

Notice of Determination

To:
Office of Planning and Research

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100, Fairfield, CA 94534
Contact: Alexander Single
Email: Alexander.Single@wildlife.ca.gov



City of San Rafael
111 Morphew Street
San Rafael, CA 94901
Contact: Theo Sanchez
Email: Theo.Sanchez@cityofsanrafael.org
Phone: (415) 458-5326

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

State Clearinghouse Number: 2022100506

Project Title: Rotary Manor Culvert Replacement Project (Lake or Streambed Alteration Agreement No. EPIMS-MAN-34606-R3)

Project Location (Marin): The Project is located at San Rafael Creek, in the City of San Rafael at 1821 Fifth Ave, San Rafael, CA 94901; County of Marin, State of California; Latitude 37.975239 °N, Longitude -122.539128 °W; northeast ¼ of Section 32, Township 2 North, Range 6 West of the Mount Diablo Base Range and Meridian; U.S. Geological Survey San Rafael 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-MAN-34606-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, the City of San Rafael.

The Project is limited to replacing a failing corrugated metal culvert conveying San Rafael Creek with a box culvert. This corrugated metal culvert is buried approximately eight feet below ground and is immediately downstream of an existing buried cement box culvert which will not be removed or replaced.

Cofferdams will be placed upstream and downstream of the work area, and San Rafael Creek will be temporarily dewatered for approximately 80 feet by pumping water out of the work area and diverting water from the upstream cofferdam to the downstream cofferdam. Geotextile fabric will be placed covering the stream bed downstream of the existing culvert outflow to protect the stream bed and capture construction sediment. The work area will be excavated and the existing corrugated metal culvert will be replaced with a 45-foot long, 8-foot wide, and 6-foot high cast-in-place reinforced concrete box culvert, which will be joined to the existing culvert with concrete. While the work area is excavated, one 12-inch drainpipe draining to the culvert will be replaced and one underground Pacific Gas and Electric pipeline will be temporarily relocated and replaced during backfilling. After the culvert and appurtenant structures are constructed, the area will be backfilled and compacted to 85 percent compaction, and the geotextile fabric in the stream bed will be removed. Access to the work site will be from an existing use trail on the left (east) bank of San Rafael Creek downstream of the existing culvert outflow.

The Project will result in 280 square feet and 30 linear feet of temporary impacts to stream habitat in addition to the temporarily dewatered area, however no riparian vegetation will be removed except for minor tree and shrub trimming for access. There will be no permanent impacts to habitat and no trees removed within the stream or associated riparian habitat.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on August 8, 2023, 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.

Notice of Determination

2. CDFW considered the **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 not** adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
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.

DocuSigned by:

Craig Weightman

8/8/2023

Signature: _____ Date: _____

7988F6C4FDC24F2...

Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____