

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
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Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
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From:
Department of Fish and Wildlife
Bay-Delta Region 3
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Contact: Robert Stanley
Phone: (707) 428-2093



Lead Agency
California Department of Transportation, D4
111 Grand Avenue
Oakland, CA 94612
Contact: Brian Gassner
Phone: (510) 286-6025

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2015092075

Project Title: Niles Canyon Safety Improvement Project (Lake or Streambed Alteration Agreement No. 1600-2018-0408-R3)

Project Location: The Niles Canyon Safety Project (Project) is located within Niles Canyon over Alameda Creek and Stonybrook Creek, along State Route 84 (SR-84) at Post Mile 10.8 to 18, in Alameda County, in the State of California.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2018-0408-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, California Department of Transportation, District 4.

The California Department of Transportation (Permittee) proposes to construct safety improvements at several specific locations along the SR-84 corridor including installation of traffic signs, lighting, low speed curve improvements, k-rail, Midwest guard system (MGS) install, a rock drapery system, signalization, limited shoulder widening and the replacement of a single box culvert at Stonybrook Creek with a single span bridge. The work proposed within the bed, bank, channel and upland riparian habitat pertains to the following; Temporary Creek Diversion, Reinforced box culvert demolition, new bridge construction and replacement of the metal beam guardrail with the MGS. Work within the bed, bank channel and upland riparian habitat will take place over the course of one season.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on January 25, 2018 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / 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 / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was / was not adopted by CDFW for this project.
6. Findings were / were not made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report 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 Responsible Agency is available at CDFW's regional office.

Signature  _____ Date: January 8, 2020

Craig J. Weightman, Environmental Program Manager

JAN 14 2020