



# Notice of Exemption

Attachment 7

# FILED

09/04/2024

SHELLY SCOTT  
MARIN COUNTY CLERK  
By J. Cruz, Deputy  
21 - 2024 - 157

Filing Requested By and When Filed Return To:  
  
Marin Municipal Water District  
220 Nellen Ave  
Corte Madera, CA 94925  
Attn: Shaun Horne, Director of Watershed Resources

**Project Title:** Mt. Tamalpais Watershed E-Bike Class I Trial

**Project Location:** 49 Sky Oaks Road, Fairfax

**Project Location – County:** Marin

**Public Agency Approving Project:** Marin Municipal Water District

**Name of Person or Agency Carrying Out Project:** Marin Municipal Water District

**Project Description:** The Marin Municipal Water District (District) proposes to implement an E-Bike Class I Trial for a period of up to two years on existing fire roads and trails within the Mt. Tamalpais Watershed where conventional bicycles are permitted. This trial aims to evaluate the impacts of Class I E-Bike use on visitor experience, providing data to inform future decisions regarding E-Bike access on watershed lands.

**Reason for Exemption:** The District has reviewed the proposed project and determined it to be exempt from the California Environmental Quality Act (CEQA) requirements under *Article 19*, Categorical Exemptions, of the State CEQA Guidelines in the California Administrative Code:

**CEQA Exemption Status:** The District has reviewed the proposed project and determined that following exemptions apply to the Mt. Tamalpais Watershed E-bike Class I Trial.

**Section 15301 – Existing Facilities –** The Project meets the requirements of a Class 1 Categorical Exemption for Existing Facilities, which includes operation, permitting and minor alteration of existing public or private structures or facilities or topographical features involving negligible or no expansion of existing or former use. Implementing the E-Bike Trial would have a negligible impact on existing facilities, such as highways, streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities. The use of Class I E-bikes on existing fire roads and multiuse trails where conventional bicycles are allowed represents a negligible expansion of use of existing trails.

**Section 15304 – Minor Alterations to Land –** The project qualifies for a Class 4 Categorical Exemption under CEQA Guidelines Section 15304, as it involves minor public or private alterations to the condition of land, water, and/or vegetation. The continued use of existing trails will not involve the removal of healthy, mature, scenic trees and will only include minimal signage or similar features.

**Section 15306 – Information Collection –** The proposed project meets the requirements of a Class 6 Categorical Exemption – Information Collection. The project consists of basic data collection, which do not result in a serious or major disturbance to an environment. By allowing Class I E-bikes for a trial period the District can gather information relating E-Bike Class I compliance and bike usage on the watersheds fire roads and multi-use trails. The trial will gather data on E-Bike usage to inform future management decisions.

No exceptions to the use of a Categorical Exemption apply to the Project. The District has thoroughly evaluated the project under CEQA Guidelines Section 15300.2 and determined that none of the exceptions to categorical exemptions apply. Specifically:

- **Location in Sensitive Environments** – The project does not impact any environmentally sensitive areas as defined under CEQA. The selected fire roads and trails are located outside areas of critical concern, ensuring compliance with CEQA Guidelines § 15300.2(a).
- **Cumulative Impact** – The project is temporary, adaptive, and closely monitored, ensuring that no significant cumulative impacts occur in conjunction with other ongoing or foreseeable activities within the watershed, consistent with CEQA Guidelines § 15300.2(b).
- **Significant Effect Due to Unusual Circumstances** – The project does not present any unusual circumstances that could result in significant environmental effects. The use of trails and roads for multiple recreational activities, including the introduction of Class I E-Bikes, is consistent with past uses, and the project does not introduce new or unique factors that would invoke this exception, consistent with CEQA Guidelines § 15300.2(c).
- **Scenic Highways** – The project does not involve the removal or alteration of any significant visual resources along a scenic highway, consistent with CEQA Guidelines § 15300.2(d).
- **Historical Resources** – The project does not impact any historical resources, as the roads and trails involved are not designated as historic, consistent with CEQA Guidelines § 15300.2(f).

**Project Approval:** The Marin Municipal Water District Board of Directors approved the Mt. Tamalpais Watershed E-Bike Class I Trial, at their regularly scheduled meeting on September 3, 2024.

**Lead Agency Contact Person:** Shaun Horne, Marin Municipal Water District      **Telephone:** (415) 945-1190

 \_\_\_\_\_ 

**Shaun Horne, Director of Watershed Resources**

**Date**