

Willits Bypass May Day!

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Contacts:

Jeff Miller, Center for Biological Diversity, (415)669-7357

Ellen Drell, Willits Environmental Center, (707) 459-4110

Mary Walsh, Redwood Chapter of the Sierra Club, (707) 937-0572

Gary Hughes, Environmental Protection Information Center, (707) 822-7711

Lawsuit Challenges Four-lane Willits Bypass Freeway That Would Destroy Wetlands, Salmon, Rare Plants

SAN FRANCISCO- *The Center for Biological Diversity, Willits Environmental Center, Redwood Chapter of the Sierra Club and Environmental Protection Information Center (EPIC)* filed a lawsuit in federal court today challenging the approvals and environmental review for the Willits Bypass, a proposed four-lane freeway around the community of Willits, in Mendocino County, Calif., that would hurt wetlands, salmon-bearing streams and endangered plants.

“Bulldozing a freeway the size of Interstate 5 through precious wetlands would be wasteful and destructive – a four-lane road is just not needed for the traffic volumes through Willits on Highway 101,” said Jeff Miller with the Center for Biological Diversity.

“This is a wake-up call for Caltrans, which should be building efficient public transit and maintaining existing roads, rather than wasting our money and resources clinging to outdated visions of new freeways,” said Ellen Drell, board member of the Willits Environmental Center. “Global climate change, threatened ecosystems and the end of cheap oil are warning signs that we need to change course. The change needs to happen in every community, including here in Willits.”

For decades, Caltrans and the Federal Highway Administration have pursued a bypass on Highway 101 around Willits to ease traffic congestion. The agencies insist on a four-lane freeway and refuse to consider or analyze equally effective two-lane alternatives or in-town solutions. The current project is a six-mile, four-lane freeway bypass, including several bridges over creeks and local roads, a viaduct spanning the regulatory floodway and two interchanges. Construction would damage wildlife habitat and biological resources in Little Lake Valley, including nearly 100 acres of wetlands, and would require the largest wetlands fill permit in Northern California in the past 50 years. It would also affect stream and riparian habitat for chinook and coho salmon and steelhead trout in three streams converging into Outlet Creek, harm state-protected endangered plants (Baker’s meadowfoam) and destroy oak woodlands.

“In a time of devastating budget cuts to health, education, social services and the state park system, Caltrans proposes to spend nearly \$200 million on an unnecessary project that will seriously degrade the headwaters of the Eel River,” said Gary Graham Hughes, executive director at EPIC. “This project is completely out of touch with the needs of the natural and human communities on the North Coast.”

“For three decades the Sierra Club has promoted responsible transportation planning in Mendocino County, but requests to consider a two-lane alternative have been ignored by Caltrans,” said Mary Walsh with the Redwood Chapter of the Sierra Club. “We’re proud to challenge this wasteful and destructive highway project.”

The lawsuit is against Caltrans, the Federal Highway Administration and U.S. Army Corps of Engineers for violations of the National Environmental Policy Act and Clean Water Act. It seeks a court order requiring the agencies to prepare a supplemental “environmental impact statement” that considers two-lane alternatives and addresses substantial design changes and new information about traffic volumes and environmental impacts.

Background

For more than half a century, Caltrans has promoted turning Highway 101 into a four-lane freeway from San Diego to the Oregon border, with a four-lane freeway bypass around Willits. Caltrans first discussed potential bypass designs and routes through Willits in 1988, but by 1995 had unilaterally discarded all non-freeway or two-lane alternatives. An environmental review for a four-lane freeway was finalized in 2006.

The California Transportation Commission, the state funding authority, has repeatedly refused to fund a four-lane freeway, so Caltrans proposes to proceed in “phases,” grading for four lanes and constructing two lanes with available funds, then allegedly constructing two additional lanes when additional funding becomes available, a dubious prospect. Yet Caltrans and the Federal Highway Administration did not draft a supplemental “environmental impact statement” to look at impacts of this changed design or consider two-lane alternatives.

A 1998 Caltrans study found that 70 percent to 80 percent of traffic causing congestion in downtown Willits was local, and Caltrans internally conceded that the volume of traffic projected to use the bypass was not enough to warrant a four-lane freeway. Agency data showed the volume of traffic that would use the bypass did not increase from 1992 to 2005. New information shows actual traffic volumes are below what the agencies projected when they determined only a four-lane freeway will provide the desired level of service, and that a two-lane bypass will provide a better level of service than projected.

Phase I of the project will discharge fill into more than 86 acres of wetlands and federal jurisdiction waters. Caltrans purchased approximately 2,000 acres of rangeland in Little Lake Valley to “mitigate” for loss of wetlands, but the properties already had established existing wetlands, with no ability for Caltrans to “create” new wetlands. To obtain the required wetlands fill permit under the Clean Water Act, the state and federal agencies submitted a significantly deficient “mitigation and monitoring plan” to the Army Corps to “enhance” wetlands. This plan itself alters existing wetlands and causes significant new impacts to wetlands, endangered species and grazing lands, and makes design changes that were not analyzed or disclosed in the 2006 environmental review. The Corps improperly issued the permit in February 2012.

The Willits Bypass is the latest in a series of controversial, environmentally damaging, expensive and unnecessary highway projects Caltrans is pursuing while refusing to consider alternatives and ignoring public opposition. Last month, a federal court ordered Caltrans to redo critical aspects of its environmental analysis for a project to widen and realign Highway 101 to promote large-truck travel through the ancient redwoods of Richardson Grove State Park. Caltrans is also proposing a project on Highway 197/199 in Del Norte County that would fell protected ancient redwoods and threaten the pristine Smith River. In January, Caltrans was forced by a lawsuit to rescind project approval and cancel construction of the first phase of an \$80 million highway widening “safety” project in Niles Canyon, Alameda County, that Caltrans now admits is not needed.