

EXHIBIT 2

MITIGATION MONITORING AND REPORTING PROGRAM
LAS POSITAS COLLEGE 2012 FACILITIES MASTER PLAN

Prepared for
Chabot Las Positas Community College District

June 7, 2017



1.0 INTRODUCTION

1.1 Background

When adopting a Mitigated Negative Declaration, Public Resources Code section 21081.6(a) requires a Lead Agency adopt a monitoring or reporting program. The Lead Agency must adopt the monitoring or reporting program as a condition of project approval to mitigate significant effects on the environment. The monitoring program must be designed to ensure compliance during project implementation to mitigate or avoid significant environmental effects.

1.2 Purpose

This Mitigation Monitoring and Reporting Program (MMRP) is designed to serve as a tool to manage for the evaluation of Project compliance with mitigation measures identified in the Mitigated Negative Declaration/Initial Study for the Las Positas College 2012 Facilities Master Plan (MND/IS). This MMRP will be used by Chabot Las Positas Community College District (District) to verify inclusion of required project design features and implementation of mitigation measures. The MMRP provides as a summary of mitigation implementation for the District, other public agencies and the community to determine compliance with the implementation of the mitigation measures identified in the MND.

2.0 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP identifies Project mitigation measures and their implementation to document compliance. The District shall implement the MMRP as follows:

- District is responsible for coordination of the MMRP with all responsible parties.
- District has overall responsibility for confirming compliance with all mitigation measures identified in the MMRP. Agencies and consultants assigned responsibility for implementing specific mitigation measures shall provide mitigation confirmation, including copies of specified documents, and submit to Doug Horner, Vice Chancellor, Facilities/Bond Programs and Operations. Email: dhorner@clpccd.org.
- The MMRP will be available for public review at the District office located at 7600 Dublin Boulevard – 3rd Floor, Dublin CA 94545.

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MITIGATION MEASURE	One-time or On-going	Responsible for Implementation	Responsible for Verification	Form of Verification	Comments/ Special instructions	Initials	Date
Prior to Demolition of Existing Buildings							
<p>HAZ-1: Prior to the demolition of the five buildings identified in the 2012 FMP, a Hazardous Materials Building Survey of these shall be prepared. The Hazardous Materials Building Survey shall include identification of suspect asbestos-containing building materials, lead-containing building materials, loose & peeling lead containing paint, mercury light tubes, mercury thermostat switches, and polychlorinated biphenyl (PCB)-light ballasts, and PCB-containing building materials that may be impacted during the demolition of the five buildings. If the inspection confirms the presence of asbestos-contain materials (ACMs) or other hazardous building materials in any of the building, the hazardous materials shall be removed from these buildings prior to demolition and be transported in compliance with State and federal requirements.</p>	<p>One-time for each building proposed for demolition.</p>	<p>Hazardous Materials Consultant</p>	<p>District)</p>	<p>Hazardous Materials Building Survey</p>			

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Prior to Final Design/Preparation of Construction Drawings							
GEO-1: Detailed geotechnical investigations shall be performed prior to the design of each of the six proposed new buildings. The geotechnical investigations shall include borings and laboratory testing to provide supporting data for geotechnical design recommendations.	One-time for each new building	Geotechnical Engineer Architect	District DSA	Geotechnical Report			
TRAFFIC-1: The proposed design for the roundabout at the intersection of Campus Hill Drive/Campus Loop shall be modified to add a northbound right-turn slip lane, which would result in LOS B or better operations, reducing the Project impact to a less-than-significant level.	One-time	Civil Engineer	District City of Livermore	Construction drawings.			

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Prior to Grading and Excavation Activities							

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<p>BIO-1: Compensatory Habitat Mitigation for California Tiger Salamander, California Red-legged Frog, and Burrowing Owl. Implementation of the 2012 FMP will permanently impact 15.5 acres of non-native grassland that provides potential habitat for the California tiger salamander and California red-legged frog, and that could possibly be used as nesting habitat by burrowing owls. Compensatory mitigation for impacts to habitat of the California tiger salamander and California red-legged frog is being provided at Murray Ranch, located north and northwest of the Campus, and the mitigation provided for those two amphibians would also be suitable to compensate for loss of burrowing owl habitat in the event that nesting burrowing owls are impacted by the 2012 FMP.</p> <p>Murray Ranch was identified as a mitigation site for impacts of Las Positas College activities on the California tiger salamander and California red-legged frog during planning for the 2006 FMP. That earlier plan included activities that would result in permanent impacts to 50.2 ac of habitat and temporary impacts to 7.3 acres of habitat for these species. Per the 2006 DEIR (PLACEMAKERS 2006), compensatory mitigation for the permanent impacts was to be provided via the preservation and management of suitable habitat off-site, necessitating a total of 100.4 acres of mitigation. However, when discussing the 2007 Biological Opinion with the USFWS, the District agreed to provide mitigation as though all then-undeveloped portions of the Las Positas College campus (totaling 85.2 acres) would eventually be developed. These 85.2 acres included the 2006 FMP impact areas, the 15.5 acres of potential habitat being impacted by 2012 FMP, and additional areas of potential habitat, primarily along the eastern and western edges of the campus,</p>	One-time	District	CDFW USFWS	Conservation Easement Endowment Agreement Management Agreement			

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<p>where no development activities are currently proposed. As mitigation for impacts to 85.2 acres of habitat, the District proposed (and the USFWS approved) preservation and management of 209 acres of suitable habitat at Murray Ranch.</p> <p>The EACCS guides development and corresponding efforts to avoid, minimize, and compensate for impacts to biological resources in eastern Alameda County, including the Livermore area (ICF International 2010). Although the EACCS was not established when the 2006 FMP was built out, and therefore would not have influenced mitigation ratios for development constructed under the 2006 FMP, the EACCS is applicable to the 2012 FMP. The EACCS identifies appropriate mitigation ratios indicating the amount of land that should be preserved and managed to compensate for impacts to special-status species habitat. The EACCS-recommended standard mitigation ratio for impacts to the California tiger salamander and California red-legged frog from the Las Positas College 2012 Master Plan was determined to be 2.5:1 (mitigation acres: impacted acres). Applying the EACCS's scoring system for both the impact site and Murray Ranch mitigation site demonstrates the relatively higher quality of habitat on the mitigation site, compared to the habitat impacted by the 2012 FMP. Therefore, appropriate mitigation for 2012 FMP impacts on the California tiger salamander and California red-legged frog total 27.51 and 29.06 acres, respectively.</p> <p>Adding the 100.4 acres of mitigation required under CEQA for the 2006 FMP to the mitigation being required under CEQA to compensate for buildout of the 2012 FMP, the CEQA mitigation</p>							

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<p>requirements for both the 2006 FMP and 2012 FMP total 129.46 acres, which will be covered in the 209 acres of habitat being preserved and managed at Murray Ranch.</p> <p>The District is currently finalizing its Murray Ranch mitigation. To complete this mitigation, the District will finalize the details of the conservation easement protecting the mitigation lands; the endowment that will pay for the management and monitoring of the mitigation lands in perpetuity; and the agreement with a land manager and conservation easement holder to ensure that the lands are managed properly for these special-status species.</p>							

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<p>BIO-4: Implementation of Avoidance and Minimization Measures for the Burrowing Owl.</p> <ul style="list-style-type: none"> • Pre-construction surveys for burrowing owls shall be conducted prior to the initiation of all project activities within, and within 250 feet of, the ruderal/ grassland habitat in the northeastern part of the project area. Pre-construction surveys will be completed in conformance with the CDFW's 2012 guidelines (California Department of Fish and Game 2012). A qualified biologist will conduct two surveys, the first anytime within 30 days prior to the start of construction and the second within 48 hours prior to construction, to determine whether owls are present in areas where they could be affected by proposed activities. • If burrowing owls are present during the non-breeding season (generally September 1 to January 31), a 160-foot buffer zone shall be maintained around the occupied burrow(s), if feasible. If maintaining such a buffer is not feasible, then the buffer must be great enough to avoid injury or mortality of individual owls, or else the owls should be passively relocated as described in the last bullet in this mitigation measure. During the breeding season (generally February 1 to August 31), a 250-foot buffer, within which no new project-related activities will be permissible, will be maintained between project activities and occupied burrows. Owls present between February 1 and August 31 will be assumed to be nesting, and the 250-foot protected area will remain in effect until August 31. If monitoring evidence indicates that the owls are no longer nesting or the young owls are 	On-going as required.	Qualified Biologist.	CDFW	Pre-Construction Survey Report prepared by Qualified Biologist.			

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<p>foraging independently, the buffer may be reduced or the owls may be relocated prior to August 31, in consultation with the CDFW.</p> <ul style="list-style-type: none"> <li data-bbox="96 397 642 1084">• Any owls occupying the project area are likely habituated to some level of human disturbance throughout the year due to campus activities. As a result, they may exhibit a tolerance of greater levels of human disturbance than owls in more natural settings, and work within the standard 250-foot buffer during the nesting season may be able to proceed without disturbing the owls. Therefore, if nesting owls are determined to be present on the site, and project construction activities cannot feasibly avoid disturbance of the area within 250 feet of the occupied burrow during the nesting season (i.e., February 1 through August 31) due to other seasonal constraints, a qualified biologist will be present during all activities within 250 of the nest to monitor the owls' behavior. If in the opinion of the qualified biologist, the owls are unduly disturbed (i.e., disturbed to the point of harm or reduced reproductive success), all work within 250 feet of the occupied burrow will cease until the nest is no longer active. <li data-bbox="96 1112 642 1442">• If construction will directly impact occupied burrows, a qualified biologist will passively evict owls from burrows during the nonbreeding season (September 1 to January 31). No burrowing owls will be evicted during the nesting season (February 1 through August 31) except with the CDFW's concurrence that evidence demonstrates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the 							

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<p>season). Eviction will occur through the use of one-way doors inserted into the occupied burrow and all burrows within impact areas that are within 250 feet of the occupied burrow (to prevent occupation of other burrows that will be impacted). One-way doors will be installed by a qualified biologist and left in place for at least 48 hours before they are removed. The burrows will then be back-filled to prevent re-occupation. Although relocation of owls may be necessary to avoid the direct injury or mortality of owls during construction, relocated owls may suffer predation, competition with other owls, or reduced health or reproductive success as a result of being relegated to more marginal habitat. However, the benefits of such relocation, in terms of avoiding direct injury or mortality, would outweigh any adverse effects.</p>							
<p>HAZ-2: Prior to the initiation of grading and excavation activities, a Phase I Environmental Site Assessment (Phase I ESA) for the subject property shall be prepared in accordance with the American Society for Testing and Materials <i>Standard Practice for Environmental Site Assessments: Phase I Site Assessment Process</i> E 1527-13 and the United States Environmental Protection Agency (US EPA) 40 CFR Part 312 <i>Standards and Practices for All Appropriate Inquiries (AAI) – Final Rule</i> adopted November 1, 2006 and amended December 30, 2013.</p>	On-going by development phase	Hazardous Materials Consultant	District DTSC	Phase 1 ESA for each site.			

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During Project Construction							
<p>AIR-1: Project reactive organic gases (ROG) emissions from architectural coating application shall be reduced to 54 lbs/day or less through the implementation of any of the following measures or some combination thereof as required:</p> <ul style="list-style-type: none"> • Stretch out the architectural coating applications phases for any building constructed under the FMP to 3 weeks or more, and assure that the finishing phases of any two concurrently constructed buildings do not overlap; • Use architectural coatings with a lower ROG content than BAAQMD regulations require; and/or • Use building components that have had their surfaces factory-finished and so reduce the need for on-site painting or finishing with ROG-containing paints. <p>Prior to the beginning of any construction, final plans shall be submitted for CLPCCD approvals that demonstrate attainment of the BAAQMD 54 lbs. /day limit on ROG emissions during construction.</p>	On-going during Project construction activities	General Contractor	District	<p>BAAQMD measures shall be listed in construction specifications</p> <p>Posted signs that identify a contact (including name and telephone number) to report problems with dust and soil material on adjacent streets</p>			
<p>BIO-2: Implementation of General East Alameda County Conservation Strategy (EACCS) Avoidance and Minimization Measures. The District will implement the following Avoidance and Minimization Measures (AMMs) prescribed by the EACCS to avoid and minimize effects on sensitive species during 2012 FMP construction activities. This mitigation measure addresses general measures that apply to multiple species.</p> <p>EACCS Measure GEN-01. Employees and</p>	On-going during Project construction activities	District General Contractor	Qualified Biologist	Pre-Construction Report prepared by Qualified Biologist	Construction specifications shall incorporate applicable EACCS Measures		

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<p>contractors performing construction activities will receive environmental sensitivity training. Training will include review of environmental laws and AMMs that must be followed by all personnel to reduce or avoid effects on covered species during construction activities.</p> <p>EACCS Measure GEN-02. Environmental tailboard trainings (i.e., brief, on-site training sessions for construction personnel) will take place on an as-needed basis in the field. The environmental tailboard trainings will include a brief review of the biology of the covered species and guidelines that must be followed by all personnel to reduce or avoid negative effects on these species during construction activities. Directors, managers, superintendents, and the crew foremen and forewomen will be responsible for ensuring that crewmembers comply with the guidelines.</p> <p>EACCS Measure GEN-03. Contracts with contractors, construction management firms, and subcontractors will obligate all contractors to comply with these AMMs.</p> <p>EACCS Measure GEN-04. The following will not be allowed at or near work sites for covered activities: trash dumping, firearms, open fires (such as barbecues) not required by the activity, hunting, and pets (except for safety in remote locations).</p> <p>EACCS Measure GEN-05. Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas to the extent practicable.</p> <p>EACCS Measure GEN-06. Off-road vehicle travel will be minimized.</p>							

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<p>EACCS Measure GEN-07. Vehicles will not exceed a speed limit of 15 miles per hour on unpaved roads within natural land-cover types, or during off-road travel.</p> <p>EACCS Measure GEN-08. Vehicles or equipment will not be refueled within 100 feet of a wetland, stream, or other waterway unless a bermed and lined refueling area is constructed.</p> <p>EACCS Measure GEN-09. Vehicles shall be washed only at approved areas. No washing of vehicles shall occur at job sites.</p> <p>EACCS Measure GEN-10. To discourage the introduction and establishment of invasive plant species, seed mixtures/straw used within natural vegetation will be either rice straw or weed-free straw.</p> <p>EACCS Measure GEN-11. Pipes, culverts, and similar materials greater than four inches in diameter will be stored so as to prevent covered wildlife species from using these as temporary refuges, and these materials will be inspected each morning for the presence of animals prior to being moved.</p> <p>EACCS Measure GEN-12. Erosion control measures will be implemented to reduce sedimentation in wetland habitat occupied by covered animal and plant species when activities are the source of potential erosion problems. Plastic monofilament netting (erosion control matting) or similar material containing netting shall not be used at the project. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.</p>							

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<p><i>EACCS Measure GEN-13.</i> Stockpiling of material will occur such that direct effects on covered species are avoided. Stockpiling of material in riparian areas will occur outside of the top of bank, and preferably outside of the outer riparian dripline and will not exceed 30 days.</p> <p><i>EACCS Measure GEN-14.</i> Grading will be restricted to the minimum area necessary.</p> <p><i>EACCS Measure GEN-15.</i> Prior to ground disturbing activities in sensitive habitats, project construction boundaries and access areas will be flagged and temporarily fenced during construction to reduce the potential for vehicles and equipment to stray into adjacent habitats.</p> <p><i>EACCS Measure GEN-16.</i> Significant earth-moving activities will not be conducted in riparian areas within 24 hours of predicted storms or after major storms (defined as one inch of rain or more).</p> <p><i>EACCS Measure GEN-17.</i> Trenches will be backfilled as soon as possible. Open trenches will be searched each day prior to construction to ensure no covered species are trapped. Earthen escape ramps will be installed at intervals prescribed by a qualified biologist.</p>							

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<p>BIO-3: Implementation of EACCS Avoidance and Minimization Measures for the California Tiger Salamander and California Red-legged Frog. The District will implement the following AMMs prescribed by the EACCS to avoid and minimize effects on sensitive species during 2012 FMP construction activities.</p> <p><i>EACCS Measure AMPH-1.</i> If aquatic habitat is present, a qualified biologist will stake and flag an exclusion zone prior to activities. The exclusion zone will be fenced with orange construction zone and erosion control fencing (to be installed by construction crew). The exclusion zone will encompass the maximum practicable distance from the work site and at least 500 feet from the aquatic feature wet or dry. <i>[Because the proposed Athletic Field Improvements are located in close proximity to a seasonal wetland, the complete exclusion of activity within 500 feet of aquatic habitat is not feasible. However, in order to comply with this measure to the greatest extent practicable, the limits of project activities in and adjacent to aquatic habitats will be clearly marked, and construction fencing will prevent equipment from entering aquatic habitats outside the designated impact areas.]</i></p> <p><i>EACCS Measure AMPH-2.</i></p> <ul style="list-style-type: none"> • A qualified biologist will conduct pre-construction surveys prior to activities. If individuals are found, work will not begin until they are moved out of the construction zone to a USFWS/CDFW approved relocation site. • A USFWS/CDFW-approved biologist will be present for initial ground disturbing activities. • If the work site is within the typical dispersal distance (contact USFWS/CDFW for latest 	On-going during Project construction.	District General Contractor	Qualified Biologist	Pre-Construction Survey Report prepared by Qualified Biologist	Construction specifications shall incorporate applicable EAACS Measures		

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<p>research on this distance for species of interest) of potential breeding habitat, barrier fencing will be constructed around the worksite to prevent amphibians from entering the work area. Barrier fencing will be removed within 72 hours of completion of work. <i>[The project area is known to be within dispersal distance of potential breeding habitat for California tiger salamanders and California red-legged frogs, and therefore barrier fencing consisting of silt fencing will be installed on the northern and eastern boundaries of the project area where construction activities border grassland habitat. The barrier fencing will be at least 3 feet high and the lower 6 inches of the fence will be buried in the ground to prevent animals from crawling under. The remaining 2.5 feet will be left above ground to serve as a barrier for animals moving on the ground surface.]</i></p> <ul style="list-style-type: none"> • No monofilament plastic will be used for erosion control. • Construction personnel will inspect open trenches in the morning and evening for trapped amphibians. • A qualified biologist possessing a valid FESA Section 10(a)(1)(A) permit or USFWS-approved under an active biological opinion, will be contracted to trap and to move amphibians to nearby suitable habitat if amphibians are found inside a fenced area. <i>[No trapping, such as the use of upland traplines for California tiger salamanders, is proposed for this project. However, a biologist approved by the USFWS under the project's Biological Opinion will survey for and relocate any individuals found within the impact area.]</i> 							

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<ul style="list-style-type: none"> • Work will be avoided within suitable habitat from October 15 (or the first measurable fall rain of one inch or greater) to May 1. 							

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<p>NOISE-1: The following Best Management Practices shall be incorporated into the Project construction documents:</p> <ul style="list-style-type: none"> • Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site. • Use quietest type of construction equipment whenever possible, particularly air compressors. • Provide sound-control devices on equipment no less effective than those provided by the manufacturer. • Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors. • Prohibit unnecessary idling of internal combustion engines. • Require applicable construction-related vehicles and equipment to use designated truck routes when entering/leaving the site. • Designate a noise (and vibration) disturbance coordinator at the CLPCCD who shall be responsible for responding to complaints about noise (and vibration) during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences. • Prohibit project construction activity between the hours of 6:00 p.m. Saturday to 7:00 a.m. Monday; 8:00 p.m. to 7:00 a.m. on Monday, Tuesday, Wednesday and Thursdays; 8:00 p.m. Friday to 9:00 a.m. on Saturday or at all on city-observed holidays. 	<p>On-going during construction activities.</p>	<p>General Contractor</p>	<p>District</p>	<p>Noise Best Management Practices shall be listed in construction specifications</p> <p>Posted signs that identify a contact (including name and telephone number) to report problems with noise</p>			

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During Project Construction - continued							
NOISE-2: To the extent feasible, in instances where vibration-intensive construction equipment is located next to on-campus vibration-sensitive receptors that would result in major disruption, the District shall temporarily re-locate the vibration-sensitive receptors to minimize disruption.	On-going as needed.	General Contractor	District	Notification of temporary re-location of occupants for affected buildings posted on Las Positas College website and at location of affected buildings.			