

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Initial Study prepared for the McNears Beach Park Master Plan. The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project.

The MMRP (Table 1) lists mitigation measures recommended in the Initial Study and identifies mitigation monitoring requirements. The column entitled “Mitigation Responsibility” identifies the party responsible for carrying out the required actions. The columns entitled “Monitoring/Reporting Agency” and “Monitoring Schedule” identify the party ultimately responsible for ensuring that the mitigation measure is implemented and the approximate timeframe for the oversight agency to ensure implementation of the mitigation measure. The column entitled “Verification of Compliance” will be used by the County of Marin to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

The County of Marin must adopt a MMRP or an equally effective program, if it approves the proposed project with the mitigation measures included in the Initial Study. Public Resources Code, Section 21081.6(a) requires an agency to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of project approval.

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Monitoring Measures	Implemented By	When Implemented	Monitored By	Verified By and Date
A. AESTHETICS					
<i>There are no significant Aesthetic impacts, therefore no mitigation measures are required.</i>					
B. AGRICULTURE AND FOREST RESOURCES					
<i>There are no significant Agriculture and Forest Resources impacts, therefore no mitigation measures are required.</i>					
C. AIR QUALITY					
<i>There are no significant Air Quality impacts, therefore no mitigation measures are required.</i>					
D. BIOLOGICAL RESOURCES					
<p>Mitigation Measure BIO-1: Appropriately timed surveys shall be completed for Brewer’s Calandrinia and coastal triquetrella in habitat with potential to support these species prior to commencement of any future development. If rare plants are detected during pre-construction surveys, they shall be flagged and avoided to the extent feasible. If rare plants cannot be avoided, compensatory mitigation shall be pursued, according to California Department of Fish and Wildlife (CDFW) approved mitigation ratios.</p>	<p>Monitoring Measure BIO-1: County Parks staff shall verify that Mitigation Measure BIO-1 complies with mitigation standards and has been properly implemented.</p>	Marin County Parks/ Biological Monitor	Prior to construction of any proposed improvements.	Marin County Parks	<p><i>Verified by:</i></p> <p><i>Date:</i></p>
<p>Mitigation Measure BIO-2: To minimize disturbance to dispersing or foraging California red-legged frog (CRLF), all grading activity within upland habitat (within 100 feet of aquatic habitat) shall be conducted during the dry season, generally between May 1 and October 15, or before the onset of the rainy season,1 whichever occurs first, unless exclusion fencing is utilized. Construction that commences in the dry season may continue into the rainy season if exclusion fencing is placed between the construction site and waters and drainage features to keep the frog from entering the construction area. Additionally, the following measures shall be implemented to lessen impacts to CRLF:</p> <ul style="list-style-type: none"> • Prior to the start of construction, pre-construction surveys for CRLF shall be conducted by a United States Fish and Wildlife Service (USFWS) approved biologist according to USFWS presence/absence survey protocols for CRLF. The survey protocol consists of two nighttime surveys and one daytime survey and 	<p>Monitoring Measure BIO-2: County Parks staff shall verify that Mitigation Measure BIO-2 complies with mitigation standards and has been properly implemented.</p>	Marin County Parks/ Biological Monitor	Prior to and during construction of any proposed improvements.	Marin County Parks	<p><i>Verified by:</i></p> <p><i>Date:</i></p>

Table 1 *Continued*

Mitigation Measures	Monitoring Measures	Implemented By	When Implemented	Monitored By	Verified By and Date
<p>shall cover the project site and aquatic features within 200 feet of the project site. Additionally, for construction activity within 100 feet of waters and drainage features, a survey shall be conducted by a qualified biologist each day prior to the start of construction activities to ensure that no CRLF are present in the construction area. If CRLF are observed in the construction area or access areas, all work in the vicinity of the CRLF shall be stopped and the USFWS shall be consulted immediately. USFWS shall provide further guidance and construction shall recommence upon final approval from the Service.</p> <ul style="list-style-type: none"> Because dusk and dawn are often the times when CRLF are most actively foraging, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour before sunrise. Construction activities shall not occur during rain events, as CRLF are most likely to disperse during periods of precipitation, unless a survey is conducted by a qualified biologist each day prior to the start of construction activities and one half hour before sunset to ensure that no CRLF are observed in the construction area or access areas. 					
<p>Mitigation Measure BIO-3: If construction or tree removal activities are initiated during the monarch wintering season (October 1 to February 28), pre-construction surveys shall be conducted for roosting monarchs. If a roost is found, the roost shall be avoided until roosting ceases. If avoidance is not feasible, consultation with CDFW shall be required.</p>	<p>Monitoring Measure BIO-3: County Parks staff shall verify that Mitigation Measure BIO-3 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/Biological Monitor</p>	<p>Prior to construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>
<p>Mitigation Measure BIO-4: If construction, demolition, or tree removal activities are initiated during the nesting bird season (generally February 16 through August 31), a pre-construction bird survey shall be conducted prior to commencement of activities. The bird survey would cover areas of construction and a 500-foot buffer around these areas. If nests are found, buffers would be established, and depending on the species nesting, nests would either</p>	<p>Monitoring Measure BIO-4: County Parks staff shall verify that Mitigation Measure BIO-4 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/Biological Monitor</p>	<p>Prior to construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>

Table 1 *Continued*

Mitigation Measures	Monitoring Measures	Implemented By	When Implemented	Monitored By	Verified By and Date
<p>be monitored during construction or project construction would need to avoid nesting bird buffers. These measures would ensure that impacts to nesting birds would be avoided per the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (FGC).</p>					
<p>Mitigation Measure BIO-5: A bat roost assessment shall be conducted to determine the potential for bat species to roost within unused and underused buildings within the Park. If the bat assessment determines there is potential for bat roosting, pre-construction bat surveys shall be required prior to construction or demolition activities, especially during the maternity season from April 1 to August 31. Consultation with CDFW and habitat mitigation may be required if maternal bat roosts are found, and would be dependent upon bat species found and roost type.</p>	<p>Monitoring Measure BIO-5: County Parks staff shall verify that Mitigation Measure BIO-5 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/Biological Monitor</p>	<p>Prior to construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>
<p>Mitigation Measure BIO-6: Construction best management practices, as defined in the Stormwater Pollution Prevention Plan (SWPPP), to prevent water quality impacts shall be implemented to prevent impacts to special-status fish from increases in turbidity, runoff, and pollutants associated with construction in and surrounding tidal waters. Additionally, in-water work shall be restricted to the period between June 1 and November 30 of any given year. In-water work would require consultation with National Marine Fisheries Service (NMFS) for Essential Fish Habitat and surveys for eelgrass may be necessary, depending on the location and extent of in-water work. In-water work may occur outside the period between June 1 and November 30 with permission from NMFS.</p>	<p>Monitoring Measure BIO-6: County Parks staff shall verify that Mitigation Measure BIO-5 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/Contractor</p>	<p>Prior to and during construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>
<p>Mitigation Measure BIO-7: All necessary authorizations from the Army Corps of Engineers, Regional Water Quality Control Board (RWQCB), and Bay Conservation and Development Commission (BCDC) shall be obtained for future development occurring within tidal waters or in beach habitat. Corps and RWQCB authorization shall be sought for all work occurring below the elevation of the High Tide Line (HTL). BCDC authorization shall be sought for all work occurring within their Bay and 100-foot shoreline band jurisdiction.</p>	<p>Monitoring Measure BIO-7: County Parks staff shall verify that Mitigation Measure BIO-5 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks</p>	<p>Prior to construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>

Table 1 *Continued*

Mitigation Measures	Monitoring Measures	Implemented By	When Implemented	Monitored By	Verified By and Date
E. CULTURAL RESOURCES					
<p>Mitigation Measure CULT-1: Prior to construction of proposed improvements, the County shall require an archaeological presence/absence investigation to determine if subsurface components of the site exist and extend into areas proposed for improvements. The investigation shall include the use of canines trained in the detection of human remains if deemed necessary and shall be overseen by a Registered Professional Archaeologist. The Federated Indians of Graton Rancheria (FIGR) shall provide input during the selection of the archeologist. The final selection of the archeologist will be made by the County. Prior to construction of proposed improvements, the County shall notify FIGR. If FIGR determines it is necessary to have a tribal representative on-site during ground disturbing activity, FIGR will be responsible for providing a tribal representative at no additional expense to the County and in a manner that does not unreasonably delay the County’s effort.</p> <p>Should the investigation indicate that subsurface archaeological deposits associated with the sites described above exist, proposed improvements shall be redesigned to avoid disturbing said deposits. If such avoidance is not possible, the deposits shall be evaluated to determine if they meet the definition of a historical or unique archaeological resource under California Public Resources Code (PRC) Section 21084.1 and PRC Section 21083.2, respectively. If they do so qualify, the disturbance of such deposits would constitute a substantial adverse change in their significance, which would result in a significant impact under <i>CEQA Guidelines</i> Section 15064.5(b).</p> <p>Prior to the impact described above occurring, the County shall require that the disturbance of the deposits shall be mitigated through data recovery. Such mitigation could consist of archaeological data recovery through excavation and analysis of recovered materials, and public outreach and interpretation.</p>	<p>Monitoring Measure CULT-1: County Parks staff shall verify that Mitigation Measure CULT-1 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/ Registered Professional Archaeologist</p>	<p>Prior to construction of any proposed improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>

Table 1 *Continued*

Mitigation Measures	Monitoring Measures	Implemented By	When Implemented	Monitored By	Verified By and Date
F. GEOLOGY AND SOILS					
<p>Mitigation Measure GEO-1: Marin County Parks shall conduct a Geotechnical Report for any further design work. The report shall address both Civil and Structural design considerations including: soil infiltration rates, typical paving sections for vehicular and emergency vehicles, California Building Code (CBC) seismic parameters, allowable active, passive and seismic soil bearing pressures, limits for temporary excavations, and recommended foundation types.</p>	<p>Monitoring Measure GEO-1: Marin County Parks staff shall verify that Mitigation Measure GEO-1 complies with mitigation standards and has been properly implemented.</p>	<p>Marin County Parks/ Licensed Geotechnical Professional</p>	<p>Prior to grading, excavation, and construction of improvements.</p>	<p>Marin County Parks</p>	<p><i>Verified by:</i> <i>Date:</i></p>
G. GREENHOUSE GAS EMISSIONS					
<p><i>There are no significant Greenhouse Gas Emissions impacts, therefore no mitigation measures are required.</i></p>					
H. HAZARDS AND HAZARDOUS MATERIALS					
<p><i>There are no significant Hazards and Hazardous Materials impacts, therefore no mitigation measures are required.</i></p>					
I. HYDROLOGY AND WATER QUALITY					
<p><i>There are no significant Hydrology and Water Quality impacts, therefore no mitigation measures are required.</i></p>					
J. LAND USE AND PLANNING					
<p><i>There are no significant Land Use and Planning impacts, therefore no mitigation measures are required.</i></p>					
K. MINERAL RESOURCES					
<p><i>There are no significant Mineral Resources impacts, therefore no mitigation measures are required.</i></p>					
L. NOISE					
<p><i>There are no significant Noise impacts, therefore no mitigation measures are required.</i></p>					
M. POPULATION AND HOUSING					
<p><i>There are no significant Population and Housing impacts, therefore no mitigation measures are required.</i></p>					
N. PUBLIC SERVICES					
<p><i>There are no significant Public Services impacts, therefore no mitigation measures are required.</i></p>					
O. RECREATION					
<p><i>There are no significant Recreation impacts, therefore no mitigation measures are required.</i></p>					
P. TRANSPORTATION/TRAFFIC					
<p><i>There are no significant Transportation/Traffic impacts, therefore no mitigation measures are required.</i></p>					
Q. UTILITIES AND SERVICE SYSTEMS					
<p><i>There are no significant Utilities and Service System impacts, therefore no mitigation measures are required.</i></p>					