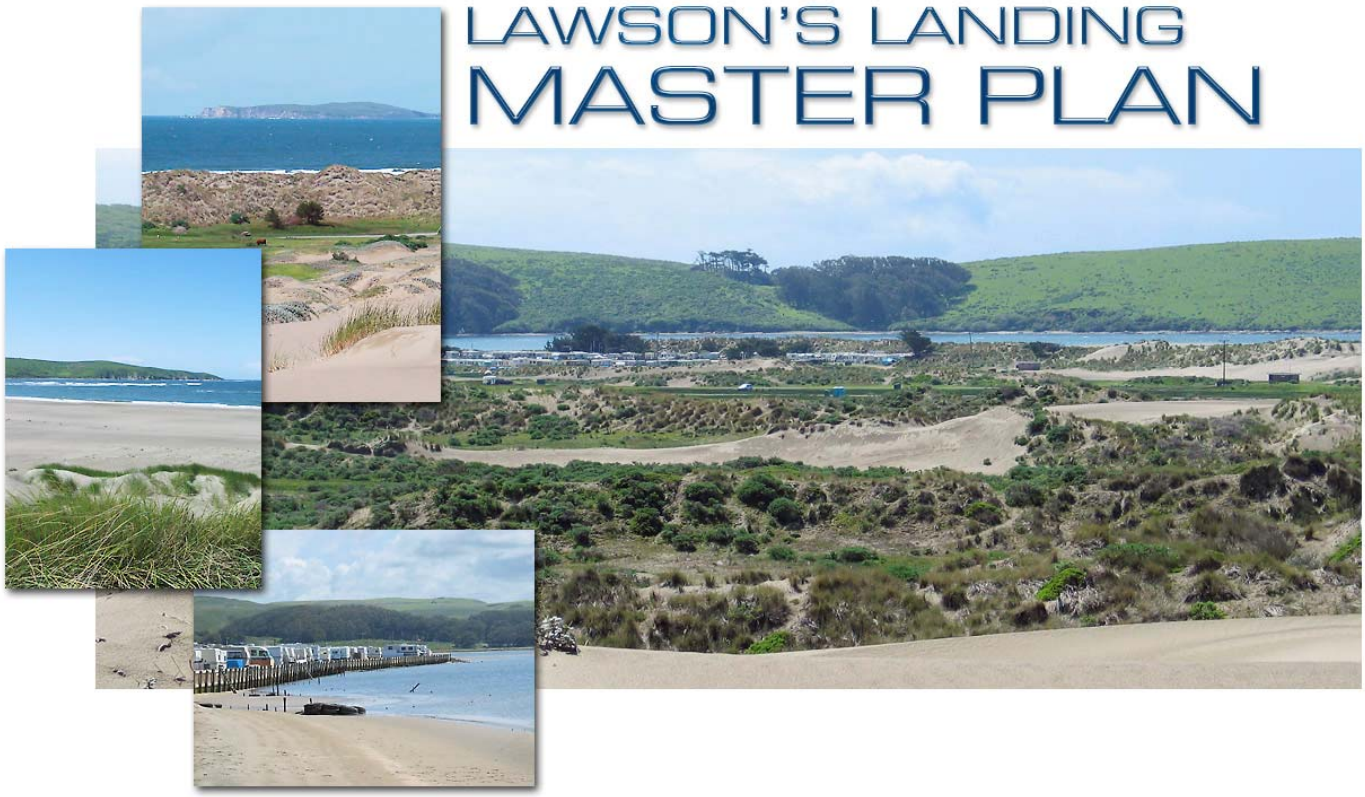
FINAL

ENVIRONMENTAL IMPACT REPORT FOR THE

LAWSON'S LANDING MASTER PLAN



SCH# 2000092067

ERRATA SHEET

March 2008

EDAW

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ENVIRONMENTAL IMPACT REPORT FOR THE LAWSON'S LANDING MASTER PLAN

REVISIONS AND CORRECTIONS

SCH# 2000092067

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LAWSON'S LANDING MASTER PLAN FINAL EIR REVISIONS AND CORRECTIONS

The Marin County Planning Commission held a public hearing on January 28, 2008 for the Lawson's Landing Master Plan Final Environmental Impact Report (FEIR). The following list corrects errors contained in the FEIR, provides other clarifying text, and makes revisions in response to recommendations made by the Marin County Planning Commission. Information that is to be deleted is ~~crossed out~~ and information that is to be added is underlined. These changes are hereby incorporated into the FEIR. While the FEIR is not being reproduced in its entirety with these changes, this errata document serves as the County's official document that captures all final changes to the text of the FEIR which was distributed to public agencies and the public on September 28, 2007 and includes the FEIR Addendum published on January 4, 2008.

Revisions to the FEIR Text

The County acknowledges that there are some factual errors that have been repeated in the body of the FEIR. The County hereby corrects these factual errors as described below.

Global Changes to FEIR

1) Global

In many places of the FEIR, the phrase "1,000 campsites" is used to identify the capacity of the facility. The "1,000 campsite" reference is hereby changed to camping for "1,000 vehicles" to better reflect that the maximum capacity of the facility would be based on the number of vehicles accessing the property, rather than the actual number of campsites that are established.

Specific Changes to Selected Pages of the FEIR

2) Page 2-20

Impact statement 4.3-3 is revised as follows:

4.3-3: Cumulative Water Supply Impacts. Cumulative development would result in increased demand for ~~NMWD~~ water supply services. The project's demand for water would not contribute to the cumulative demand, because its water supply is only from onsite wells not connected to NMWD facilities. This would be a less-than-significant cumulative impact.

3) Page 2-29

Mitigation measure 4.6-2e is revised as follows:

(e) Designated pathways shall be fenced to prevent off-trail pedestrian activities and bovine traffic. Fencing can be used to cordon off foredunes in high-use areas where recreational activities are not permitted. Fencing with signs indicating dune protection or other similar language shall be used. Fencing shall be subject to approval of a geomorphologist.

4) Page 2-38

Mitigation measure 4.8-6 is revised as follows:

No mitigation is required. However, implementation of Mitigation Measure 4.13-3 would ensure potential project-related impacts to wetlands resulting from construction of the dirt path remain at a less-than-significant level.

5) Page 2-46

Mitigation measure 4.13-1 is revised as follows:

Impacts on Sensitive Habitats. Since release of the Draft EIR for public review, the applicants further evaluated the feasibility of constructing the wastewater treatment system in the northern portion of the project site. As a result of the feasibility analysis, the applicant has agreed to relocate the wastewater treatment facility to the northern portion of the project site outside of on-site sand dunes. Implementation of Mitigation Measures 4.13-2, 4.13-3, 4.13-4, 4.13-5, and 4.13-6 would further reduce project-related impacts to sensitive habitats.

6) Page 3-11

Section 3.3.2 is revised as follows:

Based on relevant case law and available information on land uses at Lawson's Landing, the County has determined that all uses on the project site at the time of the Notice of Preparation (NOP) for the EIR (September 2002) shall be included in the definition of baseline conditions at the then-current levels of use. As such, the levels of use occurring at that time would serve as the point of comparison for environmental review. In evaluating the environmental changes that would result from the project and the significance of those changes, the project would be compared to baseline environmental conditions. The difference between baseline conditions and the project would define the resulting impact.

As discussed in Section 4, Environmental Setting, Impacts, Cumulative Impacts, and Mitigation, the existing facilities and uses onsite involve some existing adverse baseline conditions. While these conditions are considered part of the baseline environmental setting for this EIR and are not, by themselves, evaluated as significant project impacts, they are considered in the context of existing or past projects for purposes of evaluating whether incremental onsite cumulative impacts of the proposed project are cumulatively considerable. The proposed project impacts, when considered In conjunction with existing project conditions, are in some cases found to result in cumulatively considerable impacts. The EIR has determined that the project, with mitigation proposed in the EIR, would not result in any significant direct project impacts, but would result in unavoidable incremental cumulative impacts in conjunction with existing baseline conditions.

Facilities, uses, and activities assumed to be part of baseline conditions include seven existing residences authorized by Marin County, existing agricultural activities authorized as a permitted use by the County, sand quarrying activities authorized through use permit existing at the time of the NOP, and some existing recreational facilities authorized in Lawson's Landing current Permit to Operate from the California Department of Housing and Community Development, as described in greater detail below. The current Permit to Operate authorizes 233 recreational vehicle lots and camping for 1,000 vehicles.

Existing recreational activities at the project site include camping in the main meadow area, day-use activities (e.g., parking in meadow area, hiking), boating (e.g., boathouse, office, shops, boat storage, restrooms, laundry), and recreational vehicle activities (233 travel trailers/recreational vehicles). The focus of recreational activities is in the meadow area where informal camping occurs most of the year. Camping occurs on a first-come, first-serve basis and is currently limited to camping for up to 1,000 vehicles. Lawson's Landing also limits day-use vehicles to 200, which is not included in the camping vehicle limit. In addition, the area supporting year-round use of 233 travel trailers, as permitted by the California Department of Housing and Community Development, is located at Sand Point.

Livestock grazing encompasses the majority of Lawson's Landing site (889 acres) within several ranching pastures. Sheep grazing occurs in the northern pastures and cattle grazing occurs in all pastures, but tends to congregate in the wetland and meadow area near Sand Point.

~~Sand quarrying has been occurring at Lawson's Landing since 1971. Sand quarrying activities currently occur in the interior dunes at two locations in the central portion of the project site. Sand quarrying involves scooping blown sand into transfer trucks and transfer trailers to be hauled offsite. Sand quarrying activities occur intermittently depending on demand. The approved reclamation plan for the quarry operation requires alternating quarry activities at the two approved sites to allow blown sand to replenish both sites.~~

Residential uses include existing three houses and seven mobile homes, which are occupied by owners or staff of Lawson's Landing.

7) Page 3-18

Section 3.4.1 is revised as follows:

~~SAND QUARRYING~~

~~Varying levels of sand quarrying have occurred in the interior dunes of the project site since the 1930s. At present there are two active sand quarry locations on the site. A 23.3-acre area of the project site is quarried just north of Little Surgarloaf Peak in the central portion of the project site. An additional 15.7-acre portion of the project site is quarried just south of the 23.3-acre area (Exhibit 3-7).~~

~~The County-approved reclamation plan for the quarry operations includes alternate quarrying at the two approved sites. Sand is naturally transported inland to the quarry sites from the shoreline via the prevailing northwesterly winds. The leeward (side facing the wind) sides of the sand dunes are quarried, as this is where windblown sands are re-deposited. These sand dunes are considered a migrating dune system as little or no vegetation has established itself in the dune system to stabilize the sands.~~

~~A private unpaved road, Sand Haul Road, provides access to the quarry sites from Dillon Beach Road just south of Franklin School Road (Exhibit 3-8). Wheel loaders scoop blown sand into transfer trucks and transfer trailers. The sand is then hauled to offsite locations. Quarrying operations are intermittent, depending on demand. Sand is hauled on a per-job basis with the truck and trailers able to haul 25 tons per load. Approximately 60,000 tons (2,400 truck trips) of sand are hauled offsite annually. The current County use permit conditions limit the quarry to a maximum of 60,000 tons per year. The loaders are stored in a tractor shed near the agricultural mobile home, and the trucks and trailers are stored in a truck shed near the gate house on Lawson's Landing Road.~~

8) Page 3-25

Section 3.5 is revised as follows:

PROJECT OBJECTIVES

A statement of the project objectives is required by State CEQA Guidelines Section 15124. The objectives of the project sponsor reflect its aspirations to continue existing onsite residential and recreational facilities at Lawson's Landing. The project sponsor has identified objectives for individual categories of uses at Lawson's Landing. Specifically the sponsor's objectives are as follows:

Environmental Protection

< Implement an environmental education program to foster land stewardship ethic in visitors to Lawson's Landing.

< Protect the natural environment of the property while continuing the existing agricultural, ~~mining/quarrying,~~ and recreational uses.

Recreational Land Use

< Provide a high quality recreational experience in this unique coastal environment near the mouth of Tomales Bay.

< Continue to offer active and passive recreational activities such as boating, hiking, camping, beach combing, clamming, hang gliding, fishing and bird watching.

< Make various improvements to the recreational facilities to improve the coastal experience for all visitors.

< Install a waste treatment system that will accommodate the existing level of use including high volume stormy periods.

< Continue to provide low-cost coastal access to the public for day-use or overnight.

< Continue to operate Lawson's Landing as a family-owned and operated business on family-owned land.

Financial Feasibility

< Continue to operate an economically viable coastal resort without significantly increasing day-use or overnight camping fees.

Employment

< Continue to employ the owner/operators and their families as well as local residents.

Housing

< Continue to provide housing for the owner/operators of Lawson's Landing.
< Continue to provide affordable housing for some Lawson's Landing employees.

Agricultural and Sand Quarrying Activities

< Continue existing agricultural activities authorized under existing, separate permits and entitlements.
< ~~Continue sand quarrying activities authorized under existing separate permits and entitlements.~~

9) Page 3-29

The section describing physical characteristics of the proposed project in the Sand Point Area is revised as follows:

The master plan includes the relocation and expansion of the existing boathouse facility. The new boathouse facility would be located in the location of the existing boat storage yard and would be approximately 4,800 square-feet with a 100 square-foot viewing platform.

One existing sewage disposal station would be reopened. This station is located in the eastern portion of the Sand Point area. A new septic and leachfield system would be installed in the active dune system northeast of Sand Point to treat wastewater from the sewage disposal stations, trailers, boathouse, concrete-block restrooms, and other visitor services. The system would include septic tanks at individual buildings or clusters of buildings, an effluent collection system, a central treatment plant, and a leachfield system. Primary wastewater treatment would be provided by septic tanks, which would convey treated effluent from the septic tanks to the central treatment plant. The central treatment plant would include a recirculating sand filter. Once filtered (secondary treatment), the secondary effluent would be conveyed to a dual summer-winter leachfield system located in the high dune area in the south-central portion of the site. An unpaved path would be constructed from Lawson's Landing Road to the central treatment plant.

10) Page 3-30

Section 3.6.1 is revised as follows:

~~**SAND QUARRYING**~~

~~No changes to the existing sand quarrying operation or facilities are proposed. The master plan includes a program for the continued monitoring of biological resources present in the sand quarry areas.~~

11) Page 4.3-1

The paragraph describing existing conditions at the regional setting is revised as follows:

Marin County is served by five water districts. These districts obtain water from reservoirs, groundwater, and connections with other district water resources. The districts are responsible for providing water to residents and seeking new sources of water when projections indicate a potential long-term deficit in supply. The project site is located ~~in~~ closest to but outside the North Marin Water District (NMWD) service area. NMWD ~~which~~ serves a suburban population of 56,000 people situated

in and near the City of Novato and several small improvement districts in the West Marin area near the coast. Because of the site's location, water service at Lawson's Landing is provided by private, onsite wells that are not connected to NMWD facilities.

12) Page 4.3-2

Impact statement 4.3-3 is revised as follows:

Cumulative Water Supply Impacts. Cumulative development would result in increased demand for ~~NMWD~~ water supply services. The project's demand for water would not contribute to the cumulative demand, because its water supply is only from onsite wells not connected to NMWD facilities. This would be a *less-than-significant* cumulative impact.

13) Page 4.4-6

Impact 4.4-2 analysis is revised as follows:

Compliance with RWQCB Standards. The proposed wastewater treatment system would meet all applicable requirements of the RWQCB. Therefore, this would be a *less-than-significant* impact.

The proposed design and siting of the wastewater treatment system was reviewed for its compliance with RWQCB requirements. Psomas peer reviewed the proposed sizing criteria for the design of the facilities. Through that peer review process, which included comments by Psomas, and responses to those comments by Questa, Psomas determined that the engineering design of the proposed system and the placement within the sand dune would meet the sizing and design criteria of the RWQCB. Further, based on field reconnaissance of the site, review of aerial photographs of the site, and review of groundwater data, the proposed leachfields would maintain an adequate separation distance from underlying groundwater (Psomas 2004). Staff of the RWQCB have indicated that the proposed location and design of the system would be acceptable (Allen, pers. comm., 2005). Mitigation Measure 4.6-1 would require the relocation of the wastewater treatment system to the northern area of the project site outside onsite sand dunes. Based on preliminary review of these locations, construction of a wastewater treatment system would be feasible from a design, siting, and environmental standpoint. ~~Further, staff of the RWQCB indicated that construction in the alternate location would be acceptable as long as no significant adverse environmental impacts would result (Allen, pers. comm., 2005).~~ The RWQCB ~~also~~ indicated alternate treatment technologies (i.e., pond treatment system) may be feasible onsite. In the past, the RWQCB has indicated that a pond treatment system would likely be infeasible and should be located away from onsite sand dunes (Marin County 1977). However, because alternate, non-sand dune locations are proposed, the RWQCB has indicated that pond treatment systems may be feasible onsite (Allen, pers. comm., 2005). Nonetheless, because the proposed wastewater treatment system would meet RWQCB standards and would be acceptable based on its current design, this would be a less-than-significant impact.

14) Page 4.6-33

Mitigation measure 4.6-2e is revised as follows:

(e) Designated pathways shall be fenced to prevent off-trail pedestrian activities and bovine traffic. Fencing can be used to cordon off foredunes in high-use areas where recreational activities are not permitted. Fencing with signs indicating dune protection or other similar language shall be used. <u>Fencing location and design shall be subject to the approval of a qualified geomorphologist selected by the County.</u>

15) Page 4.8-17

Mitigation measure 4.8-6 is revised as follows:

No mitigation measures are required. However, implementation of Mitigation Measure 4.13-3 would ensure potential project-related impacts to wetlands resulting from construction of the dirt path remain at a less-than-significant level.

16) Page 4.13-12

Section 3.13.1, "Sensitive Biological Resources, Special Status Wildlife Species," is revised as follows:

Globose dune beetle (Coelus globosus) is a federal Species of Concern. This species does not have any state status. It is restricted to coastal sand dunes, where it is usually found by digging in sand below plants. The globose dune beetle is a small, black, and flightless member of the darkling beetle family (Tenebrionidae). Monk & Associates (1999) reported that this species occurs in the Tomales dunes~~, including the sand quarry~~. Dedicated surveys are needed to determine the abundance and extent of the species' population in the Tomales dunes.

17) Pages 4.13-16 through 4.13-18

Impact 4.13-1 analysis is revised as follows:

Impacts on Sensitive Habitats. Implementation of the project could result in the removal, disturbance, or degradation of sensitive habitats on the project site. Sensitive habitats on the project site consist of coastal dunes, coastal salt marsh, central dune scrub, riparian habitat, meadows and seeps, and wetlands. These habitats are considered sensitive habitats by DFG and receive protection under the California Fish and Game Code. Development in these sensitive habitats is also discouraged by local and regional policies and ordinances including the LCP and the Dillon Beach Community Plan. This would be a significant impact.

One of the elements of the Master Plan includes siting facilities in areas that would avoid or minimize impacts to sensitive communities to the extent feasible. It is difficult to accurately assess the degree to which impacts to sensitive habitats can be avoided, however, because a specific footprint for each of the proposed facilities has not yet been determined, and wetlands, as defined by the Coastal Act, have not been identified. Coastal Act wetlands could cover the entire extent of wet meadow habitat, as depicted in Exhibit 4.13-1. While these wetlands may be protected, their biological value varies throughout the wet meadow area. Wetlands that pond for longer duration and have less disturbance have generally higher biological value.

Construction of project facilities (e.g., restrooms, trails, roadways~~, wastewater treatment facility~~) could have a substantial adverse effect on sensitive habitats through both direct removal, disturbance, or degradation of these habitats or indirectly through the introduction of species to stabilize the active dune system. Although, it is assumed that all species used to stabilize the dune system would be native species that are known to occur on the project site, it is not certain. Substantial effects on sensitive habitats could include the removal, disturbance, or degradation of sensitive wet meadow habitat; inhibition of natural dune processes; and fragmentation of the active dune areas. ~~Construction of a wastewater treatment system and lines could adversely affect active dunes, wetlands, and coastal scrub. An access road to the wastewater facilities, restroom~~ Restroom and shower facilities, and water faucets could adversely affect both coastal scrub and wetland habitats.

In Section II, the Resources Project section of the LCP, coastal dunes are described as "environmentally sensitive habitat areas." Environmentally sensitive habitat areas are defined in Section 30107.5 of the California Coastal Act as, "any area in which plant or animal life or their habitats are either rare or especially valuable because of the special nature or role in an ecosystem." According to the LCP, "more specifically, such habitats may serve as prime examples of particular natural communities; be unique, rare, or fragile; provide habitat for rare or endangered species of wildlife and thus be vital to species survival; or be of particular scientific or educational interest." The LCP identified one of the most significant habitat areas as the coastal dunes, encompassing some 250 acres, in the vicinity of Sand Point. "This area…is used for a recreational resort known as Lawson's Landing" (Marin County 1980). The LCP policy (5) that applies to sand dunes states: "No development shall be permitted in coastal dunes to preserve dune formations, vegetation, and wildlife habitats. If additional development is proposed at Lawson's Landing, it shall be sited out of the dunes and designed to minimize impacts on adjacent dune vegetation and habitat. Overuse in the dune area shall be prevented by such mechanisms as restricted parking, directing pedestrian traffic to areas capable of sustaining increased use, and fencing." These special protections included in coastal plans are evidence of the importance of these habitats. Therefore, disturbance, filling, or removal of environmentally sensitive habitat areas would be a significant effect.

According to the Dillon Beach Community Plan (DBCP) (Policy EQ-6.1), the diking filling, or dredging of wetlands for the purposes of residential or commercial development, or facilities that support residential or commercial development shall not be permitted. Similarly, policies EQ-7.2 and EQ-7.3 state that future development or improvements proposed for Lawson's Landing shall be sited out of the coastal sand dune area and designed to minimize impacts to adjacent dune vegetation and habitat, including areas of dune scrub. Proposed construction on the project site, including ~~the wastewater treatment system, an access road,~~ restroom and shower facilities, and water faucets, supports residential and commercial development, and, therefore, conflicts with these three policies stated in the DBCP. In addition, the DBCP requires proposals for coastal development at Lawson's Landing ~~or a dunes sewage disposal system~~ to be reviewed by the Gulf of the Farallones National Marine Sanctuary.

The Marin Countywide Plan (Policy EQ-2.43) states that development shall not encroach into sensitive wildlife habitats, and buffer zones between development and identified or potential wetland areas shall be provided. The planting of aggressive exotic plants should also be avoided in any development over which the County has review authority (Policy EQ-3.13). European beach grass, a species frequently used to stabilize dunes, is on the California Invasive Plant Council's (Cal-IPC) List A-1: Most Invasive Wildland Pest Plant (documented as aggressive invaders that displace natives and disrupt natural habitats).

The biogeographic assessment of the Tomales Dunes prepared by Baye (2004) is relevant to the assessment of potential impacts on sensitive habitats described in this Draft EIR because it analyzes sensitive biological resources at Lawson's Landing. The regional importance of the Tomales Dunes complex according to Baye (2004) is summarized in the environmental setting section.

~~A relevant study to this impact discussion is that of Pacific Watershed Associates (2004), which analyzed the historic and current sand dune processes and movement at Lawson's Landing. According to PWA, construction of the sewage treatment facilities at Lawson's Landing is the most likely facet of the currently proposed upgrades to have a direct impact on sensitive habitats and ecological processes. The most deleterious component of the proposed wastewater treatment system improvements is the leachfield and the associated dune stabilization that would be required. Regardless of the specific location of the leachfield, stabilizing dunes on the western margin of the~~

~~dune field would have the same stability problems and potentially detrimental effects on the dune system as a whole (PWA 2004).~~

The effects of unnaturally stabilizing dunes on the western edge of the dune field with native or non-native species could be significant and wide ranging. The most significant of the potential effects would be to inhibit natural dune migration and the development of coastal dune field landforms, resulting in the deflation of the dune field on the leeward side of artificially stabilized dune areas and the cessation or substantial slowing of the expansion of the deflated surface windward of stabilized dune areas. This could lead to unnatural fragmentation of the active dune areas, which could in turn influence the short- and long-term development of the dune system at Lawson's Landing (PWA 2004). Deflation plains (i.e., wet meadows) are already expanding as a result of European beachgrass invasion and most active dune fields are now completely isolated from direct sediment inputs from the foredunes; the effect is an expansion of the area of sensitive wetlands and wetland habitats between the foredune and active dune field. In addition, the aggressive nature of nonnative European beachgrass allows it to out-compete native species, in turn altering native plant communities and eliminating habitats for special-status plant and animal species. ~~Although stabilization of the active dune system for the construction of a wastewater treatment facility is proposed using native and non-native dune species, it will be difficult to prevent European beachgrass from overtaking the native plantings because it is already present on the project site and is an aggressive colonizer.~~

Coastal processes are difficult to predict; therefore, it is difficult to quantify the potential effects of ~~constructing the sewage treatment facilities and other~~ proposed development in the project area. However, there is scientific evidence that human activities related to dune stabilization and alteration, locally and regionally, has resulted in elimination of large portions of the once active dune system and the acceleration of erosional processes (Baye 2004). Because of the potential for implementation of the project to result in the removal, disturbance, or degradation of sensitive habitats on the project site, ~~including introduction of non-native plant species,~~ this impact would be significant.

18) Page 4.13-18

Impact 4.13-2 analysis is revised as follows:

Impacts on Special-Status Plants. The project could result in the disturbance or removal of special-status plant species and their associated habitat, and could substantially reduce the number or restrict the range of endangered, rare, or threatened species. This would be a potentially significant impact.

Implementation of the project could result in disturbance and removal of coastal dunes, coastal dune scrub, wet meadow, and coastal salt marsh habitats that could support San Francisco Bay spineflower, woolly-headed spineflower, Point Reyes bird's-beak, and Tidestrom's lupine. These special-status plant species are protected under CESA and/or the ESA. In addition, potentially suitable habitat is present for an additional 33 species of special-status plants. Although these plants were not identified at the project site during 1992 and 2002 rare plant surveys, habitat is present that could support the colonization of these species.

~~In addition to direct disturbance or removal of special-status plant species, the unintentional, potential spread of invasive European beachgrass through the stabilization of active dunes for the construction of the leachfield could result in a decline of habitat quality for native species, including special-status plant species, thus causing an indirect loss of special-status species and their habitats. The unintentional colonization by European beachgrass would be expected in areas where the dunes are being stabilized.~~ Because the project could result in the disturbance or removal of special-status plant

species and their associated habitat, and could substantially reduce the number or restrict the range of endangered, rare or threatened species, this would be a potentially significant impact.

19) Pages 4.13-18 and 4.13-19

Impact 4.13-3 analysis is revised as follows:

Impacts to Wetlands. Impacts, including disturbance or fill, to waters of the United States, including wetlands, as defined by Section 404 of the CWA, and coastal wetlands as defined by the CCA, could result from site grading or other activities during the construction of proposed improvements. Facilities that would require fill of wetlands include restrooms, trails, and conveyance pipelines. Because of the potential for the project to result in filling of or disturbance to wetlands protected by USACE, DFG, Coastal Act, and local and regional plans, this would be a significant impact.

A portion of the wet meadow habitat within the project site has been designated as jurisdictional wetlands and waters pursuant to Section 404 of the Clean Water Act (Exhibit 4.13-2). Construction of the project could result in disturbance, fill, and removal of wetlands, which qualify as jurisdictional waters of the United States. Placement of fill into any of these features would require a Section 404 permit from USACE. Consultation with DFG would be needed to determine if jurisdictional drainages on the project site qualify for protection under Section 1602 of the Fish and Game Code. In addition to receiving federal and state protection, the Dillon Beach Community Plan, the California Coastal Act of 1976, and the LCP provide policies that address the filling, alteration, and removal of wetland habitat.

Section 30121 of the Coastal Act broadly defines a wetland as lands within the coastal zone that may be "covered periodically or permanently with shallow water." As a result, areas that do not meet the federal definition of wetlands, may receive protection under the Coastal Act. Under this definition, much of the wet meadow habitat at Lawson's Landing may qualify as wetland in accordance with the Coastal Act definition. The wetland exhibit (Exhibit 4.13-2) does not identify all potentially jurisdictional wetlands under the Coastal Act. While these wetlands may be protected, their biological value varies throughout the wet meadow area because of cattle grazing and visitor and maintenance activities. Wetlands that pond for longer duration and have less disturbance have generally higher biological value than wetlands that pond only briefly and have sustained greater disturbance from cattle grazing and human activities.

Some facilities proposed for construction in the wet meadow on the project site do not qualify for a permit to dike, fill, or dredge wetlands under Section 30233 of the Coastal Act. Permitted activities are limited to the following: (1) new or expanded port, energy, and coastal-dependent industrial facilities; (2) maintenance of existing or restoration of previously dredged navigation channels, turning basins, vessel berthing and mooring areas, and boat launching ramps; (3) entrance channels for new or expanded boating facilities; (4) new or expanded boating facilities and the placement of structural pilings for public recreational piers in open coastal waters other than wetlands; (5) incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines; (6) mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas; (7) restoration purposes; and (8) nature study, aquaculture, or similar resource dependent activities. The construction of conveyance pipeline as part of the wastewater treatment facility and water lines for camping area faucets would, however, be consistent with item 5 in the list of permitted activities under the Coastal Act.

According to the LCP section 4, wetlands in the coastal zone shall be preserved and maintained, consistent with the policies in this section, as productive wildlife habitats, recreational open space, and

water filtering and storage areas. Only "resource-dependent activities" are allowable land uses within wetlands under the LCP. Construction of project components, such as restrooms, ~~a leachfield access road,~~ or trails, in the wet meadow habitat would not be resource dependent actions and would, therefore, not qualify as allowable uses. In addition, Policy EQ-6.1 of the Dillon Beach Community Plan states that the filling of wetlands for the purposes of residential or commercial development, or facilities that support residential or commercial development shall not be permitted. Proposed development on the project site is in conflict with both of these local policies.

Indirect impacts to seasonal wetlands may result from construction of facilities in and adjacent to the wet meadow area, including ~~an access road to the wastewater facilities,~~ restroom and shower facilities~~,~~ and water faucets, within a 100-foot buffer around seasonal wetlands. These facilities could have gradual adverse effects related to wetland hydrology and soil compaction over time. Project components sited within 100 feet of wetlands would not be consistent with the wetland buffer policies of the Marin County LCP Unit II.

Site grading or other activities during the construction of the proposed project could result in the loss of or disturbance to wetlands and other waters of the United States. Because of the potential for the project to result in loss of or disturbance to wetlands protected by USACE, DFG, Coastal Act, and local and regional plans, this would be a significant impact.

20) Page 4.13-24

Mitigation measure 4.13-1 is revised as follows:

Impacts on Sensitive Habitats. Since release of the Draft EIR for public review, the applicants further evaluated the feasibility of constructing the wastewater treatment system in the northern portion of the project site. As a result of the feasibility analysis, the applicant has agreed to relocate the wastewater treatment facility to the northern portion of the project site outside of on-site sand dunes. Implementation of Mitigation Measures 4.13-2, 4.13-3, 4.13-4, 4.13-5, and 4.13-6 would further reduce project-related impacts to sensitive habitats.

~~Lawson's Landing shall implement the following measures to reduce potential impacts on sensitive habitats:~~

- ~~The proposed wastewater treatment system shall be relocated to an alternate site where potential impacts to sensitive habitats and special-status species would be avoided or reduced. Areas with fewer environmental constraints are identified in Exhibit 6-1 and are generally located in the northern portion of the project site.~~

- ~~Implement Mitigation Measure 4.6-1, which requires construction of an alternate treatment system or relocation of the wastewater treatment system to non-sand dune areas.~~

- ~~If vegetation is required to stabilize the area proposed for the leachfield, species native to the project site and surrounding area shall be used. Approval of the species used shall be obtained from the County before installation.~~

21) Page 8-91

Response to comment 5-15 is revised as follows:

The commenter states the DEIR needs to be revised to address the reopening of two sewage disposal stations and the capability of the new wastewater treatment facility to accommodate the wastes discharged into the sewage disposal stations. The proposed wastewater disposal facility has been designed to accommodate wastewater generated from existing facilities (e.g., trailers, permanent residences) as well as campers and day users (e.g., RV's) through the proposed re-opening of two existing sewage disposal stations and construction of new restroom facilities. The DEIR been revised to identify that the new septic and leachfield system would treat wastewater from the sewage disposal stations.

22) Page 8-118

Response to comment 10-1 is revised as follows:

The commenter states that NMWD provides only sewer service to Oceana Marin and the Coast Springs Water Company and Estero Mutual Water Company supply water to Oceana Marin, the Village, and Lawson's Dillon Beach Resort areas. This comment is acknowledged. The DEIR will be revised to identify the project site is not located in the NMWD but only ~~The DEIR identifies the project site as being located in the NMWD's boundaries and~~ that NMWD serves a suburban population located in and near the City of Novato and several small suburban districts in West Marin. ~~The DEIR further identifies that water at Lawson's Landing is provided by groundwater wells (see page 4.3-1). In addition, the DEIR specifies that NMWD maintains and operates a wastewater treatment system at the Oceana Marin residential development (please refer to Section 4.4.1, "Wastewater Treatment and Disposal").~~

23) Page 8-717

Response to comment 123-3 is revised as follows:

The commenter states the DEIR should address impacts created by conflicts between pedestrians, bicyclists, and pedestrians. Please refer to response to comment ~~118-4~~117-4.

Mitigation Monitoring and Reporting Program

The attached MMRP reflects all revisions made to mitigation measures recommended in the Final EIR, Final EIR Amendment, and Errata Sheet.