Notice of Exemption

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

From (Public Agency):
   Stinson Beach Fire Protection Authority
   310 Shoreline Highway
   Stinson Beach, CA 94970

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

Project Title: West Marin Zone – Stinson Beach Fuel Break Project

Project Applicant: Stinson Beach Fire Protection District

Project Location – Specific: The proposed fuel break would be located within the Golden Gate National Recreation Area (GGNRA) adjacent to the northern edge of the community of Stinson Beach.

Project Location – City: Stinson Beach

Project Location – County: Marin County

Description of Nature, Purpose and Beneficiaries of Project:
The Stinson Beach Fuel Break Enhancement Project would create a defensible space zone along a portion of the northern border of the Stinson Beach residential area. This high fire danger zone falls within Department of the Interior National Park Service (NPS) land. This project would increase the likelihood that fire district personnel could prevent wildfire from entering the community during a north wind event.

Name of Public Agency Approving Project: Stinson Beach Fire Protection District

Name of Person or Agency Carrying Out Project: Stinson Beach Fire Protection 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:
☑ Statutory Exemptions. State code number: Senate Bill 901. Public Resources Code Section 4799.05(d)(1)

Reasons why project is exempt:
The proposed project is statutorily exempt from the California Environmental Quality Act (CEQA) in accordance with the provisions of Senate Bill (SB) 901. Public Resources Code Section 4799.05 states:

POSTED 11/22/22 TO 12/22/22
“(d) (1) Division 13 (commencing with Section 21000 [CEQA]) does not apply to prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969 (42 U.S.C. Sec. 4321) if either of the following is satisfied:

(A) The primary role of a state or local agency is providing funding or staffing for those projects.

(B) A state or local agency is undertaking those projects pursuant to the federal Good Neighbor Authority (Public Law 113-79) or a stewardship agreement with the federal government entered into pursuant to Public Law 113-79.

(2) Division 13 (commencing with Section 21000) does not apply to the issuance of a permit or other project approval by a state or local agency for projects described in paragraph (1).

(3) This section does not alter, affect, or in any way diminish the authority of a state or local agency to impose mitigation measures or conditions on projects described in paragraph (1) pursuant to other laws or regulations.

(4) Commencing December 31, 2019, and annually thereafter, the department shall report to the relevant policy committees of the Legislature the number of times the process in this subdivision was used.

(5) (A) This subdivision shall remain operative only if the Secretary of the Natural Resources Agency certifies on or before January 1 of each year that the National Environmental Policy Act of 1969 or other federal laws that affect the management of federal forest lands in California have not been substantially amended on or after August 31, 2018.

(B) Any CEQA exemption established under this subdivision shall continue in effect for those projects conducted under a National Environmental Policy Act record of decision, finding of no significant impact, or notice of exemption or exclusion that was issued prior to the date by which the Secretary determines that the National Environmental Policy Act or federal forest management laws were substantially amended.

(6) This subdivision shall become inoperative on January 1, 2023.”

In accordance with Sections 2.2 and 3.6 of the 2015 NPS National Environmental Policy Act (NEPA) Handbook, the proposed project satisfied the requirements for a Memorandum to File. The proposed project was reviewed by the appropriate GGNRA Interdisciplinary Team (IDT). The IDT determined that the proposed project would involve manual and mechanical treatments to reduce fuel loading near developed areas and falls within the annual 595 acres allowed to be treated. The IDT has therefore determined there are no substantive differences
between the current proposal and the selected action (Alternative C – Hazard Reduction and Resource Enhancement through Multiple Treatments) as described in the GGNRA Fire Management Plan (FMP) Final Environmental Impact Statement (FEIS) and Record of Decision (ROD). The scope of the proposed project was found to be consistent with a fuel reduction and thinning project on federal land for which NEPA was already conducted. A Memorandum to File was filed with NPS in July 2022.

The approved Memorandum to File by NPS confirms that the proposed project is within the scope of the certified FMP EIS and ROD. The fuel reduction project would involve vegetation trimming and removal within the GGNRA land along the northern boundary of Stinson Beach, which is designated as a high fire hazard severity zone (FHSZ). This treatment would form a defensible space zone between the open space on NPS land and the Stinson Beach residences. The defensible space zone would reduce the risk of high-severity wildfire on federal lands in accordance with the intent of SB 901.

**Lead Agency Contact Person:**
Jesse Peri, Fire Chief

**Area Code/Telephone/Extension:**
(415) 868-0622

**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:** [Signature]  **Date:** 11/9/22  **Title:** Fire Chief

☐ Signed by Lead Agency  ☐ Signed by Applicant

**Authority cited:** Sections 21083 and 21110, Public Resources Code. **Date Received for filing at OPR:**
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.
Figure 1  Vegetation Treatment Area