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| **Unit II**  **Natural Resources** | | |
| **LCPA - Proposed Policy** | **Unit II - Existing Policy** | **Unit I - Existing Policy** |
| C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs).   1. An environmentally sensitive habitat area (ESHA) is any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. 2. ESHA consists of three general categories: wetlands, streams and riparian vegetation, and terrestrial ESHAs. Terrestrial ESHA refers to those non-aquatic habitats that support rare and endangered species; coastal dunes as referenced in C-BIO-7 (Coastal Dunes); roosting and nesting habitats as referenced in C-BIO-10 (Roosting and Nesting Habitats); and riparian vegetation that is not associated with a perennial or intermittent stream. The ESHA policies of C-BIO-2 (ESHA Protection) and C-BIO-3 (ESHA Buffers) apply to all categories of ESHA, except where modified by the more specific policies of the LCP.   [BOS app. 10/2/2012, 11/13/2012, 1/15/2013]  (PC app. 1/23/12, 12/1/11, 1/24/11)  *[Adapted from Unit I Habitat Protection Policies 24 and 25, p. 34, and Unit II Natural Resources Policy 5b, p. 74]* | ~~5b. Other Environmentally Sensitive Habitats~~. **C-BIO-1 Environmentally Sensitive Habitat Areas (ESHAs)**  1. An environmentally sensitive habitat area (ESHA) is any area in which plant or animal life or their habitats are either ~~Other sensitive habitats include habitats of~~ rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. ~~endangered-species and unique plant communities.~~  2. ESHA consists of three general categories: wetlands, streams and riparian vegetation, and terrestrial ESHAs. Terrestrial ESHA refers to those non-aquatic habitats that support rare and endangered species; coastal dunes as referenced in C-BIO-7 (Coastal Dunes); roosting and nesting habitats as referenced in C-BIO-10 (Roosting and Nesting Habitats); and riparian vegetation that is not associated with a perennial or intermittent stream. The ESHA policies of C-BIO-2 (ESHA Protection) and C-BIO-3 (ESHA Buffers) apply to all categories of ESHA, except where modified by the more specific policies of the LCP. |  |
| C-BIO-2 ESHA Protection.   1. Protect ESHAs against disruption of habitat values, and only allow uses within those areas that are dependent on those resources or otherwise provided in C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging) or C-BIO-24 (Coastal Streams and Riparian Vegetation). Disruption of habitat values occurs when the physical habitat is significantly altered or when species diversity or the abundance or viability of species populations is reduced. The type of proposed development, the particulars of its design, and its location in relation to the habitat area, will affect the determination of disruption. 2. Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control the timing, intensity or location of access (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.). 3. Avoid fence types, roads, and structures that significantly inhibit wildlife movement, especially access to water. 4. Development proposals within or adjacent to ESHA will be reviewed subject to a biological site assessment prepared by a qualified biologist hired by the County and paid for by the applicant. The purpose of the biological site assessment is to confirm the extent of the ESHA, document any site constraints and the presence of other sensitive biological resources, recommend buffers, development timing, mitigation measures or precise required setbacks, provide a site restoration program where necessary, and provide other information, analysis and modifications appropriate to protect the resource.   [BOS app. 10/2/2012, 11/13/2013, 1/15/2013, 2/26/2013]  (PC app. 12/1/11, 6/28/10)  [Adapted from the concept of Unit II Natural Resources Policy 5.b, p. 74] | **C-BIO-2 ESHA Protection**  1. Protect ESHAs against disruption of habitat values, and only allow uses within those areas that are dependent ~~Development in such areas may only be permitted when it depends~~ upon the resources or otherwise provided in C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging) or C-BIO-24 (Coastal Streams and Riparian Vegetation). Disruption of habitat values occurs when the physical habitat is significantly altered or when species diversity or the abundance or viability of species populations is reduced. The type of proposed development, the particulars of its design, and its location in relation to the habitat area, will affect the determination of disruption. ~~of the habitat area. Development adjacent to such areas shall be set back a sufficient distance to minimize impacts on the habitat area.~~  2. Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control ~~Public access to sensitive habitat areas, including~~ the timing, intensity, ~~and~~ or location of ~~such~~ access~~, shall be controlled to minimize disturbance to wildlife~~ (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.).  3. Avoid fence types ~~Fences~~, roads, and structures ~~which~~ that significantly inhibit wildlife movement, especially access to water~~, shall be avoided~~.  4. Development proposals within or adjacent to ESHA will be reviewed subject to a biological site assessment prepared by a qualified biologist hired by the County and paid for by the applicant. The purpose of the biological site assessment is to confirm the extent of the ESHA, document any site constraints and the presence of other sensitive biological resources, recommend buffers, development timing, mitigation measures or precise required setbacks, provide a site restoration program where necessary, and provide other information, analysis and modifications appropriate to protect the resource.  ***Policy Status***  *Part ‘a’ of this policy has been carried forward to LCPA Policy C-BIO-7, and part ‘b’ has been carried forward to LCPA Policies C-BIO-1, C-BIO-2, and C-PA-10. LCPA Policy C-BIO-1 also draws language from Unit I Habitat Protection Policies 24 and 25 (p. 34). LCPA Policy C-PA-10 also draws language from Unit II Public Access Policy 2.b (p. 14).* | ~~Policy 24, pg. 34~~ **C-BIO-2 ESHA Protection**  2.Accessways and trails are resource dependent uses that shall be sited and designed to protect ESHAs against significant disruption of habitat values in accordance with Policy C-BIO-2.1. Where it is not feasible to avoid ESHA, the design and development of accessways and trails shall minimize intrusions to the smallest feasible area or least impacting routes. As necessary to protect ESHAs, trails shall incorporate measures to control ~~Public access to these identified sensitive habitat areas, including~~ the timing, intensity, and location of such access (e.g., seasonal closures, placement of boardwalks, limited fencing, etc.). ~~, shall be controlled to minimize disturbance to wildlife~~.  *Policy Status*  *This policy has been carried forward to LCPA Policy C-BIO-2.2, which also draws language from Unit I Habitat Protection Policy 25 (p. 34) and Unit II Natural Resources Policy 5 (p. 74).* |
| C-BIO-3 **ESHA Buffers.**   1. In areas adjacent to ESHAs and parks and recreation areas, site and design development to prevent impacts that would significantly degrade those areas, and to be compatible with the continued viability of those habitat and recreation areas. 2. Provide buffers for wetlands, streams and riparian vegetation in accordance with C-BIO-19 and C-BIO-24, respectively. 3. Establish buffers for terrestrial ESHA to provide separation from development impacts. Maintain such buffers in a natural condition, allowing only those uses that will not significantly degrade the habitat. Buffers for terrestrial ESHA shall be 50 feet, a width that may be adjusted by the County as appropriate to protect the habitat value of the resource. Such adjustment shall be made on the basis of a biological site assessment supported by evidence that includes but is not limited to:    1. Sensitivity of the ESHA to disturbance;    2. Habitat requirements of the ESHA, including the migratory patterns of affected species and tendency to return each season to the same nest site or breeding colony;    3. Topography of the site;    4. Movement of stormwater;    5. Permeability of the soils and depth to water table;    6. Vegetation present;    7. Unique site conditions;    8. Whether vegetative, natural topographic, or built features (e.g., roads, structures) provide a physical barrier between the proposed development and the ESHA;    9. The likelihood of increased human activity and disturbance resulting from the project relative to existing development.   [BOS app. 10/2/2012, 11/13/2012] |  |  |
| C-BIO-4 Protect Major Vegetation. Require a Coastal Permit for the removal or harvesting of major vegetation. Coastal Permits shall allow the management or removal of major vegetation where necessary to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to the locale, while avoiding adverse impacts to an ESHA or its buffer, coastal waters, and public views, and shall not conflict with prior conditions of approval, consistent with Policy C-EH-25 (Vegetation Management in an ESHA).  [BOS app. 10/2/2012]  (PC app. 2/13/12, 1/23/12, 6/28/10)  [Adapted from Unit I Habitat Protection Policy 22, p. 34, and Interim County Code Section 22.56.055]  Program C-BIO-4.b Integrated Planning for Fire Risk, Habitat Protection, and Forest Health. Develop a Coastal Permit process that protects coastal resources and allows for expedited review of projects related to the management or removal of major vegetation to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to the locale.  (PC app. 1/23/12)  [New Program, not in Unit I or II] |  | ~~Policy 22, pg. 34~~ C-BIO-4 Protect Major Vegetation. Require a Coastal Permit for the removal or harvesting of major vegetation. ~~Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Depart­ment, which provide roosting and/or nesting habitat of wildlife, shall be considered major vegetation, and significant alteration or removal of such vegetation shall require a coastal project permit pursuant to Section 30106 of the Coastal Act. Such trees shall not be altered or removed except where they pose a threat to life or property.~~Coastal Permits shall allow the management or removal of major vegetation where necessary to minimize risks to life and property or to promote the health and survival of surrounding vegetation native to the locale, while avoiding adverse impacts to an ESHA or its buffer, coastal waters, and public views, and shall not conflict with prior conditions of approval, consistent with Policy C-EH-25 (Vegetation Management in an ESHA).  Policy Status  This policy has been carried forward to LCPA Policies **C-BIO-4** and **C-BIO-10**. |
| C-BIO-5 Ecological Restoration. Encourage the restoration and enhancement of degraded ESHAs and the creation of new ESHAs, and streamline regulatory processes whenever possible to facilitate the successful completion of restoration projects.  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II]  Program C-BIO-5.a Determine Locations  of ESHAs. Continue to update the process for determining whether projects are within or adjacent to ESHAs. The process shall continue to be based on the best available scientific and geographic information and a level of review commensurate with the nature and scope of the project and the potential existence of an ESHA.  (PC app. 12/1/11, 6/28/10)  [New program, not in Unit I or II]  Program C-BIO-5.b ***“Safe Harbor” for Expansion of ESHA***. Consider a future work item to encourage the expansion of ESHAs by establishing policies, procedures and criteria that would allow such enhancements and protect sensitive resources while maintaining pre-existing buffers. The size of any buffer designated as a result of this program would not be a precedent for the size of any buffer on any other development site. This program would lead to policies and implementing measures that would be subject to review and certification as an amendment to the LCP.  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 1/23/12, 12/1/11, 6/28/10)  [New program, not in Unit I or II] | **[New Policy and Programs not in Unit II]** | **[New Policy and Programs not in Unit I]** |
| C-BIO-6 Invasive Plants. Where feasible, require the removal of non-native, invasive plant species such as pampas grass, brooms, iceplant, thistles and other invasive plant species on the list maintained by the California Invasive Plant Council in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. Ensure that required landscaping avoids use of non-native, invasive trees and plants in accordance with Policy C-DES-9 Landscaping. This policy does not apply to agricultural crops and pastures.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 1/24/11)  [Adapted from Unit I Habitat Protection Policy 28, p. 34] |  | ~~Policy 28, pg. 34~~ **C-BIO-6 Invasive Plants.** Where feasible, require the removal of non-native, invasive plant species such as pampas grass, brooms, iceplant, thistles and other invasive plant species on the list maintained by the California Invasive Plant Council in the areas of development and revegetate those areas with native plants as specified in Coastal Permit approvals. Ensure that required landscaping avoids use of non-native, invasive trees and plants in accordance with Policy C-DES-9 Landscaping. This policy does not apply to agricultural crops and pastures.  ~~Invasive exotic plant species are proliferating in the Coastal Zone at the expense of native plants. In order to preserve indigenous native plant species within the Coastal Zone, development permits shall be conditioned, where applicable, to require the removal of any invasive, non-indigenous plant species such as Pampas Grass, Brooms, and Thistles.~~  Policy Status  This policy has been carried forward to LCPA Policy **C-BIO-6**. |
| C-BIO-7 Coastal Dunes. Prohibit development in coastal dunes to preserve dune formations, vegetation, and wildlife habitats. Prevent overuse in dune areas by mechanisms such as restricting parking, and direct­ing pedestrian traffic through signage and sand fencing to areas capable of sustaining increased use. Prohibit motor vehicles in dune areas except for emergency purposes; prohibit motor vehicles in non-dune beach areas except for emergency and essential maintenance purposes and where previously permitted.  [BOS app. 10/2/2012, 11/13/2012, 1/15/2013]  (PC app. 2/13/12, 12/1/11, 6/28/10)  [Adapted from Unit II Natural Resources Policy 5.a, p. 74] | ~~Coastal Dunes and Other Sensitive Land Habitats. Development in or adjacent to sensitive habitats shall be subject to the following standards:~~  ~~a. Coastal Dunes.~~ ~~No~~ Prohibit development ~~shall be permitted~~ in coastal dunes ~~in order~~ 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~~ Prevent overuse in ~~the~~ dune areas ~~shall be prevented~~ by such mechanisms as restricting parking, directing pedestrian traffic through signage and sand fencing to areas capable of sustaining increased use~~, and fencing~~. ~~No~~ Prohibit motor vehicles ~~shall be permitted~~ in ~~beach or~~ dune areas except for emergency and essential maintenance purposes and where previously permitted. ~~The existing sand quarry operation shall be reviewed in February 1982 when the current permit expires for conformance with LCP policies.~~ |  |
| C-BIO-8 Stringline Method of Preventing Beach Encroachment. In a developed area where most lots are developed and where there are relatively few vacant lots, no part of a proposed new development (other than a shoreline protective device), including decks, shall be built farther onto a beachfront than a line drawn between the most seaward portions of the adjacent structures. Enclosed living space in a new unit or addition shall not extend farther seaward than a second line drawn between the most seaward portions of the enclosed living space of the adjacent structures.  [BOS app. 10/2/2012]  [New policy, not in Unit I or II] | *[New policy, not in Unit I or II]* | [New policy, not in Unit I or II] |
| C-BIO-9 Stinson Beach Dune and Beach Areas. Prohibit development that would adversely impact the natural sand dune formation and sandy beach habitat in the areas west of the paper street Mira Vista and the dry sand areas west of the Patios. Prohibit development west of Mira Vista, including erection of fences, signs, or other structures, to preserve the natural dune habitat values, vegetation and contours, as well as the natural sandy beach habitat. Continue to pursue a land trade between the lots sea­ward of Mira Vista and the street right-of-way to more clearly establish and define the boundaries between public and private beach areas.  Site development of other shorefront lots within the Stinson Beach and Sea­drift areas outside of the natural sand dune formations, consistent with LUP Policy C-BIO-7 (Coastal Dunes). Where no dunes are evident, any new development on shorefront lots shall be set back behind the first line of terrestrial vegetation to the maximum extent feasible, in order to minimize the need for protective works, protect sandy beach habitat, and provide a buffer area between private and public use areas to protect both the scenic and visual character of the beach, and the public right of access to the use and enjoyment of dry sand areas.  [BOS app. 11/13/2012, 1/15/2013]  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit I Natural Dune and Sandy Beach Protection Policies 19 and 20, p. 29] |  | ~~Policy 19, pg. 29~~ C-BIO-9 Stinson Beach Dune and Beach Areas. Prohibit development that would adversely impact the natural sand dune formation and sandy beach habitat in the ~~In order to preserve the natural sand dune formation and sandy beach habitat, and to protect potential prescriptive rights over the dry sand~~ areas west of the Patios, Prohibit development ~~of the existing lots~~ west ~~of the paper street~~ Mira Vista ~~shall not be permitted.~~ ~~These lots shall be rezoned from R-1 to RSP-2.0, and contiguous ownerships across Mira Vista shall be consolidated in order to assure protection of the exist­ing sandy beach areas. No development~~, including erection of fences, signs, or other structures, ~~shall be permitted west of Mira Vista in order~~ to preserve ~~both~~ the natural dune habitat values, vegetation and contours, as well as the natural sandy beach habitat, ~~and to protect potential public prescriptive rights over the area.~~ ~~The County shall c~~Continue to pursue a land trade between the lots sea­ward of Mira Vista and the street right-of-way ~~as proposed in the Stinson Beach Community plan, in order~~ to more clearly establish and define the boundaries between public and private beach areas….  *Policy Status*  This policy has been carried forward to LCPA Policy **C-BIO-9**, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 20 (p. 29). ~~Policy 20, pg. 29~~ Site d~~D~~evelopment of other shorefront lots within the Stinson Beach and Sea­drift areas outside ~~shall assure preservation of~~ the natural sand dune formations, consistent with LUP Policy C-BIO-7 (Coastal Dunes). ~~in order to protect environmentally sensitive dune habitat and vegeta­tion and to maintain the natural protection from wave runup that such natural dunes provide.~~ Where no dunes are evident, any new development on shorefront lots shall be set back behind the first line of ter­restrial vegetation to the maximum extent feasible, in order to minimize the need for protective works, ~~to~~ protect sandy beach habitat, and ~~to~~ provide a buffer area between private and public use areas ~~in order~~ to protect both the scenic and visual character of the beach, and the public right of access to the use and enjoyment of dry sand areas.  *Policy Status*  *This policy has been carried forward to LCPA Policy* ***C-BIO-9****, which also draws language from Unit I Natural Dune and Sandy Beach Protection Policy 19 (p. 29).* |
| C--BIO-10 Roosting and Nesting Habitat. Prohibit the alteration or removal of groves of trees that provide colonial nesting and roosting habitat for monarch butterflies or other wildlife, except where the trees pose a threat to life or property.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit I Habitat Protection Policy 22, p. 34] |  | ~~Policy 22, pg. 34~~ C--BIO-10 Roosting and Nesting Habitat. Prohibit the alteration or removal of groves of trees that provide colonial nesting and roosting habitat for monarch butterflies or other wildlife. ~~Butterfly trees and other trees or vegetation identified on the natural resource maps on file with the Marin County Planning Depart­ment, which provide roosting and/or nesting habitat of wildlife, shall be considered major vegetation, and significant alteration or removal of such vegetation shall require a coastal project permit pursuant to Section 30106 of the Coastal Act. Such trees shall not be altered or removed~~ except where they pose a threat to life or property.  Policy Status  This policy has been carried forward to LCPA Policies **C-BIO-4** and **C-BIO-10**. |
| C-BIO-11 Development Adjacent to Roosting and Nesting Habitat. Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance to protect against disruption in nesting and roosting activities and designed to avoid impacts on the habitat area. Time such development activities so that disturbance to nesting and breeding wildlife is minimized. To the extent feasible, use native vegetation for landscaping.  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit I Habitat Protection Policy 23, p. 34]  *Program C-BIO-**11.a* Grassy Uplands Surrounding Bolinas Lagoon. Collect and evaluate data and studies to determine the habitat values of upland grassland feeding areas around Bolinas Lagoon for shorebirds, and develop effective policies to protect these areas against signifi­cant disruption of habitat values. Limited agricultural use of these lands may be permitted.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 1/24/11)  [Adapted from Unit I Habitat Protection Policy 26, p. 34] |  | ~~Policy 23, pg. 34~~ **C-BIO-11 Development Adjacent to Roosting and Nesting Habitat.** Development adjacent to wildlife nesting and roosting areas shall be set back a sufficient distance to protect against disruption in nesting and roosting activities and designed to avoid impacts on the habitat area. ~~minimize impacts on the habitat area~~. Time ~~S~~such development activities ~~shall be timed~~ so that disturbance to nesting and breeding wildlife is minimized. To the extent feasible, ~~and shall, to the extent practical,~~ use native vegetation for landscaping.  Policy Status  This policy has been carried forward to LCPA Policy C-BIO-11**.** ~~Policy 26, p. 34~~ ***Program C-BIO-11.a* Grassy Uplands Surrounding Bolinas Lagoon.** Collect and evaluate data and studies to determine the habitat values of ~~U~~upland grassland feeding areas around Bolinas Lagoon for shorebirds, and develop effective policies to protect these areas against signifi­cant disruption of habitat values. Limited agricultural use of these lands may be permitted. ~~shall be protected against any significant disruption of habitat values.~~ Policy Status  This policy has been carried forward to LCPA *Program* ***C-BIO-11.a****.* |
| No Policy numbered C-BIO.12 |  |  |
| No Policy numbered C-BIO.13 |  |  |
| C-BIO-14 Wetlands. Preserve and maintain wetlands in the Coastal Zone as pro­ductive wildlife habitats and water filtering and storage areas, and protect wetlands against significant disruption of habitat values. Prohibit grazing or other agricultural uses in a wetland, except in those areas used for such activities prior to April 1, 1981, the date on which Marin’s LCP was first certified.  Where there is evidence that a wetland emerged primarily from agricultural activities (e.g., livestock management, tire ruts, row cropping) and does not provide habitat for any species that meet the definition of ESHA, such wetland may be used and maintained for agricultural purposes and shall not be subject to the buffer requirements of C-BIO-19 (Wetland Buffers).  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 2/13/12, 1/23/12, 6/28/10)  [Adapted from Unit II Natural Resources Policy 4 (a – c), p. 74] | **~~Policy 4, p. 74~~ C-BIO-14 Wetlands**  ~~Wetlands.~~ ~~Wetlands in the Unit II coastal zone shall be preserved and maintained, consistent with the policies in this section,~~ Preserve and maintain wetlands as productive wildlife habitats~~, recreational open space,~~ and water filtering and storage areas and protect wetlands against significant disruption of habitat values. ~~Land uses in and adjacent to wetlands shall be evaluated as follows:~~  ~~a. Diking, filling, and dredging of wetlands shall be permitted only in conformance with the policies contained in the LCP on this subject, presented on page 136. In conformance with these policies, filling of wetlands for the purposes of single-family residential development shall not be permitted.~~  ~~b. Allowable resource-dependent activities in wetlands shall include fishing, recreational clamming, hiking, hunting, nature study, birdwatching and boating.~~  ~~c.~~  ~~No~~ Prohibit grazing or other agricultural uses ~~shall be permitted~~ in a wetland~~s~~, except in those~~-reclaimed areas presently~~ areas used for such activities prior to April 1, 1981, the date on which Marin’s LCP was first certified.  Where there is evidence that a wetland emerged primarily from agricultural activities (e.g., livestock management, tire ruts, row cropping) and does not provide habitat for any species that meet the definition of ESHA, such wetland may be used and maintained for agricultural purposes and shall not be subject to the buffer requirements of C-BIO-19 (Wetland Buffers). |  |
| C-BIO-15 Diking, Filling, Draining and Dredging. Diking, filling, draining and dredging of coastal waters can have significant adverse impacts on water quality, marine habitats and organisms, and scenic features. Limit strictly the diking, filling, and dredging of open coastal waters, wetlands, and estuaries to the following purposes:  **1.** New or expanded commercial fishing facilities.  **2.** Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.  **3.** Incidental public service purposes, including burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.  **4.** Mineral extraction, including sand for restoring beaches, except in ESHAs.  **5.** Restoration purposes.  **6.** Nature study, aquaculture, or similar resource-dependent activities.  **7.** Excluding wetlands, new or expanded boating facilities and the placement of structural pilings for public recreation piers that provide public access and recreational opportunities may be permitted.  **8.** In the Esteros Americano and de San Antonio, limit any alterations to those for the purposes of scientific study and restoration.  [BOS app. 11/13/2012, 7/30/2013]  (PC app. 12/1/11, 1/24/11)  [Adapted from Unit II Diking, Filling and Dredging Policies 1 and 2, p. 136] |  |  |
| No Policy numbered C-BIO.16 |  |  |
| C-BIO-17 Conditions and Standards for Diking, Filling, Draining, and Dredging. Diking, filling, draining or dredging may be permitted for the purposes specified in policy C-BIO-15 above provided that all of the following conditions and standards are met:  **1.** There is no feasible less environmentally damaging alternative.  **2.** Mitigation measures have been provided in accordance with Policy C-BIO-21 (Wetland Impact Mitigation) in order to minimize adverse environmental effects.  **3.** The activities are planned, scheduled, and carried out to avoid significant disruption to marine and wildlife habitats, fish and bird breeding and migrations, and water circulation.  **4.** The need for both initial and maintenance dredging shall be minimized by careful design and location of facilities with respect to existing water depths, water circulation, siltation patterns, and by efforts to reduce controllable sedimentation.  **5.** In estuaries and wetlands, the diking, filling, or dredging shall maintain or enhance the functional capacity of the wetland or estuary.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit II Diking, Filling and Dredging Policy 3, p. 137] |  |  |
| C-BIO-18 Disposal **of Dredged Materials**. Require the disposal of dredged sediments to conform to the following standards:  **1.** The dredged materials disposal site has been approved by all relevant agencies.  **2.** Disposal of dredged materials shall be planned and carried out to avoid disruption to marine and wildlife habitats and water circulation.  **3.** Dredged materials suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.  **4.** The disposal of dredged materials shall conform to the most recently approved dredging requirements promulgated or adopted by the State or Regional Water Quality Control Board.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit II Diking, Filling and Dredging Policy 4, p. 137] |  |  |
| C-BIO-19 Wetland Buffers. Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain a buffer area, a minimum of 100 feet in width, in a natural condition along the periphery of all wetlands. A wider buffer may be required based on the results of a site assessment, if such an assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post-construction impacts. No development shall be permitted within the wetland buffer, unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging), or C-BIO-20 (Wetland Buffer Adjustments).  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 12/1/11, 6/28/10)  *[Adapted from Unit I Lagoon Protection Policy 18, p. 28, and Unit II Natural Resources Policy 4.d, p. 74]* | ~~4d.~~ **C-BIO-19 Wetland Buffers**  Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain a buffer area, a minimum of ~~A buffer strip~~ 100 feet in width, in a natural condition ~~minimum, as measured landward from the edge of the wetland, shall be established~~ along the periphery of all wetlands. A wider ~~Where appropriate, the required~~ buffer ~~strip~~ may be ~~wider~~ required based upon the ~~findings~~ results of a site assessment, if such assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and psot-construction impacts. ~~of the supplemental report required in (e). Development activities and uses in the wetland buffer shall be' limited to those specified in (a) and (b) above.~~ No development shall be permitted within the wetland buffer, unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-14 (Wetlands), C-BIO-15 (Diking, Filling, Draining and Dredging), or C-BIO-20 (Wetland Buffer Adjustments). | ~~. Policy 18, pg. 28~~ **C-BIO-19 Wetland Buffers** ~~To the maximum extent feasible~~, Consistent with Policy C-BIO-3.1 (ESHA Buffers), maintain a buffer area ~~strip~~, a minimum of 100 feet in width~~, shall be maintained~~ in natural condition along the periphery of all wetlands ~~as delineated by the Department of Fish and Game and in accordance with Section 30121 of the Coastal Act and with the criteria developed by the U.S. Fish and Wildlife Service~~. A wider buffer may be required based on the results of a site assessment, if such an assessment is determined to be necessary, and the site assessment concludes that a buffer greater than 100 feet in width is necessary to protect wetland resources from the impacts of the proposed development, including construction and post-construction impacts. No development ~~uses other than those dependent upon the resources shall be allowed within the buffer strip.~~  *Policy Status*  This policy has been carried forward to policy **C-BIO-19**, which also draws language from Unit II Natural Resources Policy 4 (p. 74). |
| C-BIO-20 Wetland Buffer Adjustments and Exceptions.   1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:    1. It is proposed on a legal lot of record located entirely within the buffer; or    2. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or    3. It is demonstrated that the permitted development outside the buffer would have greater impact on the wetland and the continuance of its habitat than development within the buffer; or    4. The wetland was constructed out of dry land for the treatment, conveyance or storage of water and does not affect natural wetlands.   **2.** A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the wetland and will be compatible with the continuance of the wetland ESHA.  **3.** A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:   1. Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater); 2. Elimination of on-site invasive species ; 3. Increasing native vegetation cover (e.g., expand continuous vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees); 4. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems); 5. Other measures that reduce overall similar site-related environmental impacts. 6. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the wetland.   [BOS app. 10/2/2012, 11/13/2012, 1/15/2013, 2/26/2013]  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II] | **[New policy, not in Unit I or II]** | **[New policy, not in Unit I or II]** |
| C-BIO-21 Wetland Impact Mitigation. Where any dike and fill development is permitted in wetlands in conformity with this section, require mitigation measures to include, at a minimum, either acquisition of required areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. A minimum ratio of 2:1 in area is required for on-site mitigation, a minimum ratio of 3:1 is required for off-site mitigation, and a minimum ratio of 4:1 is required for an in-lieu fee. Mitigations shall meet the following criteria:   1. No net losses shall occur in wetland acreage, functions, or values. This should include both direct impacts on wetlands and essential buffers, and consideration of potential indirect effects of development due to changes in available surface water and nonpoint water quality degradation. Detailed review of the adequacy of a proposed mitigation plan shall be performed as part of any required environmental review of the proposed development project to allow for a thorough evaluation of the anticipated loss, as well as the replacement acreage, functions, and values. 2. Restoration of wetlands is preferred to creation of new replacement wetlands, due to the greater likelihood of success. 3. Mitigation shall be implemented prior to and/or concurrently with the project activity causing the potential adverse impact to minimize any short-term loss and modification to wetlands. 4. An area of adjacent upland habitat shall be protected to provide an adequate buffer for wetland functions and values. Development shall be set back the minimum distance specified in Policy C-BIO-19 (Wetland Buffers) to create this buffer, unless an adjustment is allowed and appropriate mitigation is provided where necessary, pursuant to Policy C-BIO-20 (Wetland Buffer Adjustments). 5. Mitigation sites shall be permanently protected and managed for open space and wildlife habitat purposes. 6. Mitigation projects must to the extent feasible minimize the need for ongoing maintenance and operational manipulation (e.g., dredging, artificial water-level controls, etc.) to ensure long-term success. Self-sustaining projects with minimal maintenance requirements are encouraged. 7. All plans to mitigate or minimize adverse impacts to wetland environments shall include provisions to monitor the success of the restoration project. The measures taken to avoid adverse impacts may be modified if the original plans prove unsuccessful. Performance bonds shall be required for all mitigation plans involving habitat creation or enhancement, including the cost of monitoring for five years post-completion. 8. Mitigation must be commensurate with adverse impacts of the wetland alteration and consist of providing similar values and greater wetland acreage than those of the wetland area adversely affected. All restored or created wetlands shall be provided at the minimum replacement ratio specified in this Policy (C-BIO-21) and shall have the same or increased habitat values as the wetland proposed to be destroyed.   Such mitigation measures shall not be required for temporary or short-term fill or diking; provided that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest period of time not to exceed 12 months.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II] | **[New policy, not in Unit I or II]** | **[New policy, not in Unit I or II]** |
| C-BIO-22 Tomales Bay Shoreline. As part of the application for a coastal permit on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands, require the applicant to submit supplemental biological infor­mation prepared by a qualified biologist at a scale sufficient to identify the extent of the existing wetlands, based on Section 30121 of the Coastal Act and the area of the proposed buffer areas.  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit II Natural Resources Policy 4.e, p. 74] | ~~e.~~ **C-BIO-22 Tomales Bay Shoreline.**  As part of the application for a coastal development permit on any parcel adjacent to Tomales Bay, except where there is no evidence of wetlands ~~pursuant to the Coastal Commission's guidelines~~, require the applicant ~~shall be required~~ to submit supplemental biological information prepared by a qualified ~~ecologist~~ biologist at a scale sufficient to identify the extent of the existing wetlands, based on Section 30121 of the Coastal Act and the area of the proposed buffer areas.  **Policy Status**  This policy has been carried forward to LCPA Policies C-BIO-14, **C-BIO-19**, and C-BIO-22. LCPA Policy C-BIO-19 also draws language from Unit I Lagoon Protection Policy 18 (p. 28 |  |
| C-BIO-23 Marine Resources. Maintain, enhance, and, where feasible, restore marine resources. Provide special protection to areas and species of special biological or economic significance. Carry out uses of the marine environment in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II] | **[New policy, not in Unit I or II]** | **[New policy, not in Unit I or II]** |
| C-BIO-24 Coastal Streams and Riparian Vegetation.  **1.** Stream alterations. Limit channelizations, diversions, dams, or similar substantial alterations of coastal streams to the following purposes:  **a.** Necessary water supply projects where no other less environmentally damaging method of water supply is feasible;  **b.** Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or  **c.** Developments where the primary function is the improvement of fish and wildlife habitat.  Before any such substantial alterations that would significantly disrupt the habitat value of a stream are permitted, minimum flows necessary to maintain fish habitat and water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, spawning habitats, etc.) and downstream users shall be determined by the Department of Fish and Wildlife and the Division of Water Rights of the State Water Resources Control Board. Prohibit new impoundments which, individually or cumulatively, would decrease streamflows below the minimum.  **2.** Access and Utility Crossings. Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.  **3.** Conditions. Minimize the alteration of streams allowed for the purposes listed in (1) and (2) above in order to protect streamwater quality and the volume and rate of streamflow. Require all developments to incorporate the best mitigation measures feasible, including erosion and runoff control measures, and re-vegetation of disturbed areas with native species. Minimize the disturbance of riparian vegetation and require revegetation.  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 12/1/11, 1/24/11)  *[Adapted from Unit I Stream Protection Policies 1 and 2, p. 19, and Unit II Natural Resources Policy 3, p. 72]* | **~~Policy 3, p. 72~~ C-BIO-24 Coastal Streams and Riparian Vegetation**  ~~Streams and riparian habitats.The policies contained in this section shall apply to all streams in the Unit II coastal zone, perennial or intermittent, which are mapped by the United States Geological Survey (U.S.G.S.) on the 7.5 minute quadrangle series.~~  ~~a.~~ **1.** Stream alterations. ~~Stream impoundments,~~ Limit channelizations, diversions, dams ~~channelizations~~, or other substantial alterations of coastal streams ~~shall be limited~~ to the following purposes:  (1) Necessary water supply projects where no other less environmentally damaging method of water supply is feasible~~, including those for domestic or agricultural purposes~~;  (2) Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or  (3) Developments where the primary function is the improvement of fish and wildlife habitat.  Before any such ~~activities~~ substantial alterations that would significantly disrupt the habitat value of a stream are permitted, minimum flows necessary to maintain fish habitat and water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, spawning habitats, etc.) and downstream users shall be determined by the Department of Fish and ~~Game~~ Wildlife and the Division of Water Rights of the State Water Resources Control Board. Prohibit new~~New~~ impoundments which, individually or cumulatively, would decrease streamflows below the minimum ~~shall not be permitted~~.  **2.**  Access and Utility Crossings. Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.  ~~b.~~ **3.** Conditions. Minimize the~~The~~ alteration of streams allowed for the purposes listed in ~~(a)~~ (1) and (2) above ~~shall be held to a minimum~~ in order to protect streamwater quality and the volume and rate of streamflow. ~~All such~~ Require all developments ~~shall~~ to incorporate the best mitigation measures feasible, including erosion and runoff control measures, and revegetation of disturbed areas with native species. ~~Disturbance~~ Minimize the disturbance of riparian vegetation and require revegetation ~~shall be held to a minimum~~. | ~~Policy 1, pg. 19~~ C-BIO-24 Coastal Streams and Riparian Vegetation 1. Stream alterations. Limit channelizations, ~~Stream impoundments and~~ diversions, dams or similar substantial alterations of coastal streams to the following purposes: ~~shall be limited to~~  a. ~~necessary~~ Necessary water supply projects where no other less environmentally damaging method of water supply is feasible;~~,~~  b. ~~flood~~ Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development*;*~~,~~ or  c. ~~developments~~ Developments where the primary function is the improve­ment of fish and wildlife habitat.  Before any such ~~activities~~ substantial alterations that would significantly disrupt the habitat value of a stream are per­mitted, minimum flows necessary to maintain fish habitat and ~~existing~~ water quality, and to protect downstream resources (e.g. riparian vegetation, groundwater recharge areas, receiving waters, ~~estuarine habitats,~~ spawning ~~areas~~ habitats, etc.) and other downstream users shall be determined by the Department of Fish and ~~Game~~ Wildlife and the Division of Water Rights of the State Water Resources Control Board. ~~New~~ Prohibit new impoundments ~~or diver­sions~~ which, individually or cumulatively, would decrease streamflows below the minimum ~~shall not be permitted~~.  Access and Utility Crossings. Access and utility crossings shall be accomplished by clear span bridging, unless other methods are determined to be less disruptive to the stream and/or riparian ESHA. Wherever possible, shared bridges or other crossings shall be used to provide access and utilities to groups of lots covered by this policy. Bridge abutments shall be located outside stream channels and designed to minimize disturbance of riparian vegetation.  *Policy Status*  *The concept and standard of this policy is carried forward to LCPA Policy* ***C-BIO-24****, which also draws language from Unit I Stream Protection Policy 2 (p. 19), and Unit II Natural Resources Policy 3 (p. 72).* ~~Policy 2, pg. 19~~ C-BIO-24 Coastal Streams and Riparian Vegetation 3. Minimize ~~The~~ the alteration of stream ~~channels and banks shall be~~ allowed for the purposes listed in (1) and (2) above ~~only for the developments identified in Policy II-1~~ in order to protect stream­water quality and the volume and rate of streamflow. ~~All~~ Require all ~~such~~ develop­ments ~~shall~~ to incorporate the best mitigation measures feasible, including erosion and runoff control measures and revegetation of disturbed areas with native species. Minimize the disturbance of riparian vegetation and require revegetation.  *Policy Status*  *Language from this policy is carried forward to LCPA Policy* ***C-BIO-24****, which also draws language from Unit I Stream Protection Policy 1 (p. 19), and Unit II Natural Resources Policy 3 (p. 72).* |
| **C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers.** Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish buffers to protect streams from the impacts of adjacent uses including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition. The buffer shall be the wider of the following on both sides of the stream: (a) the area 50 feet landward from the outer edge of the riparian vegetation, or (b) the area 100 feet landward from the top of the stream banks. No development shall be permitted in the stream or riparian vegetation buffer unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-24 (Coastal Streams and Riparian Vegetation) or C-BIO-25 (Stream and Riparian Buffer Adjustments).  [BOS app. 10/2/2012, 11/13/2012]  (PC app. 12/1/11, 1/24/11)  [Adapted from Unit I Stream Protection Policy 3, p. 19, and Unit II Natural Resources Policy 3, p. 72] | ~~c. Stream Buffers.~~ **C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers**  Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish buffers~~Buffers~~ to protect streams from the impacts of adjacent uses including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition ~~shall be established for each stream in Unit II~~. The ~~stream~~ buffer shall be the wider of the following ~~include the area covered by riparian vegetation~~ on both sides of ~~the~~ a stream: (a) ~~and~~ the area 50 feet landward from the outer edge of the riparian vegetation, or (b) the area~~. In no case shall the stream buffer be less than~~ 100 feet ~~in width, on either side of \*the stream, as measured~~ landward from the top of the stream banks. No development shall be permitted in the stream or riparian vegetation buffer unless such development is authorized by C-BIO-2 (ESHA Protection), C-BIO-24 (Coastal Streams and Riparian Vegetation) or C-BIO-25 (Stream and Riparian Buffer Adjustments). | ~~Policy 3, pg. 19~~ C-BIO-“TBD” Coastal Stream and Riparian Vegetation Buffers Consistent with Policy C-BIO-3.1 (ESHA Buffers), establish ~~A riparian protection area and a stream~~ buffers ~~area shall be established for all~~ to protect streams from the impacts of adjacent uses including development impacts from construction and post-construction activities, and maintain such buffers in a natural condition ~~within Unit I~~. The ~~riparian protection area~~ buffer shall ~~in­clude all existing riparian vegetation~~ be the wider of the following on both sides of the stream: (a) the area~~. The stream buffer area shall extend a minimum of~~ 50 feet landward from the outer edge of the riparian vegetation~~,~~; or (b) the area ~~but in no case shall be less than~~ 100 feet landward from the top of the stream banks ~~of the stream~~.  Policy Status  Language from this policy is carried forward to LCPA Policy **C-BIO-“TBD”**, which also draws language from Unit II Natural Resources Policy 3 (p*.* 72). |
| C-BIO-25 Stream Buffer Adjustments and Exceptions.   1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:    1. It is proposed on a legal lot of record located entirely within the buffer; or    2. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or    3. It is demonstrated that the permitted development outside the buffer would have a greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer. 2. A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA. 3. A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required my minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:    1. Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);    2. Elimination of on-site invasive species;    3. Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);    4. Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains, install large woody debris structures), in order to restore habitat;    5. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);    6. Other measures that reduce overall similar site-related environmental impacts. 4. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA. | ~~d. Development in Stream Buffers.~~ **C-BIO-25 Stream Buffer Adjustments and Exceptions**  ~~No construction, alteration of land forms or vegetation removal shall be permitted within such riparian protection area. Additionally, such project applications shall identify a stream buffer area which shall extend a minimum of 50 feet from the outer edge of riparian vegetation, but in no case less than 100 feet from the banks of a stream. Development shall not be located within this stream buffer area. When a parcel is located entirely within a stream buffer area; design review shall be required to identify and implement the mitigation measures necessary to protect water quality, riparian vegetation and the rate and volume of stream flows. The design process shall also address the impacts of erosion and runoff, and provide for restoration of disturbed areas by replacement landscaping with plant species naturally found on-the site. Where a finding based upon factual evidence is made that development outside a riparian protection or stream buffer area would be more environmentally damaging to-the riparian habitat than development within the riparian protection or stream buffer area, development of principal permitted uses may occur within such area subject to design review and appropriate mitigation measures.~~   1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:    1. It is proposed on a legal lot of record located entirely within the buffer; or    2. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or    3. It is demonstrated that the permitted development outside the buffer would have a greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer. 2. A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA. 3. A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required my minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:    1. Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);    2. Elimination of on-site invasive species;    3. Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);    4. Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains, install large woody debris structures), in order to restore habitat;    5. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);    6. Other measures that reduce overall similar site-related environmental impacts. 4. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA.   ~~e. Diversions Outside the Coastal Zone~~. *[see below]* **C-BIO-26 Diversions Outside the Coastal Zone.**    **Policy Status**  This policy has been carried forward to LCPA Policies C-BIO-24, C-BIO-“TBD”, C-BIO-25 and C-BIO-26. LCPA Policies C-BIO-24 and C-BIO-“TBD” also draw language from Unit I Stream Protection Policies 1 - 3 (p. 19). | ~~Policy 4, pg. 19~~ C-BIO-25 Stream Buffer Adjustments and Exceptions. ~~No construction, alteration of land forms, or vegetation removal, shall be permitted within the riparian protection area. However, if a parcel is located entirely within the stream buffer, design review shall be required for any proposed structure and shall consider impacts on water quality, riparian vegetation/and the rate and volume of streamflow. In general, development shall be located on that portion of the site which results in the least impact on the stream, and shall include provision for mitigation measures to control erosion and runoff and to provide restoration of disturbed areas by replanting with plant species naturally found on the site.~~   1. A Coastal Permit that requires a buffer adjustment may be considered only if it conforms with zoning and:    1. It is proposed on a legal lot of record located entirely within the buffer; or    2. It is demonstrated that permitted development cannot be feasibly accommodated entirely outside the required buffer; or    3. It is demonstrated that the permitted development outside the buffer would have greater impact on the stream or riparian ESHA and the continuance of its habitat than development within the buffer. 2. A buffer adjustment may be granted only if supported by the findings of a site assessment which demonstrate that the adjusted buffer, in combination with incorporated siting, design or other mitigation measures, will prevent impacts that significantly degrade the stream or riparian vegetation, and will be compatible with the continuance of the stream/riparian ESHA. 3. A Coastal Permit authorizing a buffer adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document. Work required in accordance with this Policy shall be completed prior to occupancy. Appropriate measures may include but are not limited to:    1. Retrofitting existing improvements or implementing new measures to reduce the rate or volume of stormwater run-off and improve the quality of stormwater run-off (e.g., permeable “hardscape” materials and landscape or site features designed to capture, absorb and filter stormwater);    2. Elimination of on-site invasive species;    3. Increasing native vegetation cover (e.g., expand continuous riparian vegetation cover, reduce turf areas, provide native groundcover, shrubs and trees);    4. Improvement of streambank or in-stream conditions (e.g., replace bank armoring, slope back streambanks, create inset floodplains, install large woody debris structures), in order to restore habitat;    5. Reduction in water consumption for irrigation (e.g., drought-tolerant landscaping or high efficiency irrigation systems);    6. Other measures that reduce overall similar site-related environmental impacts. 4. The buffer shall not be adjusted to a distance of less than 50 feet in width from the edge of the stream/riparian ESHA.   *Policy Status* *The concept of this policy is carried forward to LCPA Policies C-BIO-24 and C-BIO-25. LCPA Policy C-BIO-24 also draws language from Unit I Stream Protection Policies 1, 2 and 3 (p. 19), and Unit II Natural Resources Policy 3 (p. 72). See also LCPA Policy C-BIO-4 (p. 23) regarding the removal of “Major Vegetation.”* |
| C-BIO-26 Diversions Outside the Coastal Zone. Require that the impacts from diversion projects, especially on the two major tributaries to Tomales Bay, Walker and Lagunitas Creeks, be fully studied through the CEQA process before they are permitted to proceed and in all cases, require miti­gation and enhancement measures to ensure that coastal resources influenced by freshwater inflows are not significantly damaged.  (PC app. 12/1/11, 1/24/11)  [Adapted from Unit II Natural Resources Policy 3.e, p. 73] | ~~e. Diversions Outside the Coastal Zone.~~ **C-BIO-26 Diversions Outside the Coastal Zone.**  ~~Freshwater inflows to Tomales Bay~~ ~~are critical to the ecology of the Bay. These inflows maintain unique estuarine habitats along the shoreline of the Bay, affect the spawning characteristics of silver salmon and steelhead trout, flush saltwater and accumulated bottom sediments seaward, and influence the distribution of shellfish, including a rare and endangered species of shrimp, Syncaris pacifica. Existing dams and reservoirs have already significantly decreased the mean annual net freshwater inflow to Tomales Bay by approximately 25%. There is general recognition that the water quality and marine life of Tomales Bay have been adversely affected by these reduced inflows. The effect of further diversions on the Bay is not known; however, the cumulative effect is generally regarded as significant.~~  ~~Coastal Act policies 30230 and 30231 provide for the protection of marine resources and water quality. In addition, Section 30402 provides that all state agencies shall carry out their duties and responsibilities in conformance with the policies of the Act. Although most freshwater diversions occur outside the coastal zone and are thus beyond the jurisdiction of the LCP, the important effects of such diversion projects on the coastal zone should be considered by all agencies involved so that conformance to the Coastal Act policies cited above is ensured. The County urges all agencies involved with diversions outside the coastal zone which affect freshwater inflows to Tomales Bay to properly notify the County of any plans for such diversions so that opportunity for local comment is assured.~~  ~~The LCP recommends~~ Require that the impacts from diversion projects, especially on the two major tributaries to Tomales Bay, Walker and Lagunitas Creeks, be fully studied through the ~~EIR~~ CEQA process before they are permitted to proceed and ~~that~~ in all cases~~,~~ require mitigation and enhancement measures be required to ensure that coastal resources influenced by freshwater inflows are not significantly damaged.  **Policy Status**  This policy has been carried forward to LCPA Policies C-BIO-24, C-BIO-“TBD”, C-BIO-25 and C-BIO-26. LCPA Policies C-BIO-24 and C-BIO-“TBD” also draw language from Unit I Stream Protection Policies 1 - 3 (p. 19). |  |
| C-BIO-27 Federal Projects. Federal projects which require the modification or alteration of natural resources shall be evaluated by the Coastal Commission through the consistency review process.  (PC app. 12/1/11, 6/28/10)  [Adapted from Unit II Federal Parklands Policy 3, p. 61] |  |  |
| C-BIO-28 California Parks and Recreation. Support and encourage the environmental conservation, land and easement acquisition, and habitat restoration efforts of the California Department of Parks and Recreation.  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II] | ***[New policy, not in Unit I or II]*** | *[New policy, not in Unit I or II]* |
| C-BIO-29 Marin **County** Parks. Support and encourage the environmental conservation, land and easement acquisition, and habitat restoration efforts of the Marin County Parks Department. In particular, conservation activities related to beach areas, lagoons, wetlands, streams, existing and potential boat launching sites, recreational areas, and Tomales Bay and its shoreline are considered a high priority in the Coastal Zone.  [BOS app. 10/2/2012]  (PC app. 12/1/11, 6/28/10)  [New policy, not in Unit I or II] | ***[New policy, not in Unit I or II]*** | *[New policy, not in Unit I or II]* |