

## Notice of Exemption

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**To:**

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

**From:**

Department of Fish and Wildlife  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Fairfield, CA 94534  
[R3LSA@wildlife.ca.gov](mailto:R3LSA@wildlife.ca.gov)



**Project Title:** 10 Fernhill Avenue Accessory Dwelling Unit (ADU) Construction (Notification of Lake or Streambed Alteration, No. EPIMS-MAN-23990-R3)

**Project Location (Marin):** The Project is located at an unnamed tributary to Ross Creek and the associated 100-year floodplain, at 10 Fernhill Avenue, in the Town of Ross, County of Marin, State of California. The Project centroid is approximately Latitude 37.968240°N, Longitude 122.563050°W, and the Assessor's Parcel Number is 073-051-18.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-MAN-23990-R3, pursuant to Section 1602 of the Fish and Game Code to Shelby LaMotte.

The Project is limited to construction of an elevated ADU within the 100-year floodplain and restoration and enhancement activities along the bank of the unnamed tributary to Ross Creek. The ADU will be constructed with piers and posts located adjacent to, and within the 100-year floodplain of, the unnamed tributary. The unnamed tributary is typically connected to its floodplain only during high flows; the floodplain currently provides upland habitat with ornamental and non-native vegetation. The ADU will be constructed at an elevation above sea level of approximately 40.5 feet and will allow floodwaters to move beneath the structure during large storms. Approximately 56 square feet and 12 linear feet of the 100-year floodplain will be permanently impacted with concrete piers and wooden posts for the ADU. An existing stone retaining wall on the southern unnamed tributary bank, adjacent to the ADU, and an existing pedestrian bridge that crosses the channel will remain on site. Two dead non-native fruit trees, one crabapple tree (*Malus* sp.), and one plum tree (*Prunus* sp.), will be removed from the southern top-of-bank. To offset impacts to the unnamed tributary, approximately 238 square feet and 52 linear feet of the northern bank of the unnamed tributary will be restored through removal of non-native bamboo (*Phyllostachys* sp.) and planting of native species including bigleaf maple (*Acer macrophyllum*), foothill sedge (*Carex tumulicola*), and common rush (*Juncus effusus*). The unnamed tributary will be dry during the Project.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Shelby LaMotte

**Exempt Status:**

- Statutory Exemption.  
 Categorical Exemption. Type – Class 3; California Code of Regulations, title 14, section 15303

**Reasons why project is exempt:** The project involves the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; or the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

**CDFW Contact Person:** Melanie Day, Senior Environmental Scientist (Supervisory), [Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov), (707) 210-4415

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DocuSigned by:

*Craig Weightman*

7/9/2024

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Craig J. Weightman, Environmental Program Manager



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