

Niles Canyon: Caltrans settles in Alameda Creek tree removal lawsuit

State agency will replace sycamores at 4 to 1 ratio, group says

By Joseph Geha
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FREMONT — In a victory for environmentalists, Caltrans has agreed to replant four times the number of sycamore trees it removes along Alameda Creek when it replaces a bridge in Niles Canyon.

The agreement was part of a settlement reached after the Alameda Creek Alliance sued Caltrans in late 2017 challenging the approval and environmental review for the Alameda Creek Bridge Replacement Project.

In the suit, the alliance claimed that Caltrans “had improperly deferred identifying” what steps it would take to replace the trees affected by the construction.

Alliance director Jeff Miller said Tuesday his group’s goal was to push Caltrans to provide a more specific plan for how and when it would replace the affected sycamore trees, instead of a vague commitment, and the parties negotiated the 4 to 1 replacement ratio for sycamores.

Miller said the sycamores, especially mature ones, take decades to grow, and are having a bit of trouble reproducing on their own, so they need to be preserved.

“Alameda Creek is one of the main areas in the Bay Area where you can find these large sycamores, and they provide habitat for everything from trout to birds to bats,” he said.

“They help stabilize and shade the stream, they’re an important part of the creek ecosystem.”

The project, which has been in various stages of planning since 2013, will replace the roughly 90-year-old Alameda Creek Bridge, located about two-and-a-half miles east into Niles Canyon from Mission Boulevard in Fremont.

Caltrans will remove or impact 52 sycamores during the project, and will replant 208 of them within three to four years of completing the bridge construction, according to the alliance.

If Caltrans is unable to plant all 208 trees, it will fund a Sycamore Tree Mitigation Bank Fund for other agencies to plant the remaining trees in the Sunol Valley and other parts of the Alameda Creek watershed, the alliance said.

Caltrans documents show the project will impact or remove 296 trees in all, and will replace them with others, as well. Miller said many of the other trees are live oaks, and there are plenty of them in the canyon.

Miller said he considers the settlement agreement, signed by an Alameda County Superior Court judge last week, a victory that will preserve the sycamores, and protect more of the natural “gem” of Niles Canyon and Alameda Creek.

“They’re an important part of the creek ecosystem and we want to make sure that Caltrans isn’t cutting too many of these large trees. It takes a long time to regrow a 100-foot sycamore,” he said.

Caltrans was not immediately available for comment Tuesday.

This isn’t the first time, the Alameda Creek Alliance has pushed back against Caltrans’ work in the canyon.

It sued after Caltrans started cutting trees in the canyon in spring of 2011 as part of a three-phase highway safety project that would have widened much of Niles Canyon Road between Fremont and Interstate 680.

The alliance challenged the environmental review of that project, and a court sided with them, halting construction. A 2011 settlement forced Caltrans to abandon the highway widening project.

The alliance has also sued in 2018 over Caltrans’ approval of the Niles Canyon Medium-Term Safety Improvements Project, claiming the agency performed an inadequate environmental review.

Miller said Tuesday the agency and his group are in settlement talks over that project.