

Niles Canyon roadwork opponents warn Caltrans

by Wes Bowers
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The Alameda Creek Alliance sent a legal notice to the California Department of Transportation last week, warning the agency the 2006 environmental review for phase one of the Niles Canyon state Route 84 Safety Improvement Project is inadequate under state law.

The letter warned work should be halted until a complete environmental impact report is prepared.

The letter also warned Caltrans that tree-cutting operations in Niles Canyon this spring allegedly violated several provisions of a permit issued by the San Francisco Bay Regional Water Quality Control Board.

"Caltrans cannot legally proceed with any more destruction under phase one of this damaging, unnecessary and controversial project to widen Niles Canyon Road until they have prepared the required environmental impact report, as their negative declaration is legally inadequate," said Jeff Miller, director of the Alameda Creek Alliance. "Frankly, we've had it with the disregard for public input and environment-be-damned attitude of Caltrans and we intend to stop all phases of this project."

A Caltrans spokesman did not return phone calls by press time.

Following protests from the community and requests in April from state Sen. Ellen Corbett, D-San Leandro, and Assemblymember Bob Wieckowski, D-Fremont, Caltrans agreed to reopen the formal comment period for phase two of the project for 45 days to gather input from the public and possibly modify it.

Additional public comments on phase two will be taken through July 7.

Caltrans' project is split into three stages, costing an estimated \$80 million. The first two involve widening the majority of Niles Canyon Road between Fremont Boulevard and Interstate 680 to provide 12-foot lanes, a 2-foot median, and 2-foot to 8-foot shoulders.

The first phase was scheduled to start this spring and the second in the fall of 2012.

The third project is expected to get underway in summer of 2013, and will replace the Alameda Creek Bridge.

The project is aimed at improving highway and bicycle safety, but opponents don't think the project will do that.

Opponents claim the project requires cutting 600 native trees from the Alameda Creek riparian corridor, and filling the creek and floodplain with more than four miles of cement retaining walls and rip-rap.

They also claim the project would damage habitat for steelhead trout, the California red-legged frog, Alameda whipsnake, sycamore forest habitat and other native wildlife.

Opponents say there are less destructive alternatives Caltrans has not evaluated, such as installing radar speed signs, median barriers and rumble strips, focusing on localized problem areas, trimming or removing selected trees, or other measures within the existing roadway.

City of Fremont is considering a ban on large trucks in the canyon, since Fremont and Sunol residents presented data that claims trucks cause 38 percent of traffic accidents along Niles Canyon Road, most of them fatal.

Nearly 400 residents showed up to oppose the project at several meetings with Caltrans in Sunol and Fremont in April and May.

"No one wants this project, it is like a Frankenstein monster set in motion by an unresponsive bureaucracy," Miller said. "The governor should investigate this blatant waste of \$76 million in public funds, destruction of important trout habitat in Alameda Creek that jeopardizes a decade of restoration efforts, and the blight of a designated scenic highway and the natural beauty of Niles Canyon."

Caltrans approved phase one of the project in 2006 and said there was no impact on the environment.

The San Francisco Public Utilities Commission transferred title and gave legal easements of 1.7 acres of public lands in Niles Canyon to Caltrans in 2010 for construction of phase one, the areas where trees have been cut.

Caltrans began environmental review for phase two of the project last fall, which Miller claims would take out nearly 500 more trees in the middle of the canyon and damage more trout habitat by adding nearly two additional miles of retaining walls and armoring along the creek.