

**Notice of Determination****To:**

Office of Planning and Research  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Fairfield, CA  
 Contact: Alicia Bird  
 Email: [alicia.bird@wildlife.ca.gov](mailto:alicia.bird@wildlife.ca.gov)  
 Phone: 707-980-5254

**Lead Agency**

Marin Water District  
 220 Nellen Avenue  
 Corte Madera, CA 94925  
 Contact: Alex Anaya  
 Email: [aanaya@marinwater.org](mailto:aanaya@marinwater.org)  
 Phone: 415-945-1588

**SUBJECT:** Filing of Notice of Determination pursuant to Public Resources Code section 21108

**State Clearinghouse Number:** 2021090343

**Project Title:** Pine Mountain Tunnel Tanks Replacement Project (Lake or Streambed Alteration Agreement No. EPIMS-MAN-28080-R3)

**Project Location (Marin County):** The Project is located at three unnamed tributaries to San Anselmo Creek just downslope of Sky Oaks Road between Sky Oaks Road and Concrete Pipe Road near the intersection with Bolinas Road, in the County of Marin, State of California; Latitude 37.971742°N, Longitude 122.604497°W; Assessor's Parcel Number 197-120-23.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed a Lake and Streambed Alteration Agreement (EPIMS-MAN-28080-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Marin Water District.

The project is limited to the removal and rerouting of a segment of one intermittent tributary and a segment of one ephemeral tributary to San Anselmo Creek, and installation of an energy dissipation structure at another intermittent tributary at the project site. This work is part of a larger project, with additional activities not covered under the Agreement, to construct two water storage tanks, each with a capacity for 2-million gallons, which will be partially buried into the hillside. A culvert upstream of the ephemeral tributary and a culvert and headwall downstream of where the two tributaries join will be removed. The flow from the intermittent tributary will be rerouted into a concrete channel and the flow from the ephemeral tributary will be rerouted via an 18-inch diameter pipe, with flows from both tributaries being released to where to the existing culvert and energy dissipation structure that outfalls further downstream of where the two tributaries currently join. The existing culvert and dissipation structure will be refurbished or replaced, which will include placement of rock riprap (17.78 cubic yards). A security fence, along with emergency lighting, will be erected around the site. Each storage tank will also have emergency overflow piping connections that will reroute overflowing water through an 18-inch diameter pipe to a new 11-foot by 9-foot dissipation structure that will be located upslope of another intermittent tributary at the project site. Rock riprap (8.89 cubic yards) will be placed below the dissipation structure for erosion control. The project will result in permanent impacts to approximately 0.183 acres and 386 linear feet of stream and riparian habitat, and the removal of 23 trees. The project will not result in any temporary impacts to stream and riparian habitat.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on December 1, 2022, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the **Mitigated Negative Declaration** prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.

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6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The Mitigated Negative Declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a Responsible Agency is available at CDFW's regional office.

Signature: DocuSigned by: Craig Weightman Date: 12/1/2022  
Craig Weightman, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_