

EXHIBIT 3

RESOLUTION NO. _____

MERA NEXT GENERATION RADIO COMMUNICATIONS SYSTEM

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Subsequent Environmental Impact Report (SEIR) prepared for the MERA Next Generation Radio Communications System. 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 lists mitigation measures recommended in the SEIR and identifies mitigation monitoring requirements. Each mitigation measure is numbered according to the topical section to which it pertains in the SEIR. As an example, Mitigation Measure AES-1 is the same as Mitigation Measure AES-1 in Chapter V of the SEIR. Also the MERA site to which the mitigation measure applies is identified in ***bold italic*** type at the end of each mitigation measure. The column entitled “Implemented by” identifies the party responsible for carrying out the required actions. The column entitled “Monitoring or Reporting Action” 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 “When Implemented” will be used by MERA to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

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. Therefore, MERA must adopt a MMRP or an equally effective program if it approves the proposed project with the mitigation measures that are included in the EIR.

<i>Mitigation Measure</i>	<i>Implemented by</i>	<i>Monitoring or Reporting Action</i>	<i>When Implemented Date</i>
<i>Aesthetics</i>			
<p><u>Mitigation Measure AES-1</u> requires that all new sites with an exterior porch light include a shield around the top of the light source to stop upward glare and to protect dark nighttime skies. <i>(Apply at all new sites)</i></p>	Construction Contractor	MERA	
<p><u>Mitigation Measure AES-2</u> requires the construction of a 6-foot high, dark or earth-tone colored, opaque perimeter fence on the north and west sides of the proposed telecommunications site to screen views of the equipment shelter from State Route 1. Painted wood, permanently colored composite material, or black vinyl slats are material options suitable to screen views of the equipment structures. The proposed galvanized gray color of the 75-foot monopole shall be maintained to minimize contrast with the sky. <i>(Apply at Tomales Site)</i></p>	Construction Contractor	MERA	
<p><u>Mitigation Measure AES-3</u> requires that after completion of the tower and structure construction, MERA shall remove all debris from the site, define all vehicular access points and turnarounds, and complete finish grading including road surfacing where needed and soil preparation for planting. Vehicular areas shall be graded to drain. Areas outside of vehicular zones shall be loosened or scarified if compacted, amended as needed and prepared to facilitate native seed germination. Hydroseed/mulch or hand-broadcast seeding and mulch shall complete site restoration. For areas steeper than 3:1 restored areas shall also include installation of straw waddles perpendicular to the slope at 20-foot intervals. AES-3 also requires that the equipment shelter, fuel tank, and emergency generator be painted dark earth tone colors to minimize contrast in the landscape, and chain link fencing shall be black vinyl-coated. <i>(Apply at Tomales and Coyote Peak Sites)</i></p>	Construction Contractor	MERA	
<p><u>Mitigation Measure AES-4</u> further requires that the perimeter fence be opaque to screen the generator and fuel tank and that the fence be located at least 10-feet away from the structures. <i>(Apply at Coyote Peak Site)</i></p>	Construction Contractor	MERA	

<p><u>Mitigation Measure AES-5</u> requires the reconstruction of the public trail that extends southward from the water tank access road to allow pedestrians to access the open space area south of the proposed telecommunications site. (Apply at <i>Skyview Terrace Site</i>)</p>	<p>Construction Contractor</p>	<p>MERA</p>	
<p><u>Mitigation Measure AES-6</u> requires a combination of visual mitigation including construction of berms, opaque fencing and native grassland hydroseeding to screen views of the equipment shelter from points east and west of the ridgeline. Equipment on the site shall be aligned to maximize space for the berm construction and the trail (Mitigation Measure AES-5). The top of the berm and the six-foot tall fence shall be contoured to mimic the broad naturalized landform of the ridgeline and shall be high enough to screen the shelter (but not the monopole) from lower elevation views such as Highway 101 to the east and Park Ridge Road to the west. Berms shall be mulched and hydroseeded to minimize erosion potential and to allow for germination during winter rains. Any erosion of the berm shall be immediately repaired. (Apply at <i>Skyview Terrace Site</i>)</p>	<p>Construction Contractor</p>	<p>MERA</p>	
<p><u>Mitigation Measure AES-7</u> requires the proposed Muir Beach monopole be painted the same rusty-brown color as the existing scenic overlook restroom and shall blend with the adjacent water tank as shown in Draft SEIR Figure V.O-7. The back side of microwave dishes, and other equipment on the top of the water tank (to the extent feasible) shall be painted to match the monopole. Front surfaces of microwave dishes cannot be painted and shall remain gray. Landscaping and opaque fencing are to be provided as part of the project to screen view of the equipment structure. (Apply at <i>Muir Beach Site</i>)</p>	<p>Construction Contractor</p>	<p>MERA</p>	
<p><u>Mitigation Measure AES-8</u> requires the proposed monopole to be painted a dark color on the bottom to blend with the adjacent water tank and vegetation. The portion of the monopole above the top of the water tank and the tree canopy shall remain galvanized steel to minimize contrast with the sky. (Apply at <i>Mill Valley Water Tank Site</i>)</p>	<p>Construction Contractor</p>	<p>MERA</p>	

<i>Cultural and Tribal Resources</i>			
<p><u>Mitigation Measure CULT-1:</u> During construction, if buried archaeological or tribal resources are discovered during ground disturbing activities, work shall stop in that area and within 100 feet of the find until the designated tribal monitor or a Registered Professional Archaeologist (RPA) can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the Federated Indians of Graton Rancheria (FIGR) and/or the State Office of Historic Preservation (SHPO).</p> <p><i>(Apply at All Sites)</i></p>	Construction Contractor	MERA	
<p><u>Mitigation Measure CULT-2:</u> If buried paleontological resources or unique geologic features are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with relevant agencies.</p> <p><i>(Apply at All Sites)</i></p>	Construction Contractor	MERA	
<p><u>Mitigation Measure CULT-3:</u> Upon accidental discovery of human remains, any disturbance shall stop within the vicinity of the find and within other areas reasonably suspected to contain additional human remains. The Sonoma or Marin County coroner shall be contacted immediately, depending on the location of the site. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours. The NAHC shall subsequently identify the most likely living descendent, who may make recommendations to the landowner or the person responsible for excavation regarding acceptable means of treating or disposing of the remains and any associated grave items.</p> <p>If the NAHC is unable to identify the most likely descendent, the descendent fails to make a recommendation within 24 hours of notification, the landowner rejects the recommendation, or mediation by NAHC fails to yield a mutually agreeable recommendation, the landowner or representative shall rebury the remains and associated items with appropriate dignity on the same property in a location not subject to further subsurface disturbance.</p> <p><i>(Apply at All Sites)</i></p>	Construction Contractor	MERA	

<p><u>Mitigation Measure TRIBE-1:</u> If the design of the proposed project is substantially altered after the conclusion of initial consultation with FIGR, final plans and specifications shall be submitted to FIGR’s Tribal Heritage Preservation Officer, or designated representative, prior to construction. FIGR shall be provided reasonable opportunity to review the plans and specifications for potential tribal cultural impacts resulting from project excavation, grading, or mobilization. Based on the outcome of this review, FIGR may amend the list of sites requiring a tribal cultural monitor provided to MERA. <i>(Apply at All Sites)</i></p>	<p>MERA</p>	<p>MERA</p>	
<p><u>Mitigation Measure TRIBE-2:</u> A tribal monitor with stop work authority shall be present during project excavation and grading to watch for the appearance of tribal cultural resources at the sites designated by FIGR. Unless modified by an updated list from FIGR, monitors will be present at the following 13 sites, which were preliminarily identified as having potential for disturbance of tribal cultural resources: Big Rock Ridge, Mt. Tamalpais, Mt. Barnabe, Point Reyes Hill, Dollar Hill, San Pedro Ridge, Mt. Tiburon, Sonoma Mountain, Stewart Point, Tomales, Coyote Peak, Skyview Terrace Water Tank, and Muir Beach. <i>(Apply at All Sites)</i></p>	<p>Tribal Monitor</p>	<p>MERA</p>	
<p><u>Mitigation Measure TRIBE-3:</u> Contractors and construction personnel involved with any form of ground disturbance at the sites designated as culturally sensitive by FIGR shall be advised of the possibility of encountering subsurface tribal cultural resources. If any such resources are encountered or suspected to have been encountered, work shall be halted within 100 feet of the find until FIGR has been notified and given the opportunity to assess the significance of the find. If the find is determined to be a significant tribal cultural resource, MERA shall consult with FIGR to develop a plan to preserve the resource’s significance to the extent feasible. <i>(Apply at Sites Designated by FIGR)</i></p>	<p>Construction Contractor</p>	<p>MERA</p>	

<i>Biology Resources</i>			
<p><u>Mitigation Measure BIO-1</u> Within one month prior to commencement of construction, a qualified biologist shall flag the Marin manzanita individual within the Study Area. The qualified biologist shall notify the construction foreman as to the location of the special-status plant and identify the type of flagging used to ensure that contact with this species is avoided by construction crews. Just before construction, orange avoidance fencing shall be temporarily erected around the individual manzanita to keep construction equipment and crews away. <i>(Apply at Stewart Point Site)</i></p>	Qualified Biologist	MERA	
<p><u>Mitigation Measure BIO-2</u> Project activities shall, to the extent feasible, occur outside of the nesting season from September 1 – January 31. Where this is infeasible and project activities occur during the nesting season (February 1 through August 31), a nesting bird survey shall be conducted by a qualified wildlife biologist no more than 14 days prior to the start of project activities. If nests are identified, a no disturbance buffer shall be implemented to avoid impacts to nesting birds. The radius of a surrounding buffer will be determined by a qualified biologist and shall range from 25 feet to 500 feet depending on the species and protection status of that species. <i>(Apply at Point Reyes Hill, Dollar Hill, Mount Tiburon, Tomales, and Muir Beach Sites)</i></p>	Qualified Wildlife Biologist	MERA	
<p><u>Mitigation Measure BIO-3</u> No more than 14 days before the start of ground disturbance activities at the Tomales Site, a biologist shall conduct pre-construction surveys of the project site and a surrounding 50-foot buffer to determine if American badger dens are present. If a den is determined to be active and occupied by a female with young, ground disturbance and construction activity shall be avoided within 50 feet of the den until the young have matured and dispersed. If a den is determined to be active, but a female with young are not present, burrow exclusion using passive measures such as one-way doors or equivalent shall be attempted for a minimum of three days to discourage their use prior to any project-related ground disturbance. If the biologist determines that the dens have become inactive as a result of the exclusion methods, the dens shall be excavated by hand to prevent them from being re-occupied during construction. <i>(Apply at Tomales Site)</i></p>	Qualified Biologist	MERA	

<p><u>Mitigation Measure BIO-4</u> Work at the Tomales Site shall be avoided during night hours (half an hour before sunrise to half an hour before sunset) when California red-legged frog individuals may be dispersing across the site. In addition, no ground disturbing work shall occur within 24 hours of rain events that generate greater than 0.25 inch of accumulated precipitation or during rain events predicted to accumulate 0.25 inch of precipitation. <i>(Apply at Tomales Site)</i></p>	<p>Construction Contractor</p>	<p>MERA</p>	
<p><u>Mitigation Measure BIO-5</u> A pre-construction burrowing owl survey shall be performed prior to start of ground disturbance activities at the Tomales Site, regardless of the time of year, as burrowing owls may use the project site during the non-nesting season. The survey shall be performed according to the standards set forth by the 2012 CDFW Staff report for Burrowing Owl Mitigation. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless, after consultation with the CDFW, a qualified biologist verifies that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and capable of independent survival. <i>(Apply at Tomales Site)</i></p>	<p>Qualified Biologist</p>	<p>MERA</p>	
<p><u>Mitigation Measure BIO-6</u> No more than 14 days before the start of ground disturbance activities at the Coyote Peak Site, a biologist shall conduct pre-construction surveys within 50 feet of the project site to determine if American badger dens are present. If a den is determined to be active and occupied by a female with young, ground disturbance and construction activity shall be avoided within 50 feet of the den until the young have matured and dispersed. If the den is determined to be active, but a female with young is not present, burrow exclusion using passive measures such as one-way doors or equivalent shall be attempted for a minimum of three days to discourage their use prior to any project-related ground disturbance. If the biologist determines that the dens have become inactive as a result of the exclusion methods, the dens shall be excavated by hand to prevent them from being re-occupied during construction. <i>(Apply at Coyote Peak Site)</i></p>	<p>Qualified Biologist</p>	<p>MERA</p>	

<p><u>Mitigation Measure BIO-7</u> Work at the Coyote Peak Site shall be avoided during night hours (half an hour before sunrise to half an hour before sunset) when California red-legged-frog individuals may be dispersing across the project site. In addition, no ground disturbing work may occur within 24 hours of rain events that generate greater than 0.25 inch of accumulated precipitation or during rain events predicted to accumulate 0.25 inch of precipitation.</p> <p>Within 48 hours prior to installation of temporary steel grates spanning the top of bank of the ephemeral streams, a qualified biologist shall survey intermittent streams within the project site. If California red-legged frog are observed during the survey, work shall not proceed in that area until the qualified biologist verifies that the frogs have left the area on their own and there is no potential for the proposed work activities to result in injury or mortality. In addition, if California red-legged frog are observed in the study area during the preconstruction survey, a biological monitor shall be present for the remainder of ground disturbing activities. <i>(Apply at Coyote Peak Site)</i></p>	<p>Construction Contractor</p> <p>Qualified Biologist</p>	<p>MERA</p>	
<p><u>Mitigation Measure BIO-8</u> Project activities at the Coyote Peak Site shall occur, to the extent feasible, outside of the nesting season from September 1 – January 31. If this is not possible, and project activities are initiated during the nesting season, then a nesting bird survey shall be conducted by a qualified wildlife biologist no more than 14 days prior to the start of project activities. If nests are identified, a no disturbance buffer shall be implemented to avoid impacts to nesting birds. The radius of a surrounding buffer will be determined by a qualified biologist and shall range from 25 feet to 500 feet depending on the species and protection status of that species. <i>(Apply at Coyote Peak Site)</i></p>	<p>Qualified Biologist</p>	<p>MERA</p>	
<p><u>Mitigation Measure BIO-9</u> Within two weeks prior to commencement of construction, a qualified biologist shall flag the Oakland star-tulip population within the study area. The qualified biologist shall notify the construction foreman as to the location of the special-status plant population and work with the foreman to install flagging to ensure that this population is properly avoided by construction crews. <i>(Apply at Mill Valley Water Tank Site)</i></p>	<p>Qualified Biologist</p>	<p>MERA</p>	

Biological Resources Mitigation from Year 1999 EIR			
<p><u>Previous Mitigation Measure <i>Point Reyes Hill</i> BIO-3</u></p> <p>a. Prior to project activity, a biologist will conduct a focused survey to determine if any Mt. Vision ceanothus or western leatherwood shrubs have established themselves since the Initial Study investigations at the Point Reyes Hill Site and, if present, whether they will be affected by construction activities.</p> <p>b. If Mt. Vision ceanothus or western leatherwood shrubs are found within the construction impact area, they shall be fenced and flagged by a qualified biologist before construction activity, and the project will be shifted, if necessary, to avoid impacts to the shrubs. If all shrubs are fenced and avoided, impacts to Mt. Vision ceanothus and western leatherwood will be less than significant, and no further mitigation is necessary.</p>	Qualified Biologist	MERA	
Potential Hazards			
<p><u>Mitigation Measure RF-1:</u> MERA shall install exposure warning signs at rooftop entries and selected antenna mounts in the controlled access rooftop area according to SiteSafe’s individual report for the Prime Site EOF (pages 10-30 of the SiteSafe Report, which is Appendix D to the SEIR) and the SiteSafe Report’s General Safety Recommendations (pages 313-315 of Appendix D to the SEIR). In summary, MERA shall install a NOTICE sign at antennas 11-27 and a CAUTION sign at antennas 28-32. Signage location details can be viewed on pages 19-20 of Appendix D to the SEIR. <i>(Apply at Prime Site)</i></p>	Marin County Communications Division	MERA	
<p><u>Mitigation Measure RF-2:</u> MERA shall install exposure warning signs at rooftop entries and at identified antenna mounts in the controlled access rooftop area according to SiteSafe’s individual report for the Civic Center Site (pages 31-46 of the SiteSafe Report, which is Appendix D to the SEIR) and the SiteSafe Report’s General Safety Recommendations (pages 313-315 of Appendix D to the SEIR). In summary, MERA shall install a NOTICE sign at antennas 31-35 and a CAUTION sign at antennas 18-30 and 8-12. Signage location details can be viewed on page 37 of Appendix D to the SEIR. <i>(Apply at Civic Center Site)</i></p>	Marin County Communications Division	MERA	

<p><u>Mitigation Measure RF-3:</u> MERA shall install an exposure warning sign at selected locations in the controlled access rooftop area according to SiteSafe’s individual report for the Mt. Tiburon Site (pages 172-183 of the SiteSafe Report, which is Appendix D to the SEIR) and the SiteSafe Report’s General Safety Recommendations (pages 313-315 of Appendix D to the SEIR). In Summary, MERA shall install a NOTICE sign at the access of the water tank. Signage location details can be viewed on page 178 of Appendix D to the SEIR. <i>(Apply at Tiburon Site)</i></p>	<p>Marin County Communications Division</p>	<p>MERA</p>	
<i>Air Quality and Greenhouse Gas Emissions</i>			
<p><u>Mitigation Measure AIR-1:</u></p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications, and all equipment will be checked by a certified vehicle emissions evaluator. 8. A publicly visible sign with the telephone number and person to contact at the lead agency regarding any dust complains shall be posted in or near the project site. The contact person shall respond to complaints and take corrective action within 48 hours. The Air District’s phone number shall be visible to ensure compliance with applicable regulations. <p><i>(Apply at All Sites)</i></p>	<p>Construction Contractor</p>	<p>MERA</p>	
<p><u>Mitigation Measure AIR-2:</u> Emergency power generators shall be equipped with emission control devices. <i>(Apply at All Sites)</i></p>	<p>Construction Contractors</p>	<p>MERA</p>	

<i>Geology and Soils</i>			
<p><u>Mitigation Measure GEO-1:</u> A design-level geotechnical report shall be prepared for the facilities proposed at each of the communication sites. A qualified geotechnical engineer and engineering geologist shall prepare the document, and this design-level report shall provide criteria for site preparation, pavement, and foundations. Site-specific earthquake forces shall also be identified and incorporated into the design of structures. All structures, including towers and earthworks, shall conform to the applicable earthquake design standard such as the California Building Standards Code.</p> <p><i>(Apply at All Sites)</i></p>	<p>Qualified Geotechnical Engineer</p> <p>Qualified Structural Engineer</p>	<p>MERA</p>	
<p><u>Mitigation Measure GEO-2:</u> If buried paleontological resources or unique geologic features are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified registered geologist or paleontologist can assess the significance of the find and, if necessary, develop appropriate procedures for its treatment or avoidance.</p> <p><i>(Apply at All Sites)</i></p>	<p>Construction Contractor</p>	<p>MERA</p>	
<i>Noise</i>			
<p><u>Mitigation Measure NOISE-1:</u></p> <ol style="list-style-type: none"> 1. The Contractor shall comply with local standards regarding noise generation and hours of construction during all phases of the project construction. The Construction Project Manager or designated representative shall provide the Contractor with the applicable restrictions. 2. At all newly constructed sites and at sites where the general public would be regularly exposed to the sound of air conditioning units and emergency power generators (Prime Site EOF, Civic Center, Mt. Tiburon, Mill Valley Water Tank, and Muir Beach), those units and generators shall be equipped with noise reduction features. 3. The Construction Project Manager or designated representative shall verify that all workers on-site are aware of and understand applicable noise restrictions. This will be accomplished by on-site meetings with each contractor and their employees prior to the start of construction. 4. The Construction Project Manager shall verify that project documents specify the use of equipment that meets the requirements of this mitigation measure and shall maintain a written record of compliance. <p><i>(Apply at All Sites)</i></p>	<p>Construction Contractor</p>	<p>MERA</p>	