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May 11, 2011

Honorable Jerry Brown
State Capitol, Suite 1173
Sacramento, CA 95814

RE: Urgent Need to Intervene on Caltrans Project in Niles Canyon

Dear Governor Brown:

I am requesting your intervention to reduce the extreme environmental impacts of a Caltrans project that is destroying the natural environment and the beauty of the State Scenic Highway in Niles Canyon (State Route 84) in southern Alameda County. Caltrans' so-called Niles Canyon Safety Improvement Project will have numerous unrecoverable environmental impacts including the removal of nearly 550 large native trees, installing over 60,000 square feet of huge upslope retaining walls, scarring the pristine canyon walls, and installing over 25,000 square feet of large down-slope retaining walls, filling the beautiful and sensitive Alameda Creek channel gorge. Almost 100 of these large trees have already been removed and the visual impacts are shocking.

Caltrans' three phase, \$80 million Niles Canyon project will widen this steep canyon roadway by up to 18 feet merely to accommodate Caltrans standard 8-foot shoulders, allegedly to improve the safety of the roadway. However, Caltrans' accident data does not support these improvements. From the data provided, it appears that in most years this stretch of State Route 84 is actually safer than the statewide average for similar state highways; yet, despite the pleas of the City and the community, Caltrans proposes to push ahead with this devastating project when there are many other state routes that are much less safe, yet can't be improved due to lack of funding. If Caltrans would revise this project to use a more context sensitive design, minimizing the environmental impacts, it could greatly reduce the cost of this project and the remaining funding could be transferred to much more deserving state safety projects.

Caltrans data has shown that trucks using this highway are involved in a significantly higher rate of accidents than their numbers would suggest. Therefore, the Fremont City Council is taking the lead on initiating the process to ban trucks in Niles Canyon. Such a ban would greatly improve the safety of the Canyon with no impacts on the natural environment. If Caltrans were required to stop the project until this ban is in place it could then consider the safety improvements of the truck ban and reevaluate the project.

Another issue that I want to bring to your attention is Caltrans' blatant disregard for getting input from the public on this project. The Phase 1 project, which in itself has major environmental impacts, was approved using a questionable environmental document. The City of Fremont has no record of receiving an opportunity to comment on this document and only received notice of the Phase 2 EIR when the comment period was



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extended. The communities of Niles and Sunol, as well as several environmental groups, are outraged by the lack of notice and opportunity to provide input on this project before Caltrans awarded its first construction contract. The lack of opportunity for public input has resulted in Senator Corbett and Assemblymember Wieckowski scheduling several community meetings on this project to force Caltrans to meet with the community.

In addition to its beauty and sensitive environment, this state designated Scenic Highway is the route of the original transcontinental railroad where historic train service is still provided on the Niles Canyon Railway. This canyon is also part of the state's silent filmmaking history where Charlie Chaplin filmed several of his classic films with many of the trees slated for removal clearly seen in the films.

Niles Canyon is a state treasure that must be protected from Caltrans' devastating project. The City of Fremont, the citizens of our community and of the community of Sunol all implore you to intervene on our behalf to stop Caltrans from proceeding with this project as designed and to require them to go back to the community, gather additional input and use that input to create a more context sensitive project that will maintain the amazing beauty and history of Niles Canyon and save money too.

Thank you for your consideration of this urgent request.

Sincerely,



Bob Wasserman

Mayor

cc: Congressman Stark
Lieutenant Governor Newsom
Senator Corbett
Assemblymember Wieckowski
Senator DeSaulnier, Chair, Transportation and Housing Committee
Vice-Chair Ghielmetti, California Transportation Commission
Commissioner Guardino, California Transportation Commission
Bimla Rhinehart, Executive Director, California Transportation Commission
Supervisor Lockyer
Supervisor Haggerty
Fremont City Council
Mayor Green and Union City Councilmembers
Cindy McKim, Caltrans Director
Bijan Sartipi, Caltrans District 4 Director
Susan Muranishi, County Administrator
Daniel Woldeesenbet, County Public Works Director
Fred Diaz, City Manager