

Notice of Determination

To:

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

From:

Department of Fish and Wildlife
Bay Delta Region
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Lead Agency
Ross Valley Sanitary District
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2023030187

Project Title: Woodland Capacity and Creek Crossings Project (#956) (Lake or Streambed Alteration Agreement No. EPIMS-MAN-39666-R3)

Project Location (Marin): The Project is located at three sites in the unincorporated community of Kent Woodlands in Marin County, State of California, as outlined below:

Crossing A: Tamalpais Creek, approximately 110 feet west of the intersection of Woodland Road and Upland Road; Latitude 37.94942 °N, Longitude -122.56356 °W.

Crossing B: Tamalpais Creek, approximately 300 feet north-northeast of the intersection of Woodland Road and Upland Road; Latitude 37.95013 °N, Longitude -122.56282 °W.

Crossing C: Tamalpais Creek, approximately 60 feet north-northeast of the intersection of Woodland Road and North Ridgewood Road; Latitude 37.94967 °N, Longitude -122.55832 °W.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-MAN-39666-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Ross Valley Sanitary District.

The Project is limited to decommissioning and replacing vitrified clay pipes at five locations, and installing and maintaining a streambed and bank restoration area at one location. The Project includes the below activities affecting Tamalpais Creek or an unnamed stream tributary to Tamalpais Creek as outlined below. All pipes to be removed or installed will be either 8-inch or 6-inch diameter. Bore pits will be excavated outside of the stream and riparian habitat.

At Crossing A, two vitrified clay pipes suspended within a cement box culvert will be cut and capped where they meet the wall of the box culvert. The walls of the culvert will be patched with cement if necessary due to damage during construction. The pipes will be replaced by two pipes placed by horizontal directional drilling below the existing culvert. All disturbance will be within the existing cement culvert.

At Crossing B, an approximately 30-foot-long, two-foot-wide, and four-foot-deep trench will be dug through the bed and banks of the stream to expose two vitrified clay pipes currently partially exposed in the channel. The pipes will be capped, sealed, and removed, after which the trench will be backfilled to preconstruction contours. The pipes will be replaced by two pipes placed by bore-and-jack or horizontal directional drilling below the existing culvert. In order to construct an engineered riffle, an approximately 75-square-foot and 10-linear-foot area of stream bed surrounding the trench will be excavated to a depth of approximately two feet. Native channel materials will be stockpiled, while non-natural materials such as asphalt and cement will be removed and disposed of off-site. The subgrade will be compacted and an engineered riffle will be constructed using the stockpiled material augmented

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with boulders and cobbles if needed, in accordance with the current edition of the California Salmonid Stream Restoration Habitat Manual.

All vegetated portions of the work area, including a temporary access route to the work area, will be cleared and grubbed of existing non-native vegetation, primarily English ivy (*Hedera helix*). Native shrubs will be planted and mulch will be spread around these plants. Remaining exposed soil surfaces outside of the active channel will be covered with a 100 percent biodegradable erosion control fabric and stapled in place, and two rows of wattles will be installed on the revegetated slopes.

At Crossing C, existing vitrified clay pipes will be replaced by jack-and-bore, horizontal directional drilling, or pipe bursting methods.

The Project will result in 150 square feet and approximately 10 linear feet of temporary impacts to stream and riparian habitat at Crossing B. The Project will not result in temporary impacts to habitat at the other crossings, nor will it result in permanent impacts. The Project will not remove riparian trees. The Project may include stream dewatering.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on September 11, 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.
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 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:
 Signature: Craig Weightman Date: 9/11/2023
 Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____