

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of July 17, 2012**

**ITEM TITLE:**

Consider Adoption of Resolution 12/13-3 for the Mitigated Negative Declaration/Initial Study for the Merritt College Center for Science and Allied Health Building Project, Adopting Findings Pursuant to the California Environmental Quality Act (CEQA), and Approving the Mitigation Monitoring and Reporting Program

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for adoption of Resolution 12/13-3 for the Mitigated Negative Declaration/Initial Study for the Merritt College Center for Science and Allied Health Building Project, Adopting Findings Pursuant to the California Environmental Quality Act (CEQA), and Approving the Mitigation Monitoring and Reporting Program.

**ITEM SUMMARY:**

In accordance with California Environmental Quality Act (CEQA) requirements, the environmental impact of the new Merritt Science and Allied Health building was evaluated. A Mitigated Negative Declaration/Initial Study was prepared pursuant to CEQA and the Guidelines for Implementation of the California Environmental Quality Act.

In accordance with the provisions of Public Resources Code Section 21081.6(a), all public agencies are required to adopt monitoring or reporting programs when they approve projects subject to Environmental Impact Reports (EIRs), Mitigated Negative Declarations or Negative Declarations that identify significant impacts.

Six potentially significant impacts were identified in the MND/IS, which included aesthetics, air quality, cultural resources, geology/soils, hydrology/water quality, and noise. However, all potentially significant impacts would be mitigated to a less-than-significant level with the implementation of these recommended mitigation measures. The Mitigation Monitoring and Reporting Program prepared for the project is designed to ensure compliance during project implementation to mitigate or avoid any environmental effects.

By approval of Resolution 12/13-3, the Board of Trustees agrees to:

- Adopt the Mitigated Negative Declaration/Initial Study (MND/IS) for the new Science and Allied Health Building at Merritt College
- Adopt the findings related to each of the significant or potentially significant environmental effects considered in the MND/IS
- Approve the Mitigation Monitoring and Reporting Program, which describes the actions required to reduce the potentially significant environmental effects of the project to a less-than-significant level

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):**

Measure A, as approved by the voters in Peralta’s constituency and authorized under Resolution 05/06-45, Merritt College, “Science Lab upgrades,” “Nursing Skills Labs,” “Dedicated Nursing Program conference room and classrooms,” “Allied Health labs,” “Providing for and equipping sufficient office space for nursing instructors and science instructors,” “Science faculty meeting areas,” and “Equipment, technology upgrades, and facility and classrooms improvements for the college’s following programs: Science, Child Development, Communications, English as a Second Language at the Fruitvale Education Center, Art, Ceramics, Landscape Horticulture/Design, Learning Center, Liberal Arts, Music, Physical Education/Athletics, and Radiologic Science.”

**BACKGROUND/ANALYSIS:**

Peralta Community College District is the lead agency for the construction project of the Merritt College New Science and Allied Health Building, and therefore required to prepare the Mitigated Negative Declaration/Initial Study (“MND/IS”, SCH No. 2012-06-2053) for the project. The MND/IS for this project was prepared in accordance with the California Environmental Quality Act (Public Resources Code, § 21000 *et seq.*, “CEQA”) and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, Cal. Code of Regs., § 15000 *et seq.*, the CEQA “Guidelines”). The MND/IS was available for review from June 15, 2012 through July 16, 2012, and in compliance with Section 15072 of the CEQA guidelines, a public hearing will be held at this Board meeting.

**DELIVERABLES AND SCOPE OF WORK:**

Not applicable.

**ANTICIPATED COMPLETION DATE:**

The anticipated completion date for the Merritt College New Science and Allied Health Building is June 2015.

**ALTERNATIVES/OPTIONS:**

Disapproval of Resolution 12/13-3 for the Mitigated Negative Declaration/Initial Study for the Merritt College Center for Science and Allied Health Building Project, Adopting Findings Pursuant to the California Environmental Quality Act (CEQA), and Approving the Mitigation Monitoring and Reporting Program would violate CEQA requirements and mean that the construction of the project would be subject to public protest.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for adoption of Resolution 12/13-3 for the Mitigated Negative Declaration/Initial Study for the Merritt College Center for Science and Allied Health Building Project, Adopting Findings Pursuant to the California Environmental Quality Act (CEQA), and Approving the Mitigation Monitoring and Reporting Program.

**OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):**

YES \_\_\_\_\_ No   X

**COMMENTS:**

No additional comments.

**WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?**

Vice Chancellor Ikharo

**DOCUMENT PREPARED BY:**

Prepared by: *Dr. Sadiq B. Ikharo* Date: July 5, 2012  
Vice Chancellor for General Services

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: *Dr. Sadiq B. Ikharo* Date: July 5, 2012  
Vice Chancellor for General Services

**FINANCE DEPARTMENT REVIEW**

Finance review required  Finance review *not* required

If Finance review is required, determination is:  Approved  Not Approved

If not approved, please give reason: \_\_\_\_\_

Signature: *Ronald Gerhard* Date: 7-12-12  
Ronald Gerhard, Vice Chancellor of Finance

**GENERAL COUNSEL (Legality and Format/adherence to Education Codes):**

Legal review required  Legal review *not* required

If Legal review is required, determination is:  Approved  Not Approved

Signature: *Thuy Thi Nguyen* Date: 7-12-12  
General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

Approved, and Place on Agenda  Not Approved, but Place on Agenda

Signature: *José M. Ortiz* Date: 7-10-12  
José M. Ortiz, Chancellor