

Notice of Determination**- 1 -****To:**

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

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Robert Stanley, Senior Environmental Scientist
 Phone: (707) 428-2093

California Department of Transportation
 111 Grand Avenue, MS 8B, Oakland, CA 94612
 Contact: Brian Gassner
 Phone: (510) 286-6025

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

State Clearinghouse Number: 2016052033

Project Title: SR-84 Expressway Widening and SR84/I-680 Interchange Improvements Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2019-059-03 (ITP)]

Project Location: The State Route 84-Interstate 680 Interchange Improvements Project (Project) is located along 10 miles of State Route (SR) - 84 and Interstate (I) - 680 in eastern Alameda County. The Project along SR-84 runs northeast to southwest between Ruby Hill Drive in Pleasanton and the I-680 interchange in Sunol. The western segment of the Project runs north to south/southwest from Sunol Boulevard in the City of Pleasanton in the north, southward along I-680 to 250 feet northeast of Alameda Creek in Sunol, near an access road on the Sunol Aggregates plant site. The Project area falls within the Livermore, La Costa Valley, Niles, and Dublin United States Geological Survey (USGS) 7.5-minute topographic quadrangles.

Project Description: The Alameda County Transportation Commission in association with the California Department of Transportation (Permittee) proposes the widening of SR-84 from two lanes to four lanes and modifications to expressway standards from south of Ruby Hill Drive and the I-680 interchange. The Project will also improve SR-84/I-680 interchange ramps and extend the existing high-occupancy vehicle (HOV)/express lane on southbound I-680 northward approximately 0.8 miles north of Koopman Road, north of the SR-84/I-680 interchange. The Project includes roadway widening; bridge widening; utility and drainage improvements, new bike lanes, frontage roads, flyover ramp, retaining walls, concrete barriers, HOV/express lane signs and gantries, stormwater treatment facilities, and wildlife movement crossing structures.

The Biological Study Area (BSA) is approximately 605.31 acres and includes the section of SR-84 between PM 17.9 to 22.9 and the section of I-680 between PM 10.3 to 15.3. The Project is expected to impact 98.22 acres of suitable habitat for Covered Species (Alameda whipsnake and California tiger salamander) within the SR-84/I-680 corridor, impacts to California tiger salamander (CTS) suitable habitat include the permanent loss of 40.33 acres, the temporary loss of 38.42 acres, and 15.095 acres of indirect impact resulting from additional light source installations. Within Collier Canyon Preserve, impacts to CTS suitable habitat resulting from aquatic breeding habitat creation include the permanent loss of 1.32 acres and the temporary loss of 3.06 acres. Impacts to Alameda whipsnake (AWS) suitable habitat include the permanent loss of 16.38 acres and the temporary loss 20.32 acres within the SR-84/I-680 corridor. All impacts to AWS suitable habitat overlap with CTS suitable habitat.

The project is expected to result in incidental take of the Covered Species, as defined by Fish and Game Code in the form of pursue destruction of burrows and dens that the Covered Species inhabit; being crushed under moving vehicles and equipment; disturbance in the vicinity of dens or burrows; desiccation or predation along fence lines and other barriers to movement; and habitat alteration and decreased survivorship resulting from the installation of additional light sources, resulting in increased light pollution to Covered Species habitat. Take may also occur in the form of pursue, catch, capture, or attempt to do so from capture and relocation attempts. Relocation could result in mortality, injury, and/or disease transmission to Covered Species, both designated as a threatened species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 9/10/2020 and made the following determinations regarding the above described project:

Notice of Determination

- 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. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
- 3. Additional 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 Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
- 7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The Environmental Impact Report prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:
 Signature Gregg Erickson Date: 9/10/2020
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 Gregg Erickson, Regional Manager **Governor's Office of Planning & Research**

Date Received for filing at OPR: Sep 11 2020

STATE CLEARINGHOUSE