

# NOTICE OF EXEMPTION

**To:** Governor's Office of Planning and Research     **From:** City of Milpitas  
1400 Tenth Street    455 East Calaveras Boulevard  
Sacramento, CA 95814    Milpitas, CA 95035

**Project Title:** Montague Pedestrian Overcrossing at Penitencia Creek

**Project Location:** The project is located on Montague Expressway approximately 200 feet south of Delano Street and immediately north of Penitencia East Channel.

**Project Location – City:** Milpitas    **Project Location – County:** Santa Clara

**Name of Public Agency Approving Project:** City of Milpitas

**Description of Project:** The Project would construct a 198-foot-long pedestrian overcrossing across Montague Expressway. The pedestrian overcrossing would connect the existing sidewalks along the east and west sides of Montague Expressway. The pedestrian overcrossing would be supported by two towers, one located on each side of Montague Expressway, which would have stairs and elevators that provide pedestrian access to the overcrossing.


**Name of Person or Agency Carrying Out Project:** City of Milpitas

**Exempt Status:** The project meets all the requirements for a Statutory Exemption under Public Resources Code Section 21080.25; therefore, the project is statutorily exempt from environmental review under California Environmental Quality Act (CEQA).

**Reasons Why Project is Exempt:** Public Resources Code Section 21080.25 statutorily exempts certain transportation projects from environmental review under CEQA including, but not limited to, pedestrian and bicycle facilities within the public right-of-way provided the project meets specific requirements (e.g., project is located within existing public right-of-way and does not increase automobile capacity). The Project would construct a pedestrian overcrossing within existing public right-of-way and meets all the requirements for a Statutory Exemption under Public Resources Code Section 21080.25. For these reasons, the Project is statutorily exempt from environmental review under CEQA.

**Lead Agency Contact Person:** Jay Lee    **Phone Number:** (408) 586-3077

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<b>Signature</b> 	5/22/24 <b>Date</b>	<b>Planning Director</b> <b>Title</b>
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