

Notice of Exemption

21-2025-046

Appendix E

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

County Clerk

County of: Marin3501 Civic Center DriveSan Rafael, CA 94903

From: (Public Agency): Miller Creek School District
380 Nova Albion Way
San Rafael, CA 94903

(Address)

APR 11 2025

SHELLY SCOTT
MARIN COUNTY CLERK

By O. Roberto DeputyProject Title: Miller Creek Middle School Administration Building Roof Replacement ProjectProject Applicant: Miller Creek School District

Project Location - Specific:

2255 Las Gallinas Avenue, San Rafael, CA 94903

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

Description of Nature, Purpose and Beneficiaries of Project:

Replacement of roof on Miller Creek Middle School Administration building. See attached Project Description.

Name of Public Agency Approving Project: Miller Creek School DistrictName of Person or Agency Carrying Out Project: Miller Creek School District

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: Class 1; Section 15301
☒ Statutory Exemptions. State code number: Section 15061(b)(3)) (General Rule Exemption)

Reasons why project is exempt:

Roof replacement would be repair and maintenance (within Class 1 limits). Project would have no potential for significant impacts (General Rule Exemption). See attached Discussion.

Lead Agency

Contact Person: Marie Henrio, CBO Area Code/Telephone/Extension: 415-492-3710

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: U. Heer Date: 03/12/25 Title: Chief Business Officer☒ 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: _____

MILLER CREEK MIDDLE SCHOOL ROOF REPAIR PROJECT

NOTICE OF EXEMPTION DISCUSSION

Project Description

Existing Facilities

The Miller Creek Middle School is located at 2255 Las Gallinas Avenue, San Rafael, CA, is owned and operated by the Miller Creek School District. The school is located in the Lucas Valley neighborhood of San Rafael, in a single-family residential area. The school is surrounded by Las Gallinas Park and Marinwood Park open space areas on the north, south, and west. Single family residences lie across Las Gallinas Avenue to the west of the school.

Proposed Project

The project would consist of removing and replacing the existing roofing at the Miller Creek Middle School Office/Administration Building (and adjacent covered outdoor corridors.) The existing roofing and associated flashing would be removed and a new fluid-applied roof membrane and flashing/drains would be installed. The purpose of this project is essential repairs and maintenance of the building.

The project would be constructed between June to August 2025, when school is not in session. No other changes to the building or new or expanded uses of the facilities are proposed as part of this project.

Exemption Analysis

Categorical Exemption Analysis

Class 1 Exemption

The CEQA Class 1 Exemption for Existing Facilities (Guidelines, Section 15301) 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. The key consideration is whether the project involves negligible or no expansion of use.

The project would comprise re-roofing of an existing building. It would not affect school capacity and would not add any classrooms.

Exceptions Discussion

Per CEQA Guidelines section 15300.2, exceptions to this categorical exemption can apply where the following occur:

- Cumulative impact of the same type in the same place, over time is significant.
- Significant effect due to unusual circumstances.
- Damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a state scenic highway.
- Hazardous Waste Sites included on any list compiled pursuant to Section 65962.5 of the Government Code.
- A substantial adverse change in the significance of a historical resource.

As summarized below, none of these exceptions appear to apply to this project and therefore this exemption would apply:

- The project area is a developed residential neighborhood and is surrounded by public parks; no cumulative development is likely to occur nearby. No other projects are proposed at or adjacent to the building concurrent with the proposed project construction. There would be no potential for cumulatively considerable impacts.
- Construction would be re-roofing of an existing structure, which would not change the exterior appearances of the buildings. Therefore, this impact would be non-significant.
- The site is not on or near a listed hazardous waste site (database search performed February 26, 2025¹).
- The project would not change the building exteriors other than re-roofing. It would not demolish or substantially alter any historic structures. Therefore no historic resources would be affected.
- The project is at a fully developed school site and there are not any unusual circumstances that could result in significant environmental impacts at the site.

General Rule Exemption

Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to environmental review. In such cases, the activity is covered by the general rule that CEQA applies only to

¹ https://www.envirostor.dtsc.ca.gov/public/map/?global_id=21880002

projects that have the potential for causing a significant effect on the environment. (See CEQA Guidelines Section 15061(b)(3)). As described above, the project does not have the potential to result in a significant impact to the physical environment. Therefore this exemption would apply.

Conclusions

As discussed above, the proposed project would fall within the CEQA Class 1 Exemption and none of the exceptions to the exemption would apply. In addition, the project would fall under the General Rule Exemption, as it can be seen with certainty no potentially significant impacts would occur.