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Injunction Sought to Halt Unnecessary Caltrans Highway-widening Project in Remote Northwest California

Caltrans Ignores Impacts to Smith River Canyon, Coho Salmon

CRESCENT CITY, *Calif.*— Conservation groups filed for a preliminary injunction in federal court today to halt construction of a Caltrans highway-widening project that would harm threatened coho salmon runs and undermine public safety along the wild and scenic Smith River Canyon in California's remote Del Norte County. The project is aimed at widening narrow sections of highways 197 and 199 to provide access for oversized trucks. The conservation groups had challenged Caltrans' approval of the project in federal and state court last year, for its inadequate review of the environmental impacts.

"Caltrans would have us believe allowing oversize trucks to drive faster through the tight Smith River canyon will make this scenic highway safer, yet it will do the opposite," said Don Gillespie with Friends of Del Norte. "We are challenging this project to protect motorist safety and defend our treasured Smith River."

Friends of Del Norte, the Center for Biological Diversity and the Environmental Protection Information Center (EPIC) seek to halt construction on the \$26 million "197/199 Safe STAA Access Project." It would increase unsafe heavy and oversized truck use on narrow roadways along the designated "wild and scenic" Smith River Canyon, negatively impacting tourism and local residents. Construction would harm habitat for coho salmon runs that the National Marine Fisheries Service ("NMFS") has identified as facing a high risk of extinction and core to the recovery of the species as a whole.

"The Smith River is one of California's natural wonders as the last major undammed river in the state," said Gary Graham Hughes, executive director of EPIC. "Our rivers are under incredible stress due to drought - this destructive highway widening project would unnecessarily put the Smith River and its salmon habitat at risk."

"We will not let Caltrans degrade the pristine and ecologically important Smith River for its ill-advised network of routes for oversized trucks through coastal northwestern California," said

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Jeff Miller with the Center for Biological Diversity. “This type of major roadwork shouldn’t occur along these narrow, rural roads and critical salmon habitat.”

Caltrans’ approval of the project did not follow the National Environmental Policy Act, which requires a full evaluation of the potential environmental impacts of a project and consideration of viable alternatives. Caltrans’ project approval also violated the Wild and Scenic River Act and the Department of Transportation Act. NMFS is named on the lawsuit for violating the Endangered Species Act by failing to properly analyze whether the project will jeopardize protected coho salmon or their habitat.

Caltrans did not properly evaluate the threat project construction poses to salmon habitat and water quality along the Smith River or safety hazards from increased truck traffic. Caltrans refused to consider alternatives besides widening the highway, adopted unsubstantiated findings about impacts and mitigation measures, and avoided looking at the cumulative impacts of numerous associated Caltrans highway-widening projects in Northern California for oversized truck access. NMFS ignored its own data, including dire warnings concerning the status of coho in the Smith River, and rubber-stamped the project without giving it anything close to a sufficient review.

Background

Highway 199 is a scenic byway along the Smith River Canyon that passes through the Six Rivers National Forest and the Smith River National Recreation Area. It provides access to Redwood national and state parks, one of only two UNESCO World Heritage sites in California. The Smith River is the only undammed river in California, with the longest stretch of designated “wild and scenic” river in the lower 48. A 1989 Caltrans report acknowledged the physical constraints of the narrow, steep and rocky Smith River Canyon and concluded that environmental concerns make Highway 199 “a poor candidate for extensive upgrading.”

Highway 197 is a 7-mile, two-lane country road that runs north to south along the lower Smith River, just northeast of Crescent City. It is a rural-residential route with 72 driveways directly entering onto the road. In order to avoid Jedediah Smith State Park at the western edge of the project, oversized trucks would divert off Highway 199 and travel along Highway 197 to the north of Crescent City to reach Highway 101.

Court challenges to the related Caltrans project through Richardson Grove on Highway 101 in Humboldt County have resulted in rulings determining that Caltrans failed to adequately analyze the potential impacts of highway development on the ancient redwoods protected in Richardson Grove State Park.

A recently released independent review of Caltrans called for sweeping reforms of the agency and cited a “culture of fear” within Caltrans when it comes to deviating from standard policies. The statewide Caltrans Watch coalition has highlighted the agency’s pervasive refusal to consider reasonable alternatives to massive highway projects, shoddy environmental review, lack of transparency, reliance on flawed data and disregard for public input.

The plaintiffs are represented by attorneys Stuart Gross and Sharon Duggan, and the nationally recognized firm of Cotchett, Pitre & McCarthy.