

21-2024-136

# CEQA NOTICE OF EXEMPTION

**To:** Marin County Clerk-Recorder  
3501 Civic Center Drive, Suite 234  
San Rafael, CA 94903

**From:** Marin County Transit District  
711 Grand Avenue, Suite 110  
San Rafael, CA 94901

**Project Title:** Acquisition only of property at 1075 Francisco Blvd East, San Rafael, CA.

**Project Location:** 1075 Francisco Blvd East, San Rafael, CA (APN 009-191-37 and -38)

**Project Location – City:** San Rafael

**Project Location – County:** Marin

**Name of Public Agency Approving Project:** Marin County Transit District (Marin Transit)

**Name of Person or Agency Carrying Out Project:** Marin Transit (Attn: Nancy Whelan)

**Exempt Status:** The proposed acquisition only of the Property is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15004(b)(2)(A) (land acquisition contingent on future CEQA compliance) and section 15061(b)(3) (common sense exemption), and is exempt from CEQA pursuant to CEQA Guidelines section 15301 (Class 1) (existing facilities)

### Reason Why Project is Exempt:

Based on a review of the facts and circumstances of the Property and this transaction, Marin Transit Board of Directors determined that the acquisition only of the Property is not subject to CEQA pursuant to 14 Cal. Code Regs. (“CEQA Guidelines”) section 15004(b)(2)(A). That section explains that “agencies may designate a preferred site for CEQA review and may enter into land acquisition agreements when the agency has conditioned the agency's future use of the site on CEQA compliance.” The proposed action today is acquisition of the Property. This action does not constitute a decision by Marin Transit regarding development of the Property. Rather, this action allows Marin Transit to secure land while the agency considers its proposed uses for the Property and performs a CEQA determination for such proposed development. Marin Transit will not undertake development until it has complied with CEQA; Marin Transit retains full discretion with respect to the Property including imposition of mitigation measures and evaluation of alternatives.

Marin Transit Board has concluded the proposed project is not subject to CEQA pursuant to CEQA Guidelines section 15061(b)(3) (common sense exemption), because it can be seen with a certainty that there is no possibility that the project may have a significant effect on the environment.

Lastly, Marin Transit Board has concluded that the proposed project is exempt from CEQA pursuant to CEQA Guidelines section 15301 (Class 1) (existing facilities) which applies to “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.”

**FILED**  
AUG 05 2024  
SHELLY SCOTT  
MARIN COUNTY CLERK  
BY: *[Signature]*, Deputy

<b>Lead Agency Contact Person:</b> Nancy Whelan	<b>Phone Number:</b> (415) 226-0864	
<b>Signature:</b> <i>Nancy E. Whelan</i>	<b>Date:</b> 8/5/24	<b>Title:</b> General Manager

POSTED 08/05/2024 TO 09/04/2024