

## ***6. Mitigation Monitoring or Reporting Program***

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This Mitigation Monitoring or Reporting Program (MMRP) has been prepared for the proposed Millbrae Station Area Specific Plan Update (Specific Plan Update), which includes the adoption and implementation of the Millbrae Station Area Specific Plan and associated General Plan and Zoning Ordinance Amendments.

The Specific Plan Update is a long-term plan that contains land use, urban design, and circulation goals, policies, and strategies that will be implemented over a 25-year horizon as a policy document guiding investments and future development activities in the Specific Plan Area.

The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the Specific Plan Update.

The MMRP includes the following information:

- The full text of the mitigation measures;
- The party responsible for implementing the mitigation measures;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring the implementation; and
- The monitoring action and frequency.

The City of Millbrae must adopt this MMRP, or an equally effective program, if it approves the proposed Specific Plan Update with the mitigation measures that were adopted or made conditions of the Specific Plan approval.

**SPECIFIC PLAN UPDATE MITIGATION MONITORING OR REPORTING PROGRAM**

**TABLE 6-1 MILLBRAE STATION AREA SPECIFIC PLAN MITIGATION MONITORING OR REPORTING PROGRAM**

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<b>AIR QUALITY</b>					
<p><b>AQ-SP-4.1:</b> Prior to future discretionary approval, the City of Millbrae Community Development Department shall require an applicant for a new development project where nearby sensitive land uses (e.g. residences, schools, and day care centers) are within 1,000 feet of the future project site, to prepare and submit a construction health risk assessment (HRA) to evaluate the construction health risk impacts of the project to the sensitive receptors. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM<sub>2.5</sub> concentrations exceed 0.3 µg/m<sup>3</sup>, or the appropriate non-cancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e. below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms.</p> <p>Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Use of equipment that meets the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower.</li> <li>▪ Use of emissions control device that achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.</li> </ul> <p>Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or</p>	Project applicant	During the building permit and site development review process and prior to permit issuance	City of Millbrae Community Development Department	Plan review and approval	Once for preparation of the HRA

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incorporated into all construction plans (e.g. demolition and grading plans) and verified by the City of Millbrae Community Development Department.					
<p><b>AQ-SP-4.2:</b> The City shall require applicants for future residential and other sensitive land use projects (e.g. hospitals, nursing homes, and day care centers) within 1,000 feet of a major sources of TACs (e.g. warehouses, industrial areas, freeways, and roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, to submit a health risk assessment (HRA) to the City prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds either ten in one million (10E-06) and/or 100 in a million for cumulative sources, PM<sub>2.5</sub> concentrations exceed 0.3 µg/m<sup>3</sup>, or the appropriate non-cancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e. below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Air intakes located away from high volume roadways and/or truck loading zones.</li> <li>▪ Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.</li> </ul> <p>Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or</p>	Project applicant	During the building permit and site development review process and prior to permit issuance	City of Millbrae Community Development Department	Plan review and approval	Once for preparation of the HRA

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<p>incorporated into the site development plan as a component of the proposed future project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City of Millbrae Community Development Department.</p>					
<b>BIOLOGICAL RESOURCES</b>					
<p><b>BIO-SP-1.1:</b> Adequate measures shall be taken to avoid inadvertent take of raptor nests and other nesting birds protected under the Migratory Bird Treaty Act when in active use. This shall be accomplished by taking the following steps.</p> <ul style="list-style-type: none"> <li>▪ If vegetation removal and initial construction is proposed during the nesting season (March to August), a focused survey for nesting raptors and other migratory birds shall be conducted by a qualified biologist within 14 days prior to the onset of vegetation removal or construction, in order to identify any active nests on the proposed Project site and in the vicinity of proposed construction.</li> <li>▪ If no active nests are identified during the construction survey period, or if development is initiated during the non-breeding season (September to February), vegetation removal and construction may proceed with no restrictions.</li> <li>▪ If bird nests are found, an adequate setback shall be established around the nest location and vegetation removal and construction activities shall be restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be based on input received from the CDFW, and may vary depending on species and sensitivity to disturbance. As necessary, the no-disturbance zone should be fenced with temporary orange construction fencing if construction is to be initiated on the remainder of the development site.</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure

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<ul style="list-style-type: none"> <li>A report of findings shall be prepared by the qualified biologist and submitted to the City for review and approval prior to initiation of construction within the no-disturbance zone during the nesting season (March to August). The report shall either confirm absence of any active nests or confirm that any young are located within a designated no-disturbance zone and construction can proceed.</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure
<p><b>BIO-SP-1.2:</b> Measures shall be taken to avoid possible loss of pallid bats and other special-status bat species during construction of future projects allowed by the proposed Specific Plan Update. This shall be accomplished using the following provisions:</p>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure
<ul style="list-style-type: none"> <li>Existing buildings should preferably be demolished between February 15 to April 15, or from August 15 to October 15, to minimize the likelihood of removal during the winter roosting period when individual bats are less active and more difficult to detect, and the critical pupping period (April 16 to August 14) when young cannot disperse.</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure
<ul style="list-style-type: none"> <li>Buildings shall be surveyed by a qualified bat biologist no more than two weeks before demolition to determine whether any signs of bat roosting is present, and to avoid "take" of any bats that may have begun to use the structures for day-roosting.</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure
<ul style="list-style-type: none"> <li>If the pre-demolition survey reveals bats or bat roosting activity, a plan shall be developed by the qualified bat biologist to provide for exclusion and/or passive relocation, such as leaving all doors and windows open continually until demolition. Additional recommendations may be made by the qualified bat biologist following the pre-demolition survey, including monitoring of demolition, possible restriction on timing and procedures for demolition to allow escape, and other measures to avoid take of individual bats.</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure
<ul style="list-style-type: none"> <li>A tree roost habitat assessment shall be conducted by a qualified bat biologist for trees to be removed as part of development projects. The habitat assessment shall be</li> </ul>	Project applicant	Prior to construction	Qualified biologist approved by City of Millbrae	Plan review and approval, and throughout timeframes outlined in the mitigation measure as necessary	Prior to construction and during seasonal timeframes outlined in the mitigation measure

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conducted no more than two weeks prior to tree removal and vegetation clearing. Additional detailed measures may be required based on the results of the habitat assessment if evidence of bat roosting is observed. This may include restrictions on timing and supervision of tree removal by the qualified bat biologist, and systematic removal of select trees and major limbs to encourage dispersal and avoid "take" of individual bats.					
<b>CULTURAL RESOURCES</b>					
<b>CULT-SP-1:</b> Prior to the entitlement phase, on a project-by-project basis, buildings and structures over 50 years of age that would be affected by future alteration or demolition should be assessed by a qualified professional that is approved by the Community Development Director, or his/her designee, to determine if further evaluation for potential historical significance is necessary. This initial assessment shall include a review of any future historical resource surveys of the Specific Plan Area, a consideration of the property's architectural integrity and notable features, and other available information. If, based on this preliminary assessment, it is determined that further assessment would be required to determine the property's historical significance as defined by CEQA, an evaluation should be carried out by a professional who meets the Secretary of the Interior's Standards for Architectural History, and the results of the evaluation should be submitted as report of findings to the City. Once the report is reviewed and approved by the City, a copy of the report should be submitted to the Northwest Information Center (NWIC).	Project applicant	Prior to entitlement approval and demolition permit	Qualified archeologist approved by the City of Millbrae Community Development Director or his/her designee	Plan review and approval	Once at time of preliminary assessment and again, if determined further assessment is required as specified in this mitigation measure
<b>CULT-SP-2a:</b> If a potentially significant subsurface cultural resource is encountered during ground disturbing activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archeologist determines whether the resource requires further study. All developers in the Specific Plan Area shall include a standard inadvertent discovery clause in every	Project applicant	During construction	Qualified archaeologist approved by the City of Millbrae	Initiated after a find is made during construction	During regularly scheduled site inspections that would be initiated after a find is made during construction

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<p>construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archeologist. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Millbrae, Northwest Information Center (NWIC), and State Historic Preservation Office (SHPO), if required.</p>					
<p><b>CULT-SP-2b:</b> The Community Development Director, or his/her designee, shall notify the Indian Canyon Mutsun Band of Costanoan tribe at the time final applications for future projects under the Specific Plan Update where future development requires substantial excavation that could reach significant depths below the ground surface where no such excavation has previously occurred.</p>	Project applicant	During the building permit and site development review process and prior to permit issuance	City of Millbrae Community Development Department	Initiated when approved projects require excavation below ground surface	Prior to construction
<p><b>CULT-SP-3:</b> In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the</p>	Project applicant	During construction	Qualified paleontologist approved by the City of Millbrae	Initiated after a find is made during construction	During regularly scheduled site inspections initiated after a find is made during construction

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paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Millbrae for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.					
<b>GEOLOGY, SOILS, AND SEISMICITY</b>					
<b>GEO-SP-1:</b> Prior to approval of grading permits for a future construction project within the Specific Plan Area, a detailed final geotechnical investigation shall be performed to identify significant geotechnical constraints on the proposed development. The report shall develop formal recommendations for project design and construction, including site grading/soil preparation and foundation design. Among other components, the report shall include a quantitative evaluation of liquefaction susceptibility, including projected levels of post-liquefaction settlement; an evaluation of soil shrink-swell potential; and an investigation of compressible soils that may be prone to settlement/subsidence. The report shall be provided by the applicant to the City of Millbrae for review and approval and to ensure that foundations designed for all proposed structures are appropriate and meet code requirements. The geotechnical engineer of record shall also review the final grading, drainage, and foundation plans to confirm incorporation of the report recommendations and field monitoring during project construction shall be performed to verify that the work is performed as recommended.	Project applicant	During the building permit and site development review process and prior to permit issuance	The City of Millbrae Community Development Department and the Geotechnical engineer of record	Plan review and approval	Once at time final geotechnical report is prepared, prior to construction and during regularly scheduled site inspections
<b>GEO-SP-3: IMPLEMENT MITIGATION MEASURE <i>GEO-SP-1</i>. (SEE ABOVE)</b>					
<b>GEO-SP-4: IMPLEMENT MITIGATION MEASURE <i>GEO-SP-1</i>. (SEE ABOVE)</b>					
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
<b>HAZ-SP-4a:</b> Prior to the issuance of a building permit for an	Project applicant	During the building	The appropriate	Plan review and	Prior to construction and



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<p>individual property within the Specific Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.</p>		<p>permit and site development review process and prior to permit issuance</p>	<p>"Oversight Agency" designated by the City of Millbrae</p>	<p>approval</p>	<p>during regularly scheduled site inspections</p>
<p><b>HAZ-SP-4b:</b> For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the San Mateo County Environmental Health Divisions (SMCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the ESMP (Mitigation Measure HAZ4-SP-4a).</p>	<p>Project applicant</p>	<p>During the building permit and site development review process and prior to permit issuance</p>	<p>Licensed environmental professional in accordance with RWQCB, DTSC, and SMCEHD</p>	<p>Plan review and approval</p>	<p>Prior to construction and during regularly scheduled site inspections</p>

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<p><b>HAZ-SP-4c:</b> Prior to the import of a soil to a particular property within the Specific Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials exceeding applicable Environmental Screening Levels for the proposed land use at such a property in accordance with Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC) or the San Mateo County Environmental Health Divisions (SMCEHD) requirements prior to importing to such a property.</p>	Project applicant	Prior to construction	Licensed environmental professional in accordance with RWQCB, DTSC, and SMCEHD	Prior to import of soil	Prior to construction