

From: Robert Czerwinski
Sent: Tuesday, June 25, 2024 3:13 PM
To: MTC-ABAG Info <info@bayareametro.gov>
Subject: "MTC meeting June 26th, 2024 - Agenda Item 8c"

External Email

Dear Clerk,

The attached is for tomorrow's "MTC meeting June 26th, 2024 - Agenda Item 8c"

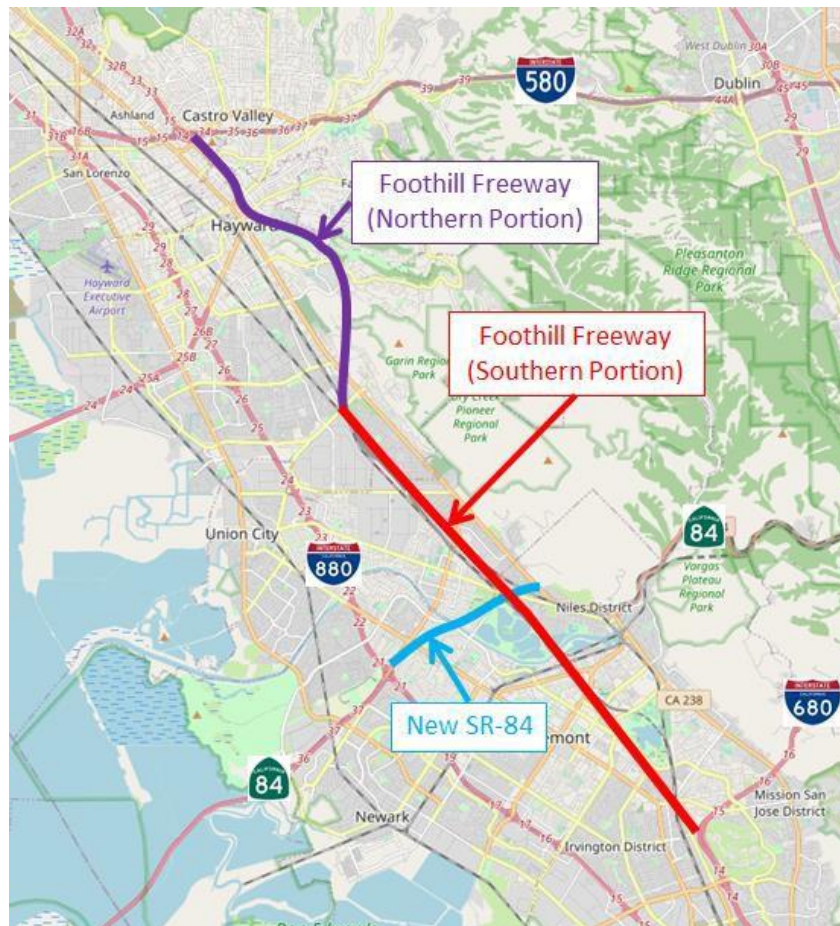
Thank You for your help,

-Bob

History of the Zombie Road

Tucked beside the serene Quarry Lakes Park, our area is traversed by an old creek that separates Union City from Fremont. It boasts trails and many walkable and bike-friendly streets that weave past a historic farmhouse, a Buddhist temple, and a family-owned farmstand, leading seamlessly to a nearby BART station. Unlike neighboring communities that fell victim to auto-centric projects which obliterated once-thriving neighborhoods, our area was relatively spared—not due to smart urban planning, but because an ill-conceived freeway plan failed 70 years ago. However, in this beautiful Bay Area enclave where families and children thrive, a lurking danger has persisted for decades, known locally as the Zombie Road.

In the late 1950s, the California Highway Commission (CHC) developed a grand plan to build a new north-south freeway in Alameda County. The so-called Foothill Freeway was supposed to connect I-580 in the north to I-680 in the south, running through Hayward, Union City, and Fremont along the Hayward Foothills. State Route 84 was to be re-aligned to connect the Dumbarton Bridge to Niles Canyon and a large interchange was planned where the re-aligned State Route 84 would intersect the new Foothill Freeway. In addition, Niles Canyon was upgraded to State Route 84 in 1963.



The plan was met with immediate opposition. In 1971, La Raza Unida of Southern Alameda County successfully filed suit and won. [Federal Judge Robert Peckham ruled that the CHC had “blandly ignored three different laws”](#). Most egregiously, it had evicted 5,000 minority residents without providing safe and sanitary housing at comparable cost.

Following the perceived victory over this freeway project, many residential neighborhoods were built in the spared area, and in 1980, the CHC formally rescinded the southern half of the proposed Foothill Freeway, as well as the State Route 84 re-alignment project. Life seemed good again.

But unfortunately, much of the needed land had already been acquired during the 1960s and was now owned by Caltrans. At the same time, Union City wanted to develop its Decoto Industrial Park near the BART station and saw a revival of the highway as beneficial for truck traffic. In 1986, Alameda County Measure B brought the SR-84 realignment back to life as a combined project with the Northern portion of the Foothill Expressway.

Project: Route 238 and Route 84
Cost : \$154 million **Sales tax contribution:** \$134 million
Sponsor: Caltrans

Description: Route 238 will be built as a six lane freeway/expressway along Foothill and Mission Boulevard to Industrial Parkway. From there to Route 84 near Decoto Road, existing Mission Blvd. will be widened to six lanes to existing Route 84. Route 84 will then be built along a previously adopted alignment where rights of way have been acquired to intersect with 880.

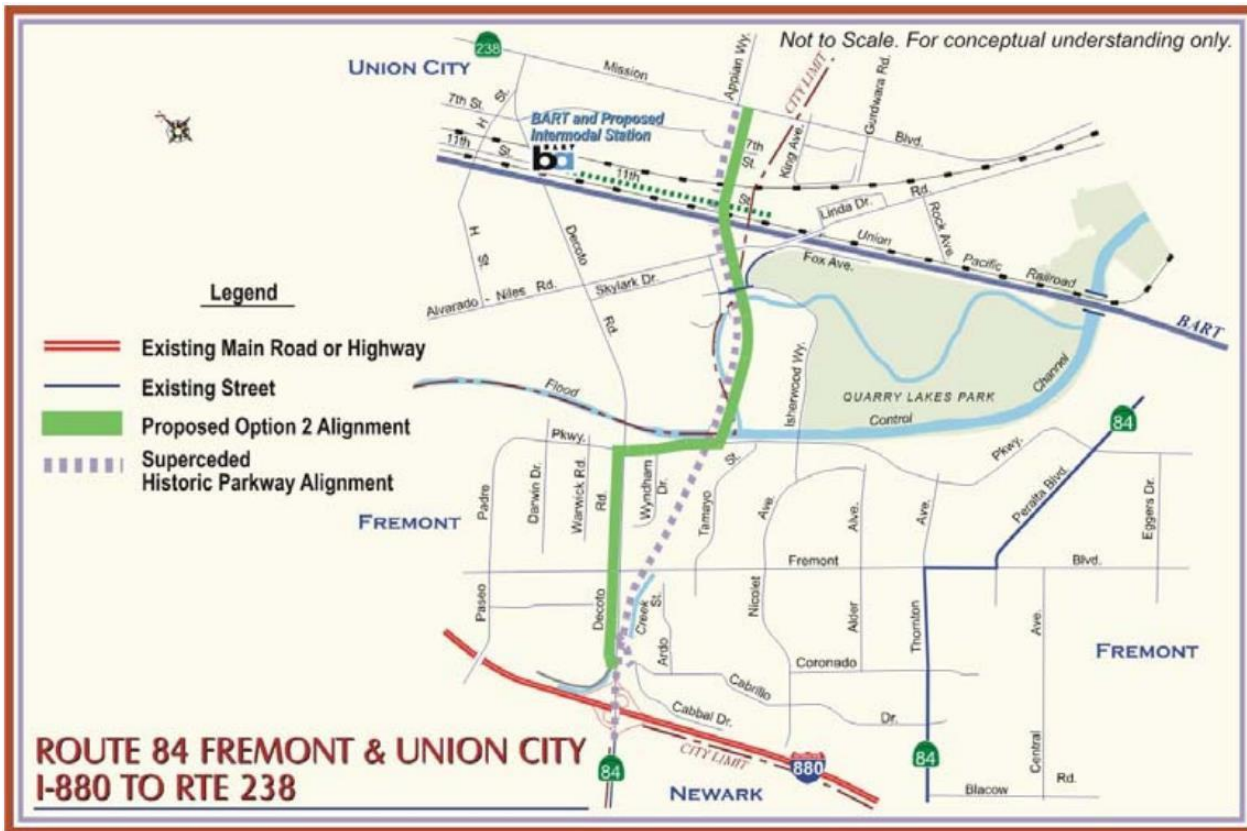
Excerpt from the [1986 Measure B Expenditure Plan](#)

Not having learned from past mistakes, the Alameda County Transportation Authority (ACTA) illegally purchased an 11-acre parcel in 1990 without having studied the environmental impact. The purchased parcel was located between Fremont Blvd and Paseo Padre Parkway in Fremont and reserved further land for the SR-84 corridor. In 1991, the Alameda County Superior Court sided with Fremont residents of which I was 1 of the 3 named on the lawsuit and ruled that the land purchase violated the California Environmental Quality Act (CEQA).

In the meantime, a separate lawsuit was filed by the Hayward Area Planning Association (HAPA) against the Route 238 portion of the project, dubbed the Hayward Bypass. In 2002, a judge disqualified the Hayward Bypass from Measure B funds since Caltrans designed the hillside freeway to follow a different right of way than had been presented to voters.

But like a relentless Zombie, the undead road returned again. With money to burn, the Hayward Bypass and the SR-84 realignment were split into two independent projects and the Measure B Expenditure Plan was amended. The Hayward Bypass was replaced by a project known as 'The Loop', which involved several road widening initiatives encircling Hayward's downtown area. Sadly, there was no happy ending in Hayward. Despite a wonderful marketing campaign, 'The Loop' ultimately led to the [demise of Hayward's downtown](#).

On the Southern front, the SR-84 project was also modified to likewise complete the arterial encirclement of the Union City BART station. The originally proposed 4-lane arterial portion between Mission Blvd and Paseo Padre Parkway was kept but would not continue beyond Paseo Padre Parkway as ACTA divested from the illegally acquired parcel. Instead, Paseo Padre Parkway and nearby Decoto Rd were to be widened from 4 to 6 lanes. The State Route designation was removed. The project was henceforth referred to as the *East West Connector* and euphemistically called a "local road". As a nod to residents, ACTA also agreed to set up a Mitigation Monitoring Committee made up of 3 Union City residents and 3 Fremont residents. I was the Chairperson of the Mitigation Monitoring Committee.



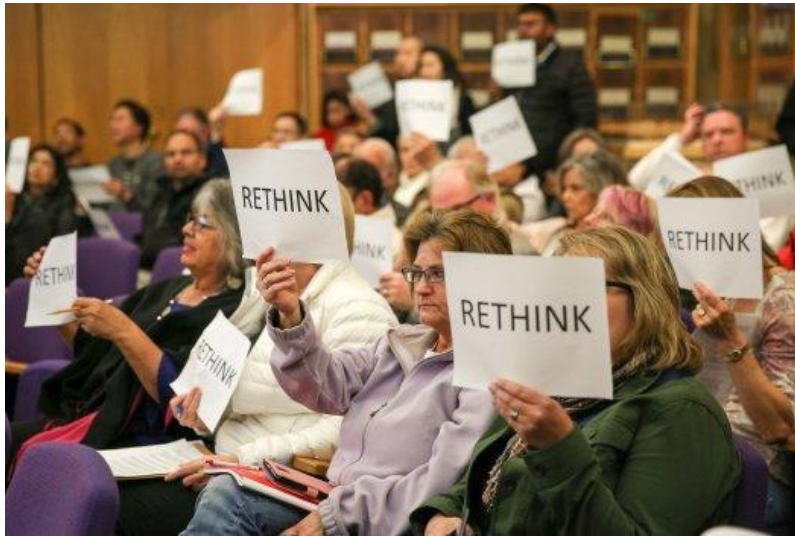
[ACTA Measure Expenditure Plan Amendment](#)

The 2006 amendment allocated \$88 million to the East West Connector. Shortly after, SB 791 established a Local Alternative Transportation Improvement Plan (LATIP) to direct funds from the sale of Caltrans-owned land towards various local transportation projects, including the East West Connector. However, the project faced significant challenges. It involves tunneling under three sets of railroad tracks, and navigating a shallow aquifer while passing an active superfund site. Additionally, construction of three bridges over various creeks is necessary. By 2006, the estimated project cost had risen to \$211 million, with a \$100 million funding shortfall.

In 2009, the final CEQA Environmental Impact Report (EIR) was approved, but the project never received NEPA clearance, rendering it ineligible for federal funds. As design work progressed, the project cost was again updated to \$320 million in 2017. Now facing a \$200 million funding gap for a project that was both uncompetitive and highly controversial, the Alameda County Transportation Commission (ACTC) began questioning its viability. In a 2018 Mercury News article titled "[Union City May Divert \\$75M in Public Transit Funds for New, \\$320M Roadway](#)" then-Executive Director Arthur Dao said:

"A lot has changed since the project was first envisioned. And the question to ACTC's governing board is whether to fulfill a long-held promise to local residents to build the road or take into account current land-use patterns and the desire for new and improved transit services. The nature of the project is very expensive. So the question is, is there a cheaper alternative ... and could this funding be used for a better purpose?"

However, Union City's leadership had no such doubts. On February 27th, 2018, amidst a packed City Hall of disapproving residents, the Union City Council unanimously voted to assume full ownership of the project, assuming responsibility for all cost overruns. Additionally, it decided to redirect all its Measure BB allocations, including over \$150 million earmarked for public transportation and bicycle/pedestrian safety, towards this single road expansion initiative.



[February 27th, 2018 Union City City Council](#)

A few months later, ACTC transferred the project to Union City but deferred any funding decisions. As part of the transfer, Union City was required to update the decade-old Environmental Impact Report (EIR) and conduct a new Traffic Study, while also holding regular public information sessions and designing the road to NACTO standards. However, Union City bypassed updating the EIR by submitting a [legal opinion](#) instead of an update. They also published a brief [brochure](#) instead of a [proper Traffic Study](#) and dissolved the Mitigation Monitoring Committee. Instead, Union City's Bicycle and Pedestrian Advisory Committee (BPAC), lacking Fremont members, was used for required public meetings, limiting public comments to 2 minutes without follow-up, diverging from typical open-house formats for such projects.

Over the next 2 years, Union City continued to face funding challenges. Since some of the Right of Way is City owned, Union City removed land acquisition costs from the cost estimate. It further transferred responsibility of the Decoto Rd portion of the project to Fremont. With these modifications, Union City restated the cost as \$269M.

To close the \$133M funding gap, Union City wants to access \$75M in Measure BB Public Transportation funds that Alameda County voters had approved for the Union City Intermodal Station, as well as bicycle, pedestrian and other public transit funds. To divert these active transportation funds and to boost the image of this unpopular project, Union City launched a rebranding campaign. The East West Connector was renamed Quarry Lakes Parkway and beautifully rendered images were generated. These renderings show long straight stretches of empty asphalt covered by blossoming tree canopies. Families are strolling next to this 4-lane arterial, and a Dumbarton Express bus has strayed far from its route to use the general purpose lanes of this beautiful new parkway.



Rendering of the Quarry Lakes Parkway (near Mission Blvd, East of the BART station)

Should the project proceed, it is highly likely that it will run out of money during construction since the \$269M cost estimate is horribly outdated. Similar grade separation projects in the Bay Area today, for example along the Caltrain electrification corridor, generally cost \$200M per grade separation. Considering that the Quarry Lakes Parkway includes three bridges and two grade separations under three separate sets of railroad tracks in an area where an active superfund site lies atop a shallow aquifer, it is more realistic to expect a cost exceeding \$500M than the \$269 maintained by Union City.

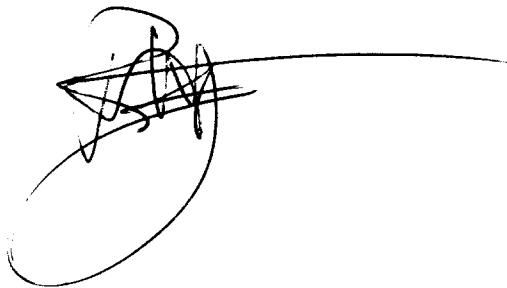
Many transportation professionals admit that the Quarry Lakes Parkway does not address the area's true needs. Rather, it represents an effort to utilize \$88 million that were allocated four decades ago—an attempt to repurpose a land corridor in the only manner previous planners knew: more roads. However, proponents of innovative urban planning advocate for a Greenway instead of another 4-lane arterial, arguing that it would better suit a transit-oriented district. Rather than throwing good money after bad, funds could enhance Decoto Rd in Union City into a Complete Street with protected intersections and bike lanes.

Fremont has already demonstrated a shift in this direction with significant modifications to its project segment. In Fremont, Decoto Rd will soon feature a [bus lane instead of a vehicle lane, alongside narrowed lanes to accommodate upgraded bike infrastructure](#). Additionally, the transformation of the 11-acre parcel in Fremont, once tied to the 1991 lawsuit, into the proposed [Dumbarton Bridge to Quarry Lakes Trail](#) underscores a community-focused approach. Rather than serving as a thoroughfare for vehicles, it will cater to bicyclists bound for the Dumbarton Bridge, doubling as a recreational area for local residents. As decisions on the project's future unfold, the crucial question is: will this trail devolve into a four-lane road once it reaches the Union City border and then lead to a seven-lane intersection before reaching the BART station?

The history of the Zombie Road serves as a cautionary tale of ill-conceived urban planning, persistent bureaucratic inertia, and the ongoing struggle between outdated automotive-centric infrastructure and modern, sustainable urban design. As we stand at another crossroads, it is imperative to learn from past mistakes and prioritize projects that truly benefit our community. The Quarry Lakes Parkway, with its enormous financial and environmental costs, represents a step backwards. Instead, investing in Complete Streets projects like the Decoto Rd enhancements and greenway initiatives that promote biking, walking, and public transit will create a safer, more sustainable, and connected community. By focusing on projects that enhance the quality of life for residents and align with contemporary urban planning principles, we can ensure a brighter and more integrated future for Union City and the surrounding areas

We're all in this Together

Let's make the smart decisions,

A handwritten signature in black ink, appearing to read 'Robert Czerwinski', with a long horizontal line extending to the right.

Robert Czerwinski

