

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Marin

From: (Public Agency): City of San Rafael

1400 Fifth Avenue

San Rafael CA, 94901

(Address)

Project Title: Canal Alliance Crossing

Project Applicant: City of San Rafael

Project Location - Specific:

Grand Avenue from immediately south of the intersection with Francisco Boulevard East north to the San Rafael Creek crossing.

Project Location - City: San Rafael Project Location - County: Marin

Description of Nature, Purpose and Beneficiaries of Project:

See Attachment A.

Name of Public Agency Approving Project: City of San Rafael

Name of Person or Agency Carrying Out Project: City of San Rafael

Exempt Status: **(check one):**

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Section 15301, Class 1

Statutory Exemptions. State code number: _____

Reasons why project is exempt:

No significant adverse impacts to resources would occur as a result of this project. The Project would modify existing facilities as allowed by the Class 1 categorical exemption. The Project does not meet any of the exceptions listed in CEQA Guidelines Section 15300.2. See Attachment A for further details.

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment A
Canal Alliance Crossing Project
City of San Rafael

Project Location

The Canal Alliance Project (Project) is located on Grand Avenue in the City of San Rafael within Marin County, California. See **Figure 1: Project Vicinity Map** at the end of this document for specific location details.

Project Description

The City of San Rafael is the Project proponent and the lead agency for the Project. The Project site extends along Grand Avenue from immediately south of the intersection with Francisco Boulevard East north to the San Rafael Creek crossing.

The Project would result in the creation of a pedestrian crossing across Grand Avenue and associated roadway improvements. Grand Avenue within the Project site is a three-lane roadway with adjacent sidewalks. Project demolition would include the removal of existing roadway striping and a portion of curb and gutter on the east and west side of Grand Avenue. Project construction includes road resurfacing, application of striping, and installation of crosswalk facilities. Road resurfacing would involve application of a slurry seal and hot mix asphalt to the existing surface of Grand Avenue from the south end of the Project site to the start of the existing bridge deck. Application of striping would create a median, establish the crosswalk and a “Keep Clear” area, and replace the existing turn lane striping at the south end of the Project site. Project striping would conform to the existing striping at the ends of the Project site. The pedestrian crossing would include a pedestrian hybrid beacon, a refuge island in the roadway median created by the striping, and advanced warning signage. Advanced warning signage for the crossing would be installed south of the Grand Avenue and Francisco Boulevard East intersection. New sidewalk, curb, gutter, and curb ramps would be constructed at the termini of the crossing and in the roadway median. Curb ramps would include truncated domes on a detectable warning strip. Up to three new signs would be installed in the sidewalk around the crossing. Project construction would include ground disturbance for installation of the sidewalk, curb, gutter, and sign foundations. Installation of the foundations for PHB poles would require ground disturbance of approximately 5 feet below the ground surface.

Any disturbed pavement and landscaping would be restored to pre-construction condition. All Project activities would be conducted within the existing roadway and right-of-way limits. Project construction is anticipated to commence in September 2024 and would last for up to 9 months.

Reasons Why the Project is Exempt

The Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the following categorical exemption from the State CEQA Guidelines.

Section 15301, Class 1:

This exemption permits the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The Project would restripe existing road facilities, reconstruct existing curbs and gutters, and install a pedestrian crossing with a median refuge and associated infrastructure on the existing roadway within existing right-of-way limits. No new roads or additional automobile lanes would be created by the Project. Thus, the Project would not expand the existing use and qualifies for a Class 1 exemption.

Categorical Exemption Exceptions

The Project does not meet any of the exceptions to Categorical Exemptions listed in CEQA Section 15300.2. The analysis below identifies the exceptions and substantiates how the Project does not meet those exceptions.

a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The Project qualifies for a Class 1 exemption. Class 1 exemptions are not qualified by consideration of project location.

b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The Project alters existing facilities located entirely within previously disturbed areas and existing right-of-way. Surrounding areas would not be impacted by the Project beyond the impacts from the existing facilities. No significant adverse impacts would occur as a result of the Project. Therefore, the Project would not contribute to or cause a cumulative impact based on successive projects of the same type in the same place over time.

c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The Project site has been previously disturbed by the construction and operation of the existing roads. Project construction would occur entirely within the existing road and right-of-way limits. A portion of the Project occurs on the existing San Rafael Creek crossing. However, only striping of the existing bridge deck would occur in this area; there would be no ground disturbance or work within the water. The Project would not result in any significant effects on the environment due to unusual circumstances. The Project site does not have any unusual circumstances that would negatively impact the environment. Refer to the discussion included in Categorical Exemption Exceptions *d)* through *f)* for further discussion to support no anticipated Project impacts related to the environment.

d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

There are no Officially Designated State Scenic Highways within the Project site. No Officially Designated State Scenic Highways or eligible highways exist within the City of San Rafael.¹ The nearest Officially Designated State Scenic Highway is State Route 1, located approximately 6.06 miles away in Marin County. Thus, the Project would not impact Officially Designated State Scenic Highways due to the distance from the Project site.

The City of San Rafael General Plan 2040 (General Plan) designates scenic resources and view corridors within the City of San Rafael. The Project site does not contain any View Sheds, Scenic Routes, Scenic Highways, or other scenic assets designated by the General Plan.² As such, the Project would not impede public views of the designated scenic resources.

The Project would not impact an Officially Designated State Scenic Highway or a General Plan designated Scenic Resource. Thus, this exception to the exemption does not apply.

e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Construction of the Project would include ground disturbance within the existing roadway and right-of-way limits. The nearest recorded hazardous waste site, according to a review of the State Water Resources Control Board's GeoTracker and the Department of Toxic Substances Control EnviroStor databases, is a leaking underground storage tank (LUST) located approximately 480 feet northwest of the Project site near Second Street.^{3,4} The LUST site has been closed with no further action required since 2012. As the nearest site is closed and not located within or adjacent to the Project site this exception to the exemption does not apply.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

There are no historical buildings or structures located within the Project site. The City of San Rafael has designated Historic Resources in the General Plan. Further, the City of San Rafael maintains a list of designated local Landmarks and Historic Districts.⁵ The Project site is not located within the designated Historic District. The nearest designated Historic Resource is the French Quarter Historic District located approximately 850 feet northwest of the Project site. Project construction would occur entirely within the existing disturbed roadway. The Project would not require any work within historic districts or on historic structures. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource.

¹ California Department of Transportation. California State Scenic Highway System Map. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacc>. Accessed July 16, 2024.

² City of San Rafael. City of San Rafael General Plan 2040. <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2021/09/FullDocument-Adopted080221.pdf>. Accessed July 16, 2024.

³ California State Water Resources Control Board GeoTracker. Former Mobil Station (T0604100282). https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0604100282. Accessed July 16, 2024.

⁴ Department of Toxic Substances Control. EnviroStor Sites and Facilities. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=san+rafael>. Accessed July 16, 2024.

⁵ City of San Rafael. Historic Preservation. <https://www.cityofsanrafael.org/historic-preservation/>. Accessed July 16, 2024.

Conclusion

The Project is categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301, Class 1. The Project would modify existing facilities as allowed by the Class 1 categorical exemption. The Project does not meet any of the exceptions listed in CEQA Guidelines Section 15300.2.



Source: Google Earth Pro, 2024

Figure 1: Project Vicinity Map
Canal Alliance Crossing Project
Notice of Exemption



Not to scale

Kimley»Horn