

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94954
Contact: Melony Wood
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Lead Agency
Santa Clara Valley Transportation Authority
3331 North First Street
San Jose, CA 95134
Contact: Ann Calnan
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2007102141

Project Title: US 101/State Route 25 Improvement Project Phase 1 (Lake or Streambed Alteration Agreement No. EPIMS- SCL-50335-R3)

Project Location (Santa Clara County): The US 101/State Route (SR) 25 Improvement Project Phase 1 (Project) is located at Gavilan Creek, in the County of Santa Clara, State of California; Latitude 36.961077°N, Longitude - 121.551126°W; Assessor's Parcel Numbers 80822009, 80823002, 80823005, 81035008, 81082001, 81082002, 84132010, 84132011, 84132013, 84132014, 84134002..

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS- SCL-50335-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Lani Ho/Santa Clara Valley Transportation Authority.

The project is limited to the installation of features of the new interchange over and in Gavilan Creek. The Phase 1 Project consists of the following improvements: 1) Construction of new US 101/SR 25 interchange on-and off-ramps. The US 101 southbound off-ramp will begin south of Castro Valley Road and will consist of a bridge extending over Gavilan Creek such that it will not require an extension of the existing Gavilan Creek culvert. The bridge over Gavilan Creek will accommodate flood flows for the Phase 1 Project and the US 101 Improvement Project, while also minimizing impacts to Gavilan Creek, 2) Construction of biofiltration swales to treat runoff from the roadway, with use of erosion control blankets where the swales outfall into Gavilan Creek.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on April/16/2025 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 not** 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 Responsible Agency is available at CDFW's regional office.

Signature: 

Date: 4/16/2025

Jason Faridi, Senior Environmental Scientist (Supervisory)

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Date Received for filing at OPR: _____