

## **Alliance holds fund-raiser in Niles for Caltrans lawsuit**

by Wes Bowers  
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The Alameda Creek Alliance and the group Save Niles Canyon will hold a fund-raiser July 17 at the Niles Essanay Silent Film Museum and Theater in an effort to raise monies for the alliance's recent lawsuit against the California Department of Transportation.

The groups will show the film "River of Renewal," a documentary that tells the story of conflict over the resources in California and Oregon's Klamath Basin, and the struggle to restore the Klamath River salmon runs. Producer Steve Most will attend the screening and answer questions after the film.

Jeff Miller, director of the Alameda Creek Alliance, said there is no set funding goal for the event.

"We're just trying to raise as much as we can for our lawsuit against Caltrans," he said. "Obviously these kinds of things can be expensive, but we're probably going to have one more benefit event later in the year."

The Alameda Creek Alliance filed a lawsuit against Caltrans June 7, alleging violations of the California Environmental Quality Act for the state agency's Niles Canyon Roadway Improvement Project.

An Alameda County Superior Court Judge ruled June 23 that Caltrans must cease the project until the lawsuit goes to trial later this year and an environmental impact report is created.

Miller said it will take about five months to go to trial, even with an expedited timeline through the court system. No court date has been set yet, he said, but a case management conference will be taking place later this summer.

"If we do go to trial this year, it will be at the end of the year," he said.

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 started this spring, while the second is slated for fall 2012. The third phase is expected to get underway in summer 2013, and will replace the Alameda Creek Bridge.

The project is aimed at improving highway and bicycle safety, but 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, California red-legged frog, Alameda whipsnake, rare sycamore forest habitat and other native wildlife.

The film "River of Renewal" examines the water and wildlife crisis in the Klamath Basin a bio-region larger than nine of the 50 states, according to its website.

The communities that harvest food there, raising crops and cattle, catching salmon in the river and offshore, have all suffered due to the lack of water to serve the needs of irrigation and fisheries.

The crisis began in 2001 when the federal Bureau of Reclamation responding to biologists' warnings that the over-allocation of Klamath water was endangering several species of fish cut off irrigation water that farmers and ranchers had long depended on.

Irrigators responded with a dramatic civil disobedience campaign: a bucket brigade that carried federally banned water for a mile along Klamath Fall's Main Street and into an irrigation canal. Their protest paid off during the election year of 2002.

Farms and ranches within the federal Klamath Project got additional water supplies.

That September, 80,000 spawning salmon died in the estuary. Also that year, more than 80 percent of the juvenile salmon died after reaching the main stem of the Klamath River, according to the film.

In the years since then, both sides found common ground, recognizing economic revival could occur only if ecological vitality was restored.

"We struggle with some similar issues with the Alameda Creek Watershed," Miller said of the decision to show this particular film. "(The Klamath Basin) was the most prominent water battle in California, but that may be eclipsed with the issues we're having in the (Sacramento River) Delta."

He said a second fund-raiser scheduled later this year may also be a film-oriented event showing a number of movies particularly those made by Charlie Chaplin featuring Niles Canyon.

Miller said in the meantime his organization will continue to urge its members and members of the community to submit comments to Caltrans regarding the Niles Canyon Road safety project.

Caltrans reopened the public comment period for environmental impact report on the second phase of its project June 10. Community members have until Aug. 5 to submit comments on the project at [dot.ca.gov/dist4/nilescanyon/](http://dot.ca.gov/dist4/nilescanyon/).

Admission to the fund-raiser is \$25. To purchase tickets, e-mail Rich Cimino at [yellowbilledtours@gmail.com](mailto:yellowbilledtours@gmail.com).

Niles Essanay Silent Film Museum and Theater is located at 37417 Niles Blvd. For more information visit [alamedacreek.org](http://alamedacreek.org).

For further information about "River of Renewal," visit [riverofrenewal.org](http://riverofrenewal.org).