EXHIBIT C

Mitigation Monitoring
and Reporting Plan

MITIGATION MONITORING AND REPORTING PLAN

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
D. Biological Resources				
D1–D3: Impact to Special-status Species, Sensitive Habitats, and Wetlands	**D1:** Any active raptor, loggerhead shrike, egret, or heron nests in the vicinity of proposed Segment 2 Project excavation shall be avoided until young birds are able to leave the nest (i.e., fledged) and forage on their own. This measure shall not apply to ongoing maintenance and repair, to which raptors and other birds are already acclimated. Avoidance may be accomplished either by scheduling vegetation removal and new construction during the non-nesting period (September through January), or if this is not feasible, by conducting a pre-construction survey for active nests. A pre-construction survey report verifying that no active nests are present shall be submitted to RVSD for review and approval prior to initiation of vegetation removal or new construction during the nesting season, or that nesting has been completed as detailed below. Provisions of the pre-construction survey and nest avoidance measures, if necessary, shall include the following: a. If vegetation removal and new construction is scheduled during the active nesting period (February through August), a qualified wildlife biologist shall be retained to conduct a pre-construction nesting survey no more than 15 days prior to initiation of excavation to provide confirmation on presence or absence of active nests in the vicinity.	RVSD	Condition contract documents, restrict construction activities, or complete survey.	Prior to construction.

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	b. If active nests are encountered, species-specific measures shall be prepared by a qualified biologist through informal consultation with the CDFG and implemented to prevent nest abandonment. At a minimum, vegetation removal and new construction in the vicinity of the nest shall be deferred until the young birds have fledged. A nest-setback zone of at least 100 feet shall be established for raptors, egrets and herons, and 50 feet for loggerhead shrike and passerine birds within which all vegetation removal and construction-related disturbances shall be prohibited. The perimeter of the nest-setback zone shall be fenced or adequately demarcated, and construction personnel restricted from the area. c. If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies that the birds have either (1) not begun egg-laying and incubation, or (2) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date.			

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	d. A survey report of findings verifying that any young have fledged shall be submitted for review and approval by RVSD prior to initiation of construction in the nest-setback zone. Following approval by RVSD, vegetation removal and new construction in the nest-setback zone may proceed as proposed.			
D. Biological Resources (cont.)	**D2:** Although the potential for occurrence of special-status plant species along the Project alignment is considered highly unlikely, based on previous surveys, supplemental detailed spring surveys shall be conducted to confirm absence. The supplemental detailed surveys should be conducted by a qualified botanist prior to any ground disturbance activities in areas where there remains a potential for occurrence, along the berm south of the Ecology Study Area and Bon Air Road. No supplemental surveys for special-status plants are considered necessary for other locations in the Project area due to the extent of past disturbance and results of systematic surveys, including the South Eliseo Drive alignment and vicinity of PS 15.	RVSD	Conduct survey, prepare Mitigation and Monitoring Program if necessary.	Spring 2010.

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	If populations of any special-status plant species are encountered, then RVSD shall ensure that construction-related impacts are avoided or adequately mitigated by retaining a qualified botanist to develop and implement a Special-Status Plant Species Mitigation and Monitoring Program. A Mitigation and Monitoring Program shall only be required if a listed species or those maintained on Lists 1A, 1B or 2 of the CNPS *Inventory* are encountered during the pre-construction survey. Potential impacts on any species maintained on Lists 3 and 4 of the CNPS *Inventory* would not be considered significant and no additional mitigation would be required for these species if encountered during the pre-construction survey. If required based on the results of the supplemental surveys, the Mitigation and Monitoring Program shall be prepared in consultation with the CDFG and shall be approved by RVSD prior to any initial ground-disturbing activity or construction. The Mitigation and Monitoring Program shall be based on the status and vulnerability of the species present with avoidance of all or a majority of any populations on the site the preferred method of mitigation. Where complete or even partial avoidance of any			

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	special-status plant populations on the site is considered infeasible, options for mitigation may include a program to salvage and re-establish the population at an alternative, suitable location. Details of any salvage and habitat recreation effort shall include the following criteria and performance standards: a. Collection of seeds during the appropriate developmental stage of the plan. b. Procedures for sowing techniques appropriate to the life cycle of the plant. c. Development of maintenance and monitoring program specific to the environmental conditions necessary for survival of the new population. Maintenance and monitoring shall be provided for a minimum of five years to determine success of re-seeding and habitat creation, and need for additional preservation. d. Identification of funding sources by the applicant to provide implementation of the plan in consultation with the qualified plant ecologist, landscape architect, and civil engineer.			

MITIGATION MONITORING AND REPORTING PLAN
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Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
D. Biological Resources (cont.)				
D3: Conflict with Marin County Ordinance No. 3342 and habitat enhancement efforts in the Ecology Study Area.	**D3:** Improvement design and construction restrictions shall be implemented to preserve the two "protected" coast live oak trees in the Ecology Study Area near PS 15, and provide for the replacement of any native coast live oaks and enhancement plantings lost or disturbed during construction. This shall consist of the following: a. The trunk location of the two "protected" coast live oaks with trunk diameters of 14 and 18 inches shall be mapped by engineered survey, and construction operations restricted away from these trees to provide for their preservation. b. The 19 "protected" coast live oaks native located along the edge of the construction zone shall be flagged prior to initiation of construction and all efforts made to preserve these trees. Where preservation is determined to be infeasible, a Tree Removal Permit shall be obtained by the Contractor consistent with Chapter 22.75 of the Marin Municipal Code, and replacement plantings provided as specified below.	RVSD	Condition contract documents, protect coast live oaks near PS 15, provide for the replacement of any native coast live oaks, and enhancement tree and shrub plantings.	Prior to and after construction.

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	c. Temporary construction fencing shall be installed at the limits of the construction zone at the edge of the Ecology Study Area to minimize loss and disturbance to enhancement tree and shrub plantings and the "protected trees." A qualified biologist or certified arborist shall be involved in identifying trees and plantings to be protected and limits of temporary construction fencing to be installed in advance of any tree removal or grading activities. d. Non-native eucalyptus, pine and green wattle removed as part of the Project shall be completely removed and all slash hauled from the site and disposed of properly. Replacement of these non-native, invasive species is not required as part of the project.			

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	e. Any trees which qualify as a "protected tree" under Marin County Tree Ordinance (Section 22.75 of the Municipal Code) as well as any native enhancement tree and shrub plantings in the Ecology Study Area removed as a result of Project improvements and construction shall be replaced at a 2:1 replacement ratio. Replacement plantings shall be installed as coordinated with representatives of Friends of Corte Madera Creek Watershed, either through actual plant installation by the Contractor or through payment of an in-lieu fee to Friends of Corte Madera Creek Watershed for future plantings in the Ecology Study Area. If an in-lieu fee is not paid to Friends of Corte Madera Creek Watershed, a maintenance and monitoring program shall be prepared and implemented for any replacement plantings installed by the Contractor. The program shall define minimum maintenance and monitoring provisions, which shall include short-term summer irrigation of all plantings during the dry months for a minimum of three years to ensure successful establishment.			

MITIGATION MONITORING AND REPORTING PLAN
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Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
E. Cultural Resources E1, E2, E4: Impact to prehistoric cultural resources and human remains.	**E1.** Retain an archaeologist to monitor excavation activities in undisturbed soils and any locally sourced fill soils from the immediate Project area for the presence of prehistoric cultural resources. The scope of the monitoring will be dependent upon review of available subsurface information and upon the Contractor's construction approach and scheduling. Based on the judgment of the archaeologist, provide clearance for the site or, if significant resources are found, implement required protocol for mitigation.	Contractor	Condition Contract Documents, retain archaeologist, RVSD to monitor compliance.	Prior to construction.
	E2. If human remains are encountered, the following procedures will be implemented: a. Per the stipulations of the California Health and Safety Code Section 7050.5(b), the Marin County Coroner's Office will be contacted immediately; this will occur whether or not a Most Likely Descendant has already been appointed. b. The Coroner's Office has two working days in which to examine the identified remains. If the Coroner determines that the remains are Native American, then—if a Most Likely Descendant has not yet been appointed—the Office will notify the Native American Heritage Commission within 24 hours.	Contractor	Contact agencies, implement required protocol.	During construction.

MITIGATION MONITORING AND REPORTING PLAN
(continued)

Potential Impact	Mitigation Measure	Responsibility	Action	Completion Date
	c. Following receipt of the Coroner's Office notice, the NAHC will contact a Most Likely Descendant. The Most Likely Descendant then has 48 hours in which they can make recommendations to the project sponsor and consulting archaeologist regarding the treatment and/or re-interment of the human remains and any associated grave goods. d. Appropriate treatment and disposition of Native American human remains and associated grave goods will be collaboratively determined in consultation between the appointed Most Likely Descendant, the consulting archaeologist, and the landowner or authorized representative. The treatment of human remains may potentially include the preservation, excavation, analysis, and/or reburial of those remains and any associated artifacts. e. If the remains are determined not to be Native American, the Corner, archaeological research team, and RVSD will collaboratively develop a procedure for the appropriate study, documentation, and ultimate disposition of the historic human remains.			