

COMMUNITY MARIN

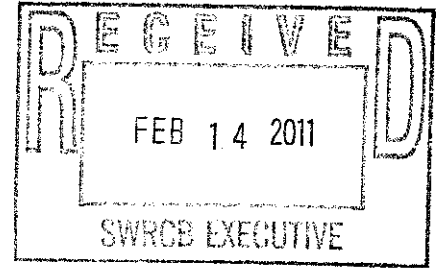
45 Wildomar Street, Mill Valley, CA 94941

Sierra Club Marin Group * Marin Conservation League * Marin Audubon Society * Marin Baylands Advocates
Salmon Protection and Watershed Network * Environmental Action Committee of West Marin * Tomales Bay Association

Jeannie Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

February 10, 2011

RE: Comment Letter-CEQA-Wetland Area Protection Policy & Regulation



Dear Ms. Townsend:

Community Marin is a collaborative effort of seven environmental organizations that addresses planning and regulatory issues. We have long recognized the inadequacies of the Corps of Engineers definition for California wetlands. The risk of losing wetlands has increased significantly as a result of the Rapanos decision. We support adoption of the proposed new state wetlands definition and regulations, and recommend their speedy adoption. Please address the following in the DEIR:

- A no net loss policy should be adopted.
- The procedures that would be followed for projects that would not fall under the Corps jurisdiction and that would be regulated by Regional Boards.
- Mitigation wetlands should be required to include transition zones that contain a mixture of wetland and non-wetland plants. Buffer areas should be at least 100 feet wide and preferably 300 feet as recommended in the Wetland Habitat Goals Report.
- Avoidance should be the preferred mitigation. If avoidance is not possible, replacement wetlands should be of the same habitat type, accomplished on-site or as close by as possible and replace at least three acres (or portion thereof) for each acre (or [portion thereof] that is lost.
- Protective measures including fencing and limiting public access should be required as needed.
- The Biological Resources section of the Initial Study states that the project would establish procedures to ensure that impacts would be avoided, minimized or otherwise mitigated. These should be spelled out in the EIR.

Thank you for addressing our concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marjorie Macris".

Marjorie Macris, Chair
Community Marin