisdiction of the U.S. Army Corps of Engineers, Department of Fish and Wildlife, SWRCB or RWQCB, unless applicant has secured permits from such agencies and adheres to all applicable conditions and requirements. • Standard Site-specific, focused erosion control and slope stabilization measures will be required for work performed in any area where erosion could lead to sedimentation of Stevens Creek. The measures will be noted in the SWPPP and in application to the City for grading and building permits. • Sturdy Silt fencing that meets Caltrans standards will be installed between any activities conducted within 100 feet of the top-of-bank and the edge of the creek to prevent dirt or other materials from entering the channel. • No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into aquatic habitat. • Machinery will be refueled at least 60 feet from any aquatic habitat, and a spill prevention and response plan will be prepared and submitted to City for approval prior to issuance of any permits and its elements will be implemented.

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	• Absorbent materials designated for spill containment and clean-up activities will be available onsite for use in an accidental spill. **PD MM BIO-1.4:** The following measures for onsite hazardous material management shall be implemented: • An inventory of all hazardous materials used (and/or expected to be used) at the site and the end products that are produced (and/or expected to be produced) after their use will be maintained by the construction site manager. • As appropriate, containers will be properly labeled with a "Hazardous Waste" label and hazardous waste will be properly recycled or disposed of off-site. • Contact of chemicals with precipitation will be minimized by storing chemicals in watertight containers with appropriate secondary containment to prevent any spillage or leakage. • Quantities of toxic materials, such as equipment fuels and lubricants, will be stored with secondary containment that is capable of containing 110% of the primary container(s). • Petroleum products, chemicals, cement, fuels, lubricants, and non-storm drainage water or water contaminated with the aforementioned materials will not contact soil and not be allowed to enter surface waters or the storm drainage system. • All toxic materials, including waste disposal containers, will be covered when they are not in use, and located as far away as possible from a direct connection to the storm drainage system or surface water. • Sanitation facilities (e.g., portable toilets) will be placed outside of the creek channel and floodplain. Direct connections with soil, the storm drainage system, and surface waters will be avoided. • Sanitation facilities will be regularly cleaned and/or replaced and inspected daily for leaks and spills **PD MM BIO-1.5:** The following measure for existing hazardous materials, if encountered during construction, shall be implemented: • If hazardous materials, such as oil, batteries or paint cans, are encountered, the construction site manager will carefully remove and dispose of them according to applicable regulatory requirements. **PD MM BIO-1.6:** The following measures for spill prevention and spill response shall be implemented:

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	Spill Prevention • The construction site manager will prevent the accidental release of chemicals, fuels, lubricants, and non-storm drainage water into channels following these measures: ▪ All construction personnel will be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills. ▪ Equipment and materials for cleanup of spills will be available on site and spills and leaks will be cleaned up immediately and disposed of according to applicable regulatory requirements. ▪ The construction site manager will ensure that hazardous materials are properly handled and natural resources are protected by all reasonable means. ▪ Spill prevention kits will always be in close proximity when using hazardous materials (e.g., at crew trucks and other logical locations). All construction personnel will be advised of these locations. ▪ The construction site manager will routinely inspect the worksite to verify that spill prevention and response measures are properly implemented and maintained. Spill Response Measures • For small spills on impervious surfaces, absorbent materials will be used to remove the spill, rather than hosing it down with water. Absorbent materials will be collected and disposed of properly and promptly. • For small spills on pervious surfaces such as soil, the spill will be excavated and properly disposed rather than burying it. • If a hazardous materials spill occurs that cannot be contained or cleaned up with the onsite materials, the construction site manager will be responsible for immediately initiating an emergency response sequence by notifying the proper authorities (i.e., Santa Clara County Fire Department) of the release; taking appropriate defensive steps from a safe distance to secure the site to minimize damage to people, environment, and property (PEP); and deferring all other response activities to public emergency response agencies. • If a "reportable" spill of petroleum products occurs, the Santa Clara County Fire Department will be notified. A reportable spill is defined as when: ▪ a film or sheen on, or discoloration of, the water surface or adjoining bank is observed; or ▪ a sludge or emulsion is deposited beneath the surface of the water or adjoining banks (40 ▪ Code of Federal Regulations 110); or ▪ when another violation of water quality standards is observed.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	• A written description of the reportable release must be submitted to the appropriate Regional Water Quality Control Board and the California Department of Toxic Substances Control (DTSC). This submittal must contain a description of the release, including the type of material and an estimate of the amount spilled, the date of the release, an explanation of why the spill occurred, and a description of the steps taken to prevent and control future releases. • If an appreciable spill has occurred, and results determine that project activities have adversely affected surface water or groundwater quality, a detailed analysis will be performed to the specifications of DTSC to identify the likely cause of contamination. This analysis will include recommendations for reducing or eliminating the source or mechanisms of contamination. Based on this analysis, the construction site manager will select and implement measures to control contamination, with a performance standard that surface and groundwater quality will be returned to baseline conditions. These measures will be subject to approval by the District, DTSC, and the Regional Water Quality Control Board. **PD MM BIO-1.7:** The following vehicle and equipment maintenance measures shall be implemented: • All vehicles and equipment will be kept clean. Excessive build-up of oil and grease will be prevented. • Maintenance, repairs, or other necessary actions will be taken to prevent or repair leaks, prior to use on the site. • Incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) will be checked for leaking oil and fluids. Vehicles or equipment visibly leaking operational fluids will not be allowed onsite. • No equipment servicing will be done onsite. • If emergency onsite repairs are required in the field, only those repairs necessary to move equipment to a more secure location, and that can be performed without releasing any material into the environment will be performed. **PD MM BIO-1.8:** The following vehicle cleaning measures shall be implemented: • Equipment will be cleaned of any visible sediment or vegetation clumps before use onsite to avoid spreading pathogens or exotic/invasive species. • Vehicle and equipment washing can occur on-site only as needed to prevent the spread of sediment, pathogens or exotic/invasive species. No runoff from vehicle or equipment washing is allowed to enter the creek. **PD MM BIO-1.9:** The following vehicle and equipment fueling measures shall be implemented:

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	• Vehicles and equipment will be refueled at least 60 feet from any aquatic habitat. • For stationary equipment that must be fueled on-site, secondary containment, such as a drain pan or drop cloth, will be used to prevent accidental spills of fuels from reaching the soil, surface water, or the storm drain system. **PD MM BIO-1.10:** A qualified monitor for water quality will make regular site inspections to ensure that all erosion control and hazardous material use measures listed in mitigation measures PD MM BIO 1.2 through PD MM BIO 1.9 are implemented throughout the duration of onsite construction activities. **PD MM BIO-1.11:** Lighting on the Residential parcel shall be designed, installed, and maintained to avoid spillover onto the adjacent Stevens Creek riparian area. All lighting shall be shown on plans submitted to City for approval. Installation of additional exterior lighting directed towards the Stevens Creek riparian area or that otherwise increases light levels (e.g., unshielded or not properly shielded lighting) in the riparian area shall be prohibited in the covenants of the Homeowner's Association for the Residential parcel.
PD Impact BIO-5: Although the probability is extremely low, individual red-legged frogs could be harmed during construction of the proposed 18 residences. **(Less Than Significant)**	**Mitigation Measures:** Although the possibility of red-legged frogs being present on the Residential parcel is extremely low, the following measures to avoid harming red-legged frogs would be implemented as a condition of project approval: **PD MM BIO-5.1:** A worker awareness program shall be given by a qualified biologist before the onset of construction to explain to construction personnel how best to avoid the accidental take of red-legged frogs. The training session shall be scheduled as a mandatory informational field meeting for contractors and all construction personnel. Topics discussed during the field meeting will include species identification, life history, descriptions of habitat requirements during various life stages, habitat sensitivity, and general measures being implemented to conserve the species as they relate to the Project, penalties for non-compliance, and boundaries of the construction area. **PD MM BIO-5.2:** A qualified biologist should survey the areas on and adjacent to the Residential parcel within 48 hours prior to the initiation of Project activities and shall be present at the work site until all workers have been instructed, and initial disturbance of all potential red-legged frog habitat (including potential refugia, such as debris that could shelter a frog) has been completed. If California red-legged frogs of any life stage are found, the Project proponent should cease all work in vicinity of the frog and contact the USFWS to request approval to capture and move the red-legged frog(s) to suitable habitat outside the activity area. No red-legged frogs will be moved without prior approval from USFWS, and no work that could result in harm of the red-legged frogs will occur as long as red-legged frogs are present on or adjacent to the Residential parcel.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	PD MM BIO-5.3: During Project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
PD Impact BIO-4: Project activities could result in potentially significant impacts on aquatic habitats supporting steelhead through impacts on water quality, degradation of habitat, and impairment of health of individuals. **Less Than Significant Impact with Mitigation Incorporated**	**Mitigation Measures:** The potential impacts to aquatic habitats occupied by steelhead would be reduced to a less-than-significant level through project design of the onsite drainage system and implementation of Standard Project Conditions for construction and post-construction water quality control in the City of Cupertino's Municipal Code Chapter 9.18, and the mitigation measures PD MM BIO-1.2 through 1.10, described previously under *Impacts to Aquatic Habitat*.
PD Impact BIO-5: Although the probability is extremely low, individual red-legged frogs could be harmed during construction of the proposed 18 residences. **Less Than Significant with Mitigation Incorporated**	**Mitigation Measures:** Although the possibility of red-legged frogs being present on the Residential parcel is extremely low, the following measures to avoid harming red-legged frogs would be implemented as a condition of project approval: **PD MM BIO-5.1:** A worker awareness program shall be given by a qualified biologist before the onset of construction to explain to construction personnel how best to avoid the accidental take of red-legged frogs. The training session shall be scheduled as a mandatory informational field meeting for contractors and all construction personnel. Topics discussed during the field meeting will include species identification, life history, descriptions of habitat requirements during various life stages, habitat sensitivity, and general measures being implemented to conserve the species as they relate to the Project, penalties for non-compliance, and boundaries of the construction area. **PD MM BIO-5.2:** A qualified biologist should survey the areas on and adjacent to the Residential parcel within 48 hours prior to the initiation of Project activities and shall be present at the work site until all workers have been instructed, and initial disturbance of all potential red-legged frog habitat (including potential refugia, such as debris that could shelter a frog) has been completed. If California red-legged frogs of any life stage are found, the Project proponent should cease all work in vicinity of the frog and contact the USFWS to request approval to capture and move the red-legged frog(s) to suitable habitat outside the activity area. No red-legged frogs will be moved without prior approval from USFWS, and no work that could result in harm of the red-legged frogs will occur as long as red-legged frogs are present on or adjacent to the Residential parcel.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	PD MM BIO-5.3: During Project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
PD Impact BIO-6: Construction and occupation of residences and an access road would result in direct impacts to three San Francisco dusky-footed woodrat nests. **Less Than Significant Impact with Mitigation Incorporated**	**PD MM BIO-6.1:** Pre-construction Surveys. Pre-construction surveys for woodrat nests will be conducted within the impact footprint by a qualified biologist prior to the start of work. Preconstruction surveys will be conducted no more than 30 days prior to the start of work, though earlier surveys may be conducted to identify nests within the development envelope that may need relocation during the non-breeding season of October to February. Woodrat nests detected during the survey will be mapped and one or more of the following measures will be implemented. • Disturbance-free Buffers. A minimum 50-foot will be maintained between project construction activities and each nest to be retained on or adjacent to the site to avoid disturbance. In some situations, a smaller buffer may be allowed if in the opinion of a qualified biologist removing the nest would be a greater impact than that anticipated as a result of project activities. Safety and/or silt fencing (for nests downslope) will be erected around all nests within 25 feet of construction activity to avoid impacts during construction • Relocation of Nest Materials. If active woodrat nests are found within the limits of disturbance and avoidance is not feasible, then the California Department of Fish and Wildlife will be contacted to secure concurrence with the following measures: – Woodrats will be evicted from their nests prior to the removal of the nests and onset of ground-disturbing activities to avoid injury or mortality of the woodrats. Nests shall only be moved in the early morning during the non-breeding season (October through February). A qualified biologist will disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the project activity area. Subsequently, the nest sticks will be removed from the site; if feasible, these materials will be piled at the base of a nearby tree or shrub. The spacing between relocated nests will not be less than 100 feet, unless a qualified biologist has determined that the habitat can support higher densities of nests. – If the nest is to be moved downslope of the development footprint, extra precautions will be taken, such as a plywood barrier to stop falling/sliding materials from impacting the new nest. Results of the pre-construction surveys and any relocations of nest materials will be reported to the Director of Community Development Director prior to the initiation of site grading. To ensure conditions have not changed and woodrats have not initiated new nests, a final preconstruction survey will be conducted no more than four days before the start of work. Implementation of the measures above providing for buffers and/or relocation of nest materials would avoid or reduce impacts to San Francisco dusky-footed woodrat populations to a less than significant level.

<table>
<tr><th colspan="2">ATTACHMENT A: Summary of Impacts and Mitigation Measures
Planned Development (18 Residential Units and Associated Features)</th></tr>
<tr><th>Impacts</th><th>Mitigation and/or Avoidance Measure(s)</th></tr>
<tr><td>PD Impact BIO-7:
Future project construction activities could disturb the nests of migratory birds.

Less Than Significant Impact with Mitigation Incorporated</td><td><u>Mitigation Measures</u>: As a condition of approval, the proposed project shall implement following measures to ensure that project activities comply with the Migratory Bird Treaty Act and California Fish and Game Code [Note: Removal of vegetation over the entire site outside the nesting season may not be feasible where it would inhibit erosion control measures during the rainy season.]:

PD MM BIO-7.1: <u>Avoidance and Inhibition of Nesting</u>. To the extent feasible, removal of trees and/or other potential nesting substrates (e.g., bushes and other vegetation) that are scheduled to be removed by the project construction activities shall be removed between September 1 and January 31 (inclusive) to avoid the nesting season for birds and preclude the initiation of nests in vegetation.

PD MM BIO-7.2: <u>Pre-construction/Pre-disturbance Surveys</u>. If removal of the trees and vegetation onsite is planned to take place between January and August (inclusive), then pre-construction surveys for nesting birds shall be conducted by a qualified ornithologist no more than five days prior to the initiation of construction activities. The ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code will be disturbed during project implementation.

PD MM BIO-7.3: A report summarizing the results of the pre-construction survey and any designated buffer zones or protection measures for tree nesting birds shall be submitted to the Community Development Director, prior to the start of grading or tree removal.</td></tr>
<tr><td>PD Impact BIO-9:
Development of the residential portion of the project would result in the removal of protected trees, including 126 coast live oaks.

Less Than Significant Impact with Mitigation Incorporated</td><td>PD MM BIO-9.1: The project shall implement the following measures to avoid impacts to trees proposed for retention and mitigate for tree removal:
• Protected trees to be removed shall be replaced at the following ratios per City Municipal Code Section 14.18.185:

Table 4.4-2: Tree Replacement Ratios
<table><tr><th>Trunk Size of Removed Tree (measured at 4.5 feet above grade)</th><th>Replacement Trees</th></tr><tr><td>Up to 12 inches</td><td>One 24-inch box tree</td></tr></table></td></tr>
</table>

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<tr><td></td><td>
<table>
<tr><td>Over 12 inches and up to 18 inches</td><td>Two 24-inch box trees</td></tr>
<tr><td>Over 18 inches and up to 36 inches</td><td>Two 24-inch box trees or one 36-inch box tree</td></tr>
<tr><td>Over 36 inches</td><td>One 36-inch box tree</td></tr>
</table>

The species and location of the replacement trees within the City of Cupertino and monitoring of replanting success shall be approved by the City of Cupertino arborist and Community Development Director, in conformance with the City's Protected Tree Ordinance requirements.

• To reduce the impact of construction on the trees remaining on the site and the trees adjacent to the site, tree protection and preservation measures (e.g., designate tree protection zones for all trees on and adjacent to the site) shall be implemented by the project. The specific measures to be implemented by the project are listed on pages 13-15 of the arborist report (refer to Appendix D of this Initial Study).

Replacement tree plantings (onsite and offsite) would off-set the removal of Protected trees resulting from the project. Oversight of construction activities by a certified arborist and implementation of specific tree protection measures will avoid substantial impacts to the mature trees that will be retained adjacent to the site.</td></tr>
<tr><td colspan="2">Cultural Resources</td></tr>
<tr><td>PD Impact CUL-1: The proposed development of 18 residences on the Residential parcel could result in significant impacts to buried cultural and/or paleontological resources, if encountered.

Less Than Significant Impact with Mitigation Incorporated</td><td>PD MM CUL-1.1: In the event of the discovery of prehistoric or historic archaeological deposits or paleontological deposits, work shall be halted within 50 feet of the discovery and a qualified professional archaeologist (or paleontologist, as applicable) shall examine the find and make appropriate recommendations regarding the significance of the find and the appropriate mitigation. The recommendation shall be implemented and could include collection, recordation, and analysis of any significant cultural materials.

PD MM CUL-1.2: In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius of the find in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:

• In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</td></tr>
</table>

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	• A final report summarizing the discovery of cultural materials shall be submitted to the Director of Community Development prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusion, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director of Planning.
Geology and Soils	
PD Impact GEO-1: Portions of the slope above Stevens Creek are liquefiable and unstable with the potential to fail.	**PD MM GEO-1.1:** A permanent, below-grade retaining wall would address long-term seismic slope stability in areas that cannot be stabilized through grading and removal of unstable fill. The below-grade retaining wall would range in height from approximately 30 to 60 feet and would extend along an approximately 600-foot section of the entry roadway, starting approximately 500 feet in from Stevens Canyon Road. The location of the below-grade retaining wall is identified as Case 2 and Case 3 on Figure 4.6-1 and cross-sections are shown on Figure 4.6-2. The below-grade retaining wall will be a mechanically stabilized earth (MSE) wall. A MSE wall is a type of reinforcement that may consist of precast, segmental blocks, panels or geocells that are filled with granular soil, which retains backfilled soil. The reinforced soil mass, along with a facing, forms the wall. The project proposes to construct a MSE wall once fill materials are removed as part of onsite excavation. The proposed MSE wall would be covered with engineered fill materials and be below the final site grade. The MSE wall would be designed and constructed in general conformance with the American Association of State Highway and Transportation Officials (AASHTO) LRFD Bridge Design Specifications (Sixth Edition) and AASHTO LRFD Construction Specifications (Third Edition) or latest edition and interim revisions at the time of design. The MSE wall design would be required to account for groundwater depths, site drainage, and utilities. Final wall design shall be approved by the Cupertino Building Official, and construction shall be supervised certified by a Certified Geotechnical Engineer.
PD Impact GEO-2: Standard measures may not be sufficient to ensure erosion does not occur during and after construction of the proposed residences.	**PD MM GEO-2.1:** In conformance with the City of Cupertino's Municipal Code (Section 16.08.110 Interim Erosion and Sediment Control Plan), the project applicant shall prepare and submit an Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan to the City for review and approval to ensure the measures are acceptable and meet all applicable resource agency standards. The purpose of the Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan is to stabilize the soil, to reduce raindrop impact, to reduce the velocity of surface runoff, to prevent erosion, and ensure revegetation success. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall include specific measures that specially target any slopes which drain to the creek. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall specify the following and the location of all the measures listed in the plan shall be depicted on a site map: • A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications or berms and sediment detention basins, and a schedule for their maintenance and upkeep; • A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited to, types and methods of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep;

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	• A delineation and brief description of the vegetative measures to be undertaken, including, but not limited to, seeding methods, and type, location and extent of preexisting and undisturbed vegetation types, and a schedule for maintenance and upkeep.
Hazards and Hazardous Materials	
PD Impact HAZ-1: Although unlikely, the possibility remains that the historic use of the Residential parcel as an unregistered landfill could expose project construction workers or future occupants to harmful chemical compounds. **Less Than Significant Impact with Mitigation Incorporated**	**PD MM HAZ-1.1:** Prior to issuance of a grading permit, applicant must obtain written approval from the Santa Clara County Department of Environmental Health (SCCDEH) and/or another regulatory agency indicating their concurrence that landfill remedial and restoration activities have been adequately completed and that no further work is required and that the site is acceptable for the proposed residential development.
PD Impact HAZ-2: The undocumented fill on the Residential parcel may be contaminated and/or hazardous materials may be encountered during project construction, possibly posing a risk to construction workers and future site occupants. **Less Than Significant Impact with Mitigation**	**PD MM HAZ-2.1:** Prior to issuance of a grading permit, a site management plan (SMP) shall be developed by the project applicant to establish management practices for handling undocumented fill and/or other materials/structures, if encountered. The SMP shall be reviewed and approved by the SCCDEH and/or other regulatory oversight agency overseeing closure/reuse of the former landfill. At a minimum, the SMP will include the following management practices for handling undocumented fill: • All areas of undocumented fill shall be overexcavated in conformance with recommendations in the project geotechnical investigation. Prior to onsite reuse or offsite disposal, the undocumented fill shall be sampled and tested following the recommendations outlined in the Clean Fill Advisory prepared by the Department of Toxic Substances Control (DTSC) in October 2001. • If testing reveals fill exceeds the screening levels for residential uses, then the fill shall be removed from the site and disposed at registered landfill facility licensed to accept the contaminated soil.

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
Hydrology and Water Quality	
PD/DA Impact HYD-1: Standard measures may not be sufficient to ensure erosion does not occur during and after construction of the proposed residences and possible future trails. **Less Than Significant Impact with Mitigation**	**Program Mitigation and Avoidance Measures:** Implementation of mitigation measures MM BIO-1.2, 1.3, 2.1 through 2.4 and 7.2 would avoid and reduce water quality impacts to aquatic habitats. In addition, the following measure is included in the Development Agreement to avoid and reduce water quality impacts during and after construction of the proposed residences and possible future trails to a less than significant level: **MM HYD-1.1:** In conformance with the City of Cupertino's Municipal Code (Section 16.08.110 Interim Erosion and Sediment Control Plan), the project applicant shall prepare and submit an Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan to the City for review and approval to ensure the measures are acceptable and meet all applicable resource agency standards. The purpose of the Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan is to stabilize the soil, to reduce raindrop impact, to reduce the velocity of surface runoff, to prevent erosion, and ensure revegetation success. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall include specific measures that specially target any slopes which drain to the creek. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall specify the following and the location of all the measures listed in the plan shall be depicted on a site map: • A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications or berms and sediment detention basins, and a schedule for their maintenance and upkeep; • A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited to, types and methods of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep; • A delineation and brief description of the vegetative measures to be undertaken, including, but not limited to, seeding methods, and type, location and extent of preexisting and undisturbed vegetation types, and a schedule for maintenance and upkeep.
Noise and Vibration	
PD Impact NOI-1: Interior noise levels at the proposed residences on Lots 1-3 would exceed the City's standard of 45 dBA CNEL. **Less Than Significant Impact with Mitigation Incorporated**	**Mitigation Measures:** The project proposes to implement the following mitigation measures to incorporate ventilation systems and noise attenuation to reduce to 45 dBA CNEL or less and reduce instantaneous interior noise levels at the proposed residences resulting from truck passbys: **PD MM NOI-1.1:** Require a suitable form of forced-air mechanical ventilation, as determined by the local building official, for the residences proposed on Lots 1-3, so that windows could be kept closed at the occupant's discretion to control noise and achieve the 45 dBA CNEL interior noise standard. **PD MM NOI-1.2:** Confirm the final specifications for noise insulation treatments for all west, north, and south facing facades of the residences proposed at Lots 1-3 during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit.

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	Maximum instantaneous noise levels resulting from quarry truck passbys will be reduced indoors to meet a design guideline of 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms. In order to meet this design guideline, the north, west, and south facing facades of the residences proposed on Lots 1-3 will be constructed to achieve an outdoor to indoor noise reduction of at least 30 dBA in bedrooms and 25 dBA in other rooms.
PD Impact NOI-2: Project construction activities along the east property line of the Residential parcel could result in cosmetic damage to three residences, if no mitigation is implemented. **Less Than Significant Impact with Mitigation**	**PD MM NOI-2.1:** To avoid vibration impacts during construction, vibratory rollers will not be used within 20 feet of adjacent residences unless there is no other feasible option. If vibratory rollers must be used within 20 feet of adjacent residences, then the adjacent residences will be surveyed before and after project construction to document if cosmetic damage occurs. **PD MM NOI-2.2:** If cosmetic damage occurs as a result of project construction, the damage will be repaired at the expense of the project applicant.
PD Impact NOI-3: Noise levels during construction of the proposed residences could exceed the quantitative noise limits contained in the Chapter 10.48 of the Municipal Code. **Less Than Significant Impact with Mitigation**	**PD MM NOI-3.1:** Develop a construction noise mitigation plan, including, but not limited to, the following available controls: • Construct a minimum 8-foot high temporary noise barrier (e.g., solid wood fence made from one-inch plywood) to shield Ricardo Street residences from activities occurring on the project site. • All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment. • The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists. • Unnecessary idling of internal combustion engines shall be prohibited. • Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Locate stationary noise sources as far from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) will be used. Any enclosure openings or venting will face away from sensitive receptors. • Locate material stockpiles as well as maintenance/equipment staging and parking areas as far as feasible from residential receptors. • Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing. • Designate a project liaison that will be responsible for responding to noise complaints during the construction phase. The

ATTACHMENT A: Summary of Impacts and Mitigation Measures Planned Development (18 Residential Units and Associated Features)	
Impacts	**Mitigation and/or Avoidance Measure(s)**
	name and phone number of the liaison will be conspicuously posted at construction areas and on all advanced notifications. This person will take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring will be presented at regular project meetings with the project contractor, and the liaison will coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible. • Require a reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions. • Hold a preconstruction meeting with the job inspectors and the general contractor/onsite project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.
Transportation	
PD Impact TRAN-1: The proposed intersection of Stevens Canyon Road and "A" Street does not meet Caltrans CSD sight distance standards for southbound vehicles, and could result in an increase in hazards due to a design feature. **Less Than Significant Impact with Mitigation Incorporated**	**PD MM TRAN-1.1:** The trees and shrubbery to the west of the project driveway shall be cut back in order to meet the corner sight distance (CSD) requirements for vehicles turning out of the project driveway. **PD MM TRAN-1.2:** One of the following options shall be included in the project to improve CSD for southbound vehicles. Both options assume MM TRAN-1.1 is implemented: Option 1.2A – The sidewalk and parking aisle shall be relocated to the north side of "A" Street and the stop bar shall be relocated 12 feet from the south edge of "A" Street (see Figure 4.16-1) Option 1.2B – Parking shall be restricted for the initial 120 feet of "A" Street, the stop bar shall be relocated 12 feet from the west edge of the pavement, and the center stripe shall be relocated 17 feet from the west edge of the sidewalk (e.g., five-foot sidewalk and 12-foot lane) (see Figure 4.16-2). Option 1.2A is preferred by the traffic engineer because it provides 10 additional feet of CSD, though both adequately mitigate the CSD deficiency. Option 1.2A results in a CSD for southbound vehicles of 550 feet and Option 1.2B results in a CSD of 540 feet.

ATTACHMENT B: Summary of Impacts and Mitigation Measures
Parkside Trails Residential Project Development Agreement
Possible Future Trails, Offsite Dedications, Easements, and Land Trade Measures

Impacts	Mitigation and/or Avoidance Measure(s)
Air Quality	
DA Impact AIR-1: Trail construction along the former quarry haul road located between McClellan Ranch Preserve and Linda Vista Park could generate dust and particulates affecting nearby residences. **Less Than Significant Impact with Mitigation**	**DA MM AIR-1.1:** Consistent with the BAAQMD CEQA Air Quality Guidelines, the following dust and construction equipment exhaust control measures to reduce construction-related air pollutant emissions shall be implemented in the event future trails are constructed: • 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 onsite 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.
Biological Resources	
DA Impact BIO-2: Future trail construction on the Corridor or Park parcels and offsite trail and parking lot easements could result in direct and indirect impacts to sensitive riparian, aquatic and/or wetland habitats. **Less Than Significant Impact with Mitigation**	**DA Program Mitigation and Avoidance Measures.** Various regulatory programs require the identification of sensitive wetland and riparian habitats and implementation of avoidance and mitigation measures to off-set project impacts. Existing state and federal regulations that would reduce or avoid possible impacts to aquatic, riparian and wetland habitats associated with new trail construction include: • Clean Water Act, including Sections 401, 404 (USACE Permit program) • Porter-Cologne Water Quality Control Act • NPDES Municipal Regional Permit Program • California Fish and Game Code The City will be required to comply with all requirements of these laws, and to obtain all necessary permits, prior to constructing any trails. In addition, various policies in the City’s General Plan and regulations in the City’s Municipal Code have been adopted for

Impacts	Mitigation and/or Avoidance Measure(s)
	the purpose of avoiding or mitigating impacts to special areas of natural vegetation and wildlife habitation and water quality. Future trail construction would be subject to the development policies listed in the City's General Plan, including the following: Policy 5-9, Policy 5-10, Policy 5-11, Policy 5-19, Policy 5-20, and Policy 5-21. **DA MM BIO-2.1: Habitat Survey, including Wetland Determination.** Prior to City approval of any final designs for trail or parking lot construction, surveys for sensitive habitats shall be conducted. Based on these surveys, the City shall adjust the design of the trails and/or parking lot and otherwise incorporate features to minimize direct and indirect impacts to riparian, aquatic, or wetland habitats to the greatest extent feasible. A jurisdictional delineation of wetlands regulated under Section 404 of the Clean Water Act and mapping of riparian corridors subject to regulation under the California Fish and Game Code shall be used to determine the best design for trail alignments or structures to cross sensitive habitat areas where avoidance is infeasible and to provide adequate area for onsite mitigation, if needed. **DA MM BIO-2.2: Habitat Mitigation and Monitoring Plan (HMMP).** Potential impacts within sensitive riparian or seasonal wetland habitats include both temporary and permanent impacts. Replacement ratios for mitigation of impacts to sensitive riparian or seasonal wetland habitat shall be identified in a site-specific habitat mitigation and monitoring plan, based upon the results of surveys for sensitive habitats (DA MM BIO-2.1, above). Temporary and permanent impacts to seasonal wetlands on the project site shall be replaced at a minimum replacement-to-loss ratio of 1:1 (one acre of wetland created for each acre filled) and impacts to riparian habitat shall be replaced at a minimum replacement-to-loss ratio of 2:1 in accordance with a riparian and/or seasonal wetland mitigation plan. Compensation would occur either pursuant to a site-specific mitigation plan (onsite or in close proximity) or through the purchase of mitigation credits from a local wetland mitigation bank or program for the creation of wetlands in the region (e.g., a mitigation bank whose service area includes the project site). An open space or conservation easement, or other similar instrument, shall be recorded on property associated with mitigation lands to protect the created wetlands or riparian resources in perpetuity. The HMMP shall be prepared by a qualified restoration ecologist and will provide, at a minimum, the following components: • Summary of habitat impacts and proposed habitat mitigation actions. • Goals of any restoration to achieve no net loss. • The location of mitigation sites and existing site conditions. • Mitigation design, including: – Construction schedule. – Description of existing and proposed soils, hydrology geomorphology and geotechnical stability. – Site preparation and grading plan. – Invasive species eradication plan, if applicable. – Soil amendments and other site preparation.

Impacts	Mitigation and/or Avoidance Measure(s)
	– Planting plan (plant procurement/propagation/installation). – Maintenance plan. • Monitoring measures, performance and success criteria. • Monitoring methods, duration, and schedule. • Contingency measures and remedial actions. • Reporting measures. A draft HMMP shall be prepared and approved in concept by the Cupertino City Council, prior to approval of the final design for trail and/or parking lot construction. The HMMP shall be reviewed and approved by regulatory and responsible agencies, such as the U.S. Army Corps of Engineers, California Department of Fish and Wildlife and California Regional Water Quality Control Board, as appropriate. Mitigation shall be deemed complete when the final success criteria have been met as determined by applicable regulatory/responsible agencies. **DA MM BIO-2.3: Avoidance, Protection, and Riparian Tree Replacement Measures.** • Possible impacts to riparian or seasonal wetland habitats shall be avoided to the greatest extent feasible by using free span bridges or boardwalks where trail crossings over these habitats cannot feasibly be avoided. • Prior to the start of construction activities within or near seasonal wetlands or riparian habitat, the limits of the construction zone will be clearly marked and fenced (under the supervision of a qualified biologist and/or qualified ecological monitor) to protect vegetation outside of the established construction zone. An ecological monitor will make regular site inspections to ensure that the fence remains in place and that construction activities are confined to the delineated impact areas. All environmentally sensitive areas will be designated on project plans. In this way, sensitive areas will be protected from construction disturbance and trampling. • The amount of riparian vegetation trimmed, removed, or disturbed shall be minimized. Native trees (more than 6 inches in diameter at breast height (DBH) that are removed in riparian areas shall be replaced at a 3:1 ratio onsite (to the extent feasible) or within the same watershed (Stevens Creek) using local, native riparian trees. Any revegetation efforts shall be completed prior to the rainy season. The plantings shall be maintained until successfully established. • Construction of any new crossings of Stevens Creek shall be completed between May 15 and October 15. **DA MM BIO-2.4: Weed Control Measures.** To avoid the introduction of invasive species into the project area during trail construction, contract specification shall include (at a minimum) the following measures: • All earthmoving equipment to be used during project construction shall be thoroughly cleaned before arriving on the project site. • All seeding equipment (e.g., hydroseed trucks), if used on the site, shall be thoroughly rinsed at least three times prior to arriving

Impacts	Mitigation and/or Avoidance Measure(s)
	at the project site and beginning seeding work. • To avoid spreading any non-native invasive species already existing onsite to offsite areas, all equipment shall be thoroughly cleaned before leaving the site. **DA MM BIO-2.5:** All contractors working within 100 feet of Stevens Creek will implement the following measures to minimize potential construction effects on aquatic habitat and water quality: • A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared that includes specific and detailed BMPs designed to mitigate construction-related pollutants. These BMPs will include methods to minimize the contact of construction materials, equipment, and maintenance supplies with stormwater. The BMPs identified in the SWPPP will also mitigate the release of construction-related pollutants from the trail corridor(s) during the various construction phases. • To the maximum extent practicable, all grading and ground disturbance adjacent to the riparian habitat will occur during the dry season (15 May – 15 October). If grading is to occur during the rainy season, the primary BMPs selected will focus on erosion control. • BMPs intended to reduce erosion of exposed soil into the bed and banks of the creek in the area may include, but are not limited to, soil stabilization controls, watering for dust control, perimeter silt fences, placement of fiber rolls and sediment basins. • No equipment will operate in the live stream channel. • Standard erosion control and slope stabilization measures will be required for work performed in areas where erosion could lead to sedimentation of Stevens Creek. • Silt fencing and/or fiber rolls will be installed between activities conducted within 100 feet of the top-of-bank to prevent dirt or other materials from entering the channel. • No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into aquatic habitat. • Machinery will be refueled at least 60 feet from any aquatic habitat, and a spill prevention and response plan will be implemented. • Absorbent materials designated for spill containment and clean-up activities will be available on site for use in an accidental spill.
DA Impact BIO-3: Given the existing habitats and existing level of disturbance on the Corridor and Park parcels and areas of the proposed offsite dedications,	**DA Program Mitigation and Avoidance Measures.** Various policies in the City's General Plan and regulations in the City's Municipal Code have been adopted for the purpose of avoiding or mitigating impacts to natural vegetation and wildlife habitation. In addition, federal and state law govern impacts to certain protected plant species. Future trail construction would be subject to the federal and state laws and development policies listed in the City's General Plan, including the following: Policy 5-9, Policy 5-10, and Policy 5-11.

Impacts	Mitigation and/or Avoidance Measure(s)
easements, and land trades, it is not anticipated that the effects of new trail and parking lot construction would substantially reduce populations of special-status plants in Cupertino or the region. However, localized populations of special-status species may be present along a particular easement, in which case trail construction could potentially cause a significant impact to those species. **Less Than Significant Impact with Mitigation**	**DA MM BIO-3.1: Special-Status Plant Surveys**. Biological surveys for special-status plant species, as defined in Public Resources Code Section 15380, shall be conducted as a part of trail planning to assist with trail placement and design. At a minimum, potential habitat and impacts should be assessed for the local special-status species arcuate bush-mallow, Santa Clara red ribbons, and Western leatherwood during appropriate flowering season surveys. Development of trails through areas that support special-status plant species shall be avoided through trail design and modifications of trail easements to the extent feasible from an engineering and cost perspective and when selecting another route would not cause other significant impacts (such as impacts to seasonal wetlands). Trail construction shall be undertaken so there are no significant impacts to special status plant species. Trail construction could affect individual special-status plants if populations are present along a particular trail alignment. Implementation of the identified program mitigation and avoidance measures (e.g., General Plan policies, existing regulations, and measures to be included in the Development Agreement) at the time a future trail project is considered would limit or preclude impacts to these local special-status plant species.
DA Impact BIO-8: Future trail construction on the Park parcel and offsite trail and parking lot easements potentially could affect special-status animals or fish. **Less Than Significant Impact with Mitigation**	**DA Program Mitigation and Avoidance Measures.** Various regulatory programs require the protection of special-status animals and their habitat. Existing state and federal regulations that would reduce or avoid possible impacts to special-status animals associated with new trail construction include: • Federal Endangered Species Act • Federal Migratory Bird Treaty Act • Clean Water Act, including Sections 401, 404 and NPDES Program • California Endangered Species Act • California Fish and Game Code (Sections 2513, 2802, 3503, 3503.5, 3800) • Porter-Cologne Water Quality Control Act • Public Resources Code Section 15380 (CEQA Guidelines) The City will be required to comply with all requirements of these laws, and to obtain all necessary permits, prior to constructing any trails. In addition, various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts to special areas of natural vegetation and wildlife habitation and water quality. Future trail and parking lot construction would be subject to the development policies listed in the City's General Plan, including the following: Policy 5-9, Policy 5-10, Policy 5-11, Policy 5-14, Policy 5-14, Policy 5-19, Policy 5-20, and Policy 5-21.

Impacts	Mitigation and/or Avoidance Measure(s)
	DA MM BIO-8.1: Special-Status Animal Surveys. Biological surveys for selected special-status species shall be conducted prior to city approval of final trail and parking lot design to assist with trail placement and design. At minimum, potential habitat and impacts shall be assessed by qualified biologist for California red-legged frog, Western pond turtle, yellow warbler, white-tailed kite, nesting raptors, roosting bats, and San Francisco dusky-footed woodrat. Based on these surveys, the City shall adjust the design of the trails and/or parking lot to the extent feasible. If direct and indirect impacts to habitat and individual special-status species cannot be fully avoided, consultation with the U.S. Fish and Wildlife Service (in accordance with Section 7 of the Endangered Species Act) and California Department of Fish and Wildlife (in accordance with the Fish and Game Code) would be required as necessary. At that time, appropriate mitigation and/or minimization measures will be identified and incorporated into the project as needed in order to ensure that there are no remaining significant impacts to special status animal species. If they are needed, avoidance and minimization measures shall include, but are not limited to: • Development of a construction mitigation and monitoring plan prior to approval final design plans. The plan shall include: – Monitoring measures. – Monitoring methods and qualified monitors. – Preconstruction surveys and establishment of buffers for nesting birds and other species as appropriate. – Limiting construction activities during breeding or critical movement periods. – Establishing limits of construction disturbance and monitoring the placement and maintenance of fencing protecting environmentally sensitive areas. – Avoiding construction in seasonal wetland and riparian habitats, if feasible. – Reporting requirements • The removal of trees and woody vegetation shall be limited in accordance with DA MM BIO 2-3. **DA MM BIO-8.2: Water Quality and Aquatic Habitat for Central California Coast Steelhead, California Red-legged Frog, and Western Pond Turtle.** Implementation of DA MM BIO-2.2 through 2.5, in concert with the measures listed below, will reduce impacts to special-status species that utilize aquatic, riparian and seasonal wetlands habitat within or near future trails and the 12-space parking lot. • Bio-retention features or other sediment controls for storm runoff from trails traversing the quarry site shall be identified on trail construction plans. • Construction of any new crossings of Stevens Creek shall be completed between May 15 and October 15. • During construction activities, locate equipment maintenance, refueling, and staging areas at least 100 feet from creek banks. Conduct refueling behind a contaminant barrier that prevents spilled or leaked fuel from entering the creek. All equipment

Impacts	Mitigation and/or Avoidance Measure(s)
	servicing shall be conducted with designated areas with appropriate setbacks from the top of the bank. All motorized equipment used during construction shall be checked for oil, fuel, and coolant leaks prior to initiating work. • Implement a Storm Water Pollution Prevention Plan (SWPPP) as part of a trail construction project, to ensure that sediment and contaminants from construction activities do not enter Stevens Creek or its tributary channels. • For California red-legged frogs, implement a season work period so that construction activities in or immediately adjacent to potential California red-legged frog breeding habitat will occur between August and October to avoid the period when frogs are breeding, when eggs or larvae are most likely to be present, and when overland dispersal of California red-legged frogs is highest. Measures to avoid impacts to individual frogs shall include, but are not limited to: – Placement of exclusion fencing, as appropriate; – Preconstruction surveys by a qualified biologist within one week of construction initiation and within 48 hours of the start of construction to confirm that no individuals are present within the construction area. • For Western pond turtles, nesting habitat shall be avoided as a part of trail design if identified during biological surveys for special-status animal species. **DA MM BIO-8.3: Construction Timing and Preconstruction Surveys for Nesting Birds.** Impacts to nesting birds will be avoided by removing all potential nesting habitat (vegetation) during the non-nesting season from September 1 to March 1. If vegetation will be removed or otherwise impacted during the nesting season, pre-construction surveys will be conducted by a qualified ornithologist; if active nests are found, disturbance-free buffer zones (typically 250 feet for raptors and 50-100 feet for other birds) will be established until young birds have fledged. Trail development through areas that support special-status animal species shall be avoided to the extent feasible through trail design and modification of trail easements or incorporation of avoidance measures (such as construction timing), as appropriate, so that there are no significant impacts to special-status animal populations. Trail construction could directly or indirectly affect individual special-status animals, if present along a particular trail alignment. Implementation of the identified program mitigation and avoidance measures (e.g., General Plan policies, existing regulations, and measures included in the Development Agreement) at the time a future trail project is considered would limit or preclude impacts to these local special-status animal species.
DA Impact BIO-10: Construction of new trails, if located in woodland areas, could result the loss of mature native trees.	**Program Mitigation and Avoidance Measures.** Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts to special areas of natural vegetation and wildlife habitation, including local tree resources. Future trail and parking lot construction would be subject to the development policies listed in the City's General Plan, including the following: Policy 5-11 and Policy 5-14.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
Less Than Significant Impact with Mitigation	The following measures are included in the Development Agreement to avoid or reduce impacts to mature, native trees from future trail construction or reconstruction: **DA MM BIO-10.1: Arborist Tree Survey and Tree Protection and Preservation Plan**. A tree survey of proposed trail alignments shall be conducted by an International Society of Arboriculture (ISA) Certified Arborist as a part of trail design or other recreational features. The results shall be presented in a survey report along with tree protection and impact avoidance measures. Trails shall be routed to avoid and protect significant, mature native trees where feasible. If trees must be removed, they shall be mitigated with replacement plantings of locally native trees at a minimum 1:1 ratio, onsite, within the City of Cupertino or within adjacent regional park facilities. Native trees (more than six inches in diameter DBH that are removed in riparian areas shall be replaced at a 3:1 ratio onsite to the extent feasible or within the same watershed of Stevens Creek using local, native riparian trees. Any revegetation efforts in riparian areas shall be completed prior to the rainy season and the plantings shall be maintained until successfully established. In addition, the standards in the City of Cupertino's Protected Tree Ordinance will apply to trees protected under the ordinance. Compliance with the ordinance will thus mitigate the removal of mature native trees and protect trees that are retained near trail retaining walls or grade changes. If trails are later developed, they shall also be routed to avoid and protect significant, mature trees where feasible.
Cultural Resources	
DA Impact CUL-2: Future trail and parking lot construction could result in significant impacts to buried cultural and/or paleontological resources, if encountered.	**DA MM CUL-2.1:** Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California: • In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. • A final report summarizing the discovery of cultural materials shall be submitted to the Director of Community Development prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found, a summary of the

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	resources analysis methodology and conclusion, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director of Planning.
Geology and Soils	
DA Impact GEO-3: Future trail and parking lot construction could create, exacerbate, and/or be exposed to geology and soil hazards such as landslides and erosion. **Less Than Significant Impact with Mitigation**	**Program Mitigation and Avoidance Measures:** Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating geologic and seismic hazard impacts resulting from planned development within the City. Future trail and parking lot construction would be subject to the following Health and Safety General Plan policy: **DA MM GEO-3.1:** Policy 6-1: Seismic/Geologic Review Process Evaluate new development proposals within mapped potential hazard zones using a formal seismic/geologic review process. Use Table 6-D of this Hazards Analysis to determine the level of review required. • Per Table 6-D of the General Plan, the following level of review would be necessary for future trail construction: ▪ Uniform Building Code ▪ Soil and Foundation Investigation ▪ Geotechnical Investigation As identified in the Parkside Trails Feasibility Study, the following measures are included in the Development Agreement to avoid or reduce geology and soils impacts resulting from future trail construction or reconstruction: • Geotechnical investigations, including subsurface testing, will be completed at specific locations along future trail alignments, prior to trail construction. These investigations are needed to fully assess the design parameters and determine the best geotechnical design approach for footbridges, retaining walls and areas of engineered fill placement. The specific locations will depend on the ultimate trail alignment and trail type selected, and could include the following: ▪ the saddle on the eastern ridge of the quarry, ▪ the gully below the saddle, ▪ the narrow bank along Stevens Creek, and ▪ the southeastern quarry slope crossing. • All future trail construction will follow the recommendations of the geotechnical investigations and all future trails will be routed to avoid unstable areas and/or will be designed and constructed to meet generally acceptable design standards, as specified in the following documents: ▪ 2005 Cupertino General Plan ▪ 1995 Santa Clara Countywide Trails Master Plan ▪ 1999 Santa Clara County Interjurisdictional Trail Design, Use and Management Guidelines

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Impacts	**Mitigation and/or Avoidance Measure(s)**
	▪ 2005 Santa Clara County Parks and Recreation Department Trail Maintenance Manual ▪ 2006 Santa Clara Valley Water District, Water Resources Protection Manual: Guidelines & Standards for Land Use Near Streams ▪ 2012 California Department of Transportation Highway Design Manual: Chapter 1000 Bicycle Transportation Design ▪ 2013 Architectural Barriers Act Accessibility Guidelines: Outdoor Developed Areas
Hazards and Hazardous Materials	
DA Impact HAZ-3: Undocumented fill on the quarry floor may be contaminated and/or hazardous materials may be encountered during trail construction within the areas of undocumented fill, posing a risk to construction workers and future trail users. **Less Than Significant Impact with Mitigation**	**Program Mitigation and Avoidance Measures:** The City's General Plan recognizes that hazardous materials are regulated under local, state, and federal regulations. Regulations that have been adopted for the purpose of avoiding or mitigating hazards from contaminated soils are enforced by several local and state agencies, including the Santa Clara County Department of Environmental Health, California Department of Toxic Substances Control and the Regional Water Quality Control Board. These agencies implement protective cleanup programs and standards. Several of these agencies also have adopted guidelines for screening risk levels of contaminants of concern. State of California Hazardous Waste Regulations include standards for contaminants in any materials to be transported offsite. Future trail construction would be subject to applicable regulations and oversight of one or more of these agencies, if contamination is encountered within the trail easements. **DA MM HAZ-3.1:** The trail easements selected by the City will avoid areas of known undocumented fill. **DA MM HAZ-3.2:** Prior to trail construction, a site management plan (SMP) shall be developed by the City to establish management practices for handling undocumented fill and/or other materials/structures, if encountered. The SMP shall be reviewed and approved by the Santa Clara County Department of Health (SCCDEH) and/or other regulatory oversight agency. At a minimum, the SMP will include the following management practices for handling undocumented fill: • All areas of undocumented fill shall be overexcavated. Prior to onsite reuse or offsite disposal, the undocumented fill shall be sampled and tested following the recommendations outlined in the Clean Fill Advisory prepared by the Department of Toxic Substances Control (DTSC) in October 2001. • If testing reveals fill exceeds the screening levels for residential uses, then the fill shall be removed from the site and disposed at registered landfill facility licensed to accept the contaminated soil.
Hydrology and Water Quality	
PD/DA Impact HYD-1: Standard measures may not be sufficient to ensure erosion does not occur	**Program Mitigation and Avoidance Measures:** Implementation of mitigation measures MM BIO-1.2, 1.3, 2.1 through 2.4 and 7.2 would avoid and reduce water quality impacts to aquatic habitats. In addition, the following measure is included in the Development Agreement to avoid and reduce water quality impacts during and after construction of the proposed residences and possible future trails to a less than significant level:

Impacts	Mitigation and/or Avoidance Measure(s)
during and after construction of the proposed residences and possible future trails. **Less Than Significant Impact with Mitigation**	**MM HYD-1.1:** In conformance with the City of Cupertino's Municipal Code (Section 16.08.110 Interim Erosion and Sediment Control Plan), the project applicant shall prepare and submit an Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan to the City for review and approval to ensure the measures are acceptable and meet all applicable resource agency standards. The purpose of the Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan is to stabilize the soil, to reduce raindrop impact, to reduce the velocity of surface runoff, to prevent erosion, and ensure revegetation success. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall include specific measures that specially target any slopes which drain to the creek. The Interim Erosion and Sediment Control Plan/Slope Stabilization and Revegetation Plan shall specify the following and the location of all the measures listed in the plan shall be depicted on a site map: • A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications or berms and sediment detention basins, and a schedule for their maintenance and upkeep; • A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited to, types and methods of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep; • A delineation and brief description of the vegetative measures to be undertaken, including, but not limited to, seeding methods, and type, location and extent of preexisting and undisturbed vegetation types, and a schedule for maintenance and upkeep.
DA Impact HYD-1: If not constructed properly, future trails could concentrate stormwater runoff flow, resulting in erosion and sedimentation downstream of the trails. **Less Than Significant Impact with Mitigation**	**DA MM HYD-1.1:** The trail shall be constructed so that runoff from the trail is not concentrated, but diffused into buffer area adjoining the trail. **DA MM HYD-1.2:** To the maximum extent practicable, runoff from the trail shall not be directed into the creeks without prior treatment (e.g. adequate residence time in a grassy swale or detention area). **DA MM HYD-1.3:** Swales and buffer areas adequate to treat runoff from the trail shall be clearly depicted in the final project design plans.
Noise and Vibration	
DA Impact NOI-4: Noise levels during trail construction along the former haul road could exceed the quantitative noise limits contained in the Chapter 10.48 of the Municipal Code.	**DA MM NOI-4.1:** All trail construction activities shall comply with the City of Cupertino Noise Ordinance. **DA MM NOI-4.2:** All trail construction activities (including earthmoving and grading) shall be limited to the hours of 7:30 AM and 6:00 PM, Monday through Friday, and between the hours of 9:00 AM and 5:00 PM on Saturday. Construction shall not occur on Sunday or weekday holidays. **DA MM NOI-4.3:** All construction equipment powered by internal combustion engines shall be properly muffled and maintained.

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Impacts	**Mitigation and/or Avoidance Measure(s)**
Less Than Significant Impact with Mitigation	