



## Caltrans Agrees To Increased Tree Planting Mitigation for Niles Canyon Bridge Project

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*Oakland, CA* – The Alameda Creek Alliance has secured a settlement agreement with Caltrans regarding mitigation planting of native sycamore trees along Alameda Creek, as part of the agency's [Alameda Creek Bridge Replacement Project](#) in Niles Canyon, east of Fremont, California. Under an agreement signed by an Alameda County Superior Court judge last week, Caltrans will replant sycamore trees that are cut during the bridge project at a 4:1 replacement ratio, and will also remove invasive trees and plants within and around the project area in Niles Canyon.

“We’re satisfied that the replacement and upgrading of the Alameda Creek Bridge will now proceed without undue impacts to riparian trees along Alameda Creek,” said Jeff Miller, director of the Alameda Creek Alliance. “We focused on replacing rare sycamore trees along Alameda Creek, since they provide food, shade, streambank stability and important habitat for trout and other wildlife. We’re hopeful we can find similar mitigation solutions and design changes to reduce the environmental impacts for Caltrans’ upcoming larger road project in Niles Canyon.”

The project will replace the 90-year old Alameda Creek Bridge and add modern safety railings and road shoulders for bicyclist and motorist safety. Caltrans has added measures to the project to benefit migratory fish: removing an abandoned concrete weir from Alameda Creek which may be a barrier to fish passage; and building the replacement bridge with fewer cement bridge piers in the creek channel. The bridge replacement project is on schedule to start construction in winter of 2019 and be completed by 2022.

The project will remove or impact up to 52 sycamore trees. Caltrans will replant 208 sycamore trees, primarily within Caltrans right-of-way in the lower half of Niles Canyon. Where feasible, Caltrans will plant additional sycamores at other planting locations within the Niles Canyon corridor, or in the Sunol Valley. Caltrans will complete replanting within 3-4 years of completing bridge construction. If Caltrans is unable to plant all 208 sycamores, it will fund a Sycamore Tree Mitigation Bank Fund for other agencies to plant the remaining trees in the Sunol Valley and other stream reaches in the Alameda Creek watershed.

Caltrans will also implement a plan to remove and control invasive plants within Caltrans’ right-of-way and along the lower half of Niles Canyon. Caltrans will remove up to 84 invasive trees, and control invasive shrubs and weeds such as giant reed, pampas grass, French broom, and periwinkle.

In November 2017 the Alameda Creek Alliance filed a lawsuit challenging the approval and environmental review for the Alameda Creek Bridge Replacement Project, since Caltrans had improperly deferred identifying what mitigation would be provided. The Alameda Creek Alliance was particularly concerned about impacts to mature sycamore trees along Alameda Creek in the riparian zone, which provide important wildlife habitat through shading of Alameda Creek, stabilization of stream banks, and nesting cavities for birds.

The Alameda Creek Alliance was represented by Law Offices of Brian Gaffney APC.

## Background

In 2005, Caltrans initially proposed a three-phase highway safety project that involved uniform widening of much of Niles Canyon Road between Fremont and Interstate 680. This would have needlessly damaged habitat for steelhead trout and other endangered species, and required extensive removal of rare sycamore forest along the creek. Caltrans started cutting trees in the canyon in spring of 2011. After large public protests, the Alameda Creek Alliance filed suit challenging the inadequate environmental review and lack of public notification of the approval for the project. A court halted construction and a settlement agreement in 2011 forced Caltrans to abandon the canyon-wide highway widening project.

Community groups proposed safety solutions for Niles Canyon Road that do not involve destruction of the environmental and scenic values of Alameda Creek or Niles Canyon. The Alameda Creek Alliance, East Bay Chapter of the California Native Plant Society, Citizens Committee to Complete the Refuge, Save Niles Canyon, Southern Alameda County Sierra Club, and Bay Area Transportation Working Group have opposed Caltrans' plans to increase the design speed of Niles Canyon road segments. In 2012 the Federal Highway Administration conducted a road safety assessment for Niles Canyon, finding that Caltrans' proposed canyon-wide highway widening was not warranted by the safety data. The FHA identified accident hot-spots within Niles Canyon that should be addressed.

Caltrans subsequently proposed four highway improvement projects within Niles Canyon, including the Alameda Creek Bridge Replacement Project. The [Niles Canyon Short-Term Improvements Project](#) was completed in 2016. It consisted of signage, roadway markings, and safety improvements within the roadway at spot locations along Highway 84 between Mission Boulevard and Highway 680. The [Arroyo De La Laguna Bridge Project](#) will rehabilitate the foundation and substructure of an antiquated bridge in Sunol, replacing the bridge railings, and providing adequate sidewalks and shoulders on the bridge. Caltrans received public scoping comments in fall of 2018; construction is anticipated to begin in early 2021.

The Alameda Creek Alliance also filed suit in February 2018 challenging Caltrans' approval of the [Niles Canyon Medium-Term Safety Improvements Project](#), due to inadequate environmental review and mitigations for tree cutting. The project would add two traffic signals on Highway 84 in Sunol at Main Street and Pleasanton-Sunol Road, re-design a low speed curve in the middle of the canyon, widen the shoulders of straightaways on both sides of Sunol, improve guard rails, remove trees and utility poles near the roadway, install rockfall protection systems including mesh cable netting and barriers in the lower canyon, and install speed feedback and warning signs at dangerous locations. Construction is planned from winter of 2019 through winter of 2021. Settlement discussions regarding this lawsuit are still ongoing.