

# Notice of Exemption

Attachment 6



Section 9. Item #b.  
WATER

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

**FILED**  
09/04/2024

SHELLY SCOTT  
MARIN COUNTY CLERK  
By J. Cruz, Deputy  
21 - 2024 - 158

**Project Title:** Mt. Tamalpais Watershed Trail-Sharing Pilot Program

**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 a two-year Mt. Tamalpais Watershed Trail-Sharing Pilot Program. This program aims to evaluate the feasibility and impacts of shared trail use among hikers, bikers, and equestrians while advancing stewardship actions to protect habitat, wildlife, and water quality. The District will collect data on visitor patterns, environmental conditions, and compliance with District regulations to inform future trail management and recreation strategies. The District will implement minor alterations to Pilot Program trails to avoid sensitive areas and improve trail conditions to support multi-use access. The District will gather information on existing watershed trail facilities to guide decision-making processes regarding trail classification and recreation management strategies on the Mt. Tamalpais Watershed. Adaptive management may be applied to test various trail sharing strategies over the duration of the Pilot Program period and to support trail stewardship actions along trails to protect native plants and support visitor access.

### The Project includes the following objectives:

1. **Enhance Volunteer Based Trail Stewardship**  
Community volunteers play a critical role in the stewardship of Mt. Tamalpais. This project will seek to expand trails stewardship activities for community members to help improve trail conditions and to reduce visitor impacts on the watershed.
2. **Improve Visitor Experience and Multi-use Trails**  
On a select number of existing watershed trails the District will evaluate various trail sharing strategies to improve visitor's access. Trail sharing strategies will be established along multi-use routes to sustain safe trail conditions and adaptively manage uses if needed.
3. **Evaluate trail sharing strategies**
  - Directional bike access
  - Days of the week portioning for user groups
  - Road to trail conversions
  - Combined Hiker & biker, or hiker, biker, equestrian Uses

#### 4. Trail Data Collection

The District will gather information relating to trail conditions and visitor experience over the duration of the Pilot Program.

The Pilot Program will be limited to the following trails:

- Sunnyside Trail
- Pumpkin Ridge Trail
- Madrone Trail
- Concrete Pipe Fire Road
- Upper Fish Gulch Trail
- Arturo Trail
- Mountain Top Trail
- Lakeview Trail
- Grassy slope Fire Road

**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 Trail-Sharing Pilot Program.

**Section 15301 – Existing Facilities – Class 1 Categorical Exemption** for repair and minor alteration of existing public or private structures or facilities or topographical features. The Project involves the continued operation and minor alteration of existing trails within the Mt. Tamalpais Watershed, which has historically supported similar recreational activities. The Project does not involve any expansion of these facilities but continues their existing use under controlled conditions, consistent with CEQA Guidelines Section 15301. In addition to the stewardship, maintenance and repair of the existing trails, the Project would also include the maintenance of existing landscapes and natural habitats. As part of the Project, trail stewardship activities will be carried out to help improve trail conditions, protect biodiversity and improve visitor experiences.

**Section 15302 – Replacement or Reconstruction – Class 2 Categorical Exemption** for replacement or reconstruction of existing structures and facilities. The Project includes minor trail maintenance or repair that involves the replacement or reconstruction of existing facilities on the same site, with no increase in capacity. These activities are necessary to maintain trail usability and safety, consistent with CEQA Guidelines Section 15302. As part of the Project, trail stewardship activities will be carried out to help improve trail conditions protect biodiversity and improve visitor experiences.

**Section 15304 – Minor Alterations to Land – The proposed project meets the requirements of a Class 4 Categorical Exemption – Minor Alterations to Land** which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Section 15304 specifically allows the creation of bicycle lanes on existing rights of way. The Project includes minor public or private alterations in the condition of land, water, and/or vegetation, including the creation of multi-use trails on existing watershed trails. These activities do not involve the removal of healthy, mature, scenic trees and are consistent with CEQA Guidelines Section 15304. The Project also includes trail stewardship, maintenance and repair of existing trails, which may involve minor alterations in the condition of land and vegetation within the Pilot Program area.

**Section 15306 – Information Collection – The proposed project meets the requirements of a Class 6 Categorical Exemption – Information Collection.** The Project involves data collection, research, and resource evaluation activities that will not result in a serious or major disturbance to environmental resources. These activities are designed to inform future management decisions without requiring extensive physical alterations to the land, consistent with CEQA Guidelines Section 15306. By allowing temporary use of multi-use trails the

District can gather information relating to visitor experience, trail conditions, and stewardship activities designed to protect the watershed.

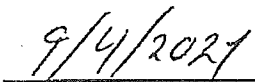
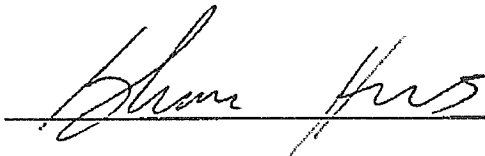
No exceptions to the use of a Categorical Exemption apply to the Project. The District has thoroughly evaluated the project under CEQA Guidelines Section 15300.2 and determined that none of the exceptions to categorical exemptions apply. Specifically:

- **Location in Sensitive Environments** – The project does not impact any environmentally sensitive areas as defined under CEQA. The selected trails are 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).
- **Unusual Circumstances** – The project does not present any unusual circumstances that could result in significant environmental effects. The use of trails for multiple recreational activities is consistent with past uses, and 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 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 Trail-Sharing Pilot Program, 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**

