Is Caltrans Killing Alameda Creek? | The transportation agency plans to cut down 300 more trees to widen Niles Canyon Road—a project that threatens a major East Bay watershed. | *By Alastair Bland*

Six years ago, California's highway and transportation agency cut down 150 trees, many of them sycamores at least a century old, in the streambed of Alameda Creek. Officials promised at the time to plant hundreds of seedling trees to mitigate the impacts of the project, which was chiefly aimed at widening a road and facilitating the faster flow of vehicle traffic. But Caltrans never planted the promised trees.

Now, the agency is proposing to cut down 300 more trees in the same watershed as part of a project to widen and straighten the roadway and replace an aging bridge over Alameda Creek. A local environmental group has sued to halt the work, contending that it threatens to irreparably damage streamside habitat of threatened steelhead trout, Alameda whipsnake, and red-legged frog. Other community groups have raised concerns that the roadway project, which Caltrans has proposed to improve traffic flow along Niles Canyon Road, between Fremont and Sunol, will ultimately create more traffic and congestion in the region, spur more suburban sprawl, and make the highway more dangerous.

The lawsuit, filed in Alameda County Superior Court in November, argues that Caltrans has not proposed a suitable mitigation plan, as required by the California Environmental Quality Act. The law requires projects to mitigate potential significant impacts to the environment. However, the Alameda Creek Alliance, which filed the lawsuit, alleges that Caltrans has proposed a vague planting plan, lacking in needed detail, to mitigate cutting down 300 trees. The environmental impact report suggests that "[p]otential planting locations within the Alameda Creek watershed would be identified working with local stakeholders, private and/or public landholders, and public agencies . . ."

This promise is much too flimsy, said Jeff Miller, director of Alameda Creek Alliance. "We need a monitoring and performance plan—like how often will the trees be watered, and if a third of the seedlings die, will they plant more?" he said. "All they've done is say they will plant some trees in a location to be identified later."

The current project will replace Alameda Creek Bridge in Niles Canyon, while also modifying the roadway's approach to the bridge in a way that will require significant landscape adjustments across 5 acres of riparian habitat. The project calls for grading, construction of retaining walls, and the removal of 296 trees, including 52 sycamores.

Alameda Creek is the third largest waterway entering San Francisco Bay, after the Sacramento and San Joaquin rivers. It drains almost 700 square miles of rugged East Bay hills country, with the main stem meandering more than 40 miles through dense woods before leveling out in the urban sprawl of Fremont, Union City, and Newark, where the creek is contained by levees and resembles a canal. Nearer the creek's headwaters, the watershed remains the wild habitat of many animals, including mountain lions and several endangered species. Niles Canyon Road, part of State Route 84, runs along the creek. A narrow and scenic road, it's notoriously dangerous, with a history of fatal collisions. Caltrans plans to begin work on the bridge upgrade late in 2019 and complete the work by 2022.

The Alameda Creek Bridge replacement project comes in the wake of a 2011 project that widened a different segment of the same roadway—a project Miller is still miffed about. That, he said, is because

Caltrans made a weak effort at the time to follow through on its proposed mitigation plan. The agency promised to plant three seedling trees for each adult tree sacrificed to the roadway work.

"But they couldn't find a location, so they just gave up," he said. "They cut down 150 trees, including some massive sycamores, and here we are 6½ years later, and they haven't planted a single tree. So, when they tell us they will replant trees after the bridge replacement, it just isn't credible."

Miller's group formed in 1997 specifically to advocate for preservation and recovery of Alameda Creek's steelhead trout. The fish once swarmed into the creek to spawn each winter. Today, a handful of fish return each year, at best. "Some years, we don't see any," Miller said.

While the fish cling to existence, Caltrans has not only ruined streamside habitat critical for juvenile fish to feed and take shelter in the early months of their lives but has also failed to meet a longstanding obligation to improve the habitat. Notably, Caltrans has failed to remove a culvert that the agency illegally installed years ago across Stonybrook Creek, a tributary of Alameda Creek and historically a spawning stream. Since the culvert creates a barrier to migrating fish, it is illegal, according to California Fish & Game Code 5901. The law states that "any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish up and down stream" is unlawful. The barrier came to the attention of the Alameda Creek Alliance about 15 years ago, and in 2003, Miller's group requested that Caltrans remove the culvert.

In fact, Caltrans is planning to remove the barrier—a good thing for steelhead. However, the plan appears like little more than a scheme by the agency to dodge more difficult mitigations. Though Caltrans is already obligated to take out the culvert, the agency has stated in environmental impact documents that it plans to chalk down the job as mitigation for the 2011 tree removals.

In other words, Caltrans intends to wipe out multiple obligations with one service.

"Why the culvert removal is included as part of this safety project is unclear, unless Caltrans is trying to improperly use it as mitigation for this current project as well," wrote the Alameda Creek Alliance in a public comment in the project's draft environmental impact report.

Caltrans officials did not respond to requests for comment for this report.

The objective of the proposed bridge removal and replacement is to reduce traffic accident rates, but project opponents worry it will only make the roadway more dangerous. "It's been seen again and again that when you add roadway capacity, you don't ultimately alleviate congestion," said Oakland resident Gerald Cauthen, chair of the Bay Area Transportation Working Group. "It gets easier to drive for a little while, so more people start driving there, and then congestion builds up to where it was before, but then you have more cars, and they'll make traffic worse in the cities that already have gridlock."

David Schonbrunn, president of Transdef, a transit solutions advocacy group based in Sausalito, said that Caltrans, in general, is promoting old-school priorities based on outdated environmental standards and traffic science. "The world has come to recognize that when you widen a highway to reduce congestion, it just fills up again with more cars, creating more traffic than you had before," he said. "Still, Caltrans thinks the only way to deal with traffic is to make roads wider."

The agency, he said, is attempting to implement unsuitable freeway design standards on a country road: Niles Canyon Road. "They refuse to admit that they need to reduce speeds on [the Alameda Creek] bridge," Schonbrunn said, adding that Caltrans officials have been "very unresponsive to public comments" addressing contentious elements of the project.

Miller said he thinks a vicious cycle will begin as the road is straightened and traffic flow facilitated: Niles Canyon Road's maximum speed limit of 45 miles per hour might eventually be increased to accommodate changes in how people drive. Then, higher average driving speeds could prompt a whole new round of roadway widening and tree removal.

Cauthen foresees a similar process. He warned that Caltrans, unless halted by legal action, will turn a scenic road into "a high-speed roadway connecting Livermore to Redwood City."

"This project is just the beginning—it's not going to be the end," he said.