MARINWOOD COMMUNITY SERVICES DISTRICT

NEGATIVE DECLARATION

Pursuant to Section 21000 et. seq. of the Public Resources Code and Marin County Environmental Impact Review Guidelines and Procedures, a Negative Declaration is hereby granted for the following project.

1. **Project Name:** Marinwood Park Maintenance Facilities Replacement Project

2. **Location and Description:** 775 Miller Creek Road, San Rafael, Marinwood/Assessor's Parcel # 164-260-35

The Marinwood Community Services District is proposing removal of the existing park maintenance modular building and the park maintenance facilities (storage sheds, fenced storage enclosure and storage bins) located adjacent to the banks of Miller Creek and restoration of the area to a natural setting. Two non-native pine trees located some distance from the creek bank will be removed. No work is proposed to occur in the creek or on its banks.

A new 2,500 square foot storage shed/shop and approximately 1,960 square foot fenced storage enclosures are proposed. The location is as far as is practical away from the creek.

3. **Project Sponsor:** Marinwood Community Services District

4. **Finding:**

Based on the attached Initial Study and prior to the public hearing, it is my judgement that:

☐ The project will not have a significant effect on the environment.

☒ The significant effects of the project noted in the Initial Study attached have been mitigated by modifications to the project so that the potential adverse effects are reduced to a point where no significant effects would occur.

_____ Date: 6/15/18

Eric Dreikosen, District Manager

Based on the attached Initial Study and the testimony received at a duly noticed public hearing on 2018, a Negative Declaration is granted.

_____ Date: _____

President, Marinwood Community Services District
Board of Director

5. **Mitigation Measures:**

☐ No potential adverse impacts were identified, therefore, no mitigation measures are required.

☒ Please refer to mitigation measures in the attached Initial Study.

☐ The potential adverse impacts have been found to be mitigable as noted under the following factors in the Initial Study attached.

All of the mitigation measures for the above effects will be incorporated into the project.

Other conditions of approval in support of these measures may also be advanced.

6. Preparation:

This Negative Declaration was prepared by the Marinwood Community Services District. Copies may be obtained at the address listed below.

Marinwood Community Services District
Attn: Eric Dreikosen
775 Miller Creek Road
San Rafael, CA 94903
(415) 479-0775
Monday – Friday, 8:00 a.m. to 4:00 p.m.

MARINWOOD COMMUNITY SERVICES DISTRICT

INITIAL STUDY

PARK MAINTENANCE FACILITY REPLACEMENT PROJECT

I. BACKGROUND

A.	**Project Sponsor Name and Address:**	Marinwood Community Services District 775 Miller Creek Road San Rafael, CA 94903-1323
B.	**Lead Agency Name and Address:**	Marinwood Community Services District 775 Miller Creek Road San Rafael, CA 94903-1323
C.	**Agency Contact:**	**Eric Dreikosen, District Manager** (415) 479-7751 edreikosen@marinwood.org

II. PROJECT DESCRIPTION

A.	**Project Title:**	Project Maintenance Building Replacement Project
B.	**Project Location:**	775 Miller Creek Road, San Rafael Marin County, CA Assessor's Parcel 164-260-35
C.	**Marin Countywide Plan Land Use Designation:**	OS, Open Space
D.	**Marin County Zoning:**	OA, Open Area

E. Description of Project:

ENVIRONMENTAL SETTING

The project is located at 775 Miller Creek Road, west of Highway 101, off Lucas Valley Road and Miller Creek Road, in the community of Marinwood (Figure 1). It is mapped on the Novato USGS quadrangle (38.030667°N and -122.551146°W) at 65 to 70' in elevation. The project is located on a large parcel owned by the Marinwood Community Services District that includes their administrative office, Marinwood Community Center, Marinwood Community Park (pool, picnic area, tennis courts, playground), fire house, and a pathway that extends from Miller Creek Road to Las Gallinas Avenue. Miller Creek runs through the parcel and adjacent to the existing park maintenance building. Miller Creek drains an area of approximately 12 square miles. It flows through the unincorporated community of Marinwood and enters San Pablo Bay near McInnis County Park.

According to the Marin County Community Development Agency website, the parcel (APN# 164-260-35) is designated as Open Area (OA; Marin County 2017d). The "OA zoning district is intended for areas of the County committed to open space uses, as well as environmental preservation; however, it also allows parks and playgrounds, public safety facilities and storage related to these uses." A portion of the parcel is also designated as a Stream Conservation Area (Marin County 2017c).

Vegetation within the project site, including both the proposed project area and a buffer around it, consists primarily of upland ruderal and riparian woodlands along Miller Creek. The site is bordered by residential development directly to the north, Miller Creek Road and a graveled access driveway to west, Miller Creek and an ephemeral drainage to south, and a continuation of a pathway and additional creek side habitat to the east. Recreation facilities, a school, and residential development occur in the surrounding areas. As noted above, the site is accessed from a gravel road directly off Miller Creek Road. This pathway extends beyond the site all the way to Las Gallinas Avenue.

See Biological Resources Assessment, dated November 2017, by Prunuske Chatham, Inc., attached as Appendix A for additional information.

EXISITING PARK MAINTENANCE FACILITIES HISTORY

Existing park maintenance facilities are located in the northwesterly corner of the subject site approximately 250 feet easterly of Miller Creek Road and between the northerly bank of Miller Creek and the southerly (rear) property line of residential lots fronting on Quietwood Drive.

The facilities currently receive water from the Marin Municipal Water District, sanitary sewer service from the Las Gallinas Valley Sanitary District, electricity from PG&E telephone from AT&T, and fire protection from the Marinwood Fire Department. The site is accessed via a drive from Miller Creek Road.

The current approximately 720-square foot wooden shop and storage structure was originally constructed in 1965. In the ensuing years, the footprint expanded with the addition of an added approximately 1,150-square foot fenced storage area, smaller storage sheds and storage bins and eventually a second approximately 650-square foot enclosed structure connecting to the original building.

In 2001, the District placed an approximately 360-square foot modular office building directly across the path from the maintenance building. It is located approximately 8 feet southerly of the rear fences of the residences fronting Quietwood Drive. It contains a restroom and a coffee/lunch area. Water, sewer and electricity were brought to this building and the phone line was redirected, providing a more appropriate place for park staff to meet and perform administrative work.

Throughout the years, the maintenance facility has severely deteriorated through use and primarily weather. District staff has applied various fixes and repairs as needed that can best be described as "Band-Aids" intended to extend the useful life of the current facility, not provide a permanent repair. One of the larger temporary repairs performed by staff included adding a pitched roof over the existing roof to assist drainage and prevent a roof collapse from water weight in heavy winters. This occurred at some point approximately mid-2000s. While the District did explore a complete roof replacement, it was determined by a structural engineer at the time that this was throwing good money after bad and the District should instead opt to replace the entire structure, and the District abandoned this initiative. Rather, the roof was tarped seasonally to prevent leaks and puddling.

PROJECT

The project involves removal of the existing park maintenance facilities modular building and the park maintenance facilities (storage sheds, fenced storage enclosure and storage bins) located adjacent to the banks of Miller Creek and restoration of the area to a natural setting. Two non-native pine trees located some distance from the creek bank will be removed. No work is proposed to occur in the creek or on its banks except for Mitigation Measures 8(a.b.)-26.

A new 2,500 square foot storage shed/shop and approximately 1,960 square foot fenced storage enclosures are proposed. The location, as shown on the Site Plan (Figure 2), is as far as is practical, approximately 55 feet, away from the near top of creek bank.

TECHNICAL REPORTS

As a part of this project, the Marinwood C.S.D. has had the following technical reports prepared to help define and address potential impacts from the proposed project:

Biological Resources Assessment
Biological Resources Assessment, Prunuske Chatham, Inc., November 2017.

Cultural Resources Evaluation
Cultural Resources Evaluation, Archaeological Resource Services, May 23, 2018.

These documents are hereby incorporated by referenced and are attached as Appendix A and Appendix B.

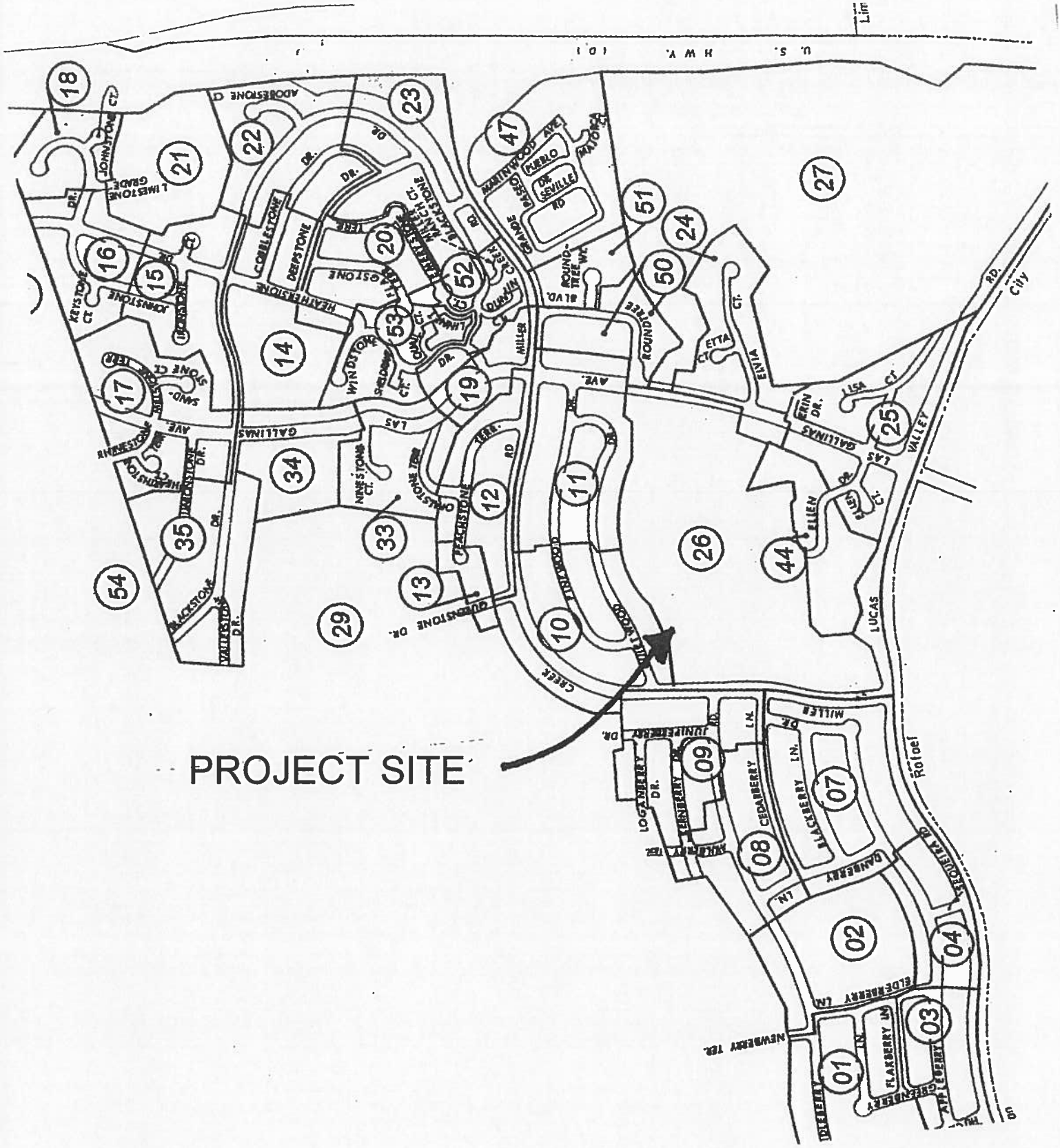


FIGURE 1: LOCATION MAP

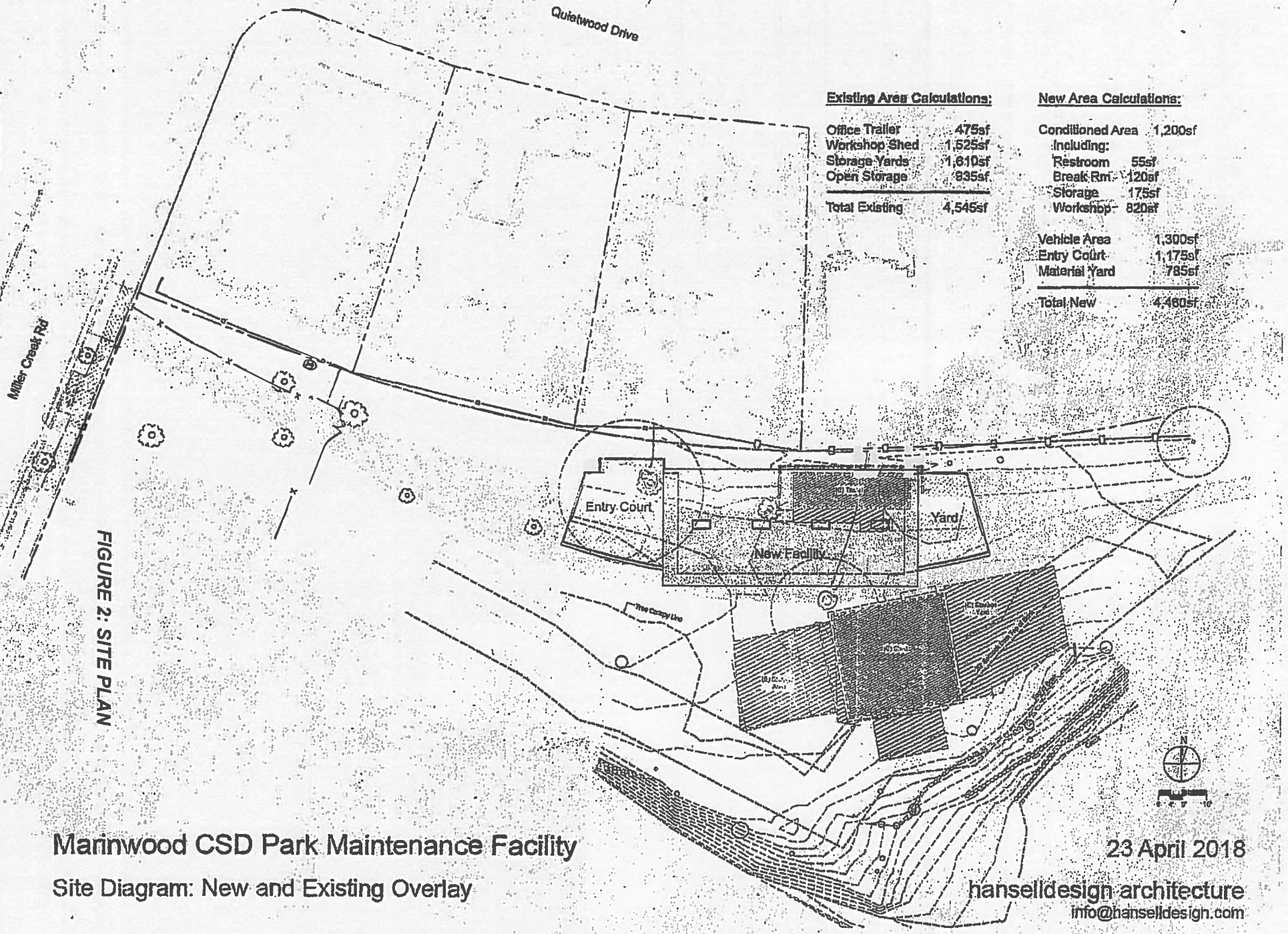


FIGURE 2: SITE PLAN

Marinwood CSD Park Maintenance Facility

Site Diagram: New and Existing Overlay

23 April 2018

hanselldesign architecture
info@hanselldesign.com

III. CIRCULATION AND REVIEW

This Initial Study/Mitigated Negative Declaration is being circulated for a 30-day review and comment period pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15073. It is being circulated to all agencies that have jurisdiction over the subject property or the natural resources affected by the project and to consultants, community groups, and interested parties to attest to the completeness and adequacy of the information contained in the Initial Study as it relates to the concerns which are germane to the agency's or organization's jurisdictional authority or to the interested parties' issues.

Marin County Agencies:

- Marin County Community Development Agency
- Marinwood Community Services District - Fire Department
- Marin Municipal Water District
- Las Gallinas Valley Sanitary District

Other Agencies:

- U.S. Army Corps of Engineers
- San Francisco Bay Regional Water Quality Control Board
- California Department of Fish and Wildlife

IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Pursuant to Section 15063 of the State CEQA Guidelines, the Marinwood Community Services District (CSD) has prepared this Initial Study. The Initial Study evaluation is a preliminary analysis of a project which provides the CSD with information to use as the basis for deciding whether to prepare an EIR or Negative Declaration. The points enumerated below describe the primary procedural steps undertaken by the CSD in completing an Initial Study checklist evaluation and, in particular, the manner in which significant environmental effects of the project are made and recorded.

A. The determination of significant environmental effect is to be based on substantial evidence contained in the administrative record and environmental data consisting of factual information regarding environmental resources and relevant environmental goals and policies. As a procedural device for reducing the size of the Initial Study document, relevant information sources cited and discussed in topical sections of the checklist evaluation are incorporated by reference into the checklist (e.g. general plans, zoning ordinances). Each of these information sources has been assigned a number which is shown in parenthesis following each topical question and which corresponds to a number on the data base source list provided herein as Attachment 1. Other sources used or individuals contacted may also be cited in the discussion of topical issues where appropriate.

B. In general, a Negative Declaration shall be prepared for a project subject to CEQA when either the Initial Study demonstrates that there is no substantial evidence that the project may have one or more significant effects on the environment. A Negative Declaration shall also be prepared if the Initial Study identifies potentially significant effects, but revisions to the project made prior to release of the Negative Declaration for public review would avoid or reduce such effects to a level of less than significance, and there is no substantial evidence before the CSD that the project as revised will have a significant effect on the environment. A signature block is provided in Section VII of this Initial Study to verify that the CSD has agreed to incorporate mitigation measures into the project in conformance with this requirement.

C. All answers to the topical questions must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Significant unavoidable cumulative impacts shall be identified in Section V of this Initial Study (Mandatory Findings of Significance).

D. A brief explanation shall be given for all answers except "Not Applicable" answers that are adequately supported by the information sources the CSD cites in the parenthesis following each question. A "Not Applicable" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "Not Applicable" answer shall be discussed where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

E. "Less Than Significant Impact" is appropriate if an effect is found to be less than significant based on the project as proposed and without the incorporation of mitigation measures recommended in the Initial Study.

F. "Potentially Significant Unless Mitigated" applies where the incorporation of recommended mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The CSD must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

G. "Significant Impact" is appropriate if an effect is significant or potentially significant, or if the CSD lacks information to make a finding that the effect is less than significant. If there are one or more effects which have been determined to be significant and unavoidable, an EIR shall be required for the project.

H. The answers in this checklist have also considered the current State California Environmental Quality Act Guidelines and Appendix G contained in those Guidelines.

V. ISSUES (and Supporting Information Sources):

1. LAND USE AND PLANNING.

Would the proposal:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Conflict with applicable environmental plans or policies adopted by Marin County? (source #(s): 1. 2. 4. 5.)	[ ]	[X]	[ ]	[ ]
b) Conflict with applicable Countywide Plan designation or zoning standards? (source #(s): 1. 2. 4. 5.)	[ ]	[X]	[ ]	[ ]

The project site is governed by the land use designation contained in the Marin Countywide Plan and by zoning standards contained in Title 22 of the Marin County Code. The project site is located adjacent to Miller Creek Road and replaces existing buildings which will be removed.

Marin Countywide Plan (CWP)

This project site which contains the existing park maintenance facilities also contains the Marinwood Community Center, fire house, community pool, tennis courts and other park facilitates. It is located within the City-Centered corridor of the Marin Countywide Plan, which designates the site as OS, Open Space, consistent with this land use designation. Due to most of the site's proximity to Miller Creek, almost all of the site is within the SCA -- Stream Conservation Area.

Stream Conservation Area (SCA)

As noted above, almost all of the site is within the SCA. At this site the SCA consists of the watercourse itself and a strip of land extending laterally 100 feet outward from the top of the bank. Exceptions to full compliance with all SCA criteria and standards may be allowed only if the following is true:

1. A parcel falls entirely within the SCA: or

2. Development on the parcel entirely outside the SCA either is infeasible or would have greater impacts on water quality, wildlife habitat, other sensitive biological resources, or other environmental constraints than development within the SCA.

SCAs are designated along perennial, intermittent and ephemeral streams as defined in the Countywide Plan Glossary Regardless of parcel size, a site assessment is required where incursion into an SCA is proposed or where full compliance with all SCA criteria would not be met.

Development Code (Title 22)

The project site is governed by its OA -- Open Area-- zoning. Section 22.14.020 B states "The OA zoning district is intended for areas of the County committed to open space uses, as well as environmental preservation. The OA zoning district is consistent with the Open Space, and Agricultural and Conservation land use categories of the Marin Countywide Plan."

As listed in Table 2-9 of Title 22, public parks and playgrounds, storage and accessory facilities are permitted uses with community centers, and public safety facilities requiring a use permit.

Table 2-10 of Title 22 states that setbacks are not applicable to this zoning district. The height limit is 15 feet, for accessory structures.

Community Plan

There is no community plan for this unincorporated area of Marin County.

Consistency. The determination of policy consistency as discussed in this Initial Study section represents Marinwood Community Services District's interpretation of policies. However, this Initial Study does not determine policy consistency. The formal policy consistency determinations are made by the County decision-makers.

Policy inconsistencies may not necessarily indicate significant environmental effects. Section 15358(b of the CEQA Guidelines states that "effects analyzed under CEQA must be related to a physical change in the environment."

Therefore, only those policy inconsistencies that would lead to a significant effect on the physical environment are considered significant impacts pursuant to CEQA. Where potentially significant environmental impacts are raised in the discussion below, they have been mitigated to a less-than-significant impact and, therefore, project activities are determined to be consistent with the relevant policies cited. Mitigations are addressed further in the topical impact sections following plan policy analyses.

The environmental protection policies contained in Marin CWP that pertain to the project include the following: (1) protection and, where possible, restoration of the natural structure and function of riparian systems; (2) prevention of air, water, and noise pollution; (3) protection of visual resources and amenities; (4) protection of trees; and (5) minimization of grading activities. The relevant policies are listed below, followed by the policy analyses. (See consistency note above.)

2007 Countywide Plan Policies

Policies BIO 4.1, 4.8, 4.15, 4.20 - Protect and Enhance the Stream Conservation Area.

Consistent with Mitigation. The project involves removal of existing facilities immediately adjacent to the creek bank, restoring the area adjacent to the creek bank and locating the replacement facilities as far from the creek bank as site constraints permit. The project will be subject to conditions imposed by Site Plan Review as established by the Marin County Community Development Agency. Through the County's building permit process the project would be required to implement standard measures for minimizing erosion as detailed in Marin County Code Title 24, section 24.04.625 (g), "Scheduling and timing of grading activities, timely revegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include: designated washout areas or facilities, control of trash and recycled materials, covering of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices."

A Biological Resources Assessment was prepared by Prunuske Chatham, Inc. and is attached as Exhibit "A" and incorporated by reference ("Chatham Report"). As discussed more fully in Section V 8(a) and (b), removal of the old facility located adjacent to the creek and replacement with a new structure set at least 55 feet away from the top of near creek bank will greatly improve the habitat values on the site, reduce the potential for pollutants and debris to enter Miller Creek, and provide a buffer to fish and wildlife populations. Based on the conclusions of the Chatham Report and subject to the mitigations detailed in Section V 8(a) and (b), the project is consistent as mitigated.

Policies AIR-1.2 and 1.3 - Meet Air Quality Standards.

The project would not result in potentially significant impacts on air quality relating to dust and vehicle-related emissions during construction, because best management practices would be utilized during construction.

Consistent. Implementation of the standard County permit requirements and the Dust Control measure adopted in 22.20.040 of the Marin County Development Code, and included in the Air Quality Section V.5 of this Initial Study will ensure conformance with the identified policy by reducing air quality impacts to a less than significant level and will ensure compliance with the identified policy. The project is consistent with Policies AIR-1.2 and 1.3.

Policies WR-1.3 and WR 2.3 - Improve Infiltration and Avoid Erosion and Sedimentation.

The project will not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff because demolition of the existing facilities, excavation and drainage improvements would comply with the Marin County standards, such as the Bay Area Stormwater Management Agencies Association (BASMAA) best management practices required by the Department of Public Works during the building permit process. Therefore, the project is consistent with these policies.

Consistent. Implementation of the standard County permit requirements and best management practices contained in the Water Section V.4 of this Initial Study will ensure conformance with the above-identified policy.

Policy NO-1 – Noise; Protection from excessive noise.

The project would create two types of noise impacts: noise associated with construction activities and noise associated with its current use. Noise Section V.10 concludes that the noise associated with construction activities and with the proposed improvements would be less than significant, ensuring compliance with the identified policy.

Consistent. While the project may contribute minimally to noise pollution, no significant effects related to noise pollution are identified that are not reduced to less than significant by design or uniformly applied standards. Therefore, the project would be consistent with this policy.

Policy BIO-1.3 – Protect Woodlands, Forests, and Tree Removal. *The County shall strive to protect large trees, trees with historical importance, and oak woodland habitat, and prevent the intimely removal of trees through implementation of tree preservation ordinance.*

Consistent. The project will only remove two non-native pine trees. All native trees (oak trees) in the vicinity of the project will remain.

Additionally, any new plantings would need to comply with Marinwood Fire Department safety standards when it comes to proximity of the trees to any proposed structures. Therefore, the project is consistent with this policy.

Policies EH-2.1 and EH-2.3. Safety from Seismic and Geologic Hazards. *Protect people and property from risks associated with seismic activity and geologic hazards.*

Consistent. The project site is not located within an Earthquake Study Zone. Standard design and construction measures would be implemented in order to avoid or minimize potential impacts related to soil stability, seismicity, and landslides. Moreover, the project site is located in Zone 2, which is recognized as a stable zone in the event of an earthquake, and the soils on this property are recognized as only slightly susceptible to water erosion. Therefore, the project is consistent with this policy.

Policies EH-3.1 and EH-3.2. Safety from Flooding and Inundation. *Utilize regulations instead of flood control projects whenever possible to minimize losses in areas where flooding is inevitable. Ensure that flow capacity is maintained in stream channels and floodplains, and achieve flood control using biotechnical techniques instead of storm drains, culverts, riprap, and other forms of structural stabilization.*

Consistent. As discussed in the Water Section V.4, compliance with code requirements would reduce potentially significant impacts caused by flooding to less than significant levels. Therefore, the project is consistent with these policies. The project would meet flood control requirements and creek setback to structures, as verified by the Department of Public Works during the Site Plan Review.

Policies EH-4.1 and EH-4.2. Safety from Fires. *Ensure that adequate fire protection is provided in new development. Abate the buildup of vegetation around structures.*

Consistent. The project would meet all fire safety requirements, as verified by the Marinwood Fire Department during the building permit process. The project is consistent with this policy.

Policy DES-4.1 and DES-4.e – Protection of Scenic Resources. *Protect scenic quality and views of the natural environment – including ridgelines and upland greenbelts, hillsides, water, and tree- from adverse impacts related to development.*

Consistent. The visual resources of the project site and community would not be adversely impacted by the project because the project meets the Zoning District standards. The project is subject to Site Plan Review by the Marin County Community Development Agency per Marin County Code Section 22.52. Through this process, the project would be analyzed based on the Development Code, Countywide Plan, and Community Plan policies, and the project would have to demonstrate that it could be consistent with these standards and policies. The proposed building has been sited with adequate setbacks to surrounding property lines and would not significantly conflict with the identified policy. Please refer to Aesthetics/Visual Resources Section V.1.4 below for further discussion.

Mitigation Measures:

1(a.b.)-1 The Marinwood Community Services District shall apply to the Marin County Community Develoment Agency for a Site Plan Review pursuant to Marin County Code Section 22.52; all conditions of approval as included in the Site Plan Review approval shall be implemented.

1(a.b.)-2 All recommendations of the Prunuske Chatham Biological Assessment shall be complied with. See Section V 8(a) and (b).

c) Affect agricultural resources, operations, or contracts (e.g. impacts to soils or farmlands, impacts from incompatible land uses, or conflicts with Williamson Act contracts)? (source #(s): 1. 4. 5. 6. 28.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The project site is designated OS Open Space by the Marin CWP and within the OA Open Area zoning district. The project site is not under agricultural or forest land production, and is not zoned for agricultural/forest use or under a Williamson Act contract.

d) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (source #(s): 1. 4. 5. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The project site is located within the Marinwood Park and the project will replace the existing obsolete and deteriorated park maintenance facility. Therefore, this topical area is not applicable to the project.

e) Result in substantial alteration of the character or functioning of the community, or present or planned use of an area? (source #(s): 1. 4. 5. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The project site is developed with an existing park maintenance building (shop, storage building, fenced storage, and a modular building containing a restroom and lunch area for employees) which is proposed to be replaced. Therefore, this topical area is not applicable to the project.

f) Substantially increase the demand for neighborhood or regional parks or other recreational facilities, or affect existing recreational opportunities? (source #(s): 1. 4. 5.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The project site is developed with an existing park maintenance building (shop, storage building, fenced storage, and a modular building containing a restroom and lunch area for employees) which is proposed to be replaced. Therefore, this topical area is not applicable to the project.

2. POPULATION AND HOUSING.

Would the proposal:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Increase density that would exceed official population projections for the planning area within which the project site is located as set forth in the Countywide Plan and/or community plan? (source #(s): 1. 4. 5.)	[ ]	[ ]	[ ]	[X]

The project consists of the replacement of an existing park maintenance building. Therefore, this topical area is not applicable to the project.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? (source #(s): 1. 4. 5.)	[ ]	[ ]	[ ]	[X]

The project consists of the replacement of an existing park maintenance building. Therefore, this topical area is not applicable to the project.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) Displace existing housing, especially affordable housing? (source #(s): 1. 4. 5.)	[ ]	[ ]	[ ]	[X]

The project consists of the replacement of an existing park maintenance building. Therefore, this topical area is not applicable to the project.

3. GEOPHYSICAL.

Would the proposal result in or expose people to potential impacts involving:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Location in an area of geologic hazards, including but not necessarily limited to: 1) active or potentially active fault zones; 2) landslides or mudslides; 3) slope instability or ground failure; 4) subsidence; 5) expansive soils; 6) liquefaction; 7) tsunami; or 8) similar hazards? (source #(s): 1. 4. 6. 7. 9. 10. 11.)	[ ]	[ ]	[X]	[ ]

As noted previously under Land Use Planning Policy Sections EH-2.1 and EH-2.3, the project site is located in Earthquake Zone 2, which is recognized as a stable zone in the event of an earthquake. The soils on this site are recognized as having a low to very low expansiveness rating. The project site is located in Slope Stability Zone 1, which is the most stable zone, and there are no recorded landslides or liquefaction that has ever occurred on the project site. Given that the project would have to comply with current building and safety standards for earthquake retrofit, the project would have a less than significant impact on the environment.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Substantial erosion of soils due to wind or water forces and attendant siltation from excavation, grading, or fill? (source #(s): 1. 6.)	[ ]	[ ]	[X]	[ ]

Given that best management practices have improved so greatly, it is likely that the project would not result in the substantial erosion of soils due to wind or water forces and attendant siltation from excavation, grading, or fill as a result of any construction activities associated with the project. Potential water use during construction would also be minimal and would not result in substantial erosion of soils. Through the building permit process, the project would be required to implement standard measures for minimizing erosion as detailed in Marin County Code Title 24, section 24.04.625 (g), "scheduling and timing of grading activities, timely revegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include: designated washout areas or facilities, control of trash and recycled materials, covering of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards

and practices." The project would have a less than significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) Substantial changes in topography from excavation, grading or fill, including but not necessarily limited to: 1) ground surface relief features; 2) geologic substructures or unstable soil conditions; and 3) unique geologic or physical features? (source #(s): 1. 6.)	[ ]	[ ]	[X]	[ ]

The project would not result in significant, adverse changes in topography or unstable soil conditions due to grading. Pursuant to Marin County requirements, the proposed project would require a building permit which would be subject to review and approval by the Department of Public Works. Based on the project plans, the project would not result in significant impacts to the environment because development of the project site has been designed so as to substantially conform to the natural topography of the site. Therefore, this impact would be less than significant.

4. WATER.

Would the proposal result in:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Substantial changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (source #(s): 1. 6.)	[ ]	[ ]	[X]	[ ]

Due to the availability of best management practices when constructing the project site, the project would not increase or otherwise impact the volume of runoff generated from developing the project site. Further, the proposed project would be required to conform to all applicable development restrictions in the Marin County Code regarding drainage, erosion and sediment control that requires runoff to be collected and dispersed on site. Therefore, the project would have a less than significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Exposure of people or property to water related hazards, including, but not necessarily limited to: 1) flooding; 2) debris deposition; or 3) similar hazards? (source #(s): 1. 8.10.)	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to water related hazards because according to the Federal Emergency Management Agency 2016 Flood Insurance Rate Map, the project site is located in Zone "X" -- area of minimal flood hazard. According to the State of California Tsunami Inundation Map for Emergency Planning, dated July 2009, the project site is not subject to tsunami inundation. Therefore, this impact would be less than significant.

c) **Discharge of pollutants into surface or ground waters or other alteration of surface or ground water quality (e.g. temperature, dissolved oxygen or turbidity)? (source #(s): 1. 4. 6. 8.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The project would not generate any unusual quantities of pollutants that would affect the quality of surface or subsurface waters in the surrounding areas, again due to the best management practices that would be utilized during construction. In addition, any development would be required to obtain a building permit and connect to the sewage disposal system pursuant to the permit authority of the Las Gallinas Valley Sanitary District. Overall, the project would not adversely affect surface or ground water quality in the vicinity and the impact would be less than significant .

d) **Substantial change in the amount of surface water in any water body or ground water either through direct additions or withdrawals, or through intersection of an aquifer by cuts or excavations? (source #(s): 1. 4. 6.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The domestic water supply for the existing buildings is currently provided by the Marin Municipal Water District, a public water agency. The project would not directly or indirectly alter any existing surface water or aquifer in the project area.

The project would not result in significant impacts to the environment because the development would not substantially increase the use of existing surface or ground water. Therefore, this impact would be less than significant.

e) **Substantial changes in the flow of surface or ground waters, including, but not necessarily limited to: 1) currents; 2) rate of flow; or 3) the course or direction of water movements? (source #(s): 1. 4. 6.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The proposed park maintenance building replacement project would result in no significant increase in runoff. However, by utilizing the best management practices as adopted in Marin County, the site improvements would negligibly affect permeability of the project site. No improvements are proposed that would alter the flow, course, or direction of Miller Creek or the adjacent ephemeral drainage. Therefore, this impact is less than significant.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
f) Substantial reduction in the amount of water otherwise available for public water supplies? (source #(s): 1. 4. 6.)	[ ]	[ ]	[X]	[ ]

The project involves the replacement of existing buildings. This project would not substantially increase the previous use of water supplies. The project would have a less than significant impact related to this issue.

5. AIR QUALITY.

Would the proposal:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Generate substantial air emissions that could violate official air quality standards or contribute substantially to an existing or projected air quality (source #(s): 1. 12. 13. 14. 15.)	[ ]	[X]	[ ]	[ ]

The project site is located in unincorporated Marin County within the San Francisco Bay Area (Bay Area) Air Basin. Air quality in the Bay Area Air Basin is governed by the Bay Area Air Quality Management District (BAAQMD). The Bay Area Air Basin is currently classified as non-attainment for the 1-hour State ozone standard as well as for the federal and State 8-hour standards. Additionally, the Bay Area Air Basin is classified as non-attainment for the State 24-hour and annual arithmetic mean PM_{10} standards as well as the State annual arithmetic mean and the national 24-hour $PM_{2.5}$ standards. The Bay Area Air Basin is unclassified or classified as attainment for all other pollutants standards.

The project would generate criteria pollutant emissions during construction and operation. Construction-related emissions would result from off road, heavy equipment operating at the project site to demolish the existing park maintenance building and to construct the replacement building and from truck trips associated with deliveries and construction workers commuting to and from the project site. Emissions associated with operation would include those from routine activities such as park maintenance vehicle trips, car trips, routine painting, and other maintenance activities.

Construction mitigation measures are included during construction. Therefore, construction and operation of the project would not result in a violation of air quality standard or contribute significantly to an existing or projected air quality violation with implementation of the Marin County Development Code standards as outlined in Title 22.20.040. Since the project entails the replacement of an existing building, the associated impact would be less than significant with the implementation of the Dust Control Measures adopted in 22.20.040 of the Marin Count Development Code:

Mitigations Measures:

The following dust control measures apply to all projects involving ground disturbance that are subject to environmental review:

5(a)-1. All unpaved exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.

5(a)-2. All haul trucks transporting soil, sand, or other loose material off-site hall be covered.

5(a)-3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

5(a)-4. All vehicle speeds on unpaved roads shall be limited to a maximum of 15 miles per hour.

5(a)-5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

5(a)-6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Tile 13, Section 2485 of California of Regulations). Clear signage shall be provided for construction workers at all access points.

5(a)-7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified emissions evaluator.

5(a)-8. During construction, County staff conducting routine inspections should verify that the District and contractors are implementing the applicable BAAQMD basic control measures. With the implementation of these Best Management Practices as adopted in Marin County Development Code section 22.20.040, the project would have a less than significant impact related to this issue.

b) Expose sensitive receptors to pollutants, such as noxious fumes or fugitive dust? (source #(s): 1. 12. 13. 14. 15.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The BAAQMD recommends that lead agencies assess the incremental toxic air contaminant (TAC) exposure risk to all sensitive receptors within a 1,000-foot radius of a project's fence line. Long-term operations that would be associated with the project would result in no new TAC emissions. However, project construction and demolition activities would generate diesel particulate matter (DPM), which is considered to be a TAC. The majority of DPM exhaust emissions that would be generated at the project site would be due to the use of diesel off-road equipment.

The closest sensitive receptors to the project site would be neighboring residences on Quietwood Drive and Miller Creek Road. The closest residences would be at a distance of approximately 40 feet from the project activities. The nearest school is located on the southerly side of Miller Creek, approximately 500 feet south of the project site. CDS tennis courts are located approximately 100 feet south of the project site.

The dose to which receptors are exposed is the primary factor affecting health risk from exposure to TACs. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period when assessing TACs (such as DPM) that have only cancer or chronic non-cancer health effects. However, such health risk assessments should be limited to the duration of the emission-producing activities associated with the project.

For the project, DPM emissions that would be generated near the sensitive receptors would be limited to a period of up to a few months. Because these emissions would be minor and occur for over a few months in the vicinity of the residences and school compared to the 70-year exposure used in health risk assessments, project-related DPM emissions would not be considered substantial and would not result in a significant incremental cancer risk. The project would not result in a significant impact related to this issue.

c) Alter air movement, moisture, or temperature, or cause any change in climate? (source #(s): 1. 16.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

Moderate winds and mild temperatures throughout the year characterize the climate of the area. Implementation of the project would not result in considerable alterations to climatic conditions because the project replaces existing buildings, nor would it involve the installation of large-scale Wind Energy Conversion (WEC) systems. The project would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
d) Create objectionable odors? (source #(s): 1. 16.)	[ ]	[ ]	[X]	[ ]

Operation of the existing use on the project site would not create odorous emissions; however, project construction would include sources, such as diesel equipment, which could result in the creation of objectionable odors. Since the construction activities would be temporary and spatially dispersed, these activities would not affect a substantial number of people. The project would not result in a significant impact related to this issue.

6. GREENHOUSE GAS EMISSIONS.

Would the proposal:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (source #(s): 12. 13. 14. 15.)	[ ]	[ ]	[X]	[ ]

Replacement and demolition of the existing buildings would generate greenhouse gas (GHG) emissions during construction and operation. Construction emissions would be generated onsite due to the use of heavy-duty off-road equipment associated with construction and demolition (i.e., excavators, graders, front loaders, dump trucks, cranes, paving equipment, etc.). Operational emissions would result from the day to day use of the project site at its current level (vehicle trips and electricity consumption).

As the project would replace the existing park maintenance facilities, this project would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (source #(s): 1. 4.)	[ ]	[ ]	[X]	[ ]

The project would not conflict with certain GHG reduction goals set forth in Assembly Bill 32, including the 39 Recommended Actions identified by California Air Resources Board in its Climate Change Scoping Plan. The project would also not conflict with goals and policies contained in the Marin Countywide Plan and Climate Action Plan. The project would be required to obtain building permits for construction, which would ensure compliance with all Title 24 and the Marin County Green Building Ordinance requirements. The project would not result in a significant impact related to this issue.

7. TRANSPORTATION / CIRCULATION.

Would the proposal result in:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Substantial increase in vehicle trips or traffic congestion such that existing levels of service on affected roadways will deteriorate below acceptable County standards? (source #(s): 1. 4. 6.)	[ ]	[ ]	[X]	[ ]

Project construction would generate short-term increases of limited heavy truck traffic to deliver construction equipment and supplies, as well as contractor vehicle traffic during construction and demolition.

While construction activities would increase local vehicle trips, project construction would be temporary and would present an incremental increase in vehicle trips to local and regional roadways, which presently operate at acceptable levels of service. Over the long term, a new building could be expected to generate essentially the same number of daily trips as currently exist. The level of service standards for roadways that are part of the Marin Congestion Management Program network are intended to regulate long-term traffic increases from operation of new development. The existing road network generally consists of residential streets, connector roads, and arterials servicing nearby rural suburban neighborhoods. Replacement of the existing buildings would not incrementally contribute additional vehicle trips to local roads which currently operate within acceptable County service standards. As the project is not anticipated to constrain existing roadway operations or exceed level of service standards established by the Transportation Authority of Marin, the project would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Traffic hazards related to: 1) safety from design features (e.g. sharp curves or dangerous intersections); 2) barriers to pedestrians or bicyclists; or 3) incompatible uses (e.g. farm equipment)? (source #(s): 1. 4. 6.)	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts related to traffic hazards because replacement of the existing buildings would not result in any change to existing traffic patterns. Further, the project would not alter the physical configuration of the existing roadway network serving the area, and would not introduce unsafe design features. The project also would not introduce uses that are incompatible with existing uses already served by the road system that serves the project area. The project would not result in a significant impact related to this issue.

c) Inadequate emergency access or access to nearby uses? (source #(s): 1. 4. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in inadequate emergency access or access to nearby uses. The project involves replacement of existing buildings, which would continue to be accessed via Miller Creek Road. The project would not include any work within public roadways, and access for emergency vehicles would not be obstructed. The number of short-term vehicle trips generated by the project would not affect traffic flow for emergency service providers. The project would not result in a significant impact related to this issue.

d) Insufficient parking capacity on-site or off-site? (source #(s): 1. 4. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project involves the replacement of an existing park maintenance building with no proposed increase in workers beyond what previously exists.

e) Substantial impacts upon existing transportation systems, including rail, waterborne or air traffic systems? (source #(s): 1. 4. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The project would not impact existing transportation systems. The project site is not located near existing transportation systems, including rail, waterborne, or air traffic systems. Therefore, this topical area is not applicable to the project.

8. **BIOLOGICAL RESOURCES.**

Would the proposal result in:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Reduction in the number of endangered, threatened or rare species, or substantial alteration of their habitats including, but not necessarily limited to: 1) plants; 2) fish; 3) insects; 4) animals; and 5) birds listed as special-status species by State or Federal Resource Agencies? (sources #(s): 1. 2. 4. 5. 6. 18.)	[ ]	[X]	[ ]	[ ]
b) Substantial change in the diversity, number, or habitat of any species of plants or animals currently present or likely to occur at any time throughout the year? (source #(s) 1. 2. 4. 5. 6. 18.)	[ ]	[X]	[ ]	[ ]

The current building configuration diminishes the habitat functions and values of the riparian corridor along Miller Creek. Removal and replacement of the facility away from the top of the bank would greatly improve the habitat values on the site, reduce the potential for pollutants and debris to enter Miller Creek, and buffer fish and wildlife populations from human disturbance. Given the close proximity to the creek, the existing building and fences will need to be carefully removed to protect trees and other vegetation. Protection measures will also need to be put in place to protect fish and wildlife resources within the project area during demolition and throughout construction. Invasive species removal and native revegetation will be an integral part of the project and ultimately result in improved riparian habitat conditions.

Based on the background literature, data search, and field survey undertaken as a part of the Biological Assessment as described in Appendix A, the following biological resource determinations were made:

- The site is located in an area with extensive urban development. It is bordered by a residential community, recreation and community services, and a school.
- The site supports native riparian vegetation, but non-native invasive plants are pervasive.

- A perennial stream and an ephemeral drainage flow adjacent to the existing facility. These may be considered jurisdictional areas and the riparian habitat a sensitive natural community. Stream Conservation Area setbacks would apply for any new developed on the project parcel.
- The site supports habitat for a variety of native wildlife species (e.g., reptiles amphibians, mammals, invertebrates).
- Miller Creek supports documented habitat for steelhead and other native fish.
- The site supports breeding/wintering/foraging habitat for a number of native bird species, including several special-status species. Birds were using the building and adjacent storage building during the 2017 breeding season; old nest structure were observed.
- The site supports potential roosting and foraging habitat for special-status and common bat species. The existing building may be used a roosting habitat for a small number of individual bats. Nearby vegetation is also suitable roosting habitat.
- The site is unlikely to support special-status herpetofauna (i.e., foothill yellow-legged frog, California red-legged frog, and northern western pond turtle) due to the lack of sightings in the watershed and urban condition, but Prunuske Chatham recommends protection measures for all potential aquatic species.
- The optimal time to demolish the building is September through October. This will avoid the bird nesting season and bat maternity and winter hibernation.

Migration Measures recommended in the Biological Assessment and Incorporated herein as follows:

8(a.b.)-1 The District shall implement a preconstruction training session for all supervisory construction staff by a qualified biologist. The training should include a discussion of the sensitive biological resources within the project site and the potential presence of special-status species' habitats, protection measures to ensure species are not impacted by project activities, project boundaries, biological conditions outlined in the project permits, and procedures to follow if sensitive wildlife species are found within the project site.

8(a.b.)-2 A copy of all project permits should be on site at all times and reviewed by construction crew personnel prior to beginning work.

8(a.b.)-3 The project limits should be clearly marked on the final design drawings and work confined within those boundaries. Prior to construction, the construction supervisor and a qualified biologist should meet on site to agree upon and delineate project boundaries (see #17 below).

8(a.b.)-4 Foot and vehicle traffic should be restricted to the designated work and staging areas.

8(a.b.)-5 Excavated holes, trenches, etc. greater than one foot in depth should be covered with boards or other appropriate materials or backfilled with dirt at the end of each working day. If trenches remain open overnight, earthen escape ramps should be constructed every 10'.

8(a.b.)-6 If a special-status wildlife species enters the work area, the construction crew supervisor should contact a qualified biologist and/or resource agency staff for further guidance.

8(a.b.)-7 Special-status and common wildlife species should not be captured or handled by the supervisor or field crew members unless directed by a qualified biologist and/or resource agencies.

8(a.b.)-8 Proper erosion control and other water quality Best Management Practices (BMP's) should be implemented to avoid sedimentation and disturbance to downstream aquatic habitats.

8(a.b.)-9 All staging, maintenance, fueling, and storage of construction equipment should be conducted in a location and manner that will prevent potential runoff of petroleum products into downstream aquatic habitats. Oil-absorbent and spill-containment materials should be on site at all times.

8(a.b.)-10 All food trash that may attract predators should be properly stored and removed at the end of each construction day. Following construction, all trash and construction debris should be removed.

8(a.b.)-11 To prevent harassment, injury, or mortality to sensitive species or their habitat, no pets should be permitted within the work area.

8(a.b.)-12 Minimize disturbance to native vegetation. Native trees are particularly susceptible to disturbance, especially within the root crown (the base of the trunk) and root zone commonly referred to as the root protection zone (RPZ), which is typically defined as one-third larger than the drip line radius measured from the trunk. When feasible, work within the RPZ should be limited. If any native trees greater than 6" in diameter at breast height are removed, replacement with native species should occur at a ratio of 3:1.

8(a.b.)-13 Prior to mobilization of construction equipment, temporary protective fencing should be installed around RPZs or, at a minimum, the dripline perimeter of trees to be preserved near construction zones.

8(a.b.)14 Incorporate removal of invasive species (e.g., Himalayan blackberry, cape, ivy, English ivy) into project design. Remove, by hand or mechanical means all non-natives within the project site and within 25' buffer around it. Dispose of any material with potential to germinate or resprout in a landfill. Establish native riparian vegetation along the riparian corridor (see #26 below).

8(a.b.)-15 Prevent introduction and spread of invasive plant species.

a. Any seed, straw, or mulch brought into the site should be weed-free.
b. Construction vehicles and other equipment should be cleaned of seed and soil from weed-infested locations before entering new areas.
c. Revegetation of disturbed soil should occur promptly after disturbance.
d. All site restoration and erosion control seeding should include only native species from Marin County.
e. Monitor areas of ground disturbance for invasive species infestation.

8(a.b.)-16 A preconstruction survey (ahead of the construction crew) should be performed by a qualified biologist prior to any site disturbance/building demolition. If terrestrial species are observed within the work area or immediate surroundings, these areas should be avoided until the animal(s) has (have) vacated the area and/or the animal(s) will be relocated out of the project area by a qualified biologist with agency approval.

8(a.b.)-17 Temporary wildlife exclusionary fencing (e.g., silt fence, which is a piece of synthetic filter fabric [also call geotextile]) should be installed around work areas during construction. Openings should be restricted to areas of construction site access. This fencing would preclude animals from entering the work area and prevent construction debris and workers from entering adjacent riparian habitat.

8(a.b.)-18 Construction activities (including building removal) should occur outside of the critical breeding period (typically February through August in this area).

8(a.b.)-19 If activities must occur during the normal breeding season, the work area should be surveyed by a qualified biologist prior to commencing. If active nests or behavior indicative of nesting are encountered, those areas plus a 50-foot buffer for small songbirds and 150-foot buffer for larger birds (e.g., owls, raptors) designated by the biologist should be avoided until the nests have been vacated.

8(a.b.)-20 If work occurs during the active breeding season and active nests are documented within the project site, ongoing construction monitoring should occur to ensure no nesting activity is disturbed. If the site is left unattended for more than one week, an additional survey should be completed.

8(a.b.)-21 Prior to building removal and tree removal/trimming, a qualified biologist should survey for bat roosts. If active bat roosts area identified within the existing building or vegetation to be disturbed, disturbance should not be allowed until the roost is abandoned or unoccupied. CDFW consultation may be required if special-status bat species are present.

8(a.b.)-22 If bats are present, the District should employ a number of deterrent methods to encourage bats to relocate (for non-CDFW listed species). This could include changes to lighting, air flow patterns, and noise disturbance. Exclusion methods should be developed based on the species present and location of occupied roosts. Bat exclusion should not be performed during that maternity season (June through August) or during winter hibernation (November through February). Bat exclusion should be overseen by a qualified biologist.

8(a.b.)-23 If building removal/tree trimming/removal is postponed or interrupted for more than two weeks from the date of the initial bat survey, the biologist should repeat the preconstruction survey.

8(a.b.)-24 Construction should be limited to daylight hours to avoid interference with the foraging abilities of bats.

8(a.b.)-25 Following completion of engineered plans and construction specifications and in consultation with resource agencies, the recommended protection measures should be revaluated to determine if they are adequate for the protection of resources within the project area. Based on the final design, more comprehensive protection measures may be warranted to address the need for preconstruction surveys, relocation techniques and sites, wildlife exclusion, ongoing construction monitoring, worker education, and habitat enhancement and restoration guidelines

8(a.b.)-26 Following removal of the building and associated structures non-native plant species should be removed and the creek bank should be revegetated with native plants. The restored riparian corridor will provide bank stability, filtration capacity, and in the long term, woody debris input to the creek. The restored habitat will also serve as an important resource for a variety of aquatic and terrestrial species by providing nesting opportunities, food, and shelter, as well as serving as a migratory corridor. Enhancement of the riparian corridor will improve habitat for these and other species. The development of the riparian corridor will also shade the channel, lowering water temperatures. The overhanging trees will also provide nutrient input to the stream in the form of leaves and twigs, as well as insects that fall into the water and become food for aquatic organisms. A qualified vegetation specialist should be consulted during development of the restoration plan.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) Introduction of new species of plants or animals into an area, or improvements or alterations that would result in a barrier to the migration, dispersal or movement of animals? (source #(s): 1. 4. 5. 6. 18.)	[ ]	[ ]	[X]	[ ]

The project would not result in the introduction of new species of plants into the area. Activities associated with construction of this project would be limited to the existing developed portions of the property, which are already abutted by existing development. No work is to occur on the actual banks or bed of Miller Creek or the adjacent drainage way.

The project would not result in the introduction of new species of animals into the area or result in a barrier to animal movement. The project site is located adjacent to an existing developed residential neighborhood and is developed with an existing residence. Thus, domesticated pets such as cats and dogs have long been associated with both the project site and the surrounding neighborhood. The openness of the project site to wildlife movement would remain the same. The project would not result in a significant impact related to this issue.

9. ENERGY AND NATURAL RESOURCES.

Would the proposal result in:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Substantial increase in demand for existing energy sources, or conflict with adopted policies or standards for energy use? (source #(s): 1. 4.)	[ ]	[ ]	[X]	[ ]

The project involves replacement of existing park maintenance building. The project would be required to meet the minimum requirements of the Marin County Green Building Submittal Checklist, California Title 24 and Ordinance 3492. The Green Building Requirements include energy efficiency standards that would reduce energy consumption by the project. The project would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Use of non-renewable resources in a wasteful and inefficient manner? (source #(s): 1. 4.)	[ ]	[ ]	[X]	[ ]

The project would be required to meet the requirements of the Marin County Green Building Submittal Checklist, California Title 24 and Ordinance 3492 to reduce the amount of energy consumed. As the project replaces existing facilities, it would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) Loss of significant mineral resource sites designated in the Countywide Plan from premature development or other land uses which are incompatible with mineral extraction? (source #(s): 1. 4. 17.)	[ ]	[ ]	[ ]	[X]

The project involves the replacement of the existing park maintenance buildings. The project is not located in an area that is designated by the State or the County as a significant mineral resource or mineral resource preservation area. Therefore, this topical area is not applicable to the project.

10. HAZARDS.

Would the proposal involve:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) A risk of accidental explosion or release of hazardous substances including, but not necessarily limited to: 1) oil, pesticides; 2) chemicals; or 3) radiation)? (source #(s): 1. 4. 19.)	[ ]	[ ]	[X]	[ ]

Foreseeably, no major or unusual quantities of explosive or hazardous materials would be present on the project site or during construction. The project would be subject to the numerous federal, State, and local laws and regulations governing the storage and handling hazardous materials. The project would not result in a significant impact related to this issue.

b) Possible interference with an emergency response plan or emergency evacuation plan? (source #(s): 1. 4.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project involves replacement of existing park maintenance facilities. The project would not include any work within public roadways, and access for emergency vehicles would not be obstructed. Further, emergency responders would not be hindered as the project would be required to comply with building and fire codes. The project would not result in a significant impact related to this issue.

c) The creation of any health hazard or potential health hazard? (source #(s): 1. 4.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

Construction activities and future use of the facilities that employ hazards or the use of hazardous chemicals, such as gasoline, diesel fuel, oils and lubricants, paints and thinners, solvents, and other chemicals would be subject to numerous federal, State, and local laws and regulations to ensure the safe transportation, use, storage, and disposal of hazardous materials. The applicant and contractors would be required to comply with all hazardous materials laws and regulations for the transport, use, and disposal of hazardous materials. The project would not result in a significant impact related to this issue.

d) Exposure of people to existing sources of potential health hazards? (source #(s): 1. 4. 19.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project site is not included on any of the environmental databases maintained by the State Water Resources Control Board or the California Department of Toxic Substances Control. Therefore, it is unlikely that the project would expose people to existing sources of potential health hazards. The project would not result in a significant impact related to this issue.

e) Increased fire hazard in areas with flammable brush, grass, or trees? (source #(s): 1. 14. 20.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project setting is amid mature trees, bushes, and grasslands which is conducive to the ignition and spread of a wildland fire, if appropriate measures are not taken during construction activities. Further, the area is generally classified as having a high" fire risk by the County of Marin, which could expose people or structures to a risk of loss, injury or death involving wildland fires.

However, the project would be required to be designed and constructed in conformance with the standards of the Marinwood Fire Department regarding defensible space and fire resistant building materials, and in conformance with applicable Building Code requirements. The project would not result in a significant impact related to this issue.

11. NOISE.

***Would the proposal result in*:**

a) **Substantial increases in existing ambient noise levels? (source #(s): 1.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to substantial increases in ambient noise levels since the project involves the replacement of the existing park maintenance buildings and would not result in additional noise in the area. The proposed construction and demolition would result in typical construction noise for a temporary period, which would be required to conform to the standard construction hours allowed by the Noise Ordinance for development in the County.

b) **Exposure of people to significant noise levels, or conflicts with adopted noise policies or standards? (source #(s): 1.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

As discussed above in section 11a of this Initial Study, the project would not expose the population in the area to increases in noise levels. The noise generated from this project would be periodic and temporary in nature and would occur during certain hours of the day and week in preparation of the site, construction of the new buildings and demolition of the existing buildings. No additional noise would occur after this has been completed. As noted above, in section 11a, all construction activity would be regulated through the County's Noise Ordinance. Therefore, the project would not conflict with adopted noise policies or standards. The project would not result in a significant impact related to this issue.

12. PUBLIC SERVICES.

Would the proposal have an effect upon, or result in a need for new or altered government service in any of the following areas:

a) **Fire protection? (source #(s): 1. 22.)**	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The project site is served by the Marinwood Fire Department; located approximately 0.5 mile from the project site. The project would not result an increased need for new fire protection services since the primary fire protection in this area is carried out by the Marinwood Fire Department and the replacement of the existing park maintenance buildings would not result in a significance increase in service needs. Further, construction activities would be short-term and would involve a limited workforce. Project construction would not significantly increase demand on such facilities. The project would not result in a significant impact related to this issue.

b) Police protection? (source #(s): 1. 23.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project site is served by the Marin County Sheriff's Patrol Division, which provides police patrol services to unincorporated areas within Marin County. The Sheriff's Office, located at 1600 Las Gamos Drive, serves the community of Marinwood, including the project site. The project and construction of the project would not be expected to significantly affect the Marin County Sheriff's ability to maintain service ratios, response times, other performance objectives, and new or physically altered facilities would not be required. The project would not result in a significant impact related to this issue.

c) Schools? (source #(s): 1. 26.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[ ]	[X]

The Dixie School District and the San Rafael School District provides public education to the Marinwood community. The project would not result in the increased need for new schools since this is not a residential project and therefore would not result in an increase in service needs. Therefore, this topical area is not applicable to the project.

d) Maintenance of public facilities, including roads? (source #(s): 1. 4. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in the increased need for or maintenance of public facilities or roads since the proposed project involves the replacement of existing park maintenance buildings, which would be served by the same road (Miller Creek Road). Further, because the construction activities would be short-term and would involve a limited workforce, project construction would not significantly increase the demand on such facilities. Therefore, the project would have a less than significant effect on public facilities.

e) Other governmental services? (source #(s): 1. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to an increased need for new government services since the replacement of the existing park maintenance buildings would not result in a significance increase in service needs.

13. UTILITIES AND SERVICE SYSTEMS.

Would the proposal result in a need for new systems, or substantial alterations to the following utilities:

a) Power or natural gas? (source #(s): 1. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to an increased need for new power and natural gas services since the existing park maintenance buildings are currently being served by Pacific Gas and Electric Company. No gas service exists or is proposed. The project would not result in a significant impact related to this issue.

b) Communications systems? (source #(s): 1. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts due to an increased need for communications systems since service is available from various telephone and cable companies. Further, since the infrastructure for the communications systems are already serving the existing park maintenance buildings, no expansion of communications systems to the new park maintenance buildings is proposed. The project would not result in a significant impact related to this issue.

c) Local or regional water treatment or distribution facilities? (source #(s): 1.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not increase the need for water treatment or distribution facilities since the existing park maintenance buildings are currently served by the Marin Municipal Water District. The project would not result in a significant impact related to this issue.

d) Sewer or septic tanks? (source #(s): 1.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to an increased need for sewer services. The project is currently served by the Las Gallinas Valley Sanitary District. The project would not result in a significant impact related to this issue.

e) Storm water drainage? (source #(s): 1. 6.)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to substantial need for storm water drainage since this is a replacement of the existing park maintenance building and would be subject to review and approval by the Department of Public Works to ensure that construction complies with Marin County Code, Title 24 (Development Standards) for drainage and erosion control.

f) Solid waste disposal? (source #(s): 1. 24)	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to an increased need for solid waste disposal since the existing park maintenance facility currently has service available to it. The project would not create a significant increase in solid waste production, and existing solid waste collection services through the Redwood Landfill are adequate to service the proposed park maintenance building. Therefore, this impact would be less than significant.

14. AESTHETICS/VISUAL RESOURCES.

Would the proposal:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Substantially reduce, obstruct, or degrade a scenic vista open to the public or scenic highway, or conflict with adopted aesthetic or visual policies or standards? (source #(s): 1. 4. 5.)	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to a scenic vistas and open space lands or conflict with visual policies. The project would not reduce, obstruct or degrade unique natural site amenities including hillsides, watercourse, stands of significant trees, or other natural features that are distinguishing characteristics of the surrounding area. The project would not result in a significant impact related to this issue.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Have a demonstrable negative aesthetic effect by causing a substantial alteration of the existing visual resources including, but not necessarily limited to: 1) an abrupt transition in land use; 2) disharmony with adjacent uses because of height, bulk or massing of structures; or 3) cast of a substantial amount of light, glare, or shadow? (source #(s): 1. 4. 5.)	[ ]	[ ]	[X]	[ ]

The project would result in a less than significant impact to the aesthetic effects resulting from substantial alteration of existing visual resources since the project would replace the existing dilapidated park maintenance facilities with new facilities. The project would go through the County's Site Plan Review process prior to the building permit phase. The project would not result in a significant impact related to this issue.

15. CULTURAL RESOURCES.

***Would the proposal*:**

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Disturb paleontological, archaeological, or historical sites, objects, or structures? (source #(s): 1. 3. 4. 5. 25.)	[ ]	[X]	[ ]	[ ]

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Have the potential to cause a physical change which I would adversely affect unique ethnic cultural values, or religious or sacred uses within the project area? (source # (s): 1. 3. 4. 5. 25.)	[ ]	[X]	[ ]	[ ]

William Roop of Archaeological Resources Service conducted an archaeological evaluation of the site (See Appendix B). Mr. Roop conducted a site assessment and records search to determine the viability of archaeological and paleontological resources on the site. He also conducted a surface examination and did not find any evidence of cultural/archaeological or paleontological resources on site. The results of his research and field evaluation found that there are no previously recorded prehistoric or historic resources located within the project area. Archaeological resources, once identified, are evaluated using criteria established in the California Environmental Quality Act (CEQA) (14 CCR 15064.5 and PRC 21084.1). Significant historical resources need to be addressed before environmental mitigation guidelines are developed and approved. A"significant historical resource" (including both a prehistoric and historic resource) is one that is found eligible for listing in the California Register of Historical Resources. (Title 14, California Code of Regulations Section 15064.5).

Although no archaeological or pre-historic resources were found or are known on the project site or in the immediate vicinity, it is possible that there may be undiscovered archaeological resources buried on the site due to location in a high sensitive area. Such resources could be discovered during proposed earthwork on the site, making this a potentially significant impact.

MITIGATION MEASURES:

15(a.b.)-1 In the event that any unanticipated artifacts or cultural soil deposits are discovered during future grading or underground excavation for foundations, utility lines, or other purposes, Archaeological Resource Service recommends that all work in the vicinity of the find be stopped until the discovery area can be evaluated by an archaeologist. If the discovery is determined to be potentially significant under the state guidelines, a mitigation plan should be developed, approved by the Marin County Community Development Agency, and implemented prior to recommencing construction.

Depending on the extent and cultural composition of the discovered materials, it may be advisable to have subsequent excavation monitored by an archaeologist, who should be ready to record, recover, and/or protect significant cultural materials from further damage.

15(a.b.)-2 The discovery of human skeletal remains anywhere within a project area requires that work be discontinued in the vicinity of the discovery, while the county coroner is contacted. If the skeletal remains are found to be prehistoric, Native American and not modern, then the coroner must call the Native American Heritage Commission in Sacramento, which will designate the "Most Likely Descendant" of the remains. The Most Likely Descendant will be responsible for recommending the disposition and treatment of the remains. Although the likelihood of encountering human skeletal remains in the project area seems very slight, it is important to have a procedure for alternate tasks that can be put into effect quickly in the event that human remains are discovered. This allows construction work to continue while the remains are investigated.

16. TRIBAL CULTURAL RESOURCES.

Would the proposal result in:

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:.	[ ]	[ ]	[X]	[ ]

(source #(s): 1. 27.)

Pursuant to the requirements of Assembly Bill 52 (AB 52), a letter was sent to the Federated Indians of Graton Rancheria, the only tribe on record that has requested to be notified of projects in Marin County that could affect Tribal Cultural Resources. The letter was sent via certified mail on May 3, 2018, inviting the tribe to initiate consultation with the District regarding any cultural or sacred spaces that could be affected by the project. On June 1, 2018, the tribe requested consultation. On June 4, 2018, the District sent a letter via email to the tribe with a copy of the Archaeological Resource Service Report and asked the tribe to indicate whether additional consultation was required. No response from the tribe was received within the 10 day period provided in the letter. Given the lack of response received, the District closed the consultation process as required under AB52, and the environmental review for the project proceeded. Mr. Roop, as a part of his work in preparing the archaeological report (Appendix B), has emailed the Native American Heritage Commission but received no reply as of the date of this Initial Study. There is no indication that the project would affect any sacred spaces of cultural value, so this is therefore a less than significant impact.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
b) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). **(source #(s): 1.27.)**	[ ]	[X]	[ ]	[ ]

As noted above in 16a, there are no known local historic resources on the project site and there is no indication that the project would affect a historical resource on site or anywhere near the site.

	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
c) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	[ ]	[ ]	[X]	[ ]

(source #(s): 1. 27.)

Pursuant to AB 52, staff notified the local tribes about the project, and did not receive a response with a request for consultation, or any feedback that the site contains a historically or culturally significant tribal resource. The Marinwood Community Services District has fulfilled the requirements of AB 52 and the project is determined to have a less than significant impact related to this issue.

17. SOCIAL AND ECONOMIC EFFECTS.

Would the proposal result in:

Any physical changes which can be traced through a chain of cause and effect to social or economic impacts. (source #(s): 1.)	**Significant Impact**	**Potentially Significant Unless Mitigated**	**Less Than Significant Impact**	**Not Applicable**
	[ ]	[ ]	[X]	[ ]

The project would not result in significant impacts to the environment due to any physical change that would result in a negative social or economic effect since the replacement of the existing park maintenance buildings would not result in a significant increase in the costs of providing limited County services to the project area and would not result in adverse physical effects on the environment.

VI. MANDATORY FINDINGS OF SIGNIFICANCE. Pursuant to Section 15065 of the State EIR Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

	Yes	No	Maybe
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or	[ ]	[X]	[ ]

wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As described in Section V of this Initial Study, any potential environmental impacts from the project would be mitigated to a level of insignificance.

	Yes	No	Maybe
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	[ ]	[X]	[ ]

As described in Section V of this Initial Study, any potential environmental impacts from the project would be mitigated to a level of insignificance.

	Yes	No	Maybe
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	[ ]	[X]	[ ]

As described in Section V of this Initial Study, any potential environmental impacts from the project would be mitigated to a level of insignificance.

	Yes	No	Maybe
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	[ ]	[X]	[ ]

As described in Section V of this Initial Study, any potential environmental impacts from the project would be mitigated to a level of insignificance.

VII. **DETERMINATION: Completed by Marinwood Community Services District, District Manager). Pursuant to Sections 15081 and 15070 of the State Guidelines, the forgoing Initial Study evaluation, and the entire administrative record for the project:**

[ ] I find that the project WILL NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[X] I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Eric Dreikosen, District Manager

6/15/18
Date

ATTACHMENT 1

MARINWOOD COMMUNITY SERVICES DISTRICT
PARK MAINTENANCE FACILITY REPLACEMENT PROJECT
DOCUMENTS INCORPORATED BY REFERENCE

The following is a list of relevant information sources that have been incorporated by reference into the foregoing Initial Study pursuant to Section 15150 of the State CEQA Guidelines. The number assigned to each information source corresponds to the number listed in parenthesis following the incorporating topical question of the Initial Study checklist. These documents are both a matter of public record and available for public inspection either online or at the Planning Division office of the Marin County Community Development Agency (CDA), Suite 308, 3501 Civic Center Drive, San Rafael. The information incorporated from these documents shall be considered to be set forth fully in the Initial Study.

1. Project Plans dated 23 April, 2018, prepared by William Hansell.
2. Biological Resources Assessment dated November 2017 by Prunuske Chatham, Inc.
3. A Cultural Resources Evaluation completed by Archaeological Resource Service dated May 23, 2018.
4. Marin Countywide Plan, CDA - Planning Division (2007)
5. Marin County Development Code, Title 22, CDA - Planning Division
6. Marin County Development Standards, Title 24, Marin County Department of Public Works - Land Use & Water Resources Division
7. Soil Survey of Marin County, USDA Soil Conservation Service (1985)
8. Flood Insurance Rate Map Series of Marin County, California, prepared by the Federal Emergency Management Agency
9. Association of Bay Area Governments (ABAG), 2013. Marin County Earthquake Hazard Map. Available online: http://gis.abag.ca.gov/website/liquefactionsusceptibility/index.html
10. California Department of Conservation, (CDC), 2014. Marin County Tsunami Inundation Maps, available online: http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Marin/Pages/Marin.aspx.
11. Alquist –Priolo Special Studies Zone Map (1974)
12. Bay Area Air Quality Management District (BAAQMD), 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, October, 2009.
13. BAAQMD, 2010. CEQA Air Quality Guidelines, Updated May 2010.
14. BAAQMD, 2012. CEQA Air Quality Guidelines, Updated May 2012.
15. BAAQMD, 2014. Air Quality Standards and Attainment Status, obtained on-line (http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm).

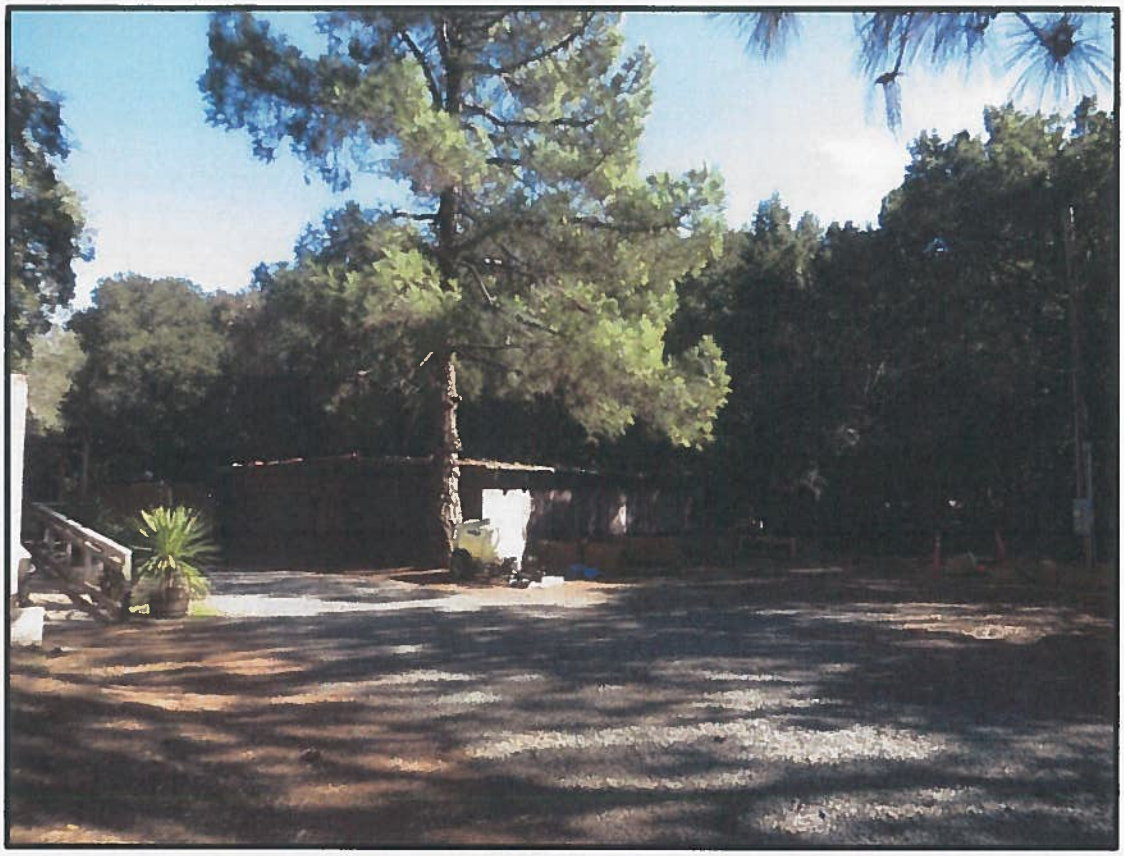
16. Office of Environmental Health Hazard Assessment (OEHHA). 2003. Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. August, 2003.
17. Mineral Resources, CDA - Planning Division (1987).
18. California Department of Fish and Wildlife. Rarefind v. 5. Online version of the California Natural Diversity Database (CNDDB).
19. California Department of Toxic Substances Control (DTSC), 2014. EnviroStor database. Available online: http://www.envirostor.dtsc.ca.gov/public/
20. County of Marin, 2014. Marin Map, Hazard, Fire Hazard Severity Zone. Available online: http://www.marinmap.org/Geocortex/Essentials/Marinmap/Web/Viewer.aspx?Site=MMDataViewer.
21. State Water Resources Control Board (SWRCB), 2014. GeoTracker database. Available online: http://geotracker.waterboards.ca.gov/
22. Marinwood Fire Department, available online at http://www.marinwood.org/.
23. Marin County Sheriff Department, official website, available online at http://www.marinsheriff.org/.
24. CalRecycle, Facility/Site Summary Details: Redwood Sanitary Landfill (21AA0001), available online at: http://www.calrecycle.ca.gov/SWFacilities/Directory/21-AA-0001/Detail/.
25. Marin County Archaeological Sites Inventory Map, CDA - Planning Division (undated) *confidential.*
26. Dixie School District, Official website, available online at: http://www.dixieschooldistrict.org.
27. California Legislative Information, Assembly Bill No. 52., Legislative Counsel's Digest, available online at: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52, accessed June 21, 2017.
28. Marin County Williamson Act FY 2016/2016 Map, CDA—Planning Division online map at: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Marin_15_16_WA.pdf

APPENDIX A

BIOLOGICAL RESOURCES ASSESSMENT

MARINWOOD COMMUNITY SERVICES DISTRICT
PARK MAINTENANCE FACILITY REPLACEMENT PROJECT

PERFORMED BY,
PRUNUSKE CHATHAM, INC.
NOVEMBER, 2017



Biological Resources Assessment
Marinwood Community Services District
Park Maintenance Building Replacement Project
San Rafael, Marin County
November 2017

Prepared for:
Marinwood Community Services District
775 Miller Creek Road
San Rafael, CA 94903-1323

Prepared by:
Prunuske Chatham, Inc.
400 Morris Street, Suite G
Sebastopol, CA 95472

Marinwood
Community Services District

PRUNUSKE CHATHAM, INC.

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- Figure 1: Project Location
- Figure 2: Reported Special-status Species Occurrences in Project Vicinity
- Figure 3: Site Map
- California Department of Fish and Wildlife, Natural Diversity Database – Novato USGS Quadrangle
- U.S. Fish and Wildlife Service, Information Planning and Conservation System (IPaC) Trust Resource Report

1. Introduction

The Marinwood Community Services District (District) is planning to replace an existing park maintenance building with a new facility at 775 Miller Creek Road, San Rafael, Marin County, California (Figure 1). The District provides fire protection, recreation programs and facilities, parks, and community open space for the Community of Marinwood. In the 1960s, a park maintenance building was constructed along Miller Creek within the District's central facility. The building continues to serve as the central hub for the District's park maintenance staff for material storage and servicing of equipment. The site also includes a modular building used as office space and a restroom for park staff, gravel parking area, and access road from Miller Creek Road. The maintenance building is in dire need of replacement – it is located at the top of the bank above Miller Creek, encroaching on the riparian corridor, and much of the structure is deteriorating. The District has not determined the final building configuration for the new facility, but it will include approximately 1,000 square feet of interior storage, covered exterior storage, and realignment of the existing gravel road. The new facility will be moved away from the top of the bank and native riparian vegetation restored.

The County of Marin has requested a biological assessment to accompany a Site Plan Review application to the Community Development Agency. The assessment is needed to determine 1) the impacts of the proposed project on sensitive biological resources; 2) if there are any biological constraints associated with the proposed project; and to 3) provide recommendations for California Environmental Quality Act (CEQA) compliance. The District retained Prunuske Chatham, Inc. (PCI) to complete the biological assessment. This report summarizes a field survey of the project site and describes existing biological resources, reviews potential for special-status species and sensitive habitat occurrence, and provides general recommendations to protect biological resources during project implementation.

2. Field Survey Methodology

A biological field survey of the project site was completed on November 8, 2017, by PCI's Senior Wildlife Biologist and Staff Ecologist, who are both familiar with the region's flora and fauna. The assessment was intended as a general inventory of species observed or potentially occurring within the project area; it did not include focused surveys for special-status species. Observations were restricted to a few hours of on-site observation and were limited in scope due to the seasonal distribution of some species and rarity of others. The primary purposes were to characterize biological communities within the project area and to determine whether or not suitable habitat for special-status species and/or sensitive habitats is present. The potential presence of and impacts on special-status species were determined based on the proximity of the project area to reported occurrences, species' geographic ranges, and a comparison of existing habitat conditions and features with those required by the sensitive species.

PCI's biological assessment followed protocols established by California Department of Fish and Wildlife (CDFW 2009) and by Marin County's *Preparation of Biological Site Assessments* (Marin County undated). During the survey, an inventory of all plant and wildlife species observed was compiled; see below. Conditions during the survey were clear and sunny with no cloud cover and light wind (0-5 mph). The air temperature was 64° F at 12:00 pm. The survey was conducted with the aid of binoculars (Swarovski™ 10 x 42). Visual cues, calls, songs, and direct observations were used to identify fish and wildlife species. The site was examined for presence of birds, mammals, amphibians, reptiles, fish, and invertebrates. No aquatic sampling was completed as part of the assessment.

Figure 1 shows the project location and regional context. Figure 2 illustrates the locations of known sightings of special-status plants and animals within the project area's vicinity (CDFW 2017a). Figure 3 is an aerial view of the site with existing features and constraints identified. Representative photographs taken during the field survey are provided at the end of this report.

This level of assessment is standard at this stage of project review and is meant to guide Marin County staff in making initial determinations for compliance with CEQA, recommendations for further study, and/or mitigation, restoration, and enhancement opportunities. This biological assessment is specific to the project identified above (i.e., the replacement of an existing maintenance building at 775 Mill Creek Road); impacts beyond the project boundaries were not evaluated – the entire parcel was not assessed. It does not include an evaluation of the cumulative effects of the project within the context of potential future development at a local and regional scale. This report represents PCI's best professional effort to identify all sensitive habitats, species, and resources of concern based on the proposed project.

3. Project Setting

The project is located at 775 Miller Creek Road, west of Highway 101, off Lucas Valley Road and Miller Creek Road, in the community of Marinwood (Figure 1). It is mapped on the Novato USGS quadrangle (38.030667°N and -122.551146°W) at 65 to 70' in elevation. The project is located on a large parcel owned by the District that includes their administrative office, Marinwood Community Center, Marinwood Community Park (pool, picnic area, tennis courts, playground), fire house, and a pathway that extends from Miller Creek Road to Las Gallinas Avenue. Miller Creek runs through the parcel and adjacent to the existing park maintenance building. Miller Creek drains an area of approximately 12 square miles. It flows through the unincorporated community of Marinwood and enters San Pablo Bay near McInnis County Park.

According to the Marin County Community Development Agency website, the parcel (APN# 164-260-35) is designated as Open Area (OA; Marin County 2017d). The "OA zoning district is intended for areas of the County committed to open space uses, as well as environmental preservation. The OA zoning district is consistent with the Open Space, and Agriculture and Conservation land use categories of the Marin Countywide Plan" (Marin County 2017a). The Countywide Plan designation for the parcel is Open Space (OS; Marin County 2007). Open spaces are to be managed in a "sustainable manner for environmental health and long-term protection of resources". The parcel is also designated as a Stream Conservation Area (Marin County 2017c). See *Jurisdictional Areas* below for additional information. Zoning and general plan designations for the parcel are inconsistent with current land uses on the site. As noted above, a majority of the parcel supports existing community resource development and only portions of the parcel are retained as open space. The proposed redevelopment would be consistent with the existing developed areas on the parcel.

4. Existing Site Conditions

Vegetation within the project site, including both the proposed project area and a buffer around it, consists primarily of upland ruderal and riparian woodlands along Miller Creek. The site is bordered by residential development directly to the north, Miller Creek Road and a graveled access driveway to west, Miller Creek and an ephemeral drainage to south, and a continuation of a pathway and additional creek side habitat to the east. Recreation facilities, a school, and residential development occur in the surrounding areas. As noted above, the site is accessed from a gravel road directly off Miller Creek Road. This pathway extends beyond the site all the way to Las Gallinas Avenue.

Soil on the site is mapped as Xerorthents-Urban land complex (NRCS 2017). This soil is comprised primarily of xerorthents[1] and similar soils and urban land. It is located on 0 to 9 percent slopes on valley floors and tidal flats.

The project site, where the new facility is proposed, is relatively flat and uniform topography. It is largely unvegetated with the exception of a mature planted pine tree (*Pinus* sp.) in the center of the development area and additional pines and ornamental plantings, and native coast live oak (*Quercus agrifolia*) and a mature valley oak (*Q. lobata*) along the periphery. Care will need to be taken during construction to protect the oak trees, especially the mature valley oak. A narrow band of riparian vegetation

[1] An orthent soil (see definition) with a xeric moisture regime. Orthent soils are shallow soils found on old landforms and completely devoid of weatherable materials.

occurs along the creek side of the existing maintenance building. The fences at the east end of the building are covered in invasive English ivy (*Hedera helix*).

Miller Creek has a relatively intact canopy of native riparian trees (Figure 3). The banks are fairy steep and the toe of the bank below the building is reinforced with rock riprap. Coast live oak and California bay (*Umbellularia californica*) are the dominant tree species. Along the backside of the building, the creek bank understory is dominated by native poison oak (*Toxicondendron diversilobum*), California blackberry (*Rubus ursinus*), small white alder (Alnus rhombifolia) and boxelder (*Acer negundo*), and non-native Himalayan blackberry (*Rubus armeniacus*), English ivy, and cape ivy (*Delairea odorata*). A vegetated island occurs in the middle of the channel below the building with mature white alders (30" DBH) and California bays (3 to 4' DBH). There is also an invasive common fig (*Fiscus carica*) growing at the downstream end of the island and several unidentified non-native ornamental trees and shrubs scattered throughout the riparian understory. The canopy of a mature coast live oak tree extends over the building – care will need to be taken to protect this tree during building demolition. There is an unvegetated path on the south side of the building that extends to the creek bed; a small bridge of downed branches spans the creek; and the trail continues to the east up the opposite bank. Upstream of the pedestrian crossing, the channel shows evidence of incision and exposed roots.

Flows in Miller Creek are typical of most Mediterranean-climate streams with the majority of discharge during the winter months and the stream becoming intermittent by summer. PCI's site visit occurred during early fall after several rain events and water was flowing through the site. The average wetted channel width was 4' and average depths were 4 to 6". The substrate was dominated by cobbles and larger gravel intermixed with granules. The water temperature measured 51°F. Schools of California roach (1-2") were observed. Miller Creek is reported to support a small run of steelhead (Jones 2000; Leidy et al. 2005). The stream may also support habitat for more common fish species adapted to warmer conditions and varied stream flows (e.g., threespine stickleback, sculpin). Smooth-cased caddisflies were observed along the stream bottom. The ephemeral drainage flowing into Miller Creek from the west was completely dry.

An ephemeral drainage flows into Miller Creek upstream of the building (see Figure 3). It is a narrow channel (average 3' wide) with steep banks. The canopy is dominated by California bay (including several specimen trees, several feet in diameter), coast live oak, native willows (*Salix* spp.), non-native ornamentals, and an understory of English ivy. The District has completed some non-native plant removal and native revegetation (mostly rushes and ferns) along the left bank adjacent to the parking area.

The riparian woodlands and streams provide nesting opportunities, food, and shelter and may serve as corridors or refugia during migration for other wildlife species. Birds

represent the most abundant and prominent wildlife species. A number of bird species were actively foraging and singing within the project area during the field survey; see below. The riparian community also supports habitat for native mammals, reptiles, and amphibians. Western gray squirrels were seen and several nest structures were present in oak and bay trees along the creek. Wildlife were also found to be using the old building as well. Multiple black phoebe nests were observed on the building and storage shed (this is typical of this species). The building is also being used by rodents as droppings were present in the corners of the building and on the exterior. See *Special-status and Common Bat Species* for additional information.

Wildlife observed (direct and indirect: scat, tracks, burrows) at the site by PCI included: (birds) chestnut-backed chickadee, dark-eyed junco, ruby-crowned kinglet, yellow-rumped warbler, bushtit, American crow, oak titmouse, spotted towhee, western scrub-jay, black phoebe, California towhee, Anna's hummingbird, common raven, golden-crowned sparrow, Nuttall's woodpecker, hermit thrush, (mammals) western gray squirrel, rat (unknown species, based on scat), and (invertebrates) smooth-cased caddisfly. See *Identified Special-status Species* below for further discussion about sensitive fish and wildlife resources within the site.

5. Special-status Species

Background Research

PCI reviewed background literature and databases to help determine the potential for special-status species and sensitive habitats to occur on or adjacent to the project site. The database review focused on reported occurrences for the Novato USGS quadrangle, where the project is located, and adjacent quads. PCI also reviewed aerial imagery to evaluate the potential for unique biological communities and special-status species. Sources reviewed include:

- California Department of Fish and Wildlife Natural Diversity Database (CNDDB)[2] (CDFW 2017a);
- A Manual of California Vegetation; 2nd Edition (Sawyer et al. 2009);
- California Department of Fish and Wildlife Natural Communities List (CDFW 2010);

[2] The California Natural Diversity Data Base (CNDDB) is a repository of information on sightings and collections of rare, threatened, or endangered plant and animal species within California. It is maintained by CDFW. CNDDB reports occurrences of special-status species and sensitive habitats that have been entered into the database and does not generally include inventories of more common animals or plants. The absence of a species or habitats from the database does not necessarily mean that they do not occur in the area, only that no sightings have been reported. In addition, sightings are subject to observer judgment and may not be entirely reliable as a result.

- CNPS Inventory of Rare and Endangered Vascular Plants of California on-line inventory (CNPS 2017);
- Information for Planning and Conservation (IPaC) Trust Resource List for the project area (USFWS 2017); and
- Field guides and general references for plants, birds, mammals, reptiles, amphibians, and invertebrates.

Jurisdictional Areas

Wetlands and other waters of the U.S. and the state of California are considered jurisdictional areas. Wetlands and other waters include a variety of both permanent and ephemeral aquatic features. Regulations and policies that protect aquatic habitats have been enacted by a number of government agencies. Wetlands and waters fall under the jurisdiction of the U.S. Army Corps of Engineers, local Regional Water Quality Control Board, California Department of Fish and Wildlife, and Marin County. Any fill, removal of native riparian vegetation, or alteration of drainage patterns at the project site will require permits and resource agency consultation.

Marin County has also established Stream Conservation Areas along perennial, intermittent, and ephemeral streams[3]. Miller Creek is mapped as a solid blue-line stream on the Novato USGS topographical map, and subject to SCA setbacks. The ephemeral drainage, flowing into Miller Creek, may also be subject to SCA setbacks. This drainage "carries only surface runoff and flows during and immediately after period of precipitation". According to Marin County, the SCA setback for the project parcel is 100', but additional setback may be required (Marin County 2017c). Setback applicability to project should be confirmed directly with Marin County planning staff.

Special-status Natural Communities

Special-status natural communities are defined by CDFW as "communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects" (CDFW 2010). Natural communities are designated as special-status based on CDFW's current plant classification system. Riparian communities are considered sensitive based on their limited distribution in the State. Work will occur along the riparian corridor – this will include building removal, invasive species removal, and native revegetation.

Definition of Special-status Species

In California, special-status plants and animals include those species that are afforded legal protection under the federal and California Endangered Species Acts (ESA and

[3] Marin County has also established Wetland Conservation Areas for jurisdictional wetlands. This included minimum setbacks to protect wetlands and an upland buffer. No jurisdictional wetlands are present on the project site and are not discussed further.

CESA, respectively) and other regulations. These species must be considered during project evaluation to comply with CEQA, during consultation with State and federal resources agencies, and in development of specific management guidelines for resource protection. Special-status species are defined as the following:

- Species listed or proposed for listing as threatened or endangered under the federal ESA;
- Species listed or proposed for listing as threatened or endangered under CESA;
- Species that are recognized as candidates for future listing by agencies with resource management responsibilities, such as U.S. Fish and Wildlife Service (USFWS), NOAA's National Marine Fisheries Service (NOAA Fisheries), and CDFW;
- Species defined by CDFW as California Species of Special Concern;
- Species classified as Fully Protected by CDFW;
- Plant species, subspecies, and varieties defined as rare or threatened by the California Native Plant Protection Act (California Fish and Game Code Section 1900, et seq.);
- Plant species listed by the California Native Plant Society as California Rare Plant Rank 1, 2 and 3 under CEQA (CEQA Guidelines Section 15380); and some list 4 plants based on CNPS guidelines;
- Species that otherwise meet the definition of rare, threatened, or endangered pursuant to Section 15380 of the CEQA Guidelines; and
- Mountain lions protected under the California Wildlife Protection Act of 1990 (Proposition 117) and designated as a "specially protected mammal in California".

Special-status Plants

The background literature review identified the potential for presence of a number of special-status plants with potential to occur in the project vicinity (Figure 2; CDFW 2017a, USFWS 2017). Species with reported observations in close proximity to the site and/or in habitat types of relevance (e.g., cismontane woodland and riparian forest) are addressed in Table 1 below. Species that only occur in habitats not present on the site (e.g., coastal brackish marsh, redwood forest, chaparral, serpentine, coastal prairie, and meadows and seeps) are not discussed.

Special-status plants were not observed during the field survey of the entire project site including the adjacent riparian habitat. The lateness of the season made it impossible to accurately identify all species that may be present, but no special-status species were observed or considered likely to be found at another time of year. Suitable habitat for special-status plants is not present within the area of the proposed redevelopment.

Table 1. Special-Status Species Reported from Project Vicinity

Scientific Name	Common Name	Listing Status USFWS/ CDFW/ CNPS	Life Form, Blooming Period, and General Habitat	Potential for Species Occurrence
Amorpha californica var. napensis	Napa false indigo	--/--/ 1B.2	Perennial deciduous shrub. Blooms April-July. Broadleafed upland forest (openings), chaparral, cismontane woodland. 120-2000 m.	Low. Documented occurrence within three miles. Only marginally suitable habitat present within the project area. Impacts are unlikely.
Amsinckia lunaris	bent-flowered fiddleneck	--/--/ 1B.2	Annual herb. Blooms March-June. Coastal bluff scrub, cismontane woodland, valley and foothill grassland. Typically on gravelly slopes, grassland, openings in woodland, often serpentine. 3-500 m.	Low. Documented occurrence within five miles, but only marginally suitable habitat present within the project area. Impacts are unlikely.
Eriogonum luteolum var. caninum	Tiburon buckwheat	--/--/ 1B.2	Annual herb. Blooms May-September. Serpentinite, sandy to gravelly locations in chaparral, woodland, coastal prairie, and grassland. 0-700 m.	Low. Documented occurrence within one mile, but no suitable habitat present within the project area. Impacts are unlikely.
Fritillaria liliacea	fragrant fritillary	--/--/ 1B.2	Perennial bulbiferous herb. Blooms February-April. Woodland, coastal prairie, coastal scrub, valley and foothill grassland (often serpentinite). 3-410 m.	Low. Marginally suitable habitat present within the project area. Impacts are unlikely.
Hemizonia congesta ssp. congesta	congested-headed hayfield tarplant	--/--/ 1B.2	Annual herb. Blooms April-November. Valley and foothill grassland, sometimes roadsides. 20-560 m.	Low. Documented occurrences within one miles. Marginally suitable habitat exists within project area, but species not observed. Impacts are unlikely.
Lessingia micradenia var. micradenia	Tamalpais lessingia	--/S2/1B.2	Annual herb. Blooms (June) July-October. Usually serpentine, often roadsides. Chaparral, valley and foothill grassland. 100-500 m.	Low. Documented occurrences within four miles, but only marginally suitable habitat present within the project area. Impacts are unlikely.
Streptanthus glandulosus ssp. hoffmanii	Hoffman's bristly jewel-flower	--/--/ 1B.3	Annual herb. Blooms March-July. Chaparral, cismontane woodland, and valley and foothill grassland (often serpentine). 120-475 m.	Low. Documented occurrences within one mile, but only marginally suitable habitat present within the project area. Impacts unlikely.

Special-status Animals

The background literature review identified the potential for presence of a number of special-status animals with potential to occur in the project vicinity; see Figure 2 and attached CDFW CNDDB list and USFWS IPaC list (CDFW 2017a, USFWS 2017). Based on the suitability of habitat on and near the project site and the proximity of recorded sightings, these species were evaluated for their potential to occur within the project area. Species with reported observations in close proximity to the project site (CDFW 2017a), or with moderate to high potential for occurrence based on suitable habitat, are described below. Scientific names and listing statuses are provided below[4] (CDFW 2017c).

BIRDS:

Burrowing owl (*Athena cunicularia*; SSC, burrowing sites and some wintering sites) – occur in open grasslands and other habitats with low-growing vegetation. Subterranean nester that utilize abandoned burrows of ground squirrels and other mammals. Feed on a variety of prey items, including ground insects and small vertebrates. Marin County was historically included in the breeding range for this species, but there are no recent breeding occurrences reported in Marin County (Shuford 1993, Shuford and Gardali 2008). Species observed in open grasslands near the airport within 2 miles of the project site (CDFW 2017a). Suitable habitat is not present. Impacts are unlikely.

Oak titmouse (*Baeolophus inornatus*; BCC) – small, gray-brown bird of oak woodlands. Forages for insects and seeds, hopping from branch to branch. Breeding occurs from March through July. Nests in cavities in trees or nest boxes. Oak titmice are a year-round resident in Marin County. Species was documented within the project site by PCI. Precautionary protection measures should be put in place to avoid potential impacts to all breeding birds.

White-tailed kite (*Elanus leucurus*; FP, nesting) – occur in semi-open areas including woodlands, bottomlands, and agricultural grasslands. Hunts small rodents by hovering and parachuting down on its preys. Nests in trees and tall bushes Nesting kites have been documented in open habitats along the baylands to the north of the project site (Shuford 1993). Due to the urban development and woodland habitats surrounding the site, the likelihood of white-tailed kite is low. However, all breeding birds should be protected in accordance with the following measures.

[4] Listing Status: FE-federally listed as endangered, FT-federally listed as threatened, BCC-Bird of Conservation Concern, ST- State listed as threatened, SE-State listed as threatened, Candidate ST-State candidate to be listed as threatened under CESA, FP-State of California fully-protected species, SSC-California Species of Special Concern, and WL-Watch List

San Francisco common yellowthroat (*Geothlypis trichas sinuosa*; BCC, SSC) – subspecies of common yellowthroat that is endemic to the greater San Francisco Bay region in wetland and riparian habitats. Locally, occurs in tidal marsh areas. Nests constructed close to the ground or water. Feeds primarily on insects. Species occurs extensively at the mouth of Las Gallinas Creek and adjacent McInnis Park (CDFW 2017a). Due to the urban development and distance to tidal habitats, the likelihood of yellowthroat occurrence is low. However, all breeding birds should be protected in accordance with the following measures.

California black rail (*Laterallus jamaicensis coturniculus*; SE, FP) – occur in salt marsh habitat. Smallest rail in North America. Very secretive and seldom seen. Pair formation occurs as early as late February; egg laying occurs from early March into early July. Forages for aquatic and terrestrial invertebrates and seeds. Species observed during recent surveys (2013) of Las Gallinas Creek (approximately 3 miles from project site) and tidal areas in Novato Creek and Rush Creek to the north (CDFW 2017a). Suitable habitat is not present. Impacts are unlikely.

San Pablo song sparrow (*Melospiza melodia samuelis*; BCC, SSC) – subspecies of song sparrow that occur in saltwater marshes around San Pablo Bay and northern San Francisco Bay, breeding in gum plants (*Grindelia* spp.). This species breeds from March to July in wetland gum plants. Species occurs extensively along the lower Las Gallinas Creek and adjacent McInnis Park (CDFW 2017a). Due to the urban development and distance to tidal habitats, the likelihood of San Pablo song sparrow occurrence is low. However, all breeding birds should be protected in accordance with the following measures.

Nuttall's woodpecker (*Picoides nuttallii*; BCC) – permanent, resident woodpecker of woodland habitats, prefers oak and streamside habitats. Probes for insects in tree bark and crevices. Breeding occurs from late March to early July. Nests in live or dead tree cavities excavated by males of the species. Nuttall's woodpeckers are a year-round resident in Marin County. Species was documented within the project site by PCI. Precautionary protection measures should be put in place to avoid potential impacts to all breeding birds.

California Ridgway's rail (*Rallus obsoletus obsoletus*; FE, SE, FP) – occur in salt marsh habitat (e.g., mudflats, tidal sloughs); seek cover in pickleweed (*Salicornia* spp.), and cordgrass (*Spartina* spp.). Breeding occurs from mid-March through August. Forages for aquatic invertebrates and small fish. Species observed in tidal baylands at confluence with Miller Creek, Las Gallinas, and Novato Creek (CDFW 2017a). Suitable habitat is not present. Impacts are unlikely.

Northern spotted owl (*Strix occidentalis caurina*; FT, ST; on June 27, 2017, the California Fish and Game Commission issued a Notice of Findings that the listing of the northern spotted owl as a threatened species is warranted (CFGC 2017), CDFW Species of Special Concern (CDFW 2017c)] – occupy dense forest and woodland habitats. Breeding sites include tree or snag cavities or broken tops of large trees. Nocturnal hunter eating mostly small mammals, especially dusky-footed woodrats. Year-round resident in Marin County where it is known from breeding occurrences in old-growth and mixed forest habitats. Northern spotted owls have been documented in forested habitats approximately 3.5 miles from the project area in the Indian Valley Open Space Preserve and 3 miles near the Tiburon peninsula (CDFW 2017a). Due to the urban development and distance to densely forested habitats, the likelihood of spotted owl occurrence is low. However, all breeding birds should be protected in accordance with the following measures.

AMPHIBIANS:

California giant salamander (*Dicamptodon ensatus*; SSC) – use wet coastal forests near permanent and semi-permanent streams and springs. This species is one of the largest terrestrial salamanders in North America. Eggs are laid in water. They transform into land dwelling salamanders with lungs. Giant salamanders documented in the Miller Creek watershed near Big Rock – over 3 miles from the project site. Suitable breeding habitat is present in Miller Creek, but essential upland habitat for adults is absent in this urban area. Salamanders are unlikely to occur within the project site. Impacts are unlikely.

Foothill yellow-legged frog (*Rana boylii*; SSC, Candidate ST) – occur year-round in perennial streams, never found far from water. Breeding generally occurs from mid-March to early June after high winter flows have subsided. Tadpoles require three to four months to attain metamorphosis. Adults take aquatic and terrestrial invertebrates, and tadpoles graze along rocky stream bottoms on algae and diatoms. There are no reports of foothill yellow-legged frog in the Miller Creek watershed (CDFW 2017 and Marin County 2017b). Frogs have been documented at the confluence with Big Rock and Dairy Creek, tributaries to Nicasio Creek (the watershed to the west of Miller Creek; CDFW 2017a). Marginally suitable habitat is present within the project site. Due to the lack of sightings in the watershed and urban condition, the likelihood of occurrence within Miller Creek is low. Impacts are unlikely. However, protection measures should be put in place to protect all aquatic species in Miller Creek.

California red-legged frog (*Rana draytonii*, FT, SSC) – occupies marshes, streams, lakes, reservoirs, ponds and other water sources with plant cover. Breeding occurs in deep, slow-moving waters with dense, shrubby, or emergent vegetation from November through April, exact timing dependent on location. California red-legged frogs may be found in uplands during the non-breeding season and during migration. A small

population of California red-legged frog is reported on the Tiburon peninsula – 5 miles from the project site (CDFW 2017a). Additional sightings are reported approximately 10 miles west in the Lagunitas Creek watershed. Due to the lack of sightings in the watershed and urban condition, the likelihood of occurrence within Miller Creek is low. Impacts are unlikely. However, protection measures should be put in place to protect all aquatic species in Miller Creek.

REPTILES:

Northern western pond turtle (*Actinemys marmorata*; under review for federal listing, SSC) – a year-round resident of Marin County where they are found in or near permanent or semi-permanent water sources (e.g., ponds, lakes, rivers, streams) with suitable basking sites and underwater retreats. Eggs are laid from April through August in areas with sparse vegetation. Species observed north of Novato at undisclosed location (in 2004) and to the west (over 7 miles) from a historic collection (CDFW 2017a). Marginally suitable habitat is present within the project site. Due to the lack of sightings in the watershed and urban condition, the likelihood of occurrence within Miller Creek is low. Impacts are unlikely. However, protection measures should be put in place to protect all aquatic species in Miller Creek.

MAMMALS:

Salt marsh harvest mouse (*Reithrodontomys raviventris*; FE, SE, FP) – occur in picklweed-dominated wetlands and marshes. Pickleweed is the primary food source. Species occurs extensively through Petaluma Marsh and has been documented at the mouth of Las Gallinas Creek and adjacent McInnis Park (CDFW 2017a). Suitable habitat is not present within the project site. Impacts are unlikely.

FISH:

Tidewater goby (*Eucyclogobius newberryi*; FE, SSC) – occur in coastal lagoons, estuaries, and marshes, restricted to California. Tidewater gobies were reported for tidal areas in the Petaluma River, Novato Creek, and Corte Madera Creek– all tributaries to San Pablo and San Francisco Bays. Gobies have not been found during recent surveys of these watersheds (USFWS 2005). They are assumed to be extirpated from the watershed. Suitable habitat is not present. Impacts are unlikely.

Steelhead - Central California Coast DPS (*Oncorhynchus mykiss irideus*; FT) – occur year-round in select Marin County streams. Steelhead spawn in freshwater and rear in the ocean, except resident trout, which can be found year-round in perennial systems. According to Leidy et al. (2005), Miller Creek supports a small number of steelhead. There is a shortage of survey information for the watershed, but limited sampling has found steelhead with multiple age classes. The watershed probably contributes a small number of steelhead, but it is important for regional production. Suitable habitat is

present within Miller Creek. Precautionary measures should be in place to avoid impacts to this species.

In addition to the above-mentioned species, several non-listed invertebrates are reported from the San Rafael and Novato area (e.g., Marin blind harvestman, Marin Hesperian, mimic tryonia, obscure bumble bee, Opler's longhorn moth, Ubick's gnaphosid spider, western bumble bee). Many of these species are documented from historic collections from grassland and serpentine habitats. All of these species are not formally listed (at federal or State level). Impacts to invertebrate populations are unlikely.

Several migratory bird species of concern are also reported for the project area (USFWS 2017). Some of these species may occur within the project area on a regular basis (i.e., great blue heron, great egret, snowy egret), but others are highly unlikely. These species are not described further in this report, but should be protected, if found in or near the project area, in accordance with the protected bird species recommendations below. See *Protected Nesting Birds* for additional information.

Special-status and common bats are described in the following section.

Protected Nesting Birds

Nesting native bird species are protected under both federal and State regulations. According to U.S. Fish and Wildlife Service, under the federal Migratory Bird Treaty Act of 1918 (MBTA; 50 CFR 10.13,), "it is unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg or any such bird, unless authorized under a permit issued by the Secretary of the Interior. Some regulatory exceptions apply. Take is defined as: 'pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect." Bald and golden eagles are also protected under the federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) of 1940.

Birds and their nests are also protected under the California Fish and Wildlife Code (§3503 and §3513). Under §3503, "it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto". Under §3513, "it is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act". The federal Endangered Species Act and California Endangered Species Act also protect nesting threatened and endangered bird species.

Vegetation removal and/or construction activities in areas with suitable nesting habitat during the breeding period, typically February through August in this area, could result in nest abandonment or loss of native nesting birds unless appropriate actions are taken (e.g., preconstruction surveys, avoidance, monitoring, etc.; RHJV 2004). Precautionary protection measures should be put in place to avoid impacts during any site disturbance within the project area.

Special-status and Common Bat Species

There are approximately 25 bat species with known occurrences within California, and a number of these species have a high probability of occurring within the project area and adjacent lands. Bats are highly mobile; many are migratory. Foraging habitats range from woodlands, forests, grasslands to open water. All bat species occurring Marin County are insectivorous and feed by echolocation. Bats use caves, mines, buildings, bridges, tree hollows, and other natural and man-made crevices for roosting. Focused surveys for bats were not performed as part of this assessment; however, the building and nearby trees were inspected for the potential presence of bats. The building supports a number of small crevices that may support individual bats (i.e., many small crevices between boards on exterior and interior of building; access points into structure). Nearby trees may support roosting bats as well (i.e., crevices, leafy cover).

A number of bat species may be present in the project area. Three special-status (CDFW listed) bat species are reported in the project area region – Townsend's big-eared, pallid bat, western red bat (CDFW 2017a, Marin County Parks 2017). Additional bats species considered priority species for conservation by the Western Bat Working Group are also reported for the region (e.g., hoary bat, silver-haired bat, fringed myotis, long-legged myotis). Suitable roosting habitat for bats is present within the existing building and adjacent riparian habitat.

- **Pallid bat** (*Antrozous pallidus*; SSC, Western Bat Working Group high priority species) – occurs in grassland, shrubland, forest, and woodland habitats at low elevations up through mixed coniferous forests. A social species forming small colonies. A crevice dwelling species. Roosting sites include caves, mines, crevices, buildings (frequently uses), and hollow trees during day, more open sites used at night. A yearlong resident throughout most of its range. During non-breeding season, both sexes may be found roosting in groups of 20 or more individuals. A maternity colony of pallid bats was documented within 1.25 miles of the project area in a residential structure in 2001, the colony is possibly extirpated (CDFW 2017a). Species documented at Mount Burdell (Marin County Parks 2017). Suitable foraging and roosting (building and riparian) habitat is present within the project area. Precautionary protection measures should be put in place to avoid potential impacts to all bat species.

- **Townsend's big-eared bat** (*Corynorhinus townsendii*; SSC, Western Bat Working Group high priority species; in August 2016, CDFW issued a notice that a petition to list Townsend's big-eared bat to the list of threatened or endangered species under CESA is not warranted (CDFW 2017b) – occurs in low to mid-elevation mesic habitats including riparian, mixed forest, coniferous forest, prairies, and agricultural lands. Utilizes edge habitat for foraging. A crevice dwelling species. Roosting sites include caves, mines, tunnels, buildings (sometimes), and other man-made structures. Townsend's big-eared bat are reported from a collection from the 1930s within 2.5 miles of the project area (CDFW 2017a). Species documented at Mount Burdell (Marin County Parks 2017). Suitable foraging and roosting (riparian) habitat is present within the project area. Precautionary protection measures should be put in place to avoid potential impacts to all bat species.
- **Western red bat** (*Lasiurus blossevillii*; SSC, Western Bat Working Group high priority species) – occurs throughout California in forested and riparian habitat, typically along edges, field, and urban areas. A solitary bat, coming together only during mating and migration. A foliage dwelling species – roosting in leaves of trees and leaf litter in winter. Rarely enters buildings. There are no recent reports of western red bat in eastern Marin County, but bats are typically underrepresented in the CNDDB (CDFW 2017a). Species documented at Mount Burdell (Marin County Parks 2017). Suitable foraging and roosting (riparian) habitat is present within the project area. Precautionary protection measures should be put in place to avoid potential impacts to all bat species.

6. Conclusions

The Marinwood Community Services District is proposing to replace an existing park maintenance building with a new facility (building, fenced yard, and parking area). The District uses the existing facility for a variety of storage and maintenance needs. The facility was constructed in the 1960s before riparian setbacks were in place. Work will require demolition of the existing structure and fencing perched at the top of the bank along Miller Creek. The new facility will be relocated immediately to the northwest of the existing structure and away from the creek. It will require a deviation from the established setback from the Stream Conservation Area along Miller Creek and possibly along the ephemeral drainage. The site does not allow for development under the required setback; the site is approximately 100' wide from the top of the bank to the northern property boundary.

The current building configuration diminishes the habitat functions and values of the riparian corridor along Miller Creek. Removal and replacement of the facility away from the top of the bank would greatly improve the habitat values on the site, reduce the potential for pollutants and debris to enter Miller Creek, and buffer fish and wildlife populations from human disturbance. Given the close proximity to the creek, the existing building and fences will need to be carefully removed to protect trees and other vegetation. Protection measures will also need to be put in place to protect fish and wildlife resources within the project area during demolition and throughout construction. Invasive species removal and native revegetation will be an integral part of the project and ultimately result in improved riparian habitat conditions.

Based on the background literature, data search, and field survey, the following biological resource determinations were made:

- The site is located in an area with extensive urban development. It is bordered by a residential community, recreation and community services, and a school.
- The site supports native riparian vegetation, but non-native invasive plants are pervasive.
- A perennial stream and an ephemeral drainage flow adjacent to the existing facility. These may be considered jurisdictional areas and the riparian habitat a sensitive natural community. Stream Conservation Area setbacks would apply for any new developed on the project parcel.
- The site supports habitat for a variety of native wildlife species (e.g., reptiles, amphibians, mammals, invertebrates).
- Miller Creek supports documented habitat for steelhead and other native fish.
- The site supports breeding/wintering/foraging habitat for a number of native bird species, including several special-status species. Birds were using the

building and adjacent storage building during the 2017 breeding season; old nest structure were observed.

- The site supports potential roosting and foraging habitat for special-status and common bat species. The existing building may be used as roosting habitat for a small number of individual bats. Nearby vegetation is also suitable roosting habitat.
- The site is unlikely to support special-status herpetofauna (i.e., foothill yellow-legged frog, California red-legged frog, and northern western pond turtle) due to the lack of sightings in the watershed and urban condition, but PCI recommends protection measures for all potential aquatic species.
- The optimal time to demolish the building is September through October. This will avoid the bird nesting season and bat maternity and winter hibernation.

The following includes a list of general recommendations to protect biological resources during project construction:

General Protection Measures

1. Complete a preconstruction training session for all supervisory construction staff by a qualified biologist. The training should include a discussion of the sensitive biological resources within the project site and the potential presence of special-status species. This should include a discussion of special-status species' habitats, protection measures to ensure species are not impacted by project activities, project boundaries, biological conditions outlined in the project permits, and procedures to follow if sensitive wildlife species are found within the project site.
2. A copy of all project permits should be on site at all times and reviewed by construction crew personnel prior to beginning work.
3. The project limits should be clearly marked on the final design drawings and work confined within those boundaries. Prior to construction, the construction supervisor and a qualified biologist should meet on site to agree upon and delineate project boundaries (see #17 below).
4. Foot and vehicle traffic should be restricted to the designated work and staging areas.
5. Excavated holes, trenches, etc. greater than one foot in depth should be covered with boards or other appropriate materials or backfilled with dirt at the end of each working day. If trenches remain open overnight, earthen escape ramps should be constructed every 10'.
6. If a special-status wildlife species enters the work area, the construction crew supervisor should contact a qualified biologist and/or resource agency staff for further guidance.

7. Special-status and common wildlife species should not be captured or handled by the supervisor or field crew members unless directed by a qualified biologist and/or resource agencies.
8. Proper erosion control and other water quality Best Management Practices (BMPs) should be implemented to avoid sedimentation and disturbance to downstream aquatic habitats.
9. All staging, maintenance, fueling, and storage of construction equipment should be conducted in a location and manner that will prevent potential runoff of petroleum products into downstream aquatic habitats. Oil-absorbent and spill-containment materials should be on site at all times.
10. All food trash that may attract predators should be properly stored and removed at the end of each construction day. Following construction, all trash and construction debris should be removed.
11. To prevent harassment, injury, or mortality to sensitive species or their habitat, no pets should be permitted within the work area.

Specific Measures to Protect Plant Communities

12. Minimize disturbance to native vegetation. Native trees are particularly susceptible to disturbance, especially within the root crown (the base of the trunk) and root zone commonly referred to as the root protection zone (RPZ), which is typically defined as one-third larger than the drip line radius measured from the trunk. When feasible, work within the RPZ should be limited. If any trees greater than 6" in diameter at breast height are removed, replacement with native species should occur at a ratio of 3:1 for all trees over 6" in diameter. *Currently, only one ornamental pine is proposed for removal*.
13. Prior to mobilization of construction equipment, temporary protective fencing should be installed around RPZs or, at a minimum, the dripline perimeter of trees to be preserved near construction zones.
14. Incorporate removal of invasive species (e.g., Himalayan blackberry, cape ivy, English ivy) into project design. Remove, by hand or mechanical means all non-natives within the project site and within 25' buffer around it. Dispose of any material with potential to germinate or resprout in a landfill. Establish native riparian vegetation along the riparian corridor (see #26 below).
15. Prevent introduction and spread of invasive plant species.
    a. Any seed, straw, or mulch brought into the site should be weed-free.
    b. Construction vehicles and other equipment should be cleaned of seed and soil from weed-infested locations before entering new areas.
    c. Revegetation of disturbed soil should occur promptly after disturbance.
    d. All site restoration and erosion control seeding should include only native species from Marin County.
    e. Monitor areas of ground disturbance for invasive species infestation.

Specific Measures to Protect Wildlife Species (General)

16. A preconstruction survey (ahead of the construction crew) should be performed by a qualified biologist prior to any site disturbance/building demolition. If terrestrial species are observed within the work area or immediate surroundings, these areas should be avoided until the animal(s) has (have) vacated the area and/or the animal(s) will be relocated out of the project area by a qualified biologist with agency approval.
17. Temporary wildlife exclusionary fencing (e.g., silt fence, which is a piece of synthetic filter fabric [also called geotextile]) should be installed around work areas during construction. Openings should be restricted to areas of construction site access. This fencing would preclude animals from entering the work area and prevent construction debris and workers from entering adjacent riparian habitat.

Specific Measures to Protect Special-status and Common Bird Species

18. Construction activities (including building removal) should occur outside of the critical breeding period (typically February through August in this area).
19. If activities must occur during the normal breeding season, the work area should be surveyed by a qualified biologist prior to commencing. If active nests or behavior indicative of nesting are encountered, those areas plus a 50-foot buffer for small songbirds and 150-foot buffer for larger birds (e.g., owls, raptors) designated by the biologist should be avoided until the nests have been vacated.
20. If work occurs during the active breeding season and active nests are documented within the project site, ongoing construction monitoring should occur to ensure no nesting activity is disturbed. If the site is left unattended for more than one week, an additional survey should be completed.

Specific Measures to Protect Special-status and Common Bat Species

21. Prior to building removal and tree removal/trimming, a qualified biologist should survey for bat roosts. If active bat roosts area identified within the existing building or vegetation to be disturbed, disturbance should not be allowed until the roost is abandoned or unoccupied. CDFW consultation may be required if special-status bat species are present.
22. If bats are present, the District should employ a number of deterrent methods to encourage bats to relocate (for non-CDFW listed species). This could include changes to lighting, air flow patterns, and noise disturbance. Exclusion methods should be developed based on the species present and location of occupied roosts. Bat exclusion should not be performed during that maternity season (June through August) or during winter hibernation (November through February). Bat exclusion should be overseen by a qualified biologist.

23. If building removal/tree trimming/removal is postponed or interrupted for more than two weeks from the date of the initial bat survey, the biologist should repeat the pre-construction survey.
24. Construction should be limited to daylight hours to avoid interference with the foraging abilities of bats.

Additional Protection Measures

25. Following completion of engineered plans and construction specifications and in consultation with the resource agencies, the recommended protection measures should be revaluated to determine if they are adequate for the protection of resources within the project area. Based on the final design, more comprehensive protection measures may be warranted to address the need for preconstruction surveys, relocation techniques and sites, wildlife exclusion, on-going construction monitoring, worker education, and habitat enhancement and restoration guidelines.
26. Following removal of the building and associated structures non-native plant species should be removed and the creek bank should be revegetated with native plants. The restored riparian corridor will provide bank stability, filtration capacity, and in the long term, woody debris input to the creek. The restored habitat will also serve as an important resource for a variety of aquatic and terrestrial species by providing nesting opportunities, food, and shelter, as well as serving as a migratory corridor. Enhancement of the riparian corridor will improve habitat for these and other species. The development of the riparian corridor will also shade the channel, lowering water temperatures. The overhanging trees will also provide nutrient input to the stream in the form of leaves and twigs, as well as insects that fall into the water and become food for aquatic organisms. A qualified vegetation specialist should be consulted during development of the restoration plan.

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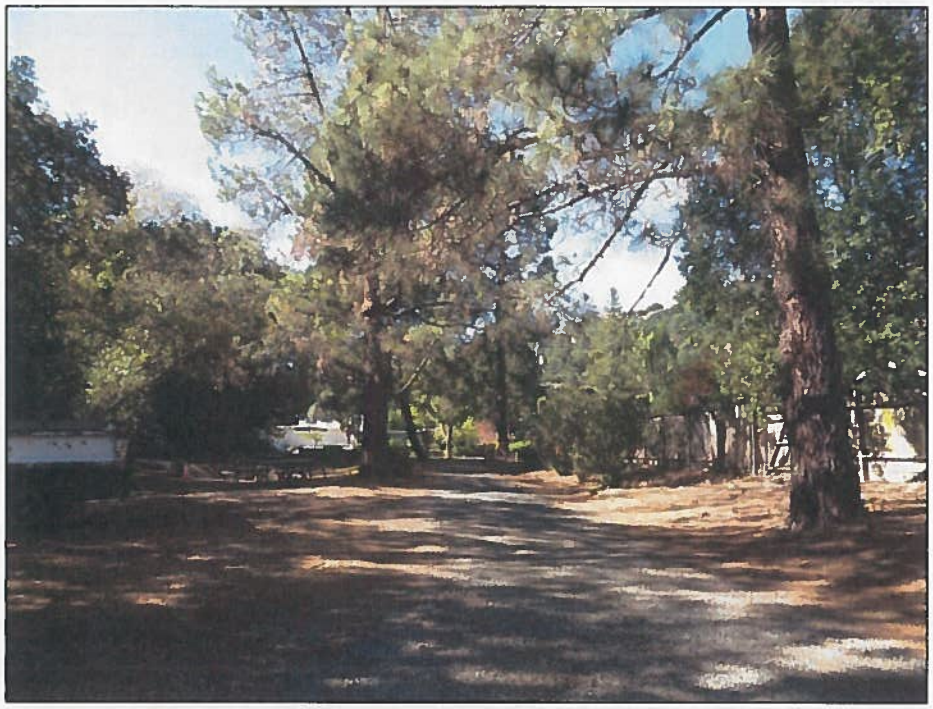
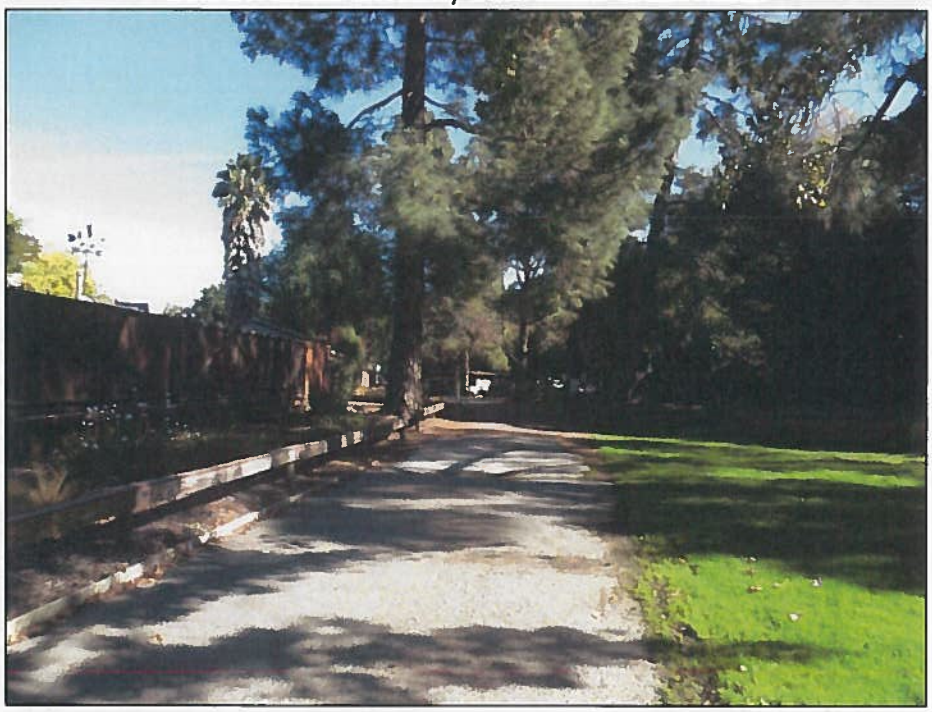
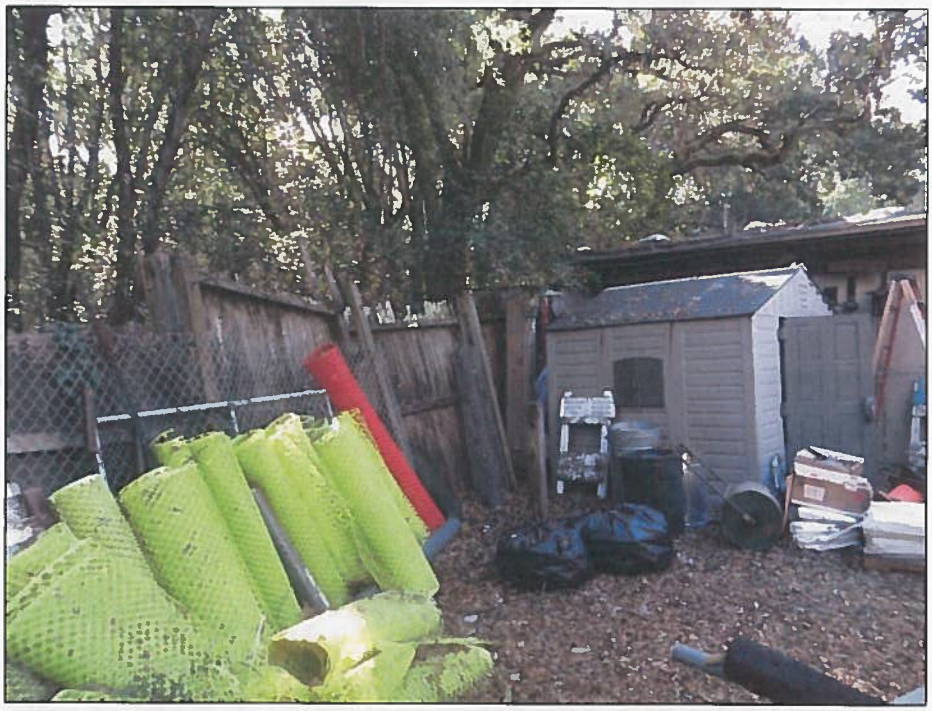
8. Photographs

Above: Looking east at existing maintenance and modular building.
Below: Looking west at fenced storage area and modular building.

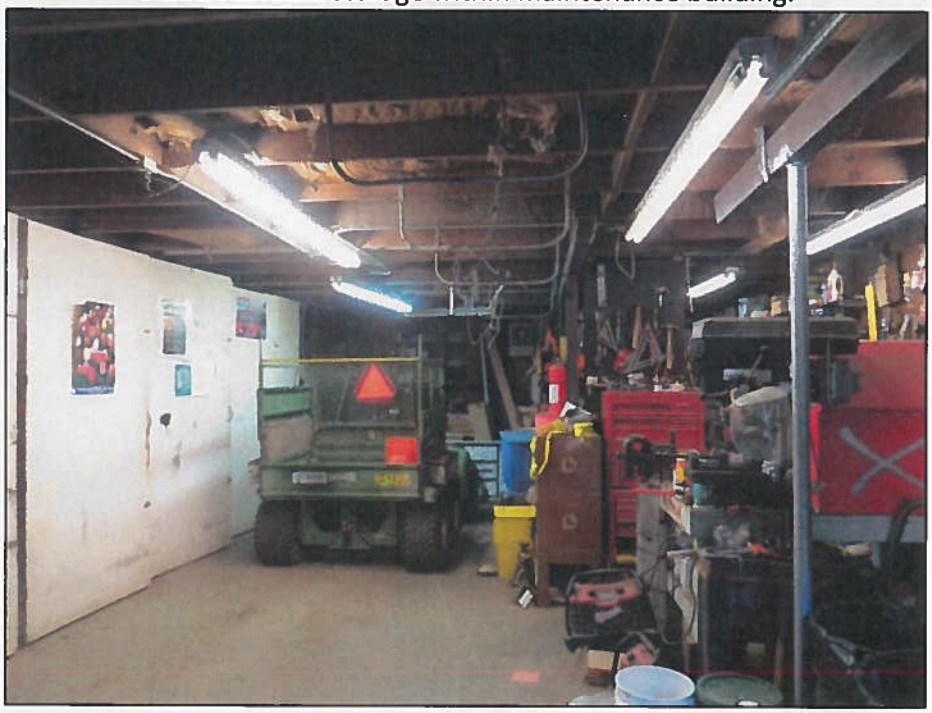


Above: Looking west at access driveway to facility.
Below: Access driveway from Miller Creek Road.



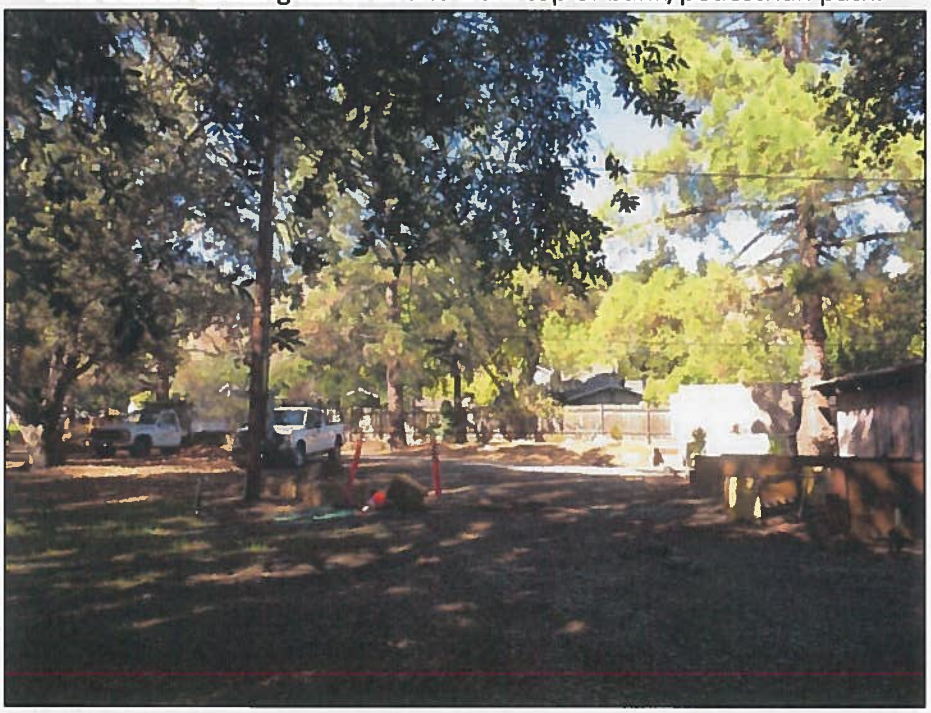


Above: Interior fenced storage area with dilapidated fence along Miller Creek.
Below: Limited storage within maintenance building.



Above: Fence at top of bank along Miller Creek. Below: Looking upslope at building from creek; protect trees at top of bank during demolition.

Above: Pedestrian path to creek immediately southwest of building; fence visible on left. Below: Looking north at site from top of bank/pedestrian path.



Above: Looking downstream at creek below building.
Below: Looking upstream at creek at pedestrian crossing.

Above: Mature valley oak to protect during construction.
Below: Edge of fenced storage area and English ivy infestation (at top of bank, creek bed visible below); ivy should be removed during construction and banks revegetated.

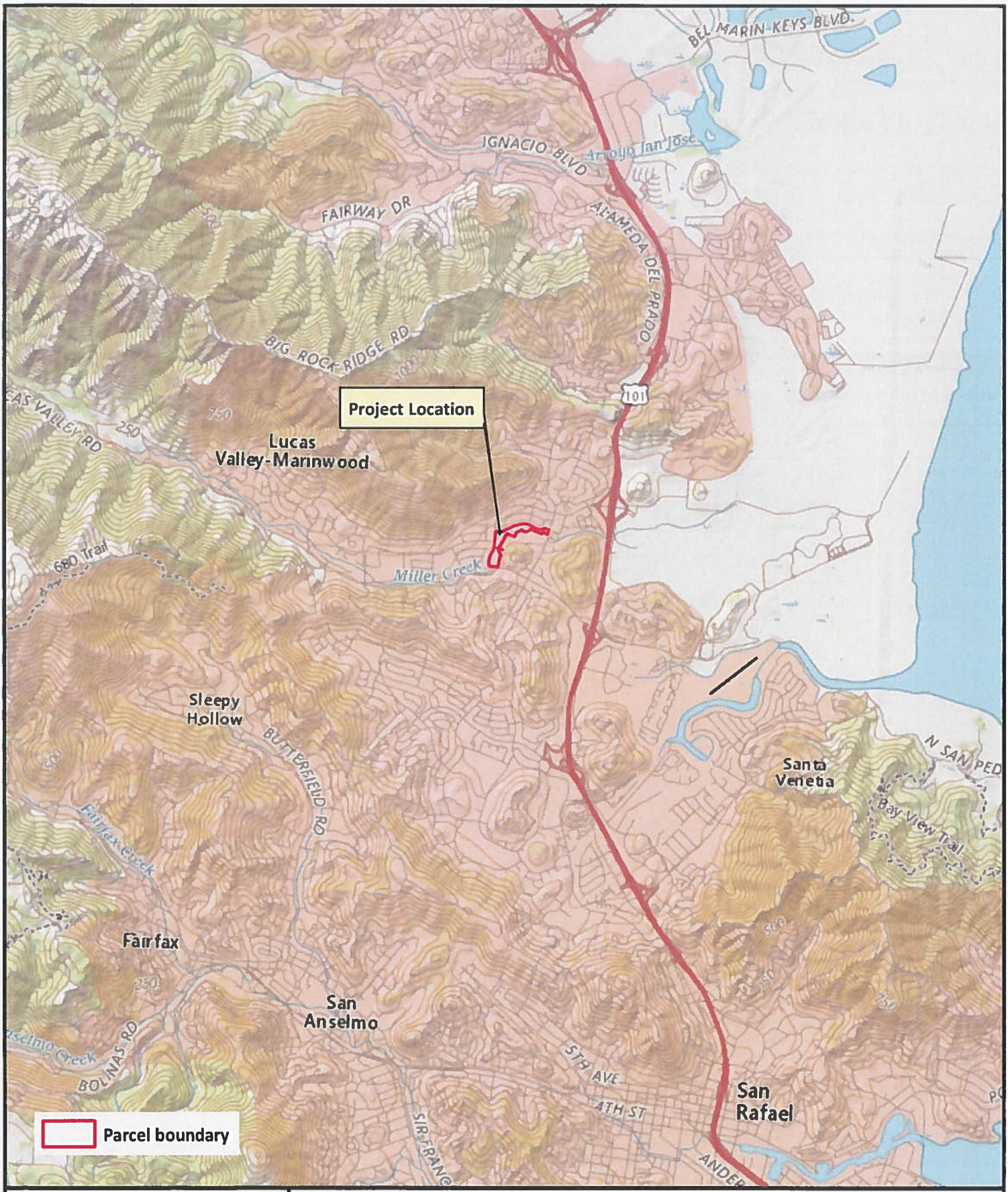
Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Novato (3812215))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
bent-flowered fiddleneck *Amsinckia lunaris*	PDBOR01070	None	None	G2G3	S2S3	1B.2
burrowing owl *Athene cunicularia*	ABNSB10010	None	None	G4	S3	SSC
California black rail *Laterallus jamaicensis coturniculus*	ABNME03041	None	Threatened	G3G4T1	S1	FP
California giant salamander *Dicamptodon ensatus*	AAAAH01020	None	None	G3	S2S3	SSC
California Ridgway's rail *Rallus obsoletus obsoletus*	ABNME05016	Endangered	Endangered	G5T1	S1	FP
Coastal Brackish Marsh *Coastal Brackish Marsh*	CTT52200CA	None	None	G2	S2.1	
congested-headed hayfield tarplant *Hemizonia congesta ssp. congesta*	PDAST4R065	None	None	G5T1T2	S1S2	1B.2
foothill yellow-legged frog *Rana boylii*	AAABH01050	None	Candidate Threatened	G3	S3	SSC
fragrant fritillary *Fritillaria liliacea*	PMLIL0V0C0	None	None	G2	S2	1B.2
great blue heron *Ardea herodias*	ABNGA04010	None	None	G5	S4	
great egret *Ardea alba*	ABNGA04040	None	None	G5	S4	
longfin smelt *Spirinchus thaleichthys*	AFCHB03010	Candidate	Threatened	G5	S1	SSC
Marin blind harvestman *Calicina diminua*	ILARAU8040	None	None	G1	S1	
Marin hesperian *Vespericola marinensis*	IMGASA4140	None	None	G2	S2	
Marin western flax *Hesperolinon congestum*	PDLIN01060	Threatened	Threatened	G1	S1	1B.1
mimic tryonia (=California brackishwater snail) *Tryonia imitator*	IMGASJ7040	None	None	G2	S2	
Mt. Tamalpais bristly jewelflower *Streptanthus glandulosus ssp. pulchellus*	PDBRA2G0J2	None	None	G4T2	S2	1B.2
Mt. Tamalpais manzanita *Arctostaphylos montana ssp. montana*	PDERI040J5	None	None	G3T3	S3	1B.3
Northern Coastal Salt Marsh *Northern Coastal Salt Marsh*	CTT52110CA	None	None	G3	S3.2	
obscure bumble bee *Bombus caliginosus*	IIHYM24380	None	None	G4?	S1S2	



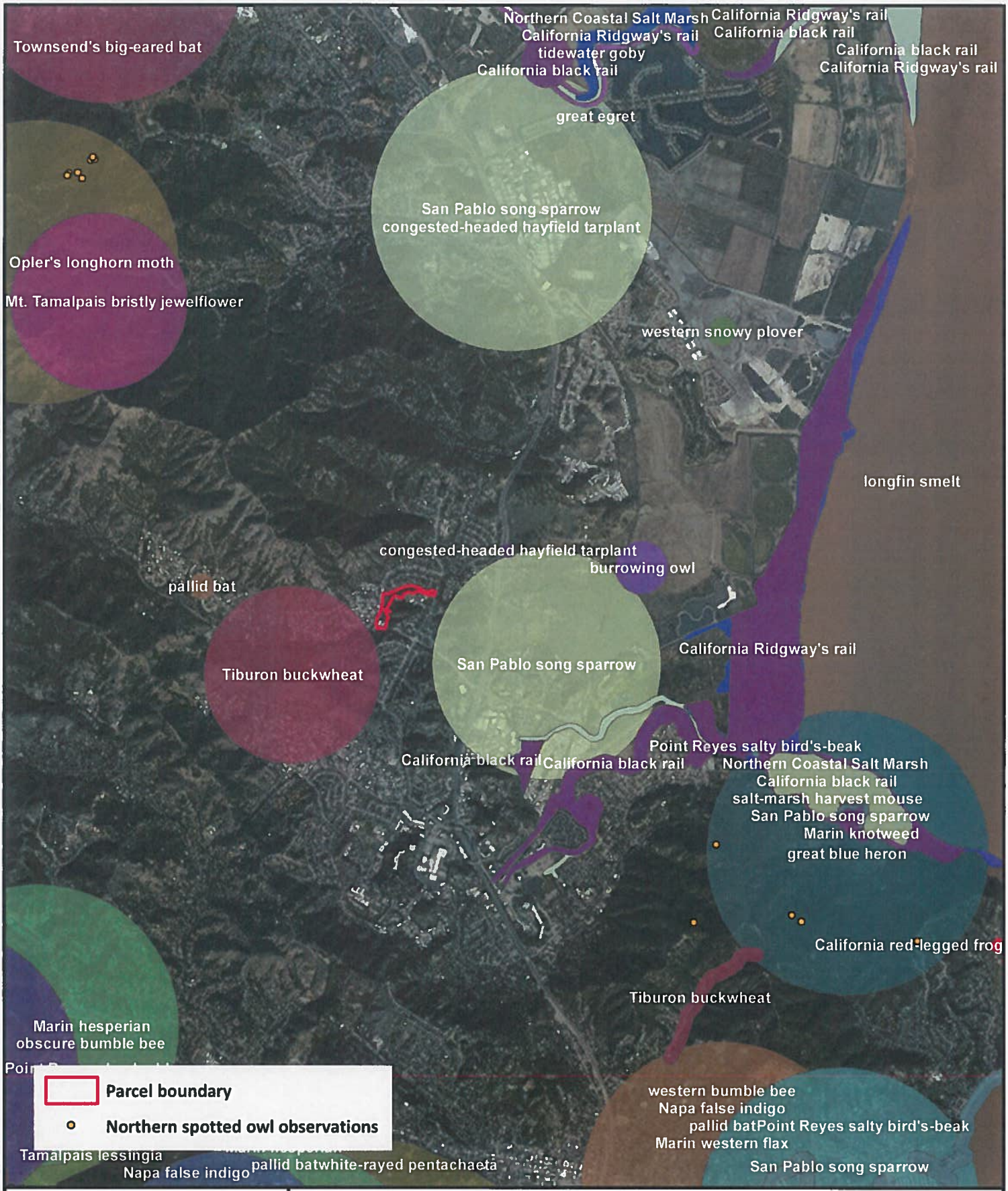
PRUNUSKE CHATHAM, INC.

Figure 1. Project Location
775 Miller Creek Road
San Rafael, Marin County

0 0.45 0.9 1.8 Miles

11/6/17
Topography: ESRI

N



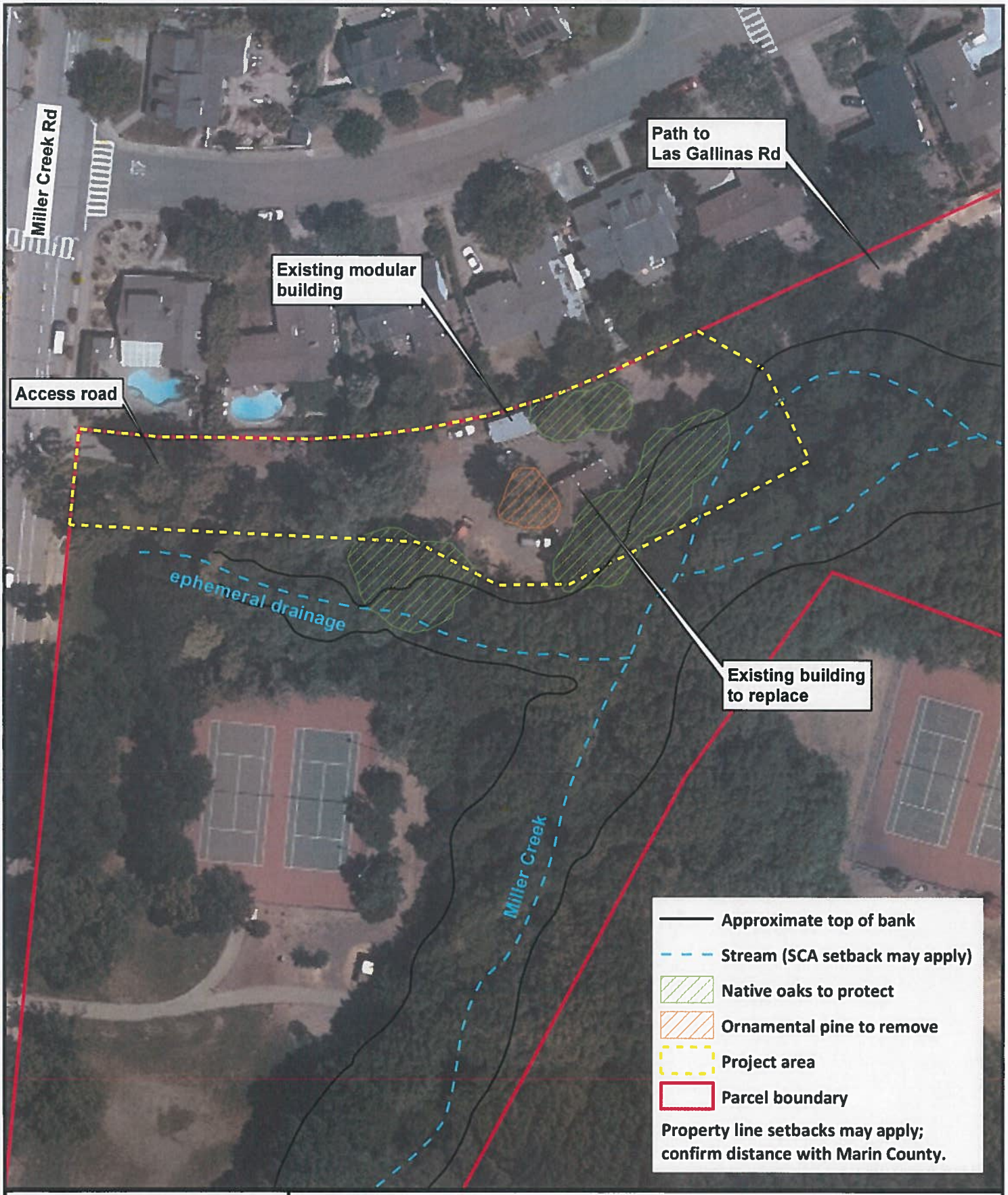
PRUNUSKE CHATHAM, INC.

Figure 2. Reported Special-Status Species Occurrences in Project Vicinity
775 Miller Creek Road
San Rafael, Marin County

0 0.325 0.65 1.3 Miles

11/6/17
Occurrences: CNDDB (CDFW 2017)
Imagery: ESRI

N



PRUNUSKE CHATHAM, INC.

Figure 3. Site Map
775 Miller Creek Road
San Rafael, Marin County

0 30 60 120 Feet

N

11/6/17
Imagery: ESRI
Top of bank: County of Marin DEM

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Opler's longhorn moth *Adela oplerella*	IILEE0G040	None	None	G2	S2	
pallid bat *Antrozous pallidus*	AMACC10010	None	None	G5	S3	SSC
Point Reyes salty bird's-beak *Chloropyron maritimum ssp. palustre*	PDSCR0J0C3	None	None	G4?T2	S2	1B.2
saltmarsh common yellowthroat *Geothlypis trichas sinuosa*	ABPBX1201A	None	None	G5T3	S3	SSC
salt-marsh harvest mouse *Reithrodontomys raviventris*	AMAFF02040	Endangered	Endangered	G1G2	S1S2	FP
San Pablo song sparrow *Melospiza melodia samuelis*	ABPBXA301W	None	None	G5T2	S2	SSC
snowy egret *Egretta thula*	ABNGA06030	None	None	G5	S4	
Tamalpais lessingia *Lessingia micradenia var. micradenia*	PDAST5S063	None	None	G2T2	S2	1B.2
Tiburon buckwheat *Eriogonum luteolum var. caninum*	PDPGN083S1	None	None	G5T2	S2	1B.2
tidewater goby *Eucyclogobius newberryi*	AFCQN04010	Endangered	None	G3	S3	SSC
Townsend's big-eared bat *Corynorhinus townsendii*	AMACC08010	None	None	G3G4	S2	SSC
Ubick's gnaphosid spider *Talanites ubicki*	ILARA98030	None	None	G1	S1	
western bumble bee *Bombus occidentalis*	IIHYM24250	None	None	G2G3	S1	
western snowy plover *Charadrius alexandrinus nivosus*	ABNNB03031	Threatened	None	G3T3	S2S3	SSC
white-tailed kite *Elanus leucurus*	ABNKC06010	None	None	G5	S3S4	FP

Record Count: 35

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Marin County, California

Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse Reithrodontomys raviventris No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/613	Endangered

Birds

NAME	STATUS
California Clapper Rail Rallus longirostris obsoletus No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4240	Endangered
California Least Tern Sterna antillarum browni No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
Northern Spotted Owl Strix occidentalis caurina There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/1123	Threatened
Western Snowy Plover Charadrius alexandrinus nivosus There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS

Green Sea Turtle Chelonia mydas — Threatened
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/6199

Amphibians

NAME	STATUS
California Red-legged Frog Rana draytonii There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Delta Smelt Hypomesus transpacificus There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/321	Threatened
Tidewater Goby Eucyclogobius newberryi There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/57	Endangered

Insects

NAME	STATUS
San Bruno Elfin Butterfly Callophrys mossii bayensis There is proposed critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/3394	Endangered

Crustaceans

NAME	STATUS
California Freshwater Shrimp Syncaris pacifica No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7903	Endangered

Flowering Plants

NAME	STATUS
Marin Dwarf-flax Hesperolinon congestum No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5363	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any activity that results in the take (to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service[3]. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

MIGRATORY BIRD INFORMATION IS NOT AVAILABLE AT THIS TIME

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Such measures are particularly important when birds are most likely to occur in the project area. To see when birds are most likely to occur in your project area, view the Probability of Presence Summary. Special attention should be made to look for nests and avoid nest destruction during the breeding season. The best information about when birds are breeding can be found in Birds of North America (BNA) Online under the "Breeding Phenology" section of each species profile. Note that accessing this information may require a subscription. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) that might be affected by activities in your project location. These birds are of priority concern because it has been determined that without additional conservation actions, they are likely to become candidates for listing under the Endangered Species Act (ESA).

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets. The AKN list represents all birds reported to be occurring at some level throughout the year in the counties in which your project lies. That list is then narrowed to only the Birds of Conservation Concern for your project area.

Again, the Migratory Bird Resource list only includes species of particular priority concern, and is not representative of all birds that may occur in your project area. Although it is important to try to avoid and minimize impacts to all birds, special attention should be made to avoid and minimize impacts to birds of priority concern. To get a list of all birds potentially present in your project area, please visit the E-bird Explore Data Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird entry on your migratory bird species list indicates a breeding season, it is probable the bird breeds in your project's counties at some point within the time-frame specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

APPENDIX B

CULTURAL RESOURCES EVALUATION

MARINWOOD COMMUNITY SERVICES DISTRICT
PARK MAINTENANCE FACILITY REPLACEMENT PROJECT

PERFORMED BY,
ARCHAEOLOGICAL RESOURCE SERVICE
WILLIAM ROOP, M.A., RPA
MAY, 2018

A CULTURAL RESOURCES EVALUATION OF THE PROPOSED MAINTENANCE FACILITY REPLACEMENT WITHIN MARINWOOD PARK, 775 MILLER CREEK ROAD, MARIN COUNTY, CALIFORNIA

SUBMITTED BY

William Roop, M.A, RPA, ARCHAEOLOGICAL RESOURCE SERVICE

SUBMITTED FOR

Eric Dreikosen, Manager, Marinwood Community Service District.

May 23, 2018 **A.R.S. Project 18-023**

INTRODUCTION

As requested and authorized, Archaeological Resource Service has conducted an archaeological evaluation of the parcel described below. The following basic tasks were accomplished as part of this project:

1. A check of the information on file with our office and the Regional Office of the California Historical Resources Information System, to determine the presence or absence of previously recorded historic or prehistoric cultural resources,
2. A check of appropriate historic references to determine the potential for historic era archaeological deposits, and;
3. Contact with the Native American Heritage Commission to determine the presence or absence of listed Sacred Lands within the project area;
4. Contact with all appropriate Native American organizations or individuals designated by the Native American Heritage Commission as interested parties for the project area;
5. A surface reconnaissance of all accessible parts of the project area to locate any visible signs of potentially significant historic or prehistoric cultural deposits.
6. Preparation of a report describing the work accomplished, the results of the research, and making appropriate recommendations for further action, if warranted.

PROJECT DESCRIPTION

The proposed project would replace the existing park maintenance facility within Marinwood Park. The facility has been in use for over fifty years, long outliving its design life. The facility has deteriorated over time through daily use. The facility is now worn out and in need of replacement, as described by the district is:

The current park maintenance facility, located at the northern end of Marinwood Park, was originally constructed in 1965. In addition to serving as a facility to store District equipment and supplies used for park maintenance purposes, it has also served as a workshop for the District's dedicated park staff where new ideas and improvements have become reality.

As the years have progressed, the maintenance facility has severely deteriorated. The roof is tarped seasonally and during heavy rains the interior floods, rendering the facility unsafe and unusable. Yet it continues to be relied upon to the best of its rapidly degrading functionality

as the District has no other such facility. All the while the structure becomes more unstable, less sound and a growing safety risk to our dedicated staff, the public and the environment.

The archaeological investigation has examined the project area to determine the potential for negative impacts to cultural resources.

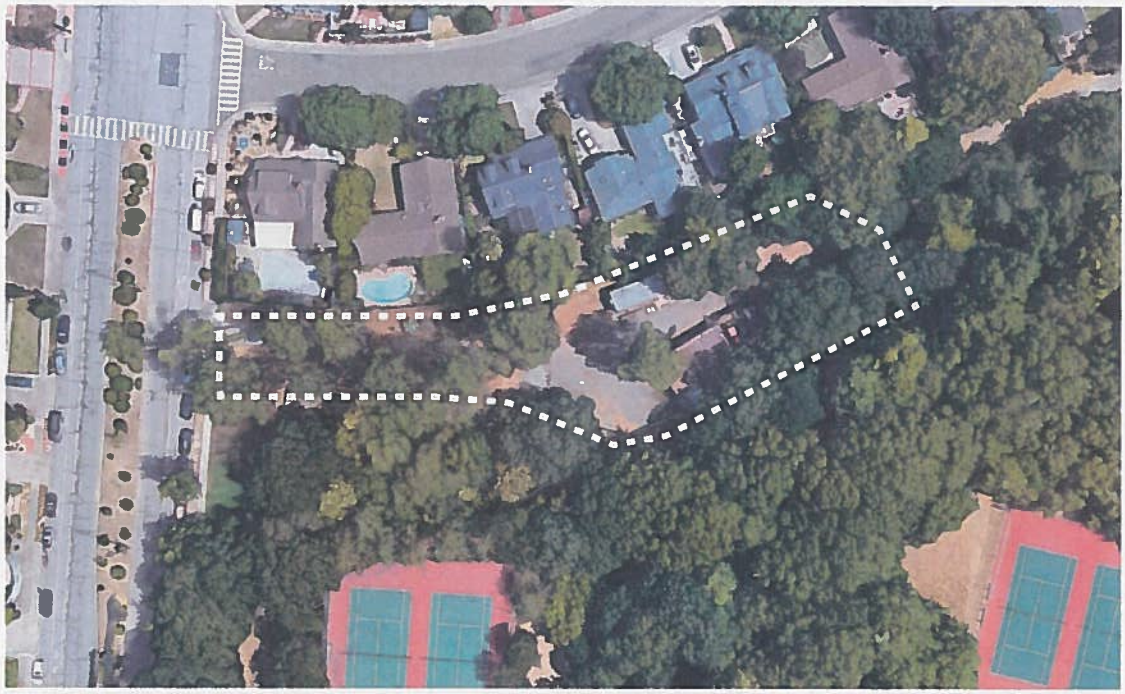


FIGURE 1 -- THE PROJECT AREA AS CURRENTLY CONFIGURED

Miller Creek Road is to the left, Quietwood Drive is visible at the top. This is the northwest corner of Marinwood Park.

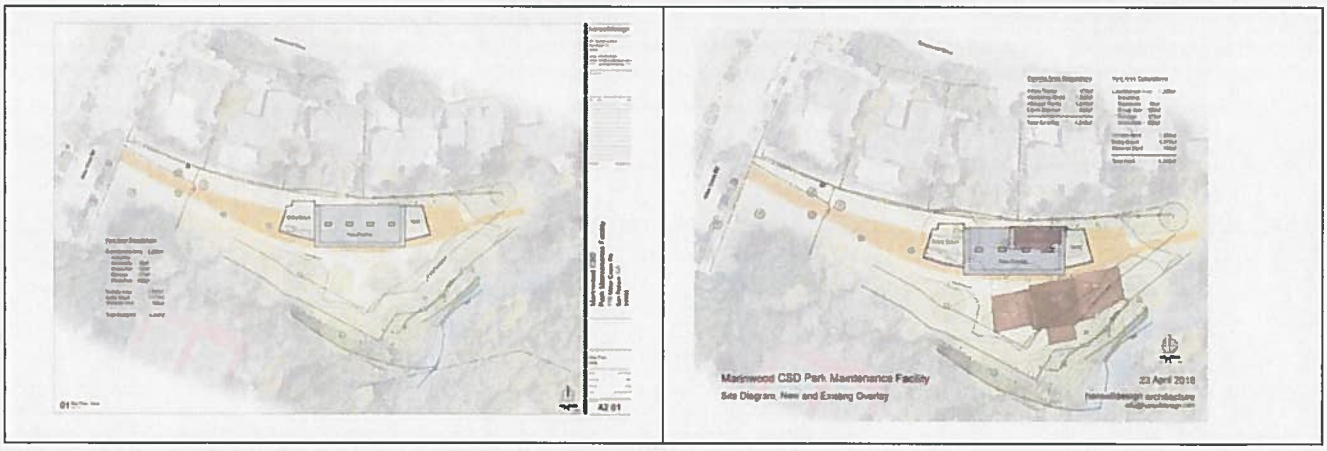


FIGURE 2 -- THE REPLACEMENT PLAN

The proposed configuration is shown on the left. The replacement is superimposed on the existing conditions on the right.

PROJECT LOCATION

The project area is located Within Marinwood Park, 775 Miller Creek Road, near Quietwood Drive, Marin County, California. The parcel consists of about two acres within the 14.12 acre property of forested park land bounded by schools, parkland and urban neighborhoods.

The project area lies in the Mexican era land grant of San Pedro, Santa Margarita Y Las Gallinas within unsectioned land of Township 2 North, Range 6 West, Mt. Diablo Base and Meridian. The Universal Transverse Mercator Grid coordinates to the approximate center of the project area, as determined by measurement from the USGS 7.5' Novato, California Quadrangle Map (1954 (Photorevised 1980)) are:

4209315 Meters North,

539395 Meters East, Zone 10

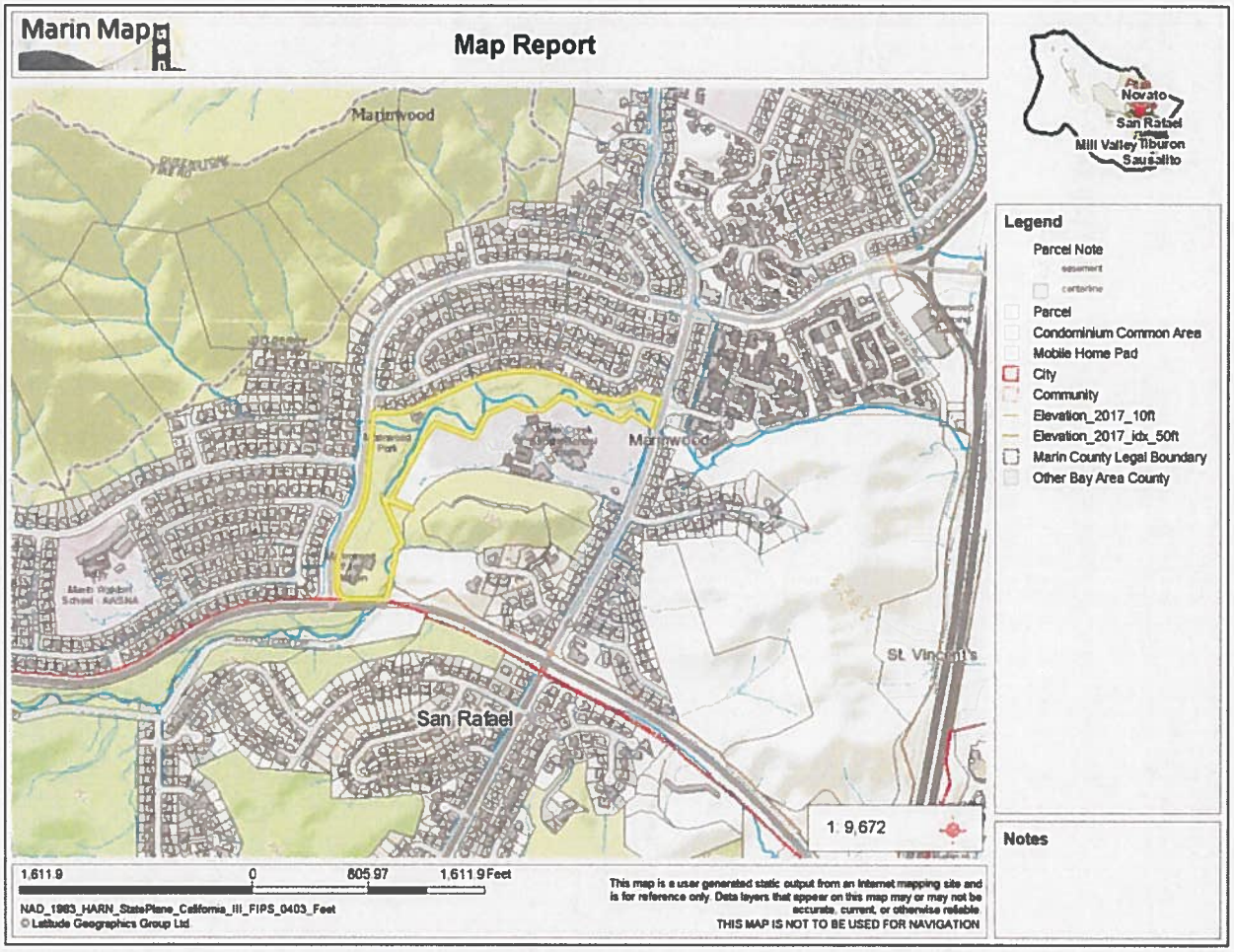


FIGURE 3 -- MARINWOOD PARK FROM THE MARIN COUNTY GIS

The project area lies in the northwest corner of the park, above and to the west of Miller Creek.

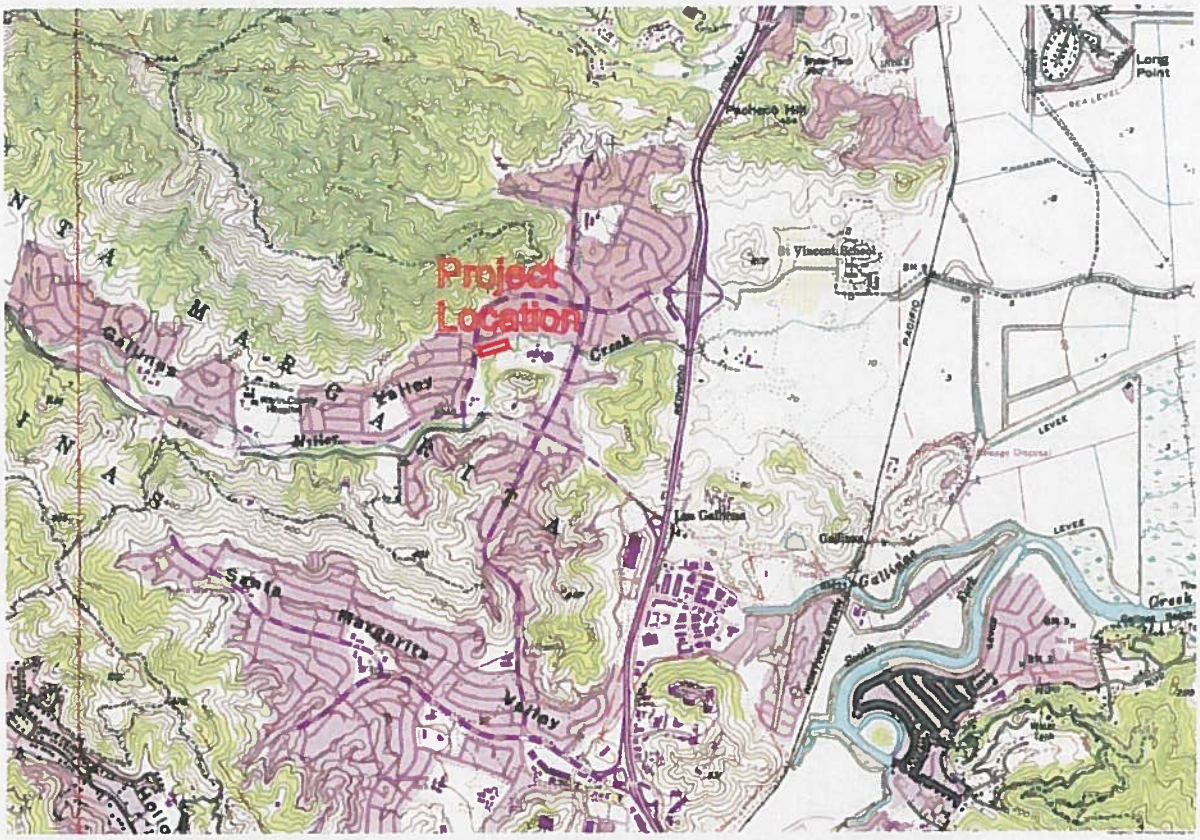


FIGURE 4 -- THE PROJECT LOCATION ON THE USGS NOVATO QUADRANGLE MAP

REGULATORY SETTING

There are no previously recorded prehistoric or historic resources located within the project area. Archaeological resources, once identified, are evaluated using criteria established in the California Environmental Quality Act (CEQA) (14 CCR 15064.5 and PRC 21084.1). Significant historical resources need to be addressed before environmental mitigation guidelines are developed and approved. A "significant historical resource" (including both a prehistoric and historic resource) is one that is found eligible for listing in the California Register of Historical Resources. As per Title 14, California Code of Regulations Section 15064.5, historical resources are those that are:

- Listed in, or eligible for listing in, the California Register of Historic Resources (Public Resources Code 5024.1, Title 14 CCR, Section 4850 et. seq.);
- Listed in, or eligible for listing in, the National Register of Historic Places (CRHR);
- Included in a local register of historical resources, as defined in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resource Code; or
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

Additionally, historical resources and historic districts designated or listed as city or county landmarks or historic properties or districts pursuant to any city or county ordinance can also be listed in the California Register, if the criteria for listing under the ordinance have been determined by the Office of Historic Preservation to be consistent with California Register criteria adopted by the commission (pursuant to Section 5024.1(e) of the PRC).

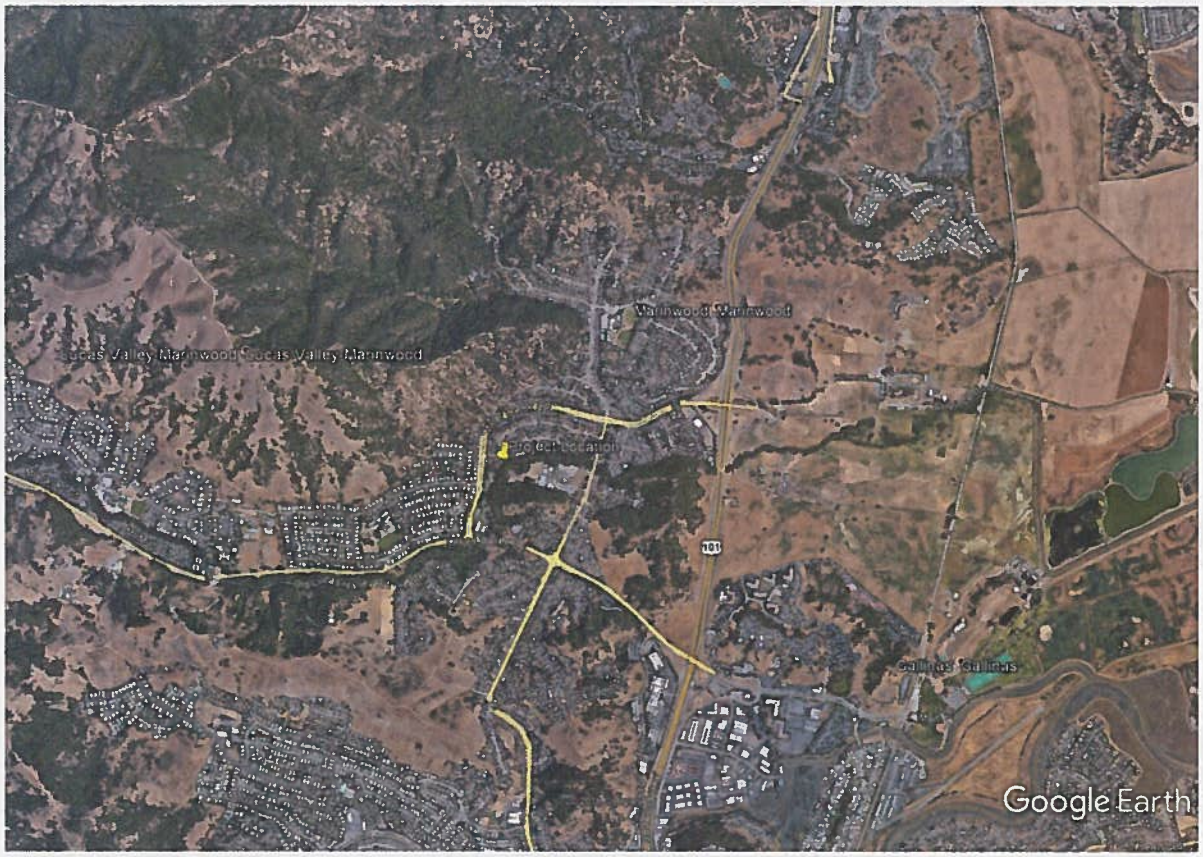


FIGURE 5 -- THE PROJECT LOCATION FROM GOOGLE EARTH

A resource may be listed as an historical resource in the California Register if it has integrity and meets any of the following National Register of Historic Places criteria:

1) Is associated with events that have made a significant contribution to the broad patterns of our history; or
2) Is associated with the lives of persons important in our past; or
3) Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possesses high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
4) Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA (PRC 21083.2) also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource as above, and "unique archaeological resources." A "unique archaeological resource" has been defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without

merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1) Contains information needed to answer important scientific research questions and that there is a demonstratable public interest in that information,
2) Has a special and particular quality such as being the oldest of its type or the best available example of its type, or
3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

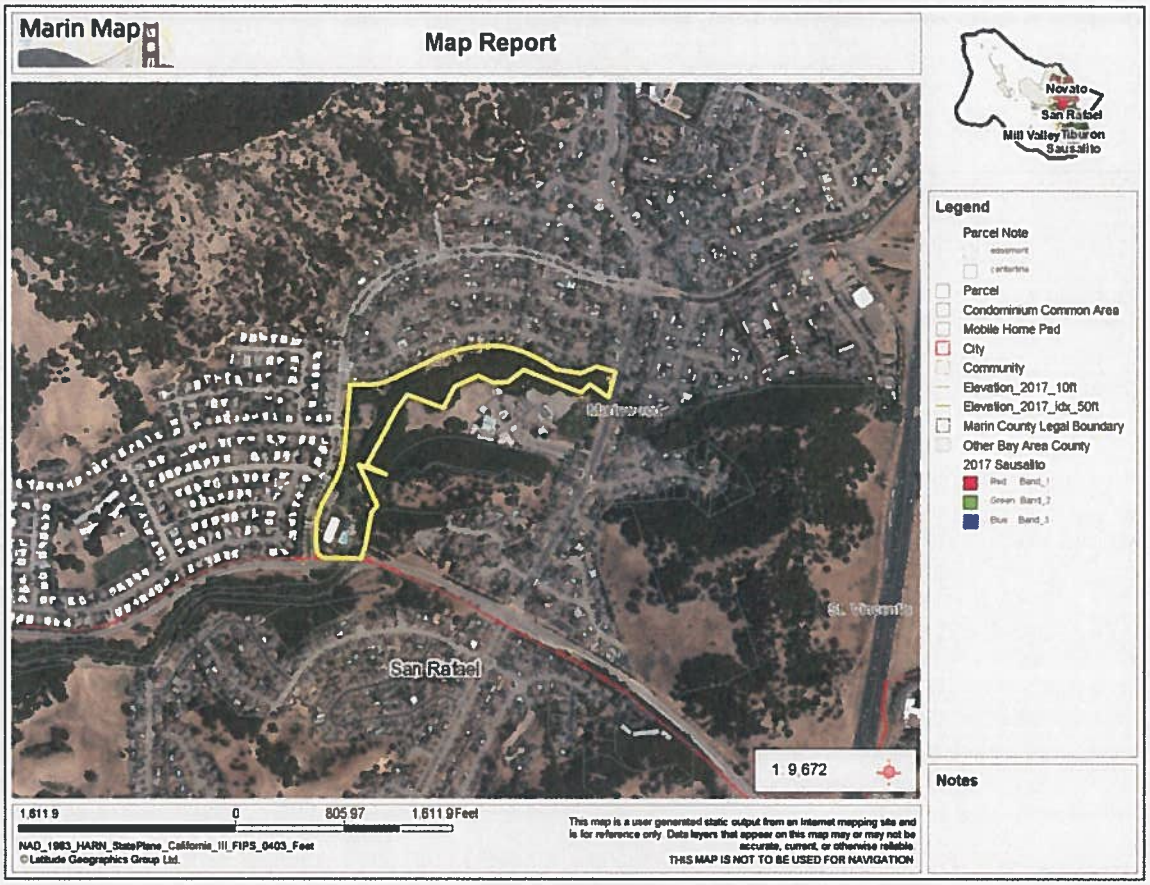


FIGURE 6 -- MARINWOOD PARK FROM THE COUNTY GIS WITH SATELLITE IMAGERY

Buildings, sites, structures, objects, and districts representative of California and United States history, architecture, archaeology, engineering, and culture convey significance when they also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A resource has integrity if it retains the characteristics that were present during the resource's period of significance. Enough of these characteristics must remain to convey the reasons for its significance.

As of July 2015, two new classes of resources have been defined. Tribal cultural resources and Tribal cultural landscapes can be any of a variety of cultural sites as defined by the individual tribe. These resources, once identified, are treated as significant resources under CEQA.

The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, or included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resources as defined in PRC sections 5020.1(j) or 5024.1.

SACRED LANDS INVENTORY / NATIVE AMERICAN CONSULTATION

The California Native American Heritage Commission (NAHC) works to identify, catalogue, and protect places of special religious or social significance, graves, and cemeteries of Native Americans per the authority given the Commission in Public Resources Code 5097.9. A check with the NAHC was done to determine if there are sites listed in the Sacred Lands file located within or near to the current project area.

The Native American Heritage Commission has not responded to our query. Based on past inquiries, it is recommended that the permitting agency consult the Federated Indians of Graton Rancheria, the current representatives of the Coast Miwok.

RESULTS OF LITERATURE CHECK

PREHISTORIC BACKGROUND

The artifacts and features left by the earliest identified prehistoric inhabitants of this part of California are referred to as the Post Pattern of archaeological deposits and features (Fredrickson 1973, 1974). This assemblage of artifacts is contemporaneous with the Paleo-Indian period, from about 10,000 to 6,000 B.C. The economic focus of the Post Pattern appears to have revolved around hunting and exploitation of lakeshore (lacustrine) resources. Attributes of the Post Pattern include the inferred use of the dart and atlatl tipped with fluted projectile points (Origer and Fredrickson 1980:47).

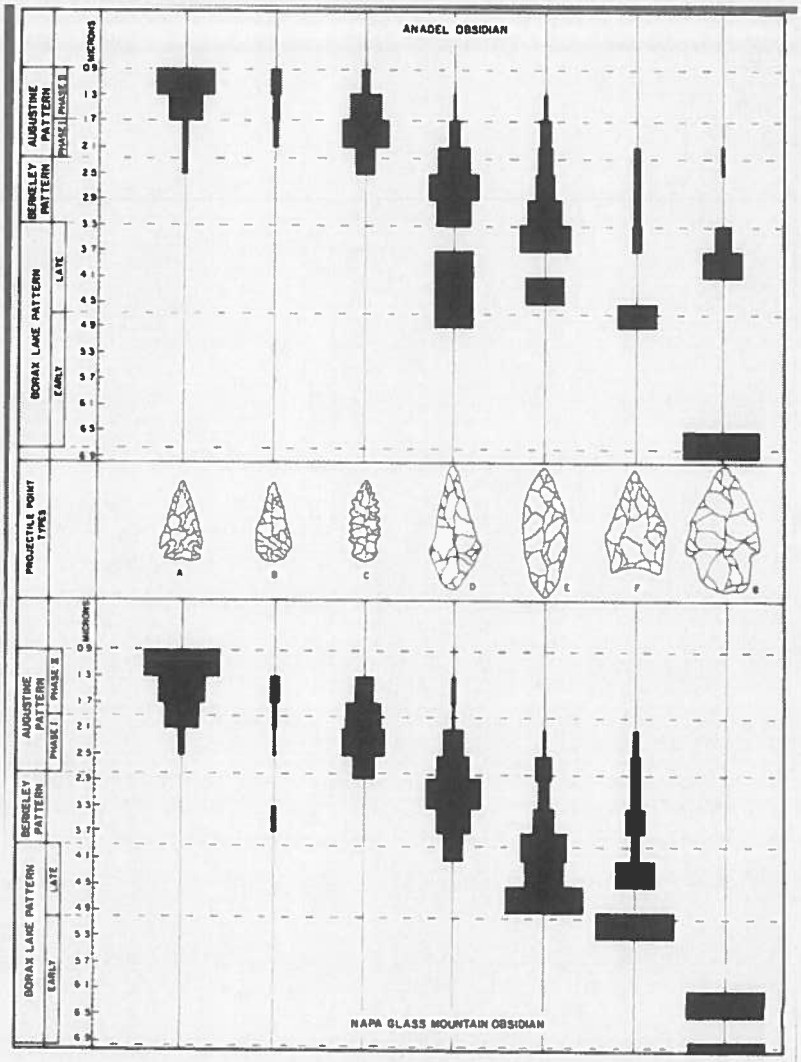


Figure 10.15 Projectile points characteristic of the Sonoma District. A, corner-notched; B, round-base (preform); C, serrated, stemmed; D, shouldered, lanceolate; E, lanceolate; F, concave-base; G, wide-stemmed. The two sets of graphs (one for the Anadel obsidian source, the other for the Napa Glass Mountain source) show relative proportions for each projectile point category within each 0.4 μm interval. The shape of the distribution of any one category is referred to as a *battleship curve*. (Data source: Origer 1982; drawing by Nelson Thompson.)

FIGURE 7 -- CULTURAL PATTERNS IN THE SONOMA DISTRICT (MORATTO 1984)

Chipped stone crescents also occur during this period.

The Post Pattern is followed by the Borax Lake Pattern, which lasted through the Lower Archaic (ca. 6,000 to 3,000 B.C.) and the Middle Archaic (ca. 3,000 to 500 B.C.) periods (Fredrickson 1973, 1974). Two projectile point traditions are recognized for the southern aspect of the Borax Lake Pattern. The earlier, wide-stemmed tradition may have a temporal range from 6,000 to about 4,000 B.C. while the later, concave base tradition may date from the period from about 3,000 to 500 B.C. (Origer and Fredrickson 1980:48). The economy of the Borax Lake Pattern focused on the collecting and processing of hard seeds with hunting of possibly equal importance. Significant attributes of the Borax Lake Pattern include the milling slab and handstone and relatively large projectile points which suggest the use of the dart and atlatl (Origer and Fredrickson 1980:48).

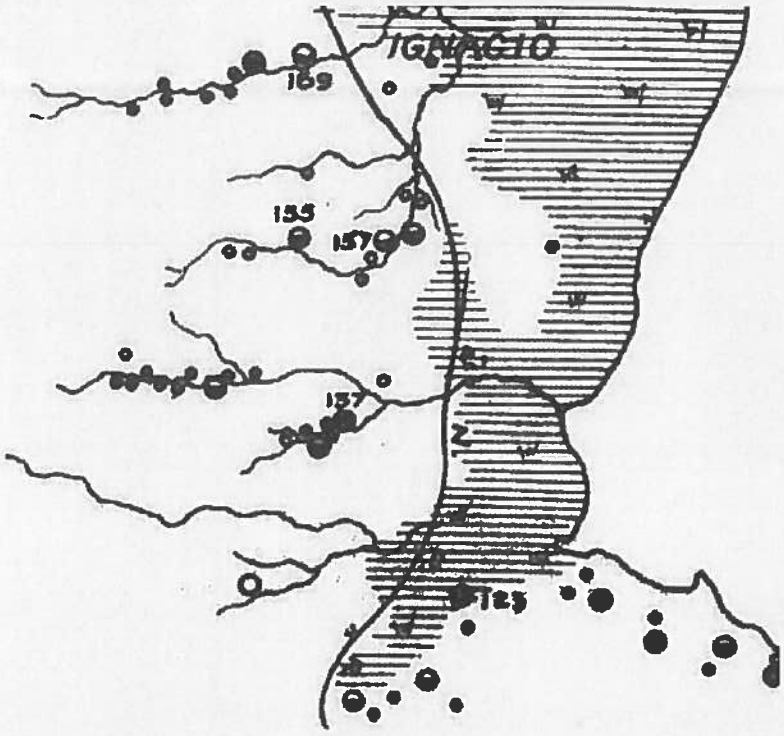


FIGURE 8 -- PART OF N.C. NELSON'S MAP OF SHELLMOUNDS

The curving line running north-south is a railroad line that runs east of the current freeway. Two clusters of sites can be seen on Miller Creek. The eastern cluster near the number 137 lies just east of Highway 101 southwest of St. Vincent's School. The project area lies near the westerly cluster of archaeological sites.

During the Upper Archaic period (ca. 500 B.C. to A.D. 500), the Borax Lake Pattern was replaced in the southern North Coast Ranges by the Houx Aspect of the Berkeley Pattern (Fredrickson 1973; Origer and Fredrickson 1980). Influenced by the cultures of the Sacramento Valley and the San Francisco Bay regions, the Houx Aspect had a continuing economic focus on hunting, but was also marked by the acorn economy as inferred from the presence of the bowl mortar and pestle (Origer and Fredrickson 1980:48). Houx attributes include large lanceolate projectile points suggestive of the continued use of the dart and atlatl, and the replacement of milling slab and handstone technology by the bowl mortar and pestle (Origer and Fredrickson 1980:48; Fredrickson 1984).

The Emergent Period (ca. A.D. 500 to 1800) is typified in this area by the Augustine Pattern which represents a fusion of introduced elements with those of the older Berkeley Pattern (Fredrickson 1973, 1984). The Augustine Pattern is distinguished by intensive fishing, hunting, and gathering (especially of acorns); large, dense populations; highly developed exchange systems; social stratification; and the mortuary practices of cremation and pre-interment grave-pit burning of artifacts, coupled with flexed burial (Fredrickson 1973; Moratto 1984). Augustine Pattern technological innovations included shaped mortars and pestles, bone awls for making baskets, and the bow and arrow (Fredrickson 1973; Moratto 1984).

Nels C. Nelson investigated many of the nearby prehistoric archaeological sites in 1907. Nelson's 1909 publication on the shellmounds of the Bay Area confirmed the presence of these aboriginal shellfish processing camps and larger village areas that were further described as either "shell mounds" or "shell heaps" (Nelson 1907, 1909). These places are composed of midden soil (decomposed shellfish and organic material) mixed with shell debris and artifacts. These deposits may also contain human remains.

Some of the archaeological sites reported by Nelson are still prominent features on the landscape, others have all but disappeared. A few have not been found for many years. Several of Nelson's sites in the area have been relocated by more recent investigations.

Current records indicate that there are at least six Native American sites east of Highway 101 in the lower reach of Miller Creek, at least three to the north of the park and at least nine archaeological sites within a half mile of the park to the west along Miller Creek. No archaeological sites are reported in Marinwood Park. All of these sites are settlements associated with pre-Hispanic and/or Hispanic era occupation of Marin County.

FIGURE 9 -- COAST MIWOK TERRITORY (KROEBER 1925)

This map from the Handbook of California Indians shows one ethnographic village site east of San Rafael, *Awani-wi*.

Very little attention was paid to Marin County archaeology for several years after Nelson's work. What investigations that did occur seem to have focused on the search for evidence of Sir Francis Drake, both at Point Reyes and within San Francisco Bay. With the rise of anthropology programs at San Francisco State College (now University) and later Sonoma State College (also now University), interest in Marin County was rekindled. Reinvestigation of some of Nelson's reported locations, as well as more recently discovered locations were undertaken. This only increased more with the advent of CEQA and the evaluation of various projects for potential impacts to cultural resources. In his summary of Marin County archaeology up to that time Moratto (1974) described the investigation of sites along Miller Creek:

> *Between 1970 and 1972, C. Slaymaker coordinated the systematic excavations of sites Mrn-138, Mrn-139 and Mrn-140, which are clustered along the south bank of Miller Creek in Lucas Valley, slightly more than a mile from the present bayshore. Mrn-139 and Mrn-140 seem to have been undistinguished and ephemerally-settled hamlets, whereas Mrn-138 was clearly a long-occupied major village. At least three components have been recognized at*

Mrn-138: (1) A McClure-like "Middle Horizon" component; (2) manifestations of a Phase 2, "Late Horizon" occupation; and (3) evidence of a full historic mission-era (or possibly post-Miossion) component, in part demonstrated by an obsidian crucifix from the uppermost level of the midden. Charcoal from the basal stratum of Mrn-138 has provided dates of 2650 ± 95 RC yr B.P. :700 B.C. (I-5797) and 1910 ± 90 RC yr. B.P.:40 A.D. (I-5798) (Slaymaker, personal communication by Moratto, 1971) (Moratto et. Al. 1974: 53-54).

A large area east of the project area between Las Gallinas Avenue and Highway 101 was examined for a project that was never built (Chavez 1984) with negative results. Chavez was familiar with the array of archaeological deposits in the vicinity, noting that:

These archaeological Resources (CA-Mrn-138 through CA-Mrn-142) have been extensively studied (Slaymaker 1977) and are collectively described as a major cultural resource which expresses the prehistoric lifeways of the Miwok Indians in the Gallinas Valley. One of these sites (CA-Mrn-138) has been identified as the ethnographically recorded community of Cotomko-Tca, which was still occupied at the time of historic contact. (Chavez 1985).

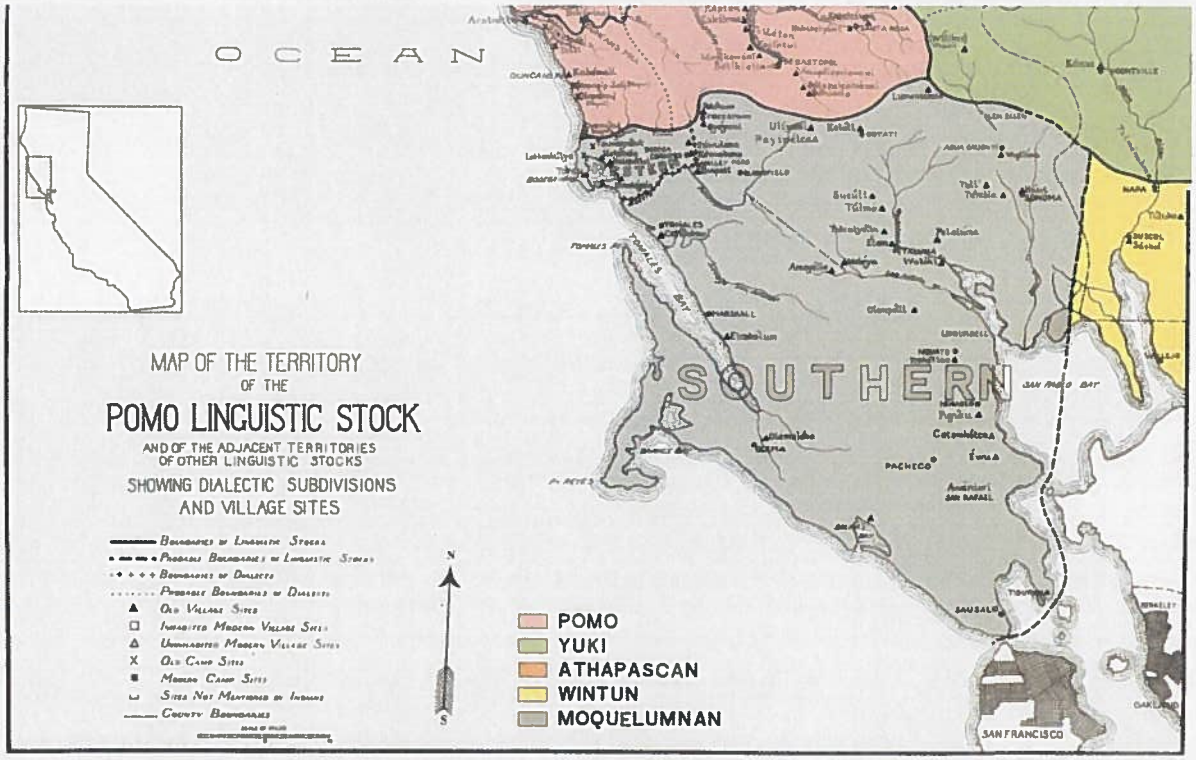


FIGURE 10 -- PART OF BARRETT'S 1908 ETHNOGRAPHIC MAP

This is the southern part of Barrett's map, showing the territory of the Coast Miwok, called Moquelumnan by Barrett. The Pomo to the north were the primary focus of Barrett's research. One, unmapped, ethnographic village is referenced near San Rafael and two are shown between about Santa Venetia and Ignacio..

ETHNOGRAPHIC BACKROUND

This area of Marin County was within the territory of Coast Miwok speaking people during the time of European and American contact (Barrett 1908; Kelly 1978). Coast Miwok is a branch of the Penutian language stock. The Coast Miwok occupied Marin and Southern Sonoma Counties. The people who inhabited this particular area were identified with the Hookooeko

tribelet (Kelly 1978:424; Kroeber 1925:273; Legare 1994:3). The Coast Miwok were hunters, fishers and gatherers, who enjoyed a diverse array of natural food resources in their Native land. Foods from the sea, marsh, freshwater and land were exploited, including: fish, shellfish, sea kelp, waterfowl, large and small land mammals, seeds, nuts, berries and especially acorns. Shelters were conical structures covered with grasses. Large villages had circular, semi-subterranean sweathouses and dance houses which served as social centers. Clamshell disk beads served as an important form of currency, particularly for inter-tribal trade, such as with the Wappo for obsidian. Flaked, carved and groundstone objects included blades, mortars, pestles and charmstones, among other things. Basketry was a well developed craft, and baskets served many purposes- from burden baskets, to cooking and eating vessels, to decorative and ceremonial wares (Kelly 1978).

The Coast Miwok can be divided into two groups with their own distinct dialects; the Western-Bodega Miwok (Olamentko), and the Southern Marin, or Hookooeko tribe, who spoke the Southern Marin dialect with some linguistic differences between valley and coastal peoples (Kelly 1978: 414). Merriam (1907) discusses a third group from the northern area of Southern Marin Valley known as the Lekahtewutko tribe. Bennyhoff (1977) and Slaymaker (1982) have further divided the Coast Miwok into political tribelets. Within the Hookooeko territory included the Huimen tribelet. This tribelet is believed to have been located the closest to the project area (Evans 2004).

Due to the diverse supply of resources throughout this region, the Coast Miwok were well suited to an economy based on hunting, fishing and the gathering of acorns (Kelly 1978: 415). They were well adapted to exploiting the wetland and marsh areas in particular, and wetland plants and shellfish from the ocean and bays were a prime source of food. They used dip nets and spears to catch salmon and steelhead, as well as bow and arrows with obsidian points to kill small and large game. Along with acorns, which were ground down to make mush or bread, the Coast Miwok utilized the buckeye fruit, the pepperwood fruit, and a variety of

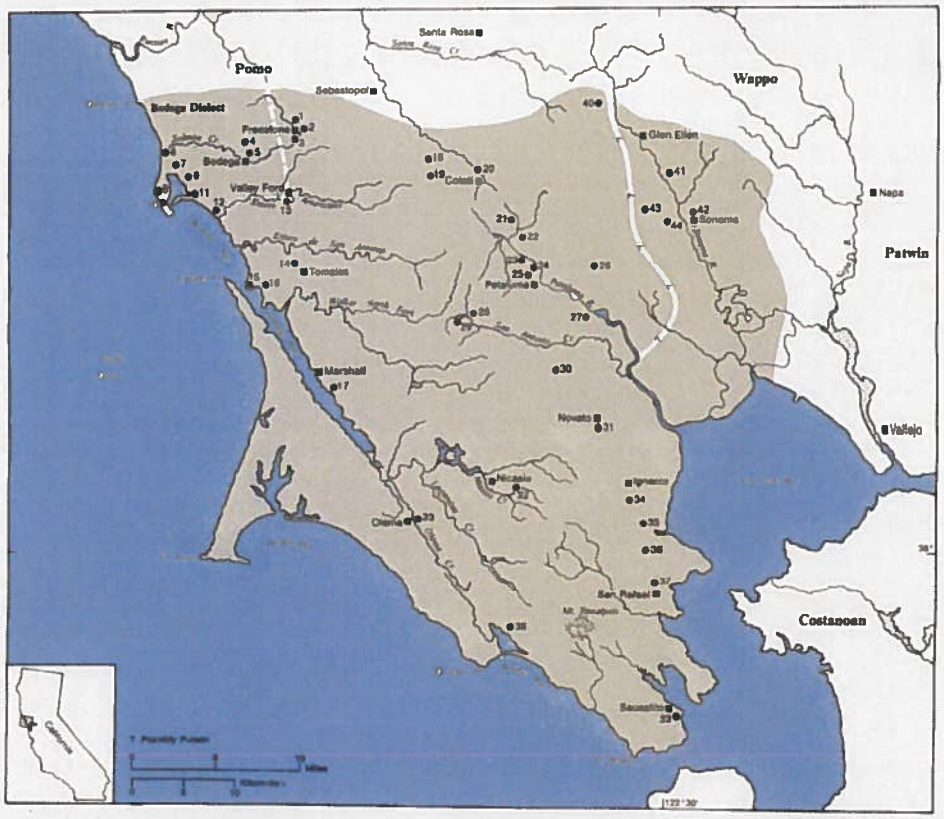


FIGURE 11 -- COAST MIWOK TERRITORY ACCORDING TO KELLY (1978)

This is essentially the same information as in the previous territorial maps. A few additional village sites are identified, but there is no additional information regarding the project vicinity.

greens. The collecting of shellfish led to the formation of shell deposits known as midden heaps, mounds, or scatters, which are now the primary remains of most prehistoric sites around the bay (Kelly 1978: 417-418).

The Coast Miwok lived in conical structures that were small and made from two forked and interlocking poles, onto which additional poles were lashed to form a cone shaped frame, then covered by grass (Kelly 1978: 417). Approximately 6 to 10 people would reside in one of these structures. Larger villages often contained a large, circular sweathouse that was dug four feet into the ground and covered with a frame of poles topped with grass, and a large ceremonial house that was built in the same manner as the sweathouse.

Tools were made from locally obtained materials including chert, obsidian, basalt, bone, antler, and various types of plants. Beads and pendants were manufactured from locally obtained shell and include clamshell disc beads (used as money), Olivella beads and abalone shell pendants. Clothing was minimal, but based on seasonal weather. Women wore a double apron made of deerskin and men wore a similar type of loincloth. Baskets were important to the Coast Miwok and were used for portage, storage, and cooking containers, as well as for seed beating, winnowing, and as hoppers for groundstone mortars. The Coast Miwok also traded for venison, medicinal plants, yellow paint, and turtles (Kelly 1978: 419).

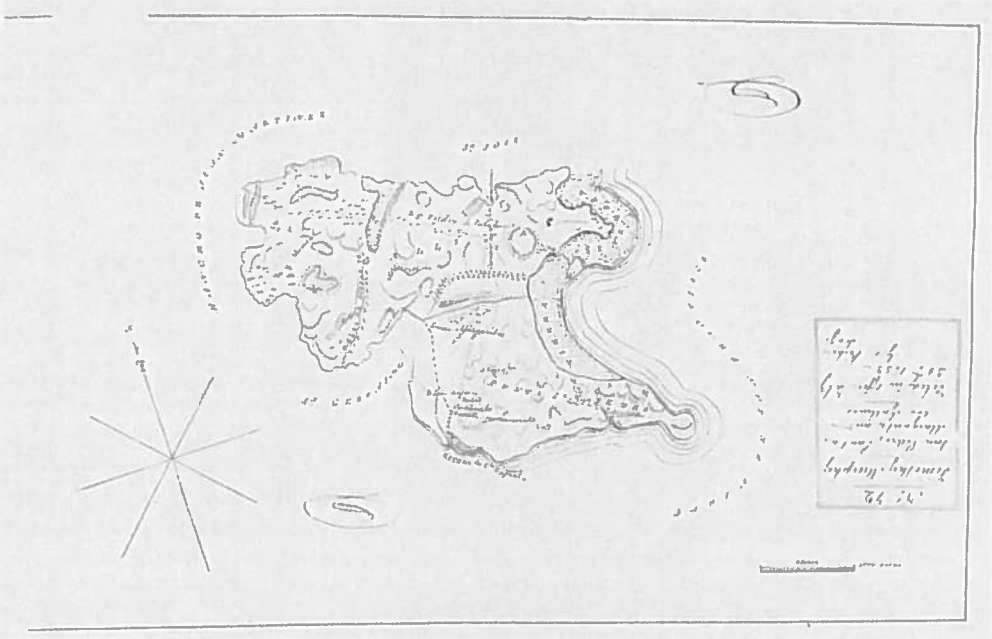


FIGURE 12 -- THE DISEÑO OR SKETCH MAP FOR THE LAND GRANT

This is a copy of the map submitted to the US courts as a true copy of the sketch map originally submitted to the government of Mexico in support of the claim for the three combined grants of San Pedro, Santa Margarita and Las Gallinas. The copy has been inverted so north is relatively "up", making it more comparable to modern maps. The map text reads: "No. 72, Timothy Murphy, San Pedro, Santa Margarita and Las Gallinas, filed in office July 20th 1852, Geo Fisher, secty."

The Coast Miwok were first encountered by Europeans in 1579 when Sir Francis Drake stopped to repair his ship the Golden Hinde somewhere in the Point Reyes Vicinity. In 1769 Portola arrived in the San Francisco Bay area, and by 1776 Mission Dolores was established in what is now San Francisco. In 1817 Mission San Rafael Arcangel was established, and in 1823 Mission San Francisco Solano was established in Sonoma. By 1817 three quarters of the Coast Miwok population had entered the mission system (Evans 2009). European disease and forceful missionization decimated the Coast Miwok population and culture by the mid 19th century. A small number of Coast Miwok descendants did survive the initial encounter with Euro-Americans. During ethnographic times, the closest Coast

Miwok village to the project area was *Awani-wi,* near present day San Rafael (Bryne 2002:9; Kelly 1978:415). Today, the Coast Miwok are part of the federally recognized Federated Indians of Graton Rancheria, and are very active in the preservation of their ancestral traditions and lands.

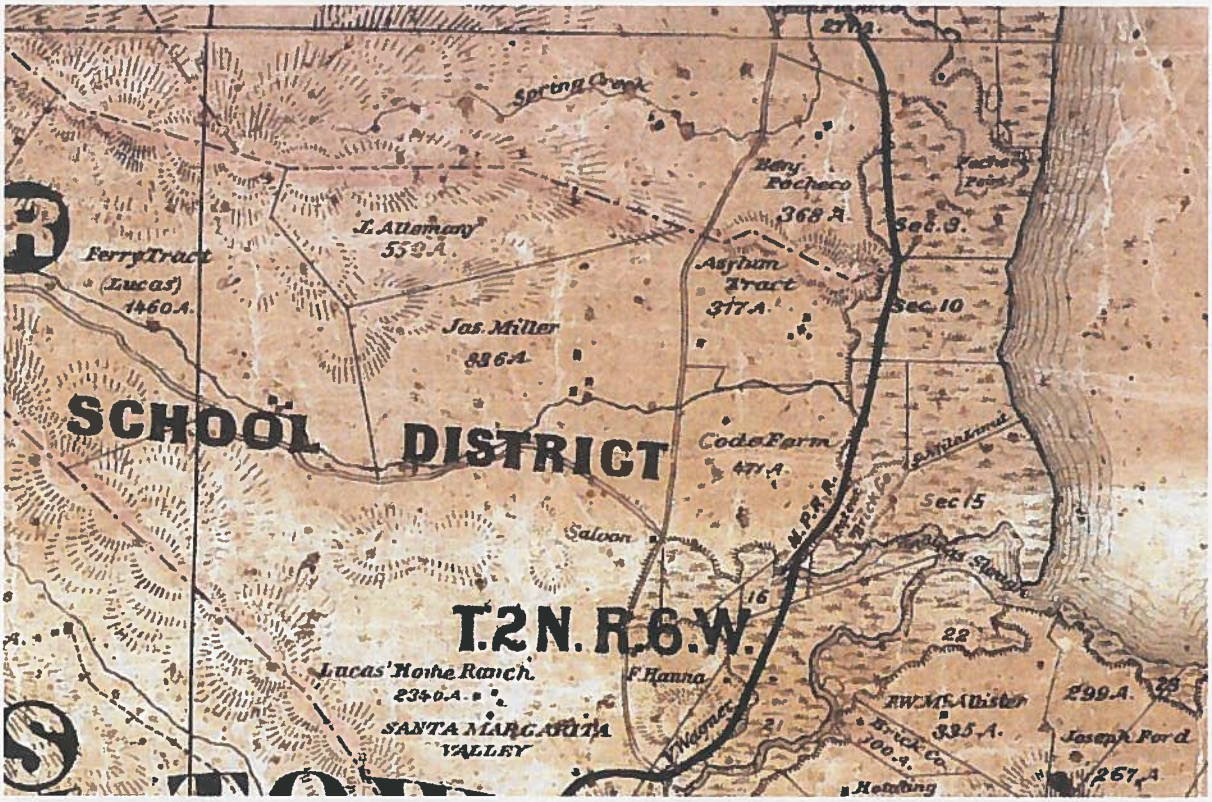


FIGURE 13 -- THE LAS GALLINAS AREA IN 1871

The project lies about where the word "DISTRICT" is placed. Other than some large tracts of land, very little is apparent in the area. An early version of Lucas Valley Road appears to traverse the area, marked by a saloon at the turnoff from the main road.

The Coast Miwok culture became severely disrupted after the establishment of surrounding missions in San Francisco (1776), San Rafael (1817), and Sonoma (1823) (Kelly 1978). The rapid and forceful desocialization and acculturation imposed upon the Coast Miwok by the missionaries left very little of their culture intact. European diseases progressively reduced the population, and due to the use of Coast Miwok lands for lumbering, dairying, and agriculture, the Coast Miwok people almost disappeared completely. By 1920, only five Coast Miwok descendants could be identified by ethnographers. Ethnographic data on the Coast Miwok is based primarily the accounts of two Bodega Miwok informants, Tom Smith and Maria Capa Frias, who were interviewed between 1931 and 1932 by Isabel Kelly (Breece & Lipo 1990).

HISTORIC SETTING

The current project area is located north of San Rafael in the Marinwood area. The San Rafael Mission is a recorded archaeological and historic site located near downtown San Rafael. The mission was founded in December of 1817 and a structure was erected in 1818 (Keegan 1987). The mission property included the greater area of San Rafael, and buildings covered an area much greater than the square block now operated as San Rafael Archangel church and school. The mission was secularized in 1834 along with all the other Missions in California. After

secularization the land grants of *San Pedro Santa Margarita Y Las Gallinas,* that included the San Rafael Mission and the property on which the current project is located, was given to Timothy Murphy. When Murphy died he left the mission buildings and a large portion of land to the north and east to the Catholic Church. The buildings that exist at San Rafael Archangel today are of much more recent construction, but the site is a recorded archaeological site (CA-Mrn-344), a California Historical Landmark (No. 220) and listed on the National Register of Historic Places. Timothy Murphy died just two years after San Rafael became the Marin County seat. Before Murphy's death, he brought his nephew John Lucas and his brother Matthew over from Ireland. On Timothy Murphy's death, John Lucas received the 2,340 acre "Santa Margarita Ranch," the area now known as Terra Linda and Lucas Valley, while the "Punta San Pedro" portion, today's McNear Beach, Peacock Gap, and China Camp, went to his brother Matthew (Keegan 1987).

RESULTS OF SURFACE EXAMINATION

The cultural resource evaluation has resulted in a negative finding. A negative result indicates that no artifacts or potentially significant cultural features were observed

The evaluation was undertaken by walking a series of transects across the parcel at regular intervals. Each transect was about 5 meters apart, except where vegetation or structures caused a divergence.

The project area is essentially flat and has not been landscaped. Vegetation growth at the time of the survey was variable but did not limit observation of the soil. Every few paces, each surveyor examined a small soil sample collected with a hand trowel and inspected it for indications of cultural modification. Soils at the surface are medium to brown clayey silt, typical of the area. The parcel is dominated by low lying grasses and shrubs mixed with open ground.

FIGURE 14 -- LOOKING WEST ALONG THE ENTRANCE ROAD

Miller Creek lies behind and to the left of the photographer, Housing lies to the right, and the existing maintenance facility lies behind the camera.

The archaeological investigation indicates that the potential for discovery of archaeological deposits within the project area is low. Artifacts that are typically associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rocks indicative of food procurement or processing activities. Prehistoric domestic features include hearths, firepits, or house or floor depressions whereas human skeletal remains or discrete human burials in a prepared pit or depression in the culturally modified soil deposit typically represent mortuary features. Historic artifacts potentially include all byproducts of human land use greater than 50 years of age. No potentially significant artifacts or features were observed at any location in the project area.

CONCLUSIONS

The typical indications of Coast Miwok habitation consists of a shell midden deposit which is represented by a dark, ashy, or loamy soil with shellfish, fish, and animal remains throughout the deposit. Because stone tools and debitage (manufacturing waste) tend to preserve well,

these materials are also often associated with Coast Miwok habitation sites. Thus, prehistoric shell midden sites often contain chipped stone tools, debitage, and ground stone tools such as mortars, pestles, manos, metates, and hammerstones. Fire cracked rock, charcoal, and ash from cooking fires can also be associated with Coast Miwok shell midden sites. More permanent habitation sites may also contain house depressions, usually identifiable by a hard packed earthen floor containing stone and other cultural materials (Kelly 1978, Slaymaker 1977). None of these things were observed in the project area.

FIGURE 15 -- THE CURRENT MAINTENANCE FACILITY

The view is Easterly. Miller Creek lies behind the building on the right.

There is also the potential for isolated artifacts to be present from the result of basic subsistence activities such as gathering and processing fruits and vegetables, and hunting game (Roop 1992). These subsistence activities did not necessarily take place at the more permanent village sites, but would occur in an area where desired materials could be obtained, such as the grasslands between creeks and marshes. These isolated materials include chipped stone or ground stone tools left behind or lost after hunting and gathering activities (Kallenbach 1996, Morre 1997).

FIGURE 16 -- THE ENTRANCE DRIVE, LOOKING WEST

Private houses can be seen on the left. The maintenance facility lies beyond the white car.

RECOMMENDATIONS

ARS recommends that in the event that

prehistoric archaeological features such as a concentration of flaked stone artifacts, or culturally modified soil (midden) or dietary shell are encountered at any time during preparatory grading or underground excavation to remove existing features or structures, all work should be halted in the vicinity of the discovery. A qualified archaeologist should be contacted immediately to make an evaluation and determine if the discovered material represents a potentially significant cultural resource. Once it has been determined that a potentially significant feature has been revealed, a temporary suspension of the construction activities should be enforced until an appropriate mitigation program can be developed and implemented to satisfy the Marin County Community Development Agency.

FIGURE 17 -- MILLER CREEK AND THE DRAINAGE DITCH

Miller Creek flows from right to left across the photo. An artificial drainage ditch intersects the creek from the lower right corner of the photo. The ditch defines the southern edge of the project area.

Following implementation of the mitigation plan, any further excavation or other earth disturbing work should be monitored by an archaeological monitor who should observe all further work during construction activities or demolition of buildings that are located within the archaeological site area. The presence of an archaeological monitor is to insure that proper recordation and evaluation of the discovered resource can occur without causing any further damage to the site.

The archaeological monitor will properly record any potentially significant cultural material that has been observed using the appropriate DPR 523 form and where necessary commence recovery of the material before resumption of construction activities (that is, excluding the discovery of human skeletal remains that require other special treatment). The recording form prepared on the cultural resource should be submitted to the NWIC so that an official numerical designation can be assigned; a copy of this record will be sent to the Marin county Community Development Department for their files.

There is a very slight potential that human skeletal remains might be discovered during underground excavation within the property. In the event that human remains are discovered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner as well as a qualified archaeologist must be notified immediately. California State law prescribes procedures that deal with the discovery of human skeletal remains. If the remains are examined and determined to be Native American and prehistoric, the Native American Heritage Commission should be contacted by the Coroner so that a "Most Likely Descendant" (MLD) can

be designated. Once a MLD is designated, the MLD will be afforded an opportunity to make an evaluation as appropriate and make decisions regarding the proper treatment option that is available, once construction activities resume on the discovery site.

The recommendations are designed to minimize potential negative impacts to cultural resources that might be located in the project area. They can be summarized as follows:

FIGURE 18 -- SOILS OF THE PROJECT AREA

The observed soils are heavy with clay and lack the level of organic material to be expected in a cultural site. Additionally, all of the observed constituents were either natural or can be attributed to current use of the area as a park.

Recommendation 1. In the event that any unanticipated artifacts or cultural soil deposits are discovered during future grading or underground excavation for foundations, utility lines, or other purposes, Archaeological Resource Service recommends that all work in the vicinity of the find be stopped until the discovery area can be evaluated by an archaeologist. If the discovery is determined to be potentially significant under the state guidelines, a mitigation plan should be developed, approved by the County of Marin, and implemented prior to recommencing construction.

Depending on the extent and cultural composition of the discovered materials, it may be advisable to have subsequent excavation monitored by an archaeologist, who should be ready to record, recover, and/or protect significant cultural materials from further damage.

Recommendation 2. The discovery of human skeletal remains anywhere within a project area requires that work be discontinued in the vicinity of the discovery, while the county coroner is contacted. If the skeletal remains are found to be prehistoric, Native American and not modern, then the coroner must call the Native American Heritage Commission in Sacramento, which will designate the "Most Likely Descendant" of the remains. The Most Likely Descendant will be responsible for recommending the disposition and treatment of the remains. Although the likelihood of encountering human skeletal remains in the project area seems very slight, it is important to have a procedure for alternate tasks that can be put into effect quickly in the event that human remains are discovered. This allows construction work to continue while the remains are investigated.

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APPENDIX 1— SIGNIFICANCE IN THE EVALUATION OF CULTURAL RESOURCES AS HISTORIC PROPERTIES

To be significant an archaeological site must qualify for registration as an "historic resource" the following criteria must be met for this listing:

> *An archeological site may be considered an historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California (PRC § 5020.1(j)) or if it meets the criteria for listing on the California Register (14 CCR § 4850). CEQA provides somewhat conflicting direction regarding the evaluation and treatment of archeological sites. The most recent amendments to the CEQA Guidelines try to resolve this ambiguity by directing that lead agencies should first evaluate an archeological site to determine if it meets the criteria for listing in the California Register. If an archeological site is an historical resource (i.e., listed or eligible for listing in the California Register) potential adverse impacts to it must be considered, just as for any other historical resource (PRC § 21084.1 and 21083.2(l)). If an archeological site is not an historical resource, but meets the definition of a "unique archeological resource" as defined in PRC § 21083.2, then it should be treated in accordance with the provisions of that section.*

If an archaeological site does not qualify for listing, the directive is clear. The Public Resources Code states:

> *(4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.*

APPENDIX 2 – PROFESSIONAL STANDARDS FOR CONSULTANTS

Secretary of the Interior's Standards

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;

2. At least four months of supervised field and analytic experience in general North American archeology; and

3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.