

East Bay Regional Park District

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT

January 2026 | Mitigation Monitoring and Reporting Program



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NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT

For East Bay Regional Park District

Lead Agency

Kim Thai, Senior Planner
2950 Peralta Oaks Court
Oakland, California 94605
510.544.2320

Prepared by:

PlaceWorks

2040 Bancroft Way, Suite 400
Berkeley, California 94704
510.848.3815
www.placeworks.com

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the North Point Isabel Park Cap Resilience Project pursuant to the requirements of California Environmental Quality Act Guidelines Section 15097, *Mitigation Monitoring or Reporting*. The purpose of this MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the proposed project. The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. This 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 measures; and
- The agency responsible for monitoring the implementation.

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
BIOLOGICAL RESOURCES			
BIO-1: Worker Environmental Awareness Training. A qualified biologist shall conduct an environmental awareness training session for all work crews and contractors. The training session shall be conducted prior to initiating any work on the project, and upon the arrival of any new workers. The training shall include information on the sensitive biological resources that occur (or could occur) at the project site; the environmental regulations pertaining to the project; the locations of sensitive areas or exclusion zones; the role and authority of the biological monitor and other project members; and the project's best management practices (BMPs) and mitigation measures. Construction personnel shall be informed that noise and human activity in the vicinity of Hoffman Marsh shall be confined to the minimum level necessary to complete the project (e.g., workers should not congregate near the marsh during breaks). The qualified biologist shall maintain a record of all personnel that have undergone the environmental awareness training.	Qualified biologist	Prior to initiating any work on the project, and upon the arrival of any new workers.	East Bay Regional Park District
BIO-2: Delineation of Sensitive Resources. Prior to the start of construction activities, a qualified biologist shall use flagging or temporary fencing to demarcate aquatic features, pickleweed mats, and other sensitive resource areas (e.g., Hoffman Marsh) so as to minimize the potential for inadvertent intrusion by construction equipment or personnel. In association with Mitigation Measure BIO-9 (Biological Monitoring), the biologist shall conduct regular inspections of the material(s) used to demarcate sensitive resource areas to ensure their integrity (visibility).	Qualified biologist	Prior to the start of construction activities	East Bay Regional Park District
BIO-3: Preconstruction Surveys. A qualified biologist shall conduct a preconstruction "clearance" survey for wildlife immediately prior to initial construction commencement activities. The purpose of the survey is to minimize potential impacts to common wildlife species; additional surveys are required to avoid or minimize impacts to special-status animals (see Mitigation Measures BIO-4 [Nesting Birds], BIO-5 [Burrowing Owl], BIO-6 [California Ridgway's Rail and Salt Marsh Harvest	Qualified biologist	Immediately prior to initial construction commencement activities	East Bay Regional Park District

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
Mouse], and BIO-7 [Bumble Bees]). During the survey, the biologist shall thoroughly search areas that will be subject to ground-disturbing activities. If any common (i.e., not special status) wildlife species are detected during the survey, the biologist shall devise a strategy for avoiding impacts (e.g., animal relocation) if, in the biologist's opinion, the animal is unlikely to successfully flee the project impact area once construction begins (e.g., animals with low vagility).			
BIO-4: Nesting Birds. A qualified avian biologist shall conduct a nesting bird survey no more than 5 days prior to the initiation of any construction activities that will occur during the avian nesting season (approximately February 1 to August 31). The nesting bird survey shall include the entire project site and all potential nest substrates within 1,000 feet of the project boundary for raptors, and 500 feet of the project boundary for all other avian taxa. At a minimum, the survey shall occur: (a) in the first 4 hours after sunrise when birds are most active, and (b) when weather conditions are conducive to bird detection (e.g., not during periods of high winds, sustained rain, or heavy fog). To prevent damage to marsh vegetation, surveyors shall not enter Hoffman Marsh. Because marsh-nesting birds construct well-concealed nests that are very difficult to locate, the avian biologist shall use behavioral cues to infer potential nest locations in the marsh. These potential nest locations shall be treated as occupied nests. All nest or potential nest locations detected during the survey shall be recorded with a GPS unit and depicted on a map. If no nests are found within the survey area, no further action is necessary. The biologist shall use flagging, temporary fencing, or other conspicuous materials to demarcate construction activity exclusion zones (buffers) around all active or potentially active nests (i.e., nests with eggs or young present). The default buffer size shall be 500 feet for raptors and 250 feet for all other bird taxa. However, the avian biologist shall have the authority to increase or decrease the buffer distance(s) based on: (a) the nest location, topography, and cover; (b) an evaluation of the birds'	Qualified avian biologist	No more than 5 days prior to the initiation of any construction activities that will occur during the avian nesting season (approximately February 1 to August 31). If there is a lapse in construction activities for seven days or more during the avian nesting season, a qualified biologist shall conduct additional pre-construction nesting bird surveys in areas of potential habitat before project activities can be reinitiated.	East Bay Regional Park District

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
behavior to determine their sensitivity to human disturbance; (c) the specific construction activities that would occur in the vicinity of the nest; and (d) whether the temporary noise barrier shields the nest from construction activities. No work shall occur within an exclusion zone until the avian biologist has determined that the young have fledged. Given the size of the survey area, the survey shall include multiple site visits, multiple avian biologists, or both. The avian biologist(s) shall employ a variety of nesting searching techniques, as described by Martin and Geupel (1993). These include incidental flushing of an adult from the nest, watching parental behavior (e.g., carrying nest material or food), and systematically searching potential nesting substrates. If there is a lapse in construction activities for seven days or more during the avian nesting season, a qualified biologist shall conduct additional pre-construction nesting bird surveys in areas of potential habitat before proposed project activities can be reinitiated.			
BIO-5: Burrowing Owl. During each year of proposed project construction, a qualified biologist shall conduct non-breeding season surveys for burrowing owls in accordance with the survey protocol described in CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (2012). If an occupied burrowing owl burrow is detected during the surveys or at any other time during construction of the proposed project, the project biologist shall use flagging, temporary fencing, or other conspicuous materials to demarcate construction activity exclusion zones (buffers) around the burrow, if the burrow is located within 150 meters of the project site. The buffer size shall be determined by a qualified biologist taking into consideration existing noise levels, activities in the vicinity and/or any noise attenuation and visual screening devices to be installed. Prior to establishing the buffer, the biologist shall monitor the owl's behavior to determine if it has been sensitized to human disturbance. If the owl exhibits signs of being intolerant to human disturbance, the buffer shall be extended 100 meters (328 feet) or more, depending on	East Bay Regional Park District; Qualified biologist	During the non-breeding season, annually while the project is under construction	East Bay Regional Park District

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
the type of construction activities that would occur in the vicinity of the burrow and the individual owl's level of sensitivity. The activity exclusion zone shall be maintained until the biologist determines the owl has vacated the site for the season.			
BIO-6: California Ridgway's Rail and Salt Marsh Harvest Mouse. The East Bay Regional Park District shall install a temporary noise barrier with a minimum 8-dBA noise-reduction performance, approximately 12 feet in height along the eastern boundary of the project site, west of the Hoffman Marsh. The barrier shall adhere to the specifications described in Mitigation Measure BIO-8 or equivalent specifications that provide a minimum 8-dBA noise-reduction performance. The barrier shall be installed outside of the Ridgway's rail breeding season (from February to August) and prior to initiating project construction activities. Prior to or during installation of the noise barrier, the barrier shall be modified to prevent avian predators from being able to perch on it. The barrier (and associated perch deterrents) shall be properly maintained and shall not be removed until project construction activities are complete. Construction vehicles shall not travel on the San Francisco Bay Trail during the 2 hours before and after a predicted extreme high tide event. An extreme high tide event is defined as a tidal event with a high tide peak of greater than 6.5 feet relative to the mean low water line measured at the Golden Gate tidal station.	East Bay Regional Park District (for noise barrier installation) Construction workers (for vehicle travel requirements)	For noise barrier installation: Outside of the Ridgway's rail breeding season (from February to August) and prior to initiating project construction activities. The barrier (and associated perch deterrents) shall not be removed until project construction activities are complete. For vehicle travel requirements: During the 2 hours before and after a predicted extreme high tide event.	East Bay Regional Park District
BIO-7: Bumble Bees. A qualified biologist with demonstrated ability to identify locally occurring special-status bumble bee species shall survey for bumble bees no more than 14 days prior to the commencement of construction activities during the colony active period or the gyne flight season (approximately March through October). The survey shall occur at least two hours after sunrise or two hours before sunset when air temperatures are between 60 and 90 degrees Fahrenheit and there is no	Qualified biologist with demonstrated ability to identify locally occurring special-status bumble bee species	No more than 14 days prior to the commencement of construction activities during the colony active period or the gyne flight season	East Bay Regional Park District

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
rain. The survey area shall include the project boundaries and a surrounding 100-foot buffer area where accessible and suitable habitat is present. The survey duration shall be a minimum of one person-hour of searching per three acres of suitable habitat. At a minimum, the survey methods shall include the following: ▪ Search areas with flowering plants for foraging bumble bees. Observed foraging activity may indicate a nest is nearby and, therefore, the survey duration shall be increased when foraging bees are present. ▪ Watch any bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest. ▪ Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat. ▪ Look for concentrated bumble bee activity. ▪ Listen for humming of nest colony. ▪ If bumble bees are observed, attempt to identify the species by taking a picture. If foraging bees are present and a nest has not been found, floral resources within the project's disturbance footprint may be carefully removed by the contractor with hand-held tools to minimize foraging bee presence during project activities. The continuation of bumble bee activity once such floral resources are removed may be an indication that a nest is present. The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a description of any vegetation removed to facilitate the survey, and their determination on whether the survey observations suggest a special-		(approximately March through October)	

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
status bumble bee nest may be present or if construction activities could otherwise harm the species. If any sign(s) of a bumble bee nest is observed, and if it cannot be established whether the nest is associated with a special-status species, then construction shall not commence within 50 feet of that location (a) until it has definitively been determined through an additional survey that the species present is not of special-status, (b) until the colony active season ends, (c) without obtaining take authorization, or (d) unless other appropriate actions have been taken to ensure a nest of a special-status bumble bee species is not harmed.			
BIO-8: Hoffman Marsh. The East Bay Regional Park District shall implement the following measures during all phases of construction: Construct temporary noise barriers according to the following specifications or equivalent specifications that meet the minimum 8-dBA noise-reduction performance criteria along the eastern boundary of the Project Site west of the Hoffman Marsh.	East Bay Regional Park District	During all phases of construction	East Bay Regional Park District

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
- o The noise control curtain shall consist of durable, flexible composite material featuring a noise barrier layer bonded to sound-absorptive material on one side. - o The noise barrier layer shall consist of a rugged, impervious material with a surface weight of at least one pound per square foot. - o The sound absorptive material shall include a protective face and be securely attached to one side of the flexible barrier over the entire face. - o The noise curtain material shall be weather and abuse resistant, and exhibit superior hanging and tear strength during construction. - o The curtain's noise barrier layer material shall have a minimum breaking strength of 120 pound per square inch (lb/in.) pursuant to Federal Test Method 191 A-M5102 and minimum tear strength of 30 lb/in. pursuant to ASTM D117. Based on the same test procedures, the noise curtain absorptive material facing shall have a minimum breaking strength of 100 lb/in. and a minimum tear strength of 7 lb/in. - o The noise curtain material shall be corrosion resistant to most acids, mild alkalies, road salts, oils, and grease. It also shall be mildew resistant, vermin proof, and non-hygroscopic. ▪ When feasible, limit the number and types of louder construction equipment activity along the proposed Project's eastern boundary by scheduling louder pieces of equipment to occur separately.			
BIO-9: Biological Monitoring. When construction activities are occurring, a qualified biologist shall inspect the site at least twice per week to ensure implementation of, and compliance with, all mitigation measures specified herein, and with the proposed project BMPs. If the biologist observes any instances of non-compliance, the biologist shall (a) take immediate actions to rectify the issue and (b) provide a written report (with recommended remedial actions) to the project team (including the	East Bay Regional Park District; Qualified biologist	At least twice per week. Monitoring shall also occur during the first 5 days during which construction activity occurs within	East Bay Regional Park District

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
construction contractor's foreman and the East Bay Regional Park District's project manager). In addition to monitoring construction activity and compliance with other mitigation measures and BMPs, the biologist shall: a) Monitor the behavior and status of birds associated with construction activity exclusion zones (e.g., around burrowing owl burrows or active nest sites). Monitoring shall occur for a duration sufficient to determine the bird's sensitivity to human disturbance. At a minimum, monitoring shall occur during the first 5 days during which construction activity occurs within 100 feet of the exclusion zone. Thereafter, monitoring may be reduced to twice per week. If, based on the behavior of the bird, the biologist determines a larger exclusion zone is warranted, the biologist shall extend the exclusion zone and immediately inform the construction crew. b) Search for new bird nests that may have been established since completion of the nesting bird survey. If any new nests are detected, the biologist shall establish a construction activity exclusion zone around the nest, as described in Mitigation Measure BIO-4. c) Scan for bumble bees within the project footprint. If any bumble bees are detected, the biologist shall halt any construction activities that could harm (e.g., kill) the bumble bees. If the bumble bees are (or could be) a special-status species and a nest is potentially present, Mitigation Measure BIO-7 shall be reinitiated. If the bumble bees are not a special-status species, construction may recommence. If a previously undetected special-status animal species is detected within the construction area, construction activities that could harm the animal shall be halted until the animal leaves the construction area on its own volition. If a special-status species is detected outside of the construction area, the biologist shall monitor the behavior and		100 feet of the exclusion zone.	

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
movement of the animal. If the biologist determines the animal might move into the construction area, or could be indirectly impacted by project activities, the biologist shall either halt or modify construction activities to avoid any potential impacts to the animal. The Qualified Biologist shall have authority to stop work any time construction activities appear to cause disturbance to rails (e.g., rails vocalize or fly away from a nest), an active rail nest is found, or if the Biologist believes the construction activities could have a significant impact on sensitive biological resources.			
CULTURAL RESOURCES			
CUL-1: If historical/archaeological resources are encountered during construction activities, work in the immediate area should be halted and the Park District shall retain an archaeologist meeting the Secretary of the Interior Professional Qualification Standards for Archaeology immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery, to avoid any adverse effects to archaeological resources.	Construction contractors; Archaeologist meeting the Secretary of the Interior Professional Qualification Standards for Archaeology	During construction, in the event of inadvertent discovery of archaeological resources	East Bay Regional Park District
CUL-2: In the event that human remains are discovered during project implementation, all work in that area must halt and the Contra Costa County coroner must be contacted, pursuant to California Public Resources Code Sections 5097.94, 5097.98, and 5097.99.	Construction contractors; Contra Costa County Coroner; California Native American Heritage Commission	During construction, in the event of inadvertent discovery of human skeletal remains	East Bay Regional Park District

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
GEOLOGY AND SOILS			
GEO-1: In the event that fossils or fossil-bearing deposits are discovered during construction, activity within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery, as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding 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 is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare a plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the East Bay Regional Park District for review and approval prior to implementation.	Construction contractors; Qualified paleontologist	During construction, in the event of inadvertent discovery of fossils or fossil-bearing deposits	East Bay Regional Park District
TRIBAL CULTURAL RESOURCES			
TCR-1: If a previously unidentified tribal cultural resource is identified during project construction, in accordance with Public Resources Code Section 21084.3, the following measures shall be followed to minimize the potential significant adverse impacts: ▪ Avoidance and preservation of the resources in place, if feasible, including but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. ▪ Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:	Construction contractors	During construction, in the event of inadvertent discovery of tribal cultural resource	East Bay Regional Park District

NORTH POINT ISABEL PARK CAP RESILIENCE PROJECT
EAST BAY REGIONAL PARK DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring
- o Protecting the cultural character and integrity of the resource. - o Protecting the traditional use of the resource. - o Protecting the confidentiality of the resource. ▪ Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places. ▪ Protecting the resource.			