

# Notice of Exemption

## Appendix E

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

County Clerk

County of: Marin  
3501 Civic Center Drive, Suite 234

San Rafael, CA 94903

**From:** (Public Agency): Central Marin Sanitation Agency  
1301 Andersen Drive  
San Rafael, CA 94901

(Address)

Project Title: CMSA Andersen Drive Landslide Repairs Project

Project Applicant: Central Marin Sanitation Agency (CMSA)

Project Location - Specific:

(Lat: 37.949787 Long: -122.49768) Eastern slope south of Andersen Drive: San Rafael, California.

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

Description of Nature, Purpose and Beneficiaries of Project:

CMSA is proposing to conduct emergency repairs to address storm-related hill slope failure upon land owned and managed by CMSA. The Project would include grading/drainage improvements and construction of retaining walls at five hillside locations.

Name of Public Agency Approving Project: Central Marin Sanitation Agency

Name of Person or Agency Carrying Out Project: Central Marin Sanitation Agency

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The Project responds to and corrects disaster-related damages incurred during a declared state of emergency and consists of specific actions necessary to address or mitigate an emergency, consistent with CEQA Section 21083; 15269(a)(c). The Project has been recognized as a disaster-related emergency project and is funded in part by FEMA, and Cal OES.

Lead Agency  
Contact Person: Amy Hwang (ext. 121) Area Code/Telephone/Extension: (415) 459-1455

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**Central Marin Sanitation Agency  
CMSA Andersen Drive Landslide Repairs Project  
Notice of Exemption Findings**

The Central Marin Sanitation Agency (CMSA), as lead agency under the California Environmental Quality Act (CEQA) finds that this project is Statutorily Exempt under Section 21080 (b)(4); 15269(a)(c) of the Public Resources Code (Application of Division pertaining to Emergency Projects) of the California Environmental Quality Act (CEQA). This finding is based on the following information:

1. As a result of an extreme storm event in 2017, the eastern-facing slope of the hillside just south of Andersen Drive in San Rafael suffered substantial erosion and became unstable. The slope is on land owned and managed by CMSA, and is located adjacent to and above CMSA's Wastewater Treatment Plant (WWTP). The Project responds to an emergency situation which has compromised the integrity of the hillside and the existing concrete v-ditch drainage structures. CMSA is proposing to implement the Project which would repair the damage and stabilize the hillside slope. The Project would entail grading and drainage repairs at five locations distributed over an approximately 400-yard-long distance across the slope and construction of retaining walls. The Project consists of repairs and restoration of facilities damaged in an area in which a state of emergency was proclaimed by the Governor. Additionally, the Project has been recognized as an emergency situation and is supported in part by the Federal Emergency Management Agency, and the California Department of Emergency Services. Therefore, the Project would be statutorily exempt, pursuant to Section 15269(a) of CEQA.
2. The Project would consist of specific actions including grading and drainage improvements and construction of retaining walls upon land owned and managed by CMSA in order to repair damage and mitigate an emergency. Therefore, the Project would be statutorily exempt, pursuant to Section 15269(c) of CEQA.