

Notice of Determination

To:

Office of Land Use and Climate Innovation
[CEQA Submit](#)

From:

Department of Fish and Wildlife
Bay Delta Region
Habitat Conservation
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
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Lead Agency
Sonoma-Marín Area Rail Transit (SMART)
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954
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Subject: Filing of Notice of Determination pursuant to Public Resources Code Section 21108

State Clearinghouse Number: 2002112033

Project Title: SMART Non-Motorized Pathway Project, Segment 8 (Lake or Streambed Alteration Agreement No. EPIMS-MAN-47289-R3)

Project Location (Marin): The Project is located along the existing SMART railway between Hanna Ranch Road and Vintage way, in the City of Novato, County of Marin, State of California; with an approximate centroid of Latitude 38.084784°, Longitude - 122.547002°.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-MAN-47289-R3, pursuant to Fish and Game Code section 1602 to SMART.

The Project is limited to constructing a clear span bridge, permanent fill to an existing wetland, and extension of an existing culvert to continue drainage, all of which are Project aspects resulting in 0.06 miles of a 0.42-mile paved non-motorized pathway along the SMART railroad. Construction of the pathway will involve a 10-foot wide asphalt pathway with 2-foot wide shoulders consisting of rock aggregate. Where the pathway approaches Hanna Ranch Road, Portland cement will be used as pathway material. A single prefabricated steel 185 feet long by 15 feet wide truss bridge will be installed to clear span over Hanna Pond. One white oak (*Quercus garryana*) tree with an 18-inch diameter at breast height (DBH) will be removed from below the bridge and one multi-trunk blue gum Eucalyptus (*Eucalyptus globulus*) will be removed. Additionally, one black oak (*Quercus kelloggii*) with a 10-inch DBH will be trimmed

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greater than fifteen (15) percent. The Project will permanently fill a portion of existing wetland to support the pathway and extend the existing culvert to continue stormwater conveyance.

The Project will result in 0.021 acres (100 linear feet) of temporary impacts associated with access and vegetation trimming for bridge construction. The Project will result in 0.037 acres (180 linear feet) of permanent impacts associated with bridge construction and overwater shading, and 0.032 acres (90 linear feet) of permanent impacts associated with fill and culvert related activities, totaling 0.069 acres (270 linear feet) of permanent impacts to wetland, on-stream pond, and riparian habitat, of which 0.056 acres are freshwater marsh wetland and on-stream pond impacts.

This is to advise that CDFW, acting as a Responsible Agency, approved the Project described above on July 13, 2026, and has made the following determinations regarding the Project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The Project **will not** have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the Project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this Project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this Project.
6. Findings **were** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a

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Responsible Agency is available at CDFW's regional office.

Signature:  Date: 7/13/2026

Craig Weightman, Environmental Program Manager

Date Received for filing at LCI: