



# NOTICE OF EXEMPTION

FILING REQUESTED BY AND WHEN FILED, RETURN TO:

**Marin County Parks and Open Space District**  
3501 Civic Center Drive, Suite 260, San Rafael, CA 94903  
[www.marincountyparks.org](http://www.marincountyparks.org)  
(415) 473-6387

**FILED**  
03/14/2024

**SHELLY SCOTT**  
**MARIN COUNTY CLERK**  
By **J. Cruz, Deputy**  
21 - 2024 - 52

Marin County Clerk  
3501 Civic Center Drive, Suite 234  
San Rafael, CA 94903

**Date:** March 14, 2024

**Project Title:** **SMALL HABITAT RESTORATION PROJECT AT CHICKEN RANCH BEACH**

**Project Location:** 13000 Sir Francis Drake Boulevard, Inverness; Marin County

**Assessor's Parcel:** 112-042-04 (State Lands); -05 (County of Marin); and -04 (Private Property)

**Description of Nature, Purpose, and Beneficiaries of the Project:** The purpose of the proposed project is to restore and enhance the ecological function of wetlands at Chicken Ranch Beach to re-establish self-sustaining function to the ecological communities that inhabit project area, including conditions for waterfowl and other species that rely on wetland habitat. In doing so, the proposed project would also remediate elevated bacterial counts to promote public safety at Chicken Ranch Beach. The project proponent is the Tomales Bay Watershed Council Foundation (TBWCF), which entered into a Memorandum of Understanding (MOU) with Marin County Parks on September 10, 2019 regarding the proposed project. Marin County Parks is acting as the Lead Agency pursuant to the California Environmental Quality Act (CEQA). The goals of the proposed project are to reduce the risk of human exposure to pathogens at Chicken Ranch Beach, improve habitat value for aquatic species, provide opportunities for stormwater filtration, improve site hydrology to alleviate stagnation of seasonal water and improve water quality, and improve the recreational experience of Chicken Ranch Beach.

**Project Area and Existing Conditions.** The project area includes Chicken Ranch Beach, a 2.5-acre property located on the shore of Tomales Bay in the community of Inverness, owned and operated by Marin County Parks and the adjoining one-acre property to the west owned by the California State Lands Commission (SLC). The parcels adjacent to the SLC property to the north and west of the project area are privately owned. A drainage ditch referred to as "Channel B" and Third Valley Creek originate on private property and flow through the SLC property and then onto Chicken Ranch Beach. Third Valley Creek ultimately flows into Tomales Bay. Historically, a wetland complex existed on the lands adjacent to Chicken Ranch Beach which were altered for various reasons and may have contributed to the existing water quality conditions. Chicken Ranch Beach is considered a heavily used County Park, providing passive beach recreation since 1971. Marin County Parks acquired its property in 1984.

Under existing conditions, Channel B intercepts stormwater runoff and shallow groundwater flows and conveys water across Chicken Ranch Beach with water quality conditions that routinely exceed state limits for recreational water contact. Over the years, Chicken Ranch Beach has experienced bacterial contamination from Channel B, though monitoring and studies have not identified obvious sources of the contamination. On-going water testing indicates bacterial levels consistently exceed the Department of Public Health standards for recreational water contact including swimming, specifically fecal coliform, total coliform, and *E-coli* bacteria. Currently, most of Channel B is fenced off and the reach that crosses the beach includes a sign notifying visitors of possible contamination. However, recreational beach visitors, including small children, ignore signage and fencing, and may enter the channel and be exposed to health risks via contact with the water flowing from Channel B across the beach.

**Project Description.** The proposed project would remediate the water quality issue by using the upland portions of the County property and the adjacent State Lands Commission property to redirect the Channel B and restore the former wetland between the upstream end of Channel B and Third Valley Creek. Approximately 230 feet of Channel B would be filled and redirected to the restored wetland. The restored wetland would create approximately 0.7 acres of riparian and wetland habitats and would also serve as a treatment/filtration area for the redirected Channel B. Flows from the restored wetland area are designed to flow into Third Valley Creek upstream of the beach environment and then to Tomales Bay. The restored wetland would include three shallow pools would be created to enhance habitat for several special status species identified at the project area and those that could inhabit the restored wetland following project implementation including California red-legged frog, tidewater goby, northwestern pond turtle, California giant salamander, and saltmarsh common yellowthroat. The total disturbed area would be approximately 1.3 acres, including approximately one acre of wetland areas, temporary construction staging, and site access. Wetland restoration would entail re-grading approximately one acre of area. Approximately 2,050 cubic yards of cut/fill material would be generated, and up to 1,900 cubic yards of

this material would be used on-site to raise the existing grade of the upper beach, adjacent sand berm, and the lower yard of the adjoining private property to provide resilience to ongoing sea-level rise. Local topsoil would be salvaged and placed over the wetland soil material. Beneficial reuse of soil material excavated from the wetland construction would supplement the upper beach and adjacent dunes, raising elevations slightly. Excavated material would be buried, using native beach material to restore dune and beach surfaces.

The proposed project would not result in significant impacts on flooding or erosive energy. The proposed project has been designed for resiliency under sea-level rise, which is projected at 1.6 feet over the next 50 years.

**Vegetation Removal and Restoration.** Implementation of the proposed project would include removal of invasive and non-native vegetation such as iceplant from the edges of Channel B; velvet grass, poison hemlock and scotch broom from wet meadow areas; and 0.5 acres of acacia forest. Within the acacia forest, approximately 20 acacia trees 12-18-inches diameter-at-breast-height (DBH) or greater would be removed, as well as a few willow trees less than 12-inches DBH within the access area and near the upper beach. Bulrush, horsetail, rushes, Santa Barbara sedge, and saltgrass would be salvaged from the wet meadow areas for replanting on-site. The proposed project includes restoration with appropriate native species including red alder, coast live oak, willow, red osier dogwood, twin berry, California blackberry, Santa Barbara sedge, slough sedge, creeping spike rush, beach bur, horsetail, Douglas iris, water parsley, and Pacific aster to renew wetland function and habitat while maintaining pedestrian access to the beach. The proposed planting plan would restore the wetland, riparian, and upper beach areas with a palette of native vegetation, including over 90 trees, 180 shrubs and vines, 800 forbs and ferns, and 8,000 grasses and rushes. In total, the proposed planting plan includes over 35 species, selected for their habitat value and resilience in this coastal landscape. The proposed restoration areas would be located within overlapping California Coastal Commission Environmental Sensitive Habitat Areas (ESHAs) and related buffers, though habitat values currently provided on-site will be maintained or enhanced as a result of the proposed project. The proposed project would enhance degraded wetlands and expand the overall extent of wetlands through the project area, which would also enhance the quality of existing ESHAs on-site. Removal of a portion of the riparian forest currently dominated by non-native acacia trees would temporarily remove nesting habitat for some birds however, the revegetation of the project area with native trees and shrubs, combined with the availability of nesting habitat surrounding the project area would ultimately improve habitat conditions of the ESHA. Erosion control measures would stabilize the site during the post-project period during which newly planted vegetation is becoming established.

**Project Implementation.** The proposed project would be implemented over a six-week period between the months of August and October to avoid bird nesting period, with work areas and scheduling to avoid extreme high tides. All work in wetlands and regulated waters would be conducted at low tide to avoid work in the wetted portions of the tidal channel. The contractor would be required to prepare and implement an erosion and sediment control plan to protect wetlands and ESHAs. Measures would include a combination of seeding with a native plant mix, erosion control blankets, and coir twine mats where necessary.

Trees and other vegetation may be removed before the nesting bird season the year of construction; however, some vegetation may be removed when nests may be present after a qualified biologist surveys the area and clears it for this activity. If a qualified biologist determines that construction activities would likely disrupt breeding or nesting activities, then a no-disturbance buffer should be placed around the nesting location. The no-disturbance buffer should include the active nest or breeding areas plus a 50-foot buffer for small songbirds and a 100-foot buffer for larger birds such as raptors and owls. Construction activities in the no-disturbance buffers would be avoided until the nests have been vacated.

Temporary impacts to wetlands and waters would result from temporary construction access, the removal of non-native invasive species, and the removal, relocation, and re-grading of native soil on-site to create the expanded wetland, as detailed below. These temporary construction-related impacts would be of short duration and would not result in permanent impacts to wetlands or native wildlife and vegetation.

Construction access and equipment staging would be from Sir Francis Drake Boulevard, south of the project area. When necessary, equipment would be staged within the existing footprint of the project area. Construction vehicles would also be parked along the roadway shoulder. A temporary access ramp would be constructed across Third Valley Creek to provide access to the work area from Sir Francis Drake Boulevard and minimize impacts to water resources. The temporary construction access would consist of a 55-foot-long by 40-foot-wide culvert placed in Third Valley Creek, covered by soil and a gravel surface. The temporary construction access would result in temporary impacts to 0.0028 acres (122 square feet) of wetland plus approximately 0.0079 acres (344 square feet) of perennial waters (Third Valley Creek). All materials will be removed at the end of construction, with erosion control measures and revegetation of the site. Construction equipment would include a medium excavator, a front-end loader, a skid steer, an off-road dump truck, and a water truck.

The work area does not involve the lower beach area and waterfront, although the upper beach area and some parking along Sir Francis Drake Boulevard would be closed off for construction vehicle access and staging. During project implementation, a temporary construction fence and/or wildlife exclusion fencing would be installed around the project area to prevent California red-legged frogs from entering the project area during construction and to restrict the public from using portions of the upper beach. Public access to the beach would not change as a result of the proposed project; although

access to the upper beach area would be temporarily affected during construction. Public access to the lower beach and waterfront would be maintained throughout project implementation.

**Regulatory Permits.** The project area is located within the jurisdiction of state and federal agencies and therefore, the proposed project is subject to regulatory permits from the United States Army Corps of Engineers, the San Francisco Bay Regional Water Quality Control Board, the California Coastal Commission, and the California Department of Fish and Wildlife. A lands lease would be necessary from the State Lands Commission as well. The proposed project would incorporate all permit requirements during project implementation and permit monitoring conditions, as needed.

**Public Agency Approving Project:** Marin County Parks

**Name of Person or Agency Carrying Out the Project:** Tomales Bay Watershed Council Foundation

**Reasons for Exemption:** The MCP has reviewed the project along with its environmental setting and has determined it to be categorically exempt from the California Environmental Quality Act under the following sections of the California Administrative Code:

**Section 15333: Small Habitat Restoration Projects.** The proposed project consists of wetland restoration and enhancement to re-establish self-sustaining function to the ecological communities that inhabit project area, including conditions for waterfowl and other species that rely on wetland habitat, and improve public safety by remediating elevated bacterial counts. The proposed project would enhance water quality which would improve habitat for resident and migratory birds and other wildlife and would reduce risk to users from exposure to bacteria-laden water. The total area would not exceed 5-acres in size. Implementation of the proposed project would not result in significant adverse impacts on endangered, rare, or threatened species or their habitat. To the contrary, the proposed project would improve habitat through revegetation with native plant species. The proposed project would not impact an environmental resource or any designated environmental resource of critical concern. The project area is not located on a hazardous waste site pursuant to Government Code Section 65962.5. The proposed project would not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. No known or anticipated projects are proposed at or in a non-adjacent area to the proposed project. The proposed project is not located within a state scenic highway and would not affect scenic resources, historical buildings, rock outcroppings, result in cumulative impacts; or result in a significant effect to the environment due to unusual circumstances. Annual monitoring and reporting pursuant to permit conditions would be ongoing.

**Lead Agency Contact Person:**



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**Michelle Julene, Senior Regulatory Open Space Planner**

Marin County Parks and Open Space District

[Michelle.Julene@marincounty.gov](mailto:Michelle.Julene@marincounty.gov)

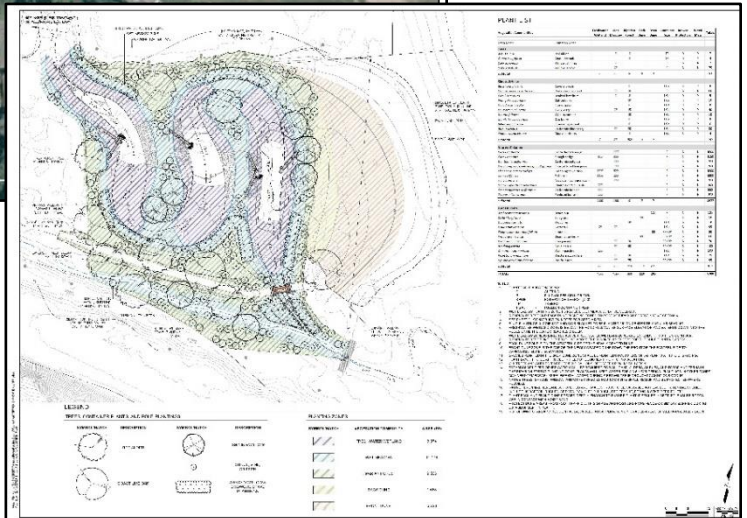
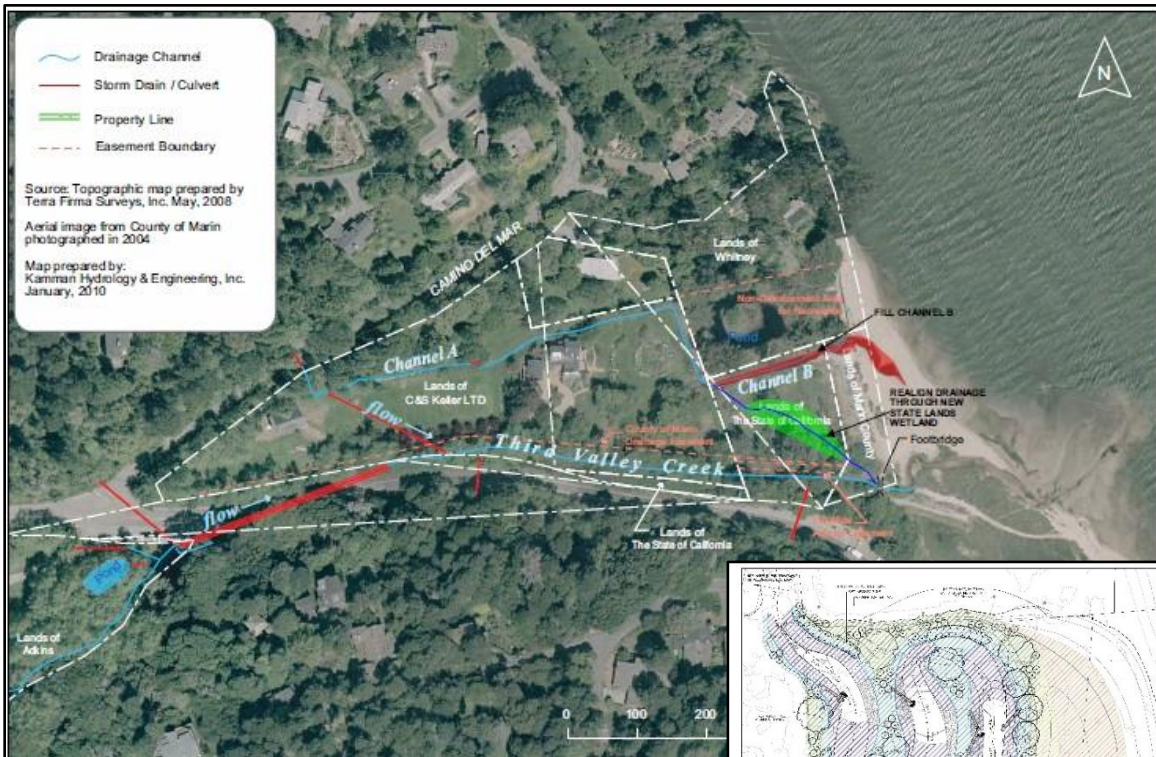
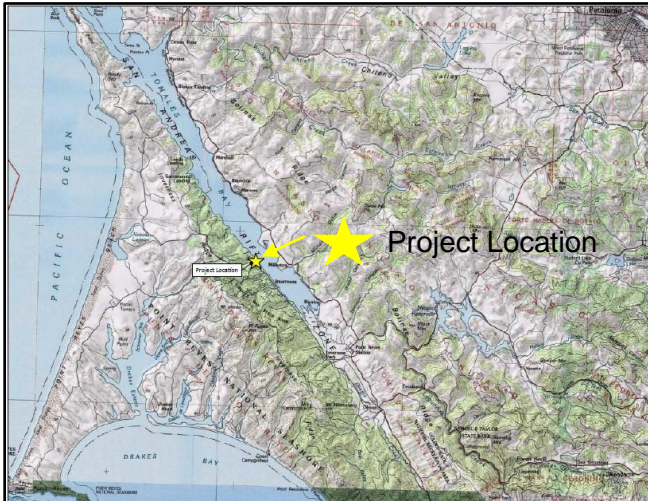
(415) 444-6740 (Office Cell)



# NOTICE OF EXEMPTION – PROJECT LOCATION

## Small Habitat Restoration Project at Chicken Ranch Beach

March 14, 2024



**Graphics:** Prunuske Chatham, Inc & Kamman Hydrology and Engineering



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

**Print** **StartOver** **Save**

RECEIPT NUMBER:  
 21 03/14/2024 52  
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY MARIN COUNTY PARKS AND OPEN SPACE DISTRICT	LEAD AGENCY EMAIL	DATE 03/14/2024
COUNTY/STATE AGENCY OF FILING Marin	DOCUMENT NUMBER	

PROJECT TITLE

**SMALL HABITAT RESTORATION PROJECT AT CHICKEN RANCH BEACH**

PROJECT APPLICANT NAME MARIN COUNTY PARKS AND OPEN SPACE DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER (415)473-6387
PROJECT APPLICANT ADDRESS 3501 CIVIC CENTER DRIVE, SUITE 260	CITY SAN RAFAEL	STATE CA
	ZIP CODE 94903	

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)  | \$4,051.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,916.75 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ | 0.00 |

- 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 | \$ | 0.00 |
| <input type="checkbox"/> County documentary handling fee  |          | \$ |      |
| <input type="checkbox"/> Other  |          | \$ |      |

PAYMENT METHOD:

- Cash     Credit     Check     Other    **TOTAL RECEIVED** \$ 0.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE MARIN COUNTY CLERK, J. CRUZ, SR DEPUTY CLERK
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