

**Notice of Exemption**

21-2023-187

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From (Public Agency):**  
Marinwood Community Services District  
775 Miller Creek Road  
San Rafael, CA 94903-1323

County Clerk County of: Marin  
Marin Civic Center  
3501 Civic Center Dr., Suite 234,  
San Rafael, CA 94903

**FILED**

**AUG 02 2023**

SHELLY SCOTT  
MARIN COUNTY CLERK  
BY: [Signature], Deputy

**Project Title:** Miller Creek Bank Failure Repair

**Project Applicant:** Marinwood Community Services District

**Project Location – Specific:** 775 Miller Creek Rd, San Rafael, CA 94903 (APN 164-260-35)

**Project Location – City:**

Adjacent to the City of San Rafael

**Project Location – County:**

Marin County

**Description of Nature, Purpose and Beneficiaries of Project:**

Failure of creek embankment located immediately adjacent to and compromising public pool mechanical room and fencing caused by the severe high water level and flow rate of the stream during January 2023 storm events. Repair work to include an approximately 70-90 lineal foot retaining wall with exposed height not to exceed 4 ft. A vegetated rock rip-rap slope will be required along all or part of the base of the wall to conform with the existing creek bank slopes at the upstream and downstream limits and protect the base of the wall from long-term channel bed scour and degradation. Vegetated earth slope treatments may be required in places above or adjacent to the rock slope protection to conform to the existing upper bank slopes at upstream and downstream limits.

**Name of Public Agency Approving Project:** Marinwood Community Services District

**Name of Person or Agency Carrying Out Project:** Marinwood Community Services District

**Exempt Status (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Common Sense Exemption (Sec. 15061(b)(3));
- Categorical Exemption. State type and section number: 15302 - Replacement.
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

Upon reviewing the project, its setting and circumstances, the Marinwood Community Services District has determined that the project is statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to Section 15269(c) of the State CEQA Guidelines because the project would repair and prevent future erosion of approximately 100 feet of the bank and channel of Miller Creek that failed due to heavy rains and increased creek flows during storm event(s) in January 2023. It is necessary that the repair work be completed prior to the 2023/24 rainy season to prevent additional significant property damage, including pool mechanical building, fencing, landscaping, irrigation systems, trees and plants to avoid additional discharges of slide materials into Miller Creek and avoid further bank erosion damages to property and facilities.

**POSTED** 08/02/23 **TO** 09/01/23

**Lead Agency Contact Person:**  
Eric Dreikosen, District Manager

**Area Code/Telephone/Extension:**  
415.479.7751

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  
Yes  No

Signature: 

Date: 08/02/2023

Title: District Manager

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:  
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