

August 4, 2005

Mr. Tim Haddad  
Planning Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad:

Lawson's Landing Master Plan Draft Environmental Impact Report  
Dillon Beach, Marin County

Department of Fish and Game (DFG) personnel have reviewed the Lawson's Landing Master Plan Draft Environmental Impact Report (DEIR) dated July 15, 2005 and the subsequent mitigation measures developed for identified significant impacts related to this project. This project will result in changes to fish and wildlife resources as described in Title 14, California Code of Regulations (14 CCR), Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, a de minimis determination is not appropriate and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Marin County Clerk on or before filing of the Notice of Determination for this project.

The Lawson's Landing DEIR identified significant impacts to "environmentally sensitive habitat areas," specifically, coastal dunes, coastal salt marsh, central dune scrub, riparian habitat, meadows, seeps and wetlands, and has provided mitigation measures (4.13-1) to reduce potential project related impacts to these habitats. Mitigation Measure 4.13-1 recommends relocating the proposed wastewater treatment system to an alternate site "where potential impacts to sensitive habitat and special-status species would be avoided or reduced" as identified in Exhibit 6-1. However, impacts to areas identified as "least constrained" in Exhibit 6-1 are not mitigated. These "least constrained" areas are directly adjacent to sensitive habitat which supports special status species including California red-legged frog (*Rana aurora draytonii*) and San Francisco spineflower (*Chorizanthe cuspidate*) and are likely suitable habitat for both species. DFG recommends that conservation areas with habitat that supports these special status species impacted by proposed activities be identified on the project site and preserved as plant and wildlife habitat in perpetuity.

---

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753

Mr. Tim Haddad  
August 3, 2005  
Page 2

For any activity as outlined in the Lawson's Landing Master Plan DEIR (particularly those impacts identified in Impact 4.13-2) that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an SAA is subject to the California Environmental Quality Act (CEQA). DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the SAA notification process, please access our website at [www.dfg.ca.gov/1600](http://www.dfg.ca.gov/1600); or to request a notification package, contact the Streambed Alteration Program at (707) 944-5520.

We appreciate your consideration of our comments. DFG personnel are available for consultation regarding resources and strategies to minimize impacts. If you have questions regarding our comments, please contact Mr. Jeremy Sarrow, Environmental Scientist, at (707) 944-5573; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,  
***Original signed by  
Eric Larson for***

Robert W. Floerke  
Regional Manager  
Central Coast Region