Notice of Exemption

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

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

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


Date Received for filing at OPR: ___________________________