**FILED**

10/19/2020

SHELLY SCOTT
MARIN COUNTY CLERK
By J. Gilardi, Deputy
21-2020-187

NOTICE OF DETERMINATION
Marin County Environmental Review

TO: Office of Planning and Research
 County Clerk, County of Marin

FROM: Marin County Community Development Agency (*responsible agency*)

SUBJECT: Filing the Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: Marin Coastal Permit Coordination Program Mitigated Negative Declaration, subsequent Coastal Permit

State Clearinghouse #: 2018032048

Contact Person: Megan Alton

Telephone Number: 415-473-6235

Email Address: malton@marincounty.org

Assessor's Parcels: 119-020-31

Project ID: P2809

Lead Agency: Marin Resource Conservation District

Project Location: Seven watersheds within Marin County, specifically 12800 State Route 1, Point Reyes Station


Project Description: Coastal Permit approval to convert a manure flush system to an automated pulley scrape system with a separator and in-vessel composter system on a dairy farm in Point Reyes Station. Improvements include a heavy use concrete slab with dimensions of approximately 16-feet by 120-feet, a 36-inch diameter waste transfer culvert, and an 8-inch diameter flume charge line, connecting to a 14-foot diameter concrete separation pit, with a 10-horsepower pump. From the separation pit a 6-inch diameter aboveground waste transfer line would connect to the in-vessel composter on a 32-foot by 12-foot concrete slab. All proposed improvements are over 600 feet away from the nearest property line

The Deputy Zoning Administrator approved the project on September 17, 2020 and has reviewed and considered the Mitigated Negative Declaration as prepared by the lead agency pursuant to State CEQA Guidelines section 15096(i). This is to advise that on September 17, 2020 Marin County, acting as a Responsible Agency under CEQA, has reviewed and considered the Mitigated Negative Declaration prepared by the Lead Agency for this project, Marin Resource

Conservation District, and has adopted the Lead Agency's following determinations regarding the project as described above:

1. The project will not have significant effects on the environment.
2. A Mitigated Negative Declaration was prepared by the lead agency pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

The Mitigated Negative Declaration for the project with record of project of project approval is on file at: Marin Resource Conservation District office located at 80 Fourth St., Suite 202, Point Reyes Station, CA 94956; and at County (Responsible Agency) office located at: 3501 Civic Center Drive, Suite 308 San Rafael, CA 94903.

By: 
Rachel Reid, Planning Manager

Date: September 1, 2020

The filing of this Notice of Determination starts a 30 day statute of limitations on court challenges to the approval under CEQA.



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER: — —
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
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COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
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PROJECT TITLE

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER ()
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PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$ _____

Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input type="checkbox"/> County documentary handling fee		\$ _____
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$ _____

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE
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NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

Notice of Determination

21-2018-137

Appendix D

To:

[X] Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

[X] County Clerk
County of: Marin
Address: 3501 Civic Center Dr #234
San Rafael, CA 94903

From:

Public Agency: Marin RCD
Address: P.O. Box 1146
Point Reyes Station, CA 94956
Contact: Elise Suronen
Phone: (415) 663-1170 ext. 305

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2018032048

FILED

Project Title: Marin Permit Coordination Program

JUN 15 2018

Project Applicant: Marin Resource Conservation District (Marin RCD)

Project Location (include county): Seven watersheds within Marin County

RICHARD N. BENSON
MARIN COUNTY CLERK
BY: G. SANCHEZ Deputy

Project Description:

The Marin Permit Coordination Program (PCP) provides programmatic environmental review to assist landowners within the project area to efficiently implement environmentally beneficial land management projects. The PCP covers seven watersheds within Marin County and includes 44 conservation practices, drawn from established Conservation Practice Standards developed by USDA NRCS and designed to protect soil and water quality, increase carbon sequestration, promote agricultural sustainability, and improve wildlife habitat conditions. The PCP was first adopted in 2004; this updated version expands the geographical scope and number of practice covered by the PCP.

This is to advise that the Marin RCD Board of Directors has approved the above (X) Lead Agency or () Responsible Agency

described project on June 13, 2018 and has made the following determinations regarding the above described project. (date)

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

80 Fourth Street, Suite 202, Point Reyes Station, CA 94956

Signature (Public Agency): [Signature] Title: EXECUTIVE DIRECTOR

Date: 06-14-18 Date Received for filing at OPR:

POSTED 6/15/18 TO 7/15/18



State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

21 — 6/15/18 — 137

STATE CLEARINGHOUSE NUMBER (If applicable)

2018032048

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY MARIN RCD	LEAD AGENCY EMAIL	DATE 6/15/18
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COUNTY/STATE AGENCY OF FILING Marin	DOCUMENT NUMBER
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PROJECT TITLE
MARIN PERMIT COORDINATION PROGRAM

PROJECT APPLICANT NAME MARIN RCD	PROJECT APPLICANT EMAIL	PHONE NUMBER (415) 663-1170
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PROJECT APPLICANT ADDRESS P.O. BOX 1146	CITY POINT REYES STATION	STATE CA	ZIP CODE 94956
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PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|--|------------|----|-----------------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,168.00 | \$ | <u>0.00</u> |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,280.75 | \$ | <u>2,280.75</u> |
| <input type="checkbox"/> Certified Regulatory Program document (CRP) | \$1,077.00 | \$ | <u>0.00</u> |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | | |
|---|----------|----|-------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | <u>0.00</u> |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | <u>50.00</u> |
| <input type="checkbox"/> Other | | \$ | <u> </u> |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 2,330.75

SIGNATURE X C. Sanchez	AGENCY OF FILING PRINTED NAME AND TITLE MARIN COUNTY CLERK; C. SANCHEZ DEPUTY CO. CLERK
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Assessor-Recorder-Co. Clerk
County of Marin
RICHARD N. BENSON
Assessor-Recorder-Co. Clerk

1 FISH/GAME NEGATIVE DECLARATION	2280.75
1 FISH/GAME EXEMPTION	50.00

Total Charges	2330.75
CHECK 2059	2280.75
CHECK 2057	50.00

Total Tendered	2330.75
Change	.00

6/15/2018 2:55:56 PM	2018061500180
CS	ARC1TLHJH2

Thank you!
Online Anytime. www.marincounty.org



Requested By Public

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 20-130

A RESOLUTION APPROVING THE JOHN AND KAREN
TAYLOR 2016 TRUST COASTAL PERMIT
12800 STATE ROUTE 1, POINT REYES STATION
ASSESSOR'S PARCEL: 119-020-31

SECTION I: FINDINGS

1. **WHEREAS**, Marin Resource Conservation District (RCD), on behalf of the owners, John and Karen Taylor 2016 Trust, has submitted a Coastal Permit application to convert a manure flush system to an automated pulley scrape system with a separator and in-vessel composter system on a dairy farm in Point Reyes Station. Improvements include a heavy use concrete slab with dimensions of approximately 16-feet by 120-feet, a 36-inch diameter waste transfer culvert, and 8-inch diameter flume charge line, connecting to a 14-foot diameter concrete separation pit, with a 10-horsepower pump. From the separation pit a 6-inch diameter aboveground waste transfer line would connect to the in-vessel composter on a 32-foot by 12-foot concrete slab. All proposed improvements are over 600 feet away from the nearest property line. The property is located at 12800 State Route 1, Point Reyes Station and is further identified as Assessor's Parcel 119-020-31.

2. **WHEREAS**, on September 17, 2020, the Marin County Deputy Zoning Administrator held a duly noticed public hearing to take public testimony and consider the project.

3. **WHEREAS**, the applicant prepared a Mitigated Negative Declaration, which concluded that all impacts would be reduced to a less than significant level with the imposition of mitigation measures. Archaeological impacts associated with the project would be reduced to a less-than-significant-level with implementation of Mitigation Measures CUL-1, CUL-2, and CUL-4. Any Biological impacts associated with the project would be reduced to a less-than-significant-level with implementation of Best Management Practices or Mitigation Measure DC-1, DC-2, DC-3, BR-1, BR-3, WQ-1, CP-1, CP-2, CP-3, BIO-1b, BIO-1j, BIO-1i, BIO-2a, HYD-1 and HYD-2. The Marin RCD acting as the Lead Agency filed a Notice of Determination on June 15, 2020. As the Lead Agency, the Marin RCD is responsible for the implementation of all required mitigation measure.

4. **WHEREAS**, the project is consistent with the mandatory findings for Coastal Permit approval (Marin County Code Section 22.56.130I).

A. Water Supply.

The site is currently served by the North Marin Water District and would continue to be served by the North Marin Water District with the implementation of the project.

B. Septic System Standards.

The project as proposed does not include any development that would utilize the existing septic systems, nor is the area of work located near existing septic systems.

Environmental Health Services has reviewed the project plans and determined that this application is complete.

C. Grading and Excavation.

Grading associated with the project would be minimal. The 200 cubic yards of soil would be relocated on site in a stable location using erosion and sediment control measures. The project would not generate any off-haul materials.

D. Archaeological Resources.

Review of Archaeological Report prepared by Evans & De Shazo Archaeology and Historic Preservation for the project indicate that there is moderate to low archaeological resource potential. The area is highly disturbed; however, the Archaeologic Report recommended the mitigation measures outlined in the Marin Coastal Permit Coordination Program (PCP) Mitigated Negative Declaration (MND) be implemented.

E. Coastal Access.

The project does not impact coastal access as it is not located on a coastal bluff. This criterion is met.

F. Housing.

The project would have no impact upon the availability of affordable housing stock within the Point Reyes Station community because it does not involve the removal of existing housing. Therefore, the project is consistent with this finding.

G. Stream and Wetland Resource Protection.

There are no streams or wetlands in the near the area of work. There are manure ponds and agricultural ponds on the property; however, those are not likely favorable to animal species per the Biological Assessment prepared by Prunuske Chatham, Inc. Therefore, the project would not result in effects to stream and wetland resources.

H. Dune Protection.

The project site is located in the of community of Point Reyes Station. There are no naturally occurring dunes on or within the vicinity of the project site; therefore, the project is consistent with this finding.

I. Wildlife Habitat Protection

Per the Biological Assessment prepared by Prunuske Chatham, Inc., dated May 15, 2019 the following species have been reported in close proximity to the project site or have a moderate to high potential for occurrence: northern western pond turtle (*Actinemys marmorata*; SSC), pallid bat (*Antrozous pallidus*), townsend's big-eared bat (*Corynorhinus townsendii*), foothill yellow-legged frog (*Rana boyleii*), California red-legged frog (*Rana draytonii*), American badger (*Taxidea taxus*). The assessment concludes that the project would not impact the above mention species with implementation of the mitigation

measures identified in the Marin Coastal PCP MND. Therefore, the project is consistent with this finding.

J. Protection of Native Plant Communities.

Per the Biological Assessment prepared by Prunuske Chatham, Inc, special-status species have a limited or no potential to occur in the area of work. The project site is an active dairy farm. Therefore, no significant or adverse impacts to native plant communities would result from the project.

K. Shoreline Protection.

The proposed project does not involve shoreline protection work and will not restrict navigation, mariculture or other coastal use and will not create a hazard in the area in which it is built. Therefore, this criterion is met.

L. Geologic Hazards.

The project is located in a Seismic Shaking Amplification Hazard Area Zone 2, but is not located within the vicinity of any known fault lines. The Marin County Community Development Agency – Building and Safety Division would determine seismic compliance with the California Building Code.

M. Public Works Projects.

The project is proposed entirely on private property and does not constitute a public works project.

N. Land Division Standards.

The project does not include a land division or property line adjustment. Therefore, the project is consistent with this finding.

O. Visual Resources and Community Character.

The proposed project will be sited on an area of existing disturbance and will be located between existing buildings. The project components would be installed at or below grade and would not be visible from offsite locations, such as Highway 1. Therefore, the project is consistent with this finding.

P. Recreational/Commercial/Visitor Facilities.

The proposed project is not located within the C-VCR zoning district of Stinson Beach or Bolinas. Therefore, it will not affect recreational/commercial/visitor facilities in the Stinson Beach or Bolinas area.

Q. Historic Resource Preservation.

The subject property is not located within any designated historic preservation boundaries of the Point Reyes Station Community as identified in the Marin County Historic Study for

the Local Coastal Program, and the proposed project does not entail alterations to a structure that was constructed prior to 1931.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED that the project described in condition of approval 1 is authorized by the Marin County Deputy Zoning Administrator and is subject to the conditions of project approval.

This decision certifies the proposed project's conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

SECTION III: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the John and Karen Taylor 2016 Trust subject to the conditions as specified below:

CDA-Planning Division

1. This Coastal Permit approval authorizes the conversion of a manure flush system to an automated pulley scrape system with a separator and in-vessel composter system on a dairy farm in Point Reyes Station. Improvements shall include a heavy use concrete slab with dimensions of approximately 16-feet by 120-feet, a 36-inch diameter waste transfer culvert, and 8-inch diameter flume charge line, connecting to a 14-foot diameter concrete separation pit, with a 10-horsepower pump. From the separation pit a 6-inch diameter aboveground waste transfer line shall connect to the in-vessel composter on a 32-foot by 12-foot concrete slab. All proposed improvements shall over 600 feet away from the nearest property line.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Bivalve Dairy Flush to Scrape Conservation Project," consisting of 5 sheets prepared by Erica M. Mikesh, received in final form on July 31, 2020, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2020" with respect to all of the standard conditions of approval.

SECTION IV: VESTING

NOW THEREFORE, BE IT RESOLVED that unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within two years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

SECTION V: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County Planning Commission. This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than five business days from the date of this decision (September 24, 2020).

SECTION VI: ADOPTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 17th day of September 2020.

Michelle Levenson

MICHELLE LEVENSON
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Michelle Reed

Michelle Reed
DZA Recording Secretary