



**Project Planning,
Development, Right of Way;
Public Involvement; Mitigation
and Enhancement Activities**

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Cypress Freeway Replacement Project

CALIFORNIA DEPARTMENT OF TRANSPORTATION



Introduction

At 5:04 p.m. on October 17, 1989, as millions of baseball fans were watching the pregame broadcast of the third game of the World Series at San Francisco's Candlestick Park, a powerful earthquake struck the Bay Area. Television screens across the nation went momentarily blank as the earthquake, measuring 7.1 on the Richter Scale, rocked Candlestick Park. Sixty-seven people died and 3,000 were injured in the third most lethal earthquake in U.S. history.



The 1989 Loma Prieta earthquake damaged the Cypress Freeway beyond repair.

Of all the scenes of destruction in the aftermath of the Loma Prieta earthquake, the lasting image was the collapse of the Cypress Freeway in West Oakland. Forty-two people died when concrete pillars supporting the upper section of the double-deck freeway buckled and the entire structure collapsed, destroying a 1¼-mile section of Interstate 880.

The Cypress Freeway was built in the 1950s to connect the sprawling tractlands of southern Alameda County to downtown San Francisco and Oakland's industrial waterfront. Its path through the predominantly African-American community of West Oakland split the community in half and uprooted 600 families and dozens of businesses. A roughly four-square-mile area was cut off from downtown and more affluent sections of West Oakland to the east, sandwiched against metalworking shops, railyards, and the Port of Oakland. Over the years, neighborhood businesses withered from isolation, while residents were forced to endure the fumes and noise from the thousands of cars passing overhead.

Certainly no resident of West Oakland welcomed the tragedy that took place on October 17, 1989. However, the collapse of the Cypress Freeway created the potential for a dialogue over how and where the freeway would be reconstructed, an opportunity that had not been available to West Oaklanders 35 years before when the structure was originally built. Although the California Department of Transportation (Caltrans) originally proposed to

rebuild the freeway in its existing location, a coalition of West Oakland community representatives quickly formed in opposition to this plan. For nearly two years following the earthquake, Caltrans worked with a wide range of stakeholders to select a new alignment for the freeway that meets the needs of both the traveling public *and* the community of West Oakland. In addition, construction is scheduled to begin in March 2001 on a \$13 million project to turn the former freeway into a forested, landscaped boulevard that will reunite West Oakland.

The reconstruction of the Cypress Freeway was an enormously expensive and complex undertaking and, like most projects of this magnitude, it was not without controversy. Disputes over the new freeway alignment and the discovery of toxic waste during construction boiled over into several legal battles. In the final analysis, however, the Cypress Freeway Replacement Project sends a strong message about the potential for a transportation agency to work together with citizens to accomplish an enormous task while helping to revitalize a community.

The Participants

- Federal Highway Administration
- California Department of Transportation
- City of Oakland
- Alameda County
- Metropolitan Transportation Commission
- US Environmental Protection Agency
- California Environment Protection Agency
- Port of Oakland
- Southern Pacific Railroad
- Citizens Emergency Relief Team
- West Oakland Commerce Association
- Oakland Citizens Committee for Urban Renewal
- South Prescott Neighborhood Association
- Chester Street Block Association
- Oakland Private Industry Council

The Region and the Community

West Oakland is a community of 18,317 residents located in a rectangular area south of Interstate 580 and west of Interstate 980. A large portion of this area is industrial, including the Port of Oakland, a Union Pacific intermodal freight facility, warehousing and distribution facilities, and light and heavy manufacturing. The vast majority of West Oakland residents are African Americans, making up 77.3 percent of the population according to the 1990 U.S. Census. Other groups include whites (11 percent), Hispanics (5.7 percent), Asians (3.5 percent), and Native Americans (.3 percent).

West Oakland is one of the oldest neighborhoods of Oakland and home of the Transcontinental Railway terminus, which opened in 1869. Early residents were Portuguese, Irish, and Italian immigrants. Many African Americans moved to the area from the southern and eastern United States during the period of western railroad expansion. A second wave of African-American immigrants came during World War II, attracted by the wartime boom in the shipbuilding industry. West Oakland became a solid middle-class African-American community, featuring well-preserved Victorian homes and attractive shopping, cultural, and entertainment districts.

This prosperity proved to be short lived, however. Following World War II, government shipbuilding decreased, idling thousands of workers. In addition, increased mechanization of Port of Oakland operations raised labor productivity and created few new longshoring jobs. Finally, industrial firms located near the Port increasingly relocated to southern Alameda County, where taxes were lower and land for sprawling one-story factories was cheaper.

With these changes, West Oakland became an increasingly distressed community. By 1989 more than 35 percent of West Oakland residents lived below the poverty level, according to data from the 1990 U.S. Census. Unemployment was 21.5 percent and nearly double that amount for African-American males. The median household income was \$13,123

compared to the citywide median income of \$27,095. Few residents were homeowners, with roughly 85 percent of the 8,735 housing units in West Oakland occupied by renters.

Community-based efforts to address these challenges have been underway for several decades. West Oakland has a strong tradition of community activism which dates back to the 1960s. Some twenty community groups are active in the area working on a variety of issues including housing, jobs, economic development, and environmental improvement. A top priority of neighborhood leaders is to have a voice in the planning of projects that have significant impacts on the community. The economic revitalization of West Oakland is high on the agendas of many of the area's community groups.

Potential anchors for economic renewal do exist. West Oakland has several major employers, including a U.S. Postal Services facility that employs over 4,000 workers and the Port of Oakland. The Port, however, has been a mixed blessing for West

Oakland. Although Port-related activity accounts for almost 9,000 maritime industry jobs in the Bay Area, only 12 percent of those jobs are held by Oakland residents. In addition, truck traffic generated by the Port and ancillary facilities produces noxious emissions, wear-and-tear on city streets, and traffic congestion and parking problems. West Oakland residents have long argued that they have suffered the negative environmental and traffic impacts of the Port without receiving a significant share of the economic benefits.

Air pollution generated by the Port and ancillary activities, by major freeways, by truck traffic, and by neighborhood industrial facilities has become a growing source of concern for West Oakland residents. Studies by the Children's Hospital of Oakland and the California Department of Health Services indicate that West Oakland residents suffer higher than expected rates of hospitalization for asthma and certain forms of cancer (Children's Hospital of Oakland 1994, California Department of Health Services 1993). Such concerns played a role in solidifying the community's opposition to rebuilding the Cypress Freeway in its existing location.

Snapshot of the West Oakland Community

Population: 18,317

Racial and ethnic composition:

- African American – 77.3 percent
- Caucasian – 11 percent
- Hispanic – 5.7 percent
- Asian/Pacific Islander – 3.5 percent
- Native American – .3 percent
- Other – 2.2 percent

Median household income: \$13,123

Population living below poverty level: 35 percent*

Source: 1990 U.S. Census

* The U.S. Department of Health and Human Services (HHS) issues poverty guidelines on an annual basis. In 1990, DHHS defined the poverty level as \$6,280 for a single person. In 2000, the poverty level was \$8,350 for a single person. The most current HHS poverty guidelines can be found at the HHS Website at <http://aspe.os.dhhs.gov/poverty/poverty.htm>.

What Happened

For decades after the Cypress Freeway was completed in 1957, it served as a magnet for community frustration among West Oakland residents. Residents argued they were given no opportunities to participate in the planning and design process and many blamed the freeway for Oakland's decline that began during the 1960s. According to one former West Oakland resident, "Cypress opened the door. It really split the city physically. It was the beginning of the end. It ruined the integrity of the whole area."

When the Cypress Freeway collapsed in October 1989, West Oakland residents were determined to prevent the mistakes of the past from being repeated. Within forty-eight hours of the Loma Prieta

Project Chronology

1957

The original Cypress Freeway is completed.

October 17, 1989

The Loma Prieta earthquake strikes the Bay Area, causing the collapse of the Cypress Freeway.

November 1990

Caltrans releases the Draft EIS for the Cypress Freeway Replacement Project.

September 1991

Caltrans releases the Final EIS.

October 1991

The California Transportation Commission approves the Final EIS.

March 1993

A coalition of West Oakland minority residents files a lawsuit to prevent construction of the Cypress on the selected route.

July 1993

The City of Oakland and Caltrans sign the *Freeway Performance Agreement* identifying goals for minority and local participation in the freeway reconstruction.

January 1994

Freeway construction begins.

July 1996

Caltrans discovers toxic vinyl chloride in the freeway construction path and halts construction in this area.

December 24, 1996

Caltrans resumes freeway construction following approval by the California Department of Toxic Substances Control of Caltrans' Removal Action Workplan.

June 1997

The Chester Street Block Association files a Title VI administrative complaint with US EPA and US DOT, citing Caltrans' failure to remediate vinyl chloride.

July 1997

The first leg of the new Cypress Freeway reopens.

September 1998

The Cypress Freeway is completed.

August 1999

Caltrans settles a Title VI administrative complaint filed by the Chester Street Block Association by agreeing to more stringent standards for removing soil at a future park site.

earthquake, a group of prominent West Oakland leaders and community activists formed the Citizens Emergency Relief Team (CERT). CERT was established to provide a voice for the community of West Oakland in the reconstruction of the Cypress Freeway and other rebuilding efforts following the earthquake. It was more than just another neighborhood organization. Its membership – including a Bay Area Rapid Transit (BART) director, a former Port of Oakland CEO, and an Alameda County supervisor and former mayor of Berkeley – was exceptionally resourceful and well-positioned to influence policy.

After the earthquake, Caltrans initially proposed to rebuild the Cypress in its existing location. This plan, however, was adamantly opposed by the City of

Oakland, Alameda County officials, CERT, and the vast majority of the West Oakland community. In January 1990, over 200 Oakland residents and politicians packed the gymnasium of a West Oakland elementary school for a meeting with Caltrans at which the agency's proposal was heavily criticized.

Meanwhile, members of CERT, together with city and county officials, had begun efforts to identify an alternative route for the Cypress. This alignment would run west of the previous Cypress structure closer to the Port of Oakland, following Southern Pacific railroad tracks for a portion of the way. The new route would still impact a small residential area. However, the majority of West Oakland would be reunited under this plan.



The collapse of the Cypress Freeway created the opportunity for a dialogue over where and how the freeway would be rebuilt.

Debate over the alignment for the reconstruction of the Cypress Freeway continued for eighteen months. During this period, Caltrans helped form the Community Advisory Committee (CAC), comprised of West Oakland citizens, and participated in scores of meetings with the CAC, CERT, the West Oakland Commerce Association, City of Oakland officials, and commuter groups.

The coalition backing a new alignment for the freeway frequently used the language and symbolism of environmental justice to articulate its positions. As one frustrated West Oakland resident asked, “How about putting the freeway through Blackhawk or Danville? Why is the poor community always having to pay?” Residents argued that car exhaust fumes contributed to higher incidences of underweight babies, infant deaths, and acute and chronic diseases in West Oakland than elsewhere in Alameda County, a claim supported by health officials.

The discussion over the future Cypress freeway alignment was complicated from the start because, at the outset, Caltrans and the community of West Oakland held very different perspectives on the project. For Caltrans, it was above all a transportation project of regional importance, necessary to replace an essential link in the East Bay’s freeway network. For others, however, particularly CERT and its allies, it was

principally a community revitalization project that had the potential to help return West Oakland to its previous grandeur and address environmental justice concerns of community residents. Although Caltrans never wavered in its commitment to restoring the Cypress as a regionally significant highway connector, dialogue with the West Oakland community ultimately sensitized the agency to the community’s perspective as well.

NEPA Process. For twelve months following the Loma Prieta earthquake, Caltrans worked to prepare a Draft Environmental Impact Statement (EIS), evaluating numerous alternatives for responding to the collapse of the Cypress Freeway. Six alternatives were identified in the Draft EIS released by Caltrans in November 1990. These included a no-build alternative, two alternatives that would utilize the existing Cypress right-of-way, and three versions of the railroad corridor alignment advocated by CERT and the City of Oakland. The Draft EIS was distributed to government officials, local businesses and residents, and community organizations for review and comment. In January 1991, Caltrans held open houses at three different Oakland schools to provide opportunities for public input about the alternatives. Also that month, Caltrans held a formal public hearing attended by roughly 250 people at one of the same three schools.

Eight months after the official public comment period for the Draft EIS ended on February 1, 1991, Caltrans released the Final EIS for the Cypress Freeway Replacement Project, which identified the selected alignment for the new freeway. Responding to pressure from the City of Oakland and West Oakland citizens, Caltrans selected the *Transit/TSM/Freeway Alternative in the Railroad Corridor* (see sidebar), which redirected the freeway along railroad tracks to the west of the community. This alternative added over one mile to the freeway at a cost of more than \$500 million for purchase of the right-of-way alone. However, it represented an opportunity to reunite West Oakland, a crucial step in addressing the social and economic problems of this community.

NEPA Process: Identifying and Evaluating Alternatives

The National Environmental Policy Act of 1969 (NEPA) sets a vision for how the government should work to incorporate protection and enhancement of the environment into its decisions and actions. NEPA was enacted to ensure that information on the environmental impacts of any federally funded action is available to public officials and citizens before decisions are made and before actions are taken. Under NEPA, governmental agencies are required to prepare an Environmental Impact Statement (EIS) for projects where it is known that the action will have a significant effect on the environment. Agencies must prepare and make available for public comment a Draft EIS before preparing the final version of the EIS.

In preparing its Draft EIS for the Cypress Freeway Replacement Project, Caltrans identified and evaluated many different alternatives for responding to the loss of capacity caused by the collapse of the Cypress structure. In developing and screening the alternatives, Caltrans consulted with a range of groups, including jurisdictional agencies, the business community, environmental groups, West Oakland residents, CERT, and major local employers such as the Port of Oakland, the U.S. Army, the Southern Pacific Railroad, and the East Bay Municipal Utility District.

Sixteen alternatives were evaluated and withdrawn from further consideration because of excessive cost; operational or safety problems; unacceptable social, economic, or environmental impacts; serious community

disruption; or failure to meet project purpose and need.

The following six alternatives were presented in the Draft EIS:

1. **No-Build Alternative.** Under this alternative, no action would be taken. Modifications and operational improvements already made to I-980 and I-580 to accommodate traffic diverted from the Cypress would remain in effect.
2. **Cypress Corridor Alternative.** This alternative would construct the freeway using the existing Cypress right-of-way, utilizing a cut-and-cover tunnel configuration through residential portions of the alignment.
3. **Transit/Transportation System Management (TSM)/Freeway Alternative in the Cypress Corridor.** This alternative would combine a version of Option 2 with transit improvements and other strategies to reduce congestion.
4. **Railroad Corridor Alternative – Partially at Grade.** Under this alternative, the freeway would be built west of the existing Cypress structure, utilizing Southern Pacific railroad yards near the Port of Oakland.
5. **Railroad Corridor Alternative – Elevated Alignment Option.** This alternative would be an entirely elevated version of Option 4.
6. **Transit/TSM/Freeway Alternative in the Railroad Corridor.** This alternative would combine Options 4 or 5 with transit improvements and other strategies to reduce congestion.

Negotiations among Caltrans, the City of Oakland, and West Oakland community groups over the project design led to a number of additional community benefits. First, Caltrans agreed to provide a direct off-ramp from the new freeway to service the Port of Oakland, meaning that heavy transport trucks traveling to and from the Port would no longer traverse residential neighborhood streets. This interchange, valued at nearly \$25 million, was also expected to improve the Port's competitive position vis-à-vis other West Coast ports and facilitate employment opportunities for local residents.

In addition, although Caltrans initially proposed to eliminate an existing off-ramp at Market Street, West Oakland businesses and community groups expressed concern that this might limit access to local businesses. A West Oakland resident and member of CERT who was also chief of construction for Alameda County prepared a design to maintain the interchange which was presented to Caltrans at community meetings. Largely on the basis of this proposal, Caltrans agreed to modify and retrofit the existing structure at Market Street.



The new Cypress Freeway alignment ran west of the original structure, avoiding most residential areas of West Oakland.

Mitigation and Enhancements. Caltrans initiated several strategies and actions to mitigate the impacts of the demolition of the old Cypress Freeway and construction of the new structure on the Oakland community. Some of these actions included temporarily relocating nearby residents and installing dust screens on homes in close proximity to the demolition site. Caltrans also produced a series of trucking guides in response to neighborhood concerns over increased truck traffic on residential streets to and from the Port of Oakland during the construction and demolition period. These guides encouraged truck drivers to use designated routes through West Oakland. Caltrans also supplied extra

crossing guards at two local schools to help ensure the safety of schoolchildren.

Mitigation for residents and businesses in close proximity to the new freeway included sound barriers that reduced projected freeway noise levels to between 62 and 67 decibels. Landscaping in front of sound barriers, including densely planted trees and shrubs, provided aesthetic visual screening of the freeway from the neighborhoods. In addition, Caltrans compensated 30 homeowners and 46 businesses whose property was located within the right-of-way selected for the new freeway.

Caltrans also made efforts to ensure that Oakland residents and businesses benefited from the project. During the demolition phase, Caltrans archaeologists excavated sites along the route and uncovered a wealth of artifacts dating back to the 1800s. Key finds included turn-of-the-century artifacts belonging to African-American railroad porters. While fieldwork was in progress, oral history interviews with former porters were carried out to gather information on how jobs were done and what they meant to the workers. Caltrans compiled artifacts, historic photographs, and documentation into a traveling exhibit called “Holding the Fort: An Exhibit of African-American Historical Archaeology and Labor History in West Oakland.” The title of the exhibit comes from a song regularly sung by the Brotherhood of Sleeping Car Porters at their West Oakland meetings.

In July 1993, Oakland City Council approved an agreement with Caltrans that outlined Caltrans’ responsibility for resolving issues of concern with the City of Oakland and its citizens during the design and construction of the project. The agreement set goals for the participation of disadvantaged and local contractors on the project, along with employment of local residents, minorities, and women. It also called for the state to spend up to \$1.2 million training local residents.

Caltrans worked with the City of Oakland and the Oakland Private Industry Council, a local job training

Benefits to Local and Minority Workers and Contractors

One of the final hurdles to rebuilding the Cypress Freeway was removed in July 1993 when representatives from Caltrans and the City of Oakland signed the *Freeway Performance Agreement*. A key part of the Agreement was a provision intended to ensure that local residents and businesses would receive a proportionate share of the jobs and contracts generated by the project. The agreement established the following goals:

- 35 percent Disadvantaged Business Enterprise (DBE) participation
- 20 percent Local Business Enterprise (LBE) participation
- 45 percent employment of local residents, minorities, and women on a craft-by-craft basis by hours of employment

DBEs are businesses owned by women and minorities. LBEs are businesses located within the City of Oakland.

In February 1994, an Independent Monitoring Team was established to monitor the contracting and employment goals set by the terms of the Agreement. The Team, which was funded by Caltrans, issued periodic reports during the construction phase of the project and released its final report in March 1999.

Tables 1 and 2 taken from the Independent Monitoring Team's Close-Out Report indicate that Caltrans met the contracting and employment goals identified in the *Freeway Performance Agreement*. However, certain groups were underrepresented in the project. For example, African Americans and women performed just 13.7 percent and 6.3 percent of the work hours on the project, respectively. Perhaps more disturbing, the Report found that less than 1 percent of all work hours were performed by West Oakland residents. African-American contractors were also underrepresented in the project.

Table 1. Project Workhour Percentages by Ethnicity, Gender, and Residency

Percentage of Workhours

		Minority				Combined		
All	Black	Hispanic	Asian	N. Am.	Female	Oakland	(M, F, O)	
43.6%	13.7%	25.2%	1.9%	2.8%	6.3%	17.1%	67.0%	

Table 2. DBE/LBE Project Participation

	Total		African American		Hispanic		Asian		Native American		Female	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
DBE	204.6	43.9	35.9	7.7	112.5	24.2	8.2	1.8	9.8	2.1	38.2	8.2
LBE	90.6	19.5	33.2	7.1	6.8	1.5	0	0	0	0	17.4	3.74

The Independent Monitoring Team identified a number of reasons for the underrepresentation of certain groups. Most important, the *Freeway Performance Agreement* used *combined* employment and contracting goals. The 45 percent combined employment goal, for example, could be met without hiring a single Oakland resident if minority and female percentages were high enough. The report recommended that separate local workforce goals be specified in any future agreements of this nature.



An agreement between Caltrans and the City of Oakland set goals for the employment of local residents, minorities, and women on the Cypress reconstruction project.

provider, to establish the Cypress/Mandela Training Center. The Center's initial mission was to provide low-income West Oakland residents with the training and skills necessary to be included in the freeway reconstruction project. The Center, which is still in operation, has produced nearly 700 graduates qualified for positions in carpentry, surveying, electrical, and masonry work that have been placed in construction positions throughout northern California. The Center's placement rate is 82 percent. Sixty-five of its graduates were employed on the Cypress Freeway Replacement Project. Caltrans provided nearly \$500,000 to fund the Center during the freeway construction period, and an additional \$1 million for continuation of the program after the freeway was completed.

In order to keep the community informed about opportunities and disruptions associated with the Cypress Freeway Replacement Project, Caltrans opened a Public Information Office in West Oakland's historic Glove Building in 1992. Caltrans staffed the office five days a week, responding to questions from the public and researching information requests. In its first three years, approximately 10,000 individuals visited the office, while staff conducted between 30 and 40

presentations per year to local, regional, and statewide groups on a range of topics. Caltrans also produced 29 issues of the quarterly newsletter, the *Cypress Link*, distributed to more than 15,000 residents, businesses, community organizations, and public officials. The *Cypress Link* was an important source of information, providing construction updates, commuter, and contracting information to the public for the duration of the project.

A Community Divided. Although the new route selected for the Cypress Freeway no longer bisected West Oakland, it did impact a small residential area in the southwestern portion of the community. Residents of this area, known locally as "Lower Bottom," argued unsuccessfully that the new Cypress structure should be located further west, avoiding residential areas altogether. Caltrans determined that such an alignment would fail to comply with highway construction standards because cars would be forced to slow down to unsafe freeway speeds in order to negotiate curves.



Caltrans produced a quarterly newsletter, the *Cypress Link*, to provide the community with information on the project.

In March 1993, a coalition of residents from this area of West Oakland filed a 92-page lawsuit in U.S. District Court in San Francisco against Caltrans, the U.S. Department of Transportation, and the Federal Highway Administration. The suit alleged that the project would expose about 7,000 residents to

excessive noise and high levels of carbon monoxide, ozone, lead and other pollutants, endangering health and lowering property values. It claimed that the agencies violated environmental and civil rights laws, including the National Environmental Policy Act and Title VI of the Civil Rights Act, by not fully considering the health and environmental effects of the project on low-income and minority residents located nearby.

This claim, however, was challenged by other members of the West Oakland community. The following month, representatives from CERT and several other West Oakland community organizations held a press conference to denounce the lawsuit, insisting that Caltrans worked closely with West Oakland community representatives to determine the alignment of the new freeway.

The suit was ultimately settled when Caltrans agreed to some additional mitigation measures, including reimbursement costs for an air conditioning system and soundproofing at a church located near the freeway, along with additional soundwalls and landscaping. However, conflict resurfaced several years later when a large plume of cancer-causing vinyl chloride was discovered in the path of the new freeway. Caltrans immediately halted work at the site when the discovery was made in the spring of 1996. During the next several months, Caltrans developed a plan to drive hollow steel pillars into freeway footing sites contaminated by vinyl chloride, and then seal them above ground with cement. Area residents, however, argued that a full cleanup was necessary. On December 23, 1996, the California Department of Toxic Substances Control (DTSC) issued a ruling approving Caltrans' plan. In a controversial move, Caltrans resumed work at the site the following day before residents had time to review the DTSC report.

In June 1997 the Chester Street Block Association, a community organization active in the area where the vinyl chloride was discovered, filed an administrative complaint with the U.S. DOT. The complaint alleged that Caltrans had violated Title VI of the Civil Rights Act by failing to remediate toxic hazards threatening



The routing of the new freeway through industrial areas of West Oakland forced Caltrans to address hazardous waste concerns.

the health and safety of minority residents living adjacent to the site. This conflict remained unresolved for more than two years. However, the parties reached a settlement in August 1999, when Caltrans agreed to abide by stringent cleanup standards in removing contaminated dirt from a park located opposite the toxic waste site. The agreement came after the U.S. representative, state assembly member, and Oakland city council member representing the district announced their support for the neighborhood's position.

Restoring the Link. In September 1998, nearly nine years after the massive Loma Prieta earthquake struck the Bay Area, the final sections of the Cypress Freeway reopened to traffic. The \$1.2 billion price tag for the 5.2-mile stretch of asphalt and concrete easily made it the most expensive strip of highway in California history.

Meanwhile, efforts are underway to transform the old Cypress corridor into an elegant, landscaped boulevard. Caltrans worked with West Oakland business and community representatives and city officials to plan the Mandela Parkway, which will be lined by nearly 1,000 trees and include 1920s-style street lamps, benches, fountains, bike and walking trails, and a Welcome-to-Oakland arch. The \$13 million cost for developing the greenbelt



The new Cypress Freeway alignment followed Southern Pacific railroad tracks.

surrounding the boulevard will come from state highway operations funds.

In 1998, the Mandela Artscape Project was created in the Cypress corridor. The environmental art project used recycled construction materials and native plants to transform a portion of the former freeway site into a sculpture garden. Caltrans donated time and materials to the project, which was intended as a first step toward reweaving West Oakland back into the fabric of the city.

Indeed, signs of a renaissance in West Oakland are already visible. Property values along Mandela Parkway have experienced sizable increases in recent years, due in part to the presence below the street of what represents the Bay Area's tightest mesh of underground data transmission lines. Some planners and developers are anticipating this will ultimately draw West Oakland into a technology triangle with Emeryville to the north and San Francisco to the west.

Use of Effective Environmental Justice Practices

The Cypress Freeway Replacement Project offers an example of a transportation agency that worked hard and, for the most part, effectively to address the needs and concerns of a low-income and minority community in the planning, design, and construction of an enormously complex and controversial project. Through the efforts of Caltrans and its partners, a 1¼-mile freeway segment that once drove a wedge through the heart of West Oakland was rerouted and the community of West Oakland was physically reunited. The project contains examples of some of the following effective practices:

- Responsiveness to Community Preferences.** In the aftermath of the Loma Prieta earthquake and the collapse of the Cypress Freeway, Caltrans faced enormous pressure to reconnect what represented a key highway link between the South Bay and the San Francisco Bay Bridge. Clearly, the least costly and most expedient solution would have been to reconstruct the Cypress using the freeway's existing right-of-way. Although Caltrans initially explored this possibility, the agency listened when the community of Oakland argued for an alternative route. The result was a more expensive and time-consuming project, but one that takes into account the impact of a major freeway project on a low-income and minority community.
- Highlighting of Neighborhood History and Culture.** In addition to selecting a new, less intrusive alignment for the Cypress Freeway, Caltrans worked with the Oakland community to mitigate the impact of the freeway and freeway construction on local residents and to ensure that the community benefited in meaningful ways from the project. For example, Caltrans excavated sites along the freeway right-of-way where artifacts belonging to former African-American railroad porters were uncovered. This material became part of a traveling exhibit on African-

Benefits from Environmental Justice in Decision Making

For the Community:

- The Cypress Freeway Replacement Project removed a physical barrier that had divided West Oakland for more than three decades. It reduced noise and emissions levels for thousands of West Oakland residents living adjacent to the former structure. It sets the stage for the economic renewal and revitalization of West Oakland.
- The new Mandela Parkway, which will be constructed in the Cypress corridor, will physically reconnect the sections of West Oakland formerly divided by the Cypress Freeway. This project, with its bike and pedestrian trails and green space, will improve the livability of West Oakland in addition to serving as an important local transportation corridor.
- Efforts underway to expand operations at the Port of Oakland will benefit from an interchange along the rerouted Cypress Freeway directly servicing the Port. The expansion of the Port is creating living wage job opportunities for Oakland residents. The interchange also reduces Port-related truck traffic on West Oakland residential streets.
- Local businesses were awarded over \$90 million in contracts during the construction of the Cypress Freeway. The project provided employment for more than 1,000 Oakland residents, although few of these

workers were from West Oakland. A local job training program funded by Caltrans to provide pre-apprentice training in construction continues to place graduates in construction jobs today.

For Caltrans:

- From the start, Caltrans had a strong interest in restoring what it perceived as a crucial link in the East Bay's freeway network. Not only was this accomplished, but the outcome is also far better than it would have been had environmental justice principles not been incorporated into the planning, design, and construction of the project. The impacts of the Cypress Freeway on the West Oakland community have been reduced, and plans for the Mandela Parkway are generating excitement and enthusiasm in West Oakland, rather than opposition.
- Caltrans gained important insights into the value of public involvement during this project. Its relationship with the West Oakland community reinforced the agency's appreciation of the benefits of partnering with a sophisticated and resourceful community. By the same token, the agency learned that decisionmaking processes that fail to satisfy all segments of the community may well impose additional time and costs on a project.

American labor history in West Oakland sponsored by Caltrans.

- **Provision of Multiple Economic Benefits for the Community.** The new alignment for the Cypress Freeway provides several economic benefits for West Oakland residents and businesses. Negotiations among CERT, Caltrans, and the Port of Oakland resulted in a direct off-ramp servicing the Port, which will facilitate Port expansion and create local job opportunities. Preservation of the Market Street off-ramp, an additional concession by Caltrans to West Oakland business and community groups, will maintain accessibility to local businesses.

- **Local and Minority Participation in Construction.** Caltrans also undertook steps to facilitate participation of local and minority workers and contractors in the construction phase of the project. An agreement between Caltrans and the City of Oakland identified goals for disadvantaged and local business participation in the project, and targets for employment of local residents, minorities, and women. The final report of an Independent Monitoring Team hired by Caltrans to monitor compliance with these goals indicates they were indeed met, even if certain groups were underrepresented in the project. In addition, Caltrans' financial support for the Cypress/Mandela Training Center helped produce



Caltrans financed the Cypress/Mandela Training Center to provide Oakland residents with skills necessary to participate in the freeway reconstruction project.

a program that has outlived the construction phase of the Cypress Freeway and continues to provide badly needed training opportunities for Oakland residents today.

- **Improvement of Community Livability.** Caltrans is working with the City of Oakland and Oakland community organizations to transform the old Cypress Freeway corridor into the



The Cypress Freeway reconstruction was completed in September 1998, reuniting the community of West Oakland.

Mandela Parkway. The landscaped boulevard promises to undo much of the damage caused by the routing of the original Cypress Freeway through West Oakland during the 1950s.

Challenges Ahead

Although the reconstruction of the Cypress Freeway is now complete, West Oakland will not be physically reunited until the Mandela Parkway is finished. Current plans call for a tree-lined boulevard with a trail down the center, parks, and public art. This new public space is expected to serve as a pedestrian friendly bridge between the two segments of West Oakland formerly separated by the Cypress Freeway. The City of Oakland, which will assume responsibility for the parkway once it is completed, will need to dedicate resources to maintaining park spaces and ensuring public safety so that it is perceived by pedestrians and cyclists as a safe and attractive area. In the meantime, Caltrans should work carefully with the City of Oakland and West Oakland residents and businesses to ensure that the project is carried out as planned and that disruptions to the West Oakland community during the construction phase are minimized to the extent possible.

Without question, the Cypress Freeway played a key role in Oakland's decline during the past several decades. However, the removal of the Cypress from the heart of West Oakland represents a necessary but insufficient condition for revitalizing this community. There is still much work to be done. Housing and commercial areas of West Oakland are in desperate need of improvement. In addition, with the flight of industry from the area, too few living wage jobs are available to meet the employment needs of local residents. Now that the Cypress has been removed, Oakland city officials, businesses, and community organizations will need to work together to develop solutions to these problems if West Oakland is to achieve its former status as a thriving, middle-class community.

“We changed the course of transportation in West Oakland forever by planning, organizing, demanding, and shepherding the rerouting of the Cypress Freeway ... Never before have so many benefited from the initiatives of a community-based group.”

— Paul Cobb
Citizens Emergency Relief Team (CERT)

Lessons Learned

- **Representatives of low-income and minority communities can be resourceful and effective partners.** All too often, transportation agencies view “the community” as a collection of individuals lacking the knowledge, training, and influence to play a substantive role in project planning, design, and implementation. In the case of the Cypress Freeway, such an outlook would have grossly underestimated the capacity of West Oakland community representatives involved with the Cypress Freeway Replacement Project. CERT in particular played a leading role in developing the plan to reroute the Cypress, and leaders of the organization met with White House, U.S. Department of Transportation, and California officials to lobby on behalf of the proposal. Additional recommendations put forth by CERT and other community organizations, such as the installation of an interchange servicing the Port of Oakland, helped ensure that the community benefited from the project in multiple ways.
- **Community representatives and transportation agencies may have different goals for transportation projects.** Caltrans viewed the Cypress Freeway Replacement Project principally as a transportation project. For residents of West Oakland, however, it was above all a community revitalization project. Effective working relationships between communities and transportation authorities do not require each group to adopt the other’s perspective on a particular project. What is required, however, is a healthy appreciation by all project partners of the interests and concerns of all stakeholders and a willingness to negotiate and build consensus.
- **Local hiring goals are achievable through effective performance agreements.** Large projects located in low-income and minority communities should provide significant employment opportunities for local residents. Cities that are genuinely committed to fostering such opportunities would do well to avoid combined employment goals and instead identify specific targets for local participation in agreements with transportation agencies.
- **Communities may not always speak with one voice.** The Cypress Freeway Replacement Project sparked controversy at times, which comes as no surprise given the enormity and complexity of the project. While disagreements are inevitable and perhaps even healthy in a project of this magnitude, the expensive and time-consuming litigation that Caltrans found itself confronting at various times during the course of this project was unfortunate. Caltrans made a good faith effort to involve West Oakland community representatives in the decisionmaking process. Its mistake, perhaps, was assuming that the members of CERT and other organizations that it partnered with spoke for the entire community of West Oakland. Clearly, they did not. In order to avoid a repeat of this situation in future projects, Caltrans and other agencies should make a special effort to engage community representatives from *all* neighborhoods that are impacted by a particular project and seek to resolve issues of concern through negotiation and compromise.

“The Cypress Replacement Project is more than the physical construction of a freeway; it is a prime example of concerned citizens working together with local government to improve and shape their community.”

— Caltrans
(from *The Cypress Freeway: The Link is Restored*)

References

Brett Jackson, “Replacing Oakland’s Cypress Freeway.” *Public Roads* (March/April 1998).

California Department of Health Services. 1993. *Alameda County Census Tracts 4018, 4019, 4020, 4021, 4022, 4025 combined. The Incidence of Invasive Cancer, Selected Anatomic Sites, 1987-1993.*

Children’s Hospital of Oakland. 1994. *Discharges by Zip by Age Group (Asthma)*, 1994 Datis Database.

Caltrans, *The Cypress Freeway: The Link is Restored* (1999).

Close-Out Report of the Independent Monitoring Team: Cypress Freeway Replacement Project (March 1999).

Federal Highway Administration, Office of Inspector General Audit Report, *Review of the Cypress Freeway Project, Oakland, California* (September 1998).

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