

Attachment 4

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
AUTHORIZING WATERSHED TRAIL SHARING PILOT PROGRAM PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, recreational uses on public lands managed by the Marin Municipal Water District (District) are governed by the Mt. Tamalpais Watershed Management Board Policy 7, Part 5 and District Code Title 9 “Regulations for Use of Marin Municipal Water District Lands”, pursuant to which the District has allowed conventional mountain bikes on natural surface fire roads (but not on narrow, single track trails) for many years as part of a road and trail system that also includes hiking, horseback riding; and

WHEREAS, on April 16, 2024, following multiple community workshops, two community site visits and an updated watershed census survey to solicit input relating watershed operations and visitor management, the District Board of Directors adopted a Watershed Recreation Management Planning Feasibility Study (Feasibility Study), which reviewed existing watershed recreational facilities, visitor use data, biological resources, stewardship and volunteer programs, and visitor management strategies in alignment with the District’s adaptive watershed management strategy; and

WHEREAS, the Feasibility Study helped to inform multi-benefit outcomes that can be advanced to help protect the unique goals of different watershed visitors and the biodiversity of the District’s watershed lands, the final section of which presents a series of Strategic Opportunities organized around stewardship initiatives, visitor services, watershed facilities, and adaptive management operations; and

WHEREAS, one of the Strategic Opportunities identified was a multi-use Trail Sharing Pilot to evaluate trail-sharing strategies on a sub-set of watershed single track trails to help inform future updates to the District’s Watershed Road and Trail Management Plan adopted by the District in 2005, which established a trail classification system; and

WHEREAS, the Board is the Lead Agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.); and

WHEREAS, the Board finds that there is substantial evidence demonstrating that the project design incorporates inherent features specifically intended to minimize environmental impacts; these features include, but are not limited to, trail stewardship activities, ongoing maintenance protocols, and robust visitor education

programs, all of which are integral components of the project from its inception; and

WHEREAS, these design features are built into the project's framework to proactively manage and reduce environmental impacts, ensuring that the project operates within the environmental capacity of the watershed's ecosystems; and

WHEREAS, these inherent features function as part of the project's baseline operations and are not considered mitigation measures under CEQA (Pub. Resources Code, § 21000 et seq.), as they are designed to maintain the ecological integrity of the watershed without the need for additional mitigation; and

WHEREAS, the project's approach aligns with best management practices and environmental stewardship principles outlined in the Watershed Road and Trail Management Plan, thereby supporting the sustainability of the watershed's natural resources throughout the duration of the project.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to District Code section 9.04.006, the Board hereby adopts a Trail Sharing Pilot Program to evaluate bike access on single track trails, which program will go into effect on October 3, 2024 and remain in effect for a period of two (2) years thereafter.

BE IT FURTHER RESOLVED, that the Trail Sharing Pilot Program will be limited to the following trails:

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

BE IT FURTHER RESOLVED, that the Board has reviewed the Trail Sharing Pilot Program, the staff report, and the Draft Notice of Exemption prepared by staff, and based on the foregoing, determines that there is substantial evidence to support the finding that the project design includes inherent features intended to minimize environmental impacts, such as trail stewardship activities and visitor education programs, which are integral to the project and do not constitute mitigation measures as defined under CEQA (Pub. Resources Code, § 21000 et seq.).

BE IT FURTHER RESOLVED, the Trail Sharing Pilot is categorically exempt from further CEQA review under Article 19, Categorical Exemptions, of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), pursuant to the following CEQA Resolution

exemptions:

1. Section 15301 – Existing Facilities (Cal. Code Regs., tit. 14, § 15301): The Board finds that the project involves the continued operation and use of existing single-track trails within the Marin Municipal Water District’s watershed, which have historically supported hiking and horseback riding; and further finds that these trails have been maintained to support multiple types of use without expanding beyond their current capacities; and determines that the project does not propose any expansion of these trails but continues their existing use under controlled conditions, all because the ongoing management practices ensure that the trails are maintained within their existing capacities without alteration or expansion, and because such continued use is consistent with the exemption set forth in section 15301 of the CEQA Guidelines.

2. Section 15302 – Replacement or Reconstruction (Cal. Code Regs., tit. 14, § 15302): The Board finds that any necessary trail maintenance or repairs during the Trail Sharing Pilot Program will be limited to the existing footprint of the trails; and further determines that such activities will involve the replacement or reconstruction of existing facilities on the same site, with no increase in capacity or alteration of function, and these activities are consistent with the exemption provided under section 15302 of the CEQA Guidelines.

3. Section 15304 – Minor Alterations to Land (Cal. Code Regs., tit. 14, § 15304): The Board finds that the project includes minor public or private alterations, such as grading or minor adjustments necessary to maintain the trails in a condition suitable for shared use among hikers, bikers, and horseback riders; and further finds that these activities will not involve significant alterations to the landscape, all because these minor alterations are intended to maintain the usability of the trails without significant environmental impact, and because such actions fall within the scope of the exemption under section 15304 of the CEQA Guidelines.

4. Section 15306 – Information Collection (Cal. Code Regs., tit. 14, § 15306): The Board finds that a critical component of the Trail Sharing Pilot Program is the collection of data to evaluate the effectiveness of trail sharing and its impact on trail conditions and user experiences; and further determines that this data collection will be conducted in a manner that avoids significant disturbances to environmental resources, all because the information gathered is necessary to inform future management decisions and adaptive strategies, and because the collection of such data is consistent with the exemption under section 15306 of the CEQA Guidelines.

BE IT FURTHER RESOLVED that the Board has determined that none of the exceptions under CEQA Guidelines section 15300.2 (Cal. Code Regs., tit. 14, § 15300.2) apply, as follows:

1. Location in Sensitive Environments (Cal. Code Regs., tit. 14, § 15300.2, subd. (a)): The Board finds that the project area is not located within environmentally sensitive zones and does not impact any resources of critical

concern, all because the selected single-track trails have been assessed and determined to be non-sensitive, and because no critical environmental resources are present that would trigger the exception under section 15300.2, subdivision (a) of the CEQA Guidelines.

2. Cumulative Impact (Cal. Code Regs., tit. 14, § 15300.2, subd. (b)): The Board determines that the cumulative impact of this project, when considered in conjunction with other ongoing or foreseeable activities within the watershed, is not significant; and further finds that the pilot program is designed to be temporary and is subject to close monitoring, with necessary adjustments made to prevent any contribution to significant cumulative impacts, all because the project is limited in scope and duration, is closely monitored, and this ensures that no significant cumulative impact will result, consistent with section 15300.2, subdivision (b) of the CEQA Guidelines.

3. Unusual Circumstances (Cal. Code Regs., tit. 14, § 15300.2, subd. (c)): The Board finds that the use of the single-track trails for multiple recreational activities, including the introduction of shared use by hikers, bikers, and horseback riders, does not present any unusual circumstances that could result in significant environmental effects, all because these trails have historically supported similar uses without incident, and because the pilot does not introduce any new or unique factors that would invoke the exception under section 15300.2, subdivision (c) of the CEQA Guidelines.

4. Scenic Highways (Cal. Code Regs., tit. 14, § 15300.2, subd. (d)): The Board finds that the project area does not include any state-designated scenic highways; and further finds that the project will not involve the removal or alteration of any significant visual resources that contribute to scenic vistas, all because the single-track trails are not located near any scenic highways, and because the project does not alter the visual landscape in a manner that would trigger the exception under section 15300.2, subdivision (d) of the CEQA Guidelines.

5. Historical Resources (Cal. Code Regs., tit. 14, § 15300.2, subd. (f)): The Board determines that the single-track trails involved in the project are not listed as historical resources; and further finds that the project does not propose any activities that could adversely affect historical resources, all because the trails are not designated as historical, and because the project's activities do not impact any resources that would invoke the exception under section 15300.2, subdivision (f) of the CEQA Guidelines.

PASSED AND ADOPTED this 3rd day of September, 2024, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Ranjiv Khush
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

