



June 9, 2011

Jeff Miller  
 Executive Director  
 Alameda Creek Alliance  
 PO Box 2626  
 Niles, CA 94536

Dear Jeff,

I am writing in response to your March 25<sup>th</sup> letter to me, and your April 12<sup>th</sup> letter to the Commission. I want to assure you and Alameda Creek Alliance members that the SFPUC continues to be fully committed to the Alameda Creek steelhead restoration effort. We have made significant investments and major changes to our Water System Improvement Program projects in the watershed to support these efforts, and will continue to build from this foundation as an active member of the Alameda Creek Fisheries Restoration Workgroup.

After becoming aware of the tree removal in Niles Canyon by Caltrans in March, I asked SFPUC staff to investigate the effects of this work on our efforts, and any interaction staff may have had with Caltrans in advance of it happening. I also asked staff to address the questions you posed in the letters referenced above. During the last two months, staff discussed this project with the state and federal permitting agencies, and Caltrans, and below is a summary of our assessment to date.

First, the SFPUC commented on the draft environmental document for Phase 1 (Initial Study/Environmental Assessment) of the Caltrans work in Niles Canyon in July 2005 (attached). However, like many others who commented, the work done this year came as a surprise to us. We were not notified in advance of this work being done, and we never received a response to our comments.

Second, we also commented on the draft environmental document for Phase 2 (environmental impact report) in October 2010 (attached). Since Caltrans has recently reopened this comment period, I have asked Natural Resources and Lands Management (NRLM) staff to provide additional comments, including a request that Caltrans consider adding improved public access from the Town of Sunol to the SFPUC Sunol Yard and the Sunol Water Temple. As you know, the SFPUC is developing the Alameda Creek Watershed Center in Sunol, and the Phase 2 project could be a great opportunity for Caltrans to provide safe pedestrian passage across Highway 84 to improve public access to this site.

Third, the Phase 1 work completed to date included removal of riparian trees within vegetation transects the SFPUC was required to monitor as part of its mitigation and monitoring plan and state and federal permits for the Sunol and Niles Dam Removal Project. This has been confirmed by NRLM staff, and the San Francisco Bay Regional Water Quality Control Board. We are amending

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our monitoring requirements under these documents, and are available to coordinate with the state and federal permit agencies as necessary for both Phases 1 and 2.

Fourth, the Commission action taken in June 2010 related to transfer of fee title and temporary construction easements to Caltrans for Phase 1 work was not well coordinated internally among SFPUC Divisions. Despite the fact that the NRLM staff commented on the Phase 1 draft environmental documents, Real Estate Services (RES) did not include this information in the Commission agenda item, and this was an oversight on our part. We are making changes internally to improve the coordination between NRLM and RES to avoid this situation again.

Finally, SFPUC staff met with Caltrans to discuss Phases 1 and 2 of the work within Niles Canyon, and will continue to meet with Caltrans as necessary to identify and resolve issues related to SFPUC management of land and natural resources in the area. Caltrans did confirm that all of the trees removed to date are on Caltrans fee title and/or easement lands, including those recently transferred from the SFPUC. We have asked Caltrans to provide this confirmation in writing, including GIS data. Caltrans has not yet made a formal request regarding potential real estate transactions for Phase 2.

Although the SFPUC has no approval role for Caltrans work, we will continue to coordinate with Caltrans staff to ensure SFPUC issues are addressed sufficiently, including protection of the Alameda Creek riparian corridor that may be affected by these projects. If Caltrans needs any SFPUC fee title and/or temporary construction easements transferred as part of Phase 2, we will require that Caltrans minimize and mitigate any and all potential environmental impacts to Alameda Creek before agreeing to this real estate transaction.

Thank you for bringing these issues to our attention. If you have any further comments or concerns, please contact Tim Ramirez, NRLM Division Manager.

Sincerely,



Ed Harrington  
General Manager

Attachments (2)

cc: SFPUC Commissioners  
Michael Carlin, SFPUC  
Steve Ritchie, SFPUC  
Tim Ramirez, SFPUC  
Lori Schectel, SFPUC  
Ron Kiaaina, Caltrans  
Alameda Creek Fisheries Restoration Workgroup Members