



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

**L-2**

Hearing Date: November 15, 2016  
To: Board of Supervisors  
From: Kevin R. Hamblin, Interim Director, Planning and Building Department *EH*  
Subject: Appeal of Planning Commission Approval of the Dollar General Coastal Development and Special Permit  
Case Number CDP-14-033AA, SP-14-049AA  
Assessor Parcel Number 305-101-054  
Humboldt Hill area

### RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing and receive the staff report and public comment.
2. Based on the findings in the staff report and testimony received about the project, deny the appeal, uphold the Planning Commission's approval of the project, making the findings in Resolution 16-129 (Attachment A) for the Dollar General Coastal Development and Special Permit application subject to the modified conditions of approval in Exhibit A to Attachment A.
3. Direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the agent and any other interested party.
4. Close the public hearing.

Prepared by \_\_\_\_\_  
Karen Meynell, Planner

CAO Approval *Cheryl D. Mingham*

#### REVIEW:

Auditor \_\_\_\_\_ County Counsel *ME* Human Resources \_\_\_\_\_ Other \_\_\_\_\_

#### TYPE OF ITEM:

\_\_\_\_ Consent  
\_\_\_\_ Departmental  
☒ Public Hearing  
\_\_\_\_ Other \_\_\_\_\_

#### PREVIOUS ACTION/REFERRAL:

Board Order No. L-2; L-3

Meeting of: 9/6/2016; 10/11/2016

#### BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor  
Seconded by Supervisor

Ayes  
Nays  
Abstain  
Absent

**SEE ACTION SUMMARY**

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

**Kathy Hayes, Clerk of the Board**

**SOURCE OF FUNDING:** Fees submitted by the appellant are deposited into Planning and Building Department Current Planning Revenue Account 1100-277-608000. Any costs incurred by this appeal that exceed the applicant's appeal fee will be covered by the Current Planning Division's FY 2015-16 General Fund Allocation.

**DISCUSSION:**

This staff report is supplemental to the staff report for the Dollar General Appeal originally scheduled for September 6, 2016 and continued to October 11, 2016. At that meeting, because Dollar General's representative was not able to attend due to illness the Board agreed to open and continue the public hearing on this matter to November 15, 2016.

The Supplemental Report includes an expanded discussion of conformance with the Wetland Buffer provisions in Section 3.30B.6.f of the Humboldt Bay Area Plan (HBAP) along with revised Condition of Approval #23 which incorporates these required mitigations into the project approval. These documents along with an updated Resolution are included as attachments to this report.

Refer to the Board Reports from September 6 and October 11 for a full discussion of the appeal.

**FINANCIAL IMPACT:** There may be an effect on the General Fund. The appellant has paid in full the appeal fee associated with this appeal. Any costs incurred by this appeal that exceed the applicant's appeal fee will be covered by the Current Planning Division's FY 2016-17 General Fund Allocation.

**OTHER AGENCY INVOLVEMENT:** The project was referred to the applicable referral agencies for comments and recommendations. The Draft Mitigated Negative Declaration was circulated to State agencies pursuant to the California Environmental Quality Act.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:** The Board of Supervisors can uphold the appeal and deny the project. This alternative should be implemented if the Board is unable to make all of the required findings. Planning Division staff has found that the required findings can be made. Consequently, staff does not recommend further consideration of this alternative.

**ATTACHMENTS:**

The referenced materials have been previously provided to the Clerk of the Board and are available for public review.

Attachment A	Updated Resolution Exhibit A - Revised Conditions of Approval
Attachment B	Expanded discussion of Wetland Buffer provisions

**ATTACHMENT A**  
**Updated Resolution**



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of November 15, 2016

RESOLUTION NO. 16-129

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT  
DENYING THE APPEAL AND APPROVING THE DOLLAR GENERAL PROJECT FILE  
#305-101-054; CASE # CDP-14-033AA AND SP-14-049AA**

**WHEREAS**, Dan Dover of Cross Development submitted an application and evidence on behalf of Dollar General in support of approving a Coastal Development Permit and Special Permit for a commercial retail store; and

**WHEREAS**, the Planning and Building Department – Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the Planning Division, the lead agency, has prepared a Mitigated Negative Declaration for the subject proposal in accordance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, the Planning Commission staff report includes evidence in support of making all of the required findings for approving CDP-14-033 and SP-14-049; and

**WHEREAS**, the Planning Commission held a public hearing on July 7, 2016 during which they considered the Mitigated Negative Declaration and received staff reports, accepted public comment, and deliberated on the proposed project;

**WHEREAS**, the Planning Commission, in conformance with Sections 15090 and 15091 of the State CEQA Guidelines, (a) reviewed and found that the Mitigated Negative Declaration in Attachment C has been completed in compliance with CEQA and reflects the Lead Agency's independent judgment and analysis; (b) it has reviewed and considered the information contained in the Mitigated Negative Declaration for the project; and (c) the proposed project, as conditioned and mitigated, will not have a significant effect on the environment;

**WHEREAS**, The Planning Commission made the findings in the Planning Division staff report for Case Nos.: CDP-14-033 and SP-14-049 based on the submitted evidence;

**WHEREAS**, The Planning Commission conditionally approved the Coastal Development Permit and Special Permit as recommended in the Planning Division staff report for Case Nos.: CDP-14-033 and SP-14-049; File No. APN: 305-101-054;

**WHEREAS**, On July 20, 2016, the Planning Commission approval was appealed by Dan and Kelly Noga;

**WHEREAS**, the Board of Supervisors originally scheduled the matter for hearing on September 6, 2016, continued the hearing to October 11, 2016, and opened and continued the public hearing to November 15, 2016 at which time the Board held a public hearing on the project and considered the issues of appeal and staff recommendations.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of November 15, 2016

RESOLUTION NO. 16-129

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Board of Supervisors that:

1. The Board of Supervisors denies the appeal in full, adopts the Mitigated Negative Declaration (Attachment C to the December 6, 2016 Board Staff Report) and adopts this resolution and the findings and approves the Dollar General Application (Case Nos.: CDP-14-033 and SP-14-049; File No. APN: 305-101-054) with the incorporation of the expanded discussion of the Wetland Buffer provisions as set forth in Attachment B, subject to the conditions of approval, including the addition of Condition of Approval #23 in Exhibit A hereto.

Dated: November 15, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bass
NAYS:	Supervisors	Bohn
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA   )  
County of Humboldt    )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By BROOKE EBERHARDT  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

**EXHIBIT A**

**Conditions of Approval**



## CONDITIONS OF APPROVAL

Approval of the Coastal Development and Special Permit is conditioned upon the following terms and requirements which must be fulfilled before a building permit may be issued or use initiated.

1. The applicant shall apply for and obtain an encroachment permit for the commercial driveway. The permit will require the driveway entrance to be surfaced with asphalt concrete or Portland cement concrete. The driveway shall intersect the County road at a 90 degree angle. The driveway grade shall not exceed 2% in the first 20 feet.
2. Applicant will be required to construct a commercial ADA driveway apron; remove the unused driveway drop curb (constructed at the time of the subdivision) and replace with CalTrans Type A2-6 curb and gutter, and construct a 5 foot wide Portland cement concrete sidewalk along the frontage of the lot.
3. The encroachment permit will also include connecting the parking lot drainage into the existing storm drain system within South Broadway. An oil-water filtration system is required prior to discharge into the County storm drain. Per the Development plan the applicant shall prepare shop drawings of the oil-water filtration system and storm water diversion structure for approval. (See also COA #14).
4. The applicant shall comply with the Subdivision's conditions of approval and requirements of the Development Plan for PMS-03-19, on file with the Planning and Building Department, which includes, but is not limited to, construction of a storm water detention system. This system is to be reviewed and inspected by the Department of Public Works (DPW). A fee will be charged by DPW for this review. A copy of the detention construction plan and maintenance plan must be attached and made part of the issuance of any development permit for the lot. (See also COA #14).
5. A total of twenty-four (24) non-tandem, independently accessible parking spaces, including one (1) handicap accessible space, shall be constructed on-site prior to occupancy or before a "final" is issued for the Building Permit. The location of all on-site parking spaces shall appear on the final Building Division Plot Plan. Up to six (6) of the parking spaces may be designated as compact. Compact parking spaces shall be visibly marked with signs and shall be clustered in one section of the parking area. **This requirement shall be clearly identified on the plot plan for building permit.** All parking spaces and access shall be improved with a surface of asphalt or Portland cement and shall be maintained for the life of the project.
6. The project by Code must include a loading space of not less than ten (10) feet wide, sixty (60) feet long and shall contain at least fourteen (14) feet of clearance, or an exception shall be secured in accordance with Section 313-109.1.5.2. Deliveries shall take place during business hours.
7. Site visibility must be maintained at the driveway entrance and at the corners of the lot in conformance with County Code.
8. Applicant shall be responsible to correct any involved drainage problems at the intersection of driveway and the County maintained roadway to the satisfaction of the Department of Public Works, Land Use Division. (See also COA #14).
9. Applicant shall pave, sign and stripe the parking lot.



10. Water and sewer service are available upon payment of applicable fees to Humboldt Community Services District. Water and sewer services shall not be located in a driveway area.
11. Hours of construction activity shall be limited to Monday through Friday from 8:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm with no construction activity on Sunday.
12. During construction of the building the applicant shall:
  - a. use dust control techniques when excavating to minimize dust problems on adjacent parcels;
  - b. re-vegetate all disturbed areas prior to winter rain; and
  - c. take all precautions necessary to avoid the encroachment of dirt or debris on adjacent properties.

The plot plan submitted for the Building Permit shall indicate that all ground bared during construction shall be landscaped and/or seeded and mulched prior to October 1st.

13. The applicant shall submit a landscaping plan subject to the review and approval of the Planning Director. All landscaping shall be installed and have its maintenance system in working order prior to occupancy issuance.
14. The applicant shall submit a Drainage Plan for approval by the Department of Public Works that incorporates Low Impact Development techniques into the project design in a manner complementary to the requirements of COA #3 (oil-water filtration) and COA #4 (storm water detention). The Drainage Plan shall comply with the standards of a Regulated Project under the State Water Board's Phase II Small Municipal Separate Storm Sewer System (MS4) Program. Areas identified as treatment areas shall be maintained for the life of the project. The purpose of these combined measures is to maximize the retention of storm water on site such that pollutant-laden runoff from the proposed new parking lot and other impermeable surfaces does not degrade surrounding coastal wetlands and waters.
15. The applicant shall implement all Mitigation Measures set forth in the Mitigated Negative Declaration.
16. The applicant shall submit a soils report with erosion and sediment control measures for review by the Building Inspection Division. Engineered construction plans will be required.
17. The applicant shall submit a Lighting Plan for the project for approval by the Planning and Building Department. The plan shall address the amount of light to be used, minimize glare and off-site impacts of light trespass, and provide for energy conservation by reducing the amount of light during non-business hours while maintaining adequate illumination for security.
18. Signs shall conform to Section 313-87 of the zoning regulations and the County's sight visibility ordinance. A signage plan shall be submitted with the application for Building Permit.
19. **Within five (5) days of the effective date of the approval of this permit**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,260.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DFW) fee plus a \$50 document handling fee. This fee is effective through December 31, 2016 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may



contact DFW by phone at (916) 651-0603 or through the DFW website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov) for a determination stating the project will have no effect on fish and wildlife. If DFW concurs, a form will be provided exempting the project from the \$2,210.25 fee payment requirement. In this instance, only a copy of the DFW form and the \$50.00 handling fee is required.

20. This project is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover the processing of the project shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
21. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
22. The applicant shall submit to the Planning Director annual follow-up reports prepared by a qualified biologist that verifies whether or not: a) the mitigations recommended in the Wetland Protection Plan dated June 5, 2016, prepared by Virginia Dains, Consulting Biologist were adhered to, and b) to assess the success of the restoration plantings and maintenance activities (invasive plant and litter removal and fence maintenance). Surveys shall be conducted for two (2) consecutive years after construction. The report shall prescribe any additional measures required to insure full compliance with the Wetland Protection Plan. A written contract for services and cost estimate for this monitoring work shall be provided to the Department prior to initiation of work. A performance bond may be required by the Planning Director.
23. The following mitigation measures shall apply in addition to those specified in the environmental document.
  1. Not more than 25% of the lot surface shall be effectively impervious.
  2. The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.
  3. Storm water outfalls, culverts, gutters and the like shall be dissipated.
  4. Septic systems or alternative waste disposal systems must meet standards of the Humboldt -Del Norte Health Department and the Regional Water Quality Control Board.
  5. Areas disturbed during construction, grading, etc., within 100 feet of the mean high water line, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area. Not applicable.
  6. Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of runoff away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).

**On-going Requirements/Development Restrictions which Must be Satisfied for the Life of the Project:**

1. The project shall be developed and conducted in accordance with the Project Description, Plan of Operations, Project Site Plan (May 2016) and Wetland Protection Plan (Dains, June 5, 2016). Changes other than Minor Deviations to the Plot Plan as provided by Section 312-11.1 shall require a modification of this permit.



2. A six (6) foot high solid wood fence shall be installed at the time of development between the residential and commercial use and be maintained for the life of the development.
3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries. Illuminated signs shall be turned off within one (1) hour of close of business.
4. New utilities shall be installed underground, when feasible.
5. Landscaping shall be maintained for the life of the development in conformance with the approved landscaping plan.

#### **Informational Notes**

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant is responsible for ensuring compliance with this condition.

2. Gates are not permitted on County right of way for public roads without authorization of the Board of Supervisors. Gates must not create a traffic hazard and must provide an appropriate turnaround in front of the gate (set back approximately 25 feet from the road). Existing gates shall be evaluated for conformance.
3. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
4. The Coastal Development Permit and Special Permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
5. New Development Requires a Permit. Any new development as defined by Section 313-139.6 of the Humboldt County Code (H.C.C.) shall require a Coastal Development Permit and Special Permit or permit modification, except for Minor Deviations from the Plot Plan as provided under Section 312-11.1 of the Zoning Regulations.

## **ATTACHMENT B**

### **Expanded Discussion of Wetland Buffer Provisions**



<p>Biological Resource §3400 - §3604 (FP) §3.30 (HBAP)</p>	<p>Protect designated sensitive and critical resource habitats.</p>	<p>A site visit by Department of Fish and Wildlife identified a small isolated wetland near the middle of the parcel. The applicant engaged the services of a biologist who submitted a Preliminary Wetland Delineation (Dains, May 6, 2015) followed by a Wetland Protection Plan (Dains, September 15, 2015). The Wetland Delineation identified the wetland as a 150 square foot seasonal isolated wetland occurring on disturbed ground. Section 3.30.B.6.e of the HBAP allows for the relaxation of the 100 foot wetland buffer setback provided the reduction is necessary to allow development of the parcel with the principally permitted use and the maximum feasible setback is maintained sufficient to protect the wetland's habitat values. The Wetland Protection Plan details measures to implement to ensure the protection and rehabilitation of the wetland area. The 150 square foot wetland will be buffered by an area 13 times its size. The minimum setback to parking areas is approximately 16 feet. The wetland and buffer area will be separated from foot and vehicular traffic by a permanent post and cable fence. A concrete curb will encircle the wetland buffer to prevent parking area runoff from entering the wetland. During construction the wetland and buffer will be protected with high visibility fencing and remain undisturbed. After construction the wetland and buffer will be planted with native, locally sourced species and monitored and maintained to ensure the plantings survive.</p> <p><u>The HBAP requires that when development occurs within the wetland buffer, the project shall be subject to the mitigation measures set forth in section 3.30B.6.f(1) through (6) inclusive, as applicable. These measures will be part of the final development plan for the project (see Page 9 of this staff report, Condition of Approval #23 for full text of this provision). The measures will be satisfied as follows: (1) no more than 25% impervious surfaces – the applicant will meet this standard through limiting hardscape and through use of pervious paving and/or other suitable surfacing materials; (2) release of storm water runoff – runoff will be redirected away from the wetland feature through drainage plan and through incorporation of Low Impact Development features (Condition of Approval #3, 14, 15); (3) dissipation of outfalls, culverts and gutters – drainage plan and to comply with MS4 and on-site detention (Conditions of Approval #3, 4, 8, 14); (4) sewage disposal to meet Basin Plan requirements – the development will be served by Humboldt Community Services District; (5) disturbance within 100 feet of mean high water line – not applicable; and (6) minimize cut and fill, address sediment and revegetate all disturbed areas – the project will use best management practices to control erosion and sediment from construction activities and includes landscaping plan (Condition of Approval -#12, 13, 16).</u></p> <p>The project is conditioned with standard erosion and sediment controls, an oil-water separator, and LID techniques for natural storm water detention. Therefore, minimal impacts to biological resources and/or sensitive or critical habitats resources are expected.</p>
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313-87.3 Signs and Nameplates	In commercial zones signs shall not exceed 300 square feet in the aggregate and shall not be divided into more than six single-faced or double-faced signs.	The project proposes two signs. The first is a double-sided pole mounted sign of approximately 70.7 square feet per side (141.4 square feet total). The height of the pole mounted sign is 21 feet. This sign is proposed to be illuminated. The second sign will be mounted on the building and be approximately 150 square feet and illuminated. Together the signs total 291.5 square feet.
313-38.1 W: Coastal Wetland Areas	The purpose of these provisions is to establish regulations to provide that any development in coastal wetlands will not degrade the wetland, but will maintain optimum populations of marine or freshwater organisms and, where feasible, will enhance wetland resources.	The project proposes the protection, revegetation and restoration of the wetland by implementing the mitigation measures in the environmental document and Section 3.30B6 Wetland Buffers of Humboldt Bay Area Plan and adhering to the Wetland Protection Plan developed for the project.  These measures, when implemented, will enhance the wetland resources.

#### **313-125 WETLAND BUFFER AREAS**

313-125.8 Required Findings	Development within Coastal Wetland Buffer Areas shall be permitted only if the applicable Resource Protection Impact Findings in Chapter 2, Procedures, Supplemental Findings (312-39.15), are made.	As described and depicted on the plot plan, a degraded seasonal wetland (approximate 150 square feet) lies in the southwest portion of the property. By definition, a buffer from this wetland feature extends to South Broadway and the adjoining property lines. Per Section 313-125.7.3 development within the wetland buffer may be sited closer than 100 feet (or the average setback of existing development using the string line method) from the wetland feature. This accommodation may be used if it can be shown that 1) the lesser setback will not result in a significant adverse effect to the wetland habitat and will be compatible with the continuance of such habitat; and 2) additional mitigation measures may be required to ensure that new development does not adversely affect habitat values. The two findings are addressed in the Dains reports (refer to discussion in Section 1 HBAP consistency (above)) and in the Supplemental Findings for Coastal Wetland Buffers 312-39.15 below.
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#### **312-39 SUPPLEMENTAL COASTAL RESOURCE PROTECTION IMPACT FINDINGS**

##### **312-39.14 Coastal Wetlands**

There is no less environmentally damaging feasible alternative	The project proposes to develop a parcel that was subdivided for the purposes of future commercial
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	<p>development. The parcel, including the wetland area, has been previously disturbed by the dumping of fill, asphalt scrap, off road vehicle traffic and parking. The proposed project will result in the enhancement and restoration of the degraded wetland and therefore be less environmentally damaging than the "no project" alternative.</p>
<p>The best mitigation measures feasible have been provided to minimize adverse environmental effects</p>	<p>Project mitigation proposed should enhance and restore the wetland to a higher functioning wetland feature. The objective will be to maintain a seasonal wetland with native herb and shrub canopy layers. The wetland will function for groundwater percolation and will retain escape cover with seasonally moist soils. It will provide foraging opportunities for seed and fruit eating birds and nesting opportunities for songbirds.</p>
<p>The required mitigation will maintain or enhance the functional capacity of the wetland or estuary</p>	<p>No development within the wetland is proposed. The mitigation measures imposed on the project will effectively enhance the functionality of the wetland.</p>
<p><b>312-39.15 Coastal Wetland Buffers</b></p>	
<p>Development will be sited and designed to prevent impacts which would significantly degrade wetland habitat areas, and shall be compatible with the continuance of such habitat areas</p>	<p>The project includes a number of mitigation measures designed to prevent impacts to the wetland. These include clearly delineating the limits of the wetland to prevent construction activities or other intrusion in the area. During construction the wetland area will be protected with high visibility fencing and remain undisturbed. After construction, the wetland area will be separated from foot and vehicular traffic by a permanent post and cable fence and planted with native, locally sourced species and monitored and maintained to ensure the plantings survive. These measures will prevent impacts to the area and enhance the habitat value of the wetland.</p>
<p>The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms shall be maintained, and where feasible, restored.</p>	<p>No development within the wetland is proposed. Project mitigation proposed should enhance and protect the wetland onsite.</p>