Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 8/2/2017 4:22:18 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]
CC: Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: RE: OAB/Port IP first read & today's call

Just now sent it again. My out box shows I sent it once at 7:29, pls let me know if you don't get the one I just now sent. I can run off hardcopies and bring them up.

From: Strauss, Alexis
Sent: Wednesday, August 02, 2017 9:19 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Richard,
If you forwarded something, the email has not yet arrived.
Alexis

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 8:07 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: OAB/Port IP first read & today's call

Alexis (cc Desean & Deldi)

I forwarded to you the investigative plan circulated by Ryan/DOT this morning as well as the agenda for today's call (10 am). Much to like in the Plan and shows much familiarity by Ryan with the situation. Two tactical considerations going into today's discussion:

Deliberative Process / Ex. 5

A closer read will no doubt surface more questions, but they might be more manageable in smaller group discussions.

Stickier issue: Resolving issue #2 above may go more smoothly if we can first sort out #1 above (ECRCO v. R9).

Richard

Appointment

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 8/2/2017 4:20:39 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]

Subject: FW: Oakland investigation next steps
Attachments: 2017-0213 Investigative Plan DRAFT 08.01.2017 .docx; Meeting Agenda 08.02.2017.docx
Location: DOCR Conference Room, W78-124 1200 New Jersey Ave SE

Start: 8/2/2017 5:00:00 PM
End: 8/2/2017 6:00:00 PM
Show Time As: Tentative

-----Original Appointment-----
From: ryan.fitzpatrick@dot.gov [mailto:ryan.fitzpatrick@dot.gov]
Sent: Thursday, July 27, 2017 6:24 AM
To: ryan.fitzpatrick@dot.gov; yvette.rivera@dot.gov; deeana.jang@dot.gov; howard.caro-lopez@dot.gov; marian.burroughs@dot.gov; daryl.hart@dot.gov; Rachel.Kizito-Ramos@dot.gov; Temple, Kurt; Dorka, Lilian; Farrell, Ericka; Johnson, Johahna; O'Lone, Mary; Grow, Richard; Daria.Neal@usdoj.gov; iris.goldschmidt@usdoj.gov
Cc: Keeler, Katsumi; Rhines, Dale; Garnett, Desean
Subject: Oakland investigation next steps
When: Wednesday, August 02, 2017 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: DOCR Conference Room, W78-124 1200 New Jersey Ave SE

Attached is a draft Investigative Plan that we have put together. We can discuss it, and particularly the "roles and responsibilities" portion of it, at today's meeting. I've also included a draft agenda. For those coming in person, please allow a short period of time to go through security. I'll be waiting in the main lobby to escort everyone upstairs. My cell Personal Matters / Ex. 6 case you don't see me.

Personal Matters / Ex. 6

Good morning all:

The purpose of this meeting is to discuss our next steps in the Oakland investigation, and to begin a discussion on our respective roles and responsibilities here. DOT is currently drafting an investigative plan that we hope to be ready to share at the meeting as well.

Ryan

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 4/5/2017 2:25:45 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]
CC: Jordan, Deborah [Jordan.Deborah@epa.gov]; Miller, Amy [Miller.Amy@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: Fw: WOEIP Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
Attachments: 2017-04-04 WOEIP Title VI Complaint Final Format.pdf

Deliberative Process / Ex. 5

Richard

From: Rikki Weber [mailto:rweber@earthjustice.org]
Sent: Tuesday, April 04, 2017 9:11 PM
To: Daria.neal@usdoj.gov; Title_VI_Complaints@epa.gov; Fitzpatrick, Ryan (OST)
Cc: Yana Garcia; Paul Cort; Adenike Adeyeye; Rikki Weber
Subject: Re-Serving WOEIP Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d

Counsel,

Please refer to this re-formatted copy of the previously served complaint.

Rikki Weber
Litigation Assistant
50 California Street, Suite 500
San Francisco, CA 94111
T: 415.217.2000
F: 415.217.2040

www.earthjustice.org

Earthjustice: Environmental Law: Because the Earth Needs a ...

www.earthjustice.org

Earthjustice is the premier nonprofit environmental law organization. We wield the power of law and the strength of partnership to protect people's health, to ...

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 8/2/2017 4:19:08 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: RE: OAB/Port IP first read & today's call

Richard,
If you forwarded something, the email has not yet arrived.
Alexis

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 8:07 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: OAB/Port IP first read & today's call

Alexis (cc Desean & Deldi)

I forwarded to you the investigative plan circulated by Ryan/DOT this morning as well as the agenda for today's call (10 am). Much to like in the Plan and shows much familiarity by Ryan with the situation. Two tactical considerations going into today's discussion:

Deliberative Process / Ex. 5

A closer read will no doubt surface more questions, but they might be more manageable in smaller group discussions.

Stickier issue: Resolving issue #2 above may go more smoothly if we can first sort out #1 above (ECRCO v. R9).

Richard

Message

From: Miller, Amy [Miller.Amy@epa.gov]
Sent: 4/20/2017 3:11:53 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Strauss, Alexis [Strauss.Alexis@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]
CC: Garnett, Desean [Garnett.Desean@epa.gov]; Adams, Elizabeth [Adams.Elizabeth@epa.gov]; Lakin, Matt [Lakin.Matthew@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Grow, Richard
Sent: Thursday, April 20, 2017 7:54 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 8/2/2017 3:07:15 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]
CC: Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: OAB/Port IP first read & today's call

Alexis (cc Desean & Deldi)

I forwarded to you the investigative plan circulated by Ryan/DOT this morning as well as the agenda for today's call (10 am). Much to like in the Plan and shows much familiarity by Ryan with the situation. Two tactical considerations going into today's discussion:

Deliberative Process / Ex. 5

A closer read will no doubt surface more questions, but they might be more manageable in smaller group discussions.

Stickier issue: Resolving issue #2 above may go more smoothly if we can first sort out #1 above (ECRCO v. R9).

Richard

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 12/6/2017 6:45:49 PM
To: Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]
Subject: For 12:15 call with ECRCO & DOT: West Oakland: draft language for III.B and C. (Deliberative/privileged)
Attachments: W.O.T6 III.B and C Rev 11_28_17 (003).docx

Call in number Conference Line/Code / Ex. 6

Meeting in Alexis' 19th floor conference room although her attendance is doubtful

---

From: Temple, Kurt
Sent: Wednesday, December 06, 2017 9:13 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: FW: West Oakland: draft language for III.B and C. (Deliberative/privileged)

From: Temple, Kurt
Sent: Tuesday, December 05, 2017 11:44 AM
To: 'ryan.fitzpatrick@dot.gov' <ryan.fitzpatrick@dot.gov>
Cc: McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>
Subject: West Oakland: draft language for III.B and C. (Deliberative/privileged)

Ryan: I am forwarding what I mentioned on our call this morning. This is for discussion and merits additional conversation between our agencies – same for the attached. Also, I've amended it a bit for clarity after discussing it with Richard. I will follow up with you ahead of our discussion tomorrow. Kurt

From Richard/EPA Region 9:

Attached is our current thinking on a mark-up of the draft resolution agreement for sections III.B & C. It is based on the four point approach Region 9 shared last week (included again below), but compressed into a couple of sentences. We could use the more detailed description if/when the City/Port ask us to elaborate, or in further iterations if the discussions proceed.

There are two additions we are considering and offer up for discussion:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Kurt T. Temple
Senior Advisor
External Civil Rights Compliance Office
EPA Office of General Counsel
1200 Pennsylvania Avenue, NW
Room 2524R
Washington, D.C. 20460
202-564-7299

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 4/20/2017 2:54:15 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]
CC: Miller, Amy [Miller.Amy@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Adams, Elizabeth [Adams.Elizabeth@epa.gov]; Lakin, Matt [Lakin.Matthew@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Message

From: Kermish, Laurie [Kermish.Laurie@epa.gov]
Sent: 7/24/2017 11:33:15 PM
To: Garnett, Desean [Garnett.Desean@epa.gov]
Subject: Title VI?

Saw this in today's "end of day". It's your Title VI matter, right?

KPIX (Ben Mitchell) [Received 7/22] – OPEN – Assignment editor says he is looking for information about an EPA/DOT investigation in response to a complaint filed by Earthjustice; says the case is about whether the City of Oakland and the Port of Oakland are doing enough to mitigate air pollution. Reached out to assignment editor to ask for more details. DDL: waiting to hear. AIR, Michele Huitric

Laurie Kermish
CWA Section Chief
Office of Regional Counsel (ORC-2)
U.S. EPA, Region 9
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3917
(415) 947-3570 (fax)
kermish.laurie@epa.gov

This email may contain deliberative, attorney-client, attorney work product or otherwise privileged material. Do not release under FOIA without appropriate review. If this email has been received by you in error, you are instructed to delete it from your machine and all storage media whether electronic or hard copy and call the sender at (415) 972-3917.

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 7/20/2017 1:20:21 AM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; LUEHE, DOUGLAS [luehe.douglas@epa.gov]
CC: Adams, Elizabeth [Adams.Elizabeth@epa.gov]; Lakin, Matt [Lakin.Matthew@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Maier, Brent [Maier.Brent@epa.gov]; Nazmi, Niloufar [Nazmi.Niloufar@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Miller, Amy [Miller.Amy@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]
Subject: SFGate story on West Oakland T6 complaint

Posted this aft:
http://www.sfgate.com/bayarea/article/Federal-investigators-probe-West-Oakland-11300510.php

Feds probe West Oakland development for racial bias on pollution

www.sfgate.com

Officials with the U.S. Department of Transportation and the Environmental Protection Agency have opened an investigation into whether the approval process behind an industrial development in West Oakland was racially discriminatory because of high levels of air pollution that are expected to seep into the surrounding community. The investigation will focus on whether the construction approvals — and the broader public participation process for developing the former Army base — discriminated against black, Latino and Asian American residents in violation of the federal Civil Rights Act, according to a letter sent Tuesday by the federal agencies to Mayor Libby Schaaf and Michael Colbruno, a port commissioner. "Even as the community was saying this isn't what we want and we don't want more truck traffic, the city was pursuing that avenue," said Adenike Adeyeye, a senior researcher and policy analyst at the law firm. Oakland officials have long known that air pollution and associated health problems

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 9/29/2017 6:37:58 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]
Subject: RE: Update: West Oakland Customs station process

Richard,
Thanks for these details. I will reach out to Dr. Pohlman next week.
Alexis

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Friday, September 29, 2017 11:24 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Israels, Ken <Israels.Ken@epa.gov>
Subject: Update: West Oakland Customs station process

Alexis - reporting my call with Lisa Quiveors of DHS EJ program.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

From: Quiveors, Lisa <Lisa.Quiveors@hq.dhs.gov>
Sent: Friday, September 29, 2017 11:00 AM
To: Grow, Richard
Subject: RE: West Oakland Customs station process

Dr. Teresa Pohlman
Executive Director, DHS Sustainability and Environmental Programs
Teresa.pohlman@hq.dhs.gov
202-821-9380

Lisa D. Quiveors
Sustainability and Environmental Program
Chief Readiness Support Office
(202)407-2951

From: Grow, Richard
Sent: Wednesday, September 27, 2017 1:20:09 PM
To: Quiveors, Lisa
Cc: Vance, Amy; Strauss, Alexis
Subject: West Oakland Customs station process

Lisa (copying Amy Vance)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Anything you can do to help our assurances not look ill-advised would be appreciated.

Thanks again

Richard Grow

US EPA

Region 9

(415) 947-4104

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 9/6/2017 8:57:58 PM
To: Temple, Kurt [Temple.Kurt@epa.gov]; McGhee, Debra [mcghee.debra@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]
Subject: Short list: West Oakland proposed "Issue list"
Attachments: R9 cmts on dft RA 9_5-2017.pdf

Following up on today's discussion, below is a short list we came up with a few weeks back. Attached are our comments yesterday describing our concerns with providing an overly detailed proposal to the recipients at this stage in the discussions.

Richard

From: Grow, Richard
Sent: Thursday, August 10, 2017 11:09 AM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>
Subject: West Oakland proposed "Issue list"

Kurt

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard
Office: (415) 947-4104

Personal Matters / Ex. 6

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 9/6/2017 3:20:41 PM
To: McGhee, Debra [mcghee.debra@epa.gov]
CC: Temple, Kurt [Temple.Kurt@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Strauss, Alexis [Strauss.Alexis@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]
Subject: RE: Regional comments on the Draft Resolution

It would be just Desean and myself from R9. I'm good (with a bit of notice) anytime before 2 your time, 3-4 your time and 4:30 – 6:30 your time. Not sure what's on Desean's calendar.

From: McGhee, Debra
Sent: Wednesday, September 06, 2017 8:13 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Temple, Kurt <Temple.Kurt@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>
Subject: Regional comments on the Draft Resolution

Hello, all. Kurt and I have been reading through and discussing your suggestions vis-à-vis the draft resolution agreement for the Port and City of Oakland. We'd like to have an informal conversation with later today, if possible, as we have a few follow up questions.

Would there be a time today that you might be available for such a discussion? Probably 30 to 45 minutes are needed. We'd be very appreciative. Thank you.

Debra E. McGhee
Team Lead
External Civil Rights Compliance Office
Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." *~~ Martin Luther King, Jr. , 18th April, 1959*

Message

From: McGhee, Debra [mcghee.debra@epa.gov]
Sent: 9/6/2017 3:12:51 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Temple, Kurt [Temple.Kurt@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Strauss, Alexis [Strauss.Alexis@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]
Subject: Regional comments on the Draft Resolution

Hello, all. Kurt and I have been reading through and discussing your suggestions vis-à-vis the draft resolution agreement for the Port and City of Oakland. We'd like to have an informal conversation with later today, if possible, as we have a few follow up questions.

Would there be a time today that you might be available for such a discussion? Probably 30 to 45 minutes are needed. We'd be very appreciative. Thank you.

Debra E. McGhee
Team Lead
External Civil Rights Compliance Office
Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." *~~ Martin Luther King, Jr. , 18th April, 1959*

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 8/16/2017 9:55:10 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]
Subject: RE:

Good option -

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 16, 2017 2:43 PM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE:

Deliberative Process / Ex. 5

From: Strauss, Alexis
Sent: Wednesday, August 16, 2017 2:16 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject:

Deliberative Process / Ex. 5

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Dorka, Lilian
Sent: Wednesday, August 16, 2017 2:13 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>;

Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Ah ok, I see your point. Yes, let's talk about strategy and what makes most sense here. I will talk to the EPA team tomorrow to see when we can commit to sharing a draft Resolution Agreement framework with you.

Glad the 31st works. September 1st works for me too. We need to schedule it for the afternoon so that region 9 can participate. Thanks!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 3:23 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

And yes, 08/31 does work, I confused her e-mail. I'll see if I can get that scheduled

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 3:15 PM
To: 'Dorka, Lilian' <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Deliberative Process / Ex. 5

Just a thought, we can discuss strategy for this once we get going with a framework.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Wednesday, August 16, 2017 1:43 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Deliberative Process / Ex. 5

Thanks again!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 8:53 AM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

I reached out to them. Its early there. I'll get on the phone with Michele later and see if you can hammer this out.

Deliberative Process / Ex. 5

That's my thinking on this, and how it could work and we could get the resolution process going swiftly and meaningfully.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Rivera, Yvette (OST)
Sent: Wednesday, August 16, 2017 8:37 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Let's try that. Thank you for coordinating.

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 8:36 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

It doesn't look like we have much of a choice. I can tell Michele at the Port that if they can't come next Wednesday the 23rd, then it will have to wait until after Labor Day. Maybe they'll choose to eschew the City and come the 23rd, or maybe the City will change its schedule.

That said, given that we don't have a proposed pre-resolution framework put together yet, if we do it after Labor Day, we may be able to finish it and present it to them then and use it as a topic for discussion, which they can then present to their boards.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Tuesday, August 15, 2017 10:11 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: Re: Meeting Week of 8/28/17?

Hi folks I am out Friday the 8th. May need to leave a little early on the 7th. Please keep in mind we will need to allow for region 9 participation by phone so will need to meet after 12 pm.

Finally, I am wondering if week of 9/4 is too late for recipients given they need to prepare for board meeting which is 2 weeks later? Thanks so much for coordinating!

Sent from my iPhone

On Aug 15, 2017, at 4:52 PM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

> I can see what their schedule looks like the week after. Its Labor Day that Monday, September 4, but maybe after.
>
> **Ryan N. Fitzpatrick, Esq.**
> Lead Civil Rights Analyst
> Departmental Office of Civil Rights
> Office of the Secretary
> U.S. Department of Transportation
> (202) 366-1583
>
> **From:** Fitzpatrick, Ryan (OST)
> **Sent:** Tuesday, August 15, 2017 3:57 PM
> **To:** 'Rhines, Dale'; Rivera, Yvette (OST); Dorka, Lilian
> **Subject:** RE: Meeting Week of 8/28/17?
>
> Yes. But we'll need to push this back
>
> **Ryan N. Fitzpatrick, Esq.**
> Lead Civil Rights Analyst
> Departmental Office of Civil Rights
> Office of the Secretary
> U.S. Department of Transportation
> (202) 366-1583
>
> **From:** Rhines, Dale [mailto:rhines.dale@epa.gov]
> **Sent:** Tuesday, August 15, 2017 3:56 PM
> **To:** Rivera, Yvette (OST); Fitzpatrick, Ryan (OST); Dorka, Lilian
> **Subject:** RE: Meeting Week of 8/28/17?
>
> Just to clarify, we are talking about August 31 or September 1 at this pont,correct?
>
> **From:** Rivera, Yvette (OST) [mailto:yvette.rivera@dot.gov]
> **Sent:** Tuesday, August 15, 2017 3:51 PM
> **To:** Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
> **Subject:** RE: Meeting Week of 8/28/17?

Next Thursday or Friday does not work. I will be out on training.
<image001.png>

From: Fitzpatrick, Ryan (OST)
Sent: Tuesday, August 15, 2017 3:40 PM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian (Dorka.Lilian@epa.gov) <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: FW: Meeting Week of 8/28/17?

This is going to be a big meeting. Can you let me know your availabilities for this week?

For our team, only Thursday (and potentially Friday) will work. We are all participating in a DOJ training Monday through Wednesday that week, as a team.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 3:35 PM
To: Fitzpatrick, Ryan (OST)
Cc: Michele Heffes
Subject: Meeting Week of 8/28/17?

Ryan: Thanks. I just left you a voice mail message. Good news. The City of Oakland team can actually be available for the meeting as well, but we were hoping to schedule it for the week of 8/28/17 instead of 8/23/17. Sorry for the multiple scheduling emails, but can you let me know what days the week of 8/28/17 work for you, Lilian Dorka, and Charles James? Thanks very much. Michele

Michele Heffes
Assistant Port Attorney
Port Attorney's Office
530 Water Street
Oakland, CA 94607
Phone: (510) 627-1348
mheffes@portoakland.com

ATTORNEY-CLIENT PRIVILEGED

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Tuesday, August 15, 2017 9:36 AM
To: Michele Heffes <mheffes@portoakland.com>
Subject: RE: Next Wednesday

We're still working on where to meet. It'll either be here or at EPA HQ. They are pretty close to each other.

DOT is located at:

1200 New Jersey Avenue SE
Washington, DC 20590

EPA is located at:

1200 Pennsylvania Avenue
Washington, DC 20460

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 11:55 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: Re: Next Wednesday

Hi Ryan-thanks. I'll get back to you shortly about a proposed time. Will we be meeting in your office? Can you please send me the address? We look forward to seeing you soon. Thanks. Michele

Michele Heffes
Assistant Port Attorney
(510) 627-1348

On Aug 15, 2017, at 6:28 AM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

> Hey Michele:
>
> Next Wednesday, August 23, will work well. Just working on the times that will work for everyone and we'll get it set up.
>
> Ryan
>
> **Ryan N. Fitzpatrick, Esq.**
> Lead Civil Rights Analyst
> Departmental Office of Civil Rights
> Office of the Secretary
> U.S. Department of Transportation
> W78-312
> (202) 366-1979

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 8/16/2017 9:43:08 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]
Subject: RE:

Deliberative Process / Ex. 5

From: Strauss, Alexis
Sent: Wednesday, August 16, 2017 2:16 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject:

Deliberative Process / Ex. 5

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Dorka, Lilian
Sent: Wednesday, August 16, 2017 2:13 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Ah ok, I see your point. Yes, let's talk about strategy and what makes most sense here. I will talk to the EPA team tomorrow to see when we can commit to sharing a draft Resolution Agreement framework with you.

Glad the 31st works. September 1st works for me too. We need to schedule it for the afternoon so that region 9 can participate. Thanks!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 3:23 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST)

<yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

And yes, 08/31 does work, I confused her e-mail. I'll see if I can get that scheduled

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 3:15 PM
To: 'Dorka, Lilian' <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Our language needs more fleshing out, and we need to go over it here, but we'll have some language ready to incorporate

Deliberative Process / Ex. 5

Just a thought, we can discuss strategy for this once we get going with a framework.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Wednesday, August 16, 2017 1:43 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST)

<yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Deliberative Process / Ex. 5

Thanks again!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 8:53 AM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

I reached out to them. Its early there. I'll get on the phone with Michele later and see if you can hammer this out.

Deliberative Process / Ex. 5

That's my thinking on this, and how it could work and we could get the resolution process going swiftly and meaningfully.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst

Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Rivera, Yvette (OST)
Sent: Wednesday, August 16, 2017 8:37 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Let's try that. Thank you for coordinating.

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 8:36 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

It doesn't look like we have much of a choice. I can tell Michele at the Port that if they can't come next Wednesday the 23rd, then it will have to wait until after Labor Day. Maybe they'll choose to eschew the City and come the 23rd, or maybe the City will change its schedule.

That said, given that we don't have a proposed pre-resolution framework put together yet, if we do it after Labor Day, we may be able to finish it and present it to them then and use it as a topic for discussion, which they can then present to their boards.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Tuesday, August 15, 2017 10:11 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: Re: Meeting Week of 8/28/17?

Hi folks I am out Friday the 8th. May need to leave a little early on the 7th. Please keep in mind we will need to allow for region 9 participation by phone so will need to meet after 12 pm.

Finally, I am wondering if week of 9/4 is too late for recipients given they need to prepare for board meeting which is 2 weeks later? Thanks so much for coordinating!

Sent from my iPhone

On Aug 15, 2017, at 4:52 PM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

I can see what their schedule looks like the week after. Its Labor Day that Monday, September 4, but maybe after.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Fitzpatrick, Ryan (OST)
Sent: Tuesday, August 15, 2017 3:57 PM
To: 'Rhines, Dale'; Rivera, Yvette (OST); Dorka, Lilian
Subject: RE: Meeting Week of 8/28/17?

Yes. But we'll need to push this back

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Rhines, Dale [mailto:rhines.dale@epa.gov]
Sent: Tuesday, August 15, 2017 3:56 PM
To: Rivera, Yvette (OST); Fitzpatrick, Ryan (OST); Dorka, Lilian
Subject: RE: Meeting Week of 8/28/17?

Just to clarify, we are talking about August 31 or September 1 at this pont,correct?

From: Rivera, Yvette (OST) [mailto:yvette.rivera@dot.gov]
Sent: Tuesday, August 15, 2017 3:51 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Next Thursday or Friday does not work. I will be out on training.
<image001.png>

From: Fitzpatrick, Ryan (OST)
Sent: Tuesday, August 15, 2017 3:40 PM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian (Dorka.Lilian@epa.gov) <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: FW: Meeting Week of 8/28/17?

This is going to be a big meeting. Can you let me know your availabilities for this week?

For our team, only Thursday (and potentially Friday) will work. We are all participating in a DOJ training Monday through Wednesday that week, as a team.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst

Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 3:35 PM
To: Fitzpatrick, Ryan (OST)
Cc: Michele Heffes
Subject: Meeting Week of 8/28/17?

Ryan: Thanks. I just left you a voice mail message. Good news. The City of Oakland team can actually be available for the meeting as well, but we were hoping to schedule it for the week of 8/28/17 instead of 8/23/17. Sorry for the multiple scheduling emails, but can you let me know what days the week of 8/28/17 work for you, Lilian Dorka, and Charles James? Thanks very much. Michele

Michele Heffes
Assistant Port Attorney
Port Attorney's Office
530 Water Street
Oakland, CA 94607
Phone: (510) 627-1348
mheffes@portoakland.com

ATTORNEY-CLIENT PRIVILEGED

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Tuesday, August 15, 2017 9:36 AM
To: Michele Heffes <mheffes@portoakland.com>
Subject: RE: Next Wednesday

We're still working on where to meet. It'll either be here or at EPA HQ. They are pretty close to each other.

DOT is located at:

1200 New Jersey Avenue SE
Washington, DC 20590

EPA is located at:

1200 Pennsylvania Avenue
Washington, DC 20460

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights

Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 11:55 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: Re: Next Wednesday

Hi Ryan-thanks. I'll get back to you shortly about a proposed time. Will we be meeting in your office? Can you please send me the address? We look forward to seeing you soon. Thanks. Michele

Michele Heffes
Assistant Port Attorney
(510) 627-1348

On Aug 15, 2017, at 6:28 AM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

> Hey Michele:
>
> Next Wednesday, August 23, will work well. Just working on the times that will work for everyone and we'll get it set up.
>
> Ryan
>
> **Ryan N. Fitzpatrick, Esq.**
> Lead Civil Rights Analyst
> Departmental Office of Civil Rights
> Office of the Secretary
> U.S. Department of Transportation
> W78-312
> (202) 366-1979

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 8/16/2017 9:16:27 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]

Deliberative Process / Ex. 5

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Dorka, Lilian
Sent: Wednesday, August 16, 2017 2:13 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Ah ok, I see your point. Yes, let's talk about strategy and what makes most sense here. I will talk to the EPA team tomorrow to see when we can commit to sharing a draft Resolution Agreement framework with you.

Glad the 31st works. September 1st works for me too. We need to schedule it for the afternoon so that region 9 can participate. Thanks!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 3:23 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

And yes, 08/31 does work, I confused her e-mail. I'll see if I can get that scheduled

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 3:15 PM
To: 'Dorka, Lilian' <Dorka.Lilian@epa.gov>

Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Our language needs more fleshing out, and we need to go over it here, but we'll have some language ready to incorporate when the framework is ready.

Deliberative Process / Ex. 5

Just a thought, we can discuss strategy for this once we get going with a framework.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Wednesday, August 16, 2017 1:43 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks again!

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 16, 2017 8:53 AM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

I reached out to them. Its early there. I'll get on the phone with Michele later and see if you can hammer this out.

Deliberative Process / Ex. 5

That's my thinking on this, and how it could work and we could get the resolution process going swiftly and meaningfully.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Rivera, Yvette (OST)
Sent: Wednesday, August 16, 2017 8:37 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Let's try that. Thank you for coordinating.

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, August 16, 2017 8:36 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>

Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

It doesn't look like we have much of a choice. I can tell Michele at the Port that if they can't come next Wednesday the 23rd, then it will have to wait until after Labor Day. Maybe they'll choose to eschew the City and come the 23rd, or maybe the City will change its schedule.

That said, given that we don't have a proposed pre-resolution framework put together yet, if we do it after Labor Day, we may be able to finish it and present it to them then and use it as a topic for discussion, which they can then present to their boards.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Tuesday, August 15, 2017 10:11 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: Re: Meeting Week of 8/28/17?

Hi folks I am out Friday the 8th. May need to leave a little early on the 7th. Please keep in mind we will need to allow for region 9 participation by phone so will need to meet after 12 pm.

Finally, I am wondering if week of 9/4 is too late for recipients given they need to prepare for board meeting which is 2 weeks later? Thanks so much for coordinating!

Sent from my iPhone

On Aug 15, 2017, at 4:52 PM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

> I can see what their schedule looks like the week after. Its Labor Day that Monday, September 4, but maybe after.
>
> **Ryan N. Fitzpatrick, Esq.**
> Lead Civil Rights Analyst
> Departmental Office of Civil Rights
> Office of the Secretary
> U.S. Department of Transportation
> (202) 366-1583
>
> ---
>
> **From:** Fitzpatrick, Ryan (OST)
> **Sent:** Tuesday, August 15, 2017 3:57 PM
> **To:** 'Rhines, Dale'; Rivera, Yvette (OST); Dorka, Lilian
> **Subject:** RE: Meeting Week of 8/28/17?
>
> Yes. But we'll need to push this back
>
> **Ryan N. Fitzpatrick, Esq.**

Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Rhines, Dale [mailto:rhines.dale@epa.gov]
Sent: Tuesday, August 15, 2017 3:56 PM
To: Rivera, Yvette (OST); Fitzpatrick, Ryan (OST); Dorka, Lilian
Subject: RE: Meeting Week of 8/28/17?

Just to clarify, we are talking about August 31 or September 1 at this pont,correct?

From: Rivera, Yvette (OST) [mailto:yvette.rivera@dot.gov]
Sent: Tuesday, August 15, 2017 3:51 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: RE: Meeting Week of 8/28/17?

Next Thursday or Friday does not work. I will be out on training.
<image001.png>

From: Fitzpatrick, Ryan (OST)
Sent: Tuesday, August 15, 2017 3:40 PM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian (Dorka.Lilian@epa.gov) <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: FW: Meeting Week of 8/28/17?

This is going to be a big meeting. Can you let me know your availabilities for this week?

For our team, only Thursday (and potentially Friday) will work. We are all participating in a DOJ training Monday through Wednesday that week, as a team.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 3:35 PM
To: Fitzpatrick, Ryan (OST)
Cc: Michele Heffes
Subject: Meeting Week of 8/28/17?

Ryan: Thanks. I just left you a voice mail message. Good news. The City of Oakland team can actually be available for the meeting as well, but we were hoping to schedule it for the week of 8/28/17 instead of 8/23/17. Sorry for the multiple scheduling emails, but can you let me know what days the week of 8/28/17 work for you, Lilian Dorka, and Charles James? Thanks very much. Michele

Michele Heffes
Assistant Port Attorney

Port Attorney's Office
530 Water Street
Oakland, CA 94607
Phone: (510) 627-1348
mheffes@portoakland.com

ATTORNEY-CLIENT PRIVILEGED

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Tuesday, August 15, 2017 9:36 AM
To: Michele Heffes <mheffes@portoakland.com>
Subject: RE: Next Wednesday

We're still working on where to meet. It'll either be here or at EPA HQ. They are pretty close to each other.

DOT is located at:

1200 New Jersey Avenue SE
Washington, DC 20590

EPA is located at:

1200 Pennsylvania Avenue
Washington, DC 20460

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Tuesday, August 15, 2017 11:55 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: Re: Next Wednesday

Hi Ryan-thanks. I'll get back to you shortly about a proposed time. Will we be meeting in your office? Can you please send me the address? We look forward to seeing you soon. Thanks. Michele

Michele Heffes
Assistant Port Attorney
(510) 627-1348

On Aug 15, 2017, at 6:28 AM, Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov> wrote:

Hey Michele:

Next Wednesday, August 23, will work well. Just working on the times that will work for everyone and we'll get it set up.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 11/2/2017 3:41:10 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]
Subject: FW: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

---

From: Port of Oakland [mailto:portofoakland@public.govdelivery.com]
Sent: Thursday, November 2, 2017 8:04 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

PORT OF OAKLAND

90 YEARS OF PUBLIC SERVICE
FEBRUARY 12, 1927–FEBRUARY 12, 2017

PRESS RELEASE

FOR IMMEDIATE RELEASE

City, Port of Oakland work with neighbors to get trucks on track

New plan due in 2018 would address trucking in West Oakland

Oakland, Calif. – Nov. 2, 2017: City and Port of Oakland officials are meeting with neighbors to hear concerns about big rig traffic on streets in West Oakland. The agencies say they anticipate a new West Oakland Truck Management Plan by the fall of 2018 that will address trucking problems in the area. The goal: steer heavy truck traffic away from West Oakland residences bordering the Port.

"This will be a plan that relies on community input to address truck circulation and parking," said Patricia McGowan, Senior Planner for the City of Oakland Planning and Building Department. "We want trucks to be less disruptive by controlling where they drive and park."

Officials spoke last month at the first of five community workshops in West Oakland to be conducted by the City and Port. About 100 people attended to provide their views on diesel-powered semis hauling cargo containers near their homes and businesses. Among the concerns:

- Safety;
- Lack of truck route signs;
- Diesel exhaust; and
- Big rigs parked overnight in residential neighborhoods.

About 3,000 trucks daily transport containers in Oakland, said Richard Sinkoff, the Port's Environmental Programs and Planning Director. Most of that traffic sticks to Port roads or nearby

freeways, he said. But truckers in search of fuel, food or repairs, sometimes detour through nearby West Oakland.

The City designated truck routes around the area in 2005, said Ms. McGowan. But not every driver stays on track, she pointed out. The new plan will specify where trucks can drive and park. It will also strengthen enforcement of truck restrictions.

The City and Port are conducting workshops to find out what else needs to be in the plan. "That's why we are holding the public meetings and encouraging public input," said Ms. McGowan. "We want the community to come together with the City and the Port to develop a plan that addresses their concerns."

The City and Port said they are already taking steps to steer freight-haulers away from residential neighborhoods. Truck service centers are planned at the Port and at an adjacent City development so that drivers won't have to venture into West Oakland for fuel, food and other services. Overnight truck parking spaces are being added, too.

About the Port of Oakland

The Port of Oakland oversees the Oakland seaport, Oakland International Airport, and 20 miles of waterfront including Jack London Square. Together with its business partners, the Port supports more than 73,000 jobs in the region and nearly 827,000 jobs across the United States. Connect with the Port of Oakland and Oakland International Airport through Facebook, or with the Port on Twitter, YouTube, and at www.portofoakland.com.

Media Contacts:
Mike Zampa
Communications Director
Port of Oakland
(510) 627-1565
mzampa@portoakland.com

Marilyn Sandifur
Port Spokesperson
Port of Oakland
(510) 627-1193
msandifur@portoakland.com

###

Questions? Contact Us

STAY CONNECTED:

SUBSCRIBER SERVICES: Manage Preferences | Unsubscribe | Help

This email was sent to strauss.alexis@epa.gov, on behalf of Port of Oakland · 530 Water Street · Oakland, CA 94607 · 510-627-1100

WEST OAKLAND ENVIRONMENTAL INDICATORS PROJECT

To: Richard Sinkoff, Port of Oakland
Scott McCreary, Concur

Jan. 08, 2018

Criteria for Community Participation in the 2018 Port of Oakland update of the Maritime Air Quality Improvement Plan

- The process is open and public. All stakeholder contributions are gathered, aggregated by the facilitators, and published as public documents, accompanied by the Port's responses.
- At least one member of WOEIP and one other informed community leader sits as Co-Chair of the Task Force. Among the duties of the co-chairs are approval of stakeholders, plan scope, agendas, notes, outcomes and sign-off approval of the final plan.
- The facilitators lead a public review of the Viveka Chen study of the original MAQIP process, and the subsequent report, and the Port addresses the issues raised by the original participants.
- Regulatory agencies participate in the Task Force, including, USEPA, USDOT, CARB, BAAQMD, ACPHD.
- Agency and WOEIP recommendations for effective planning documents are acknowledged and incorporated into the plan update. Incorporation requires documented consideration, adoption and implementation of best available technologies, considering measures adopted at other ports and goods movement communities, and implementation of innovative technologies supported by public funding, clearly measurable outcomes, and defined future actions through and Action Plan with clear implementation and continuing assessment of progress.
- Funding support for resident participation. Including child care and language translation services if needed by participants. Community resident content experts should be paid for their consultation comparable to other staff and consultants to the project via direct stipends or vendor contracts.

Jan. 08, 2018

CONCUR
NEGOTIATING EFFECTIVE ENVIRONMENTAL AGREEMENTS

1832 2nd Street
Berkeley, CA 94710
Phone: (510) 649-8008
Fax: (510) 649-1980
scott@concurinc.net
www.concurinc.com

Project Description – Dec 15 Working Draft

Port of Oakland Maritime Air Quality Improvement Plan Update-Task Force

The Port plans to reconvene the Maritime Air Quality Task Force (Task Force) for its 2018 MAQIP Update. This will follow up on the Task Force work in 2007 and the November 2013 Progress Report Meeting. The Task Force will work closely with the Port of Oakland's staff and technical consultants to review the Ports' strategies, compliance success and progress to date, and to make recommendations on forward-looking strategies towards fulfillment of the 2020 MAQIP goals and beyond in light of the current regulatory setting.

The Task Force will be re-convened by the Environmental Programs & Planning Department of the Port of Oakland. Task Force meetings will be open to the public and will provide a structure for observers to submit comments. Meetings will be agenda-driven and the primary deliberations will be among the Task Force members. Facilitation will be provided by CONCUR Inc., a neutral non-partisan environmental mediation firm based in the East Bay.

Charge of the Task Force

The Task Force will be asked to develop recommendations to the Port Board of Commissioners on the project-level commitments to be made by the Port towards its 2020 energy goals. Like other steps in the MAQIP process, this is consistent with the approach of a consultative planning process. Comments and advice voiced by the Task Force will be documented and provided to the Board of Port Commissioners.

The Task Force will provide a forum to:

- Build shared knowledge of Port Maritime emissions and changes to the regional air quality setting since 2015;
- Inform participants on progress, strategies, compliance success and new technologies to support MAQIP Diesel Particulate Matter (DPM) and criteria air pollutants goals;
- Identify emissions reduction measures which are commercially available, feasible and cost effective;
- Discuss technology options, partnerships and grant funding opportunities and considerations in support of Year 2020 goals and beyond (i.e., to year 2030);

1832 2nd Street
Berkeley, CA 94710
Phone: (510) 649-8008
Fax: (510) 649-1980
scott@concurinc.net
www.concurinc.com

- Provide input to the Port on criteria and elements of the proposed Advanced Technology Program ("ATP") to promote State of California Year 2030 GHG reduction goals;

- Discuss and build support for recommended measures for consideration by the Board of Port Commissioners in early Summer 2018.

Impetus for the MAQIP Update Task Force

The MAQIP states that the Port will reconvene the MAQIP Task Force or a successor group "in about ten years, about two years before the 2020 planning horizon, for another review of progress, strategies, compliance success and new technologies." (11.3, p. 114)

Consistent with this guidance, the Port is reconvening the MAQIP Task Force to provide feedback on the Port's project-level commitments to identify emissions reduction measures and foster advanced technology to further DPM and GHG emissions reductions. The focus of stakeholder involvement at this stage is at the Master Plan level, to ensure that the design of specific programs is consistent with the planning guidance of the MAQIP.

Task Force Membership and Structure

The Task Force will meet in two or three half-day meetings in January - April 2018. Following the first meeting, it will be determined whether one or two additional meetings are needed. Meeting deliberations will be recorded in key outcomes memoranda and recommendations will be forwarded by Port staff to the Board of Port Commissioners.

Task Force membership will be the original MAQIP Task Force membership, and will include appropriate successors to the original members and any additional stakeholders as applicable. Members will represent: customers (maritime tenants and other maritime related businesses), government (regulatory, policymakers and interagency) and community (residential, environmental advocacy, local business and other special interest groups), and any additional stakeholders as applicable. The groups should represent a comprehensive stakeholder forum where the Port can effectively inform its community and engage with its multiple stakeholders on Port Maritime projects.

Criteria for Task Force Member Selection

The Task Force will be structured to include balanced representation of public agency, labor, business, neighborhood, and conservation interests.

1832 2nd Street
Berkeley, CA 94710
Phone: (510) 649-8008
Fax: (510) 649-1980
scott@concurinc.net
www.concurinc.com

Individual members of the Task Force will be recruited based on these attributes:

- Currently working in the Port of Oakland's Maritime Operations area or residing or working in West Oakland (defined geographically as the "3-freeway area" bounded by 880, 980 and 580). Individuals from non-profits, government agencies, businesses, churches, and private organizations that conduct their work in West Oakland but are not based in West Oakland will also be considered.
- Able to bring first-hand knowledge and perspective to bear on Port of Oakland Maritime Air Quality Planning.
- Able to consider local air quality near the Port of Oakland Maritime operations in the context of the broader regulatory framework and goods movement system.
- Willing to express fundamental interests (as opposed to fixed positions) and to clearly convey the interests of one or more stakeholder groups.
- Capable of working collaboratively, seeking to integrate the interests of a broad range of constituencies.
- Committed to completing all aspects of the charge of the Task Force
- Able to meet at mutually convenient times.

The MAQIP Update will be composed to achieve a diversity of stakeholder perspectives, expertise and direct experience related to the Port's maritime emissions.

Background

In March 2008, the Port of Oakland committed to achieving an 85% reduction in seaport-related diesel health risk by 2020 from a 2005 baseline. To support this goal, the Port developed the MAQIP through a comprehensive public stakeholder participation process led by Port staff with the assistance of CONCUR, Inc. a Berkeley-based consultancy skilled in facilitating complex environmental agreements and plans. The original MAQIP Task Force of 35 stakeholders represented community members, Port tenants, environmental advocacy groups, air quality and health agencies, and maritime-related businesses. The MAQIP planning process was consultative in nature. The MAQIP represents a twelve-year emissions reduction framework (from Year 2009 through the Year 2020) focused on improving public health in West Oakland.

A key tool to track implementation of the MAQIP is the seaport emissions inventory. As a baseline, the Port prepared a comprehensive inventory of pollutant emissions from Port-related ships, harbor craft, cargo-handling equipment, trucks and locomotives in 2005. As new emissions control technologies are introduced in response to regulations and other initiatives taken by the Port, Port business

1832 2nd Street
Berkeley, CA 94710
Phone: (510) 649-8008
Fax: (510) 649-1980
scott@concurinc.net
www.concurinc.com

partners, or other groups, the Port has tracked the resulting emissions reductions with respect to the MAQIP goals through quantitative updates to the baseline emissions inventory.

In 2013, the Port convened a MAQIP Progress Report Meeting to fulfill its commitment to report out on MAQIP implementation progress and to compare the results to the 2012 interim goals and to review likely progress toward the 2020 goals. In this meeting, we reported that we were meeting our air quality commitment, implementing projects, and making better-than-expected progress in achieving the MAQIP goals set in 2009. Key improvements were implemented via the Comprehensive Truck Management Program (CTMP), terminal improvements to create greater efficiency, and the Shore Power Program.

The 2015 Emissions Inventory Update indicated that the Port was on track to meet the clean air commitment the Port made in 2008. Total seaport Diesel Particulate Matter (DPM) emissions are down by -76% with cargo-handling equipment down by -82%, ocean going vessel emissions down by -75% and drayage truck emissions down by -98%. This progress is significant; however, there remains important work ahead to achieve the -85% goal.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 11/16/2017 4:51:58 PM
To: O'Lone, Mary [olone.mary@epa.gov]
Subject: FW: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week
Attachments: image001.gif; 2017-11-08 Letter to Port Board.pdf

FYI

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: Temple, Kurt
Sent: Monday, November 13, 2017 11:52 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>
Subject: Re: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Thanks for forwarding Richard. We had not seen this. We will take a look. Kurt

-----Original Message-----
From: Grow, Richard
Sent: Monday, November 13, 2017 2:13 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Lilian, Kurt

Deliberative Process / Ex. 5

Richard

_____
From: Adenike Adeyeye [aadeyeye@earthjustice.org]
Sent: Monday, November 13, 2017 10:52 AM
To: Grow, Richard; ryan.fitzpatrick@dot.gov; Title VI Complaints
Cc: pcort@earthjustice.org; Margaret Gordon; Brian Beveridge
Subject: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Dear Richard, Ryan, and Velveta –

Deliberative Process / Ex. 5

Please let me know if you have any questions about the letter or would like additional information.

Best,

Adenike

Adenike Adeyeye
Senior Research & Policy Analyst / Advocacy Representative
50 California Street, Suite 500
San Francisco, CA 94111

T: 415.217.2000
F: 415.217.2040
earthjustice.org<http://www.earthjustice.org/>

[Description: Description: Description: Description: Description: Description: Description: Description: Description: ej_logo_email_signature]

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 12/18/2017 5:56:50 PM
To: Reyes, Deldi [Reyes.Deldi@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: My edits: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
Attachments: 12.18.17 Draft Informal Resolution Agreement EPA DAGrev.docx

I built off of your comments and have attached my minor edits. I wasn't able to differentiate between Richard's edits/comments and Kurt's. As far as I can tell though, Richard's comments are there though.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: Reyes, Deldi
Sent: Monday, December 18, 2017 8:19 AM
To: Israels, Ken <Israels.Ken@epa.gov>
Cc: Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Re: My edits: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged

Same here Richard. Send it on.

Sent from my iPhone

> On Dec 18, 2017, at 8:16 AM, Israels, Ken <Israels.Ken@epa.gov> wrote:
>
> Hi -
>
> I was able to view your edits and am okay with sending this on.
>
> Ken
>
> -----Original Message-----
> From: Grow, Richard
> Sent: Monday, December 18, 2017 8:12 AM
> To: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
> Cc: Israels, Ken <Israels.Ken@epa.gov>
> Subject: My edits: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
> Desean, Ken & Deldi - attached are my edits to the document. Pls let me know if you are unable to see my comments, which for some reason I am unable to get to print out. Actually the reason is simple: ineptitude.
>
> Desean: I am still hoping (see note below) you can use this document to add any of yours and Deldi's comments. I'm still looking for direction from Alexis, but in lieu of that would like to get something back to Kurt this afternoon, under my own (email) "signature because I have a couple other editorial comments which don't belong in the document. Thanks
>
> Richard (working from home **Personal Matters / Ex. 6**
>
>
> _____
> From: Grow, Richard
> Sent: Monday, December 18, 2017 7:04 AM
> To: Garnett, Desean
> Cc: Reyes, Deldi
> Subject: Desean: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
> Desean - per note below Ken is OK with the doc. I will have maybe 6 brief edits. I hope to get those out within the hour and am hoping you can compile all our edits (knowing you will have some, and that I am not so good at compiling edits) into one edited document.
>
> Richard
> _____
> From: Israels, Ken

> Sent: Monday, December 18, 2017 3:33 AM
> To: Grow, Richard; Garnett, Desean; Reyes, Deldi
> Cc: Strauss, Alexis
> Subject: RE: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
> Richard -
>
> I've reviewed the draft document and have no comments (I agree with your positive assessment on the air quality provisions).
>
> Best,
>
> Ken
>
> -----Original Message-----
> From: Grow, Richard
> Sent: Sunday, December 17, 2017 10:15 PM
> To: Garnett, Desean <Garnett.Desean@epa.gov>; Israels, Ken <Israels.Ken@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
> Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>
> Subject: URGENT: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
> Team
>

Deliberative Process / Ex. 5

> _____
> From: Strauss, Alexis
> Sent: Sunday, December 17, 2017 1:04 PM
> To: Grow, Richard
> Cc: Israels, Ken; Garnett, Desean
> Subject: Fwd: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
> I'll recap my chat with HQ before we reply.
>
> Begin forwarded message:
>
> From: "Temple, Kurt" <Temple.Kurt@epa.gov<mailto:Temple.Kurt@epa.gov>>
> Date: December 17, 2017 at 12:56:53 PM PST
> To: "Grow, Richard" <Grow.Richard@epa.gov<mailto:Grow.Richard@epa.gov>>, "Garnett, Desean" <Garnett.Desean@epa.gov<mailto:Garnett.Desean@epa.gov>>, "Israels, Ken" <Israels.Ken@epa.gov<mailto:Israels.Ken@epa.gov>>, "O'Lone, Mary" <OLone.Mary@epa.gov<mailto:OLone.Mary@epa.gov>>
> Cc: "Dorka, Lilian" <Dorka.Lilian@epa.gov<mailto:Dorka.Lilian@epa.gov>>, "Rhines, Dale" <rhines.dale@epa.gov<mailto:rhines.dale@epa.gov>>, "Keeler, Katsumi" <Keeler.Katsumi@epa.gov<mailto:Keeler.Katsumi@epa.gov>>, "Strauss, Alexis" <Strauss.Alexis@epa.gov<mailto:Strauss.Alexis@epa.gov>>, "Redden, Kenneth" <Redden.Kenneth@epa.gov<mailto:Redden.Kenneth@epa.gov>>, "Rhodes, Julia" <Rhodes.Julia@epa.gov<mailto:Rhodes.Julia@epa.gov>>
> Subject: Oakland Draft Informal Resolution Agreement - Deliberative/privileged
>
>
> Hello: Attached is a draft Informal Resolution Agreement with suggested revisions to the recipients' draft in the Oakland matter. I am sending for Region 9 review and comment as well as to CRFLO concurrently given tight schedules next week for the upcoming holidays. If at all possible, it would be great to get this to DOT as early as we can this week. Thanks for your anticipated input and feedback.
>
>
> Kurt Temple
>

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 7/6/2017 8:09:26 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]
Subject: RE: Editorial suggestion for joint acceptance letter: Oakland T6 Complaint

Attorney Client / Ex. 5

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, July 06, 2017 1:09 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Editorial suggestion for joint acceptance letter: Oakland T6 Complaint

Yes please, as long as it fits grammatically.

From: Temple, Kurt
Sent: Thursday, July 06, 2017 1:07 PM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Editorial suggestion for joint acceptance letter: Oakland T6 Complaint

So are you saying I should use the Port language in yellow to replace the green language currently in use with the City? And make them both the same in that regard?

-----Original Message-----
From: Grow, Richard
Sent: Thursday, July 06, 2017 4:01 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Editorial suggestion for joint acceptance letter: Oakland T6 Complaint

Kurt

Deliberative Process / Ex. 5

Thanks again

Richard

-----Original Message-----
From: Temple, Kurt
Sent: Thursday, July 06, 2017 8:27 AM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Goerke, Ariadne <Goerke.Ariadne@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>
Subject: Oakland T6 Complaint

Good morning Yvette. We have attached for your reference and discussion draft EPA acceptance letters regarding the Oakland T6 matter. Please note that the drafts are EPA only at this time, but can be readily adapted to include DOT information if that's what is collectively determined. Please let me know if you have any questions and we look forward to further discussion with you.

Sincerely,

Kurt T. Temple
Senior Advisor
External Civil Rights Compliance Office
EPA Office of General Counsel
1200 Pennsylvania Avenue, NW
Room 2524B
Washington, D.C. 20460
202-564-7299

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/10/2017 4:47:14 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Corrected attachment: Pls review/revise: Draft W.O. "issue list" for ECRCO

Attorney Client / Ex. 5

Thanks
Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, August 10, 2017 8:03 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Corrected attachment: Pls review/revise: Draft W.O. "issue list" for ECRCO

Desean – I attached the wrong (overly messy) document before, here is the correct, slightly less messy, document. RG

From: Grow, Richard
Sent: Thursday, August 10, 2017 7:58 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Pls review/revise: Draft W.O. "issue list" for ECRCO

Desean

Deliberative Process / Ex. 5

Richard
7-4104

--- draft note to Kurt ---

Kurt

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Dorka, Lilian
Sent: Monday, August 07, 2017 2:29 PM
To: Grow, Richard <Grow.Richard@epa.gov>; ryan.fitzpatrick@dot.gov
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: West Oakland "backtrack" and other background

Deliberative Process / Ex. 5

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 9/27/2017 4:29:41 PM
To: Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Sign-in sheet for Oakland meeting

Hi Katsumi – yes, that is correct.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Keeler, Katsumi
Sent: Wednesday, September 27, 2017 9:25 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>
Subject: Sign-in sheet for Oakland meeting

Hi, Desean and Richard, I'll be sending out the sign-in sheet for yesterday's meeting with Oakland and the Port and wanted to be sure who was on the call on Region 9's end. Was it Alexis, Desean, and Richard only? Please let me know. Thanks.

<< OLE Object: Picture (Device Independent Bitmap) >>

Katsumi Keeler
Case Manager
Office of General Counsel
External Civil Rights Compliance Office
U.S. Environmental Protection Agency

Phone: 202-564-2347
Email: keeler.katsumi@epa.gov

1200 Pennsylvania Avenue, N.W.
Clinton Federal Building North
Room 2524, Mailcode 2310A
Washington, D.C. 20460

CONFIDENTIALITY NOTICE: This email may contain material that is confidential, privileged, or attorney work product for the sole use of the intended recipient. Any review, reliance, or distribution by other recipients without express permission is prohibited. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please contact the sender and delete all copies.

Please consider the environment before printing this email.

Appointment

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 9/21/2017 4:06:11 PM
To: McGhee, Debra [mcghee.debra@epa.gov]

Subject: Declined: FW: Preparation for September 26 Meeting with Oakland Port and City
Location: Conference Call//ECRCO Conference Room

Start: 9/22/2017 6:00:00 PM
End: 9/22/2017 7:00:00 PM
Show Time As: Busy

Sorry, I will be out of the office Friday.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 5/3/2017 12:40:06 AM
To: Magnuson, Janet [Magnuson.Janet@epa.gov]
Subject: FW: West Oakland Title VI complaint update

FYI

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Tuesday, May 02, 2017 5:14 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Re: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

From: Garnett, Desean
Sent: Tuesday, May 2, 2017 4:34 PM
To: Grow, Richard
Subject: RE: West Oakland Title VI complaint update

Do you know if Ryan is coming to the EPA office? Some of the ORC attorneys would like to chat with him to get a better sense of how DOT handles civil rights complaints compared to EPA.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, April 20, 2017 8:17 AM
To: Miller, Amy <Miller.Amy@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5 RG

From: Miller, Amy
Sent: Thursday, April 20, 2017 8:12 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Grow, Richard
Sent: Thursday, April 20, 2017 7:54 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 5/3/2017 12:39:43 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: West Oakland Title VI complaint update

Okay thanks. Janet and I are giving a presentation to the ORC attorneys on Civil Rights and wanted to hear his perspective on good discussion topics. Will stay tuned.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Tuesday, May 02, 2017 5:14 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Re: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

From: Garnett, Desean
Sent: Tuesday, May 2, 2017 4:34 PM
To: Grow, Richard
Subject: RE: West Oakland Title VI complaint update

Do you know if Ryan is coming to the EPA office? Some of the ORC attorneys would like to chat with him to get a better sense of how DOT handles civil rights complaints compared to EPA.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, April 20, 2017 8:17 AM
To: Miller, Amy <Miller.Amy@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

From: Miller, Amy
Sent: Thursday, April 20, 2017 8:12 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Grow, Richard
Sent: Thursday, April 20, 2017 7:54 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 5/2/2017 11:34:44 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: West Oakland Title VI complaint update

Do you know if Ryan is coming to the EPA office? Some of the ORC attorneys would like to chat with him to get a better sense of how DOT handles civil rights complaints compared to EPA.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, April 20, 2017 8:17 AM
To: Miller, Amy <Miller.Amy@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

From: Miller, Amy
Sent: Thursday, April 20, 2017 8:12 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Grow, Richard
Sent: Thursday, April 20, 2017 7:54 AM

To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 4/20/2017 3:46:05 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: West Oakland Title VI complaint update

Please let me know too when you get a chance. Thanks!

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Thursday, April 20, 2017 8:17 AM
To: Miller, Amy <Miller.Amy@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

From: Miller, Amy
Sent: Thursday, April 20, 2017 8:12 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: RE: West Oakland Title VI complaint update

Deliberative Process / Ex. 5

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Grow, Richard
Sent: Thursday, April 20, 2017 7:54 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>

Cc: Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>
Subject: West Oakland Title VI complaint update

All

Deliberative Process / Ex. 5

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, April 19, 2017 12:52 PM
To: David Vintze <dvintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: Anna Lee (anna.lee@acgov.org) <anna.lee@acgov.org>; Grow, Richard <Grow.Richard@epa.gov>; Cappio, Claudia <CCappio@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; Cole, Doug <DCole@oaklandnet.com>; Wald, Mark <MWald@oaklandcityattorney.org>; dbreen@baaqmd.gov
Subject: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Hello Dave and Elizabeth,

In follow up to my previous e-mails and phone conversations with you Dave about how to proceed on air quality plans for the City's portion of the Oakland Army Base, I would like to summarize and recommend a way of moving forward. The City's OAB team has been considering how to address the concerns that the quarterly Stakeholders meetings are not working for the WOEIP and for the air quality agencies. We acknowledge your concerns about developing operational plans after construction begins. However, there are multiple ways to comply with the mitigation requirements to achieve effective outcomes. The City believes there are opportunities to develop effective construction and operational air quality plans that will achieve our mutual goal of improving air quality at the former Oakland Army Base and in West Oakland. We would like to move forward with you in a cooperative and constructive manner to do that.

As you may know, a complaint was filed under Title VI of the Civil Rights Act of 1964 by Earth Justice on behalf of the West Oakland Environmental Indicators Project. The City will be working to resolve that complaint and will continue processing applications at the same time. Prologis has recently submitted a draft operational air quality plan for their warehouse which is currently under construction. We would like to review that draft plan with you, prior to releasing it for public review.

We recommend a staff-to-staff meeting to review, discuss, and improve this draft plan prior to the official review process outlined in the SCA/MMRP. The developer has used the two lists of recommended measures we received from BAAQMD and from CARB in developing the draft plan, as recommended by Cynthia Marvin of CARB at the meeting of December 13, 2016. Many of the items from these lists are included in their plan. Additionally, construction and operational air quality plans will soon be submitted for an 11-acre container storage yard which we would also like to review with you, striving to improve these plans prior to the public review process outlined in the SCA/MMRP.

We would like to invite you to three meetings to review these draft plans: the operational air quality plan for the Prologis warehouse, the construction AQ plan and the operational AQ plan for the container storage yard. Following each meeting, I will provide input to the developer, the plans revised or clarified by the developer, and then the public review process outlined in the SCA/MMRP would officially begin. These staff-to-staff meetings are in addition to the steps outlined in the SCA/MMRP and do not replace the public review process of the SCA/MMRP in any way. We are inviting the you two who represent the air quality agencies that authored the two lists; if staff of the EPA and Alameda Co. Public Health would like to attend, they are certainly welcome and are being copied on this e-mail. The developer will not attend these meetings. These are staff-to-staff working sessions.

Meeting location:	250 Frank H. Ogawa Plaza, Suite 3315, Oakland Planning Department offices.
Dates and times:	Tuesday, May 9, 11:00-12:30
	Thursday May 18, 1:30-3:00
	Tuesday May 30, 2:00-3:30

I will also send you an Outlook request for these meeting dates and times which will indicate which conference room, and I will e-mail the draft plan(s) to you about one week in advance of each meeting. Please let me know if you will be able to attend.

We look forward to working with you on this.

Best Regards,
Pat McGowan

Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com | Website: www.oaklandnet.com/planning

Appointment

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/9/2017 4:58:14 PM
To: Keeler, Katsumi [Keeler.Katsumi@epa.gov]

Subject: Accepted: Initial discussion with Earthjustice re Port of Oakland case
Location: DCRoomARN2528/DC-ARN-OCR-Rooms Conference Line/Code / Ex. 6

Start: 8/17/2017 7:00:00 PM
End: 8/17/2017 8:00:00 PM
Show Time As: Busy

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/8/2017 12:46:13 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: West Oakland "backtrack" and other background

Richard,

Per Lillian's request, my official title is "Attorney-Advisor"

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Dorka, Lilian
Sent: Monday, August 07, 2017 2:29 PM
To: Grow, Richard <Grow.Richard@epa.gov>; ryan.fitzpatrick@dot.gov
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: West Oakland "backtrack" and other background

Deliberative Process / Ex. 5

From: Grow, Richard
Sent: Monday, August 7, 2017 5:09 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; ryan.fitzpatrick@dot.gov
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: West Oakland "backtrack" and other background

All

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 12/8/2017 10:57:06 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: WOEIP/EarthJustice recommendations: Actions for Addressing West Oakland Title 6 Complaint

Thanks Richard. Btw I didn't know Paul was former ORC.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: Grow, Richard
Sent: Friday, December 08, 2017 2:37 PM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Israels, Ken <Israels.Ken@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; di@epa.gov; Buzzelle, Stanley <Buzzelle.Stanley@epa.gov>
Subject: WOEIP/EarthJustice recommendations: Actions for Addressing West Oakland Title 6 Complaint

Deliberative Process / Ex. 5

Richard

From: Paul Cort [pcort@earthjustice.org]
Sent: Friday, December 8, 2017 12:28 PM
To: ryan.fitzpatrick@dot.gov; Farrell, Ericka
Cc: Grow, Richard; Margaret Gordon; brian.woeip@gmail.com; Aadeyeye@earthjustice.org
Subject: Actions for Addressing West Oakland Title 6 Complaint

Ryan, Ericka:

Please find attached a letter outlining the community's recommendations for actions that should be required of the City and Port of Oakland as part of settling the ongoing Title VI investigation. To support the reasonableness of these recommendations, we have also compiled a set of background materials on activities in the freight sector and at other ports around California. Because of the size of these files, we have set up file sharing for you to access them here: https://earthjustice.sharefile.com/d-s75eb3f080494d188.

We look forward to talking with you soon.

--Paul

Paul Cort
Staff Attorney
Earthjustice California Office
50 California Street, Suite 500
San Francisco, CA 94111
T: 415.217.2077
F: 415.217.2040
earthjustice.org

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/25/2017 4:27:04 PM
To: McGhee, Debra [mcghee.debra@epa.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Oakland Case Team

Hi Debra,

Welcome! Richard Grow is the lead contact at Region 9 for the Oakland case. He works in the Air Division. I am his back-up and legal counsel assigned to this matter. Richard is very familiar with the issues in West Oakland so he would be a good source to go to if you have any questions.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: McGhee, Debra
Sent: Friday, August 25, 2017 9:22 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>
Subject: Oakland Case Team

Dear Colleagues at EPA and DOT--

I wanted to let you know that I will be taking over Ericka Farrell's role in processing the complaints filed against the City of Oakland and the Port of Oakland. This change is necessary because Ericka has accepted a professional development detail to another Office within the EPA. It sounds exciting, but I'll let Ericka provide more information on where she is going and what she'll be working on rather than trying to speak for her.

I have been included on most e-mails regarding this case, I think, but I still wanted to introduce myself and invite you to call me if it ever seems like a necessary or at least helpful next step. I am reading through the responses from the city and the port and I will be studying DOT's Investigative Plan as well. I received and reviewed the Region's summation of issues they judge appropriate for inclusion in any Resolution Agreement we draft.

A brief word about my background -- I spent a couple decades at HUD working on Fair Housing issues in headquarters and in the field and joined the EPA ECRCO in January of this year. I'm looking forward to digging into this case.

Sincerely,

Debra E. McGhee
Team Lead
External Civil Rights Compliance Office
Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." -- Martin Luther King, Jr. , 18th April, 1959

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/24/2017 9:24:38 PM
To: Reyes, Deldi [Reyes.Deldi@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Yes, sounds easy enough. I haven't checked with Alexis yet, but am considering making the recommendation to Lillian since that would allow more folks to participate.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Reyes, Deldi
Sent: Wednesday, August 23, 2017 3:07 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

It's certainly possible. Just follow the room request procedures for reserving a VTC room, then enlist support from EPAVTC to set up the call. No use trying to connect our EPA VTC to other non EPA sites, if for example, the city or port has the tech or if they want to skype. Not gonna get thru our firewall. So, they'd have to come to the city.

Terri Maldonado / Steven Jong can troubleshoot.

If it's just two locations Terri or Steve can do connect us themselves, just say it's for Alexis ;)

From: Grow, Richard
Sent: Wednesday, August 23, 2017 3:03 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Re: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

I think so but copying Deldi in case she has any thoughts on whether it's worth the effort (I've never done this, would require some serious tech sprt). RG

From: Garnett, Desean
Sent: Wednesday, August 23, 2017 1:13 PM
To: Grow, Richard
Subject: FW: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

For the folks from City of Oakland and the Port of Oakland that are unable to fly to D.C. for the meeting, should we offer to host a video conference at R9? So we can have more participation.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: Dorka, Lilian
Sent: Wednesday, August 23, 2017 11:39 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Thanks!

-----Original Message-----
From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 23, 2017 2:37 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Yes they are, we'll get an attendee list ahead of time too

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

-----Original Message-----
From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Wednesday, August 23, 2017 2:36 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Sounds great, thanks Ryan! So are the City and the Port both coming in person? I will work on locking in EPA calendars. Thanks again! Lily

Lilian Sotolongo Dorka, Esq.
Director, External Civil Rights Compliance Office EPA, Office of General Counsel
202-564-9649
WJC-N Room 2450

-----Original Message-----
From: ryan.fitzpatrick@dot.gov [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 23, 2017 2:19 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; yvette.rivera@dot.gov; Terence.Carlson@dot.gov; daryl.hart@dot.gov; deeana.jang@dot.gov
Subject: FW: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

We're confirmed for September 26th. I know EPA wants to host it. We can start planning the details going forward, including time and agenda.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

-----Original Message-----
From: Bee, Maria [mailto:MBee@oaklandcityattorney.org]
Sent: Wednesday, August 23, 2017 2:16 PM
To: Michele Heffes <mheffes@portoakland.com>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: atorrence@jenner.com; Stacey J. Sublett <SSublett@bdlaw.com>; David H. McCray <DMcCray@bdlaw.com>; Jacob P. Duginski <JDuginski@bdlaw.com>; jauslander bdlaw.com <jauslander@bdlaw.com>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Good morning,
The City is available on 9/26/17 - thanks for coordinating.

Maria

-----Original Message-----
From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Monday, August 21, 2017 12:13 PM
To: Fitzpatrick, Ryan (OST)
Cc: atorrence@jenner.com; Stacey J. Sublett; Bee, Maria; Spoerl, Peter; David H. McCray; Jacob P. Duginski; Bernstein, Erin; James M. Auslander; Michele Heffes
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Hi Ryan and City Team:

I thought I would start a new email chain for efficiency sake so there aren't two separate email strings. I sent two sets of emails to Ryan and the City team, respectively, proposing that the meeting in DC among DOT, EPA, the Port of Oakland, and the City of Oakland occur during the week of 9/25/17. September 26th works best for the Port team; there is a Port Board meeting on 9/28/17 so we would need to be back for that. The Port representatives who would be attending are Danny Wan (Port Attorney), Allison Torrence (Port's outside counsel at Jenner & Block), and myself.

Does 9/26/17 work for everyone? I was hoping we could lock in dates soon so that the City and Port representatives could start working on travel arrangements.

Please let me know. Thanks. Michele

Michele Heffes
Assistant Port Attorney
Port Attorney's Office

530 Water Street
Oakland, CA 94607
Phone: (510) 627-1348
mheffes@portoakland.com

ATTORNEY-CLIENT PRIVILEGED

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

This is a confidential attorney-client communication. This email contains confidential attorney-client privileged information and is for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and any attachments. [v1.3]

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/23/2017 8:13:24 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

For the folks from City of Oakland and the Port of Oakland that are unable to fly to D.C. for the meeting, should we offer to host a video conference at R9? So we can have more participation.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

-----Original Message-----
From: Dorka, Lilian
Sent: Wednesday, August 23, 2017 11:39 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Thanks!

-----Original Message-----
From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 23, 2017 2:37 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Yes they are, we'll get an attendee list ahead of time too

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

-----Original Message-----
From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Wednesday, August 23, 2017 2:36 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Carlson, Terence (OST) <Terence.Carlson@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Sounds great, thanks Ryan! So are the City and the Port both coming in person? I will work on locking in EPA calendars. Thanks again! Lily

Lilian Sotolongo Dorka, Esq.
Director, External Civil Rights Compliance Office EPA, Office of General Counsel
202-564-9649
WJC-N Room 2450

-----Original Message-----
From: ryan.fitzpatrick@dot.gov [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, August 23, 2017 2:19 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; yvette.rivera@dot.gov; Terence.Carlson@dot.gov; daryl.hart@dot.gov; deeana.jang@dot.gov
Subject: FW: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

We're confirmed for September 26th. I know EPA wants to host it. We can start planning the details going forward, including time and agenda.

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

-----Original Message-----
From: Bee, Maria [mailto:MBee@oaklandcityattorney.org]
Sent: Wednesday, August 23, 2017 2:16 PM
To: Michele Heffes <mheffes@portoakland.com>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: atorrence@jenner.com; Stacey J. Sublett <SSublett@bdlaw.com>; David H. McCray <DMcCray@bdlaw.com>; Jacob P. Duginski <JDuginski@bdlaw.com>; jauslander bdlaw.com <jauslander@bdlaw.com>
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Good morning,
The City is available on 9/26/17 - thanks for coordinating.

Maria

-----Original Message-----
From: Michele Heffes [mailto:mheffes@portoakland.com]
Sent: Monday, August 21, 2017 12:13 PM
To: Fitzpatrick, Ryan (OST)
Cc: atorrence@jenner.com; Stacey J. Sublett; Bee, Maria; Spoerl, Peter; David H. McCray; Jacob P. Duginski; Bernstein, Erin; James M. Auslander; Michele Heffes
Subject: RE: Title VI: Meeting Among DOT, EPA, Port of Oakland, and City of Oakland

Hi Ryan and City Team:

I thought I would start a new email chain for efficiency sake so there aren't two separate email strings. I sent two sets of emails to Ryan and the City team, respectively, proposing that the meeting in DC among DOT, EPA, the Port of Oakland, and the City of Oakland occur during the week of 9/25/17. September 26th works best for the Port team; there is a Port Board meeting on 9/28/17 so we would need to be back for that. The Port representatives who would be attending are Danny Wan (Port Attorney), Allison Torrence (Port's outside counsel at Jenner & Block), and myself.

Does 9/26/17 work for everyone? I was hoping we could lock in dates soon so that the City and Port representatives could start working on travel arrangements.

Please let me know. Thanks. Michele

Michele Heffes
Assistant Port Attorney
Port Attorney's Office
530 Water Street
Oakland, CA 94607
Phone: (510) 627-1348
mheffes@portoakland.com

ATTORNEY-CLIENT PRIVILEGED

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

This is a confidential attorney-client communication. This email contains confidential attorney-client privileged information and is for the sole use of the intended recipient(s). Any unauthorized review,

use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and any attachments. [v1.3]

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 4/10/2017 4:37:15 PM
To: Mogharabi, Nahal [MOGHARABI.NAHAL@EPA.GOV]
Subject: Title VI Complaint against City of Oakland/Port of Oakland
Attachments: 2017-04-04 WOEIP Title VI Complaint Final Format.pdf

Nahal,

Please see the attached Title VI complaint that was filed with DOT and EPA against the City of Oakland/Port of Oakland. Please let me know if you need any more information.

Desean

Desean Garnett
Attorney-Advisor
U.S. EPA Region 9
(415) 972-3046
garnett.desean@epa.gov

Notice: This email may contain privileged and/or confidential information and is intended only for the addressee. If you are not the addressee or the person responsible for delivering it to the addressee, you may not copy or distribute this communication to anyone else. If you have received this communication in error, please notify me immediately by telephone or return email and promptly delete the original message from your system. Thank you!

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 4/10/2017 4:35:12 PM
To: Lieben, Ivan [Lieben.Ivan@epa.gov]
CC: Kermish, Laurie [Kermish.Laurie@epa.gov]
Subject: RE: Title VI complaint?

No I hadn't yet. I'll send Nahal a copy. It's also posted on Earthjustice's website.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Lieben, Ivan
Sent: Monday, April 10, 2017 9:24 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>
Subject: FW: Title VI complaint?

DeSean, you probably saw this inquiry, but in case not, here it is. . .

Ivan Lieben
Section Chief
General Law and Cross-Cutting Issues Section
Office of Regional Counsel
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3914

This email, including attachments, may contain information that is confidential and/or protected by the attorney/client or other privileges.

From: Kermish, Laurie
Sent: Sunday, April 09, 2017 12:51 PM
To: Lieben, Ivan <Lieben.Ivan@epa.gov>; Busterud, Gretchen <Busterud.Gretchen@epa.gov>
Subject: Title VI complaint?

Assume you know about this?

Inside EPA (Curt Barry) [Received 4/7]--OPEN-- Reporter is looking for a copy of the Title VI complaint that was filed with the with the U.S. Department of Transportation, Environmental Protection Agency and Department of Justice against the Port of Oakland. DDL: 4/10. AIR, Nahal Mogharabi

Appointment

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/2/2017 4:22:29 PM
To: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]

Subject: Accepted: City and Port of Oakland complaint discussion
Location: Teleconference

Start: 8/7/2017 7:30:00 PM
End: 8/7/2017 8:30:00 PM
Show Time As: Busy

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 4/5/2017 5:22:54 PM
To: Lieben, Ivan [Lieben.Ivan@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]
Subject: FW: WOEIP Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
Attachments: 2017-04-04 WOEIP Title VI Complaint Final Format.pdf

A new Title VI case came in late last night. It relates to a Portland of Oakland expansion project at the Oakland Army Base. Region 9 was notified by a contact we have at Dept. of Transportation this morning. The complaint requests that DOT take the lead in the investigation since DOT has most consistently funded the City of Oakland and the Port in alleged discriminatory activities. I will keep you updated if I hear anything.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Wednesday, April 05, 2017 7:26 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Jordan, Deborah <Jordan.Deborah@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Fw: WOEIP Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d

FYI. Submitted late yesterday, came my way via DOT (Ryan). I expected something but nevertheless caught a bit by surprise and haven't read yet. It goes to DOT, EPA (Velveta) and DOJ. Ryan a bit unsettled but he and Amy (DHS) and I probably won't talk until tomorrow. Will keep you posted, likewise please if you hear anything from ECRCO. Thx

Richard

From: Rikki Weber [mailto:rweber@earthjustice.org]
Sent: Tuesday, April 04, 2017 9:11 PM
To: Daria.neal@usdoj.gov; Title_VI_Complaints@epa.gov; Fitzpatrick, Ryan (OST)
Cc: Yana Garcia; Paul Cort; Adenike Adeyeye; Rikki Weber
Subject: Re-Serving WOEIP Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d

Counsel,

Please refer to this re-formatted copy of the previously served complaint.

Rikki Weber
Litigation Assistant
50 California Street, Suite 500
San Francisco, CA 94111
T: 415.217.2000
F: 415.217.2040

www.earthjustice.org

Earthjustice: Environmental Law: Because the Earth Needs a ...

www.earthjustice.org

Earthjustice is the premier nonprofit environmental law organization. We wield the power of law and the strength of partnership to protect people's health, to ...

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 7/25/2017 12:19:57 AM
To: Kermish, Laurie [Kermish.Laurie@epa.gov]
Subject: RE: Title VI?
Attachments: REACTIVE DESK STATEMENT - Acceptance for Investigation - Oakland City a....docx

Yes, that's the one. Attached the desk statement in case Michele needs it.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Kermish, Laurie
Sent: Monday, July 24, 2017 4:33 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Subject: Title VI?

Saw this in today's "end of day". It's your Title VI matter, right?

KPIX (Ben Mitchell) [Received 7/22] – OPEN – Assignment editor says he is looking for information about an EPA/DOT investigation in response to a complaint filed by Earthjustice; says the case is about whether the City of Oakland and the Port of Oakland are doing enough to mitigate air pollution. Reached out to assignment editor to ask for more details. DDL: waiting to hear. AIR, Michele Huitric

Laurie Kermish
CWA Section Chief
Office of Regional Counsel (ORC-2)
U.S. EPA, Region 9
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3917
(415) 947-3570 (fax)
kermish.laurie@epa.gov

This email may contain deliberative, attorney-client, attorney work product or otherwise privileged material. Do not release under FOIA without appropriate review. If this email has been received by you in error, you are instructed to delete it from your machine and all storage media whether electronic or hard copy and call the sender at (415) 972-3917.

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 7/20/2017 1:31:16 AM
To: Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Lieben, Ivan [Lieben.Ivan@epa.gov]
Subject: RE: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)

SF Gate article posted this afternoon – http://www.sfgate.com/bayarea/article/Federal-investigators-probe-West-Oakland-11300510.php

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Garnett, Desean
Sent: Tuesday, July 18, 2017 4:08 PM
To: Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Lieben, Ivan <Lieben.Ivan@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>
Subject: FW: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Importance: High

FYI – acceptance letter for the West Oakland Title VI complaint filed by Earthjustice on behalf of the West Oakland Environmental Indicators Project. Also have attached an email with the desk statement.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Charles.james@dot.gov; Jang, Deeana (OST) <deeana.jang@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Harrison, Brenda <Harrison.Brenda@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Importance: High

Dear Mayor Schaaf and Mr. Colbruno:

I am writing on behalf of the U.S. Department of Transportation (DOT), Departmental Office of Civil Rights (DOCR), and the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office

(ECRCO), to notify you that, per the attached Letter of Acceptance, the agencies have accepted for investigation the above-referenced civil rights complaint. The attached Letter of Acceptance has also been mailed to you via certified mail. Please let us know if you have any questions.

Sincerely,

Lilian S. Dorka

Lilian Sotolongo Dorka, Esq.
Director, External Civil Rights Compliance Office
EPA, Office of General Counsel
202-564-9649
WJC-N Room 2450

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 7/18/2017 11:07:50 PM
To: Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Lieben, Ivan [Lieben.Ivan@epa.gov]
CC: Kermish, Laurie [Kermish.Laurie@epa.gov]
Subject: FW: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Attachments: Final Letter of Acceptance for Investigation - Oakland City and Port - RECIPIENTS - 7-18-2017.pdf; RE: Oakland T6 Complaint

Importance: High

FYI – acceptance letter for the West Oakland Title VI complaint filed by Earthjustice on behalf of the West Oakland Environmental Indicators Project. Also have attached an email with the desk statement.

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Charles.james@dot.gov; Jang, Deeana (OST) <deeana.jang@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Harrison, Brenda <Harrison.Brenda@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Importance: High

Dear Mayor Schaaf and Mr. Colbruno:

I am writing on behalf of the U.S. Department of Transportation (DOT), Departmental Office of Civil Rights (DOCR), and the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), to notify you that, per the attached Letter of Acceptance, the agencies have accepted for investigation the above-referenced civil rights complaint. The attached Letter of Acceptance has also been mailed to you via certified mail. Please let us know if you have any questions.

Sincerely,

Lilian S. Dorka

Lilian Sotolongo Dorka, Esq.
Director, External Civil Rights Compliance Office
EPA, Office of General Counsel
202-564-9649

U.S. Department of Transportation
Office of the Secretary of Transportation

U.S. Environmental Protection Agency
External Civil Rights Compliance Office
Office of General Counsel

July 18, 2017

The Honorable Libby Schaaf
Mayor, City of Oakland
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Michael Colbruno
President
Board of Port Commissioners
Port of Oakland
530 Water Street
Oakland, CA 94607

Re: Notification of Acceptance for Investigation of Administrative Complaint (DOT# 2017-0093, EPA File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland))

Dear Mayor Schaaf and Mr. Colbruno:

This is to notify you that the U.S. Department of Transportation (DOT), Departmental Office of Civil Rights (DOCR), and the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), have accepted for investigation the complaint filed by Earthjustice on behalf of West Oakland Environmental Indicators Project (Complainant) against the City of Oakland (City) and the Board of Port Commissioners and Port of Oakland (the Board and Port are collectively referred to as the Port). The complaint was received on April 5, 2017, and alleges violations of Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, including Title VI regulations administered by DOT (49 C.F.R Part 21) and EPA (40 C.F.R. Part 7).

Pursuant to DOT's and EPA's nondiscrimination regulations, DOCR and ECRCO conduct preliminary reviews of administrative complaints received for acceptance, rejection, or referral to the appropriate agency. *See* 49 C.F.R. § 21.11(c) and 40 C.F.R. § 7.120(d)(1). Complaints must meet the Agencies' jurisdictional requirements to be accepted for investigation. *See* 49 C.F.R. § 21.11(c) and 40 C.F.R. §§ 7.15 and 7.120(b). After careful consideration, DOCR and ECRCO

have determined that the complaint meets the jurisdictional requirements of both Agencies, and therefore the complaint will be jointly investigated.

Accordingly, the investigation will focus on:

1. Whether the City's and Port's October 4, 2016, approval and/or involvement in approval of a construction management plan and permission for ground-breaking on the Northeast Gateway development project site of the Oakland Army Base subjects the residents of color of West Oakland (predominantly black, Latino, and Asian) to discrimination on the basis of race, color or national origin in violation of Title VI of the Civil Rights Act of 1964 and DOT's and EPA's implementing regulations at 49 C.F.R. Part 21 and 40 C.F.R. Part 7, respectively.

2. Whether the City's and Port's methods, including their public participation processes, for approving and authorizing new development and expanded activities at the Port of Oakland and Oakland Army Base subject the residents of color of West Oakland (predominantly black, Latino, and Asian) to discrimination on the basis of race, color or national origin in violation of Title VI of the Civil Rights Act of 1964 and DOT's and EPA's implementing regulations at 49 C.F.R. Part 21 and 40 C.F.R. Part 7, respectively.

The investigation will be conducted in accordance with DOT's *External Civil Rights Complaint Processing Manual* and EPA ECRCO's *Case Resolution Manual*. The decision to investigate the issues above does not constitute a decision on the merits of the complaint. DOCR and ECRCO are neutral fact-finders and will begin a joint process to gather the relevant information, discuss the matter further with you (or your designee) and the Complainant, as appropriate, and determine next steps utilizing the Agencies' internal procedures. In the intervening time, DOT and EPA will provide you with an opportunity to make a written submission responding to, rebutting, or denying the issues that have been accepted for investigation within thirty (30) calendar days of receiving a copy of the letter. *See, e.g.*, 40 C.F.R. § 7.120(d)(1)(ii-iii).

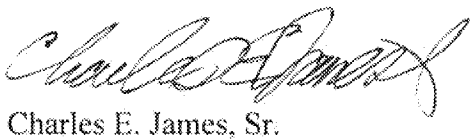
This does not foreclose resolution of matters raised in the complaint through informal resolution, including alternative dispute resolution (ADR). Both DOT's and EPA's nondiscrimination regulations provide that DOCR and ECRCO will attempt to resolve complaints informally whenever possible. 49 C.F.R. § 21.11(d); 40 C.F.R. § 7.120(d)(2). Accordingly, DOCR and ECRCO are willing to discuss, at any point during the process, offers to informally resolve the complaint. We may also be contacting both you (or your designee) and the Complainant in the near future to discuss potential interest in informal resolution, including ADR. For a more detailed explanation of DOCR's and ECRCO's complaint and resolution processes, we invite you to review DOCR's External Civil Rights Complaint Processing Manual, available at https://www.transportation.gov/sites/dot.gov/files/docs/externalcomplaintmanual-final_1.pdf, and ECRCO's Case Resolution Manual, available at https://www.epa.gov/sites/production/files/2017-01/documents/final_epa_ogc_ecrco_crm_january_11_2017.pdf.

No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights

protected by the civil rights requirements that we enforce. *See* 49 C.F.R. § 21.11(e) and 40 C.F.R. § 7.100. Any individual alleging such harassment or intimidation may file a complaint with DOCR and ECRCO.

Please do not hesitate to contact Ryan Fitzpatrick, Lead Civil Rights Analyst in DOT's DOCR, or Ericka Farrell, Case Manager in EPA's ECRCO, with any questions about the investigation. Mr. Fitzpatrick can be reached at (202) 366-1979, or ryan.fitzpatrick@dot.gov. Ms. Farrell can be reached at (202) 564-0717, or farrell.ericka@epa.gov.

Sincerely,



Charles E. James, Sr.
Director
Office of the Secretary of Transportation
Departmental Office of Civil Rights
U.S. Department of Transportation

Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency

cc:

Deborah Jordan
Acting Deputy Regional Administrator
Acting Deputy Civil Rights Official
EPA, Region 9

Kenneth Redden
Acting Assistant General Counsel
Civil Rights and Finance Law Office

Lauren Brand
Associate Administrator
Office of Intermodal System Development
Maritime Administration

Daryl Hart
Director
Office of Civil Rights
Maritime Administration

Message

From: Dorka, Lilian [Dorka.Lilian@epa.gov]
Sent: 7/18/2017 10:06:00 PM
To: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]; Rivera, Yvette (OST) [yvette.rivera@dot.gov]
CC: Johnson, Johahna [Johnson.Johahna@epa.gov]; O'Lone, Mary [olone.mary@epa.gov]; Redden, Kenneth [Redden.Kenneth@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Neal, Daria (CRT) [Daria.Neal@usdoj.gov]; Jang, Deeana (OST) [deeana.jang@dot.gov]; Caro-Lopez, Howard (OST) [howard.caro-lopez@dot.gov]; Ferguson, Selina (OST) [Selina.Ferguson@dot.gov]; Temple, Kurt [Temple.Kurt@epa.gov]
Subject: RE: Oakland T6 Complaint
Attachments: REACTIVE DESK STATEMENT - Acceptance for Investigation - Oakland City and Port complaint 7-18-17.docx

Importance: High

Deliberative Process / Ex. 5

-----Original Message-----
From: Temple, Kurt
Sent: Tuesday, July 18, 2017 3:34 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Ferguson, Selina (OST) <Selina.Ferguson@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Subject: RE: Oakland T6 Complaint

Ryan: Sorry for the delay. Please see attached and feel free to add your cc's if any.

Kurt

-----Original Message-----
From: Temple, Kurt
Sent: Tuesday, July 18, 2017 10:54 AM
To: 'Rivera, Yvette (OST)' <yvette.rivera@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <olone.mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Ferguson, Selina (OST) <Selina.Ferguson@dot.gov>
Subject: RE: Oakland T6 Complaint

Yvette: Attached are the most recent drafts of the joint acceptance letters for your review and approval. We added some clarifying edits to the draft you sent forward last week. You will see those changes highlighted in the text. Also, DOT needs to insert its file number into the subject line. Please let me know if you have any questions about what we have done, or if you're ready to exchange signatures on final drafts. Thanks for your help.

Kurt T. Temple
Senior Advisor
External Civil Rights Compliance Office
EPA Office of General Counsel
1200 Pennsylvania Avenue, NW
Room 2524B
Washington, D.C. 20460
202-564-7299

-----Original Message-----
From: Rivera, Yvette (OST) [mailto:yvette.rivera@dot.gov]
Sent: Thursday, July 13, 2017 3:49 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>

Cc: Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Ferguson, Selina (OST) <Selina.Ferguson@dot.gov>
Subject: RE: Oakland T6 Complaint

Dear Lily,

We have an approved version of the OAB letter. Please see the attached. If you have no objections, we can execute the letter and get the original to you for signature tomorrow. Thank you!

Yvette

-----Original Message-----
From: Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
Sent: Thursday, July 13, 2017 12:29 PM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>
Subject: RE: Oakland T6 Complaint

Hi Yvette, just following up on this. Thanks! Lily

-----Original Message-----
From: Rivera, Yvette (OST) [mailto:yvette.rivera@dot.gov]
Sent: Friday, July 7, 2017 2:51 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Cc: Goerke, Ariadne <Goerke.Ariadne@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>
Subject: RE: Oakland T6 Complaint

Thank you Kurt. We will get right on it. Hoping that we can respond by Monday or Tuesday. Again, thank you. Have a nice weekend! Yvette

-----Original Message-----
From: Temple, Kurt [mailto:Temple.Kurt@epa.gov]
Sent: Friday, July 07, 2017 2:13 PM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Goerke, Ariadne <Goerke.Ariadne@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>
Subject: Oakland T6 Complaint

Hello Yvette. Thanks for the good conversation yesterday regarding the Oakland T6 matter. As we promised on the call, I have attached for DOT's review draft joint acceptance letters to complainant and recipients. In drafting these letters, we utilized the format that we cleared in the joint DOT/EPA Brandywine matter. Let us know if DOT has any edits, comments or concerns. We look forward to issuing these letters soon. Please give me a call if you need anything.

Sincerely,

Kurt T. Temple
Senior Advisor
External Civil Rights Compliance Office
EPA Office of General Counsel
1200 Pennsylvania Avenue, NW
Room 2524B
Washington, D.C. 20460
202-564-7299

Appointment

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 9/7/2017 4:18:47 PM
To: Minoli, Kevin [Minoli.Kevin@epa.gov]

Subject: Accepted: Meeting with Oakland (Port and City) Re: Informal Resolution of the Title VI Complaint (Call in number: 1-
Conference Line/Code / Ex. 6
Location: EPA Headquarters, 1200 Pennsylvania Ave. NW, Washington, DC (William Jefferson Clinton Building), 4th Floor, Room 4045

Start: 9/26/2017 5:00:00 PM
End: 9/26/2017 7:00:00 PM
Show Time As: Busy

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 11/2/2017 11:09:25 PM
To: Strauss, Alexis [Strauss.Alexis@epa.gov]
Subject: RE: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

Attorney Client / Ex. 5

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Strauss, Alexis
Sent: Thursday, November 02, 2017 8:41 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: FW: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

From: Port of Oakland [mailto:portofoakland@public.govdelivery.com]
Sent: Thursday, November 2, 2017 8:04 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

PORT OF OAKLAND
90 YEARS OF PUBLIC SERVICE
FEBRUARY 12, 1927–FEBRUARY 12, 2017

PRESS RELEASE

FOR IMMEDIATE RELEASE

City, Port of Oakland work with neighbors to get trucks on track

New plan due in 2018 would address trucking in West Oakland

Oakland, Calif. – Nov. 2, 2017: City and Port of Oakland officials are meeting with neighbors to hear concerns about big rig traffic on streets in West Oakland. The agencies say they anticipate a new West Oakland Truck Management Plan by the fall of 2018 that will address trucking problems in the area. The goal: steer heavy truck traffic away from West Oakland residences bordering the Port.

"This will be a plan that relies on community input to address truck circulation and parking," said Patricia McGowan, Senior Planner for the City of Oakland Planning and Building Department. "We want trucks to be less disruptive by controlling where they drive and park."

Officials spoke last month at the first of five community workshops in West Oakland to be conducted by the City and Port. About 100 people attended to provide their views on diesel-powered semis hauling cargo containers near their homes and businesses. Among the concerns:

- Safety;
- Lack of truck route signs;
- Diesel exhaust; and
- Big rigs parked overnight in residential neighborhoods.

About 3,000 trucks daily transport containers in Oakland, said Richard Sinkoff, the Port's Environmental Programs and Planning Director. Most of that traffic sticks to Port roads or nearby freeways, he said. But truckers in search of fuel, food or repairs, sometimes detour through nearby West Oakland.

The City designated truck routes around the area in 2005, said Ms. McGowan. But not every driver stays on track, she pointed out. The new plan will specify where trucks can drive and park. It will also strengthen enforcement of truck restrictions.

The City and Port are conducting workshops to find out what else needs to be in the plan. "That's why we are holding the public meetings and encouraging public input," said Ms. McGowan. "We want the community to come together with the City and the Port to develop a plan that addresses their concerns."

The City and Port said they are already taking steps to steer freight-haulers away from residential neighborhoods. Truck service centers are planned at the Port and at an adjacent City development so that drivers won't have to venture into West Oakland for fuel, food and other services. Overnight truck parking spaces are being added, too.

About the Port of Oakland

The Port of Oakland oversees the Oakland seaport, Oakland International Airport, and 20 miles of waterfront including Jack London Square. Together with its business partners, the Port supports more than 73,000 jobs in the region and nearly 827,000 jobs across the United States. Connect with the Port of Oakland and Oakland International Airport through Facebook, or with the Port on Twitter, YouTube, and at www.portofoakland.com.

Media Contacts:
Mike Zampa
Communications Director
Port of Oakland
(510) 627-1565
mzampa@portoakland.com

Marilyn Sandifur
Port Spokesperson
Port of Oakland
(510) 627-1193
msandifur@portoakland.com

###

PORT OF OAKLAND

Questions? Contact Us

STAY CONNECTED:

SUBSCRIBER SERVICES: Manage Preferences | Unsubscribe | Help

This email was sent to strauss.alexis@epa.gov, on behalf of Port of Oakland · 530 Water Street · Oakland, CA 94607 · 510-627-1100

Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/15/2017 5:01:37 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Meeting with Port of Oakland next week

Any idea what the purpose of the meeting would be? Why fly out to D.C. from Oakland this early in the process? Why no legal representation from the City of Oakland at the meeting?

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Grow, Richard
Sent: Tuesday, August 15, 2017 7:35 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; ryan.fitzpatrick@dot.gov
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; yvette.rivera@dot.gov; Strauss, Alexis <Strauss.Alexis@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>
Subject: RE: Meeting with Port of Oakland next week

If you have any ability to schedule this outside the 2-4 EDT time slot that would be appreciated by me, as I plan to attend the City's latest attempt to reconvene the "quarterly air quality stakeholders meeting" during that time. If you can't avoid it, I'll make other arrangements. Thanks

Richard

From: Dorka, Lilian
Sent: Tuesday, August 15, 2017 6:21 AM
To: ryan.fitzpatrick@dot.gov
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; yvette.rivera@dot.gov; Strauss, Alexis <Strauss.Alexis@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>
Subject: Re: Meeting with Port of Oakland next week

Hi Ryan, absolutely. I will make time for this. We can host it here. I will discuss w our acting General Counsel and he may want to at least say he'll and welcome them.

Sent from my iPhone

On Aug 14, 2017, at 4:23 PM, "ryan.fitzpatrick@dot.gov" <ryan.fitzpatrick@dot.gov> wrote:

> Hey team:
>
> I just got a call from Michele Hefes, an attorney with the Port of Oakland. She told me that the Port has been talking, and they would like to come to DC to talk us in person, preferably next Wednesday, August 23. It would be just the Port (and Allison, their attorney from Jenner), and not the City.

This sounds good to Yvette and I, and if you agree, I can start coordinating it with them. Lily, I know you're out of office until this Wednesday, but I think they need to know as soon as possible in order to make travel plans.

Let me know as soon as you can,

Ryan

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

Appointment

From: Grow, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F9BE7A2DDE6B42FB832CA9B138892F27-RGROW]
Sent: 1/9/2018 9:33:56 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Zimpfer, Amy [Zimpfer.Amy@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; Donez, Francisco [Donez.Francisco@epa.gov]; Valentine, Stephanie [valentine.stephanie@epa.gov]
BCC: R9SF-Room-18323-6-Twenty-Nine Palms [R9SF-Room-18323-6-Twenty-Nine_Palms@epa.gov]

Subject: Port of Oakland MAQIP
Location: R9SF-Room-18323-6-Twenty-Nine Palms

Start: 1/10/2018 11:00:00 PM
End: 1/11/2018
Show Time As: Busy

Meet to discuss Port of Oakland's initiation of update to the 2009 "Maritime Air Quality Improvement Plan" (MAQIP). The Port is trying to kick off this effort soon, while the WOEIP has identified several issues needing resolution before launching the update. Cutting across this is a Title VI complaint covering this and other Port/City activities.

Richard
7-4104

Appointment

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 12/21/2017 7:11:10 PM
To: Reyes, Deldi [Reyes.Deldi@epa.gov]; Eady, Veronica@ARB [Veronica.Eady@arb.ca.gov]; kmaglian@arb.ca.gov; Keeling, Cindy@ARB [cindy.keeling@arb.ca.gov]; Mednick, Bronwyn@ARB [Bronwyn.Mednick@arb.ca.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Zimpfer, Amy [Zimpfer.Amy@epa.gov]; Salazar, Matt [Salazar.Matt@epa.gov]; Davidson, Ken [Davidson.Ken@epa.gov]; Vallano, Dena [Vallano.Dena@epa.gov]; Pathak, Priyanka [Pathak.Priyanka@epa.gov]; Stewart, Kathleen [Stewart.Kathleen@epa.gov]; Chew, Andrew [Chew.Andrew@epa.gov]; Buss, Jeffrey [Buss.Jeffrey@epa.gov]; Law, Nicole [Law.Nicole@epa.gov]; Kelly, Shaheerah [Kelly.Shaheerah@epa.gov]; Rodriguez, Roberto [Rodriguez.Roberto@epa.gov]; Plate, Mathew [Plate.Mathew@epa.gov]; Small, Matthew [Small.Matthew@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Kurpius, Meredith [Kurpius.Meredith@epa.gov]; Valentine, Stephanie [Valentine.Stephanie@epa.gov]; Luz Gomez [lgomez@baaqmd.gov]; David C. Ralston [dralston@baaqmd.gov]; estevenson@baaqmd.gov; Phil Martien [PMartien@baaqmd.gov]; kfremming@baaqmd.gov; Gregory H. Nudd [gnudd@baaqmd.gov]; Swanson, Charles [Swanson.Charles@epa.gov]
CC: Mebust, Anna [Mebust.Anna@epa.gov]; YOSHIMURA, GWEN [Yoshimura.Gwen@epa.gov]; CHANG, RANDALL [Chang.Randall@epa.gov]; Clover, Fletcher [Clover.Fletcher@epa.gov]; Flagg, MichaelA [Flagg.MichaelA@epa.gov]; Williams, Jennifer [Williams.Jennifer@epa.gov]; Lo, Doris [Lo.Doris@epa.gov]; Katherine Hoag [khoag@baaqmd.gov]; Freed, Rachel [freed.rachel@epa.gov]

Subject: BAAQMD and AB617 - Update / Discussion with ARB, EPA
Attachments: Agenda_8_AB617 Update.pdf; Goldman CEPP_Report_09.7.17.pdf
Location: 375 Beale St, San Francisco, Room TBD

Start: 1/12/2018 9:00:00 PM
End: 1/12/2018 10:30:00 PM
Show Time As: Tentative

Updated to include attachments as background. EPA'ers: please see the attached BAAQMD presentation provided by Greg as well as the Goldman School of Public Policy report that Richard shared with us a few weeks ago and an article in the Berkeley News highlighting the report and AB617.

Greg, thanks again for offering to bring us up to speed on AB617. Here's a placeholder for our calendars. Veronica and Karen will participate as well--Karen, most likely by phone.

Call In Info:

Conference Line/Code / Ex. 6

The Region 9 contingent on this invite includes some of our Air Division leadership—Amy, Meredith, Stephanie and Mike. Others you may not know include Matt Small, our Science Liaison to ORD and other members of Mike's EJ, Community and Air Toxics team. Some of us who will participate will do so by phone (call in info below), although at a minimum, Richard, Mike and I will be there in person. I could not recall if we agreed to an hour or 90 minutes, so to be safe, I have this for 90 minutes, but no need to go that long if you weren't planning on it.

Best holiday wishes to all and see you in 2018.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

AGENDA: 8

Assembly Bill 617 Update

Eric Stevenson

Director of Meteorology and Measurement

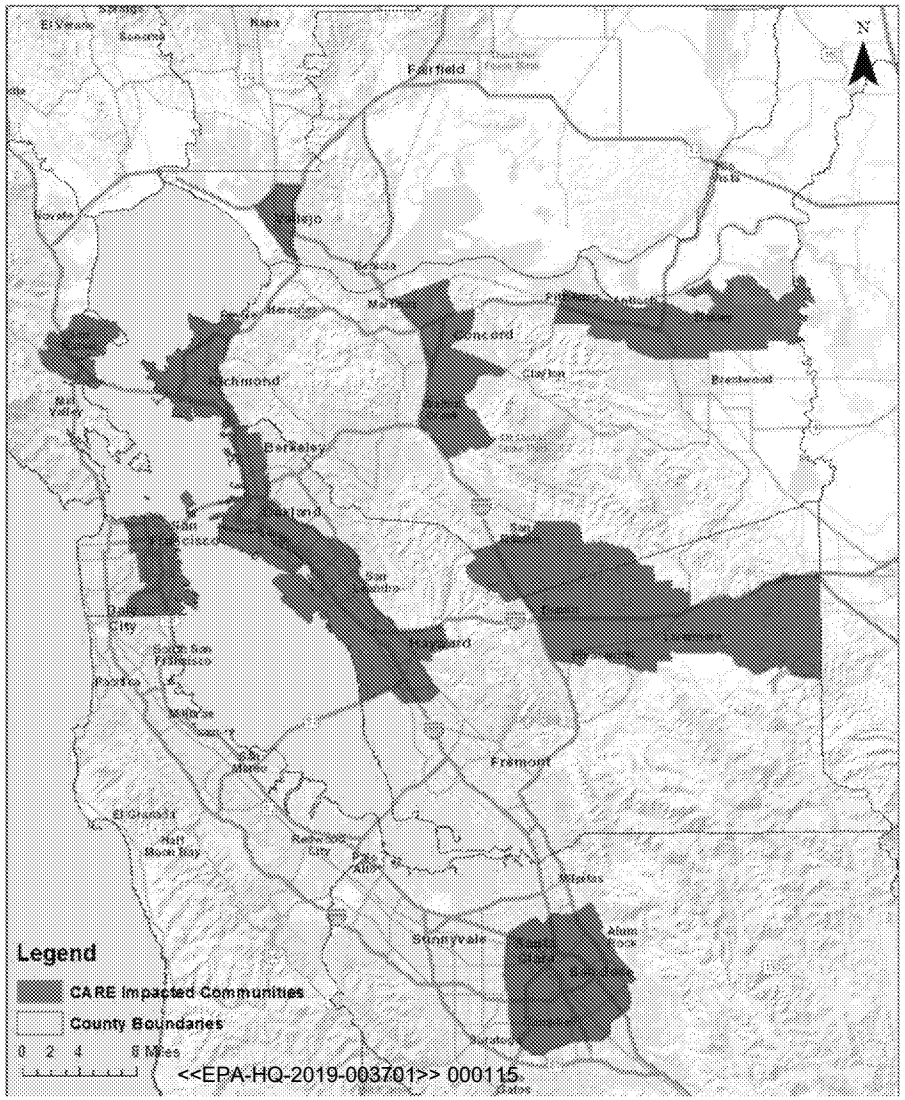
Board of Directors Meeting

October 4, 2017

Overview

- Background/Air District leadership
- Assembly Bill 617 (AB 617) Components
- AB 617 requirements and Air District approaches already in place addressing the issues
- Collaborations and timelines
- Next Steps

Healthy Air for All Bay Area Residents



Community Air Risk Evaluation (CARE) Program identifies Bay Area communities most impacted by air pollution

Regionally: *reduce ozone and PM emissions* to assure long-term compliance with air quality standards

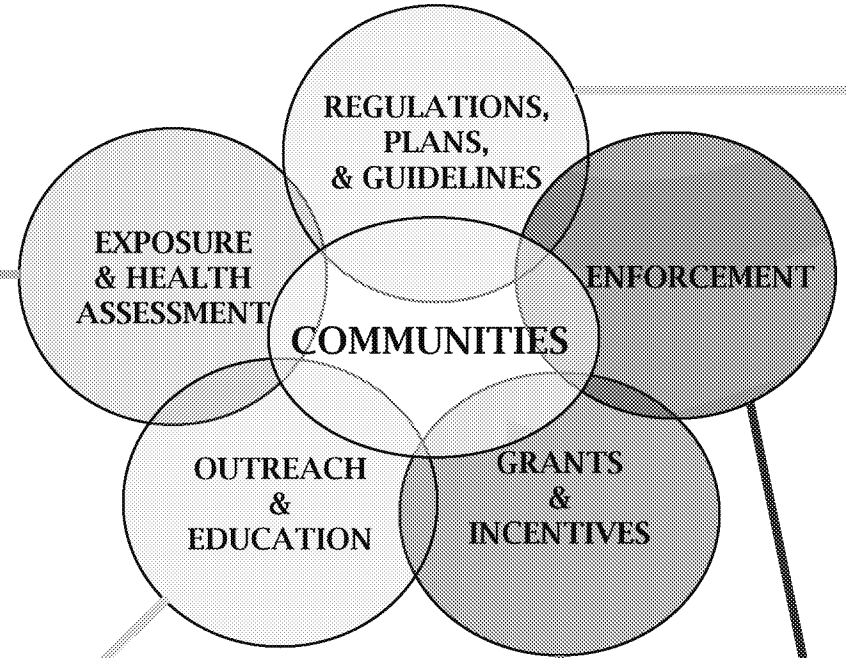
Locally: *eliminate disparities* in local exposure to air pollution

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Clean Air Communities Initiative

MONITORING
- Ambient Monitoring Network
- Community Monitoring
- Local Measurement Studies
- Collaborate with Universities and Community Research Monitoring Programs
- Photochemical Monitoring
- General Aviation Airport Sampling
- Near Roadway Monitoring

MODELING & ASSESSMENT
- Regional and Local Modeling
- Regional and Local Exposure and Health Impacts Assessment
- Permit Modeling and Risk Assessment



REGULATIONS
- NSR / Permits
- 2588 Hot Spots Program
- Source Specific Rules
- Wood Smoke Rule
- Back-up Generators
- Indirect Source Rule

PLANNING & GUIDELINES
- CEQA Guidelines
- Community Risk Reduction Plans
- 2010 Clean Air Plan
- PM Strategy
- General Plan Guidelines
- SB375/SCS
- Climate Protection Program/ GHG Co-Benefits
- Healthy Community Development Guidelines

OUTREACH/EDUCATION
- Public Engagement Policy and Plan
- Collaborate with Local Governments
- Collaborate with Health Departments
- Collaborate with Transportation Agencies
- Community Meetings
- Resource Teams
- Collaborate with Community Groups
- Wood Smoke Outreach

GRANTS/INCENTIVES
- Carl Moyer Program
- TFCA
- Mobile Source Incentive Fund
- I-Bond/Goods Movement
- Bay Area Clean Air Foundation

ENFORCEMENT
- Diesel Enforcement Program
- Inspection/Enforcement of District Regulations
- Enforcement of CARB Regulations
- Respond to Complaints
- Inspection of Grantees

Air District Leadership

- Reduced $PM_{2.5}$ by half in West Oakland through incentive funding
- Community grants awarded to impacted areas
- Charging refineries for monitoring in nearby communities
- CARE communities identified
- Developed and updating Public Participation Plan to encourage transparent communication with communities and other stakeholders

AB 617 Components

- Require additional air monitoring in impacted communities
- Reduce air pollution in impacted communities
- Develop clearinghouse for Best Available Retrofit Control Technology (BARCT) and require air districts to adopt BARCT rules
- Require uniform reporting of emissions inventories
- Increase allowable fines ($5,000 per day)

Air Monitoring in Impacted Communities

AB 617 Requirement – State/air districts to enhance air monitoring in impacted communities.

Air District efforts already under way

- Identifying additional air monitoring locations in refinery communities.
- Assembling available data to help identify additional locations for potential monitoring (health outcomes, modeling, short term studies, etc.).
- Working with equipment manufacturers, NGOs, South Coast AQMD, universities and other groups to identify cutting edge equipment.

Emission Reduction Plans

AB 617 Requirement – Identify areas impacted by criteria pollutants and Toxic Air Contaminants (TACs) and develop Emission Reduction Plans to reduce those impacts.

Air District efforts already under way

- Continued reduction of criteria pollutants
- Regulation 11, Rule 18 will require existing stationary sources to reduce risk from TACs to the lowest levels in the State
- Already adopted Regulation 2, Rule 5 to reduce TACs from new sources.
- CARE Program/Community Risk Reduction plans
- Planning Healthy Places Guidebook

BARCT Requirements

AB 617 Requirement – State to develop a clearinghouse to define BARCT for stationary sources. Air districts to enact additional BARCT rules.

Air District efforts already under way

- The 2017 Clean Air Plan evaluated all rules to determine which needed to be updated.
- Staff currently reviewing and prioritizing rules to ensure that this requirement is met.

Emissions Inventory Reporting

AB 617 Requirement – State to develop uniform emissions inventory reporting requirements for criteria pollutants and TACs and require sources to submit this information to the State.

Air District efforts already under way

- Regulation 12, Rule 15 requires the use of uniform reporting of emissions inventories based on guidance produced and updated to incorporate the latest emissions information available.
- Regulation 11, Rule 18 will result in accurate, uniform emissions inventory for TACs to ensure health risk to the lowest levels achievable.

Working with Partners and Timelines in AB 617

- Conference calls every week with CARB and South Coast AQMD to discuss issues and develop plans forward.
- Working with other agencies, NGOs, universities and communities to hear ideas and receive feedback.

Timelines for implementation are extremely aggressive and will require a refocus of Air District resources

- Air monitoring – deploy first stages by July 1, 2019 (Additions possible by Jan. 1, 2020 and annually thereafter).
- Emission Reduction Plans - Once an area is identified as being impacted, a reduction plan must be in place within a year
- BARCT Rules – Adoption of rules by Jan. 1, 2019 and implemented by Dec. 31, 2023

Next Steps

- Continue to work with partners to implement AB 617.
- Timelines and legislative requirements will result in a need for an increase in resources.
  - Staff is working to identify appropriate staffing increases and capital needs.
  - Working with the State and other air districts to receive appropriate reimbursement for expected expenses.
- Continue to reach out to communities and other partners to identify needs, address issues and improve air quality.

Appointment

From: Donez, Francisco [Donez.Francisco@epa.gov]
Sent: 12/1/2017 6:21:23 PM
To: Donez, Francisco [Donez.Francisco@epa.gov]; Adeduro, Kingsley [Adeduro.Kingsley@epa.gov]; Priselac, Adrienne [Priselac.Adrienne@epa.gov]; Aguilar, Marcus [Aguilar.Marcus@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Capilla, Morgan [capilla.morgan@epa.gov]; Dunning, Connell [Dunning.Connell@epa.gov]; Emeric-Ford, Noemi [Emeric-Ford.Noemi@epa.gov]; Gholson, Greg [Gholson.Greg@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Hong, Jeanhee [Hong.Jeanhee@epa.gov]; LEONIDO-JOHN, STEVEN [Leonido-John.Steven@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; McNaughton, Eugenia [McNaughton.Eugenia@epa.gov]; Menghrajani, jacquelyn [Menghrajani.Jacquelyn@epa.gov]; Ota, Allan [Ota.Allan@epa.gov]; Ross, Brian [Ross.Brian@epa.gov]; Sakow, Rick [Sakow.Rick@epa.gov]; Scianni, Melissa [Scianni.Melissa@epa.gov]; Smith, DavidW [Smith.DavidW@epa.gov]; Thomas, Ladonna (Separated) [Thomas.Ladonna@epa.gov]; Tinger, John [Tinger.John@epa.gov]; Zellinger, Andrew [Zellinger.Andrew@epa.gov]; Zimpfer, Amy [Zimpfer.Amy@epa.gov]; Adams, Elizabeth [Adams.Elizabeth@epa.gov]; Nazmi, Niloufar [Nazmi.Niloufar@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]

Subject: R9 Ports Team quarterly meeting - CONFIRMED
Attachments: 2017-11-21 R9 Ports Team meeting notes.pdf
Location: R9SF-Room-18324-8-Rincon; conference line 415-947-8200; conference no. 415-972-9121; participant access 459-280

Start: 2/15/2018 7:00:00 PM
End: 2/15/2018 8:00:00 PM
Show Time As: Free

Conference Line/Code / Ex. 6

This is a reminder that our quarterly R9 Ports Team meeting will be held this Thursday. Please send me any agenda items that you would like to highlight for the group. Otherwise, we will share our usual round robin updates. See notes from our November meeting attached. Please contact me with any questions.

Francisco J. Dóñez, Ph.D.
Ports/Marine and Locomotive Sector Lead, West Coast Collaborative
U.S. Environmental Protection Agency, Region 9
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017

Tel. (213) 244-1834
Fax (213) 244-1850

http://westcoastcollaborative.org
http://www.epa.gov/region9/air/

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 11/1/2017 11:39:12 PM
To: Damian Breen [dbreen@baaqmd.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; Grow, Richard [Grow.Richard@epa.gov]; Elizabeth.yura@arb.ca.gov

Subject: City of Oakland Meeting with BAAQMD re: City Memo
Location: Bay Area Air Quality Management District HQ 375 Beale Street San Francisco, CA 94105

Start: 11/7/2017 5:30:00 PM
End: 11/7/2017 7:00:00 PM
Show Time As: Tentative

Recurrence: (none)

Participants: Damian Breen Pat McGowan David Vintze
Claudia Cappio Karen Schkolnick
Darin Ranelletti Alison Kirk

Date: Tuesday November 7, 2017

Time: 9:30 am – 11 am

Location: Bay Area Air Quality Management District
375 Beale Street Suite 600
Farallon Conference Room CR-8206
San Francisco, CA 94105

- Please note, if you are unable to attend this meeting in person at the Air District, please let me know as soon as possible and I will be more than happy to provide you with the conference call log in information. Thank you!

security protocol instructions forthcoming in separate email

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,

Aloha for Mr. Breen

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 9/28/2017 10:19:27 PM
To: Damian Breen [dbreen@baaqmd.gov]; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney [mmaloney@mtc.ca.gov]; Jack Broadbent [jack@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; mdavis@portoakland.com; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; rsinkoff@portoakland.com; Henry Hilken [HHilken@baaqmd.gov]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Catherine Mukai [cmukai@portoakland.com]; Ranyee Chiang [rchiang@baaqmd.gov]; Machol, Ben [Machol.Ben@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]; Woo, Winnie [WWoo@oaklandnet.com]; David Vintze [DVintze@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]

Subject: Emission Reduction Actions for Port of Oakland/OAB Discussion (ag)
Attachments: Port-OAB Action List_final.docx
Location: Conference Call hosted by Mr. Breen

Start: 10/3/2017 4:00:00 PM
End: 10/3/2017 5:00:00 PM
Show Time As: Tentative

Recurrence: (none)

This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document

Date: Tuesday October 3, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 9/25/2017 4:23:49 PM
To: Damian Breen [dbreen@baaqmd.gov]; mdavis@portoakland.com; tlengyel@alamedactc.org; Carolyn Clevenger [cclevenger@alamedactc.org]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez [dgonzalez@portoakland.com]; mmaloney@mtc.ca.gov; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; ccappio@oaklandnet.com; Aloha de Guzman [adeguzman@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Ranyee Chiang [rchiang@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Woo, Winnie [WWoo@oaklandnet.com]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]

Subject: Canceled: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
Attachments: Port-OAB Action List_final.docx
Location: Conference Call hosted by Mr. Damian Breen

Start: 9/27/2017 4:00:00 PM
End: 9/27/2017 5:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

This meeting is cancelled. A new Doodle Poll will be sent out shortly. Thank you!

Aloha

** Based on the Doodle Poll that was sent out last week, September 25, 2017 at 9 am was the best time for attendees to participate. This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document**

Date: Wednesday September 27, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office

375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Appointment

From: Grow, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F9BE7A2DDE6B42FB832CA9B138892F27-RGROW]
Sent: 9/20/2017 3:26:03 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]
CC: Donez, Francisco [Donez.Francisco@epa.gov]
BCC: R9SF-Room-18420-4-Round Valley [R9SF-Room-18420-4-Round_Valley@epa.gov]

Subject: West Oakland Port/OAB
Location: R9SF-Room-18420-4-Round Valley

Start: 9/20/2017 8:30:00 PM
End: 9/20/2017 9:00:00 PM
Show Time As: Busy

Ben & Penny – hoping for a brief chat to catch up on the state of play on mitigation plans etc.

Thanks

Richard

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 9/18/2017 8:46:06 PM
To: Damian Breen [dbreen@baaqmd.gov]; Jack Broadbent [jack@baaqmd.gov]; ccappio@oaklandnet.com; Catherine Mukai [cmukai@portoakland.com]; rsinkoff@portoakland.com; mmaloney@mtc.ca.gov; Diego Gonzalez [dgonzalez@portoakland.com]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Rebecca Kaplan [rkaplan@oaklandnet.com]; Elizabeth.yura@arb.ca.gov; Machol, Ben [Machol.Ben@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Tess Lengyel [tlengyel@alamedactc.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; mdavis@portoakland.com; mdnichols@oaklandnet.com; adao@alamedactc.org; abockelman@mtc.ca.gov; bsanchez@mtc.ca.gov; cynthia.marvin@arb.ca.gov; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Henry Hilken [HHilken@baaqmd.gov]; Ranyee Chiang [rchiang@baaqmd.gov]; Angie Ayers [aayers@alamedactc.org]; Maricela Martinez [mmartinez@baaqmd.gov]; Vanessa Johnson [vjohnson@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]

Subject: Canceled: Port of Oakland Actions List discussion (ag)
Location: Conference Call hosted by Damian Breen

Start: 9/19/2017 5:00:00 PM
End: 9/19/2017 6:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

Due to a scheduling conflict, this meeting has been cancelled and will be rescheduled shortly.

Thank you for your patience.

--Aloha

** This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago. If you would like to participate in this discussion, the information to call in is below **

Date: Tuesday, September 19, 2017

Time: 10 am – 11am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 9/18/2017 3:22:16 PM
To: Damian Breen [dbreen@baaqmd.gov]; Jack Broadbent [jack@baaqmd.gov]; ccappio@oaklandnet.com; Catherine Mukai [cmukai@portoakland.com]; rsinkoff@portoakland.com; mmaloney@mtc.ca.gov; Diego Gonzalez [dgonzalez@portoakland.com]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Rebecca Kaplan [rkaplan@oaklandnet.com]; Elizabeth.yura@arb.ca.gov; Machol, Ben [Machol.Ben@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Tess Lengyel [tlengyel@alamedactc.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; mdavis@portoakland.com; mdnichols@oaklandnet.com; adao@alamedactc.org; abockelman@mtc.ca.gov; bsanchez@mtc.ca.gov; cynthia.marvin@arb.ca.gov; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Henry Hilken [HHilken@baaqmd.gov]; Ranyee Chiang [rchiang@baaqmd.gov]; Angie Ayers [aayers@alamedactc.org]; Maricela Martinez [mmartinez@baaqmd.gov]; Vanessa Johnson [vjohnson@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]
CC: McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]

Subject: Planning Meeting for Port of Oakland/OAB - 3rd meeting
Location: ACTC Offices: 1111 Broadway Suite 800 Room D Oakland, Ca 94607

Start: 10/20/2017 7:00:00 PM
End: 10/20/2017 9:00:00 PM
Show Time As: Tentative

Recurrence: (none)

If you are unable to attend the meeting in person, please see below for call in information:

Conference Line/Code / Ex. 6

Thank you,
Aloha

Lunch will be served at this meeting.

If you are unable to attend this meeting in person, please let me know and I will be more than happy to provide you with the conference call log in information.

If you have any questions or concerns, please feel free to reach out to me directly.

Regards,

Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office

375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Appointment

From: Grow, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F9BE7A2DDE6B42FB832CA9B138892F27-RGROW]
Sent: 9/6/2017 2:16:56 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]
BCC: R9SF-Room-18420-4-Round Valley [R9SF-Room-18420-4-Round_Valley@epa.gov]

Subject: Room for ECRCO W.O. T6 call
Location: R9SF-Room-18420-4-Round Valley

Start: 9/7/2017 7:00:00 PM
End: 9/7/2017 8:00:00 PM
Show Time As: Busy

Convened by Ryan at DOT, ECRCO x DOT x R9. Catch up and get on same page, prep for 9/26 visit to DC by City/Port attys, discuss draft resolution agreement

Appointment

From: ryan.fitzpatrick@dot.gov [ryan.fitzpatrick@dot.gov]
Sent: 8/2/2017 12:44:16 PM
To: ryan.fitzpatrick@dot.gov; deeana.jang@dot.gov; Dorka, Lilian [Dorka.Lilian@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; howard.caro-lopez@dot.gov; marian.burroughs@dot.gov; Rachel.Kizito-Ramos@dot.gov; daryl.hart@dot.gov

Subject: City and Port of Oakland complaint discussion
Location: Teleconference

Start: 8/7/2017 7:30:00 PM
End: 8/7/2017 8:30:00 PM
Show Time As: Busy

Recurrence: (none)

Good morning:

This meeting was requested by the attorneys representing the City and Port of Oakland. The purpose is to introduce ourselves and answer questions about our Title VI investigative processes.

Conference Line/Code / Ex. 6

Appointment

From: ryan.fitzpatrick@dot.gov [ryan.fitzpatrick@dot.gov]
Sent: 7/27/2017 1:23:43 PM
To: ryan.fitzpatrick@dot.gov; yvette.rivera@dot.gov; deeana.jang@dot.gov; howard.caro-lopez@dot.gov; marian.burroughs@dot.gov; daryl.hart@dot.gov; Rachel.Kizito-Ramos@dot.gov; Temple, Kurt [Temple.Kurt@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]; O'Lone, Mary [olone.mary@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Daria.Neal@usdoj.gov; iris.goldschmidt@usdoj.gov
CC: Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]

Subject: Oakland investigation next steps
Attachments: 2017-0213 Investigative Plan DRAFT 08.01.2017 .docx; Meeting Agenda 08.02.2017.docx
Location: DOCR Conference Room, W78-124 1200 New Jersey Ave SE

Start: 8/2/2017 5:00:00 PM
End: 8/2/2017 6:00:00 PM
Show Time As: Tentative

Recurrence: (none)

Attached is a draft Investigative Plan that we have put together. We can discuss it, and particularly the "roles and responsibilities" portion of it, at today's meeting. I've also included a draft agenda. For those coming in person, please allow a short period of time to go through security. I'll be waiting in the main lobby to escort everyone upstairs. My cell is Personal Phone / Ex. 6 case you don't see me.

Conference Line/Code / Ex. 6

Good morning all:

The purpose of this meeting is to discuss our next steps in the Oakland investigation, and to begin a discussion on our respective roles and responsibilities here. DOT is currently drafting an investigative plan that we hope to be ready to share at the meeting as well.

Ryan

Appointment

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 7/18/2017 10:02:35 PM
To: Damian Breen [dbreen@baaqmd.gov]; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney [mmaloney@mtc.ca.gov]; Beba Sanchez [BSanchez@mtc.ca.gov]; Jack Broadbent [jack@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; mdavis@portoakland.com; dgonzalez@portofoakland.com; anna.lee@acgov.org; Carolyn Clevenger [cclevenger@alamedactc.org]; rsinkoff@portoakland.com; cmuka@portofoakland.com; Henry Hilken [HHilken@baaqmd.gov]; Maricela Martinez [mmartinez@baaqmd.gov]; Vanessa Johnson [vjohnson@baaqmd.gov]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]

Subject: Planning Meeting for Port of Oakland/OAB - 2nd meeting
Location: ACTC Offices: 1111 Broadway Suite 800 Room D Oakland Ca, 94607

Start: 9/15/2017 7:00:00 PM
End: 9/15/2017 9:00:00 PM
Show Time As: Tentative

Recurrence: (none)

Lunch will be provided at this meeting.

Thank you,

Aloha for Mr. Breen

Appointment

From: Grow, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F9BE7A2DDE6B42FB832CA9B138892F27-RGROW]
Sent: 7/5/2017 5:42:21 PM
To: Grow, Richard [Grow.Richard@epa.gov]

Subject: West Oakland EDF presentation at City Hall

Start: 7/10/2017 5:00:00 PM
End: 7/10/2017 8:30:00 PM
Show Time As: Busy

Appointment

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: 4/20/2017 10:46:12 PM
To: McGowan, Patricia [PMcGowan@oaklandnet.com]; Ranelletti, Darin [DRanelletti@oaklandnet.com]; Monetta, John [JMonetta@oaklandnet.com]; David Vintze [dvintze@baaqmd.gov]; Elizabeth Yura (elizabeth.yura@arb.ca.gov) [elizabeth.yura@arb.ca.gov]; Alison Kirk (akirk@baaqmd.gov) [akirk@baaqmd.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]; Anna Lee (anna.lee@acgov.org) [anna.lee@acgov.org]
BCC: ConfRoom - Sunnyside [ConfRoomSunnyside@oaklandnet.com]

Subject: Review of AQ plans for Prologis development at the OAB
Location: ConfRoom - Sunnyside

Start: 5/9/2017 6:00:00 PM
End: 5/9/2017 7:30:00 PM
Show Time As: Tentative

Recurrence: (none)

Hello All,
This is a reminder about our meeting tomorrow, May 9, 11am, with a change of meeting room to the Sunnyside room, same building and suite as noted below. The phone number for that conference room is Conference Line/Code / Ex. 6

The meetings will be held at the City of Oakland Bureau of Planning office, 250 Frank H. Ogawa Plaza, Suite 3315, Sunnyside conference room.

We look forward to seeing you tomorrow and to working with you on these plans.

Patricia McGowan
Conference Line/Code / Ex. 6

Appointment

From: Donez, Francisco [Donez.Francisco@epa.gov]
Sent: 2/2/2018 9:24:48 PM
To: Donez, Francisco [Donez.Francisco@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]

Subject: West Oakland port/city update
Location: R9SF-Room-18323-6-Twenty-Nine Palms; call Francisco at 909-305-3945

Start: 2/14/2018 9:00:00 PM
End: 2/14/2018 9:30:00 PM
Show Time As: Busy

Please call me on my cell phone **Personal Matters / Ex. 6**

From: Grow, Richard
Sent: Wednesday, January 24, 2018 12:48 PM
To: Machol, Ben; McDaniel, Penelope; Donez, Francisco
Subject: W.O. update

Follow Up Flag: Follow up
Flag Status: Flagged

Ben, Penny and Francisco

Just wanted to let you know there is a lot going on on the West Oakland Port/City front, but on the other hand nothing brewing that needs your immediate attention, but on the third hand wanted to let you know I am available to provide an update anytime.

Richard

Contact

Full Name: Port of Oakland

E-mail: community@portoakland.com

Contact

Full Name: City of Oakland

E-mail: oakland@service.govdelivery.com

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 11/20/2017 5:36:55 PM
To: Alison Kirk [AKirk@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Margaret Gordon [margaret.woeip@gmail.com]; Brian Beveridge [brian.woeip@gmail.com]
CC: David Vintze [DVintze@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Morris, Robbie@ARB [robbie.morris@arb.ca.gov]; Garcia, Yana@EPA (Yana.Garcia@calepa.ca.gov) (Yana.Garcia@calepa.ca.gov) [Yana.Garcia@calepa.ca.gov]; Yura, Elizabeth@ARB [eyura@arb.ca.gov]; dbreen@baaqmd.gov
Subject: RE: Emailing - November 30, 2017 Board Agenda.pdf

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: Monday, November 20, 2017 9:11 AM
To: Lee, Anna, Public Health, OOD; Grow, Richard; Margaret Gordon; Brian Beveridge
Cc: David Vintze; Henry Hilken; Morris, Robbie@ARB; Garcia, Yana@EPA (Yana.Garcia@calepa.ca.gov) (Yana.Garcia@calepa.ca.gov); Yura, Elizabeth@ARB; dbreen@baaqmd.gov
Subject: FW: Emailing - November 30, 2017 Board Agenda.pdf

Hello,

As expected, the second hearing of the Centerpoint Lease is on the POAK Board agenda for the Nov 30th meeting. It is item 2.9.

Sincerely,

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Port Agendas [mailto:agendas@portoakland.com]
Sent: Friday, November 17, 2017 2:50 PM
Subject: Emailing - November 30, 2017 Board Agenda.pdf

Dear Agenda Subscribers,

Attached is the November 30, 2017 Port of Oakland Board meeting agenda.

To view all of the agenda related materials

Please visit our website at: http://www.portofoakland.com/port/board-of-commissioners/board-meetings/

Respectfully,

Daria Edgerly
Secretary of the Board
Port of Oakland
510-627-1337
dedgerly@portoakland.com<mailto:dedgerly@portoakland.com>

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 7/18/2017 11:49:18 PM
To: Dorka, Lilian [Dorka.Lilian@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Jordan, Deborah [Jordan.Deborah@epa.gov]; Strauss, Alexis [Strauss.Alexis@epa.gov]; Packard, Elise [Packard.Elise@epa.gov]; Redden, Kenneth [Redden.Kenneth@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Harrison, Brenda [Harrison.Brenda@epa.gov]; Minoli, Kevin [Minoli.Kevin@epa.gov]; Albores, Richard [Albores.Richard@epa.gov]
Subject: Re: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Attachments: REACTIVE DESK STATEMENT - Acceptance for Investigation - Oakland City and Port complaint 7-18-17 (Grow, Richard).docx

---

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 4:07 PM
To: Grantham, Nancy
Cc: Jordan, Deborah; Strauss, Alexis; Packard, Elise; Redden, Kenneth; Johnson, Johahna; O'Lone, Mary; Temple, Kurt; Farrell, Ericka; Keeler, Katsumi; Grow, Richard; Garnett, Desean; Harrison, Brenda; Minoli, Kevin; Albores, Richard
Subject: FW: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)

Hi Nancy,

Wanted to let you know that today we issued the attached Letter of Acceptance, accepted this complaint for investigation. The complaint was filed with EPA's ECRCO as well as DOT's Departmental Office of Civil Rights and we have issued a joint letter. We anticipate that this acceptance for investigation might generate some press. In anticipation of this, we have prepared the attached Reactive Desk Statement for use in responding to press.

Thanks very much for your help and please let me know if you have any questions.

Lily

(PS: we have shared the Reactive Desk Statement with DOT-DOCR which they will use as well I responding to press.)

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 6:52 PM
To: 'officeofthemayor@oaklandnet.com' <officeofthemayor@oaklandnet.com>; 'colbruno@portcommissioner.com' <colbruno@portcommissioner.com>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; 'Charles.james@dot.gov' <Charles.james@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <olone.mary@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Harrison, Brenda <Harrison.Brenda@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: ACCEPTANCE FOR INVESTIGATION OF: DOT Complaint # 2017-0093, EPA File No.: 13R-17-R9 (City of Oakland) and 14R-17-R9 (Port of Oakland and Board of Port Commissioners)
Importance: High

Dear Mayor Schaaf and Mr. Colbruno:

I am writing on behalf of the U.S. Department of Transportation (DOT), Departmental Office of Civil Rights (DOCR), and the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), to notify you that, per the attached Letter of Acceptance, the agencies have accepted for investigation the above-referenced civil rights complaint. The attached Letter of Acceptance has also been mailed to you via certified mail. Please let us know if you have any questions.

Sincerely,

Lilian S. Dorka

Lilian Sotolongo Dorka, Esq.
Director, External Civil Rights Compliance Office
EPA, Office of General Counsel
202-564-9649
WJC-N Room 2450

Message

Sent: 7/11/2017 4:48:40 PM
To: LUEHE, DOUGLAS [luehe.douglas@epa.gov]
Subject: Info on Friday Oakland Port meeting: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Importance: High

Doug – in case I hadn't sent this before, here is the info on the Friday (1

From: Aloha de Guzman [mailto:adeguzman@baaqmd.gov]
Sent: Monday, July 10, 2017 4:03 PM
To: abockelman@mtc.ca.gov; Grow, Richard <Grow.Richard@epa.gov>; cynthia.marvin@arb.ca.gov; Karen Schkolnick <kschkolnick@baaqmd.gov>; muntu.davis@acgov.org; anna.lee@acgov.org; MDNichols@oaklandnet.com
Cc: Sheng Thao <sthao@oaklandnet.com>; dbreen@baaqmd.gov; Maricela Martinez <mmartinez@baaqmd.gov>; Vanessa Johnson <vjohnson@baaqmd.gov>; Beba Sanchez <BSanchez@mtc.ca.gov>
Subject: RE: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting
Importance: High

Hello everyone,

Here is the address of the meeting location:
ACTC
1111 Broadway, Oakland, CA 94607 -- Room D

If you have any questions or concerns, please feel free to reach out to me or Ms. Kaplan's assistant Sheng Thao at sthao@oaklandnet.com or 510-238-7082.

Thank you!

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600
San Francisco, Ca 94105
Office: 415.749.4782 **Personal Phone / Ex. 6**
adeguzman@baaqmd.gov

From: Aloha Galimba
Sent: Wednesday, June 28, 2017 8:48 AM
To: 'abockelman@mtc.ca.gov' <abockelman@mtc.ca.gov>; 'grow.richard@epa.gov' <grow.richard@epa.gov>; 'cynthia.marvin@arb.ca.gov' <cynthia.marvin@arb.ca.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; 'muntu.davis@acgov.org' <muntu.davis@acgov.org>; 'anna.lee@acgov.org' <anna.lee@acgov.org>
Cc: Sheng Thao <sthao@oaklandnet.com>
Subject: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Hello,

The Bay Area Air Quality Management District is inviting you – or a representative from your organization - to attend a working meeting on solutions for reducing emissions and health impacts in the West Oakland Community from current operations at the Port of Oakland and future operations at the former Oakland Army Base.

This meeting will be hosted by Oakland Council Member at Large, Rebecca Kaplan, at the Alameda County Transportation Commission, which is located at 11th and Broadway in Downtown Oakland on **Friday July 14, 2017 between 12 pm – 2 pm**.

The goal of this meeting is to devise a workplan that harnesses and coordinates the resources of the participating entities.

Please confirm your participation with me with a CC to Ms. Kaplan' assistant Sheng Thao at Sthao@oaklandnet.com. If you have any questions or concerns, please feel free to reach out to me directly.

Thank you and have a great rest of the day!

Regards,

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782| Personal Phone / Ex. 6
agalimba@baaqmd.gov| www.baaqmd.gov

Message

Sent: 5/11/2017 12:21:46 AM
To: Brian Beveridge Personal Email / Ex. 6
CC: Margaret Gordo Personal Email / Ex. 6
Subject: Re: Meet ? EIP re OAB process: Moving forward with air quality and truck management plans

Either works for me, let's hear from Margaret. Fine with diff place of desired, but also like Buttecup

---

From: Brian Beveridge Personal Email / Ex. 6
Sent: Wednesday, May 10, 2017 5:19 PM
To: Grow, Richard
Cc: Margaret Gordon
Subject: Re: Meet ? EIP re OAB process: Moving forward with air quality and truck management plans

I could do a breakfast meeting on Monday. 8:30 - or 9:00..
Brian

On May 10, 2017 8:12 AM, "Grow, Richard" <Grow.Richard@epa.gov> wrote:

Ms. Margaret & Brian

Yesterday was the first meeting between the City, ARB, BAAQMD, ACPH and myself regarding the upcoming AQ plan. For the City only Patricia and Darin participated, and following up on that I sent the note below to Darin. I suspect that with so many discussions going on it might be good for the three of us to catch up over breakfast. Does anything work for you next Monday, May 15th ?

Richard

From: Grow, Richard
Sent: Wednesday, May 10, 2017 8:02 AM
To: 'DRanelletti@oaklandnet.com' <DRanelletti@oaklandnet.com>
Cc: 'McGowan, Patricia' <PMcGowan@oaklandnet.com>
Subject: EIP re OAB process: Moving forward with air quality and truck management plans

Darin

Following up on yesterday's discussion, see below for the exchange between Brian Beveridge/EIP and Claudia Capio and others regarding the process. I took this to mean that EIP was very interested in discussing the process, but that in

order to proceed with that discussion they were awaiting the outcome of the DOT/City/Port discussions on May 3 and further information regarding the federal response to their Title VI complaint. Since that exchange took place on April 27, my understanding may be somewhat out of date, so if you or Patricia or others have more information, please let me know. Thanks

Richard

From: Brian Beveridge Personal Email / Ex. 6
Sent: Thursday, April 27, 2017 2:22 PM
To: Cappio, Claudia <CCappio@oaklandnet.com>
Cc: Margaret Gordo Personal Email / Ex. 6 clytle@portoakland.com; Schaaf, Libby <LSchaaf@oaklandnet.com>; jbroadbent@baaqmd.gov; john.hummer@dot.gov; cynthia.marvin@arb.ca.gov; mdavis@portoakland.com; rsinkoff@portoakland.com; Nichols, Matthew <MDNichols@oaklandnet.com>; amy.vance@hq.dhs.gov; Strauss, Alexis <Strauss.Alexis@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; hhilken@baaqmd.gov; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Bee, Maria <MBee@oaklandcityattorney.org>; McGowan, Patricia <PMcGowan@oaklandnet.com>; dprevost@portoakland.com; tleong@portoakland.com; Cole, Doug <DCole@oaklandnet.com>; Monetta, John <JMonetta@oaklandnet.com>; dchoy@portoakland.com; yvette.rivera@dot.gov; elizabeth.yura@arb.ca.gov; anna.lee@acgov.org; Lakin, Matt <Lakin.Matthew@epa.gov>; stanley.rayford@fema.dhs.gov; larreola@portoakland.com; Wald, Mark <MWald@oaklandcityattorney.org>; pcort@earthjustice.org; ryan.fitzpatrick@dot.gov; dvintze@baaqmd.gov; muntu.davis@acgov.org; sheminger@mtc.ca.gov; lisa.quiveors@hq.dhs.gov; O'Doherty, Keara S <KODoherty@oaklandnet.com>
Subject: Re: Moving forward with air quality and truck management plans

Ms. Cappio

WOEIP is eager to work with the City and Port of Oakland in a new and meaningful process to address the "significant and unavoidable" impacts projected to burden our community due to the continued development of the Port and Oakland logistics center. As we stated in our federal complaint, we hold that the City's MMRP/SCA are inadequate for the purposes of long-term planning to address the increases in emissions that are projected in the City/Port's own EIR. We feel that every day that the present development senario continues is a day lost to the opportunity for the implementation of real and innovative projects that can bring the new logistics center into the 21st century. As we have stated, in that we have sought federal intervention to address the unproductive process that we have experienced for many years, we feel it only appropriate to allow USEPA and USDOT adequate time to review our complaint. We anticipate knowing more after May 4 and will contact you after that date with recomendations for moving forward in a constructive manner. Considering your closing invitation, we do not anticipate that any process that is convened or moderated by the City will prove satisfactory to our needs.

Sincerely, Brian Beveridge

"(Community) resilience can be understood as place-based cultural practice that defines how residents survive in neighborhoods that already look broken, yet function due to existing social networks, tacit knowledge, and local histories." - Hector Fernando Burga

BRIAN BEVERIDGE, Co-Director
West Oakland Environmental Indicators Project
349 Mandela Pkwy.
Oakland, Ca. 94607
Personal Phone / Ex. 6
WWW.WOEIP.ORG

On Thu, Apr 27, 2017 at 10:58 AM, Cappio, Claudia <CCappio@oaklandnet.com> wrote:

Greetings Ms. Gordon and Mr. Beveridge,

The City continues to be interested in working with you to improve air quality at the former Oakland Army Base (OAB) and in West Oakland, and, concurrently, achieve the economic development objectives and employment opportunities for Oakland residents envisioned in the OAB Reuse Plan. We tried to schedule a meeting with you to discuss your ideas about the process moving forward. It is disappointing that you declined this meeting request on April 7, 2017, citing your recently filed Title VI Civil Rights Complaint as the reason for not meeting.

Please understand that we are taking the Title VI Complaint seriously and will respond to it at the appropriate time and in the appropriate forum. Notwithstanding the Title VI Complaint, the City must keep reviewing submitted building-related applications, and implement the previously adopted mitigation measures in order to meet contractual obligations and provide the employment opportunities that were a part of the overall objectives of the OAB Project.

We are working on getting the truck management plan public process underway. These are important efforts and we hope that you will be involved. In addition, we will soon have draft air quality plans to review for the Prologis warehouse building (operational air quality plan) and for a container storage yard (construction and operational air quality plan). These draft plans will incorporate many of the recommendations previously made by you and by the air quality agencies. We will continue to review these plans in accordance with the Stakeholder process outlined in the OAB Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP).

The City is committed to effective implementation the SCA/MMRP and we hope you will continue to participate in that effort. We, in turn, will continue to provide you notice of the availability of any public review draft plans, review and respond to comments received about those plans and invite you to any related public meetings.

Claudia Cappio

Assistant City Administrator

City of Oakland

1 Frank Ogawa Plaza Suite 301

Oakland, CA 94612

ccappio@oaklandnet.com

510 238 6654 -- direct

510 238 7798 -- Winnie Woo, Assistant

This email communication is intended for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments. Thank you.

Message

Sent: 4/5/2017 3:23:55 PM
To: Israels, Ken [Israels.Ken@epa.gov]
Subject: West Oakland complaint
Attachments: WOEIP Title VI Complaint 4_4_2017.pdf

Arrived last night. Check the addressees.

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 12/8/2017 10:37:49 PM
To: Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; Donez, Francisco [Donez.Francisco@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; di@epa.gov; Buzzelle, Stanley [Buzzelle.Stanley@epa.gov]
Subject: RE: WOEIP/EarthJustice recommendations: Actions for Addressing West Oakland Title 6 Complaint

---

From: Grow, Richard
Sent: Friday, December 8, 2017 2:37 PM
To: Machol, Ben; McDaniel, Penelope; Donez, Francisco
Cc: Israels, Ken; Garnett, Desean; Reyes, Deldi; di@epa.gov; Buzzelle, Stanley
Subject: WOEIP/EarthJustice recommendations: Actions for Addressing West Oakland Title 6 Complaint

Deliberative Process / Ex. 5

Richard

From: Paul Cort [pcort@earthjustice.org]
Sent: Friday, December 8, 2017 12:28 PM
To: ryan.fitzpatrick@dot.gov; Farrell, Ericka
Cc: Grow, Richard; Margaret Gordon; brian.woeip@gmail.com; Aadeyeye@earthjustice.org
Subject: Actions for Addressing West Oakland Title 6 Complaint

Ryan, Ericka:

Please find attached a letter outlining the community's recommendations for actions that should be required of the City and Port of Oakland as part of settling the ongoing Title VI investigation. To support the reasonableness of these recommendations, we have also compiled a set of background materials on activities in the freight sector and at other ports around California. Because of the size of these files, we have set up file sharing for you to access them here: https://earthjustice.sharefile.com/d-s75eb3f080494d188.

We look forward to talking with you soon.

--Paul

Paul Cort
Staff Attorney
Earthjustice California Office
50 California Street, Suite 500
San Francisco, CA 94111
T: 415.217.2077
F: 415.217.2040
earthjustice.org

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Margaret Gordon [margaret.woeip@gmail.com]
Sent: 2/3/2018 12:00:24 AM
To: Fern Uennatornwaranggoon [puennatornwaranggoon@edf.org]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]
Subject: Fwd: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes
Attachments: DRAFT Meeting #1 MAQIP Agenda - For Co-Chair Review - Feb 2.docx

FYI,

Ms.M

---------- Forwarded message ----------
From: **Scott McCreary** <scott@concurinc.net>
Date: Fri, Feb 2, 2018 at 2:40 PM
Subject: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes
To: Chris Lytle <clytle@portoakland.com>, Jack Broadbent <jack@baaqmd.gov>, nudd@baaqmd.gov, Andy Garcia <algarcia@gsclogistics.com>, Brian Beveridge <brian.woeip@gmail.com>, Margaret Gordon <margaret.woeip@gmail.com>, Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Meredith Cowart <meredith@concurinc.net>

Dear Co-Chairs,

As we committed to you at our January 26, 2108 Co-Chairs meeting, we are forwarding for your review a Draft Agenda for the Feb 23, 2018, MAQIP meeting.

As you review this, please note the following:

- MAQIP Mtg#1 Agenda: We believe that the February 23, 2018, Agenda is responsive to the points raised through our interviews with Task Force members and by the Co-Chairs regarding focus of the meeting and related agenda items, including technical presentations. Given the number of technical presentations and the need to allow sufficient time for public comments, we have kept the original timing of the meeting from 10:00 a.m.-2:00 p.m.

  Please review this draft agenda, and provide comments to CONCUR with "cc" to all. It would be helpful to have your comments in hand by Feb 7th.

- Briefing documents: At the January 26, 2018, Co-Chairs meeting, Greg Nudd requested read-ahead materials that will be the subject of presentations at the February 23, 2018, meeting. The Port is preparing (through its consultant Starcrest) a presentation on emissions projections and emissions reduction measures associated with source categories.

CONCUR is finalizing the Stakeholder Assessment document. CONCUR will circulate both documents to the Co-Chairs in advance of next Friday's Co-Chairs meeting.

Key items to note: To allow for stakeholder input on emissions control options to reach the -85% DPM reduction goal, the Port and CONCUR have devised the following proposed sequence, which is reflected in the agenda attached.

- Meeting #1 (February 23, 2018): Starcrest will present on the proposed emissions control measures (Block III. Closing the Gap)

    - CONCUR will lead a discussion by the Task Force on those proposed emissions control measures (Block V. Soliciting Input). The Task Force will be asked to comment on which elements have support, which do not, and offer additional suggestions. Members of the public will also have an opportunity to comment.

- Between Mtg #1 and Mtg #2 (Following the Feb 23, 2018, meeting)

    - The Port and its technical consultants will review the feedback received, update the list, and respond to feedback. The Port's response will be circulated to Task Force members prior to March 29, 2018 (Meeting #2.)

- Meeting #2:

    - CONCUR will gauge support for the recommended emissions reduction measures among Task Force members through a straw polling or voting exercise.

Thank you in advance for your review of the Draft February 23, 2018, Meeting Agenda. Please let us know if you have any comments or questions.

Best wishes for a great weekend.

Best,

Scott McCreary and Meredith Cowart

--
Scott McCreary, PhD
Principal
CONCUR, Inc.
1832 Second Street
Berkeley, CA 94710
(510) 649-8008 / 649-1980 (fax)
www.concurinc.com

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project

349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

Port of Oakland Maritime Air Quality Improvement Plan (MAQIP)
"MAQIP 2018 Update" - Reconvened MAQIP Task Force - Meeting #1
February 23rd, 2018 - Port of Oakland
Draft Agenda – Feb 2nd – For Review by Co-Chairs

Agenda Topic	Time
I. Opening the Meeting (Scott McCreary, CONCUR) a. Welcome from the Co-Chairs (All Co-Chairs) b. Task Force Members and Alternates (All TF Members and Alternates) c. Port Air Quality Team (Richard Sinkoff, Port) d. Meeting Objectives (Scott McCreary, CONCUR)	10:00 – 10:20a
II. Setting the Context: Information Briefings (Scott McCreary, CONCUR) a. Stakeholder Engagement i. Briefing #1: *Findings of the Stakeholder Assessment* (CONCUR) (10 mins) b. Business Planning and Operations i. Briefing #2: *Development and Operations* (Chris Lytle, Port) (10-15 mins) c. Local Public Health i. Briefing #3: *Health Trends and Data* (Anna Lee, ACDPH) (10-15 mins) (To be confirmed) d. Clarifying questions (5-10 mins)	10:20 – 11:05a
III. Closing the Gap (Richard Sinkoff, Port) a. Briefing #4: *Modeling Progress: The Role of the Port's Emissions Inventories* (Ramboll) (To be confirmed) (10-15 mins) b. Briefing #5: *Compliance Case Study: Shore Power Program* (Catherine Mukai, Port) (10-15 mins) c. Briefing #6: *Emissions Forecasts and Proposed Control Measures* (Starcrest) (10-15 mins) d. Clarifying questions (5-10 mins)	11:05 – 11:55a

IV.	**Bridging to the Future: "DPM and Beyond" (Diane Heinze, Port)** a. Grants and Incentives (Catherine Mukai, Port) b. Clarifying questions	11:55 – 12:15
	Lunch - hosted by Port	***12:15 – 12:45p***
V.	**Soliciting Input (Scott McCreary, CONCUR)** a. Task Force Feedback on Proposed Emissions Control Measures (30 mins) b. Comments from the Public-at-Large (30 mins)	12:45 – 1:45p
VI.	**Summing Up (Scott McCreary, CONCUR)** a. Highlights and Action Items (Meredith Cowart, CONCUR) b. Closing Comments (TF Members and Co-Chairs)	1:45 – 2:00p
VII.	**Adjourn (Scott McCreary, CONCUR)**	2:00p

Message

From: Port of Oakland [community@portoakland.com]
Sent: 2/2/2018 10:00:30 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Port in the Community February e-Newsletter

PORT OF OAKLAND

Social Responsibility in Our Community

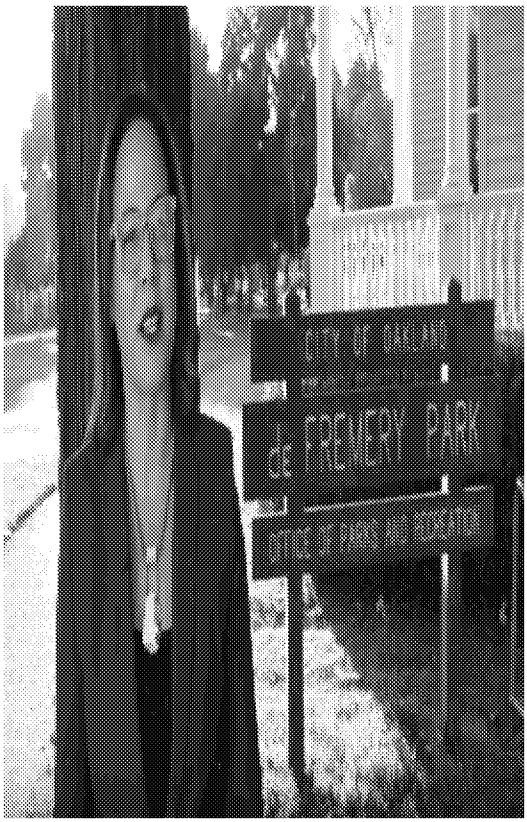
February 2, 2018

A Message from Amy Tharpe, Director of Social Responsibility

Dear Community,

2017 was an exciting year for our work. The Port and our local community were partners in empowering our local residents, businesses and non-profit organizations that serve those in need. The above video, *Social Responsibility in Our Community*, takes a look at this year's accomplishments gained by working together. We look forward to collaborating more in 2018.

Sincerely,
Amy



Amy Tharpe, Director of Social Responsibility

Check out the Port of Oakland Year in Review and learn about the Port of Oakland's 2017 accomplishments and how our progress in 2017 will shape 2018.

Internships & Scholarships

2018 Summer College Internship Program Recruitment

The Port of Oakland's 2018 Summer College Internship Program application period is now open through Friday, March 2, 2018 at 5:00 pm (PDT). We are inviting talented, highly motivated college students to apply for this exciting **paid** internship opportunity.

The program offers 19 internship opportunities in a variety of fields: Aviation, Aviation Communications, Aviation Planning and Development, Communications, Engineering, Environmental Programs and Planning, Governmental Affairs, Human Resources, Information Technology, Legal, Risk Management and Social Responsibility.

The internship program runs from Monday, June 18, 2018 through Friday, August 17, 2018. To apply, please visit www.portofoakland.com/business/job-center/internships.

Port of Oakland Employees' Scholarship Fund

Since 1994, the Port of Oakland Employees' Scholarship Program has awarded 270 scholarships totaling $886,000. Scholarships are administered through the Marcus Foster Education Institute. Every year, employees raise funds through an annual golf tournament and employee contributions made during the Port's annual Giving Campaign. The program offers scholarships to Oakland Unified high school seniors (district or charter) to encourage them to attend a community college, vocational/trade school or 4-year college/university.

To apply, please visit www.marcusfoster.org/scholarships. The deadline for submission is Friday, March 2, 2018.

Asian Employees Association at the Port of Oakland

The Asian Employees' Association (AEA) at the Port of Oakland is a non-profit organization founded by Port employees in 1991 to inspire and reward outstanding academic achievement among our Oakland high school students. AEA offers scholarships to high school seniors residing in Oakland to encourage them to attend college after graduation. The program has grown steadily over the years and has awarded over $300,000 in scholarships.

To apply, please visit www.portaea.org. The deadline for submission is Friday, March 16, 2018.

Port of Oakland Employees' 2018 Golf Tournament

Save the date for the 24th Annual Port of Oakland Employees' Golf Tournament on Monday, May 21, 2018. The Port of Oakland Employees' Scholarship Program volunteer committee hosts the annual golf tournament fundraiser in partnership with the Marcus Foster Education Fund, a non-profit organization dedicated to supporting the Oakland public schools. The golf tournament fundraiser supports the Port of Oakland Employees' Scholarship Program.

Online registration is available beginning Thursday, March 1, 2018. Please contact Ramona Dixon at rdixon@portoakland.com for further questions.

Community Highlights

West Oakland Legacy and Leadership Project Visits the Port to Learn about Shorepower

Jan. 30, 2018

The Attitudinal Healing Connection's West Oakland Legacy and Leadership Project visited the Port to learn about shorepower. Shorepower provides landside electrical infrastructure so that ships can connect to the power grid and turn off their diesel fueled auxiliary engines while at berth.

McClymonds High School Celebrates Football Title

Jan. 19, 2018

Congratulations to McClymonds High School's State Champion football team! They came to Jack London Square to celebrate their second California State Football Championship Title.

Request for Proposals (RFP) Opportunities

Food and Beverage Concession Opportunity
Invitation to Participate in an
Open House Discussion and Presentation

Two Dates for Your Convenience:

Tuesday, February 6, 2018
6:00 p.m. to 9:00 p.m.

Wednesday, February 7, 2018
2:00 p.m. to 5:00 p.m.

Oakland International Airport

Muir Woods Conference Room – Terminal 1 (2nd Floor)
The Port of Oakland will be issuing a Request for Proposals ("RFP") for all Food & Beverage Concession Units at Oakland International Airport and is inviting restaurant operators, concessionaires, food vendors, and service providers interested in participating in this concession opportunity to meet with Port staff, consultants and each other to discuss and ask questions about the RFP process.

PLEASE RSVP TO ATTEND!

All Interested Parties planning to attend the Open House must RSVP with your name, names of others who may attend with you, company name and contact information to concessions@portoakland.com.

For More Information

Social Responsibility Division | Port of Oakland, 530 Water Street, Oakland, CA 94607

Unsubscribe grow.richard@epa.gov

Update Profile | About our service provider

Sent by community@portoakland.com in collaboration with

Constant Contact

Try it free today

Message

From: Donez, Francisco [Donez.Francisco@epa.gov]
Sent: 2/2/2018 9:17:27 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]
Subject: RE: W.O. update

Hi Richard: Belated thanks for this teaser! If it is OK, I will set up a time for a quick update next week or the following.

Francisco

From: Grow, Richard
Sent: Wednesday, January 24, 2018 12:48 PM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Subject: W.O. update

Ben, Penny and Francisco

Just wanted to let you know there is a lot going on on the West Oakland Port/City front, but on the other hand nothing brewing that needs your immediate attention, but on the third hand wanted to let you know I am available to provide an update anytime.

Richard

Appointment

From: McGhee, Debra [mcghee.debra@epa.gov]
Sent: 9/6/2017 3:56:22 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]

Subject: R-9 Suggested Revisions
Location: Conference Call/Rm 2528

Start: 9/6/2017 7:30:00 PM
End: 9/6/2017 8:30:00 PM
Show Time As: Tentative

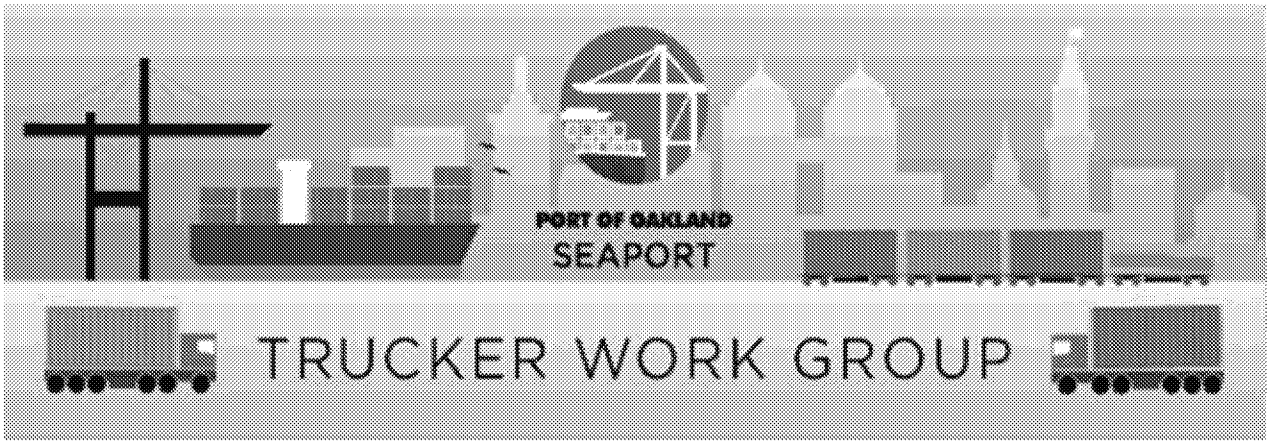
Call to discuss the revisions and suggested strategy provided by R-9 vis-à-vis the complaint filed against the City and Port of Oakland.

Call-in Information:

Conference Line/Code / Ex. 6

Message

From: Ralph Reynoso [rreynoso@portoakland.com]
Sent: 10/27/2017 9:37:18 PM
Subject: Port of Oakland TWG November Meeting



Monday, November 13th at **12:00 PM**

November Meeting

Please join us for the last scheduled bi-monthly Trucker Work Group (TWG) meeting for 2017.

Updates will be provided by Port staff, marine terminal operators, chassis equipment providers, regulatory agencies, OPD, logistic/drayage software developers, trucking associations and others as available.

The meeting location is located in the port area at the Port of Oakland Harbor Facilities Maintenance Building located at 651 Maritime Street. The meeting room is on the 1st floor.

2017 Bi-Monthly Meeting Schedule:

UPCOMING MEETING
November 13th, 2017
Noon – 1 PM

Harbor Facilities
Maintenance Yard
651 Maritime St.
Oakland, CA 94607

Driving Directions

https://maps.google.com/maps?q=651+maritime+street&oe=UTF-8&hnear=651+Maritime+St,+Oakland,+Alameda+County,+California+94607&gl=us&ll=0,0&z=16

TWG MISSION STATEMENT

The Oakland Truck Work Group (TWG) was established in 2007 as a forum for open dialogue about safe, secure, compliant and efficient trucking operations at the Port of Oakland.

Monthly meetings are co-chaired by Port Staff and the Trucking

~~January 9th~~

~~March 20th~~

~~May 15th~~

~~July 17th~~

~~September 25th~~

November 13th (***Food will be Provided***)

Industry to foster communication and collaboration and facilitate efficient goods movement at the Port of Oakland.

TWG Co-Chairs

Henry Osaki (Mutual Express Company)
&
Ralph Reynoso (Port of Oakland)

Message

From: Brian Beveridge [brian.woeip@gmail.com]
Sent: 12/3/2017 7:37:09 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Fwd: Port of Oakland Trucker Work Group Bulletin - Centralized Examination Stations (CES) Information Notice
Attachments: Information Notice 728-18-02.pdf

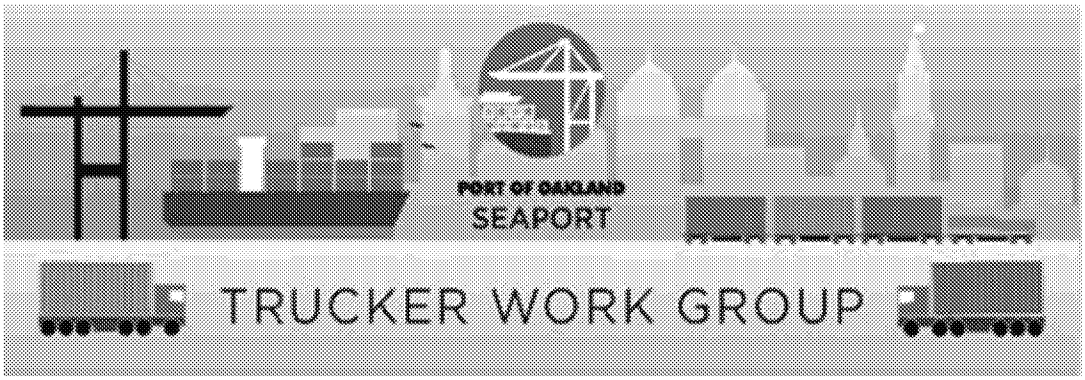
Did you get this notice regarding Customs?
---------- Forwarded message ----------
From: "Bill Aboudi" <bill@abtruck.com>
Date: Nov 30, 2017 5:32 PM
Subject: Fwd: Port of Oakland Trucker Work Group Bulletin - Centralized Examination Stations (CES) Information Notice
To: "Dexter Vizinau" Personal Email / Ex. 6 "Margaret Gordon" Personal Email / Ex. 6 "Brian Beveridge" Personal Email / Ex. 6
Cc:

---------- Forwarded message ----------
From: **Ralph Reynoso** <rreynoso@portoakland.com>
Date: Thu, Nov 30, 2017 at 1:01 PM
Subject: Port of Oakland Trucker Work Group Bulletin - Centralized Examination Stations (CES) Information Notice
To:

To All:

Please see information notice from the Customs & Border Protection Area Port Director. A formal announcement for new CES selection will be forthcoming (soon).

Please direct all questions to the departments and phone numbers listed on the notice.



--

Bill Aboudi
bill@abtruck.com
Personal Phone / Ex. 6

Street Turn done right by Jupigo.co

Message

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 8/31/2017 3:36:27 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Need FY18 Priorities by COB Thursday!

Thanks Richard.

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

From: Grow, Richard
Sent: Thursday, August 31, 2017 8:34 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Subject: RE: Need FY18 Priorities by COB Thursday!

Mike – two topics, pls edit as needed:

Deliberative Process / Ex. 5

Richard

From: BANDROWSKI, MIKE
Sent: Tuesday, August 29, 2017 10:15 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>; Freed, Rachel <freed.rachel@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Lopez, Mariela <Lopez.Mariela@epa.gov>; Nivolon, Monique <Nivolon.Monique@epa.gov>; Pathak, Priyanka <Pathak.Priyanka@epa.gov>; Stewart, Kathleen <Stewart.Kathleen@epa.gov>
Subject: Need FY18 Priorities by COB Thursday!

Deliberative Process / Ex. 5

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

Message

From: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]
Sent: 8/22/2017 11:51:29 PM
To: 'Alison Kirk' [AKirk@baaqmd.gov]; 'Margaret Gordon' [margaret.woeip@gmail.com]
CC: Yura, Elizabeth [eyura@arb.ca.gov]; Brian Beveridge [brian.woeip@gmail.com]; Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Hi Alison,

I'm not sure if there's a practical difference between a 3 or 2 minute idling limit – I think I would push if it is a BAAQMD best practice and published in any of your documents. Is it? Thanks and looking forward to seeing Dave and following-up with you.

Anna

From: Alison Kirk [mailto:AKirk@baaqmd.gov]
Sent: Tuesday, August 22, 2017 1:50 PM
To: Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; 'Margaret Gordon' <margaret.woeip@gmail.com>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge <brian.woeip@gmail.com>; Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Hello,

Turns out Dave Vintze will be attending the meeting tomorrow. We will share our comments at the meeting. Please let me know if you wish to discuss our comments further before the meeting, I am happy to do so.

Thanks!

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Alison Kirk
Sent: Monday, August 21, 2017 3:44 PM
To: 'Lee, Anna, Public Health, OOD' <Anna.Lee@acgov.org>; 'Margaret Gordon' <margaret.woeip@gmail.com>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge <brian.woeip@gmail.com>; Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Anna,

Thank you for your comments! I am revising our preliminary comments and will include these items. I have also made comments below and I am interested to hear from other people:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I look forward to more comments! Hope to send this email to the City by COB Tuesday. Thank you.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Monday, August 21, 2017 2:20 PM
To: 'Margaret Gordon' <margaret.woeip@gmail.com>; Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge <brian.woeip@gmail.com>; Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Thanks for sending out your comments ahead of the meeting. These are helpful to point out to the City. I had a few quick questions for you all.

Deliberative Process / Ex. 5

Thanks,
Anna

From: Margaret Gordon [mailto:margaret.woeip@gmail.com]
Sent: Friday, August 18, 2017 9:59 AM
To: Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge <brian.woeip@gmail.com>; Richard Grow <grow.richard@epa.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>
Subject: Re: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Good morning Allson,

Thank you from email and updated information. Can please provide comments, items that are not pleasing my BAAQMD, that are concerning, are including as projects or innovations what are in the funding incentive

grants of BAAQMD. Here are more language or items that should include in the comments:

* Nothing about Public Health

* Zero Emission

* Proximity

* Sources

* Enforcement

In the future all such emails should be forward to all members of WOTRC.

Have a good day and nice weekend.

Ms.Margaret

On Fri, Aug 18, 2017 at 9:30 AM, Alison Kirk <AKirk@baaqmd.gov> wrote:

Hello all,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I look forward to your comments on these items.

Alison Kirk, AICP

Senior Environmental Planner

415-749-5169

The Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

Message

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 8/22/2017 8:49:56 PM
To: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]; 'Margaret Gordon' Personal Email / Ex. 6
CC: Yura, Elizabeth [eyura@arb.ca.gov]; Brian Beveridge Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Hello,

Turns out Dave Vintze will be attending the meeting tomorrow. We will share our comments at the meeting. Please let me know if you wish to discuss our comments further before the meeting, I am happy to do so.

Thanks!

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Alison Kirk
Sent: Monday, August 21, 2017 3:44 PM
To: 'Lee, Anna, Public Health, OOD' <Anna.Lee@acgov.org>; 'Margaret Gordon' Personal Email / Ex. 6
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Anna,

Thank you for your comments! I am revising our preliminary comments and will include these items. I have also made comments below and I am interested to hear from other people:

- There isn't detail in this document about the equipment types, number needed, days used for construction. Are they relying on the detailed equipment list that was discussed at the in-person meeting? If so, shouldn't this be included so that the public can see a bit more detail? I recall those equipment lists were from Phase 1, describing what was already finished. Since this Phase hasn't been contracted out yet, is it reasonable to not have that detailed information up front? I think so, but don't know for sure.

- On idling – is 3 minutes the ideal standard? Three minutes is better than 5, but I thought 2 minutes was the ideal. Yes! You are correct, and I completely rolled over on that one, in part because my big ask was the 2010 trucks. Let me know if you think we should stay strong on that..

- On electricity infrastructure – should they get more specific about their off-site electrical source for small tools and equipment (3.3.f)? Good point. I will add.

I look forward to more comments! Hope to send this email to the City by COB Tuesday. Thank you.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Monday, August 21, 2017 2:20 PM
To: 'Margaret Gordon' Personal Email / Ex. 6 Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge < Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Thanks for sending out your comments ahead of the meeting. These are helpful to point out to the City. I had a few quick questions for you all.

- There isn't detail in this document about the equipment types, number needed, days used for construction. Are they relying on the detailed equipment list that was discussed at the in-person meeting? If so, shouldn't this be included so that the public can see a bit more detail?

- On idling – is 3 minutes the ideal standard? Three minutes is better than 5, but I thought 2 minutes was the ideal.

- On electricity infrastructure – should they get more specific about their off-site electrical source for small tools and equipment (3.3.f)?

Thanks,
Anna

From: Margaret Gordon Personal Email / Ex. 6
Sent: Friday, August 18, 2017 9:59 AM
To: Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>
Subject: Re: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Good morning Allson,

Thank you from email and updated information. Can please provide comments, items that are not pleasing my BAAQMD, that are concerning, are including as projects or innovations what are in the funding incentive grants of BAAQMD. Here are more language or items that should include in the comments:

* Nothing about Public Health

* Zero Emission

* Proximity

* Sources

* Enforcement

In the future all such emails should be forward to all members of WOTRC.

Have a good day and nice weekend.

Ms.Margaret

On Fri, Aug 18, 2017 at 9:30 AM, Alison Kirk <AKirk@baaqmd.gov> wrote:

Hello all,

The purpose of this email is to share information with our partners about our review of the Diesel Emissions Reduction and Air Quality Plan for Construction of CE-2 Southeast Gateway Parcel and CC-1 New Central Gateway Parcel (Plan), in advance of the Stakeholders meeting scheduled for Wed. Aug 23 from 11 am to 1 p.m.

1. We are pleased to see that the Plan calls for limiting idling of commercial vehicles over 10,000 lbs. and off-road equipment over 25 horsepower to 3 minutes (items 3.1.h and i). However, this change was not made to item 3.4 a which limits unnecessary idling to 5 minutes. We hope that this is an error and that 3.4 a will be updated to be consistent with items 3.1h and i.

2. Item 3.3 a includes language drafted by ARB stating that contractors shall contact at least 3 rental agencies in the Bay Area when looking to rent Tier 4 equipment. We are pleased with this addition.

3. Item 3.3 e states that "All scissor lifts and small tools will be electric." In the previous draft of the Plan, electric equipment was voluntary, so we are also pleased to see this.

4. BAAQMD and ARB had recommended a commitment to model year 2010 or newer on-road trucks. Unfortunately, the Plan still states (Item 3.3.b) "All contractors will be encouraged to use post 2010 model water trucks, as available." We are disappointed and will continue to urge the City to require that all on-road trucks be model year 2010 or newer.

5. Finally, BAAQMD staff has many ongoing projects. In the interest of using staff time efficiently, rather than attending the Stakeholder's meeting in person, we are considering emailing these comments to the City before the meeting.

I look forward to your comments on these items.

Alison Kirk, AICP

Senior Environmental Planner

415-749-5169

The Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Phone / Ex. 6 direct line
www.woeip.org

Message

From: Israels, Ken [Israels.Ken@epa.gov]
Sent: 9/6/2017 12:49:32 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: R9 comments: Draft Framework for Oakland Agreement

Hi –

I've reviewed the attachment, Desean's comments, and the email thread below. I am available for discussion today except between 10:30 and noon.

Ken

From: Grow, Richard
Sent: Tuesday, September 5, 2017 1:00 PM
To: Israels, Ken <Israels.Ken@epa.gov>
Subject: FYI: R9 comments: Draft Framework for Oakland Agreement

Deliberative Process / Ex. 5

From: Grow, Richard
Sent: Tuesday, September 5, 2017 11:58 AM
To: Temple, Kurt
Cc: Dorka, Lilian; Garnett, Desean; Reyes, Deldi
Subject: R9 comments: Draft Framework for Oakland Agreement

Kurt

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Message

From: McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]
Sent: 10/19/2017 2:01:27 AM
To: Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; Donez, Francisco [Donez.Francisco@epa.gov]
Subject: RE: Port response: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

thanks

From: Grow, Richard
Sent: Wednesday, October 18, 2017 5:40 PM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Subject: Port response: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

FYI

From: Damian Breen <dbreen@baaqmd.gov>
Sent: Wednesday, October 18, 2017 5:26 PM
To: rsinkoff@portoakland.com; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney; Jack Broadbent; Aloha de Guzman; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard; Matthew Davis; Lee, Anna, Public Health, OOD; Carolyn Clevenger; Henry Hilken; Sheng Thao ; Rebecca Kaplan ; Catherine Mukai; Ranyee Chiang; Machol, Ben; Israels, Ken; Woo, Winnie; David Vintze; Alison Kirk; Karen Schkolnick; McGowan, Patricia
Subject: RE: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Richard,

Thank you for this response. At first blush, it looks like this is headed in the right direction. I look forward to our conversation on Friday.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

From: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Wednesday, October 18, 2017 5:15 PM
To: Damian Breen <dbreen@baaqmd.gov>; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel <tlengyel@alamedactc.org>; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney <mmaloney@mtc.ca.gov>; Jack Broadbent <jack@baaqmd.gov>; Aloha de Guzman <adeguzman@baaqmd.gov>; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard <Grow.richard@epa.gov>; Matthew Davis <mdavis@portoakland.com>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Carolyn Clevenger <cclevenger@alamedactc.org>; Henry Hilken <HHilken@baaqmd.gov>; Sheng Thao <sthao@oaklandnet.com>; Rebecca Kaplan <kaplanforoakland@gmail.com>; Catherine Mukai <cmukai@portoakland.com>; Ranyee Chiang

<rchiang@baaqmd.gov>; machol.ben@epa.gov; Israels, Ken <Israels.Ken@epa.gov>; Woo, Winnie <WWoo@oaklandnet.com>; David Vintze <DVintze@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: RE: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Damian,

Thank you for the opportunity to review and respond to the "BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base" (August 2017) and the emissions control strategies that BAAQMD has presented at different meetings and in different forms (i.e., July 14, 2017, "Proposal to Further Reduce Emissions at the Port of Oakland and Former Oakland Army Base" presentation by Jack P. Broadbent, Executive Officer/APCO; July 14, 2017, "BAAQMD – Emissions Reductions 'Strawman' Revised, etc.) (collectively, the "BAAQMD Proposals"). As an initial matter, the Port of Oakland (the "Port") has similar questions as the City of Oakland regarding the intended implementation and legal status of the BAAQMD Proposals. The Port reiterates and incorporates by reference the questions, concerns and comments identified by the City of Oakland in its October 18, 2017 memo to you.

The Port shares BAAQMD's goals of reducing emissions associated with the Oakland Army Base ("OAB") redevelopment project. The Port would like to work with the BAAQMD to identify the proposed emission reduction actions set forth in the BAAQMD Proposals that will have the greatest positive impact and will be both economically and technologically feasible. Given the Port's continued focus on public health in West Oakland, the Port's emissions reduction efforts will continue to emphasize reductions in diesel particulate matter ("DPM"), but the Port will also evaluate other emissions reductions, including actions to reduce greenhouse gas ("GHG") emissions.

In order to identify which source categories to target with additional emissions reductions efforts, the Port has modeled emissions projections for 2020 and 2030. Concurrently, we are also modeling CO2e for source categories within the context of the State's 2030 GHG emissions reduction targets. Based upon our projections, we have identified a "first tier" of source categories and emissions reductions activities that would have the largest impact on reducing emissions of DPM, GHGs, and criteria air pollutants at the Port. These are listed first then described in greater detail, below.

1. Harbor Craft ("HC")
2. Cargo Handling Equipment ("CHE")
3. Vessel retrofits for Ocean-Going Vessels ("OGV")
4. Vessel Speed Reduction ("VSR") for OGVs
5. Alternative emissions control systems for OGVs
6. Shore-Power Vaults and Cable Reels
7. Electrical System Upgrades and Improvements

Harbor Craft (HC)

- Emissions reductions for HC would benefit the entire Bay Area, as the local tug fleet serves many area ports and terminals. As such, actions for HC depend on coordination between the tug owners (only one of whom is a Port of Oakland tenant), port and terminal authorities, and the BAAQMD.

- In coordination with the BAAQMD, Port staff propose to conduct outreach to HC owners and operators regarding the engines in their fleet and their ideas for successful retrofits and replacement. We propose to also contact Chevron Richmond for information regarding its purchase of a Tier 4 tug for use in the Bay Area. The goal of the outreach is to identify tugs with the greatest potential for emissions reductions through retrofits or replacement, and use the emissions reduction potential to identify appropriate grant funding.

Cargo Handling Equipment (CHE)

- One terminal operator at the Port would like to immediately apply for grant funding for up to 13 hybrid Rubber Tired Gantry ("RTG") cranes. The hybrid RTG cranes can reduce diesel use by up to 80% and rely on a modular design so that the diesel range extenders can eventually be replaced with rechargeable batteries.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential and prepare grant applications for repowering 13 RTGs at the interested terminal.

Vessel retrofits for Ocean-Going Vessels (OGVs)

- To increase the use of shore power at the Port, more vessel retrofits are required so that ships have the on-board hardware and systems needed to plug in. While some liner services calling at the Port have 100% shore power-capable vessels, some lines include vessels with no hardware or systems to plug in.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of a typical vessel and identify candidate vessels.

Vessel Speed Reduction for Ocean-Going Vessels (VSR)

- A VSR program has benefits beyond air quality improvements, such as protection of marine mammals, especially the larger whale species (i.e., reducing the potential for mortality to whales feeding or resting in shipping lanes, etc.). By increasing efficiency, a VSR can also reduce GHG emissions from OGVs. Port staff propose to share information regarding actual vessel speeds, which the Port has been collecting for recent months from the Marine Exchange, with the BAAQMD. Port staff seeks more information from the BAAQMD on the format and use of the BAAQMD's VSR incentive program. This information sharing could result in development of guidelines for a permanent Bay Area VSR incentives program.

Alternative emissions control systems for Ocean Going Vessels

- Recognizing that not all vessels that call at the Port are equipped to utilize shore power, the Port is interested in barge-mounted emissions control systems. Port staff know of three companies currently offering these services. Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of this technology and the requirements of the candidate vendors.

Shore-Power Vaults and Cable Reels

- Cable reel extenders are an option to increase the use of shore power, as are additional shore power vaults. Port staff propose to work with the BAAQMD to identify specific funding opportunities for cable reel extenders. Based on conversations with terminal operators, Port staff may also seek funding opportunities for additional shore power vaults.

Electrical System Upgrades and Improvements

- We are encouraged that the BAAQMD Proposals include the potential for funding support for electric system upgrades. As we previously discussed, improvements to the electrical system are foundational for the transformation of ports goods movement to a zero- and near-zero emissions platform. As a first step, Port staff propose to work with the BAAQMD to identify specific funding opportunities to build a solar canopy structure with potential battery storage at Harbor Facilities. The battery storage will provide resiliency for Harbor Facilities and other Seaport facilities. Longer-term plans for Port infrastructure as described in the Port's June 2016 Maritime Electric Strategic Assessment, which we

have shared with you, are also candidates for funding. Port staff may also seek funding opportunities to study infrastructure capacity needs within each of the Port's terminals to support future electrification.

We look forward to discussing these options with you and to working together on establishing a "first tier" of successful programs and projects. Let's begin the discussion of these proposals at ACTC on October 20.

Sincerely,

Richard

Richard Sinkoff
Director of Environmental Programs and Planning
Port of Oakland
510-627-1182
rsinkoff@portoakland.com

From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Tuesday, October 17, 2017 4:43 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel <tlengyel@alamedactc.org>; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney <mmaloney@mtc.ca.gov>; Jack Broadbent <jack@baaqmd.gov>; Aloha de Guzman <adeguzman@baaqmd.gov>; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard <Grow.richard@epa.gov>; Matthew Davis <mdavis@portoakland.com>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Carolyn Clevenger <cclevenger@alamedactc.org>; Richard Sinkoff <rsinkoff@portoakland.com>; Henry Hilken <HHilken@baaqmd.gov>; Sheng Thao <sthao@oaklandnet.com>; Rebecca Kaplan <kaplanforoakland@gmail.com>; Catherine Mukai <cmukai@portoakland.com>; Ranyee Chiang <rchiang@baaqmd.gov>; machol.ben@epa.gov; Israels, Ken <israels.Ken@epa.gov>; Woo, Winnie <WWoo@oaklandnet.com>; David Vintze <DVintze@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

Message

From: McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]
Sent: 10/19/2017 1:54:15 AM
To: Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; Donez, Francisco [Donez.Francisco@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]
Subject: RE: Questions and FYI: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

I plan to be there tomorrow. Ben - I will be in the office before if you want to touch base and walk over together.

From: Grow, Richard
Sent: Wednesday, October 18, 2017 5:21 AM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Israels, Ken <Israels.Ken@epa.gov>
Subject: Questions and FYI: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Ben, Penny & Francisco

Deliberative Process / Ex. 5

Richard

From: Damian Breen <dbreen@baaqmd.gov>
Sent: Tuesday, October 17, 2017 4:43 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney; Jack Broadbent; Aloha de Guzman; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard; mdavis@portoakland.com; Lee, Anna, Public Health, OOD; Carolyn Clevenger; rsinkoff@portoakland.com; Henry Hilken; Sheng Thao ; Rebecca Kaplan ; Catherine Mukai; Ranyee Chiang; Machol, Ben; Israels, Ken; Woo, Winnie; David Vintze; Alison Kirk; Karen Schkolnick; McGowan, Patricia
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

Technology and Fuels Assessments

www.arb.ca.gov

technology, assessment, assessments, assesment, sustainable freight technology, tech, fuel assessment, fuels assessment, fuels technology assessment ...

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

Message

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 12/1/2017 5:54:13 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Morris, Robbie@ARB [robbie.morris@arb.ca.gov]; Brian Beveridge [brian.woeip@gmail.com]; Margaret Gordon [margaret.woeip@gmail.com]; Aadeyeye@earthjustice.org; Ken Alex [Ken.Alex@GOV.CA.GOV]; Garcia, Yana@EPA (Yana.Garcia@calepa.ca.gov) (Yana.Garcia@calepa.ca.gov) [Yana.Garcia@calepa.ca.gov]
CC: David Vintze [DVintze@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]
Subject: FW: Air District - Mobile Source Committee Meeting 12/07/2017

Hello,

Just wanted to bring to your attention Agenda Item 7, "Update on efforts to further reduce emissions at the Port of Oakland and former Oakland Army Base." Page 56 of 58.

http://www.baaqmd.gov/~/media/files/board-of-directors/2017/msc_agenda_120717-pdf.pdf?la=en

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Bay Area Air Quality Management District [mailto:board@www-baaqmd.ccsend.com] **On Behalf Of** Bay Area Air Quality Management District
Sent: Thursday, November 30, 2017 3:52 PM
To: Alison Kirk <AKirk@baaqmd.gov>
Subject: Air District - Mobile Source Committee Meeting 12/07/2017

Dear Subscriber:

The Bay Area Air Quality Management District's Mobile Source Committee will meet on Thursday, December 7, 2017.

The meeting agenda may be found at:

http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes

If you wish to be removed from our list please follow the link below.

Thank you.

BAAQMD, 375 Beale Street, Suite 600, San Francisco, CA 94105

SafeUnsubscribe™ akirk@baaqmd.gov

Forward email (Please use this link if you wish to forward this email) | Update Profile | About our service provider

Sent by webmaster@baaqmd.gov in collaboration with

Try it free today

Message

From: Margaret Gordon Personal Email / Ex. 6
Sent: 9/21/2017 4:43:4[illegible]
To: Alison Kirk [AKirk@baaqmd.gov]
CC: Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Grow, Richard [Grow.Richard@epa.gov]; Brian Beveridge Personal Email / Ex. 6 [illegible]yura, Elizabeth [eyura@arb.ca.gov]; David Vintze [DVintze@baaqmd.gov]; Morris, Robbie@ARB [robbie.morris@arb.ca.gov]
Subject: Re: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease on Agenda

Thanks Alison,

One more hurdle to jump and thank you the heads up, address this matter.

Ms.Margaret Gordon

On Thu, Sep 21, 2017 at 8:44 AM, Alison Kirk <AKirk@baaqmd.gov> wrote:

Hello,

After years of closed-door negotiations, OAB is finally on the Port agenda, item 5.2 at the Thursday, Sept. 28 Board meeting.

Item 5.2 is an Ordinance and Resolution to enter into a ground lease with CenterPoint-Oakland Development I, LLC for 66 years.

As you might expect, the Port's lease with CenterPoint calls for CenterPoint to meet the requirements of the OAB CEQA documents. As we all know, these requirements are vague and do not meet the standards we have been recommending to the City over the years.

I'll be drafting a letter from BAAQMD for the Sept. 28 meeting, urging the Port to implement measures consistent with our recommendations, etc.

Let me know if you have any questions or comments!

Thanks,

Alison Kirk, AICP

Senior Environmental Planner

415-749-5169

The Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Phone / Ex. 6 irect line
www.woeip.org

Message

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 8/21/2017 10:43:32 PM
To: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]; 'Margaret Gordon' Personal Email / Ex. 6
CC: Yura, Elizabeth [eyura@arb.ca.gov]; Brian Beveridge Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Anna,

Thank you for your comments! I am revising our preliminary comments and will include these items. I have also made comments below and I am interested to hear from other people:

- There isn't detail in this document about the equipment types, number needed, days used for construction. Are they relying on the detailed equipment list that was discussed at the in-person meeting? If so, shouldn't this be included so that the public can see a bit more detail? I recall those equipment lists were from Phase 1, describing what was already finished. Since this Phase hasn't been contracted out yet, is it reasonable to not have that detailed information up front? I think so, but don't know for sure.

- On idling – is 3 minutes the ideal standard? Three minutes is better than 5, but I thought 2 minutes was the ideal. Yes! You are correct, and I completely rolled over on that one, in part because my big ask was the 2010 trucks. Let me know if you think we should stay strong on that..

- On electricity infrastructure – should they get more specific about their off-site electrical source for small tools and equipment (3.3.f)? Good point. I will add.

I look forward to more comments! Hope to send this email to the City by COB Tuesday. Thank you.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Monday, August 21, 2017 2:20 PM
To: 'Margaret Gordon' Personal Email / Ex. 6 Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Thanks for sending out your comments ahead of the meeting. These are helpful to point out to the City. I had a few quick questions for you all.

- There isn't detail in this document about the equipment types, number needed, days used for construction. Are they relying on the detailed equipment list that was discussed at the in-person meeting? If so, shouldn't this be included so that the public can see a bit more detail?

- On idling – is 3 minutes the ideal standard? Three minutes is better than 5, but I thought 2 minutes was the ideal.

- On electricity infrastructure – should they get more specific about their off-site electrical source for small tools and equipment (3.3.f)?

Thanks,
Anna

From: Margaret Gordon [mailto: Personal Email / Ex. 6
Sent: Friday, August 18, 2017 9:59 AM
To: Alison Kirk <AKirk@baaqmd.gov>
Cc: Yura, Elizabeth <eyura@arb.ca.gov>; Brian Beveridge Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>
Subject: Re: Proposed Comments on CE-2 and CC-1 Air Quality Construction Plan from BAAQMD

Good morning Allson,

Thank you from email and updated information. Can please provide comments, items that are not pleasing my BAAQMD, that are concerning, are including as projects or innovations what are in the funding incentive grants of BAAQMD. Here are more language or items that should include in the comments:

* Nothing about Public Health

* Zero Emission

* Proximity

* Sources

* Enforcement

In the future all such emails should be forward to all members of WOTRC.

Have a good day and nice weekend.

Ms.Margaret

On Fri, Aug 18, 2017 at 9:30 AM, Alison Kirk <AKirk@baaqmd.gov> wrote:

Hello all,

The purpose of this email is to share information with our partners about our review of the Diesel Emissions Reduction and Air Quality Plan for Construction of CE-2 Southeast Gateway Parcel and CC-1 New Central Gateway Parcel (Plan), in advance of the Stakeholders meeting scheduled for Wed. Aug 23 from 11 am to 1 p.m.

1. We are pleased to see that the Plan calls for limiting idling of commercial vehicles over 10,000 lbs. and off-road equipment over 25 horsepower to 3 minutes (items 3.1.h and i). However, this change was not made to item 3.4 a which limits unnecessary idling to 5 minutes. We hope that this is an error and that 3.4 a will be updated to be consistent with items 3.1h and i.

2. Item 3.3 a includes language drafted by ARB stating that contractors shall contact at least 3 rental agencies in the Bay Area when looking to rent Tier 4 equipment. We are pleased with this addition.

3. Item 3.3 e states that "All scissor lifts and small tools will be electric." In the previous draft of the Plan, electric equipment was voluntary, so we are also pleased to see this.

4. BAAQMD and ARB had recommended a commitment to model year 2010 or newer on-road trucks. Unfortunately, the Plan still states (Item 3.3.b) "All contractors will be encouraged to use post 2010 model water trucks, as available." We are disappointed and will continue to urge the City to require that all on-road trucks be model year 2010 or newer.

5. Finally, BAAQMD staff has many ongoing projects. In the interest of using staff time efficiently, rather than attending the Stakeholder's meeting in person, we are considering emailing these comments to the City before the meeting.

I look forward to your comments on these items.

Alison Kirk, AICP

Senior Environmental Planner

415-749-5169

The Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Email / Ex. 6 Direct line
www.woeip.org

Message

From: Aloha de Guzman [adeguzman@baaqmd.gov]
Sent: 9/14/2017 10:02:21 PM
To: ccappio@oaklandnet.com; mdnichols@oaklandnet.com; tlengyel@alamedaactc.org; adao@alamedaactc.org; abockelman@mtc.ca.gov; mmaloney@mtc.ca.gov; bsanchez@mtc.ca.gov; Jack Broadbent [jack@baaqmd.gov]; Cynthia.marvin@arb.ca.gov; Elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; mdavis@portoakland.com; Diego Gonzalez [dgonzalez@portoakland.com]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; cclevenger@alamedaactc.org; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; Henry Hilken [HHilken@baaqmd.gov]; kaplanforoakland@gmail.com; Ranyee Chiang [rchiang@baaqmd.gov]; Angie Ayers [aayers@alamedactc.org]
CC: Sheng Thao [sthao@oaklandnet.com]; dbreen@baaqmd.gov
Subject: UPDATED Port of Oakland / OAB Mitigations Table
Attachments: Port-OAB Mitigations 8-22.xlsx

Hello everyone,

Please see an updated Port of Oakland / OAB Mitigations table. A copy will be provided at the meeting tomorrow as well.

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600
San Francisco, Ca 94105
Office: 415.749.4782| Personal Phone / Ex. 6
adeguzman@baaqmd.gov

Message

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 9/21/2017 3:44:31 PM
To: Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Grow, Richard [Grow.Richard@epa.gov]; 'Margaret Gordon' Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6 ura, Elizabeth [eyura@arb.ca.gov]
CC: David Vintze [DVintze@baaqmd.gov]; Morris, Robbie@ARB [robbie.morris@arb.ca.gov]
Subject: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease on Agenda
Attachments: Agenda (93).pdf; Agenda Report (9).pdf

Importance: High

Hello,

After years of closed-door negotiations, OAB is finally on the Port agenda, item 5.2 at the Thursday, Sept. 28 Board meeting.

Item 5.2 is an Ordinance and Resolution to enter into a ground lease with CenterPoint-Oakland Development I, LLC for 66 years.

As you might expect, the Port's lease with CenterPoint calls for CenterPoint to meet the requirements of the OAB CEQA documents. As we all know, these requirements are vague and do not meet the standards we have been recommending to the City over the years.

I'll be drafting a letter from BAAQMD for the Sept. 28 meeting, urging the Port to implement measures consistent with our recommendations, etc.

Let me know if you have any questions or comments!

Thanks,

Alison Kirk, AICP
Senior Environmental Planner
415-749-5169

The Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

530 Water Street
Oakland, California 94607
510.627.1696

www.portofoakland.com

PORT OF OAKLAND

BOARD AGENDA

Thursday, September 28, 2017 **Board Room – 2nd Floor**

The Public Portion Of The Meeting Will Begin At 4:00 p.m.

ROLL CALL

Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Cluver,1st Vice President Butner and President Story.

1. CLOSED SESSION (1:00 p.m.)

Closed Session discussions and materials may not be disclosed to a person not entitled to receive it, unless the Board authorizes disclosure of that confidential information.

1.1 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - (Pursuant to California Government Code Section 54956.8)

Property: Berths 35-38, Port of Oakland
Negotiating Parties: Everport Terminal Services, Inc. and Port of Oakland
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Lease

Property: Oakland International Container Terminal (Berths 55-59) - 1717 Middle Harbor Road and Matson Terminal (Berths 60-63) - 1579 Middle Harbor Road, Port of Oakland
Negotiating Parties: SSA Terminals, LLC and Port of Oakland
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Payment

File ID: [287-17]

1.2 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - (Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters **2**

West Oakland Environmental Indicators Project Title VI Complaint: DOT#2017-0093, EPA File Nos. 13R-17-R9 (City of Oakland) and 14R-17-R9 (Board of Port Commissioners and Port of Oakland)

Material Management Plan Site at Oakland International Airport

File ID: [288-17]

1.3 **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - (Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters **2**

File ID: [289-17]

1.4 **CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to California Government Code Section 54956.6):

- International Federation of Professional and Technical Engineers, Local 21; Service Employees International Union, Local 1021; Western Council of Engineers; International Brotherhood of Electrical Workers, Local 1245

File ID: [290-17]

1.5 **PUBLIC EMPLOYMENT** (Pursuant to California Government Code Section 54957):

- Secretary of the Board

File ID: [291-17]

OPEN SESSION/ROLL CALL

Commissioner Colbruno, Commissioner Hamlin, Commissioner Martinez, Commissioner Yee, 2nd Vice-President Cluver,1st Vice President Butner and President Story.

CLOSED SESSION REPORT

The Port Attorney or Board Secretary will report on any final actions taken in Closed Session.

2. CONSENT ITEMS

Action by the Board under "Consent Items" means that all matters listed below have been summarized and will be adopted by one motion and appropriate vote. Consent Items may be removed for further discussion by the Board at the request of any member of the Board.

2.1 **Ordinance 4435,** 2nd Reading Of An Ordinance Approving Sixth Supplemental Lease Agreement With The United States Of America, Department Of Transportation, Federal Aviation Administration At Oakland International Airport To Extend Occupancy For Ten Years And For No Monetary Consideration. **(Board)**

File ID: [280-17]

Attachments: Ordinance 4435

2.2 **Ordinance 4436,** 2nd Reading Of An Ordinance Authorizing And Approving A First Amendment To The Lease With U.S. Customs And Border Protection For Office And Land Space At 700 Maritime Street Within The Port Area. **(Board)**

File ID: [281-17]

Attachments: Ordinance 4436

2.3 **Ordinance 4437,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute A Lease Amendment With Backyard Oakland, LLC To Allow A One Time Rent Payment Schedule Adjustment For Property Located At Oak Street And Embarcadero Road In Oakland. **(Board)**

File ID: [282-17]

Attachments: Ordinance 4437

2.4 **Ordinance 4438,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Enter Into A 15-Month Temporary Rental Agreement With Pacific Gas & Electric ("PG&E") For Construction Staging At Livingston Street And Embarcadero Road, Oakland, California. **(Board)**

File ID: [283-17]

Attachments: Ordinance 4438

2.5 **Ordinance 4439,** 2nd Reading Of An Ordinance Approving Space/Use Permit With Total Airport Services, LLC Operating At Oakland International Airport For A Term Of Approximately Five Years With An Estimated Annual Revenue Of $376,000. **(Board)**

File ID: [284-17]

Attachments: Ordinance 4439

2.6 **Ordinance 4440,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To: (1) Extend The Lease With SSA Terminals (Oakland), LLC For An Approximately 14 Acre Parcel In The Roundhouse Area Through April 15, 2018; (2) Extend The Temporary Assignment By SSA Terminals, LLC Of An Approximately 19 Acre Parcel From The Berths 60 63 Marine Terminal To SSA Terminals (Oakland), LLC At The Berths 55 59 Marine Terminal Through April 15, 2018; And (3) Waive $67,470 In Charges Owed By Matson Navigation Company, Inc. For The Use Of Howard Terminal From May 1, 2017 Through June 2, 2017. **(Board)**

File ID: [285-17]

Attachments: Ordinance 4440

2.7 **Ordinance 4441,** 2nd Reading Of An Ordinance Approving And Authorizing The Executive Director To Execute An Amendment To The License And Concession Agreement With United Parcel Service, Inc. To Expand From Approximately 3.5 Acres To 6.5 Acres The Premises Located At The Southwest Corner Of Doolittle Drive And Swan Way, Oakland. **(Board)**

File ID: [286-17]

Attachments: Ordinance 4441

2.8 **Minutes:** Approval of the Minutes of the Special Meeting of September 5, 2017.

File ID: [271-17]

Attachments: September 5, 2017 Minutes

3. MAJOR PROJECTS

This segment of the meeting is reserved for action and discussions regarding the status of Major Projects and issues of special importance.

3.1 **Resolution:** Authorize: A Project Budget Increase of $443,000 for the Airport Perimeter Dike (APD) Improvement Project; Execution of a Sixth Supplemental Agreement with URS Corporation/AECOM for an additional $220,000 for Engineering Design and Construction Support Services for the Phase 1 Implementation of the APD Improvement Project; and Purchase up to $1,235,000 of Wetland Mitigation Credits. **(Aviation)**

File ID: [270-17]

Attachments: Agenda Report

3.2 **Resolution:** Approve Additional Project Budget of $7.1 million; Delegate Authority to Approve Plans, Specifications, and Project Manual to the Director of Engineering; and Authorize the Executive Director to Enter into a Contract with Oliver DeSilva, Inc. DBA Gallagher and Burk, Inc. in the amount of $10,987,390 for the Rail Infrastructure at the Maritime Support Center ("MSC") Oakland, California Project. **(Engineering/Maritime)**

File ID: [240-17]

Attachments: Agenda Report

3.3 **Resolution:** Approve and Authorize the Executive Director to Enter Into a Supplemental Industry Track Agreement with the Union Pacific Railroad Company to Construct, Maintain, and Operate Additional Track Necessary to Provide Rail Service to Cool Port Oakland, LLC and Unicold Corporation at the Maritime Support Center at a Cost of $158,000. **(Maritime)**

File ID: [274-17]

Attachments: Agenda Report

4. BUDGET & FINANCE

This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.

5. STRATEGY & POLICY

This segment of the meeting is reserved for action or discussion on Strategy and Policy Issues.

5.1 **Ordinance:** Amending and Restating Rules and Regulations for Oakland International Airport, Including Amendments to Transportation Network Company ("TNC") Provisions and Ground Transportation Fees, To Be Effective January 1, 2018, and Extending TNC Commercial Ground Transportation Non-Exclusive Operating Permits with Rasier-CA, LLC (dba Uber), Lyft, Inc., and Tickengo, Inc. (dba Wingz) Through December 31, 2017. **(Aviation)**

File ID: [279-17]

Attachments: Agenda Report
Exhibit A
Exhibit B

5.2 **Ordinance and Resolution:** Approve and Authorize Executive Director to Enter Into a Ground Lease with CenterPoint-Oakland Development I, LLC, for the Design, Construction, Finance, Operation (including sublease), and Maintenance of a Transload and Distribution Facility, On Approximately 27 Acres of Land on the Former Oakland Army Base, with a Term of 66 Years and Initial Fixed Rent of Approximately $1.3 million per Year; Make Findings and Determination Pursuant to the California Environmental Quality Act; Approve a Budget of $1 million for Certain Utility-Related Expenditures; and Approve the Operations Jobs Policy for Inclusion in the Ground Lease **(Maritime)**

File ID: [249-17]

Attachments: Agenda Report

5.3 **Resolution**: Cooperation Agreement Among the Port of Oakland and Specified Oakland Community-Based Organizations for the Seaport Logistics Project **(SRD)**

File ID: [252-17]

Attachments: Agenda Report
Attachment A
Attachment B

5.4 **Ordinance:** Approve and Authorize the Executive Director to Enter Into a First Supplemental Agreement with TraPac, LLC, for the Berths 25-33 Marine Terminal, to Modify Compensation, Capital Improvement Obligations, and Other Terms, Resulting in Minimum Annual Average Rent of $17.6 Million **(Maritime).**

File ID: [273-17]

Attachments: Agenda Report

6. REMAINING ACTION ITEMS

Remaining Action Items are items not previously addressed in this Agenda that may require staff presentation and/or discussion and information prior to action by the Board.

6.1 **Resolution:** Authorize: a Construction Budget of $3,845,000, the Director of Engineering to Approve Plans and Project Manual, and Award of the Construction Contract to SilMan Construction, Inc. for $2,834,793.09 for the Terminal 1 Electric Ground Service Equipment Charging Stations Project, Oakland International Airport. **(Aviation)**

File ID: [268-17]

Attachments: Agenda Report

6.2 **Resolution:** Delegation of Authority to the Executive Director (1) to Enter into a Pu Agreement with Creative Bus Sales, Inc. to Procure Nine (9) 32-foot Ford El Dorado C Minibuses at a Cost Not to Exceed $1,484,000, and (2) to Designate and Dispose Surplus 13 Existing Shuttle Buses from the Airport's Fleet. **(Aviation)**

File ID: [267-17]

Attachments: Agenda Report

6.3 **Ordinance:** Amendment of Port Ordinance No. 867 to Add One New Classification and to Assign the Classification to Existing Salary Grade: Workforce Development Manager - Salary Grade 543.7. **(Finance & Admin)**

File ID: [110-17]

Attachments: Agenda Report

7. UPDATES/ANNOUNCEMENTS

The President, Members of the Board and the Executive Director will report on noteworthy events occurring since the last Board Meeting.

8. SCHEDULING

This segment of the meeting is reserved for scheduling items for future Agendas and/or scheduling Special Meetings

OPEN FORUM

The Board will receive public comment on non-agenda items during this time. Please fill out a speaker card and present it to the Secretary of the Board.

ADJOURNMENT

The next Regular Meeting of the Board will be held on October 12, 2017.

PUBLIC PARTICIPATION

To Speak on an Agenda Item

You may speak on any item appearing on the Agenda. Please fill out a Speaker's Card and give it to the Board Secretary ***before the start of the meeting*** or immediately after conclusion of Closed Session. Cards received after the start of the meeting will be treated as a single request to speak in Open Forum. All speakers will be allotted a minimum of one minute.

To Receive Agendas & Related Materials

Should you have questions or concerns regarding this Agenda, or wish to review any of the Agenda Related Materials, please contact the Board Secretary, John Betterton, at: (510) 627-1696, or visit our web page at: **www.portofoakland.com <http://www.portofoakland.com>**

To receive Port Agendas and Agenda Related Materials by email, please email your request to: **jbetterton@portoakland.com**

Disability Related Modifications

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written request, electronic request, or telephone request [via the California Relay Service (telephone) for the hearing impaired at (800) 735-2922], to the Secretary of the Board ***no later than five working days*** prior to the scheduled meeting date.

John Betterton, Secretary of the Board
530 Water Street, Oakland, CA 94607
jbetterton@portoakland.com
(510) 627-1696

Language & Interpretive Services

As a grantee of federal aid grant funds from the US Department of Transportation, the Port is responsible for ensuring equal access to its programs, services, and benefits. To request bilingual interpreters or materials in alternate formats, please contact the Assistant Secretary of the Board no later than five working days prior to the scheduled meeting date.

Daria Edgerly, Assistant Secretary of the Board
530 Water Street, Oakland, CA 94607
dedgerly@portoakland.com
(510) 627-1337

Scented Products

Commissioner's Statement of Intention

We are a governing Board whose authority lies with the entirety of the Board.

We govern in accordance with our fiduciary duty to the Port of Oakland.

We conduct ourselves with clarity and transparency, grounded in the principles of integrity, trust and respect.

We reach our decisions through candid, open and

Message

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 10/19/2017 12:26:54 AM
To: rsinkoff@portoakland.com; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney [mmaloney@mtc.ca.gov]; Jack Broadbent [jack@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; Matthew Davis [mdavis@portoakland.com]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; Henry Hilken [HHilken@baaqmd.gov]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Catherine Mukai [cmukai@portoakland.com]; Ranyee Chiang [rchiang@baaqmd.gov]; Machol, Ben [Machol.Ben@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]; Woo, Winnie [WWoo@oaklandnet.com]; David Vintze [DVintze@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: RE: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Richard,

Thank you for this response. At first blush, it looks like this is headed in the right direction. I look forward to our conversation on Friday.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

From: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Wednesday, October 18, 2017 5:15 PM
To: Damian Breen <dbreen@baaqmd.gov>; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel <tlengyel@alamedactc.org>; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney <mmaloney@mtc.ca.gov>; Jack Broadbent <jack@baaqmd.gov>; Aloha de Guzman <adeguzman@baaqmd.gov>; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard <Grow.richard@epa.gov>; Matthew Davis <mdavis@portoakland.com>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Carolyn Clevenger <cclevenger@alamedactc.org>; Henry Hilken <HHilken@baaqmd.gov>; Sheng Thao <sthao@oaklandnet.com>; Rebecca Kaplan <kaplanforoakland@gmail.com>; Catherine Mukai <cmukai@portoakland.com>; Ranyee Chiang <rchiang@baaqmd.gov>; machol.ben@epa.gov; Israels, Ken <Israels.Ken@epa.gov>; Woo, Winnie <WWoo@oaklandnet.com>; David Vintze <DVintze@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: RE: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Damian,

Thank you for the opportunity to review and respond to the "BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base" (August 2017) and the emissions control strategies that BAAQMD has presented at different meetings and in different forms (i.e., July 14, 2017, "Proposal to Further Reduce Emissions at the Port of Oakland and Former Oakland Army Base" presentation by Jack P. Broadbent, Executive Officer/APCO; July 14, 2017, "BAAQMD – Emissions Reductions 'Strawman' Revised, etc.) (collectively, the "BAAQMD Proposals"). As an initial matter, the Port of Oakland (the "Port") has similar questions as the City of Oakland regarding the intended

implementation and legal status of the BAAQMD Proposals. The Port reiterates and incorporates by reference the questions, concerns and comments identified by the City of Oakland in its October 18, 2017 memo to you.

The Port shares BAAQMD's goals of reducing emissions associated with the Oakland Army Base ("OAB") redevelopment project. The Port would like to work with the BAAQMD to identify the proposed emission reduction actions set forth in the BAAQMD Proposals that will have the greatest positive impact and will be both economically and technologically feasible. Given the Port's continued focus on public health in West Oakland, the Port's emissions reduction efforts will continue to emphasize reductions in diesel particulate matter ("DPM"), but the Port will also evaluate other emissions reductions, including actions to reduce greenhouse gas ("GHG") emissions.

In order to identify which source categories to target with additional emissions reductions efforts, the Port has modeled emissions projections for 2020 and 2030. Concurrently, we are also modeling CO2e for source categories within the context of the State's 2030 GHG emissions reduction targets. Based upon our projections, we have identified a "first tier" of source categories and emissions reductions activities that would have the largest impact on reducing emissions of DPM, GHGs, and criteria air pollutants at the Port. These are listed first then described in greater detail, below.

1. Harbor Craft ("HC")
2. Cargo Handling Equipment ("CHE")
3. Vessel retrofits for Ocean-Going Vessels ("OGV")
4. Vessel Speed Reduction ("VSR") for OGVs
5. Alternative emissions control systems for OGVs
6. Shore-Power Vaults and Cable Reels
7. Electrical System Upgrades and Improvements

Harbor Craft (HC)

- Emissions reductions for HC would benefit the entire Bay Area, as the local tug fleet serves many area ports and terminals. As such, actions for HC depend on coordination between the tug owners (only one of whom is a Port of Oakland tenant), port and terminal authorities, and the BAAQMD.

- In coordination with the BAAQMD, Port staff propose to conduct outreach to HC owners and operators regarding the engines in their fleet and their ideas for successful retrofits and replacement. We propose to also contact Chevron Richmond for information regarding its purchase of a Tier 4 tug for use in the Bay Area. The goal of the outreach is to identify tugs with the greatest potential for emissions reductions through retrofits or replacement, and use the emissions reduction potential to identify appropriate grant funding.

Cargo Handling Equipment (CHE)

- One terminal operator at the Port would like to immediately apply for grant funding for up to 13 hybrid Rubber Tired Gantry ("RTG") cranes. The hybrid RTG cranes can reduce diesel use by up to 80% and rely on a modular design so that the diesel range extenders can eventually be replaced with rechargeable batteries.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential and prepare grant applications for repowering 13 RTGs at the interested terminal.

Vessel retrofits for Ocean-Going Vessels (OGVs)

- To increase the use of shore power at the Port, more vessel retrofits are required so that ships have the on-board hardware and systems needed to plug in. While some liner services calling at the Port have 100% shore power-capable vessels, some lines include vessels with no hardware or systems to plug in.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of a typical vessel and identify candidate vessels.

Vessel Speed Reduction for Ocean-Going Vessels (VSR)

- A VSR program has benefits beyond air quality improvements, such as protection of marine mammals, especially the larger whale species (i.e., reducing the potential for mortality to whales feeding or resting in shipping lanes, etc.). By increasing efficiency, a VSR can also reduce GHG emissions from OGVs. Port staff propose to share information regarding actual vessel speeds, which the Port has been collecting for recent months from the Marine Exchange, with the BAAQMD. Port staff seeks more information from the BAAQMD on the format and use of the BAAQMD's VSR incentive program. This information sharing could result in development of guidelines for a permanent Bay Area VSR incentives program.

Alternative emissions control systems for Ocean Going Vessels

- Recognizing that not all vessels that call at the Port are equipped to utilize shore power, the Port is interested in barge-mounted emissions control systems. Port staff know of three companies currently offering these services. Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of this technology and the requirements of the candidate vendors.

Shore-Power Vaults and Cable Reels

- Cable reel extenders are an option to increase the use of shore power, as are additional shore power vaults. Port staff propose to work with the BAAQMD to identify specific funding opportunities for cable reel extenders. Based on conversations with terminal operators, Port staff may also seek funding opportunities for additional shore power vaults.

Electrical System Upgrades and Improvements

- We are encouraged that the BAAQMD Proposals include the potential for funding support for electric system upgrades. As we previously discussed, improvements to the electrical system are foundational for the transformation of ports goods movement to a zero- and near-zero emissions platform. As a first step, Port staff propose to work with the BAAQMD to identify specific funding opportunities to build a solar canopy structure with potential battery storage at Harbor Facilities. The battery storage will provide resiliency for Harbor Facilities and other Seaport facilities. Longer-term plans for Port infrastructure as described in the Port's June 2016 Maritime Electric Strategic Assessment, which we have shared with you, are also candidates for funding. Port staff may also seek funding opportunities to study infrastructure capacity needs within each of the Port's terminals to support future electrification.

We look forward to discussing these options with you and to working together on establishing a "first tier" of successful programs and projects. Let's begin the discussion of these proposals at ACTC on October 20.

Sincerely,

Richard

Richard Sinkoff
Director of Environmental Programs and Planning
Port of Oakland
510-627-1182
rsinkoff@portoakland.com

From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Tuesday, October 17, 2017 4:43 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel <tlengyel@alamedactc.org>; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney <mmaloney@mtc.ca.gov>; Jack Broadbent <jack@baaqmd.gov>; Aloha de Guzman <adeguzman@baaqmd.gov>; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard <Grow.richard@epa.gov>; Matthew Davis <mdavis@portoakland.com>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Carolyn Clevenger <cclevenger@alamedactc.org>; Richard Sinkoff <rsinkoff@portoakland.com>; Henry Hilken <HHilken@baaqmd.gov>; Sheng Thao <sthao@oaklandnet.com>; Rebecca Kaplan <kaplanforoakland@gmail.com>; Catherine Mukai <cmukai@portoakland.com>; Ranyee Chiang <rchiang@baaqmd.gov>; machol.ben@epa.gov; Israels, Ken <Israels.Ken@epa.gov>; Woo, Winnie <WWoo@oaklandnet.com>; David Vintze <DVintze@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred

through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

Message

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 10/19/2017 12:15:12 AM
To: dbreen@baaqmd.gov; CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney [mmaloney@mtc.ca.gov]; Jack Broadbent [jack@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; Matthew Davis [mdavis@portoakland.com]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; Henry Hilken [HHilken@baaqmd.gov]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Catherine Mukai [cmukai@portoakland.com]; Ranyee Chiang [rchiang@baaqmd.gov]; Machol, Ben [Machol.Ben@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]; Woo, Winnie [WWoo@oaklandnet.com]; David Vintze [DVintze@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: RE: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Damian,

Thank you for the opportunity to review and respond to the "BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base" (August 2017) and the emissions control strategies that BAAQMD has presented at different meetings and in different forms (i.e., July 14, 2017, "Proposal to Further Reduce Emissions at the Port of Oakland and Former Oakland Army Base" presentation by Jack P. Broadbent, Executive Officer/APCO; July 14, 2017, "BAAQMD – Emissions Reductions 'Strawman' Revised, etc.) (collectively, the "BAAQMD Proposals"). As an initial matter, the Port of Oakland (the "Port") has similar questions as the City of Oakland regarding the intended implementation and legal status of the BAAQMD Proposals. The Port reiterates and incorporates by reference the questions, concerns and comments identified by the City of Oakland in its October 18, 2017 memo to you.

The Port shares BAAQMD's goals of reducing emissions associated with the Oakland Army Base ("OAB") redevelopment project. The Port would like to work with the BAAQMD to identify the proposed emission reduction actions set forth in the BAAQMD Proposals that will have the greatest positive impact and will be both economically and technologically feasible. Given the Port's continued focus on public health in West Oakland, the Port's emissions reduction efforts will continue to emphasize reductions in diesel particulate matter ("DPM"), but the Port will also evaluate other emissions reductions, including actions to reduce greenhouse gas ("GHG") emissions.

In order to identify which source categories to target with additional emissions reductions efforts, the Port has modeled emissions projections for 2020 and 2030. Concurrently, we are also modeling CO2e for source categories within the context of the State's 2030 GHG emissions reduction targets. Based upon our projections, we have identified a "first tier" of source categories and emissions reductions activities that would have the largest impact on reducing emissions of DPM, GHGs, and criteria air pollutants at the Port. These are listed first then described in greater detail, below.

1. Harbor Craft ("HC")
2. Cargo Handling Equipment ("CHE")
3. Vessel retrofits for Ocean-Going Vessels ("OGV")
4. Vessel Speed Reduction ("VSR") for OGVs
5. Alternative emissions control systems for OGVs
6. Shore-Power Vaults and Cable Reels
7. Electrical System Upgrades and Improvements

Harbor Craft (HC)

- Emissions reductions for HC would benefit the entire Bay Area, as the local tug fleet serves many area ports and terminals. As such, actions for HC depend on coordination between the tug owners (only one of whom is a Port of Oakland tenant), port and terminal authorities, and the BAAQMD.

- In coordination with the BAAQMD, Port staff propose to conduct outreach to HC owners and operators regarding the engines in their fleet and their ideas for successful retrofits and replacement. We propose to also contact Chevron Richmond for information regarding its purchase of a Tier 4 tug for use in the Bay Area. The goal of the outreach is to identify tugs with the greatest potential for emissions reductions through retrofits or replacement, and use the emissions reduction potential to identify appropriate grant funding.

Cargo Handling Equipment (CHE)

- One terminal operator at the Port would like to immediately apply for grant funding for up to 13 hybrid Rubber Tired Gantry ("RTG") cranes. The hybrid RTG cranes can reduce diesel use by up to 80% and rely on a modular design so that the diesel range extenders can eventually be replaced with rechargeable batteries.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential and prepare grant applications for repowering 13 RTGs at the interested terminal.

Vessel retrofits for Ocean-Going Vessels (OGVs)

- To increase the use of shore power at the Port, more vessel retrofits are required so that ships have the on-board hardware and systems needed to plug in. While some liner services calling at the Port have 100% shore power-capable vessels, some lines include vessels with no hardware or systems to plug in.

- Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of a typical vessel and identify candidate vessels.

Vessel Speed Reduction for Ocean-Going Vessels (VSR)

- A VSR program has benefits beyond air quality improvements, such as protection of marine mammals, especially the larger whale species (i.e., reducing the potential for mortality to whales feeding or resting in shipping lanes, etc.). By increasing efficiency, a VSR can also reduce GHG emissions from OGVs. Port staff propose to share information regarding actual vessel speeds, which the Port has been collecting for recent months from the Marine Exchange, with the BAAQMD. Port staff seeks more information from the BAAQMD on the format and use of the BAAQMD's VSR incentive program. This information sharing could result in development of guidelines for a permanent Bay Area VSR incentives program.

Alternative emissions control systems for Ocean Going Vessels

- Recognizing that not all vessels that call at the Port are equipped to utilize shore power, the Port is interested in barge-mounted emissions control systems. Port staff know of three companies currently offering these services. Port staff propose to work with the BAAQMD to identify specific funding opportunities based on the emissions reduction potential of this technology and the requirements of the candidate vendors.

Shore-Power Vaults and Cable Reels

- Cable reel extenders are an option to increase the use of shore power, as are additional shore power vaults. Port staff propose to work with the BAAQMD to identify specific funding opportunities for cable reel extenders. Based on conversations with terminal operators, Port staff may also seek funding opportunities for additional shore power vaults.

Electrical System Upgrades and Improvements

- We are encouraged that the BAAQMD Proposals include the potential for funding support for electric system upgrades. As we previously discussed, improvements to the electrical system are foundational for the

transformation of ports goods movement to a zero- and near-zero emissions platform. As a first step, Port staff propose to work with the BAAQMD to identify specific funding opportunities to build a solar canopy structure with potential battery storage at Harbor Facilities. The battery storage will provide resiliency for Harbor Facilities and other Seaport facilities. Longer-term plans for Port infrastructure as described in the Port's June 2016 Maritime Electric Strategic Assessment, which we have shared with you, are also candidates for funding. Port staff may also seek funding opportunities to study infrastructure capacity needs within each of the Port's terminals to support future electrification.

We look forward to discussing these options with you and to working together on establishing a "first tier" of successful programs and projects. Let's begin the discussion of these proposals at ACTC on October 20.

Sincerely,

Richard

Richard Sinkoff
Director of Environmental Programs and Planning
Port of Oakland
510-627-1182
rsinkoff@portoakland.com

From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Tuesday, October 17, 2017 4:43 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel <tlengyel@alamedactc.org>; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney <mmaloney@mtc.ca.gov>; Jack Broadbent <jack@baaqmd.gov>; Aloha de Guzman <adeguzman@baaqmd.gov>; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard <Grow.richard@epa.gov>; Matthew Davis <mdavis@portoakland.com>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Carolyn Clevenger <cclevenger@alamedactc.org>; Richard Sinkoff <rsinkoff@portoakland.com>; Henry Hilken <HHilken@baaqmd.gov>; Sheng Thao <sthao@oaklandnet.com>; Rebecca Kaplan <kaplanforoakland@gmail.com>; Catherine Mukai <cmukai@portoakland.com>; Ranyee Chiang <rchiang@baaqmd.gov>; machol.ben@epa.gov; Israels, Ken <Israels.Ken@epa.gov>; Woo, Winnie <WWoo@oaklandnet.com>; David Vintze <DVintze@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on

the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

Message

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 11/13/2017 7:19:07 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Thanks, I got it. It'd be helpful to see the District's letter as well, if you happen to have it.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, November 13, 2017 2:14 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: FW: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

FYI

_____
From: Grow, Richard
Sent: Monday, November 13, 2017 11:13 AM
To: Dorka, Lilian; Temple, Kurt
Cc: Strauss, Alexis; Garnett, Desean; Reyes, Deldi
Subject: Port challenge from EIP et al: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Lilian, Kurt

Deliberative Process / Ex. 5

Richard

_____
From: Adenike Adeyeye [aadeyeye@earthjustice.org]
Sent: Monday, November 13, 2017 10:52 AM
To: Grow, Richard; ryan.fitzpatrick@dot.gov; Title VI Complaints
Cc: pcort@earthjustice.org; Margaret Gordon; Brian Beveridge
Subject: West Oakland Title VI complaint: Letter submitted to Port of Oakland last week

Dear Richard, Ryan, and Velveta -

Attached you will find a letter that West Oakland Environmental Indicators Project, Earthjustice, and allied organizations submitted to the Port of Oakland last week regarding the approval of a lease at the former Oakland Army Base. The letter raises concerns about the lack of community engagement to address environmental impacts.

Please let me know if you have any questions about the letter or would like additional information.

Best,

Adenike

Adenike Adeyeye
Senior Research & Policy Analyst / Advocacy Representative
50 California Street, Suite 500
San Francisco, CA 94111
T: 415.217.2000
F: 415.217.2040
earthjustice.org<http://www.earthjustice.org/>

[Description: Description: Description: Description: Description: Description: Description: Description: Description: ej_logo_email_signature]

The information contained in this email message may be privileged, confidential and protected from disclosure.
If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.
If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

Message

From: Wilder, Ceciley [Wilder.Ceciley@epa.gov]
Sent: 10/18/2017 4:17:31 PM
To: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
CC: Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: RE: Richard's schedule and priorities

What day is the original meeting on and from whose calendar? Is it the Randolph call from Matt's calendar for the 26th? Am I supposed to change it? To when?

Ceciley Elizabeth Wilder
U.S. EPA, Air Division
75 Hawthorne Street
San Francisco, CA 94105
415-947-4143

8:30 am TO 6:00 pm
Every other Friday off

From: BANDROWSKI, MIKE
Sent: Wednesday, October 18, 2017 8:59 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>; Wilder, Ceciley <Wilder.Ceciley@epa.gov>
Subject: RE: Richard's schedule and priorities

Richard- Welcome back. I don't think rescheduling the Randolph meetings are a problem. The only reason they are on the calendar for next week is that you asked me to move them back to after you returned, which I asked Ceciley to do and next week seemed to work for everyone. I will copy Ceciley and ask her to move them farther back on the calendar, but maybe you could check in with her and let her know when would be a good time for you.

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

From: Grow, Richard
Sent: Wednesday, October 18, 2017 5:16 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Stewart, Kathleen <Stewart.Kathleen@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: Richard's schedule and priorities

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Message

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 10/18/2017 4:04:21 PM
To: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
CC: Wilder, Ceciley [Wilder.Ceciley@epa.gov]
Subject: RE: Richard's schedule and priorities

Yes, that was my desire as well—to wait for Richard's return. Just didn't realize a briefing paper was required, but now that we know it is (and that makes total sense) we just need a little time to organize it.

Thanks for accommodating us.

From: BANDROWSKI, MIKE
Sent: Wednesday, October 18, 2017 8:59 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>; Wilder, Ceciley <Wilder.Ceciley@epa.gov>
Subject: RE: Richard's schedule and priorities

Richard- Welcome back. I don't think rescheduling the Randolph meetings are a problem. The only reason they are on the calendar for next week is that you asked me to move them back to after you returned, which I asked Ceciley to do and next week seemed to work for everyone. I will copy Ceciley and ask her to move them farther back on the calendar, but maybe you could check in with her and let her know when would be a good time for you.

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

---

From: Grow, Richard
Sent: Wednesday, October 18, 2017 5:16 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Stewart, Kathleen <Stewart.Kathleen@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: Richard's schedule and priorities

Deliberative Process / Ex. 5

op

Richard

Message

From: Israels, Ken [Israels.Ken@epa.gov]
Sent: 10/18/2017 2:37:59 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Deldi's 2 cents: Richard's schedule and priorities

Richard –

I spoke with Sheila, the Pinal County team lead, this morning. The Randolf issue was mentioned in both the county counsel's and the compliance inspector's interviews. My understanding is that Meredith participated in the compliance inspector interview.

Ken

From: Grow, Richard
Sent: Wednesday, October 18, 2017 7:15 AM
To: Israels, Ken <Israels.Ken@epa.gov>
Subject: Deldi's 2 cents: Richard's schedule and priorities

see below, fits the choreography you and I were discussing.

From: Reyes, Deldi
Sent: Wednesday, October 18, 2017 7:01 AM
To: Grow, Richard
Cc: BANDROWSKI, MIKE; Stewart, Kathleen; Valentine, Stephanie
Subject: Re: Richard's schedule and priorities

Deliberative Process / Ex. 5

Thanks for understanding.

Sent from my iPhone

On Oct 18, 2017, at 5:16 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Message

From: Garcia, Yana@EPA [Yana.Garcia@calepa.ca.gov]
Sent: 8/8/2017 5:50:40 PM
To: Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]; Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Grow, Richard [Grow.Richard@epa.gov]
CC: Waltz, Bonnie@EPA [Bonnie.Waltz@calepa.ca.gov]
Subject: RE: Greetings, and touching base re: West Oakland

Hi there.

Great. Why don't we do a short call tomorrow afternoon at 4 pm.

(Bonnie, I think we will be using three lines to call in. If you could set up a call in number and send it around to us, that would be great.)

Thanks.

Yana

From: Marvin, Cynthia@ARB [mailto:cynthia.marvin@arb.ca.gov]
Sent: Tuesday, August 8, 2017 10:44 AM
To: Yura, Elizabeth@ARB <eyura@arb.ca.gov>; Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>; Grow, Richard <grow.richard@epa.gov>
Subject: RE: Greetings, and touching base re: West Oakland

I could do a short call Wed at 4pm. Then Im off for 4 days (an extra long weekend), and back in next Wed. If tomorrow doesnt work, Liz Yura can participate for ARB. Just let us know.
Cynthia

On August 8, 2017 at 9:55:50 AM PDT, Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov> wrote:

Hi Richard.

Thanks for getting back to me so quickly. I agree that a meeting sooner rather than later would be best. I'm available tomorrow at noon or 4 pm, and on Thursday between noon at 2 pm. On Friday I'll be in the Bay area and can meet at 8 or 9 am. Cynthia, is there any chance you might be available at any of those times?

Looking forward to talking to both of you.

Yana

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, August 7, 2017 9:11 AM
To: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>; cynthia.marvin@arb.ca.gov
Subject: Re: Greetings, and touching base re: West Oakland

Yana

Good to hear from you and congratulations on your new position. The sooner the better, as the federal interagency civil rights preparations for the Title VI investigation were launched last week and in a few hours there will be a first call with the attorneys for the City and Port, at their request. I think the next few months are likely to be pivotal and it is crucial that the agencies involved in the Port/OAB issues be aware of each others concerns and activities. In briefing senior management at DOT and EPA I usually describe 5-6 different "avenues" of ongoing activities related to the Port/OAB, and would guess that discussion between yours and Cynthia's and my offices would reveal even more.

Richard

From: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>
Sent: Friday, August 4, 2017 1:23 PM
To: Grow, Richard; cynthia.marvin@arb.ca.gov
Subject: Greetings, and touching base re: West Oakland

Hi there Richard and Cynthia.

I wanted to reach out to you to connect now that I've started here at Cal EPA (and am actually in my third week somewhat unbelievably). I'd love to check with the two of you about how I can help in the ongoing efforts to address diesel emissions other forms of pollution around the Port of Oakland. I'd love to plug in where I can.

Cynthia, I don't think we've actually met in person before, but I believe we've been on calls together in the past. I've been looking forward to meeting you in person!

If you could both let me know your thoughts on when might be good for us to meet, I'd appreciate it.

I hope to connect soon!

All the best,

Yana

Assistant Secretary for Environmental Justice and Tribal Affairs

California Environmental Protection Agency

1001 I Street, 25th Floor

Sacramento, CA 95814

(916) 323-0444 (office)

Personal Phone / Ex. 6

Yana.Garcia@calepa.ca.gov

Message

From: Machol, Ben [Machol.Ben@epa.gov]
Sent: 10/18/2017 2:11:11 PM
To: Grow, Richard [Grow.Richard@epa.gov]; McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; Donez, Francisco [Donez.Francisco@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]
Subject: RE: Questions and FYI: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Hi Richard,

Thanks; I hadn't seen these notes, but I see that they're in my inbox. Yes, I plan to attend tomorrow's 9:00, and Friday's noon meeting in Oakland, though I may be a bit late to that.

Ben Machol, P.E.
Manager, Technology & Partnerships Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (AIR-9)
San Francisco, CA 94105
machol.ben@epa.gov
(415) 972-3770

From: Grow, Richard
Sent: Wednesday, October 18, 2017 5:21 AM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Israels, Ken <Israels.Ken@epa.gov>
Subject: Questions and FYI: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Ben, Penny & Francisco

Below is a report out from BAAQMD/Damian Breen from the October 3 call. Didn't see your name on the list, so just in case...

Question for Ben & Penny: Did you see Damian's reschedule of tomorrow's meeting from 10 back to 9 am, and can you still make it ? If so I'm planning to come there directly from the East Bay.

Question for all: Did any of you join the October 3 call, and if so, can we talk by phone today ?

Thanks. Just off a return flight from Greece/Spain last night, still a bit jet lagged.

Richard

From: Damian Breen <dbreen@baaqmd.gov>
Sent: Tuesday, October 17, 2017 4:43 PM

To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney; Jack Broadbent; Aloha de Guzman; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard; mdavis@portoakland.com; Lee, Anna, Public Health, OOD; Carolyn Clevenger; rsinkoff@portoakland.com; Henry Hilken; Sheng Thao ; Rebecca Kaplan ; Catherine Mukai; Ranyee Chiang; Machol, Ben; Israels, Ken; Woo, Winnie; David Vintze; Alison Kirk; Karen Schkolnick; McGowan, Patricia
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

Technology and Fuels Assessments

www.arb.ca.gov

technology, assessment, assessments, assesment, sustainable freight technology, tech, fuel assessment, fuels assessment, fuels technology assessment ...

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen

Deputy Air Pollution Control Officer

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

Tel: (415) 749-5041

Message

From: Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]
Sent: 8/8/2017 5:43:45 PM
To: Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Garcia, Yana@EPA [Yana.Garcia@calepa.ca.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Greetings, and touching base re: West Oakland

I could do a short call Wed at 4pm. T **Personal Matters / Ex. 6** f tomorrow doesnt work, Liz Yura can participate for ARB. Just let us know.
Cynthia

On August 8, 2017 at 9:55:50 AM PDT, Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov> wrote:

Hi Richard.

Thanks for getting back to me so quickly. I agree that a meeting sooner rather than later would be best. I'm available tomorrow at noon or 4 pm, and on Thursday between noon at 2 pm. On Friday I'll be in the Bay area and can meet at 8 or 9 am. Cynthia, is there any chance you might be available at any of those times?

Looking forward to talking to both of you.

Yana

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, August 7, 2017 9:11 AM
To: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>; cynthia.marvin@arb.ca.gov
Subject: Re: Greetings, and touching base re: West Oakland

Yana

Good to hear from you and congratulations on your new position. The sooner the better, as the federal interagency civil rights preparations for the Title VI investigation were launched last week and in a few hours there will be a first call with the attorneys for the City and Port, at their request. I think

the next few months are likely to be pivotal and it is crucial that the agencies involved in the Port/OAB issues be aware of each others concerns and activities. In briefing senior management at DOT and EPA I usually describe 5-6 different "avenues" of ongoing activities related to the Port/OAB, and would guess that discussion between yours and Cynthia's and my offices would reveal even more.

Richard

From: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>
Sent: Friday, August 4, 2017 1:23 PM
To: Grow, Richard; cynthia.marvin@arb.ca.gov
Subject: Greetings, and touching base re: West Oakland

Hi there Richard and Cynthia.

I wanted to reach out to you to connect now that I've started here at Cal EPA (and am actually in my third week somewhat unbelievably). I'd love to check with the two of you about how I can help in the ongoing efforts to address diesel emissions other forms of pollution around the Port of Oakland. I'd love to plug in where I can.

Cynthia, I don't think we've actually met in person before, but I believe we've been on calls together in the past. I've been looking forward to meeting you in person!

If you could both let me know your thoughts on when might be good for us to meet, I'd appreciate it.

I hope to connect soon!

All the best,

Yana

Assistant Secretary for Environmental Justice and Tribal Affairs

California Environmental Protection Agency

1001 I Street, 25th Floor

Sacramento, CA 95814

(916) 323-0444 (office)

Personal Phone / Ex. 6

Yana.Garcia@calepa.ca.gov

Message

From: Garcia, Yana@EPA [Yana.Garcia@calepa.ca.gov]
Sent: 8/8/2017 4:55:44 PM
To: Grow, Richard [Grow.Richard@epa.gov]; cynthia.marvin@arb.ca.gov
Subject: RE: Greetings, and touching base re: West Oakland

Hi Richard.

Thanks for getting back to me so quickly. I agree that a meeting sooner rather than later would be best. I'm available tomorrow at noon or 4 pm, and on Thursday between noon at 2 pm. On Friday I'll be in the Bay area and can meet at 8 or 9 am. Cynthia, is there any chance you might be available at any of those times?

Looking forward to talking to both of you.

Yana

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, August 7, 2017 9:11 AM
To: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>; cynthia.marvin@arb.ca.gov
Subject: Re: Greetings, and touching base re: West Oakland

Yana

Good to hear from you and congratulations on your new position. The sooner the better, as the federal interagency civil rights preparations for the Title VI investigation were launched last week and in a few hours there will be a first call with the attorneys for the City and Port, at their request. I think the next few months are likely to be pivotal and it is crucial that the agencies involved in the Port/OAB issues be aware of each others concerns and activities. In briefing senior management at DOT and EPA I usually describe 5-6 different "avenues" of ongoing activities related to the Port/OAB, and would guess that discussion between yours and Cynthia's and my offices would reveal even more.

Richard

From: Garcia, Yana@EPA <Yana.Garcia@calepa.ca.gov>
Sent: Friday, August 4, 2017 1:23 PM
To: Grow, Richard; cynthia.marvin@arb.ca.gov
Subject: Greetings, and touching base re: West Oakland

Hi there Richard and Cynthia.

I wanted to reach out to you to connect now that I've started here at Cal EPA (and am actually in my third week somewhat unbelievably). I'd love to check with the two of you about how I can help in the ongoing efforts to address diesel emissions other forms of pollution around the Port of Oakland. I'd love to plug in where I can.

Cynthia, I don't think we've actually met in person before, but I believe we've been on calls together in the past. I've been looking forward to meeting you in person!

If you could both let me know your thoughts on when might be good for us to meet, I'd appreciate it.

I hope to connect soon!

All the best,

Yana

Assistant Secretary for Environmental Justice and Tribal Affairs
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, CA 95814
(916) 323-0444 (office)
Personal Matters / Ex. 6
Yana.Garcia@calepa.ca.gov

Message

From: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]
Sent: 9/27/2017 3:47:59 PM
To: 'Morris, Robbie@ARB' [robbie.morris@arb.ca.gov]; Alison Kirk [AKirk@baaqmd.gov]
CC: David Vintze [DVintze@baaqmd.gov]; 'Margaret Gordon' Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6 Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease pulled from Agenda

Yes, thanks!

From: Morris, Robbie@ARB [mailto:robbie.morris@arb.ca.gov]
Sent: Friday, September 22, 2017 11:50 AM
To: Alison Kirk <AKirk@baaqmd.gov>
Cc: David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; 'Margaret Gordon' Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6 Yura, Elizabeth@ARB <eyura@arb.ca.gov>; Grow, Richard <Grow.richard@epa.gov>
Subject: RE: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease pulled from Agenda

Good to hear. Thank you for the update. Robbie

From: Alison Kirk [mailto:AKirk@baaqmd.gov]
Sent: Friday, September 22, 2017 11:40 AM
To: Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Grow, Richard <Grow.richard@epa.gov>; 'Margaret Gordon' Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6 Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Cc: David Vintze <DVintze@baaqmd.gov>; Morris, Robbie@ARB <robbie.morris@arb.ca.gov>
Subject: RE: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease pulled from Agenda

Update – Ms. Margaret just alerted us this item to be pulled from agenda for 28th, to be heard on Oct.12. (sorry if you all already heard, I didn't see you on the distribution list)

I just spoke with Port Clerk and she anticipates official announcement expected by 4 p.m. today.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Alison Kirk
Sent: Thursday, September 21, 2017 8:45 AM
To: Anna Lee <Anna.Lee@acgov.org>; Richard Grow <grow.richard@epa.gov>; 'Margaret Gordon' Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6 Yura, Elizabeth <eyura@arb.ca.gov>
Cc: David Vintze <DVintze@baaqmd.gov>; 'Morris, Robbie@ARB' <robbie.morris@arb.ca.gov>
Subject: Port of Oakland Board meeting Sept 28 - Oakland Army Base Lease on Agenda
Importance: High

Hello,

After years of closed-door negotiations, OAB is finally on the Port agenda, item 5.2 at the Thursday, Sept. 28 Board meeting.

Item 5.2 is an Ordinance and Resolution to enter into a ground lease with CenterPoint-Oakland Development I, LLC for 66 years.

As you might expect, the Port's lease with CenterPoint calls for CenterPoint to meet the requirements of the OAB CEQA documents. As we all know, these requirements are vague and do not meet the standards we have been recommending to the City over the years.

I'll be drafting a letter from BAAQMD for the Sept. 28 meeting, urging the Port to implement measures consistent with our recommendations, etc.

Let me know if you have any questions or comments!

Thanks,

Alison Kirk, AICP
Senior Environmental Planner
415-749-5169

The Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Message

From: LUEHE, DOUGLAS [luehe.douglas@epa.gov]
Sent: 9/27/2017 3:16:40 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Dft W.O. agreement: As Agreed : Revised Frame Work For Review

Hi Richard,

Personal Matters / Ex. 6

.....
Doug Luehe
Chief of Staff
EPA Region 9
Desk: 415-947-4277
Personal Phone / Ex. 6
luehe.douglas@epa.gov

From: Grow, Richard
Sent: Tuesday, September 19, 2017 11:09 AM
To: Jordan, Deborah <Jordan.Deborah@epa.gov>; LUEHE, DOUGLAS <luehe.douglas@epa.gov>
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: FW: Dft W.O. agreement: As Agreed : Revised Frame Work For Review

Deborah and Doug – meant to cc you.

From: Grow, Richard
Sent: Tuesday, September 19, 2017 10:59 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Israels, Ken <israels.Ken@epa.gov>
Subject: Dft W.O. agreement: As Agreed : Revised Frame Work For Review

Deliberative Process / Ex. 5

From: McGhee, Debra
Sent: Tuesday, September 19, 2017 9:48 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Grow, Richard <Grow.Richard@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Jang, Deeana (OST) <deeana.jang@dot.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Huezo, Hector (OST) <hector.o.huezo@dot.gov>; Cockfield, Erva (OST) <erva.cockfield@dot.gov>; Hart, Daryl (MARAD) <daryl.hart@dot.gov>; Kizito-Ramos, Rachel (MARAD) <Rachel.Kizito-Ramos@dot.gov>; grow.r@att.net
Subject: As Agreed : Revised Frame Work For Review

Colleagues:

Deliberative Process / Ex. 5

Debra E. McGhee
Team Lead
External Civil Rights Compliance Office
Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." *~~ Martin Luther King, Jr. , 18th April, 1959*

Message

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 10/17/2017 11:43:08 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Matt Maloney [mmaloney@mtc.ca.gov]; Jack Broadbent [jack@baaqmd.gov]; Aloha de Guzman [adeguzman@baaqmd.gov]; cynthia.marvin@arb.ca.gov; elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; mdavis@portoakland.com; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Carolyn Clevenger [cclevenger@alamedactc.org]; rsinkoff@portoakland.com; Henry Hilken [HHilken@baaqmd.gov]; Sheng Thao [sthao@oaklandnet.com]; Rebecca Kaplan [kaplanforoakland@gmail.com]; Catherine Mukai [cmukai@portoakland.com]; Ranyee Chiang [rchiang@baaqmd.gov]; Machol, Ben [Machol.Ben@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]; Woo, Winnie [WWoo@oaklandnet.com]; David Vintze [DVintze@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: Emissions Reductions Actions Guidance for the Port and Oakland Army Base
Attachments: Port-OAB Mitigations 8-22.xlsx; Port-OAB Action List_final.docx

Dear Colleagues,

On October 3, 2017, the Bay Area Air Quality Management District (Air District) hosted a conference call to discuss its "Emissions Reductions Actions" document for current and future operations at the Port of Oakland (Port) and former Oakland Army Base (OAB). At that meeting the City of Oakland (City) staff, had expressed concerns regarding a number of the recommendations in the document. Two specific concerns surrounded the Air District's recommendations on:

- Emission standards for trucks that should be used at the Port and OAB, and
- HEPA filtration for sensitive receptors located around the Port and OAB operational area.

At the meeting, the Air District had requested that City staff provide specific suggestions regarding alterations to the language contained in the guidance document, at which point a follow-up meeting could be scheduled to discuss these concerns. To date, no response has been received. Separately, the Port stated that it also wished to provide input on the guidance document and the Air District's technology assessment spreadsheet (see attached). Again, this feedback is yet to be received.

In light of the fact that our group will be assembled on Friday, the Air District is suggesting that all written comments on both the attached spreadsheet and guidance document be submitted to all group members prior to that meeting. Any written comments can then be the subject of our discussion.

For example:

In response to the concerns expressed by City staff at the first meeting, the Air District is proposing to amend the actions document to as follows:

HEPA Filtration:

2.8. ~~All~~ Existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be eligible to receive incentive funds to retrofit or install central air systems with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems. Institutional sites with existing central air systems that serve sensitive groups, such as schools, day cares, health care facilities and nursing homes, shall be the priority for HEPA air filtration installations.

On-road/Drayage Trucks:

1.10. Require all future tenants at the OAB meet a set of best practices for on and off road trucks and equipment, or require the payment of an OAB air quality offset fee for any emissions in excess of those that would have occurred through the implementation of the current list of best practices. Any emission offset funds will be used as incentives to retrofit existing buildings per measure 2.8 or fund other emission reduction programs benefiting the West Oakland Community. The following is the current list of best practices for the OAB:

a. *All yard trucks are zero-emissions.*
b. *All forklifts are zero-emissions.*
c. *All medium-heavy and heavy-heavy duty on-road trucks, including any alternative or hybrid fuel vehicles, meet or exceed the 2010 emission standards.*
d. *Use of new zero and near-zero technologies (such as battery electric or fuel cell electric) for all types of equipment in use at the site, including zero emission electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks as feasible.*
e. *As it becomes available, participation in the deployment of zero and near-zero medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site.*

The City and Port will establish an Oakland Army Base Mitigation Fund Incentive Program (the "Mitigation Fund") consistent with the LDDA/CEQA mitigation measures 4.4-3, 4.4-4 and 5.4-1. When tenants are unable to meet the current list of best practices listed above, the City and Port will require the tenants pay into the Mitigation Fund based on the current cost of reducing one ton of diesel particulate matter.

ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at http://www.arb.ca.gov/msprog/tech/tech.htm.

We're hoping to get all of your ideas incorporated in these documents before we take into our Board of Directors in December, so please bring them forward as soon as possible.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

Oakland Seaport Facilities

Siting or expanding seaport facilities, in, or near, communities already highly impacted by diesel pollution, carries a responsibility to build and operate a state-of-the-art facility with emissions as close to zero as technologically possible. Future port projects should include emerging zero emission technology for the trucks, locomotives, ship, tug boats, transport refrigeration units and support equipment that may serve, or operate, at ports. The City of Oakland (City) and Port of Oakland (Port) should take advantage of the planned construction and operational expansion to introduce changes that will lay the foundation for this technology and reduce regional emissions, minimize criteria pollutants and toxic air contaminants as well as the localized health risk from the Port's current and future operations. All projects should require the use of the cleanest technologies, support and encourage the development and demonstration of advanced technologies, with the ultimate goal of requiring the use of zero and near-zero emission technologies as soon as they are available. This requirement for the cleanest equipment is consistent with the City and the Port commitments made in the 2010 document, *A Bold Vision: Redeveloping the Former Oakland Army Base* ("*A Bold Vision*") and the 2009 *Maritime Air Quality Improvement Plan* (MAQIP).

The following actions need to be taken to ensure that Port operations or construction activities do not increase cumulative air quality impacts now or in the future.

1. <u>Port-Wide Actions</u>

   1.1. Require that all tenants and onsite construction contractors comply with and monitor compliance with all applicable air quality regulations for heavy duty-diesel trucks, including the Air Resources Board's (ARB) Tractor-Trailer Greenhouse Gas Reduction Regulation, Period Smoke Inspection Program, Off-Road Regulation, and Statewide Truck and Bus Regulation. To document compliance, require that fleets provide ARB Certificates of Compliance for the equipment regulations and copies of annual smoke test results.

   1.2. Incorporate contractual language into tenant lease agreements to ensure that tenants comply with all applicable air quality regulations, are using the cleanest technologies for their equipment (in both construction and operations) and understand their responsibilities of building and maintaining a green facility as well as compliance with diesel regulations.

   1.3. Require that the cleanest possible construction practices and equipment are utilized. This should include eliminating idling of diesel powered equipment, requiring the use of zero and near-zero emission equipment and tools to the greatest extent feasible, and providing the necessary infrastructure, like electric hookups, to support that equipment.

   1.4. Implement and plan accordingly for the necessary infrastructure to support zero emission and near-zero emission technology vehicles and equipment at

the Port. This includes physical, energy, and fueling infrastructure for construction equipment, on-site vehicles, and equipment, and medium-heavy and heavy-heavy duty trucks. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

At a minimum, both the Port and City should adopt targets for electric raceway circuit installation as part of initial facility construction. This will ensure sufficient electrical power is available for EV charging at sites under development and minimizes future costs to install infrastructure for zero and near zero emissions vehicles.

1.5. Develop a Sustainable Leasing Program whereby the Port and City shall work with tenants to develop and implement a policy incentive-based sustainable leasing program to attract the cleanest ships, ships that utilize shore power, zero and near-zero technologies, and otherwise incorporate technological and operational practices that reduce freight related emissions.

1.6. Require tenants to use cleaner technologies over time as they become available and feasible. This can be accomplished by requiring tenants to develop an annual Technology Review Program to identify any new emissions-reduction technologies that may reduce emissions at the Port, including the feasibility of zero and near-zero emissions technologies for heavy-duty trucks, yard equipment, tugs, vessels, and bulk handling equipment. If the technology review demonstrates the new technology will be effective in reducing emissions and the Port or City determines that installation or use of the technology is feasible, the tenant shall implement such technology within 12 months of the Port or City's determination (see Appendix A for examples of possible Technology Review Program projects).

1.7. Ensure existing and future tenants are compliant now and in the future with ARB's Transport Refrigeration Regulation. If not already implemented, incorporate operating practices that eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system at the Port. Furthermore, plan and design cold storage facilities that incorporate zero emission all-electric plug-in transport refrigeration systems, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration sufficient to meet Port growth.

1.8. Require the use of cargo handling equipment (CHE), including yard trucks, handlers, gantry cranes, fork lifts, that is the cleanest available technology (LPG/LNG, renewable diesel, electric, hydrogen, electric hybrid) and use zero and near- zero emission technology for equipment that is commercially

available now and in the future, as more zero-emission equipment becomes commercially available, as committed to in *A Bold Vision*. ARB's Technology Assessment: Mobile Cargo Handling Equipment, provides information on current and projected development of CHE, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/che_tech_report.pdf"]. Additionally, tenants should be required to demonstrate how their yard lay out maximizes their ability to use zero emissions equipment such as electric rail mounted gantry cranes.

1.9. Require the use of commercial harbor craft (CHC) technologies that exceed the Tier 2 or 3 requirements of CARB's CHC Regulation. There are some zero and near- zero emissions technology for equipment that is commercially available now, and additional projects are underway demonstrating the capability of CHC to achieve emission lower than Tier 4 marine and off-road emission standards. Some of these solutions may require retrofit with aftermarket emission control devices. ARB's Technology Assessment: Commercial Harbor Craft, provides information on current and projected development of CHC, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/draft_chc_technology_assessment.pdf"].

1.10. Require that all medium-heavy and heavy-heavy duty on-road and yard trucks, including any alternative fuel vehicles, meet or exceed the 2010 emission standards. Support the deployment of zero and near-zero technologies including utilizing zero emission (such as battery electric or fuel cell electric) forklifts, electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. At a minimum, all forklifts should be required to meet a zero emission standard. As it becomes available, require that medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site use zero and near-zero technology and require that yard trucks with similar duty cycles (less than hundred miles daily) convert to zero and near-zero technology. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

1.11. During all construction activities, require that off-road construction equipment meet Tier 4 engine standards, if not available, require equipment that meets Tier 3 engine standards. Tenants shall keep a list of available equipment and submit to the Port or City upon request.

1.12. Require that all on-site service vehicles, light-duty vehicles and equipment

(operational and during construction activities), and property maintenance equipment use zero emission technology and, if zero-emission technology is unavailable, that all vehicles and equipment meet the cleanest applicable emission standard.

1.13. Require that all projects include a robust traffic plan that moves truck traffic away from residents reducing truck traffic in neighborhoods, reduces and enforces truck speeds to reduce exposure to noise and increase safety, and discourages new development near truck routes. Coordinate and consult with the West Oakland community on site-wide truck traffic circulation.

1.14. Properly integrate truck parking, terminal parking, security systems, electronic gates systems, and other freight transport infrastructure to maximize achievable efficiencies.

1.15. Require future project design plans include operational support to demonstrate and deploy zero and near-zero emission freight equipment.

1.16. Require ships that enter the Port area pay emissions-based berthing fees or other user fees. The fees shall be used to reduce emissions and exposure in West Oakland.

1.17. Require that ocean-going vessels comply with fuel requirements for both the California Ocean-Going Vessel Regulation and the North American Emission Control Area Requirements.

1.18. Provide support (logistical and financial) for demonstration projects to encourage the use of alternative and/or advanced technologies. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source and port equipment technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

1.19. Utilize concepts to enhance community engagement as outlined in the U.S. Environmental Protection Agency Draft Environmental Justice Primer for Ports, "The Good Neighbor Guide to Building Partnerships and Social Equity released in July 2016. This document provides a road map to assess current community engagement and outlines strategies to assist the City and the Port to enhance neighboring community relationships. The document can be found at https://www.epa.gov/ports-initiative/draft-environmental-justice-primer-ports

1.20. Utilize grant funding from Federal, State and local programs to reduce air pollution emissions and health risk from diesel exhaust. Incorporate a collaborative process between tenants and the Port and/or the City to apply for funding to support zero-emission freight related diesel equipment technologies.

1.21. Require that all recycling facilities and metal melting facilities that include re-melting furnaces for the melting of alloys, within the Port, the OAB project area, and within 1,000 feet of the West Oakland community meet the best available control technology (BACT) standards as defined by the BAAQMD.

2. Former OAB – Both City of Oakland and Port Owned Areas

Below are measures that will help the City and Port meet the requirements of the Oakland Army Base 2013 Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCA/MM). *Note:* the City and Port must reduce emissions at the OAB property *beyond* what is required by CARB regulations to meet the requirements of the SCA/MM. These measures also are consistent with measures in the *Maritime Air Quality Improvement Plan* (MAQIP), A Bold Vision, the City of Oakland's Standard Condition of Approval, and air quality mitigation measures in the Environmental Impact Report for 2013 *Plan Bay Area*. When measures are adapted from specific sources, these sources are noted in parenthesis.

The City and Port shall implement all measures listed under Item 1 Port-Wide Activities as applicable, and in addition shall implement the following measures:

2.1. All trucks shall be prohibited from idling more than two minutes when loading and unloading, staging or when not in active use for extended periods of time. Exemptions from the two-minute idling rule would be allowed when required for safety or when equipment is in use. (Plan Bay Area)

2.2. An appointment/ITS system shall be implemented that minimizes truck idling and queuing for the movement of containers.

2.3. Prior to implementation of zero-emission harbor craft described in Item 1.9 above:

2.3.1. Prior to 2023, all CHC accessing the new OAB port facilities will meet USEPA Tier 4 standards (or cleaner) for both propulsion and auxiliary engines, or or zero emissions technologies such as: batteries, shorepower, or hydrogen fuel cell.

2.3.2. NOx emissions can be controlled with selective catalytic reduction systems. For example, implement emission reduction control measures to replace tugboat engines with low NOx technology (for example, through the expansion of the existing cargo handling equipment re-powering and retrofitting program, part of the Berths 55-58 Project air quality mitigation program).

2.4. All the mobile cargo handling equipment will be electric equipment. (MAQIP) The Air District suggest this be broadened to allow for other zero emissions fuels (Hydrogen) and for near zero emissions equipment in the event that full zero emissions equipment in not commercially available.

2.5. Buildings shall meet LEED Platinum certification standards. All buildings shall provide sources of energy. Solar, wind, mechanical, tidal or solar generated hydrogen systems will be investigated to determine their feasibility.

2.6. The developer shall be required to plant trees and/or vegetation throughout the OAB. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (Pinus nigra var. maritima), Cypress (X Cupressocyparis leylandii), Hybrid popular (Populus deltoids X trichocarpa), and Redwoods (Sequoia sempervirens). (Plan Bay Area)

2.8. All existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be equipped with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems.

2.9. Consistent with SCA/MM 4.4-5, when redevelopment activity generates more than 20,000 square feet of employment-generating land uses, or generates 100 or more local jobs, the City, Port and developers will fund on a fair share basis Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations. See SCA/MM 4.4-5 for a full list of TCMS and include the following:

2.10. Commute Benefits Program

2.10.1 To design and implement a Commute Benefits Program, the City, Port, and private developers need to form a committee and assign a representative to the committee. Committee representatives will include two West Oakland community members, an employee representative, and a representative from the Port and from the City. (Note that all employers with 50 or more full-time employees in the Bay Area are subject to the Bay Area Commuter Benefits Program [BAAQMD regulation 14, Rule 1]. For more information, please see [HYPERLINK "https://commuterbenefits.511.org"])

2.10.2 Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, and eliminate building setbacks. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, and improving transit bus service to the area. Provide on-site services, such as cafeterias, banks, dry cleaners, and convenience market so that

employees can walk to these services. Include bicycle and pedestrian facilities in the design.

2.10.3 Transit, Bicycle and Pedestrian Access: Include sidewalks, multi-use paths and bike lanes in the project design. Provide secure, weather-protected bicycle parking for employees, Provide showers and lockers for employees bicycling or walking to work. Provide safe, direct access for bicyclists to adjacent bicycle routes. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.

2.10.4 Mange Travel Demand and Provide Transit Service: Encourage OAB tenants to use carpools, vanpools, and public transit by providing incentives. Provide a shuttle to and from the West Oakland BART station. Establish mid-day shuttle service for worksite to food service establishments/commercial areas. Provide preferential parking for carpool and vanpool vehicles. Implement parking fees for single occupancy vehicle commuters.

2.11. New Stationary Sources

2.11.1 On the OAB property, new stationary sources that are added as part of the project must reduce emissions beyond what is required by CARB and BAAQMD, whenever possible. For example, the cleanest available stand-by diesel generators and portable generators will be required. The City and Port shall fund this on a fair share basis.

3. Former OAB -City of Oakland Owned Areas

West Gateway Bulk Terminal (Marine Terminal and Rail Expansion)

3.1. Implement all applicable site-wide actions based on specific operations in this subject area.

3.2. Specify the public review release date and expected content for each of the remaining Subject Plans for this project, subject to Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans). It is expected that the remaining Subject Plans will be released in a timeframe that will allow for meaningful public review and response by the City of Oakland, or project developer, prior to when they are scheduled according to the approved SCA/MM. The list of Subject Plans can be found on page 46 in SCA/MM at [HYPERLINK "http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf"]

3.3. Require that berths providing shore power now or in the future, can accommodate changes to vessel sizes and various berthing configurations.

The ARB At-Berth Regulation currently requires 80% compliance of ocean going vessels by 2020. Vessel operations should meet 100 percent shore power compliance rate for all vessels or incorporate other technologies, such as emissions capture and control systems, to maximize emission reductions from all vessels in advance of the regulation. ARB's Sustainable Freight: Pathways to Zero and Near-Zero Emissions Discussion Document has identified the development and proposal of amendments to the At-Berth that could expand the regulation to include smaller fleets and/or additional vessel types to the current At Berth Regulation. Additionally, hybrid technologies have shown success at achieving emission reductions in certain tugs based on duty, engine size, and location and should be incorporated into operations, where possible.

Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4 line-haul, ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023In addition establish standards that require:

3.4.1. All diesel switch engines to have 15-minute idling limit devices installed and operational; and to use emulsified fuels or other equivalently clean alternative diesel fuel.

3.4.2. No non-essential idling. Class 1 helper locomotives will be turned off while on OAB properties. If, for safety reasons, helper locomotives need to be on then they will meet similar control requirements as line haul locomotives.

3.4. The Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"]

3.5. Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023.

3.6. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

Prologis East and Central Gateway (Ambient Transload/Warehouse/Truck Services)

3.7. Implement all applicable site-wide actions based on specific operations in this subject area.

North Gateway (Recycling and Rail Right Of Way Expansion)

3.8. Implement all applicable site-wide actions based on specific operations in this subject area.

4. Former OAB Port of Oakland Owned Areas

Central Gateway (Ambient Transload/Warehouse/Rail Yard /Port Logistics/Warfs)

4.1. Implement all applicable site-wide actions based on specific operations in this subject area.

4.2. Specify the public review release date and expected content for each of the remaining Subject Plans for this project, subject to Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans). It is expected that the remaining Subject Plans will be released in a timeframe that will allow for meaningful public review and response by the City of Oakland, or project developer, prior to when they are scheduled per the SCA/MM. The list of Subject Plans can be found on page 46 in SCA/MM at [HYPERLINK "http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf"].

5. Port of Oakland (Non-Former OAB Areas)

Cool Ports Oakland, LLC (Temperature Controlled Transload/Warehouse/Rail Expansion)

5.1. Implement all applicable site-wide actions based on specific operations in this subject area.

5.2. Ensure existing and future tenants are compliant now and in the future with ARB's Transport Refrigeration Regulation. Incorporate operating practices that eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system while at the Port. Require the use of zero emission all-electric plug-in transport refrigeration systems and ensure the design plan includes the necessary infrastructure. ARB's Technology Assessment: Transport Refrigerators, provides information on the current and projected development for transport refrigerators, including current and anticipated costs at widespread deployment. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf"].

5.3. Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4,

ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023 Furthermore, the Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"].

5.4. Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023..

5.5. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

5.6. Plan and design for the necessary infrastructure to ensure 100 percent, plug-in equipped, to accommodate future growth volumes of TRU's or expansion of this area.

5.7. Implement a policy that limits the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system while on Site.

5.8. Encourage the use of zero emission all-electric plug-in refrigeration systems, hydrogen fuel cell and cryogenic transport refrigeration systems.

5.9.

Port Terminal/Maritime Operations (Inner, Middle, Outer Harbors, and Seventh Street)

5.10. Implement all applicable site-wide actions based on specific operations in this subject area.

5.11. Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4, ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023 Furthermore, the Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric

capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"].

Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023.

5.12. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

5.13. Require that berths providing shore power now or in the future, can accommodate changes to vessel sizes and various berthing configurations. The ARB At-Berth Regulation currently requires 80% compliance of ocean going vessels by 2020. Vessel operations should meet 100 percent shore power compliance rate for all vessels or incorporate other technologies, such as emissions capture and control systems, to maximize emission reductions from all vessels in advance of the regulation. ARB's Sustainable Freight: Pathways to Zero and Near-Zero Emissions Discussion Document has identified the development and proposal of amendments to the At-Berth that could expand the regulation to include smaller fleets and/or additional vessel types to the current At Berth Regulation. Additionally, hybrid technologies have shown success at achieving emission reductions in certain tugs based on duty, engine size, and location and should be incorporated into operations, where possible.

Appendix A

Technology Review Program

Development of a Technology Review Program is consistent with the requirements of Mitigation Measures in the Oakland Army Base 2013 Standard Conditions of Approval and Mitigation Monitoring and Reporting (SCA/MM) Program. Below are recommended Technology Review Programs that can be implemented to reach the goals of the SCA/MM.

In consultation with regional agencies and stakeholders, the City and Port shall implement Technology Review Programs, such as:

- The City and Port should administer a minimum of a one year demonstration project, prior to 2020, of zero and near-zero emission truck technology. This demonstration project shall be conducted in cooperation with regional and state agencies and stakeholders.

- Research and funds shall be used to identify and test hybrid diesel electric locomotives and conduct a demonstration of locomotive DOC or DPF retrofits.

- Feasibility studies of electrification of freight/passenger rail from Port intermodal yards to the Bay Area Air Quality Management District's boundaries conducted in conjunction with the Metropolitan Transportation Commission, Capital Corridor JPA, Union Pacific, and Burlington Northern Santa Fe railroads.

- Investigation of renewable energy generation via mechanical systems that utilize truck weight to generate electricity.

- Study of a "virtual container yard" system that integrates truck movements with container moves to minimize emissions and maximize efficient use of trucking fleets.

Example TAP Studies

As a possible framework for the Technology Review Program, consider the work of the San Pedro Ports Technology Advancement Program (TAP). TAP is a joint program of the Ports of Long Beach and Los Angeles through the Ports' joint Clean Air Action Plan (CAAP) adopted in 2006. The CAAP guides the Ports in their commitment to reduce the health risks and air emissions associated with port-related operations, while allowing port development and growth to continue. The CAAP focuses on near-term strategies, targeting significant reductions in diesel PM, nitrogen oxides (NOx), and sulfur oxides (SOx). The following is a selected list of demonstration projects completed through the TAP program:

- Balqon E-30 Electric Terminal Tractor Development and Demonstration Project

This vehicle was built as a demonstration vehicle and designed specifically for drayage operations. The prototype E-30 all-electric terminal tractor successfully completed cargo terminal tests in 2008.

Following the completion of cargo terminal tests during 2008, the Los Angeles Harbor Commission approved the purchase of 20 electric trucks from the manufacturer as part of the "Green Terminal" program. The Green Terminal program will also include the production of five on-road electric trucks.

This demonstration project was followed with a project to evaluate and demonstrate a lithium-ion battery as a technological upgrade to the lead-acid battery pack used in the previous TAP demonstration. The advanced technology lithium-ion batteries were anticipated to provide more than double the vehicle range, without adding additional weight. A one-day demonstration of the Nautilus E30 confirmed a range

of over 150 miles on a single charge with unloaded conditions at 80% depth of discharge. However, this project was never completed.

- Capacity Plug-In Hybrid Electric Terminal Tractor (2010)

The TAP program conducted a three-week trial of a diesel-electric plug-in hybrid terminal tractor that uses a small diesel generator and a large lead-acid battery pack to provide power for vehicle operation. While this demonstration showed a 44 percent reduction in NOx emissions and a 56 percent reduction in PM emissions, compared to 2009 diesel yard tractors, the demonstration utilized a Tier 4-interim generator drive engine, and therefore does not meet CARB's Cargo Handling Equipment regulation of Tier 4 engines.

- Hybrid Yard Tractor Development & Demonstration (2010)

This TAP study investigated the feasibility and commercial viability of using advanced technology drive systems in cargo handling equipment. The three hybrid yard hostlers underwent six months of operation and in-use testing and could perform all the tasks required of yard hostlers in real-world port operations, and were well accepted by drivers and maintenance staff. Fuel economy and emissions benefits were evaluated, but a difference discovered in the mechanical specifications of the vehicles limited comparability. Based on all the evaluations and analyses conducted, the hybrid system is estimated to provide a 12 percent to 18 percent improvement in fuel economy. Further development of the hybrid system is underway to improve fuel economy and emissions reductions. A follow-up study was conducted entitled "Hybrid Yard Tractor Development and Demonstration – Beta Test".

- Alternative Petroleum Technologies (APT) Emulsified Biodiesel Fuel Demonstration (2011)

To demonstrate the viability and effectiveness of the emulsified biodiesel fuel in cargo handling equipment, APT performed a two-phased demonstration that consisted of an evaluation of the emulsified fuel with and without a diesel oxidation catalyst (DOC) in a laboratory setting and a real-time demonstration of the fuel in yard equipment at a port terminal.

The demonstration successfully proved that APT's emulsified B-20 blend mitigated an increase in NOx emissions, while also providing additional reductions in PM when coupled with a verified diesel emissions control system. This provides port drayage operators an alternative fuel selection for their existing fleet of container yard equipment.

As of April 2014, APT planned to pursue CARB verification of the emulsified biodiesel fuel for sale to existing cargo handling equipment fleet operations in the State.

- Liquefied Natural Gas Yard Tractor Demonstration (2007)

This Project was designed to develop, test and design a business case for LNG yard tractors. Phase 1 focused on development of LNG yard tractor specifications, procurement, and installation of temporary LNG refueling. Phase 2 included operation of the LNG yard tractors at a marine terminal for a period of eight months. Phase 3 of the project was the development of a business case assessment to determine the cost effectiveness and return on investment of using LNG equipment as opposed to diesel.

During emissions testing, the LNG yard tractor produced lower PM emissions than on-road diesel engine equipped with a diesel oxidation catalyst and closed crankcase ventilation system. However, NOx emissions from the LNG yard tractor were approximately 21 percent higher than NOx emissions from this same on-road diesel engine configuration.

- ACTI Advanced Maritime Emission Control System (AMECS) Project (2008)

ACTI developed the AMECS as an alternative pollution control method for ocean-going vessels that are not configured to use shore power, also known as "cold ironing", while at berth. The goal was to demonstrate pollution reduction efficiencies equal to cold ironing for nitrogen oxides (NOx), sulfur oxides (SOx), and particulate matter (PM). The AMECS was demonstrated at Metropolitan Stevedore/Port of Long Beach on multiple vessels with varying exhaust stack configurations. During the demonstration period, two full-scale emission reduction efficiency tests were conducted, the results of which were independently verified by two testing laboratories. During emissions testing, NOx and PM emissions were reduced by 99 percent and 95.5 percent, respectively. In addition, sulfur oxides (SOx) were reduced by 99 percent, and volatile organic compound (VOC) emissions were reduced by greater than 97 percent. Further demonstration of this technology is necessary to determine how it functions in day-to-day operations, including evaluation of costs, durability, integration into operations.

- APL Singapore Slide Valve & Water-In-Fuel (WiFE) Emulsion Demonstration Program (2009)

Two emission control technologies were demonstrated - the use of slide valves in the vessel's main engines, and water-emulsified bunker fuel using an innovative onboard water in fuel emulsifier. The primary objectives of the demonstration projects were to a) evaluate the particulate matter (PM) emission reduction effectiveness of retrofitting OGV main engines with an improved injector design known as a slide valve; and b) demonstrate demand-based onboard water in fuel emulsification system and measure the NOx reduction effectiveness of varying the water content.

Project test conditions resulted in an evaluation that indicated the benefits of slide valves appear to be limited. Testing of the WiFE system aboard the APL Singapore showed water concentrations as high as 48 percent were successfully demonstrated, yielding NOx reductions on the order of 30 percent. A further study was completed in 2012.

- Bluefield Holdings Krystallon Ocean Going Vessel Scrubber (2013)

The primary focus of this project was to demonstrate the reduction of emissions of sulfur oxides (SOx) from an Ocean Going Vessel using an exhaust gas cleaning device to meet the International Maritime Organization (IMO) fuel sulfur limits in Emission Control Areas (ECA) and further to reduce particulate matter (PM), and volatile organic compound (VOC) emissions. This project demonstrated the potential for PM and SOx reductions that can be achieved through OGV retrofit using commercially available scrubbing technology. Additional research is needed further evaluate the potential for OGV engine emission reductions from scrubbers on main engines to comply with IMO ECA regulations.

- Foss Maritime Green Assist™ Hybrid Tugboat (2010)

Foss Maritime developed this diesel electric hybrid tugboat and named it the *Carolyn Dorothy*. The *Carolyn Dorothy* became a full working member of the Foss Maritime tug fleet on March 1, 2009. Since this time, the hybrid tug demonstrated performance comparable to a conventional Dolphin Class tugboat. The hybrid tugboat achieved emission reductions that exceed original targets (to reduce both NOx and PM by approximately 44 percent) when compared with the Dolphin tugs currently operating in the San Pedro Bay. The *Carolyn Dorothy* reduced PM, NOx and CO2 emissions by 73 percent, 51 percent and 27 percent, respectively. Based on this evaluation, there is evidence that this technology reduces fuel consumption by approximately 20 to 30 percent.

- OGV Slide Valve Low-Load Emissions Evaluation (2013)

This project is a follow up to the 2008 demonstration of a slide-type fuel values, and sought to test a new type of OGV main engine fuel valve (SV C36) designed to improve combustion properties by eliminating sac volume (i.e., fuel drips) at the valve nozzle. The elimination of the sac volume results in lower fuel oil consumption. In addition, slide valve nozzles incorporate an optimized spray pattern designed to improve the combustion process - this is intended to reduce overall emissions, including hydrocarbon, NOx and particulate matter. The visible smoke level is also greatly reduced because of the improved combustion. Among other findings, results showed that SV C26 nozzles did emit less diesel particulate matter (DPM) at low loads compared to the two conventional fuel valve configurations. At low loads, SV emits up to 50 percent less DPM than conventional C3 and C11 fuel valves and up to 65 percent less DPM for cylinder-lubrication-corrected particulate-

emission results. Overall, SV C26 nozzles emit over 90 percent less total hydrocarbons compared to the two conventional fuel valve configurations.

California Energy Commission Projects

In addition to the emissions reduction studies that are being undertaken as part of the TAP, the California Energy Commission (Energy Commission) released a Grant Solicitation for "Sustainable Freight Transportation Projects" under the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). This grant solicitation funded projects that demonstrate medium- and/or heavy-duty advanced vehicle technologies at California seaports. The three projects selected as part of this solicitation propose to demonstrate:

- 9 zero emissions rubber tired gantry cranes
- 15 battery electric yard tractor's
- 7 natural gas hybrid electric trucks
- 3 zero emissions top handlers
- 20 near zero natural gas trucks

Results of these demonstrations should inform the Technology Review Program established as part of the Oakland Army Base 2013 SCA/MM Program.

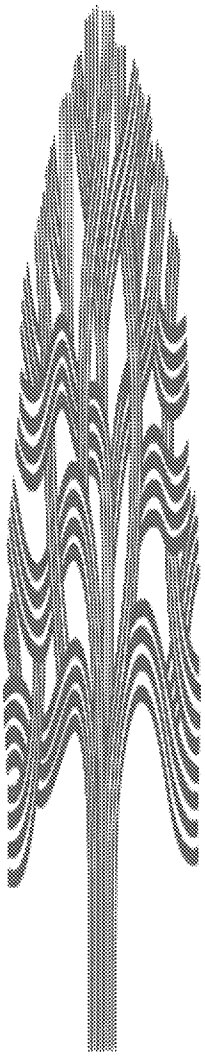
Message

From: Deldi Reyes Personal Email / Ex. 6
Sent: 9/26/2017 10:26:31 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Personal Email / Ex. 6
Subject: Fwd: [d3WestO] Trucks in West Oakland - Community Workshop 10/11/17

Sent from my iPhone

Begin forwarded message:

From: "'Cook, Brigitte' bcook@oaklandnet.com [D3WestOakland]" < Personal Email / Ex. 6
Personal Email / Ex. 6
Date: September 26, 2017 at 2:16:08 PM PDT
To: " Personal Email / Ex. 6
Subject: [d3WestO] Trucks in West Oakland - Community Workshop 10/11/17
Reply-To: Personal Email / Ex. 6



PORT OF OAKLAND

Trucks in West Oakland-Community Workshop

ARE TRUCKS IN YOUR NEIGHBORHOOD?

JOIN US TO LEARN HOW YOU CAN HELP!

Taller comunitaro sobre los camiones que afectan el vencidario del oeste de Oakland

西屋崙货车管理社区会议

The City of Oakland and Port of Oakland invite you to participate in the "Trucks in West Oakland – Community Workshop" series. The first workshop is on Wednesday, October 11th, between 6:00-8:30PM. The City and Port are initiating a Truck Management Plan for the development of the former Oakland Army Base lands. The City and Port want your input to inform and develop the Truck Management Plan.

Wednesday, October 11, 2017

6:00PM – 8:30PM

(Light dinner & registration @ 6PM; Program starts @ 6:30PM)

Taylor Memorial United Methodist Church

1188 12th Street (multipurpose room), Oakland CA 94607; Cross: Adeline St.

Public Transportation: BART West Oakland Station; AC Transit 14 & 36

Parking available @ 12th & Magnolia St., bikes are welcome

Please RSVP at: https://trucksinwestoakland.eventbrite.com

To request childcare, interpretation services, or any disability accommodation, please contact us at least 72 hours prior to the meeting:

community@portoakland.com

Councilmember McElhaney, City Administrator, and Board of Port Commissioners look forward to your participation in this planning effort.

The City and the Port are delighted to host this meeting with a light dinner and child care provided.

What is a Truck Management Plan?

The City of Oakland together with the Port of Oakland need your help to identify how trucks are impacting your neighborhood and find the best solution to those problems. This is what the Truck Management Plan (TMP) intends to do.

Hotline& Live Chat:

Call 1-844-OAKPORT (1-844-625-7678) or Live Chat on the Port of Oakland Website, M-F between 8:30am-5pm, for more information about the City & Port Truck Management Plan

Visit the TMP project page for more information: www.oaklandnet.com

Community Engagement

Who will be involved?

West Oakland residents and businesses, Port truckers, Mayor's Office, Councilmember McElhaney, City of Oakland, and the Port of Oakland. We hope that you will participate!

Why are the City and Port doing this now?

The former Oakland Army Base is being redeveloped by the City of Oakland and Port of Oakland into new logistics and warehousing facilities. The Truck Management Plan is a requirement of the new development.

Where do we start?

The City of Oakland and Port of Oakland believe the four major areas to problem solve around are:

1. "Truck Circulation" means what streets are being used by trucks. It also contemplates where trucks are going to-and-from.

2. Truck Parking: are trucks parking in spaces that are allowed?

3. Community Infrastructure: is there proper street signage about parking and truck routes in your neighborhood?

4. Enforcement: how can we assist truckers to abide by the permitted truck routes and street-parking limits?

How do I get involved?

Attend the first community workshop on Wednesday, October 11th, 6:00-8:30PM at Taylor Memorial United Methodist Church (multi-purpose room). You can also go to the project website to learn more about other ways to get involved.

Please tell your neighbors and help us spread the word!

Click here to share this event

Port of Oakland | 530 Water Street, Oakland, CA 94607

Unsubscribe bcook@oaklandnet.com

Update Profile | About our service provider
Sent by community@portoakland.com in collaboration with

Constant Contact

Try it free today

Posted by: "Cook, Brigitte" <BCook@oaklandnet.com>

Reply via web post • Reply to sender • Reply to group • Start a New Topic • Messages in this topic (1)

YAHOO!

Have you tried the highest rated email app?
With 4.5 stars in iTunes, the Yahoo Mail app is the highest rated email app on the market. What are you waiting for? Now you can access all your inboxes (Gmail, Outlook, AOL and more) in one place. Never delete an email again with 1000GB of free cloud storage.

VISIT YOUR GROUP

YAHOO! GROUPS
• Privacy • Unsubscribe • Terms of Use

Message

From: Donez, Francisco [Donez.Francisco@epa.gov]
Sent: 9/26/2017 9:06:33 PM
To: McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]
Subject: RE: Fw: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

I should be able to attend. I filled out the Doodle poll, and was available for all the slots.

FD

From: McDaniel, Penelope
Sent: Tuesday, September 26, 2017 2:04 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Donez, Francisco <Donez.Francisco@epa.gov>
Subject: RE: Fw: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Correction. Tomorrow, Sept. 27th meeting has been cancelled.

Penny McDaniel
Director, U.S.-China Green Ports and Vessels Initiative
Lead, West Coast Collaborative & DERA
Technology & Partnerships Office
U.S. Environmental Protection Agency
phone: 415-947-4203 | www.westcoastcollaborative.org
Click here to sign up, unsubscribe or update your contact information for the WCC email lists

---

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received.

From: McDaniel, Penelope
Sent: Tuesday, September 26, 2017 1:59 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Donez, Francisco <Donez.Francisco@epa.gov>
Subject: FW: Fw: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
Importance: High

Just received this email regarding my acceptance of the meeting tomorrow, Sept. 28 at 9 am. Appears it has been cancelled, and the week of Oct 2 is when they are seeking to reschedule. Again I will not be available to attend the week of Oct. 2.

Penny McDaniel
Director, U.S.-China Green Ports and Vessels Initiative
Lead, West Coast Collaborative & DERA
Technology & Partnerships Office
U.S. Environmental Protection Agency
phone: 415-947-4203 | www.westcoastcollaborative.org
Click here to sign up, unsubscribe or update your contact information for the WCC email lists

---

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received.

From: Aloha de Guzman [mailto:adeguzman@baaqmd.gov]
Sent: Tuesday, September 26, 2017 1:55 PM
To: McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>
Subject: RE: Fw: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
Importance: High

Hi Ms. McDaniel,

This meeting has been canceled. A Doodle poll was sent out to find out new availability for the week of October 2 – I will send you that invite as I see you were not included. My apologies.

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600
San Francisco, Ca 94105
Office: 415.749.4782 Personal Email / Ex. 6
adeguzman@baaqmd.gov

-----Original Appointment-----
From: McDaniel, Penelope [mailto:MCDANIEL.PENELOPE@EPA.GOV]
Sent: Tuesday, September 26, 2017 1:53 PM
To: Vanessa Johnson; Marjorie Villanueva; Aloha de Guzman
Subject: Accepted: Fw: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
When: Wednesday, September 27, 2017 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Conference Call hosted by Mr. Damian Breen

Message

From: McDaniel, Penelope [MCDANIEL.PENELOPE@EPA.GOV]
Sent: 9/26/2017 8:56:36 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; Donez, Francisco [Donez.Francisco@epa.gov]
Subject: RE: Emissions Reductions Actions for Port of Oakland Discussion

I will not be available the week of Oct. 2, as I will be in meetings all week in DC.

I do plan to be on the call tomorrow, Sept. 28 at 9 am, which appears to be about the same topic.

Penny McDaniel
Director, U.S.-China Green Ports and Vessels Initiative
Lead, West Coast Collaborative & DERA
Technology & Partnerships Office
U.S. Environmental Protection Agency
phone: 415-947-4203 | www.westcoastcollaborative.org
Click here to sign up, unsubscribe or update your contact information for the WCC email lists

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received.

From: Grow, Richard
Sent: Tuesday, September 26, 2017 1:48 PM
To: Machol, Ben <Machol.Ben@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Donez, Francisco <Donez.Francisco@epa.gov>
Subject: FW: Emissions Reductions Actions for Port of Oakland Discussion

I hope one of you can join this call. Pretty sure its about the attached document.

Richard

From: Aloha Galimba (via Doodle) [mailto:mailer@doodle.com]
Sent: Tuesday, September 26, 2017 12:00 PM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: Emissions Reductions Actions for Port of Oakland Discussion

Aloha Galimba invites you to participate in the Doodle poll "Emissions Reductions Actions for Port of Oakland Discussion."

Doodle

Hi,

Aloha Galimba (agalimba@baaqmd.gov) invites you to participate in the Doodle poll **Emissions Reductions Actions for Port of Oakland Discussion.**

Participate now

What is Doodle? Doodle is a web service that helps Aloha Galimba to find a suitable date for meeting with a group of people. Learn more about how Doodle works.

You have received this e-mail because **Aloha Galimba** has invited you to participate in the Doodle poll **Emissions Reductions Actions for Port of Oakland Discussion**.

Doodle is also available for iOS and Android

Download on the App Store | GET IT ON Google play

Doodle

Doodle AG, Werdstrasse 21, 8021 Zürich

Message

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 8/7/2017 9:33:33 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: West Oakland "backtrack" and other background

Hey real quick, whats your title? I need it for the participant list I want to send over

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, August 07, 2017 5:09 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>
Subject: West Oakland "backtrack" and other background

All

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Message

From: McGhee, Debra [mcghee.debra@epa.gov]
Sent: 9/26/2017 8:34:59 PM
To: Keeler, Katsumi [Keeler.Katsumi@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]
Subject: FW: Trucks in West Oakland - Community Workshop 10/11/17

Interesting developments in Oakland, courtesy of our friends in Region 9.

Debra E. McGhee
Team Lead
External Civil Rights Compliance Office
Office Phone: 202-564-4646

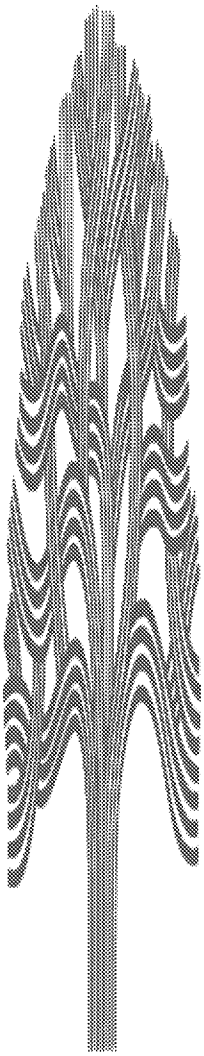
"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." *~~ Martin Luther King, Jr. , 18th April, 1959*

From: Grow, Richard
Sent: Tuesday, September 26, 2017 4:31 PM
To: ryan.fitzpatrick@dot.gov
Cc: Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>
Subject: FW: Trucks in West Oakland - Community Workshop 10/11/17

Deliberative Process / Ex. 5

Richard

From: City of Oakland & Port of Oakland [mailto:community@portoakland.com]
Sent: Tuesday, September 26, 2017 12:16 PM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: Trucks in West Oakland - Community Workshop 10/11/17



PORT OF OAKLAND

Trucks in West Oakland-Community Workshop

ARE TRUCKS IN YOUR NEIGHBORHOOD? JOIN US TO LEARN HOW YOU CAN HELP!

Taller comunitaro sobre los camiones que afectan el vencidario del oeste de Oakland

西屋崙货车管理社区会议

The City of Oakland and Port of Oakland invite you to participate in the "Trucks in West Oakland – Community Workshop" series. The first workshop is

on Wednesday, October 11th, between 6:00-8:30PM. The City and Port are initiating a Truck Management Plan for the development of the former Oakland Army Base lands. The City and Port want your input to inform and develop the Truck Management Plan.

Wednesday, October 11, 2017
6:00PM – 8:30PM
(Light dinner & registration @ 6PM; Program starts @ 6:30PM)

Taylor Memorial United Methodist Church
1188 12th Street (multipurpose room), Oakland CA 94607; Cross: Adeline St.
Public Transportation: BART West Oakland Station; AC Transit 14 & 36
Parking available @ 12th & Magnolia St., bikes are welcome

Please RSVP at: https://trucksinwestoakland.eventbrite.com

To request childcare, interpretation services, or any disability accommodation, please contact us at least 72 hours prior to the meeting: community@portoakland.com

Councilmember McElhaney, City Administrator, and Board of Port Commissioners look forward to your participation in this planning effort.

The City and the Port are delighted to host this meeting with a light dinner and child care provided.

What is a Truck Management Plan?

The City of Oakland together with the Port of Oakland need your help to identify how trucks are impacting your neighborhood and find the best solution to those problems. This is what the Truck Management Plan (TMP) intends to do.

Hotline& Live Chat:
Call 1-844-OAKPORT (1-844-625-7678) or Live Chat on the Port of Oakland Website, M-F between 8:30am-5pm, for more information about the City & Port Truck Management Plan

Visit the TMP project page for more information: www.oaklandnet.com

Community Engagement

Who will be involved?
West Oakland residents and businesses, Port truckers, Mayor's Office, Councilmember McElhaney, City of Oakland, and the Port of Oakland. We hope that you will participate!

Why are the City and Port doing this now?
The former Oakland Army Base is being redeveloped by the City of Oakland and Port of Oakland into new logistics and warehousing facilities. The Truck Management Plan is a requirement of the new development.

Where do we start?
The City of Oakland and Port of Oakland believe the four major areas to problem solve around are:
1. "Truck Circulation" means what streets are being used by trucks. It also contemplates where trucks are going to-and-from.
2. Truck Parking: are trucks parking in spaces that are allowed?
3. Community Infrastructure: is there proper street signage about parking and truck routes in your neighborhood?
4. Enforcement: how can we assist truckers to abide by the permitted truck routes and street-parking limits?

How do I get involved?
Attend the first community workshop on Wednesday, October 11th, 6:00-8:30PM at Taylor Memorial United Methodist Church (multi-purpose room).

You can also go to the project website to learn more about other ways to get involved.

Please tell your neighbors and help us spread the word!

Click here to share this event

Port of Oakland | 530 Water Street, Oakland, CA 94607

Unsubscribe grow.richard@epa.gov

Update Profile | About our service provider

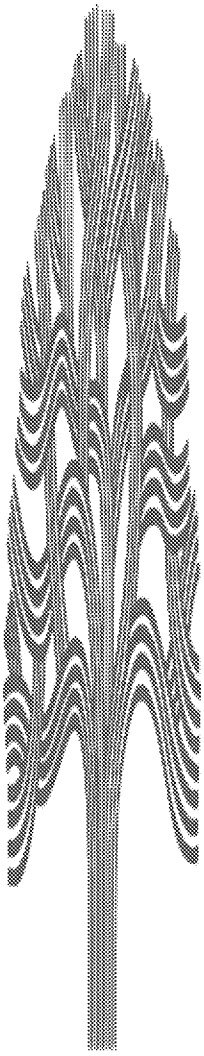
Sent by community@portoakland.com in collaboration with

Constant Contact

Try it free today

Message

From: City of Oakland & Port of Oakland [community@portoakland.com]
Sent: 9/26/2017 7:15:44 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Trucks in West Oakland - Community Workshop 10/11/17



PORT OF OAKLAND

Trucks in West Oakland-Community Workshop

ARE TRUCKS IN YOUR NEIGHBORHOOD?
JOIN US TO LEARN HOW YOU CAN HELP!

Taller comunitaro sobre los camiones que afectan el vencidario del oeste de Oakland

西屋崙货车管理社区会议

The City of Oakland and Port of Oakland invite you to participate in the "Trucks in West Oakland – Community Workshop" series. The first workshop is on Wednesday, October 11th, between 6:00-8:30PM. The City and Port are initiating a Truck Management Plan for the development of the former Oakland Army Base lands. The City and Port want your input to inform and develop the Truck Management Plan.

Wednesday, October 11, 2017
6:00PM – 8:30PM
(Light dinner & registration @ 6PM; Program starts @ 6:30PM)

Taylor Memorial United Methodist Church
1188 12th Street (multipurpose room), Oakland CA 94607; Cross: Adeline St.
Public Transportation: BART West Oakland Station; AC Transit 14 & 36
Parking available @ 12th & Magnolia St., bikes are welcome

Please RSVP at: https://trucksinwestoakland.eventbrite.com

To request childcare, interpretation services, or any disability accommodation, please contact us at least 72 hours prior to the meeting: community@portoakland.com

Councilmember McElhaney, City Administrator, and Board of Port Commissioners look forward to your participation in this planning effort.

The City and the Port are delighted to host this meeting with a light dinner and child care provided.

What is a Truck Management Plan?

The City of Oakland together with the Port of Oakland need your help to identify how trucks are impacting your neighborhood and find the best solution to those problems. This is what the Truck Management Plan (TMP) intends to do.

Hotline& Live Chat:
Call 1-844-OAKPORT (1-844-625-7678) or Live Chat on the Port of Oakland Website, M-F between 8:30am-5pm, for more information about the City & Port Truck Management Plan

Visit the TMP project page for more information: www.oaklandnet.com

Community Engagement

Who will be involved?
West Oakland residents and businesses, Port truckers, Mayor's Office, Councilmember McElhaney, City of Oakland, and the Port of Oakland. We hope that you will participate!

Why are the City and Port doing this now?
The former Oakland Army Base is being redeveloped by the City of Oakland and Port of Oakland into new logistics and warehousing facilities. The Truck Management Plan is a requirement of the new development.

Where do we start?
The City of Oakland and Port of Oakland believe the four major areas to problem solve around are:
1. "Truck Circulation" means what streets are being used by trucks. It also contemplates where trucks are going to-and-from.
2. Truck Parking: are trucks parking in spaces that are allowed?
3. Community Infrastructure: is there proper street signage about parking and truck routes in your neighborhood?
4. Enforcement: how can we assist truckers to abide by the permitted truck routes and street-parking limits?

How do I get involved?

Attend the first community workshop on Wednesday, October 11th, 6:00-8:30PM at Taylor Memorial United Methodist Church (multi-purpose room). You can also go to the project website to learn more about other ways to get involved.

Please tell your neighbors and help us spread the word!

Click here to share this event

Port of Oakland | 530 Water Street, Oakland, CA 94607

Unsubscribe grow.richard@epa.gov

Update Profile | About our service provider

Sent by community@portoakland.com in collaboration with

Constant Contact

Try it free today

Message

From: Aloha Galimba (via Doodle) [mailer@doodle.com]
Sent: 9/26/2017 6:59:32 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Emissions Reductions Actions for Port of Oakland Discussion

Aloha Galimba invites you to participate in the Doodle poll "Emissions Reductions Actions for Port of Oakland Discussion."

Hi,

Aloha Galimba (agalimba@baaqmd.gov) invites you to participate in the Doodle poll **Emissions Reductions Actions for Port of Oakland Discussion.**

Participate now

What is Doodle? Doodle is a web service that helps Aloha Galimba to find a suitable date for meeting with a group of people. Learn more about how Doodle works.

You have received this e-mail because **Aloha Galimba** has invited you to participate in the Doodle poll **Emissions Reductions Actions for Port of Oakland Discussion**.

Doodle is also available for iOS and Android

Doodle AG, Werdstrasse 21, 8021 Zürich

Appointment

From: adeguzman@baaqmd.gov [adeguzman@baaqmd.gov]
Sent: 9/26/2017 6:04:58 PM
To: mdavis@portoakland.com; tlengyel@alamedactc.org; Carolyn Clevenger [cclevenger@alamedactc.org]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez [dgonzalez@portoakland.com]; mmaloney@mtc.ca.gov; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; ccappio@oaklandnet.com; Aloha de Guzman [adeguzman@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Ranyee Chiang [rchiang@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Woo, Winnie [WWoo@oaklandnet.com]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]

Subject: Canceled: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
Attachments: Port-OAB Action List_final.docx
Location: Conference Call hosted by Mr. Damian Breen

Start: 9/27/2017 4:00:00 PM
End: 9/27/2017 5:00:00 PM
Show Time As: Free

Importance: High

Recurrence: (none)

This meeting is cancelled. A new Doodle Poll will be sent out shortly. Thank you!

Aloha

** Based on the Doodle Poll that was sent out last week, September 25, 2017 at 9 am was the best time for attendees to participate. This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document**

Date: Wednesday September 27, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office

375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Email / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Oakland Seaport Facilities

Siting or expanding seaport facilities, in, or near, communities already highly impacted by diesel pollution, carries a responsibility to build and operate a state-of-the-art facility with emissions as close to zero as technologically possible. Future port projects should include emerging zero emission technology for the trucks, locomotives, ship, tug boats, transport refrigeration units and support equipment that may serve, or operate, at ports. The City of Oakland (City) and Port of Oakland (Port) should take advantage of the planned construction and operational expansion to introduce changes that will lay the foundation for this technology and reduce regional emissions, minimize criteria pollutants and toxic air contaminants as well as the localized health risk from the Port's current and future operations. All projects should require the use of the cleanest technologies, support and encourage the development and demonstration of advanced technologies, with the ultimate goal of requiring the use of zero and near-zero emission technologies as soon as they are available. This requirement for the cleanest equipment is consistent with the City and the Port commitments made in the 2010 document, *A Bold Vision: Redeveloping the Former Oakland Army Base* ("*A Bold Vision*") and the 2009 *Maritime Air Quality Improvement Plan* (MAQIP).

The following actions need to be taken to ensure that Port operations or construction activities do not increase cumulative air quality impacts now or in the future.

1. <u>Port-Wide Actions</u>

   1.1. Require that all tenants and onsite construction contractors comply with and monitor compliance with all applicable air quality regulations for heavy duty-diesel trucks, including the Air Resources Board's (ARB) Tractor-Trailer Greenhouse Gas Reduction Regulation, Period Smoke Inspection Program, Off-Road Regulation, and Statewide Truck and Bus Regulation. To document compliance, require that fleets provide ARB Certificates of Compliance for the equipment regulations and copies of annual smoke test results.

   1.2. Incorporate contractual language into tenant lease agreements to ensure that tenants comply with all applicable air quality regulations, are using the cleanest technologies for their equipment (in both construction and operations) and understand their responsibilities of building and maintaining a green facility as well as compliance with diesel regulations.

   1.3. Require that the cleanest possible construction practices and equipment are utilized. This should include eliminating idling of diesel powered equipment, requiring the use of zero and near-zero emission equipment and tools to the greatest extent feasible, and providing the necessary infrastructure, like electric hookups, to support that equipment.

   1.4. Implement and plan accordingly for the necessary infrastructure to support zero emission and near-zero emission technology vehicles and equipment at

the Port. This includes physical, energy, and fueling infrastructure for construction equipment, on-site vehicles, and equipment, and medium-heavy and heavy-heavy duty trucks. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

At a minimum, both the Port and City should adopt targets for electric raceway circuit installation as part of initial facility construction. This will ensure sufficient electrical power is available for EV charging at sites under development and minimizes future costs to install infrastructure for zero and near zero emissions vehicles.

1.5. Develop a Sustainable Leasing Program whereby the Port and City shall work with tenants to develop and implement a policy incentive-based sustainable leasing program to attract the cleanest ships, ships that utilize shore power, zero and near-zero technologies, and otherwise incorporate technological and operational practices that reduce freight related emissions.

1.6. Require tenants to use cleaner technologies over time as they become available and feasible. This can be accomplished by requiring tenants to develop an annual Technology Review Program to identify any new emissions-reduction technologies that may reduce emissions at the Port, including the feasibility of zero and near-zero emissions technologies for heavy-duty trucks, yard equipment, tugs, vessels, and bulk handling equipment. If the technology review demonstrates the new technology will be effective in reducing emissions and the Port or City determines that installation or use of the technology is feasible, the tenant shall implement such technology within 12 months of the Port or City's determination (see Appendix A for examples of possible Technology Review Program projects).

1.7. Ensure existing and future tenants are compliant now and in the future with ARB's Transport Refrigeration Regulation. If not already implemented, incorporate operating practices that eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system at the Port. Furthermore, plan and design cold storage facilities that incorporate zero emission all-electric plug-in transport refrigeration systems, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration sufficient to meet Port growth.

1.8. Require the use of cargo handling equipment (CHE), including yard trucks, handlers, gantry cranes, fork lifts, that is the cleanest available technology (LPG/LNG, renewable diesel, electric, hydrogen, electric hybrid) and use zero and near- zero emission technology for equipment that is commercially

available now and in the future, as more zero-emission equipment becomes commercially available, as committed to in *A Bold Vision*. ARB's Technology Assessment: Mobile Cargo Handling Equipment, provides information on current and projected development of CHE, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/che_tech_report.pdf"]. Additionally, tenants should be required to demonstrate how their yard lay out maximizes their ability to use zero emissions equipment such as electric rail mounted gantry cranes.

1.9. Require the use of commercial harbor craft (CHC) technologies that exceed the Tier 2 or 3 requirements of CARB's CHC Regulation. There are some zero and near- zero emissions technology for equipment that is commercially available now, and additional projects are underway demonstrating the capability of CHC to achieve emission lower than Tier 4 marine and off-road emission standards. Some of these solutions may require retrofit with aftermarket emission control devices. ARB's Technology Assessment: Commercial Harbor Craft, provides information on current and projected development of CHC, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/draft_chc_technology_assessment.pdf"].

1.10. Require that all medium-heavy and heavy-heavy duty on-road and yard trucks, including any alternative fuel vehicles, meet or exceed the 2010 emission standards. Support the deployment of zero and near-zero technologies including utilizing zero emission (such as battery electric or fuel cell electric) forklifts, electrified rail mounted gantry cranes, and battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. At a minimum, all forklifts should be required to meet a zero emission standard. As it becomes available, require that medium-heavy and heavy-heavy duty trucks traveling within 100 miles of the site use zero and near-zero technology and require that yard trucks with similar duty cycles (less than hundred miles daily) convert to zero and near-zero technology. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

1.11. During all construction activities, require that off-road construction equipment meet Tier 4 engine standards, if not available, require equipment that meets Tier 3 engine standards. Tenants shall keep a list of available equipment and submit to the Port or City upon request.

1.12. Require that all on-site service vehicles, light-duty vehicles and equipment

(operational and during construction activities), and property maintenance equipment use zero emission technology and, if zero-emission technology is unavailable, that all vehicles and equipment meet the cleanest applicable emission standard.

1.13. Require that all projects include a robust traffic plan that moves truck traffic away from residents reducing truck traffic in neighborhoods, reduces and enforces truck speeds to reduce exposure to noise and increase safety, and discourages new development near truck routes. Coordinate and consult with the West Oakland community on site-wide truck traffic circulation.

1.14. Properly integrate truck parking, terminal parking, security systems, electronic gates systems, and other freight transport infrastructure to maximize achievable efficiencies.

1.15. Require future project design plans include operational support to demonstrate and deploy zero and near-zero emission freight equipment.

1.16. Require ships that enter the Port area pay emissions-based berthing fees or other user fees. The fees shall be used to reduce emissions and exposure in West Oakland.

1.17. Require that ocean-going vessels comply with fuel requirements for both the California Ocean-Going Vessel Regulation and the North American Emission Control Area Requirements.

1.18. Provide support (logistical and financial) for demonstration projects to encourage the use of alternative and/or advanced technologies. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source and port equipment technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at [HYPERLINK "http://www.arb.ca.gov/msprog/tech/tech.htm"].

1.19. Utilize concepts to enhance community engagement as outlined in the U.S. Environmental Protection Agency Draft Environmental Justice Primer for Ports, "The Good Neighbor Guide to Building Partnerships and Social Equity released in July 2016. This document provides a road map to assess current community engagement and outlines strategies to assist the City and the Port to enhance neighboring community relationships. The document can be found at https://www.epa.gov/ports-initiative/draft-environmental-justice-primer-ports

1.20. Utilize grant funding from Federal, State and local programs to reduce air pollution emissions and health risk from diesel exhaust. Incorporate a collaborative process between tenants and the Port and/or the City to apply for funding to support zero-emission freight related diesel equipment technologies.

1.21. Require that all recycling facilities and metal melting facilities that include re-melting furnaces for the melting of alloys, within the Port, the OAB project area, and within 1,000 feet of the West Oakland community meet the best available control technology (BACT) standards as defined by the BAAQMD.

2. Former OAB – Both City of Oakland and Port Owned Areas

Below are measures that will help the City and Port meet the requirements of the Oakland Army Base 2013 Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCA/MM). *Note:* the City and Port must reduce emissions at the OAB property *beyond* what is required by CARB regulations to meet the requirements of the SCA/MM. These measures also are consistent with measures in the *Maritime Air Quality Improvement Plan* (MAQIP), A Bold Vision, the City of Oakland's Standard Condition of Approval, and air quality mitigation measures in the Environmental Impact Report for 2013 *Plan Bay Area*. When measures are adapted from specific sources, these sources are noted in parenthesis.

The City and Port shall implement all measures listed under Item 1 Port-Wide Activities as applicable, and in addition shall implement the following measures:

2.1. All trucks shall be prohibited from idling more than two minutes when loading and unloading, staging or when not in active use for extended periods of time. Exemptions from the two-minute idling rule would be allowed when required for safety or when equipment is in use. (Plan Bay Area)

2.2. An appointment/ITS system shall be implemented that minimizes truck idling and queuing for the movement of containers.

2.3. Prior to implementation of zero-emission harbor craft described in Item 1.9 above:

2.3.1. Prior to 2023, all CHC accessing the new OAB port facilities will meet USEPA Tier 4 standards (or cleaner) for both propulsion and auxiliary engines, or or zero emissions technologies such as: batteries, shorepower, or hydrogen fuel cell.

2.3.2. NOx emissions can be controlled with selective catalytic reduction systems. For example, implement emission reduction control measures to replace tugboat engines with low NOx technology (for example, through the expansion of the existing cargo handling equipment re-powering and retrofitting program, part of the Berths 55-58 Project air quality mitigation program).

2.4. All the mobile cargo handling equipment will be electric equipment. (MAQIP) The Air District suggest this be broadened to allow for other zero emissions fuels (Hydrogen) and for near zero emissions equipment in the event that full zero emissions equipment in not commercially available.

2.5. Buildings shall meet LEED Platinum certification standards. All buildings shall provide sources of energy. Solar, wind, mechanical, tidal or solar generated hydrogen systems will be investigated to determine their feasibility.

2.6. The developer shall be required to plant trees and/or vegetation throughout the OAB. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (Pinus nigra var. maritima), Cypress (X Cupressocyparis leylandii), Hybrid popular (Populus deltoids X trichocarpa), and Redwoods (Sequoia sempervirens). (Plan Bay Area)

2.8. All existing land uses serving sensitive receptors within 1,000 feet of the Project boundaries shall be equipped with HEPA air filtration systems rated MERV 13 or better. The Port and City will establish a fund and contribute on a fair share basis to the cost of installing and maintaining the MERV 13 systems and provide educational materials to owners and occupants explaining how to maximize the benefits of these systems.

2.9. Consistent with SCA/MM 4.4-5, when redevelopment activity generates more than 20,000 square feet of employment-generating land uses, or generates 100 or more local jobs, the City, Port and developers will fund on a fair share basis Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations. See SCA/MM 4.4-5 for a full list of TCMS and include the following:

2.10. Commute Benefits Program

2.10.1 To design and implement a Commute Benefits Program, the City, Port, and private developers need to form a committee and assign a representative to the committee. Committee representatives will include two West Oakland community members, an employee representative, and a representative from the Port and from the City. (Note that all employers with 50 or more full-time employees in the Bay Area are subject to the Bay Area Commuter Benefits Program [BAAQMD regulation 14, Rule 1]. For more information, please see [HYPERLINK "https://commuterbenefits.511.org"])

2.10.2 Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, and eliminate building setbacks. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, and improving transit bus service to the area. Provide on-site services, such as cafeterias, banks, dry cleaners, and convenience market so that

employees can walk to these services. Include bicycle and pedestrian facilities in the design.

2.10.3 Transit, Bicycle and Pedestrian Access: Include sidewalks, multi-use paths and bike lanes in the project design. Provide secure, weather-protected bicycle parking for employees, Provide showers and lockers for employees bicycling or walking to work. Provide safe, direct access for bicyclists to adjacent bicycle routes. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.

2.10.4 Mange Travel Demand and Provide Transit Service: Encourage OAB tenants to use carpools, vanpools, and public transit by providing incentives. Provide a shuttle to and from the West Oakland BART station. Establish mid-day shuttle service for worksite to food service establishments/commercial areas. Provide preferential parking for carpool and vanpool vehicles. Implement parking fees for single occupancy vehicle commuters.

2.11. New Stationary Sources

2.11.1 On the OAB property, new stationary sources that are added as part of the project must reduce emissions beyond what is required by CARB and BAAQMD, whenever possible. For example, the cleanest available stand-by diesel generators and portable generators will be required. The City and Port shall fund this on a fair share basis.

3. Former OAB -City of Oakland Owned Areas

West Gateway Bulk Terminal (Marine Terminal and Rail Expansion)

3.1. Implement all applicable site-wide actions based on specific operations in this subject area.

3.2. Specify the public review release date and expected content for each of the remaining Subject Plans for this project, subject to Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans). It is expected that the remaining Subject Plans will be released in a timeframe that will allow for meaningful public review and response by the City of Oakland, or project developer, prior to when they are scheduled according to the approved SCA/MM. The list of Subject Plans can be found on page 46 in SCA/MM at [HYPERLINK "http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf"]

3.3. Require that berths providing shore power now or in the future, can accommodate changes to vessel sizes and various berthing configurations.

The ARB At-Berth Regulation currently requires 80% compliance of ocean going vessels by 2020. Vessel operations should meet 100 percent shore power compliance rate for all vessels or incorporate other technologies, such as emissions capture and control systems, to maximize emission reductions from all vessels in advance of the regulation. ARB's Sustainable Freight: Pathways to Zero and Near-Zero Emissions Discussion Document has identified the development and proposal of amendments to the At-Berth that could expand the regulation to include smaller fleets and/or additional vessel types to the current At Berth Regulation. Additionally, hybrid technologies have shown success at achieving emission reductions in certain tugs based on duty, engine size, and location and should be incorporated into operations, where possible.

Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4 line-haul, ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023In addition establish standards that require:

3.4.1. All diesel switch engines to have 15-minute idling limit devices installed and operational; and to use emulsified fuels or other equivalently clean alternative diesel fuel.

3.4.2. No non-essential idling. Class 1 helper locomotives will be turned off while on OAB properties. If, for safety reasons, helper locomotives need to be on then they will meet similar control requirements as line haul locomotives.

3.4. The Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"]

3.5. Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023.

3.6. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

Prologis East and Central Gateway (Ambient Transload/Warehouse/Truck Services)

3.7. Implement all applicable site-wide actions based on specific operations in this subject area.

North Gateway (Recycling and Rail Right Of Way Expansion)

3.8. Implement all applicable site-wide actions based on specific operations in this subject area.

4. Former OAB Port of Oakland Owned Areas

Central Gateway (Ambient Transload/Warehouse/Rail Yard /Port Logistics/Warfs)

4.1. Implement all applicable site-wide actions based on specific operations in this subject area.

4.2. Specify the public review release date and expected content for each of the remaining Subject Plans for this project, subject to Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans). It is expected that the remaining Subject Plans will be released in a timeframe that will allow for meaningful public review and response by the City of Oakland, or project developer, prior to when they are scheduled per the SCA/MM. The list of Subject Plans can be found on page 46 in SCA/MM at [HYPERLINK "http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf"].

5. Port of Oakland (Non-Former OAB Areas)

Cool Ports Oakland, LLC (Temperature Controlled Transload/Warehouse/Rail Expansion)

5.1. Implement all applicable site-wide actions based on specific operations in this subject area.

5.2. Ensure existing and future tenants are compliant now and in the future with ARB's Transport Refrigeration Regulation. Incorporate operating practices that eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system while at the Port. Require the use of zero emission all-electric plug-in transport refrigeration systems and ensure the design plan includes the necessary infrastructure. ARB's Technology Assessment: Transport Refrigerators, provides information on the current and projected development for transport refrigerators, including current and anticipated costs at widespread deployment. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf"].

5.3. Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4,

ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023 Furthermore, the Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"].

5.4. Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023..

5.5. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

5.6. Plan and design for the necessary infrastructure to ensure 100 percent, plug-in equipped, to accommodate future growth volumes of TRU's or expansion of this area.

5.7. Implement a policy that limits the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate utilizing the combustion system while on Site.

5.8. Encourage the use of zero emission all-electric plug-in refrigeration systems, hydrogen fuel cell and cryogenic transport refrigeration systems.

5.9.

Port Terminal/Maritime Operations (Inner, Middle, Outer Harbors, and Seventh Street)

5.10. Implement all applicable site-wide actions based on specific operations in this subject area.

5.11. Accelerate the turnover of line-haul locomotives servicing the Port to Tier 4, ARB proposed Tier 5, or Zero emissions locomotives as expeditiously as possible, with the goal of 95 percent of operations to be performed at a minimum Tier 4 standard by 2023 Furthermore, the Port, Union Pacific (UP) Railway, and/or BNSF Railway should commit to providing co-funding, facility access, and operational support for the development and demonstration of interstate line-haul locomotive technology with zero-emission capability. This would include, but is not limited to, a hybrid-electric locomotive with all electric

capability. ARB's Technology Assessment: Freight Locomotives, provides information on current and projected development of freight locomotives, including current and anticipated costs at widespread development. This assessment can be found at [HYPERLINK "https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf"].

Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023.

5.12. Phase in the replacement of diesel powered switcher locomotives with electric rail car movers, within the Port or City owned rail properties.

5.13. Require that berths providing shore power now or in the future, can accommodate changes to vessel sizes and various berthing configurations. The ARB At-Berth Regulation currently requires 80% compliance of ocean going vessels by 2020. Vessel operations should meet 100 percent shore power compliance rate for all vessels or incorporate other technologies, such as emissions capture and control systems, to maximize emission reductions from all vessels in advance of the regulation. ARB's Sustainable Freight: Pathways to Zero and Near-Zero Emissions Discussion Document has identified the development and proposal of amendments to the At-Berth that could expand the regulation to include smaller fleets and/or additional vessel types to the current At Berth Regulation. Additionally, hybrid technologies have shown success at achieving emission reductions in certain tugs based on duty, engine size, and location and should be incorporated into operations, where possible.

Appendix A

Technology Review Program

Development of a Technology Review Program is consistent with the requirements of Mitigation Measures in the Oakland Army Base 2013 Standard Conditions of Approval and Mitigation Monitoring and Reporting (SCA/MM) Program. Below are recommended Technology Review Programs that can be implemented to reach the goals of the SCA/MM.

In consultation with regional agencies and stakeholders, the City and Port shall implement Technology Review Programs, such as:

- The City and Port should administer a minimum of a one year demonstration project, prior to 2020, of zero and near-zero emission truck technology. This demonstration project shall be conducted in cooperation with regional and state agencies and stakeholders.

- Research and funds shall be used to identify and test hybrid diesel electric locomotives and conduct a demonstration of locomotive DOC or DPF retrofits.

- Feasibility studies of electrification of freight/passenger rail from Port intermodal yards to the Bay Area Air Quality Management District's boundaries conducted in conjunction with the Metropolitan Transportation Commission, Capital Corridor JPA, Union Pacific, and Burlington Northern Santa Fe railroads.

- Investigation of renewable energy generation via mechanical systems that utilize truck weight to generate electricity.

- Study of a "virtual container yard" system that integrates truck movements with container moves to minimize emissions and maximize efficient use of trucking fleets.

Example TAP Studies

As a possible framework for the Technology Review Program, consider the work of the San Pedro Ports Technology Advancement Program (TAP). TAP is a joint program of the Ports of Long Beach and Los Angeles through the Ports' joint Clean Air Action Plan (CAAP) adopted in 2006. The CAAP guides the Ports in their commitment to reduce the health risks and air emissions associated with port-related operations, while allowing port development and growth to continue. The CAAP focuses on near-term strategies, targeting significant reductions in diesel PM, nitrogen oxides (NOx), and sulfur oxides (SOx). The following is a selected list of demonstration projects completed through the TAP program:

- Balqon E-30 Electric Terminal Tractor Development and Demonstration Project

This vehicle was built as a demonstration vehicle and designed specifically for drayage operations. The prototype E-30 all-electric terminal tractor successfully completed cargo terminal tests in 2008.

Following the completion of cargo terminal tests during 2008, the Los Angeles Harbor Commission approved the purchase of 20 electric trucks from the manufacturer as part of the "Green Terminal" program. The Green Terminal program will also include the production of five on-road electric trucks.

This demonstration project was followed with a project to evaluate and demonstrate a lithium-ion battery as a technological upgrade to the lead-acid battery pack used in the previous TAP demonstration. The advanced technology lithium-ion batteries were anticipated to provide more than double the vehicle range, without adding additional weight. A one-day demonstration of the Nautilus E30 confirmed a range

of over 150 miles on a single charge with unloaded conditions at 80% depth of discharge. However, this project was never completed.

- Capacity Plug-In Hybrid Electric Terminal Tractor (2010)

The TAP program conducted a three-week trial of a diesel-electric plug-in hybrid terminal tractor that uses a small diesel generator and a large lead-acid battery pack to provide power for vehicle operation. While this demonstration showed a 44 percent reduction in NOx emissions and a 56 percent reduction in PM emissions, compared to 2009 diesel yard tractors, the demonstration utilized a Tier 4-interim generator drive engine, and therefore does not meet CARB's Cargo Handling Equipment regulation of Tier 4 engines.

- Hybrid Yard Tractor Development & Demonstration (2010)

This TAP study investigated the feasibility and commercial viability of using advanced technology drive systems in cargo handling equipment. The three hybrid yard hostlers underwent six months of operation and in-use testing and could perform all the tasks required of yard hostlers in real-world port operations, and were well accepted by drivers and maintenance staff. Fuel economy and emissions benefits were evaluated, but a difference discovered in the mechanical specifications of the vehicles limited comparability. Based on all the evaluations and analyses conducted, the hybrid system is estimated to provide a 12 percent to 18 percent improvement in fuel economy. Further development of the hybrid system is underway to improve fuel economy and emissions reductions. A follow-up study was conducted entitled "Hybrid Yard Tractor Development and Demonstration – Beta Test".

- Alternative Petroleum Technologies (APT) Emulsified Biodiesel Fuel Demonstration (2011)

To demonstrate the viability and effectiveness of the emulsified biodiesel fuel in cargo handling equipment, APT performed a two-phased demonstration that consisted of an evaluation of the emulsified fuel with and without a diesel oxidation catalyst (DOC) in a laboratory setting and a real-time demonstration of the fuel in yard equipment at a port terminal.

The demonstration successfully proved that APT's emulsified B-20 blend mitigated an increase in NOx emissions, while also providing additional reductions in PM when coupled with a verified diesel emissions control system. This provides port drayage operators an alternative fuel selection for their existing fleet of container yard equipment.

As of April 2014, APT planned to pursue CARB verification of the emulsified biodiesel fuel for sale to existing cargo handling equipment fleet operations in the State.

- Liquefied Natural Gas Yard Tractor Demonstration (2007)

This Project was designed to develop, test and design a business case for LNG yard tractors. Phase 1 focused on development of LNG yard tractor specifications, procurement, and installation of temporary LNG refueling. Phase 2 included operation of the LNG yard tractors at a marine terminal for a period of eight months. Phase 3 of the project was the development of a business case assessment to determine the cost effectiveness and return on investment of using LNG equipment as opposed to diesel.

During emissions testing, the LNG yard tractor produced lower PM emissions than on-road diesel engine equipped with a diesel oxidation catalyst and closed crankcase ventilation system. However, NOx emissions from the LNG yard tractor were approximately 21 percent higher than NOx emissions from this same on-road diesel engine configuration.

- ACTI Advanced Maritime Emission Control System (AMECS) Project (2008)

ACTI developed the AMECS as an alternative pollution control method for ocean-going vessels that are not configured to use shore power, also known as "cold ironing", while at berth. The goal was to demonstrate pollution reduction efficiencies equal to cold ironing for nitrogen oxides (NOx), sulfur oxides (SOx), and particulate matter (PM). The AMECS was demonstrated at Metropolitan Stevedore/Port of Long Beach on multiple vessels with varying exhaust stack configurations. During the demonstration period, two full-scale emission reduction efficiency tests were conducted, the results of which were independently verified by two testing laboratories. During emissions testing, NOx and PM emissions were reduced by 99 percent and 95.5 percent, respectively. In addition, sulfur oxides (SOx) were reduced by 99 percent, and volatile organic compound (VOC) emissions were reduced by greater than 97 percent. Further demonstration of this technology is necessary to determine how it functions in day-to-day operations, including evaluation of costs, durability, integration into operations.

- APL Singapore Slide Valve & Water-In-Fuel (WiFE) Emulsion Demonstration Program (2009)

Two emission control technologies were demonstrated - the use of slide valves in the vessel's main engines, and water-emulsified bunker fuel using an innovative onboard water in fuel emulsifier. The primary objectives of the demonstration projects were to a) evaluate the particulate matter (PM) emission reduction effectiveness of retrofitting OGV main engines with an improved injector design known as a slide valve; and b) demonstrate demand-based onboard water in fuel emulsification system and measure the NOx reduction effectiveness of varying the water content.

Project test conditions resulted in an evaluation that indicated the benefits of slide valves appear to be limited. Testing of the WiFE system aboard the APL Singapore showed water concentrations as high as 48 percent were successfully demonstrated, yielding NOx reductions on the order of 30 percent. A further study was completed in 2012.

- Bluefield Holdings Krystallon Ocean Going Vessel Scrubber (2013)

The primary focus of this project was to demonstrate the reduction of emissions of sulfur oxides (SOx) from an Ocean Going Vessel using an exhaust gas cleaning device to meet the International Maritime Organization (IMO) fuel sulfur limits in Emission Control Areas (ECA) and further to reduce particulate matter (PM), and volatile organic compound (VOC) emissions. This project demonstrated the potential for PM and SOx reductions that can be achieved through OGV retrofit using commercially available scrubbing technology. Additional research is needed further evaluate the potential for OGV engine emission reductions from scrubbers on main engines to comply with IMO ECA regulations.

- Foss Maritime Green Assist™ Hybrid Tugboat (2010)

Foss Maritime developed this diesel electric hybrid tugboat and named it the *Carolyn Dorothy*. The *Carolyn Dorothy* became a full working member of the Foss Maritime tug fleet on March 1, 2009. Since this time, the hybrid tug demonstrated performance comparable to a conventional Dolphin Class tugboat. The hybrid tugboat achieved emission reductions that exceed original targets (to reduce both NOx and PM by approximately 44 percent) when compared with the Dolphin tugs currently operating in the San Pedro Bay. The *Carolyn Dorothy* reduced PM, NOx and CO2 emissions by 73 percent, 51 percent and 27 percent, respectively. Based on this evaluation, there is evidence that this technology reduces fuel consumption by approximately 20 to 30 percent.

- OGV Slide Valve Low-Load Emissions Evaluation (2013)

This project is a follow up to the 2008 demonstration of a slide-type fuel values, and sought to test a new type of OGV main engine fuel valve (SV C36) designed to improve combustion properties by eliminating sac volume (i.e., fuel drips) at the valve nozzle. The elimination of the sac volume results in lower fuel oil consumption. In addition, slide valve nozzles incorporate an optimized spray pattern designed to improve the combustion process - this is intended to reduce overall emissions, including hydrocarbon, NOx and particulate matter. The visible smoke level is also greatly reduced because of the improved combustion. Among other findings, results showed that SV C26 nozzles did emit less diesel particulate matter (DPM) at low loads compared to the two conventional fuel valve configurations. At low loads, SV emits up to 50 percent less DPM than conventional C3 and C11 fuel valves and up to 65 percent less DPM for cylinder-lubrication-corrected particulate-

emission results. Overall, SV C26 nozzles emit over 90 percent less total hydrocarbons compared to the two conventional fuel valve configurations.

California Energy Commission Projects

In addition to the emissions reduction studies that are being undertaken as part of the TAP, the California Energy Commission (Energy Commission) released a Grant Solicitation for "Sustainable Freight Transportation Projects" under the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). This grant solicitation funded projects that demonstrate medium- and/or heavy-duty advanced vehicle technologies at California seaports. The three projects selected as part of this solicitation propose to demonstrate:

- 9 zero emissions rubber tired gantry cranes
- 15 battery electric yard tractor's
- 7 natural gas hybrid electric trucks
- 3 zero emissions top handlers
- 20 near zero natural gas trucks

Results of these demonstrations should inform the Technology Review Program established as part of the Oakland Army Base 2013 SCA/MM Program.

Message

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 9/26/2017 2:50:02 PM
To: dbreen@baaqmd.gov
CC: Matthew Davis [mdavis@portoakland.com]; tlengyel@alamedactc.org; Carolyn Clevenger [cclevenger@alamedactc.org]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez [dgonzalez@portoakland.com]; mmaloney@mtc.ca.gov; Catherine Mukai [cmukai@portoakland.com]; ccappio@oaklandnet.com; Aloha de Guzman [adeguzman@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Ranyee Chiang [rchiang@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Woo, Winnie [WWoo@oaklandnet.com]; McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: Re: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Thanks, Damien and Aloha. Some of the key participants were not available this week so it seemed to make the most sense to find a time that worked best for all. I appreciate how challenging scheduling can be.

Richard

On Sep 25, 2017, at 4:55 PM, Damian Breen <dbreen@baaqmd.gov> wrote:

> Richard,
>
> This is the second time this meeting will be rescheduled. The Air District has attempted to stage these meetings to suit most people's calendars based on the poll responses we've recieved.
>
> I apologize to those of you who have gone through the exercise of giving us your information and ask that you be patient so that we can accommodate the Port of Oakland.
>
> Aloha will make a final attempt to reschedule for next week - so we would ask that you all please participate in the next round of polling.
>
> Thank you,
>
> Damian Breen
> Deputy Air Pollution Control Officer
> Bay Area Air Quality Management District
> 375 Beale Street, Suite 600
> San Francisco, CA 94105
> Tel: (415) 749-5041
>
> **From:** Richard Sinkoff [mailto:rsinkoff@portoakland.com]
> **Sent:** Monday, September 25, 2017 3:04 PM
> **To:** Damian Breen <dbreen@baaqmd.gov>; Matthew Davis <mdavis@portoakland.com>; tlengyel@alamedactc.org; Carolyn Clevenger <cclevenger@alamedactc.org>; Grow, Richard <Grow.richard@epa.gov>; machol.ben@epa.gov; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez <dgonzalez@portoakland.com>; mmaloney@mtc.ca.gov; Catherine Mukai <cmukai@portoakland.com>; ccappio@oaklandnet.com; Aloha de Guzman <adeguzman@baaqmd.gov>; Henry Hilken <HHilken@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Ranyee Chiang <rchiang@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Woo, Winnie <WWoo@oaklandnet.com>

Cc: McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: RE: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Damien,
The Wednesday 9-10 is not convenient for City and Port staff. We need to find a time the week of October 2.
Will Aloha coordinate?

Thanks.

Richard

-----Original Appointment-----
From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Monday, September 25, 2017 9:23 AM
To: Damian Breen; mdavis@portoakland.com; tlengyel@alamedactc.org; Carolyn Clevenger; Grow, Richard; machol.ben@epa.gov; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez; mmaloney@mtc.ca.gov; Richard Sinkoff; Catherine Mukai; ccappio@oaklandnet.com; Aloha de Guzman; Henry Hilken; Karen Schkolnick; Lee, Anna, Public Health, OOD; Ranyee Chiang; Alison Kirk; David Vintze; Woo, Winnie
Cc: McGowan, Patricia
Subject: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
When: Wednesday, September 27, 2017 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Conference Call hosted by Mr. Damian Breen

** Based on the Doodle Poll that was sent out last week, September 25, 2017 at 9 am was the best time for attendees to participate. This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document**

Date: Wednesday September 27, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Message

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 2/13/2018 6:18:46 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: Speaker Invite: Air Sensors International Conference
Attachments: Margaret's Bio.html; neighborhood_knowledge_for_change3.pdf; Earthjustice Release - Oakland Civil Rights Complaint 4-5-2017.pdf; paying-with-our-health-full-report.pdf

FYI

From: Margaret Gordon **Personal Email / Ex. 6**
Sent: Tuesday, February 13, 2018 9:16 AM
To: Kaufman, Amanda <Kaufman.Amanda@epa.gov>
Subject: Re: Speaker Invite: Air Sensors International Conference

Thank you Amanda,

It would be my humble honor to speaker from my experiences and expertise's, on developing impact communities, with residents advocacy to lead community air monitoring and environmental justice in the Citizen and Community Science, also navigate to form policies, to make decisions and have more than a "sit at the table", also the power of working in collaboration.and problem-solving.

Because I'm 71 year old please address me as Ms.Margaret, I'm adding attachments to the email regaring WOEIP and my bio.

Best to you'll,

Ms.Margaret Gordon

Margaret in Oprah Magazine.doc

Copy of Copy of The Beginning of Citizen Scienc...

Community Engagement Presenation 8-22

On Tue, Feb 13, 2018 at 6:43 AM, Kaufman, Amanda <Kaufman.Amanda@epa.gov> wrote:

Dear Margaret,

The US Environmental Protection Agency, California Air Resources Board and UC Davis Air Quality Research Center are partnering to bring together a much-needed international conference on air quality sensors to Oakland, California from

September 12-14, 2018. The event, "Air Sensors International Conference" or ASIC, will focus on advancing the science and engaging communities.

Our Program Committees have been working for several weeks on the outline of the program and identifying important leaders in the field to be invited speakers. I am very pleased to inform you that you have been identified to speak about your work on community air monitoring and environmental justice in the Citizen and Community Science Session. Please indicate your willingness to participate by February 16th, 2018.

ASIC expects to host over 1000 attendees and over 100 speakers. At the moment, we already have 21 countries involved in planning the 16 sessions of this three-day conference. We have tentative session titles on our website and exact times will be identified after abstract submissions this summer. We look forward to welcoming you onboard and learning more about your work. Please note that speakers will received a subsidized registration rate.

Please do not hesitate to contact me if you have any questions related to program content – or the conference organizer, Sandra Hall (sehall@ucdavis.edu) for questions about logistics. Our conference mailing list is taking sign-ups and our conference website will soon have details on travel and accommodations as well as other conference specifics. If you have interested colleagues, we will have a call for abstracts going out at the end of February with a deadline of early May.

I look forward to your acceptance and welcoming you to ASIC in September!

Best regards,

Amanda Kaufman
U.S. Environmental Protection Agency
(919) 541 2388
kaufman.amanda@epa.gov

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project

349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

For Immediate Release
April 5, 2017

Zoe Woodcraft, Earthjustice, 415-217-2071, 818-606-7509, zwoodcraft@earthjustice.org
Keith Rushing, Earthjustice, 202-797-5236, 757-897-2147, krushing@earthjustice.org

Community Group Alleges Civil Rights Violations by the City and Port of Oakland in Complaint to Federal Government

Growth of diesel-powered freight inflicts unequal impacts of asthma and other health problems on the historically black community of West Oakland

OAKLAND, CA – The West Oakland Environmental Indicators Project has filed a complaint under the Civil Rights Act of 1964 describing a pattern of conduct by the City and Port of Oakland that inflicts unjustified and unequal impacts on the historically black community of West Oakland. For decades the City and Port of Oakland have issued approvals to expand polluting freight activities in West Oakland while ignoring input from the community, betraying a deep disregard for the health of local families. That pattern continues to this day, causing West Oakland residents to suffer from diesel emissions that are up to 90 times higher than California's average.

"I've lived on 7th street for over twenty years. Our neighborhood has long endured unjust burdens of toxic pollution and jarring noise from the Port of Oakland," said **Margaret Gordon with the West Oakland Environmental Indicators Project**. "But at every opportunity the City of Oakland has chosen to put port expansion before our health and well-being. What's even more appalling is that city leaders have gone so far as to reject funding offers from state and local agencies to reduce the unhealthy fumes from the Port of Oakland that end up in our homes and our lungs."

Earthjustice is representing the West Oakland Environmental Indicators Project in the complaint.

"We're filing this complaint because the City and Port of Oakland are violating foundational civil rights protections for West Oakland families," said **Yana Garcia, an associate attorney with Earthjustice who works on environmental justice issues**. "The City and Port of Oakland have consistently ignored federal protections against discrimination, leading to toxic air and unhealthy burdens for West Oakland residents. The City's discriminatory pattern continues to this day and is unacceptable, particularly when this administration is focusing significant resources on other parts of Oakland where the air is cleaner and the demographics look very different."

Filthy diesel-powered freight is harmful for the lungs and hearts of West Oakland residents, especially for children and seniors. Gasping asthma attacks send West Oakland residents to the emergency room at almost twice the Alameda County rate. Children are especially vulnerable to asthma, and living with terrible air quality can stunt their lung development.

The pollution in West Oakland's air cuts into not only quality of life, but also length of life. Air pollution also contributes to higher rates of heart failure and strokes in West Oakland by causing blood clotting and cell damage. According to the Alameda County Department of Public Health, residents in West Oakland can expect to live 9 years fewer than residents of other parts of Oakland.

As recipients of federal funds, the City and Port of Oakland have an obligation under Title VI of the Civil Rights Act to avoid causing an unjustified unequal impact on the basis of race, and to consider the risk of unequal

impacts before approving a project. If the Department of Transportation and the U.S. Environmental Protection Agency accept the complaint, they will initiate an investigation into the actions from the City and Port of Oakland affecting the community in West Oakland.

Since the closure of the Oakland Army Base in the late 1990s the City of Oakland has been disingenuous about its plans to expand the polluting freight industry, and while it has had the opportunity to use measures to relieve the terrible impacts on West Oakland's air the City has consistently refused to do so. However, zero emissions electric vehicles and equipment to relieve community health problems are available and in use at other ports and freight hubs in California and the nation.

Instead, the City has manipulated its approval processes to circumvent or disregard the disproportionate and toxic burdens West Oakland faces as a result of the Port's extensive freight operations. In October 2016, the City of Oakland gave approval for developer Prologis to break ground on a massive warehouse at the Oakland Army Base without an air quality plan to lessen health harms for the community. That project is expected to bring a flood of new trucks rumbling through the area, with plans including 250,000 square feet for cargo, 55 trucks docks, and 78 truck trailer parking stalls.

West Oakland has a rich culture and history as a black community, and has been a hallmark of Oakland's historical narrative. As Oakland experiences dramatic changes in the demographic composition of many of its long-standing residents, the community of West Oakland remains a community of color. Roughly 49 percent of West Oakland residents today are Black, 17 percent are Latino, and nearly 13 percent identify as Asian.

Read the complaint on the Earthjustice website.

# # #

Earthjustice, the nation's premier nonprofit environmental law organization, wields the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change.

Because the earth needs a good lawyer.

Neighborhood Knowledge for Change

The West Oakland Environmental Indicators Project

Project Direcetors

Steve Costa

Meena Palaniappan

Arlene K. Wong

Contributing Authors

Jeremy Hays

Clara Landeiro

Jane Rongerude

January 2002

© 2002

Pacific Institute for Studies in Development, Environment, and Security

654 13th Street
Preservation Park
Oakland, CA 94612 U.S.A.

Phone: (510) 251-1600 Fax: (510) 251-2203
pistaff@pacinst.org www.pacinst.org

All Rights Reserved

ISBN: 1-893790-08-8

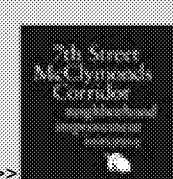
Printed on recycled paper with a minimum of 30% post-consumer waste

Printing and Bindery by Alonzo Environmental Printing www.alonzoprinting.com

Cover photograph by Nicholas Cain of children playing at a playground in West Oakland (18th and Campbell) adjacent to a truck transfer and repair facility.

Interior photographs by Nicholas Cain, James Thomas, Meena Palaniappan, and Lenaia Copperson.

PACIFIC INSTITUTE FOR STUDIES IN DEVELOPMENT, ENVIRONMENT, AND SECURITY



<<EPA-HQ-2019-003701>> 000317

<<2020-01-21>>

ED_002352_00004173-00001

The Partners

The **Pacific Institute for Studies in Development, Environment, and Security** is an independent, non-profit center founded in 1987 to do applied policy research to assist policymakers, communities, and activists with finding sustainable solutions to natural resource and community development problems. Fundamental in our search for sustainable solutions is the need for democratic, participatory decision-making.

The *Community Strategies for Sustainability and Justice* program grew out of the recognition of the need to consider and support communities as a unit for sustainable practices and to empower communities as decision-makers. We initiated this neighborhood indicators project to support Oakland and Bay Area neighborhoods to utilize data in ways that can strengthen meaningful community participation and sustainable development, influence public policies, and impact economic, social, and environmental conditions that contribute to a community's quality of life. Past and current project directors are Steve Costa, Meena Palaniappan, and Arlene Wong.

The **7th St./McClymonds Corridor Neighborhood Improvement Initiative** is a seven-year project that emphasizes resident leadership in the development and implementation of strategies to improve the West Oakland Community. Funded by the William & Flora Hewlett Foundation and managed by The San Francisco Foundation, its goal is to improve the physical, economic, and human conditions in West Oakland. It also seeks to strengthen the ability of residents, associations, religious institutions and organizations to plan and implement community improvement strategies by increasing coordination, improving access to assistance and training, and increasing the availability of money to support specific projects. The Executive Director of the 7th St. Initiative is Allen Edson.

Acknowledgments

We would like to thank the following funders who have generously supported this report and Pacific Institute's Environmental Indicators Project: Bank of America Foundation, Firedoll Foundation, Wallace Alexander Gerbode Foundation, William and Flora Hewlett Foundation, Malcolm Pirnie, Inc., The San Francisco Foundation, and the Wells Fargo Foundation. In addition, we wish to thank IURD/UCB and the Portuguese Foundation.

The authors would like to recognize the invaluable contributions of members of the Environmental Indicators Project Team, without whose insight, assistance, and vision this report would not have been possible: Nicholas Cain and Peggy Wu.

We are deeply grateful to the West Oakland residents who volunteered their time, ideas, and energy to make this project successful. Their commitment to community change is inspiring, and we hope this document helps them achieve their vision for West Oakland.

West Oakland Environmental Indicators Committee Co-Chairs: Allen Edson and Mary Lake

Coordinating Team Members: Monsa Nitoto and James "Tim" Thomas

Neighborhood Task Force/Committee Members: Aman Bloom, Dedria Carlise, Letricia Cumbertsom, Margaret Gordon, Mary Gilmore, Jimmy Kendow, Cordelia Lewis, Renee Morrison, Rashida Mustafa, Shomari Mustafa, Arthur O'Neal, Phoebe Rossiter, Kathryn Washington, Yolanda Woodard, Ellen Wyrick-Parkinson, and Betty Youngblood

Numerous persons at public and private agencies assisted us in obtaining data for the indicators. They are acknowledged along with the author's biographies at the end of the introducion. Many of these people went beyond the call of duty to answer questions for us and we are very grateful for their time and assistance.

How polluted is the air I breathe?

Is my neighborhood getting cleaner or dirtier?

Is it safe for my kids to play outdoors?

Will I be able to afford a home,

or is gentrification happening where I live?

Residents of many communities have these questions about the places where they live. In under-resourced communities, the answers to these questions — so critical for the health, safety, and vitality of a neighborhood — are too often impossible to find.

The Pacific Institute began its Environmental Indicators Project (EIP) to answer these questions and give neighborhood residents access to the information they need to revitalize their communities. In 2000, we began by partnering with a neighborhood organization, the 7th St./MyClymonds Initiative, to initiate the EIP in the West Oakland neighborhood of Oakland, California.

We facilitated a community-driven process where residents selected the neighborhood indicators they wanted to track; collected, analyzed, and reported on the selected indicators; and supported the continuing use of this data to advocate for positive change in West Oakland. This report is owed to the dedication of our Neighborhood Task Force members, and the product of two years of work in West Oakland.

Table of Contents

Introduction 1
- What are Indicators? 2
- Working in West Oakland 3
- Putting the Indicators to Work 5
- Using this Report 8

Indicators in Brief 10

About the Authors 12

Indicator Reports 13
- Air Pollution 13
- Air Pollution Health Risks 16
- Asthma Rates 20
- Voting Power 25
- Vulnerability to Displacement/Housing Affordability 27
- Community Stability/Market Trends 29
- Subsidized Housing Supply 31
- New Business Development 33
- Illegal Dumping 35
- Land Use Conflict 37
- Neighborhood Toxic Volumes 41
- Resident Toxic Exposure 45
- Sensitive Area Toxic Hazard Exposure 50
- Lead Poisoning 53
- Lead Abatement 57
- Transit Mobility 61
- Bikeable Streets 64

Appendix A: Methodologies 66

Appendix B: Indicators Not Included 73

"This is a great time to be a member of the West Oakland community because our city is changing very rapidly. We need to be involved so that the outcomes from this change are what we want and we can enjoy the results. The indicators project is giving us the tools to influence these outcomes."

Mary Lake,
West Oakland Resident,
WO EIP Neighborhood Committee Co-Chair

"The indicators were very powerful and very useful in our complex community. We found that the indicator information could be used at any level in government agencies and community based organizations to advocate for change. I hope that other communities see the power of having knowledge to improve their neighborhoods."

Margaret Gordon,
West Oakland Resident,
WO EIP Neighborhood Committee

What are Indicators?

Indicators convey information about the quality of life in a community: its economic vitality, the strength of its social institutions, the well-being of its members, and the state of its environment. Indicators are discreet packages of information that can be tracked over time to gauge change, and also compared among communities. But indicators are more than just a measurement tool: they reflect the values and concerns of those who select them, and are invested with the hopes that residents have for their communities.

Residents can use indicators to make their case for improving neighborhood conditions, and track whether or not conditions are improving. Thus, neighborhood level indicators can serve as a powerful tool for advocacy and action by helping people communicate a vision of the future, set goals and priorities, and measure progress towards those goals.

Why Neighborhood Level Indicators?

For decades, we've used economic indicators to measure the health of our economy, social indicators to look at the well-being of residents and, more recently, environmental indicators to understand environmental threats and consequences. Most of these indicator projects, however, have operated at scales ranging from international measures down to the city level, with very few projects implemented at a neighborhood level.

Yet within one city exists the spectrum of neighborhoods, from wealthy, mostly residential neighborhoods to working class neighborhoods, which house most of the city's industries. With such great disparities in even adjacent neighborhoods, **neighborhood level** indicators are a critical tool to help residents tell an accurate story about their community and the unique issues they face, and determine the necessary steps to improve neighborhood conditions. We have focused on **environmental indicators**, broadly defined, at this level because of the need to integrate environmental measures with the community's social and economic well being.

Environmental indicators at the neighborhood level promote social and environmental justice. For too long, communities have faced inequities in the distribution of services, resources, and the burdens of social and environmental problems. Certain neighborhoods in a region, often poor or people of color communities, bear the brunt of environmental pollution and the health impacts of that pollution, while enjoying few economic benefits. But a clean environment is just as much a basic human right as freedom from discrimination or oppression.

Environmental justice compels us to uncover and address the policies that create the gulf in resources, capacity, and quality of life among communities. Neighborhood environmental indicators, by helping residents understand and articulate these inequities, can empower those most affected to improve their living conditions. Residents can use indicators to educate residents, undertake advocacy efforts, and implement needed policy changes.

Neighborhood indicators support community revitalization and sustainable development at a local scale. Often even when there is neighborhood-level data it is not accessible to local residents, leaders, or organizations, is isolated from other issues, and is separated from larger scale planning. Thus, there continues to be a paucity of neighborhood level information and focus, even as neighborhoods are expected to engage in their own revitalization efforts.

<<EPA-HQ-2019-003701>> 000320 <<2020-01-21>>
ED_002352_00004173-00004

West Oakland residents demonstrating in front of a major polluter in the neighborhood, Red Star Yeast, during the Clean Air Festival, September 29, 2001.

Through the use of compelling neighborhood information, local communities can better articulate their concerns and understand challenges, while also gaining the tools they need to influence and coordinate with wider planning efforts. If neighborhoods are to truly benefit from the opportunities of city, regional, and larger scale planning, then they must be able to create and advocate their own vision for their neighborhood. Indicators offer neighborhoods a tool for communicating, informing, and measuring progress towards that vision.

Working in West Oakland

The West Oakland Environmental Indicators Project (WO EIP) both demonstrates the value of neighborhood indicators for community change and is helping refine and develop the concept of neighborhood indicators for use in other communities.

West Oakland was chosen as the pilot site because of the environmental issues faced by the community, the history of community activism, and the opportunity to support the community revitalization efforts facilitated by the 7th St./MyClymonds Corridor Neighborhood Improvement Initiative.

West Oakland is a neighborhood located on the San Francisco Bay with 23,475 residents (2000 US Census).

West Oakland, the oldest district in Oakland, was the final stop on the Transcontinental Railroad and was originally a vibrant and diverse working class neighborhood. By the mid-1900s, African Americas were the most prominent ethnic group in this community, and West Oakland became known as a center of cultural activity and social activism.

After World War II, West Oakland's economy began to decline. Federal Renewal Projects including freeways, public transportation, and a main post office began to fracture the community, displacing residents and weakening commercial activity.

Since the 1980s, the ethnic character of West Oakland has been changing to include a growing population of Latinos and Asian immigrants.

Why EIP?

The West Oakland Environmental Indicators Project is a unique collaboration between a research organization and community-based groups. There are three key aspects that distinguish this project:

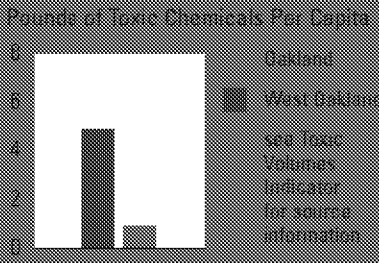
1 The process is community driven: Residents collaboratively decide what needs to be measured or reported to further community goals.

2 We recognize that data is not an end in itself. By ensuring that the information is returned to the community in a useable form, and by providing training and support to help community activists use this knowledge, EIP helps bridge the gap between research and advocacy.

3 The Indicators project is working to build community capacity to continue the process of data collection and reporting so that the project will become self-sufficient.

<<EPA-HQ-2019-003701>> 000321 <<2020-01-21>>
ED_002352_00004173-00005

Comparison of Per Capita Toxics Generated in West Oakland and Oakland, 1998



Indicators to Action

Clean Air for West Oakland

West Oakland residents face five times more toxics per person than Oakland residents.

Much of this is air pollution: West Oakland's zip code of 94607 has the highest amount of toxic air pollution of any Oakland zip code.

To take on this problem, Citizens for West Oakland Revitalization (CWOR) created a Clean Air Coalition to help clean the air, protect the health of residents, and promote positive economic development in the neighborhood.

The Coalition recently held the first annual Clean the Air Festival, which was attended by over 600 people, to distribute information and educate the community about clean air issues. Now armed with information, activists are working with elected officials and regulators to begin assessing and improving the air quality in the neighborhood.

Currently, West Oakland is a community whose boundaries are defined by freeways, where residential and industrial areas intertwine, and where the activities of the Port of Oakland and Army Base are strongly felt. Aside from the rail, freeway, and truck traffic which divide the community, West Oakland residents face a high concentration of brownfields, lead contamination, illegal dumping, and industrial activity.

West Oakland residents have begun to address these concerns in their Community Revitalization Plan, the 7th St. Initiative.

One of the core visions identified by the 7th St. Initiative's Community Plan is "An environmentally safe and physically attractive West Oakland," affirming that West Oakland residents have a right to clean air, water, and land.

Our Process

The West Oakland Indicators process began with a strong awareness of the complexity of the issues in West Oakland and the community actors already engaged in revitalization efforts. From its inception, the project was designed to support a community driven process. The West Oakland EIP established a Taskforce of neighborhood residents who served as the community center/conscience of the project.

Over the course of seven meetings, participants sought to define the term "environment" in the context of West Oakland; identify environmental issues in the community; select what indicators community members would want to measure and track; and determine how such information can be incorporated into current advocacy, policy, education, and organizing work. By July 2000, the Neighborhood Taskforce had agreed on a core set of indicators.

The indicators selected by the Neighborhood Taskforce represent a broad range of environmental concerns, from issues of air quality and toxics, to environmental health, land use, housing affordability, transportation, and even

West Oakland bears the brunt of over 10,000 trucks-trips per day. This photograph shows some trucks parked near homes along Mandela Parkway.

<<EPA-HQ-2019-003701>> 000322 <<2020-01-21>>
ED_002352_00004173-00006

Ten percent of sensitive sites, like schools, hospitals and homeless shelters are within one-eighth of a mile of industrial facilities at high risk for chemical accidents.

civic engagement. These were the areas identified by neighborhood residents in which improvement was needed.

By engaging residents in a collaborative process of identifying community concerns and data needs, indicator development in West Oakland made information more relevant and meaningful to community stakeholders, promoted community learning and capacity building, and helped define community objectives and set priorities to gauge change.

The participatory nature of the indicator process also broadened community involvement beyond the staff of community based organizations to include residents who had previously lacked access to such information.

After the indicators were selected, Pacific Institute's team of researchers collected and analyzed data from city, county, state, and national agencies and compiled the information in the 17 indicator reports that make up the bulk of this report. The methodologies that Pacific Institute researchers used to find, analyze and create reports for each of the indicators are in Appendix A.

In some cases, data was not available either because agencies were not collecting this information or collected information was not reliable, consistent, or regularly updated. In these cases, issues that residents identified as being important were not translated into indicators.

We wanted to make sure that after our involvement, it would be easy for community organizations to continue to update the indicator information by accessing data that agencies were collecting on a regular basis. By identifying when data was not available, we wanted to help residents highlight data gaps in their community so that government agencies can begin to collect this information consistently. These data gaps or Indicators Not Included are described in Appendix B.

Putting the Indicators to Work

Key to the project was to do more than just produce information, but to use it for action. One of the main criteria that community residents used to select indicators was their usefulness in moving forward community goals and supporting ongoing community advocacy efforts.

Indicators are a tool to help support community change. The West Oakland Environmental Indicators Project did not end when the indicators had been

"I always talked about toxic pollution in West Oakland, but now I have the specifics I need — I can now tell people there are 33,000 pounds of acetaldehyde coming out Red Star Yeast every year. This information has helped me be a better advocate for clean air in West Oakland."

Mama Nitoto
Vice Chair, 7th St. Initiative,
Executive Director, Coalition for
West Oakland Revitalization

<<EPA-HQ-2019-003701>> 000323
<<2020-01-21>>
ED_002352_00004173-00007

"The Indicators Project really gave us the information we needed to fight the environmental and economic racism that people in West Oakland have to deal with on a daily basis. The EIP is an excellent model of a partnership between a research organization and community based organizations."

James "Tim" Thomas,
West Oakland Resident,
Executive Director, Emergency Services Network

selected and the information collected. In the words of a Neighborhood Taskforce member: "Now it is time to take action."

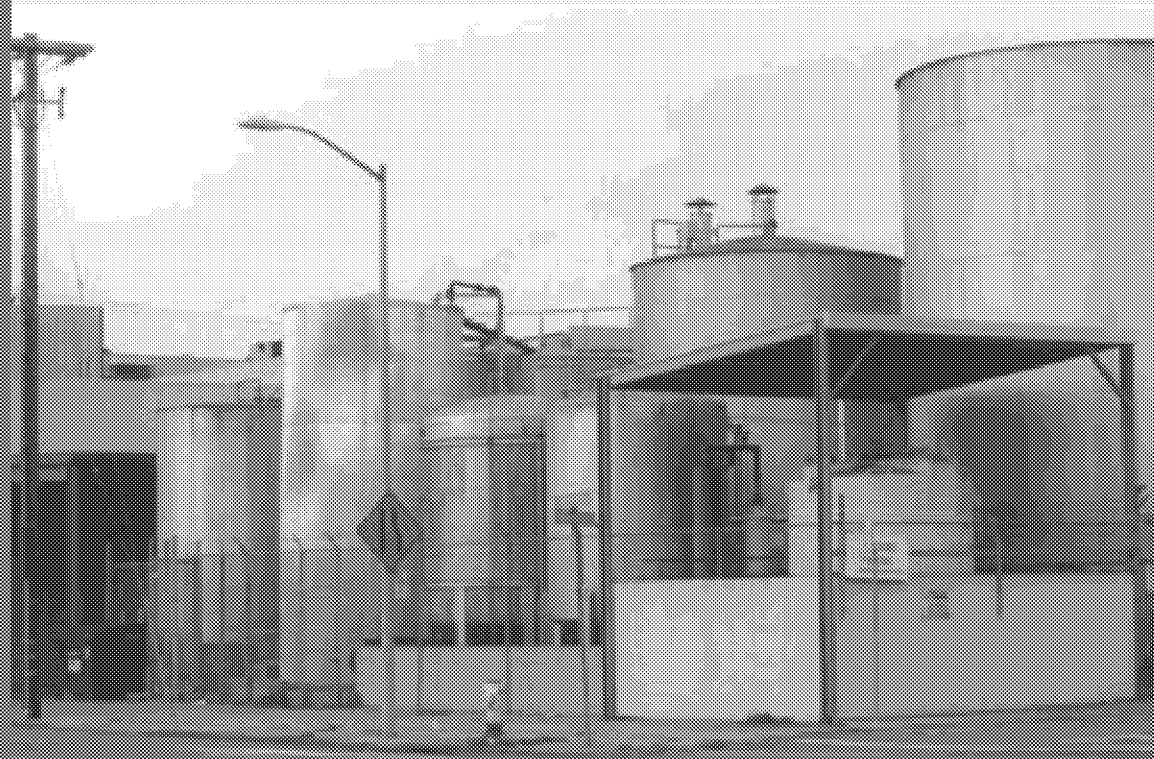
In the next phase of the project, begun in 2001, the Neighborhood Taskforce was reconstituted as the West Oakland Environmental Indicators Committee. The group's next charge was to ensure that the indicators research was integrated into the neighborhood's planning, advocacy, and education work. Another critical goal was to build community capacity to continue data gathering and advocacy.

The good news is that community residents, policy makers, and agencies have already been able to use indicator information to begin to improve quality of life for West Oakland residents. During this phase, we heard many stories from excited residents and community activists who could now use the indicator data to detail their concerns and propose solutions at community meetings and in policy venues.

To support the bridging of indicators to action in West Oakland, the project partners provided training and tools to West Oakland residents. A few examples of these tools are listed below:

- **Providing technical assistance** The WO EIP Committee selected three on-going West Oakland **community campaigns** to support with further technical assistance and the indicator information. These were: the Clean Air Coalition (to promote clean air and environmental justice), the Anti-Displacement Network (to enhance community stability and protect residents from gentrification), and the West Oakland Asthma Coalition (to help neighborhood residents prevent and control asthma). Information on these campaigns is given in the "Indicators to Action" boxes of the introduction.
- **Disseminating the information** Along with the indicator reports, WO EIP designed **brochures** on groups of indicators relevant to the

Red Star Yeast pollutes West Oakland's air with over 33,000 pounds of toxic emissions a year.



<<EPA-HQ-2019-003701>> 000324 <<2020-01-21>>
ED_002352_00004173-00008

Freeways surround the neighborhood of West Oakland. These freeways are adjacent to a playing field in the neighborhood.

campaigns to make the information more accessible and understandable to community stakeholders, and help educate residents on community advocacy efforts.

- **Educating the community** The project has developed a **Speakers Bureau** of community residents to promote the understanding and use of indicator information. The WO EIP, in collaboration with the community, developed presentations on the indicators and trained residents to give presentations to community and policy audiences to initiate community education and policy change.
- **Moving policy** WO EIP held a **policy forum** where community residents and policy analysts came together to develop a matrix of policy implications and opportunities to generate positive change on the indicators.

  This information has been used to create community goals for different campaigns and meet with local, county, and state policy makers to generate action on policy goals.
- **Working with the media** WO EIP held a media training for community residents and organizations on how to use the indicator research as part of advocacy efforts. Participants were taught how to communicate with the media, how to use media strategically and how to get coverage for community campaigns.
- **Building Community Capacity** An important goal from the outset was to ensure that the community has the ability to update indicator information on a regular basis. The Pacific Institute is training the community on the methods to research, collect, and report on indicator information. We are working with our community partners to develop a system that ensures that indicators continue to be accessible to and used by the community.

Using this report

This report tells the story of West Oakland that residents wanted to tell. Much of the information in this document has never been reported at a neighborhood level before. And, this

Indicators to Action

Taking Control of Asthma

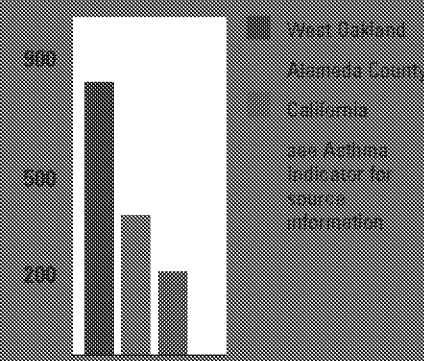
West Oakland children are seven times more likely to be hospitalized for asthma than the average child in the state of California.

Asthma is more than just difficulty breathing: This chronic inflammation of the lungs harms the quality of life for the neighborhood's most vulnerable residents and can lead to serious health problems and even death.

The West Oakland Asthma Coalition, made up of agencies, community organizations, and public interest groups, has been able to use the Asthma indicator and other tools to advocate for better asthma management, more health care resources, and cleaner air in West Oakland.

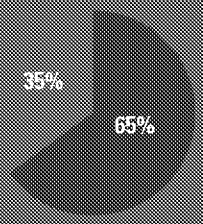
The Coalition, with indicator information and other resources, is also helping educate families, teachers, and health care providers about asthma in West Oakland and how it can be managed and controlled.

Age-adjusted Asthma Hospitalization Rates for Children Under 15, 1998

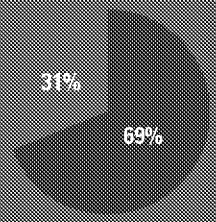


<<EPA-HQ-2019-003701>> 000325
<<2020-01-21>>
ED_002352_00004173-00009

West Oakland Households in 1999



65%
Percentage of residents not able to afford monthly payments on median-sized home



69%
Percentage of residents not able to afford median rent

See Vulnerability to Displacement Indicator for source information

Indicators to Action

Ensuring Housing for All

Few residents can afford to buy a home in West Oakland or afford rent.

As residents of West Oakland need new housing, many may be forced to look for more affordable housing outside the neighborhood.

Displacement or gentrification occurs when long-term low-income residents can no longer afford to buy or rent a home in their own neighborhood. Higher income households from outside the neighborhood move in, displacing current residents and changing the character of the community.

Several community organizations have come together to fight gentrification and are using indicator information to educate residents and push a number of goals, including passage of a Just Cause Eviction ordinance to protect renters. Financial institutions are also using these indicators to demonstrate the need for a community land trust and other investments to provide affordable housing for current residents.

Residents in West Oakland coming together at the Clean the Air festival to demand cleaner air.

information is already being used in policy and advocacy arenas to generate action on issues in West Oakland.

By publishing a comprehensive set of indicators, we hope that more policy makers and residents can begin to use this information to initiate a dialogue among residents, policy makers, and the private sector to improve the quality of life in West Oakland, and create a healthy, safe environment.

This report hopes to support the community revitalization and environmental justice efforts of communities like West Oakland all over the country.

Thus, we describe the details of the Neighborhood Environmental Indicators process, how information was collected, and how it was used.

We hope that this resource leads other community organizers to begin to ask and answer pressing questions about their neighborhood, and obtain the information they need to improve environmental conditions where they live.

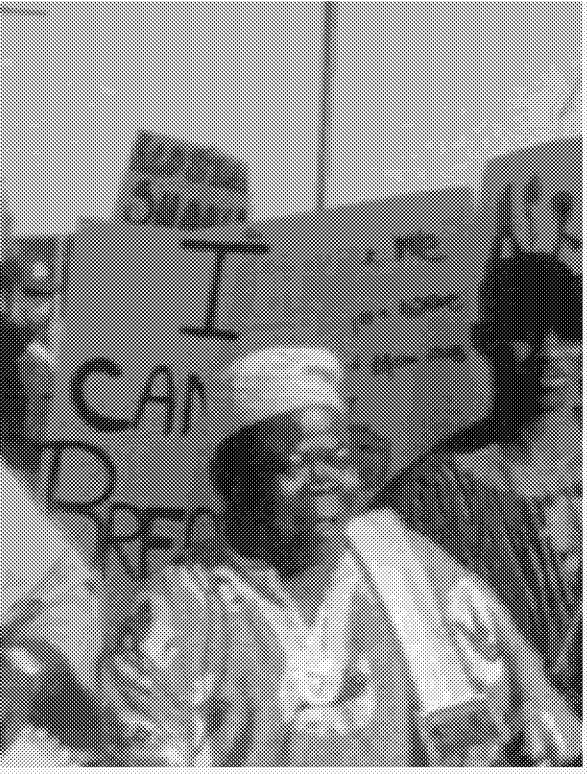
A companion to this publication is the Environmental Indicators Project Website (www.neip.org), which is a resource for neighborhood indicator data, information on methodogy, links to other neighborhood sustainability indicator projects, and other project resources.

This web site can assist residents and activists to build a neighborhood indicators project, and acts as a clearinghouse for neighborhood urban environmental indicators information.

This report includes:

Indicators in Brief — This two page section summarizes all the indicators and conveys a key fact about each issue found in our research in West Oakland. It gives an overview of the indicators that neighborhood residents found to be important, and gives a snapshot of some of the issues of concern in West Oakland. This is an excellent stand alone piece that can be used by residents, policy makers, and others to describe the state of the environment in West Oakland.

<<EPA-HQ-2019-003701>> 000326 <<2020-01-21>>
ED_002352_00004173-00010



Author Biographies and Acknowledgments — Includes brief biographies of the five main authors and their roles, as well as their acknowledgments to the numerous persons at public and private agencies who assisted them in collecting and analyzing information to produce the indicator reports.

Indicator Reports — This section presents the results from the extensive indicator research and analysis undertaken for each of the 17 community selected indicators. Each indicator report includes relevant charts, maps and tables, a description of the indicator, its relevance and importance to neighborhood residents, and the analysis of that indicator for West Oakland.

Also included is a description of data limitations for each indicator, information for residents who want to get involved in improving West Oakland conditions, and contact information.

Appendix A: Methodologies — This Appendix details how information was collected and analyzed to generate each of the 17 indicators presented here.

We hope that this section allows residents, activists, and community organizations in other neighborhoods to reproduce the analysis that was undertaken in West Oakland to create similar indicators to track for their community.

Appendix B: Indicators Not Included — This Appendix gives a description of 4 indicators that the Neighborhood Taskforce selected as being important, but were not included because agencies were not collecting the data needed to evaluate these indicators.

The data was either not available or the available data was not reliable, consistent, or regularly updated for the following indicators: Noise Pollution, Neighborhood Blight, Truck Pollution, and Indoor Air Quality.

"The impact on me came from the overall sum of the indicators. This project proves that there is a socially-responsible community of researchers whose interests coincide with the grassroots and who can take part in the process of improvement without taking control."

Aman Bloom,
West Oakland resident,
WO EIP Neighborhood Committee

It has been an exciting process to watch the West Oakland community take ownership of indicator information and begin to use it to make this neighborhood more livable for its residents. We are energized by the success of Neighborhood Environmental Indicators in West Oakland, and look forward to the use of indicators to help other communities define and reach their goals. As more neighborhoods begin to ask questions about their quality of life, we hope that this report and the EIP website can help them begin to find answers.

Indicators in Brief

Air Quality & Health

Air Pollution 13
In 1998, West Oakland zip code 94607 registered 34,103 pounds of toxic air releases by TRI permitted facilities, the highest of any Oakland neighborhood and nearly half of the total Oakland air releases.

Air Pollution Health Risks 16
West Oakland residents had the second highest health risk from air pollution in the city of Oakland in 1997.

Asthma Rates 20
In 1998, West Oakland children were seven times more likely to be hospitalized for asthma than the average child in the state of California.

Civic Engagement

Voting Power 25
Less than half of the registered voters in West Oakland voted in the last Presidential election; this is over 15% lower than the voting rate in District 3, and over 20% lower than in the city of Oakland as a whole.

Gentrification & Displacement

Vulnerability to Displacement & Housing Affordablity 27
In 1999, only 35% of West Oakland residents could afford to buy the median priced home in the neighborhood, and only 31% could afford the median rent on available housing units.

Community Stability & Market Trends 29
Out of the 1,276 West Oakland parcels that were sold from January 1997 to June 1999, nearly a quarter of them (23.6%) were being sold for the second time within two years.

Subsidized Housing Supply 31
While West Oakland is considered saturated in the number of publicly assisted housing units in the neighborhood (over 20% of all public housing in Oakland is located in West Oakland); there has been a decline in the number of private units renting to HUD Section 8 voucher holders.

<<EPA-HQ-2019-0037015>> 000328 <<2020-01-21>>
ED_002352_00004173-00012

Indicators in Brief

Physical Environment

New Business Development 33
The last few years has seen a steady increase in new business development in West Oakland, most notably in the retail, services, and advanced services (e.g., computer software, consulting, architecture) sectors.

Illegal Dumping 35
Between January and June 2000, the City of Oakland removed 263 tons of illegally dumped garbage from the streets of West Oakland; per capita, this was three times the amount collected in the rest of city.

Land Use Conflict 37
Nearly 82% of West Oakland residents live within 1/8 mile of an industrial area.

Toxics

Neighborhood Toxic Volumes 41
In 1998, West Oakland generated five times more toxic chemicals per per capita than the city of Oakland.

Resident Toxic Exposure 45
The overwhelming majority of West Oakland residents (83%) live in close proximity to at least one of the 403 contaminated or potentially contaminated sites in the neighborhood; this is significantly higher than resident toxic exposure in the rest of Oakland (54%).

Sensitive Area Toxic Hazard Exposure 50
Over 10% of the sensitive sites (schools, hospitals, etc.) in West Oakland are within 1/8 mile of a Priority 1 High Hazardous Facility. In the rest of Oakland, only 2% of sensitive sites face this level of risk.

Lead Poisoning 53
Since 1995, the West Oakland zip code of 94607 has ranked as one of the top three worst zip codes for childhood lead poisoning risk within the entire Alameda County.

Lead Abatement 57
Although West Oakland is considered one of the highest risk areas in Alameda County for lead poisoning, the number of lead abatement projects in West Oakland in 2000 was less than 8% of the total for Oakland.

Transportation

Transit Access & Service 61
From 1995 to 1999, the West Oakland neighborhood experienced a 15% reduction in the frequency and range of bus service.

Bikeable Streets 64
West Oakland currently has only 0.95 miles of designated bikeways, although Oakland's Bicycle Master Plan has proposed adding 10 miles of new bikeways.

<<EPA-HQ-2019-003701>> 000329 <<2020-01-21>>
ED_002352_00004173-00013

Research Acknowledgments

The authors would like to thank the following individuals at public and private agencies who helped us obtain information, analyze data, and review for accuracy. All conclusions and any errors are, of course, our own.

We wish to thank the following (organizations listed for identification purposes only):

Nicole Buffa, Environmental Protection Agency, San Francisco Office; Suany Chough, Community and Economic Development Agency (CEDA), City of Oakland; Donavan Corliss, CEDA; Ray Derania, CEDA; Anders Flodmark, Geographical Information Science Center (GISC), University of California, Berkeley; Dana Goodel, Homefinders Rentals; Chuck Headlee, San Francisco Bay Region, State Water Resources Control Board (SWRCB); Katherine Hughes, Public Works Agency; Vibhor Jain, Emergency Services, Oakland Fire Department; Xu Jiang, GISC; Susan Katchee, Environmental Services, City of Oakland; Brian Kimball, Office Information Technology (OIT); Mark Kloberdanz, Office of Statewide Health Planning and Development (OSHPD); John Landis, Department of City and Regional Planning, UC Berkeley; Jeff Levin, Community and Economic Development Agency, City of Oakland; Parissh Knox, IURD; Judy Rix-Brown, Oakland Association of Realtors; David Rodriguez, Code Compliance Database, City of Oakland; Marissa Wheeler, Financial Services Agency, City of Oakland; Julie Von Behren, Alameda County Department of Health Services, Environmental Health and Investigations Branch (DHS-EHIB); Jaclyn Wertis, Dale Hagen, and the director Steve Schwartzberg, Alameda County Lead Poisoning Prevention Program (ACLPPP); Jim Wilson, Oakland Housing Authority; John Wright, Public Works Agency, City of Oakland.

About the Authors

Steve Costa is a project co-director. Over the past thirty-three years he has been involved in shaping cities through a variety of community organizing roles. From 1995-1999, Mr. Costa served as the Executive Director of Oakland Sharing the Vision (OSV), the non-profit organization established in 1991 to guide the city's comprehensive strategic planning program. He has designed and managed many of OSV's community building, planning and policy development processes including three major Oakland Strategic Plan drafting efforts involving over 3000 residents. He continues to work on several projects in Bay Area as a consultant and is serving as a UCB Visiting Scholar.

Jeremy Hays will complete masters' degrees in City and Regional Planning and International Studies at UC Berkeley in the Spring of 2002. His studies have focused on the issues of environmental justice and sustainable community development. Mr. Hays has a background in community organizing, environmental leadership training, and conflict resolution. Mr. Hays lives in the Temescal neighborhood of Oakland.

Clara Landeiro is a research associate of the Institute of Urban and Regional Planning at the University of California at Berkeley, and of the Instituto Superior Tecnico at the Technical University of Lisbon. Receiving her PhD in Environmental Planning in Berkeley, Landeiro has worked on the requirements for technical information used in participatory planning models, both in urban and natural resources management contexts, and she is an advocate of community-based consensus planning. She has been involved in efforts to operationalize the concept of sustainable development, both local and globally, through the development of indicators. In addition to local sustainability indicator projects, she is working on a more global scale on the implementation of the European Common Indicators, European Environmental Agency, in the area of urban sustainability indicators.

Meena Palaniappan is co-director of the Environmental Indicators Project. Her interests include environmental justice, community sustainability, pollution prevention, and international sanitation. Before coming to the Pacific Institute, Ms. Palaniappan worked with the Environmental Defense Fund on sustainable community development, pollution prevention, and environmental justice in the Great Lakes region. In addition, she co-authored the Environmental Defense Fund's Environmental Sustainability Kit. Ms. Palaniappan has also worked with public interest organizations in Madras, India on water pollution issues. She received a Master of Science degree in Energy and Resources from the University of California, Berkeley in May 2000. She also holds an undergraduate degree in Environmental Engineering from Northwestern University.

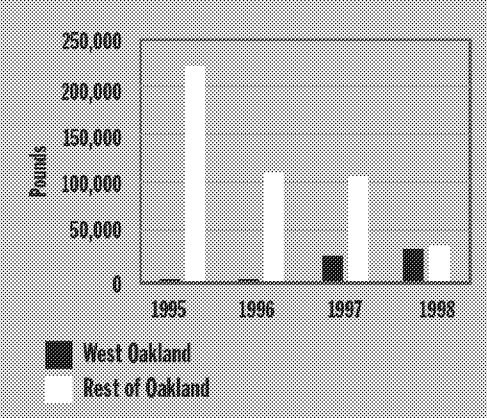
Jane Rongerude completed her masters degree in City and Regional Planning at UC Berkeley in the Spring of 2001 and began her PhD studies in Fall 2001. Her focus has included urban sustainiable development, public participation in planning, and communicative planning theory. Ms. Rondgerude currently works at the Institute of Urban and Regional Development at UC Berkeley. She lives in the Bernal Heights neighborhood of San Francisco.

Arlene Wong is a Senior Associate at the Pacific Institute. Ms. Wong directs the Institute's program on Community Strategies for Sustainability and Justice. Her current work focuses on sustainable communities and environmental justice, including water, brownfields redevelopment, and public participation in natural resource policy. She recently co-authored Pacific Institute's report Brownfields Redevelopment: Meeting the Challenges of Community Participation. For the past two years, Ms. Wong has participated in the Oakland Indicators Project to develop framework for five Oakland-based partners to collaborate in supporting indicator development and data analysis throughout Oakland and co-directed the current EIP effort. She received a Master's degree in Public Policy from Harvard in 1995.

<<EPA-HQ-2019-003701>> 000430 <<2020-01-21>>
ED_002352_00004173-00014

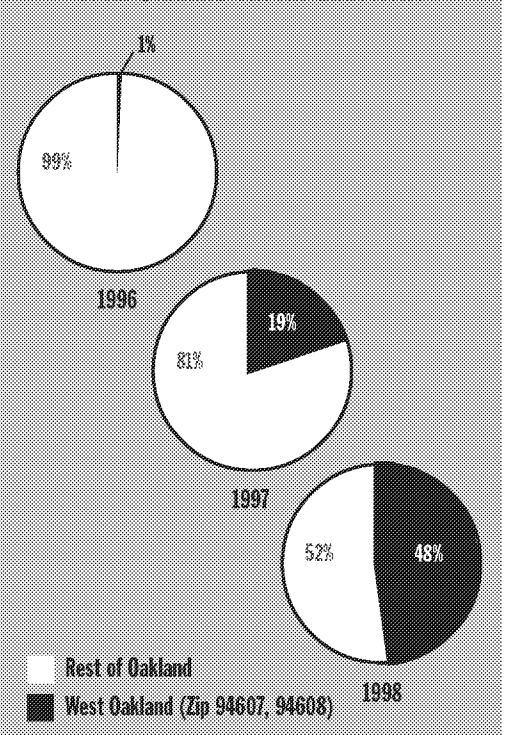
Amount of Air Pollutants Released by Large Polluters

West Oakland Relative to Rest of Oakland Trends in TRI Air Emissions, 1995-1998



Source: TRI Data, 1995-1998, USEPA

West Oakland's Contribution to Total Oakland TRI Air Emissions



Source: TRI Data, 1996-1998, USEPA

In 1998, West Oakland registered 34,107 pounds of toxic air releases by TRI permitted facilities; this was nearly as much as the rest of Oakland combined.

The Indicator

This indicator measures the amount of toxic chemicals released into the air[1] by facilities reporting to the Toxic Release Inventory (TRI) in West Oakland. TRI tracks the pounds of air pollution generated per year by large polluters, i.e., those facilities that manufacture or process over 25,000 pounds of the approximately 600 chemicals listed (or 28 categories of chemicals) in the regulations, or those that "otherwise use" more than 10,000 pounds of any listed chemical or category.[2] This indicator is an aggregation of the emissions from TRI facilities reporting in the West Oakland zip code 94607, and the facilities in zip code 94608 that are within Oakland.

Why Is This Indicator Important?

Air pollution has been of great concern to the West Oakland community for many years. This is a community whose boundaries are defined by freeways, where residential and industrial areas intertwine, and where the activities on the Oakland Port and Army Base are strongly felt. Communities feel the impact of air pollution at many levels, such as reduced visibility, damage to buildings and property, which can contribute to neighborhood blight, and eventual contamination of soil and water which in turn creates other impacts. Perhaps most critically, air pollution can have serious impacts on human health, causing respiratory illnesses from asthma to cancer.

Federal criteria pollutants such as carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM), and sulfur dioxide (SO_2) which are measured in regions across the nation give us a good picture of the national and regional ambient air quality by measuring the concentration of criteria pollutants in the air we breathe. However, this existing ambient air quality data is not effective at measuring air quality conditions at the local scale due to a sparse monitoring system, the many types of air pollutants that are not measured, and the wide variability in local atmospheric conditions. Air pollution due to air emissions of big industrial facilities (point sources) is only a part of the total air quality picture; however, it can serve as a very rough proxy for local air quality conditions in the absence of better information.

<<EPA-HQ-2019-003701>> 000331
<<2020-01-21>>
ED_002352_00004173-00015

air pollution at the local level from one of the common sources of air pollution—industry. Additionally, we can identify who and where major polluters are. This is especially useful when evaluating trends. For example, the indicator can be used to evaluate whether community efforts in implementing pollution prevention measures in large facilities are being successful. Also, a comparison of how different communities score in this indicator will show whether certain areas take on more of the air emission burden than others, and can target actions to where they are most needed.

How Are We Doing?

West Oakland has not seen the progress in lowering air emissions that the city of Oakland has seen over the last five years. Since TRI reporting began in 1987, the city of Oakland has shown a great overall reduction in total toxic air releases, which was due both to a decrease in the number of large polluters (from 19 to 8 facilities with reported TRI air releases) and to a decrease in the amount of their air emissions (from 755,991 to 71,785 pounds). Contrary to the city trend, this indicator has actually shown a *rapid increase* in the West Oakland neighborhood since 1996.

Bay Area Top 5 TRI Facilities Emitting Carcinogens, 1997

Facility	City	Zip	TRI Carcinogens (Pounds)
Fleishman's Yeast Inc.	Oakland	94603	50,605
Strongwell	San Jose	95133	35,703
Owens-Corning	Santa Clara	95050	31,736
Red Star Yeast	Oakland	94607	23,200
Dow Chemical Co.	Pittsburgh	94565	17,483

West Oakland

Source: TRI Data, 1997, USEPA

Out of a total six "big" polluters (TRI permitted facilities) in the city of Oakland in 1998, three were located in the West Oakland neighborhood (zip codes 94607 & 94608[3])—Red Star Yeast & Products, Precision Cast Products Inc., and E-D Coat Inc. The amount of air releases by all three West Oakland TRI facilities during 1998 totaled 34,107 pounds, almost the same amount that was released by the rest of Oakland during the same year. In 1998, out of all Oakland zip codes, the West Oakland zip code 94607 registered the highest amount of toxic air releases (34,103 pounds) by TRI permitted facilities (followed by zip code 94603, with 29,135 pounds).

This indicator presents us with a very troublesome trend for West Oakland zip code 94607. From a total of 1,320 pounds of toxics released in 1996, the indicator has rapidly increased more than 30 fold—with 34,103 pounds being released in 1998. Similarly, we note that the West Oakland community is bearing an increasingly higher proportion of the city's total TRI air releases, from 1% of total Oakland TRI air releases in 1996 to almost half (48%) of the city's emissions in 1998!

Additional Findings

In 1997, a regional comparison of this indicator for all 484 zip codes in the nine county Bay Area shows that the West Oakland zip code 94607 had the 24th highest level of TRI air releases. It is important to note that a great part of these West Oakland TRI air releases contain chemicals known or suspected to cause cancer. In comparing pounds of carcinogens emitted within a zip code area, the West Oakland zip code of 94607 ranked as the 4th highest contributor of TRI carcinogen air emissions in the whole Bay Area in 1997. Red Star Yeast was the major contributor of carcinogenic air emissions in West Oakland, mainly from its emissions of acetaldehyde.

Data Limitations

The indicator *Amount of Air Pollutants Released by Large Polluters* only tracks stack and fugitive air releases from TRI permitted facilities. This is a very incomplete picture of air quality in the community. It is only a fraction of the total amount of air emissions released in West Oakland. Other contributors to air pollution are: point sources such as small businesses and industries not required to file a TRI report (e.g., dry cleaners), exhaust from mobile sources (e.g., trucks, cars, railways, ships), and pollution from residential and commercial areas (e.g., fireplaces, outdoor grills, lawnmowers, and heating and cooling units of commercial buildings).

These small pollution sources not tracked under TRI can, when combined, have a significant impact on air quality, especially in urban areas. Point sources account for about 23% of all air toxic emissions and TRI data represent less than half this category.[4] For example, small businesses and residential and commercial units can account for as much as 50% of particulate matter in the air, whereas emissions from mobile sources account for about 75% of carbon monoxide pollution nationwide.

Local air quality is affected not only by local toxic air emissions but by regional toxic air emissions, by local atmospheric conditions, and by those pollutants resulting from reactions between different airborne chemicals. Thus, a better indicator of local air quality conditions would be one that would rely on ambient air measures, measuring concentration of pollutants in the air rather than emissions. At this point in time, the ambient air quality data is still insufficient to effectively depict local air quality conditions. However, technological advances in recent years and efforts of local agencies and NGOs are advancing rapidly in this direction.

What Can You Do About Air Pollution?

Local community organizations have been active in air quality issues. They have been putting pressure on local manufacturing facilities to implement cleaner technologies or to opt for closure or relocation of their activities. Organizations have also demanded better ambient air quality monitoring that can more accurately assess residents' exposure to toxic chemicals in the air.

Other entities have been also involved in studying ways to improve overall air quality and mitigate air pollution in West Oakland. The Port of Oakland and the city of Oakland have been working with organizations such as Coalition for West Oakland Revitalization (CWOR), West Oakland Commerce Association (WOCA), and others on air pollution issues. An example of a current effort to quantify and abate non-TRI sources of air pollution is the diesel study commissioned by the city of Oakland, whose objective is to estimate diesel emissions generated in West Oakland and to devise strategies to mitigate these emissions in the community.

Contact Information for Additional Resources

Bay Area Air Quality Management District (BAAQMD)
Air Pollution Complaints: 1-800-334-ODOR
Report Smoking Vehicles: 1-800-EXHAUST

BAAQMD has information on how you can help clean the air and daily air quality conditions and forecasts by calling 1-800-HELPAIR.

City of Oakland Environmental Services Hotline
(510) 238-7630

Coalition for West Oakland Revitalization (CWOR)
(510) 451-2967

Envirofacts
http://www.epa.gov/enviro/html

Pollution Prevention Information Clearing House (PPIC)
http://www.epa.gov/opptintr/library/libppic.html
(202) 260-1023

Clean Air Technology Center (CATC)
http://www.epa.gov/ttn/catc
(919) 541-0800 (English)
(919) 541-1800 (Spanish)

CATC serves as a resource on areas of air pollution prevention and control technologies, and provides public access to data and information on their use, effectiveness and cost.

Notes

[1]This includes both stack and fugitive releases. Fugitive air releases of toxic chemicals can result from many sources such as loading, unloading and transfer of products, normal leakage from equipment in use (valves and fittings, pumps, etc), formulation and packaging of products, and losses during periodic process-related cleaning operations. Chemicals from point sources that are not captured by pollution control devices exit as stack emissions.

[2]Manufacturing facilities reporting to TRI are those in Standard Industrial Classification (SIC) codes 20-39 (or Federal facilities in any SIC code), and that have the equivalent of 10 full-time workers. These facilities include chemicals, petroleum refining, primary metals, fabricated metals, paper, plastics, and transportation equipment. Recently, other industrial sectors have been added.

[3]In zip code 94608 only one TRI facility falls within the City of Oakland boundary; other facilities in that zip code are located in Emeryville. Only emissions from the Oakland 94608 facility were counted when estimating West Oakland and Oakland total releases.

[4]National Air Quality and Trends Report, 1996.

<<EPA-HQ-2019-003701>> 000333 <<2020-01-21>>
ED_002352_00004173-00017

Air Pollution Health Risks to Neighborhood Residents

Relative Risk Rankings

Oakland Zip Code	Relative Risk Ranking (where 1 is the highest risk)		
	1995	1996	1997
94603	1	1	1
94607	5	4	2
94601	2	2	3
94608	4	3	4
94621	3	-	-
94662	6	5	-

West Oakland Zip Codes

Ranking of TRI Facilities Posing Air Pollution Health Risks in Oakland, 1997

Facility	Zip Code	Ranking
Fleishmann's Yeast Inc.	94603	1
Red Star Yeast & Products	94607	2
Owens-Brockway Glass Container	94601	3
Pressure Cast Products Corp.	95050	4
Precision Cast Products, Inc.	94607	5

Facilities in West Oakland

Sources: TRI Data, 1997, USEPA; OPPT's Risk-Screening Environmental Indicators Model: Version 1.0, USEPA 1999

The West Oakland zip code of 94607 ranked as the zip code with the 2nd highest health risk from air pollution in the city of Oakland in 1997.

The Indicator

This indicator measures the relative health risks posed to residents from chronic exposure to toxic air emissions from facilities reporting to the Toxic Release Inventory (TRI) in a given zip code.[1]

Rather than representing an absolute measure of risk, the indicator value represents a *relative* measure of the health risks to which residents in different zip codes are exposed. A relative risk ranking value of one means that residents in that zip code area are exposed to the highest air pollution health risk relative to all other zip codes considered.

The air pollution health risk indicator takes into account the amount and toxicity of the chemicals released by "big polluters" (TRI permitted facilities), pathway-specific exposure potentials, and the size of the general population potentially exposed.

Why Is This Indicator Important?

Air pollution—from the air releases of toxic chemicals by manufacturing facilities to other sources such as motor vehicles—can cause severe health problems in populations exposed to it. These problems can range from a "minor" itchy throat and breathing problems, to more serious effects such as cancer, long-term nerve damage, or even death.

The indicator *Air Pollution Health Risks to Neighborhood Residents* gives us important information regarding the relative health risks that residents in the West Oakland zip code 94607 face due to the air pollution caused by "big polluters" compared to other zip codes.

Overall health risks from air pollution are difficult to measure in part due to the still inadequate ambient air quality information at the local level (e.g., for the West Oakland neighborhood). In other words, without local ambient air quality information, we don't know exactly what is in the air we breathe. Exposure is also affected by a number of factors: weather patterns, population characteristics, etc. However, using a risk screening model we can estimate the relative health risks posed by air releases from a small but significant group of air pollution emitters—specifically, those manufacturing facilities reporting to TRI.

<<EPA-HQ-2019-0037015>> 000334 <<2020-01-21>>
ED_002352_00004173-00018

All Bay Area TRI Facilities Ranked for Carcinogen Risk-Related Impacts, 1997

Ranking	Facility	City	Zip Code
1	U.S. Pipe & Fndy. Co.	Union City	94587
2	Pacific Steel Casting Co.	Berkeley	94710
3	Hosokawa Bepex Corp.	Santa Rosa	95407
4	Fleishmann's Yeast Inc.	Oakland	94603
5	Wyman Gordon Invstmt. Castings	San Leandro	94577
6	ECS Refining	Santa Clara	95050
7	Acme Packaging Corp.	Bay Point	94565
8	Red Star Yeast & Prod.	Oakland	94607
9	Seagate Tech Inc.	Fremont	94538
10	Owens-Corning	Santa Clara	95050
11	Owens-Brockway Glass Container	Oakland	94601
12	Owens-Brockway Glass Container	Hayward	94541
13	Chevron Prods. Co.	Richmond	94801
14	Titanium Hearth Technologies	Vallejo	94590
15	Crain Ind.	San Leandro	94577
16	Criterion Catalyst Co.	Pittsburg	94565
17	Leybold Materials Inc.	Morgan Hill	95037
18	United Defense LP	Santa Clara	95050
19	Dow Chemical Co.	Pittsburg	94565
20	Exxon Co. USA	Benecia	94510
21	Moyno Oilfield Prods.	Fairfield	94533
22	Kaiser Cement Corp.	Cupertino	95014
23	USS-Posco Ind.	Pittsburg	94565
24	Signode Western Ops.	Pittsburg	94565
25	Bordon Chemical Inc.	Fremont	94538
26	Precision Cast Products Inc.	Oakland	94608
27	Strongwell	San Jose	95133
28	Bell Ind.	Mountain View	94043
29	Catalytica Bay View Inc.	East Palo Alto	94303
30	Tosco Refining Co.	Martinez	94553

Facilities in West Oakland

Source: TRI Data, 1997, USEPA; OPPT's Risk-Screening Environmental Indicators Model: Version 1.0, USEPA 1999

The ability to estimate these risks is especially important to people living next to industrial areas, where concentrations of these harmful air pollutants tend to be higher. It is certainly important to West Oakland, where a majority of the population lives within 1/8 mile of an industrially zoned area.

By ranking different areas according to their relative level of health risk, and by identifying "big polluters" and the relative risk they pose to residents living nearby, this indicator allows communities and governments to target actions and resources to the most needed areas. However, this indicator should always be tracked along with the indicator *Amount of Air Pollutants Released by Large Polluters*, which measures the total amount of TRI air emissions by zip code area. This ensures that the lessening of the relative health risk (i.e., a lower risk ranking) in a certain area is indeed the result of reduced toxic emissions, and not due to the worsening of conditions in other neighborhoods.

How Are We Doing?

Compared to other Oakland zip codes and Bay Area zip codes, West Oakland has been progressively increasing the air pollution health risk it poses to residents. The West Oakland zip code 94607 ranked as the second highest risk zip code in the city of Oakland in 1997. In recent years, indicator results for West Oakland (zip codes 94607 and 94608[2]) show a disturbing trend. From 1995 to 1997, West Oakland has increased its relative risk ranking from the fifth to the second highest risk zip code in all of Oakland. When compared to 484 Bay Area zip codes, West Oakland has been progressively ranking at higher health risks since 1995. For example, West Oakland zip code 94607's risk ranking moved from 57th to 17th place between 1995 and 1997! With the exception of zip code 94608 (where the Oakland contributing TRI facility is actually in the West Oakland neighborhood), no other Oakland zip code has registered an increase in this indicator during that period.[3]

<<EPA-HQ-2019-003701>> 000335
<<2020-01-21>>
ED_002352_00004173-00019

The air pollution health risk model captures two "big polluters" in West Oakland: Red Star Yeast and Precision Cast Products. Red Star Yeast in particular contributes greatly to West Oakland's relative ranking as a higher-risk area. Red Star Yeast was the second highest risk facility in the city of Oakland in 1997.[4] That year, this facility ranked 18th amongst all the facilities in the Bay Area that reported to TRI. One should note that the results for the air pollution indicator *Amount of Air Pollutants Released by Large Polluters* for the city of Oakland also follow the same order for the same period, i.e. zip code 94607 had the second highest amount of TRI air emissions in the city of Oakland (and Red Star Yeast was the major emitter).

Additional Findings

This health risk indicator ranks the total health risk posed by all TRI chemicals that can be modeled. However, an analysis of the risk posed only by those chemicals that are known or suspected human carcinogens[5] gives us another, more worrisome picture of how high *(i.e., how bad)* West Oakland ranks in terms of cancer risks to which its residents are exposed. In 1997, the West Oakland zip code 94607 ranked as the 8th highest cancer risk zip code within all 484 zip codes of the nine Bay Area counties. That same year, Red Star Yeast, Inc. posed the 8th highest carcinogen risk of all the TRI facilities in the Bay Area.

Data Limitations

The indicator *Amount of Air Pollutants Released by Large Polluters* only reports on relative health risks associated with toxic emissions from TRI permitted facilities, and takes into account toxic chemicals for which toxicity weights are available.[6] It is an estimate of effects on the surrounding population, not including the employees at a facility.

The existing ambient air quality monitoring network is still insufficient to provide adequate measures of air quality conditions at the community scale (e.g., West Oakland). An improvement of this monitoring system by adding more monitors and monitoring more pollutants, and a better quantification of hazardous air pollutants from sources other than TRI facilities, would help to better estimate the total air pollution health risks to which neighborhood residents are exposed. Similarly, increased knowledge about exposure pathways and toxicity for additional chemicals would also lead to a more accurate estimation of health risks.

What Can You Do About Air Pollution Health Risks?

Several local community organizations have been active in air quality issues and have paid particular attention to health impacts from air pollution. They have been putting pressure on local manufacturing facilities to implement cleaner technologies, studying closure and relocation options, and have also asked for better monitoring of air pollution (ambient air quality) at the neighborhood scale.

Public agencies and other groups have been also involved in studying ways to improve air quality and mitigate air pollution health risks for West Oakland residents. The Port of Oakland and the city of Oakland have been working with community organizations on air pollution measures that can be implemented to decrease local air pollution levels. The Alameda County Health Services and Children's Hospital have been studying the incidence respiratory problems in children and providing education packages to help the community address this serious problem.

Contact Information for Additional Resources

California Department of Health Services, Environmental Health Investigations Branch
http://www.dhs.ca.gov/deodc/ehib/EHIB2/contact/health_concerns.html

The Environmental Health Branch provides information and training to residents and local organizations about hazardous substances that may exist in their community, and exposure and health issues related to those chemicals. They have been working on health education programs to make communities understand more about preventing or mitigating health effects from exposures to hazardous substances in the their community. Information on a variety of topics can be found on their "Who do I contact" web page listed above.

National Institute of Environmental Health Sciences
http://www.niehs.nih.gov/external/faq/alpha.htm

NIEHS provides information on a variety of health topics including environmentally related diseases.

US Environmental Protection Agency
USEPA's Air Risk Information Support Center (Air RISC)
http://www.epa.gov/ttnuatw1/hapindex.html
(919) 541-0888

USEPA Concerned Citizens
http://www.epa.gov/epahome/citizen.htm

USEPA Concerned Citizens Protecting our Children
http://www.epa.gov/epahome/children.htm

The USEPA is another important source of information. The web pages listed above and the Air RISC hotline can be particularly useful to community residents.

Notes

[1]TRI facilities can generally be defined as manufacturing facilities (SIC codes 20-39, or Federal facilities in any SIC code) with the equivalent of 10 full-time workers, that manufacture or process over 25,000 pounds of the approximately 600 designated chemicals or 28 chemical categories specified in the regulations, or "otherwise use" more than 10,000 pounds of any designated chemical or category. Other industrial sectors have been added recently and are also required to report to TRI if they meet certain conditions.

[2]In zip code 94608, only TRI air emissions from Precision Cast were counted to estimate totals for Oakland and West Oakland. All other facilities reporting TRI air emissions within this zip code are located in the City of Emeryville.

[3]Caution must be exercised when interpreting results for this indicator. For some zip codes, particularly those that fall within more than one city boundary, the estimated total releases taken into account in the risk ranking may vary depending on the universe of analysis. For example, Alameda County or Bay Area rankings of relative health risks from toxic air releases by zip code will reflect the relative risk posed by all facilities located in that zip code (e.g. total of releases for all facilities in 94608 zip code), regardless of the city where they are located.

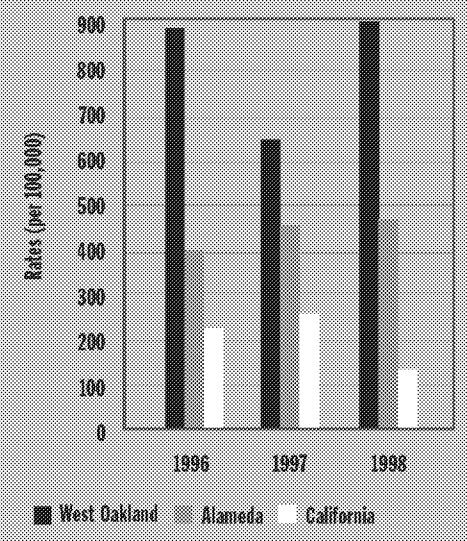
[4]Results incorporating 1998 data are expected in the near future when the second version of EPA's model is released. RSEIM Version 2 will also allow the calculation of relative risks for other media besides air releases, e.g. water and soil.

[5]Chemicals considered known or suspect human carcinogens are based on OSHA criteria (USEPA, 1998) and are listed in the 1997 TRI Public Data Release. Known human carcinogens are those that have been shown to cause cancer in humans; suspect human carcinogens have been shown to cause cancer in animals.

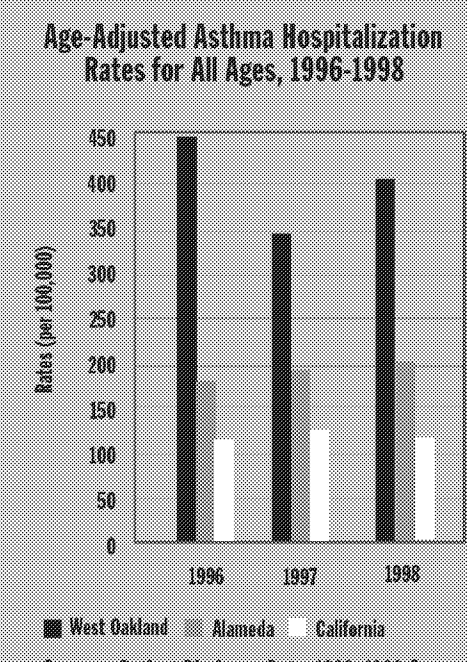
[6]This indicator takes into account most TRI chemicals, those for which toxicity and exposure pathways are known – for example, of the total 604 chemicals on the 1997 TRI Chemical List, RSEIM models 405 chemicals (those for which there are toxicity weights), which account for 98% of the reported pounds for all on-site releases in 1997 (OPPT, 1999).

<<EPA-HQ-2019-003701>> 000337 <<2020-01-21>>
ED_002352_00004173-00021

Children Hospitalized With Asthma



Source: Patient Discharge Data, 1998; 1990 Census



Source: Patient Discharge Data, 1998; 1990 Census

In 1998, West Oakland children were seven times more likely to be hospitalized for asthma than the average child in the state of California.

The Indicator

This indicator measures the number of hospitalizations of children under 15 years of age who are hospitalized due to asthma (with asthma as their principal diagnosis) in a given year as a proportion of the total number of children in that age group.[1] It is a proxy for the incidence rates of acute asthma episodes. This indicator is calculated as an age-adjusted rate,[2] so comparisons can be made between different areas with populations of different age structures. This rate is reported per hundred thousand people (/100,000) and per zip code.

Why Is This Indicator Important?

Asthma is becoming a serious problem for an increasing number of communities. The Centers for Disease Control and Prevention (CDC) estimates that approximately 2.2 million Californians suffer from asthma and about 40,000 are actually hospitalized each year because of asthma. Asthma affects children in particular, and is the leading cause of hospital admissions for young children in California.

Asthma is a chronic, inflammatory lung disease characterized by recurrent breathing problems. Symptoms include shortness of breath, chest tightness, wheezing, and coughing. People with asthma can have acute episodes and may have to be hospitalized. Sometimes episodes of asthma are triggered by allergens, although infection, exercise, cold air, and other factors are also important triggers.

Research has shown that there is an association between poor air quality and the incidence of asthma. There are numerous studies analyzing the health impacts of poor ambient air quality and its affects on increasing the incidence of asthma. Other studies analyze the effects of indoor air quality on asthma rates, although it has been difficult to develop good indicators of indoor air quality.

Results obtained for the *Amount of Air Pollutants Released by Large Polluters*[3] indicator show an increasing amount of air emissions in West Oakland where as the city of Oakland revealed an opposite trend in recent

<<EPA-HQ-2019-003701>> 000338 <<2020-01-21>>
ED_002352_00004173-00022

years. In addition, West Oakland is affected by numerous other sources of air pollution such as enveloping freeways, the presence of numerous smaller polluters, high volumes of truck traffic, and the presence of the Oakland Port and Army Base.

Asthma is aggravated by exhaust from diesel vehicles, which contains 41 Toxic Air Contaminants as listed by the state of California, such as benzene, arsenic, and acetaldehyde.[4] Diesel exhaust may also increase the incidence of other respiratory diseases, particularly in young children and the elderly. Many constituents of diesel exhaust are also carcinogens. According to the 1997 Vision 2000 Maritime Development Environmental Impact Report, the projected 2010 daily total of truck trips during peak weeks through West Oakland is 22,210 for the Reduced Harbor Fill Alternative (Option D).[5] This is a significant increase (225%) from the 1996 total of 9,870 trucks in peak weeks.[6] Since many of these trucks use diesel engines, diesel exhaust levels will also rise significantly in West Oakland. Because of the projected increase in truck traffic, West Oakland faces increasing diesel exhaust and health problems it causes.

All of these pollution impacts are warning signs that the prevalence of asthma in this community may be particularly serious and may be worsening. Thus, it is important to be able to see how community health is being affected by increasing air pollution, and whether efforts undertaken by the different agencies, policy and advocacy groups are having positive results in curbing asthma rates.

Locally, some studies have reported on the health status of this community, and they have concluded that age-adjusted asthma hospitalization rates for all ages in Alameda County were significantly higher than state rates,[7] and well above Healthy People 2000 goals. Healthy People 2000 goals are set by an interagency work group within the US Department of Health and Human Services. They define the national agenda related to leading health indicators such as asthma and set ten-year targets for each indicator.[8] Also, a study published by the Regional Asthma Management Program (RAMP) on age-adjusted asthma hospitalization rates for the period 1994-1996 showed that the West Oakland Zip Code 94607 was among the worst six zip codes in all of Alameda County. The RAMP study also found that West Oakland had an asthma hospitalization rate approximately two times higher than the Healthy People 2000 target (HP 2000).

Asthma is a disease that affects different age groups unevenly. Younger children are more frequently affected than older children.[9] Thus, the best way to track asthma rates is to use age-adjusted rates that are weighted according to the age distribution of a standard population,[10] rather than using a simple rate (all age groups) or even age-specific rates. Age-adjusted rates allow us to compare indicator values (an aggregate value for all ages or age-specific values) for different time periods even if the age composition of a neighborhood undergoes great change. Also, age-adjusted rates allow for comparisons with other communities that may have very different age distributions. We are reporting standardized rates for comparison purposes and not the actual number of cases.

The present indicator offers a way of estimating the impact of asthma in young children by tracking age-adjusted hospitalization rates for children under 15 years old. It allows us to monitor how young children in West Oakland are affected by and coping with asthma.

1998 Age-Adjusted Hospitalization Rates and Actual Hospitalizations for Oakland Zip Codes, Alameda County, and California

Zip Code	Geographic Area	Children <15 Rate per 100,000	Children <15 # Hospitalized	All Ages Rate per 100,000	All Ages # Hospitalized
94601	Fruitvale	850	110	429	206
94602	Holy Names	472	28	190	54
94603	98th Ave.	1,012	78	401	127
94605	Oak Zoo	1,104	96	435	172
94606	Highland	664	61	288	112
94607	West Oakland	899	46	405	87
94608	Emeryville	1,423	59	527	112
94609	North Oakland	1,347	47	502	90
94610	Grand Lake	536	22	152	32
94611	Piedmont	NA	13	108	40
94612	Downtown	2,340	26	825	60
94618	Piedmont/Rockridge	NA	11	NA	11
94619	Merritt Coledge	585	28	240	61
94621	Coliseum	952	73	499	145
County	Alameda	475	1,228	208	2,633
State	California	124	14,531	124	37,953

West Oakland

Note: "Number of Patients" were estimated using SSN to identify a patient and discount multiple visits from a single patient in one year. Discharges without SSN were all counted and are part of the totals shown.

Source: Patient Discharge Data, 1998; 1990 Census

<<EPA-HQ-2019-003701>> 000339
<<2020-01-21>>
ED_002352_00004173-00023

How Are We Doing?

The indicator table shows a comparison of the 1998 results for all Oakland zip codes, Alameda County, and the state of California. In 1998, the asthma indicator for the West Oakland zip code 94607 ranked among the worst seven zip codes in Oakland with a value of 899 per 100,000[11] (i.e., out of a group of 100,000 children under age 15, there were the equivalent of 899 hospitalizations during this particular year). This was almost double the value of the indicator for Alameda County, which registered 475 hospitalizations per 100,000 children under age 15, and more than seven times higher than the asthma rate in the state of California (124 per 100,000 children under age 15) for that same year. The 1998 age-adjusted rate for the West Oakland zip code is also four times higher than the Year 2000 target rate set by Healthy People 2000 for children under 15, which is 225 per 100,000.

The indicator results for the period 1996-1998 show high asthma rates in West Oakland. Although this analysis does not show a consistent time trend for the indicator for West Oakland, we see that asthma rates for West Oakland children are consistently higher than the same rates for Alameda County and the state of California, and significantly higher than Healthy People 2000 goals.

In the 1995-1997 period, Alameda ranked as the second worst county, among all counties in California, in terms of asthma hospitalization rates for children under 15.[12] This fact, coupled with the fact that the rate in West Oakland (and in most Oakland zip codes) is significantly higher than in Alameda County as a whole,[13] indicates that West Oakland's young children, and indeed children throughout the city of Oakland, are suffering greatly from asthma.

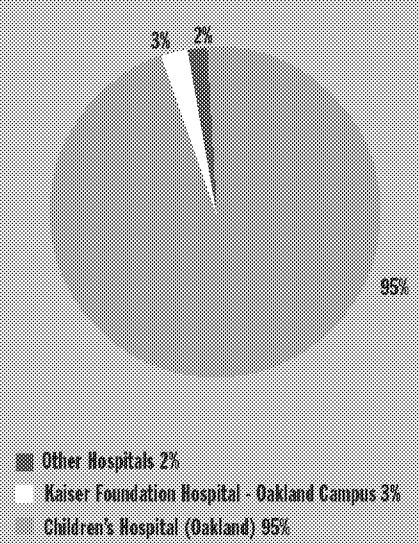
If we look into how the community is doing as a whole, the age-adjusted hospitalization rates for all ages do not show a much better picture for West Oakland. Although significantly lower than the hospitalization rate for young children, the asthma hospitalization rate for all ages in 1998 was 405 per 100,000 in the West Oakland zip code 94607, which was among the top seven worst zip codes in Oakland. This rate was approximately two times higher than the corresponding rate for Alameda County, and well above the Healthy People 2000 target rate of 160 per 100,000.

Where are residents seeking assistance? Oakland Children's Hospital handles almost all (95%) of the asthma hospitalization cases for Oakland children under 15. Oakland residents of all ages are also most likely to be hospitalized at Oakland Children's, which registers the highest number of hospitalizations due to asthma (53% in 1998) of any medical facility in Oakland.[14] In 1998, a significant number of asthma hospitalizations of older residents[15] in Oakland took place at Highland (40%) and Summit (20%) Hospitals.

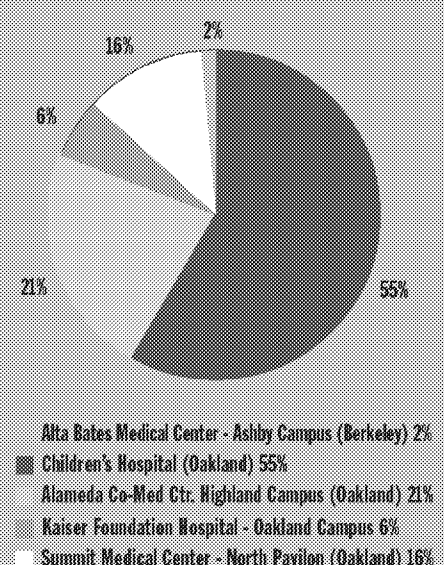
Another piece of information that should be monitored by the community is the age-adjusted rate for African American children under age 15. The RAMP analysis of age-adjusted rates for different race/ethnic groups (1994-1996) showed that African American children in Alameda County had a very high rate (1,001 per 100,000) when compared with other groups—approximately three times higher than Latino children (343 per 100,000) who ranked second, and more than 6 times higher than white children (164 per 100,000).

Our analysis of West Oakland's zip code 94607 during the period 1996-1998 revealed that these rates remain high. West Oakland African American children under age 15 registered an average age-adjusted rate for this three-year period of 979 per 100,000, with a rate of 1,019 per 100,000 in 1998,[16] which is well above Healthy People 2000 objectives (225 per 100,000).

Asthma Hospitalizations for Oakland Children Under 15 Years of Age, 1998



Asthma Hospitalizations for West Oakland Residents of All Ages, 1998



Note: Percentages are proportion of discharges of patients with asthma as the principal diagnosis per medical center. Oakland total correspond to discharges attributed to patients residing in zip codes starting with 946XX (including Emeryville zip code 94608).

<<EPA-HQ-2019-003701>> 000340 <<2020-01-21>>
ED_002352_00004173-00024

Data Limitations

The indicator only tracks the number of acute cases of asthma in children, i.e., those that required hospitalization. It does not tell us how many children have asthma (prevalence), or how many people have to be treated for asthma (not hospitalized, but through private doctors or outpatient clinics).

The indicator is based on the Office of Statewide Health Planning and Development (OSHPD) Patient Discharge Database (Version B) for California, which records information on patients that have been hospitalized in a given year with asthma as the principal diagnosis, including address and zip code information, age, race, etc. Reporting errors associated with this database are hard to estimate, and may include inaccurate reporting of a patient's age, race, address, or other information. These reporting errors will introduce errors into this analysis as well.

Of particular significance are errors associated with a zip code level analysis. We know, for example, that incorrect zip code recording occurs (e.g., the zip code reported does not correspond to any existing US Postal Zip Code), some zip code information is not reported (zip code unknown), or some patients cannot be associated with a specific zip code (homeless patients). All these errors result in an undercount of zip code hospitalization rates. An additional source of error is associated with the need to estimate population values for each zip code as OSHPD data is only disaggregated at the zip code level.[17]

Finally, we should point out that the indicator values (age-adjusted rates) were calculated using 1990 Census Data available at the zip code level, instead of the population during the year reported. This was due to the fact that population estimates per zip code, disaggregated by age and race, for the years 1996-1998 were not available. Indicator results should be recalculated once 2000 Census data population demographics by zip code become available.

Estimation of the number of patients hospitalized for asthma involves another type of error associated with the identification of individual patients.[18] OSHPD uses patients' social security numbers (SSN) to identify multiple visits of a single patient. In calculating number of hospitalized patients, only one record was counted for each patient hospitalized. However, records for which there was no SSN recorded were all included in the estimates, thus resulting in some potential over-counting of the number of patients hospitalized (because some of these non-SSN records may refer to the repeated hospitalization of the same patient). On the other hand, when a patient's zip code was unreported, this would result in a slight undercount of hospitalizations, because only records with zip code information were tabulated.

Although age-adjusted rates (such as the one that constitutes this indicator) allow for a direct comparison of asthma rates for different communities or different time periods, this is only true if the rates to be compared are calculated using the same standard population. The California 1990 Population was used as the standard population so that comparisons with previous studies about Oakland could be made. However, this limits our ability to compare West Oakland results with areas outside California (which are unlikely to use the same standard population) and, in particular, it limits in part our ability to make direct comparisons with the national target rates established by Healthy People 2000 and Healthy People 2010 (although these targets remain widely used as policy goals). The Center for Disease Control is advocating for comprehensive reporting and tracking guidelines that allow for consistency and comparability in age-adjustment procedures among users of health-related data. [19]

What Can You Do About It?

Resources are available to community residents who wish to learn about asthma and get involved in helping the community to combat asthma. There are a multitude of organized and individual efforts that can contribute to the improved health of West Oakland children and residents in general.

Numerous local community organizations and other public interest groups have joined together to form the West Oakland Asthma Coalition. The West Oakland Asthma Coalition's mission is to improve the quality of life for West Oakland residents affected by asthma through community education, partnerships, and advocacy for a healthy environment. They are working to educate the West Oakland community about asthma prevention and treatment, improve ambient air quality, improve indoor air quality or the quality of indoor air in schools, bring increasing medical assistance at the community level (e.g., a new community "asthma clinic"), and participate in education and training of teachers and children on how to take control of asthma.

At the individual level, there are a number of actions that West Oakland residents can take to combat asthma and improve the quality of life in their community. If you or someone in your family have asthma, probably the most important step you can take is to ask your doctor for an asthma action plan so that you know how to prevent asthma symptoms and how to respond in case of an asthma attack (this may include taking medicines on a daily basis, learning how to reduce asthma triggers in your everyday environment, and knowing where to go and what to do in case of a sudden asthma attack).[20]

<<EPA-HQ-2019-003701>> 000341 <<2020-01-21>>
ED_002352_00004173-00025

Contact Information for Additional Resources

West Oakland Asthma Coalition
Brian Thomas, (510) 451-4906

Children's Hospital Oakland Asthma Start Program
Mindy Benson, (510) 428-3885 x 4145
Provides free medical care for children 0 to 5 years of age who qualify without insurance with "persistent" asthma.

Alameda County Public Health Department's Asthma Start Program
Paul Cummings, (510) 577-7082
Provides asthma education, in-home visiting, and resources such as vacuums and mattress covers for children 0-5 years old with asthma.

Nurses in Action
(510) 346-7034
Provides asthma education, in home visiting, and resources such as mattress covers for children 0-5 years old with asthma.

Regional Asthma Management Program
www.rampasthma.org/resources.htm

American Lung Association
www.californialung.org

USEPA - Asthma and Indoor Environments
www.epa.gov/iaq/asthma/index.html

Notes

[1]The indicator is based on data from the Patient Discharge Database, Office of Statewide Health Planning and Development (OSHPD), and on 1990 Census Data. Patient Discharge Database Version B was used to acquire data on patients hospitalized with Principal Diagnosis ICD_9 codes within the range 493.01 through 493.99 (i.e. those codes for asthma).

[2]Using 1990 California population as the standard population.

[3]Tracked by the Toxic Release Inventory (TRI).

[4]Natural Resources Defense Council. *Exhausted by Diesel- How America's Dependence on Diesel Engines Threatens Our Health- Table 1 Substances in Diesel Exhaust Listed by the CalEPA as Toxic Air Contaminants.* April 1998. (http://www.nrdc.org/air/transportation/ebd/chap2.asp)

[5]Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.10 2010 Daily Truck Traffic During Peak Week. July 1997. Oakland, CA. Appendix J.2 pp. 28.

[6]Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.2 1996 Peak - Daily Truck Traffic During Peak Week to Rail Yard. July 1997. Oakland, CA. Appendix J.2 pp. 19.

[7]California County Asthma Hospitalizations Chart Book (CDHS, August 2000) - data analyzed refers to the period 1995-1997.

[8]The Healthy People target for asthma hospitalizations for all ages in the year 2000 is 160 hospitalizations per 100,000 people. Healthy People 2000 also set a target rate for children under 15 years old at 255 hospitalizations per 100,000. Healthy People 2010 goals have already been proposed.

[9]Thus, hospitalization rates for asthma for children under 15 years old are usually higher than rates for all ages because asthma will affect younger children more than people of older ages.

[10]Age-adjusted rates are weighted averages of specific age-specific rates. The weight for a given age group is the size of the corresponding age group in the standard population divided by the total standard population for all ages of interest (Healthy People 2000 Statistical Notes, 2001).

[11]Note that indicator values were calculated using 1990 Census Tiger data and 1996-1998 OSHPD data; they should be recalculated using populations estimates per zip code for the corresponding years (1996-1998) once 2000 Census population demographic information is available at the zip code level.

[12]California County Asthma Hospitalization Chart Book, California Department of Health Services, 2000.

[13]In fact, asthma rates in almost all Oakland zip codes are higher than in Alameda County.

[14]Alameda County Medical Center (Highland Campus) ranked second with 19% of all hospitalizations of Oakland residents.

[15]People 15 or older.

[16]Higher than the age-adjusted rate for West Oakland young children of all race/ethnic groups (899/100,000).

[17]A detailed discussion of errors associated with the Zip-block equivalence and population estimates per zip is presented at www.oseda.missouri.edu/plue/geocorr/.

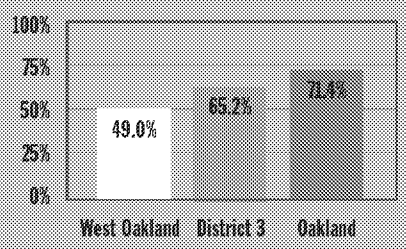
[18]OSHPD only recently acquired the capability of distinguishing single patients from visits (discharges) and this report shows some results obtained using number of patients hospitalized rather than number of hospitalizations (discharges).

[19]In 1998, Department of Health and Human Services issued a policy statement directing all DHHS agencies to use the year 2000 projected U.S. population as the standard population.

[20]Adapted from the Asthma Control Top Ten List by Harold J. Farber, MD and the Regional Asthma Management and Prevention Program.

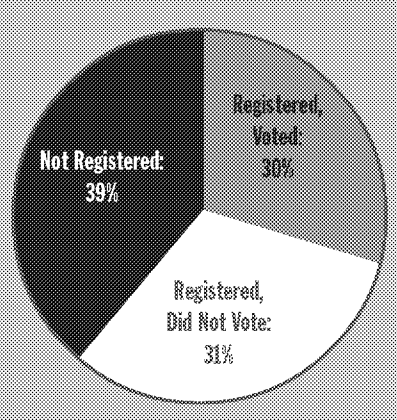
Voting Power

Voting Rates: Percentage of Registered Voters Who Voted, November 2000 Election



Source: City of Oakland, Office of the City Clerk, 2000

Voting Patterns in West Oakland, November 2000



Source: Claritas, 1999; City of Oakland, Office of the City Clerk, 2000

Less than half of the registered voters in West Oakland voted in the last Presidential election; this is over 15% lower than the voting rate in District 3, and over 20% lower than in the city of Oakland as a whole.

The Indicator

The voting power indicator tracks the number of adults who were registered to vote and who voted in any given election. This indicator looks at presidential election years, primaries, and non-presidential election years beginning in 1990. This indicator also compares the number of registered voters to the potentially eligible adult population in a community.

Why Is This Indicator Important?

Tracking voter turnout for elections is a simple way to measure the extent to which local citizens are engaged in their community, and generally how they feel about government at a particular moment in time. Political enfranchisement is a vital part of an engaged, empowered, and effective community.

Voting is one of the fundamental avenues available for individuals to participate in government decision-making. Elections decide mayoral races, school board representatives, and ballot measure initiatives—all of which can be critically important in determining the future of a neighborhood. Higher voter turnout can reflect a sense of efficacy and responsibility within a neighborhood, and can lead to greater accountability by local representatives. Low voter turnout may be a signal that community residents feel disillusioned or frustrated by the political process.

Improving West Oakland's voting rates—to comparable levels in the city or the more affluent Council Districts—would strengthen the political voice of the neighborhood and would expand the number of people making important local decisions. A neighborhood that votes has the opportunity to hold elected officials accountable for their performance. West Oakland deserves to have a powerful voice at the ballot box. Voting power measures how close the community is coming to having that voice.

How Are We Doing?

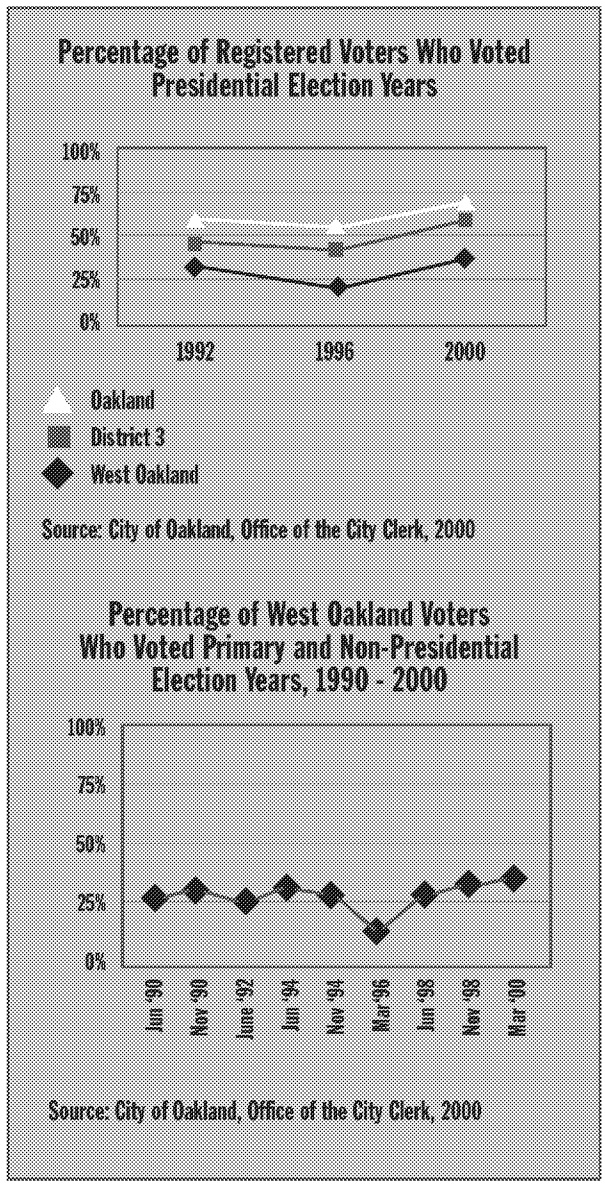
Citizen participation in electoral politics can be influenced by a variety of factors, including: economic conditions, the popularity of candidates, and the resonance or contentiousness of certain issues. In general, voter turnout is greater for presidential election years.

<<EPA-HQ-2019-003701>> 000343 <<2020-01-21>>
ED_002352_00004173-00027

For both the presidential elections and the non-presidential elections, voter turnout in West Oakland has increased slightly since 1990. For our analysis, we define voting rates as a measure of the percentage of registered voters who voted in an election year. For primary and non-presidential elections, voting rates show an overall improvement of nearly 8%. Presidential elections show an increase of nearly 5% over the same period.

Despite these improvements, the voting rates in West Oakland are still more than 15% lower than the voting rates in its Council District (District Three), and more than 20% lower than the City of Oakland. While the voting rates in District Three are getting closer to those of the City of Oakland, voting rates in West Oakland are falling further behind.

Voting power is also affected by another important factor: the number of West Oakland adults who are registered to vote. While voting rates give us a sense of the number of registered voters that turn out to vote, a measure of registered voters gives us a sense of the number of potentially eligible West Oakland adults are *not* registered to vote. Almost 40% of West Oakland adults are not registered to vote. These may be individuals who could vote, but have chosen not to register. Others may be ineligible to vote, including: individuals without citizenship status or those on parole for felonies. This broader measure of voting power shows that nearly 70% of the adults living in West Oakland did not vote in the November 2000 election.



Data Limitations

Voter participation is only one measure of civic engagement. Other important factors include volunteerism and local participation in neighborhood events. Some communities track how many neighbors know each other's names and whether or not residents trust each other to watch over their children or their property. These types of measures come from community surveys, either by phone or door-to-door. Although no such survey has been implemented, the community may want to do a survey in the future in order to learn some of this important information.

What Can You Do About Voting Power?

There are a number of possible approaches to improving local voter turn out. Some communities have successfully used door-to-door voter registration drives in an effort to improve voting rates. Other communities have created partnerships between civic organizations and housing providers to include voter registration forms with all new rental paperwork. During election time, holding get-out-the-vote rallies and providing transportation services to take people to the polls can help increase voting rates.

Efforts aimed at increasing broader civic engagement in the community are also important. These types of strategies include leadership institutes to increase the number of candidates from the neighborhood, candidates' night events, and other community building activities that can lead to greater political activism. Community-based organizations could target new citizens and individuals leaving parolee status for outreach campaigns about voting rights.

Contact Information for Additional Resources

Coalition for West Oakland Revitalization (CWOR)
(510) 451-2967

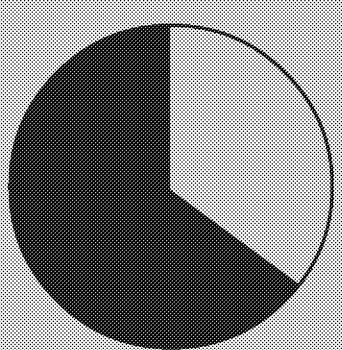
The 7th Street/McClymonds Corridor Neighborhood Improvement Initiative
(510) 835-0833

League of African American Voters
(510) 536-7140

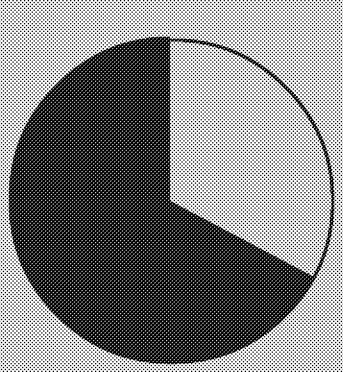
League of Women Voters
(510) 869-4960

Vulnerability to Displacement

West Oakland Households in 1999



Percentage of residents not able to afford monthly payments on median sized home: 65%



Percentage of residents not able to afford median rent: 69%

Affordability assumes housing and rental costs do not exceed 30 percent of household income.

Housing costs are estimated as payments on a 30-year fixed mortgage at 8.5 percent with a 10 percent down payment (it does not include the downpayment itself, closing costs, property taxes, or insurance).

Sources: Median priced home figures based on Multiple Listing Service sales data for 1999; Median rent figures based on asking rents on available units listed with Homefinders in 1999; 1999 income estimates from Claritas, Inc.

In 1999, only 35% of West Oakland residents could afford to buy the median priced home in the neighborhood, and only 31% could afford the median rent on available housing units.

The Indicator

This indicator tracks the percentage of West Oakland residents who can afford current neighborhood housing costs. It takes into account the going rent on available apartments and the sale price of single-family residences in the area "inside the freeways." It then compares these costs to the incomes of West Oakland residents. The resulting indicator shows the percentage of residents who can afford the median priced home or the median priced rent.

Why Is This Indicator Important?

This measure gives an important indication of how vulnerable residents of West Oakland are to displacement and gentrification. Residents who cannot afford to buy a house in the neighborhood or cannot even afford the going rent are likely to be displaced from the neighborhood when they need new housing. For example, if a family grows and needs a larger home but cannot afford one in the neighborhood, they will be forced to relocate. The same is true for tenants who get evicted from a home because the landlord is raising the rent or selling the property.

There are many reasons people may choose to change residences. However, if a large portion of the people who live in West Oakland cannot afford the going housing costs, then those people will be forced to leave the neighborhood when they have to move. This is an especially important indicator to watch as the Bay Area real estate market continues to rapidly transform neighborhoods.

How Are We Doing?

West Oakland is vulnerable to displacement. In 1999, only 35% of residents could afford to buy the median priced home in West Oakland. Only 31% of residents could afford the median rent on available housing units.[1] As West Oakland residents need new housing, many will be forced to look for more affordable housing outside the neighborhood.

This indicator only tracks 1999 housing costs, but other data show that housing costs have been steadily rising for years. In fact, the increase in housing costs

<<EPA-HQ-2019-003701>> 000345 <<2020-01-21>>
ED_002352_00004173-00029

from 1999 to the first seven or eight months of 2000 has been the largest leap in recent history. The median rent increased more than 30% and the median sale price of homes jumped more than 60% in constant dollars. Barring a similar leap in the income of West Oakland residents, the year 2000 indicator will show that the neighborhood is more vulnerable to displacement than ever.

There are a number of possible reasons for this trend. A shortage of housing across the Bay Area has driven up prices in neighborhoods throughout the region. Job creation and wage increases in West Oakland may not be keeping up with rising costs. West Oakland's neighborhood assets and relatively lower-cost housing also may be attracting new people to the neighborhood who bid up rents and home sale prices. We need to do more research to understand what forces underlie this upward trend in housing costs relative to income in West Oakland. Clearly, if the number of people who cannot afford housing in the neighborhood continues to grow, the neighborhood could change dramatically.

Data Limitations

This indicator does not measure the number of people who are actually displaced from the neighborhood. It simply measures vulnerability based on residents' incomes and current housing costs. It does not directly incorporate subsidized housing, but the EIP indicator *Publicly Subsidized Housing* can be cross-referenced. This is an early-warning indicator. If displacement happens and new residents with higher incomes move in, over time the indicator will no longer show a vulnerability to displacement. Finally, the data on income is from census tract projections, while the data on housing costs is from listed units inside the freeways. There may not always be perfect overlap, as not all available units are listed.

What Can You Do About Vulnerability to Displacement?

Many organizations in West Oakland are pursuing strategies that will enable people to stay in the neighborhood and have formed an Anti-Displacement Network. They would like to see more affordable housing built and an increased supply of affordable rental housing. These organizations are advocating for innovative housing options, such as community land trusts and homebuyer assistance programs to help put quality homeownership within the reach of current West Oakland residents. These organizations also want to ensure that West Oakland residents have access to good jobs to guarantee that these residents will grow and prosper as the neighborhood grows and prospers.

Contact Information for Additional Resources

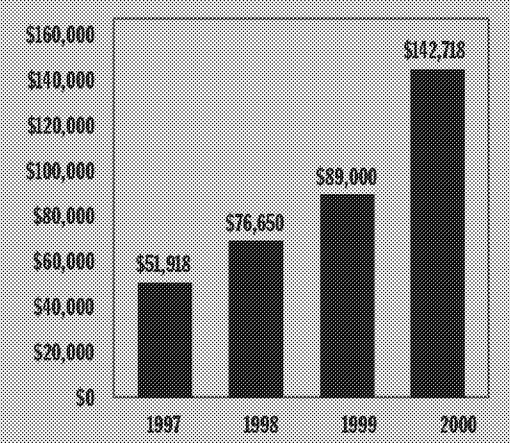
Anti-Displacement Network:

- *Emergency Services Network*
  James Thomas, (510) 747-1090
- *Coalition for West Oakland Revitalization*
  Lonnie Johnson, (510) 451-2967
- *Jubilee West*
  Josephina Vasquez, (510) 839-6776 x 22
- 7th Street/McClymonds Corridor Neighborhood Improvement Initiative
  Allen Edson, (510) 835-0833
- Alliance for West Oakland Development
  Jabari Herbert, (510) 663-0363

Notes

[1]Affordability assumes housing costs do not exceed 30% of household income. Although low income residents often pay a greater proportion of their income for housing costs, we will use the convention of 30% of income to signify affordability.

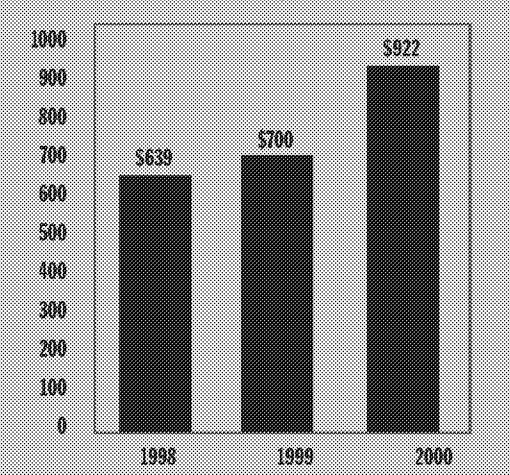
West Oakland Single Family Residences Median Sales Price (in 1999$)



Units sold:	
1997	51
1998	62
1999	69
2000*	80

*Year 2000 is January 1 through July 30 only
Source: Base data from Multiple Listing Service sales

Available Rental Units in West Oakland Median Rent (in 1999$)

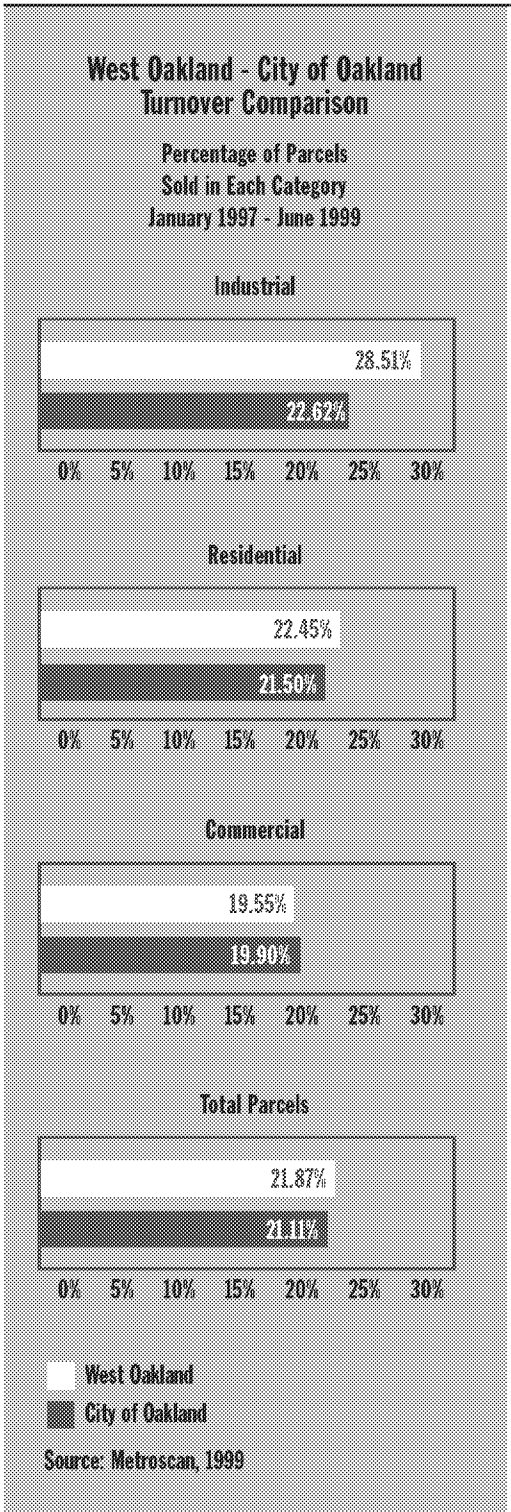


Number of listings:	
1998	74
1999	86
2000*	63

*Year 2000 is January 1 through July 30 only
Source: Base data from Homefinders listings

<<EPA-HQ-2019-003701>> 000346 <<2020-01-21>>
ED_002352_00004173-00030

Community Stability



Out of the 1,276 West Oakland parcels that were sold from January 1997 to June 1999, nearly a quarter of them (23.6%) were being sold for the second time within two years—compared to the city of Oakland as a whole whose rapid turnover rate for the same time period was only 18.0%.

The Indicator

This indicator monitors the sale of parcels of land in West Oakland by showing the percentage of parcels that are bought and sold over a 30-month period. It breaks down the information by land uses and compares the turnover rates on different types of land. The indicator also measures *rapid turnover*: the number of parcels that have turned over two times in less than two years. Finally, the indicator looks at turnover rates in the entire city of Oakland and compares these to the data for West Oakland.

Why Is This Indicator Important?

This measure gives an important indication of community stability in West Oakland. High property turnover rates mean a large portion of the land in the neighborhood is being bought and sold. This would suggest that the neighborhood is changing. New businesses may be moving in. New types of housing may go up. Employment opportunities, traffic patterns, city services, and the look of the neighborhood may all change.

High rates of rapid turnover suggest that investors are buying parcels and then selling them a short time later for a profit. This could drive up land prices in the neighborhood and affect employment and housing opportunities. The changes associated with high turnover rates could benefit members of the community, but they could also lead to gentrification and displacement. Turnover rates are a measure of change in a community, and are thus an important indicator of community stability in West Oakland. This indicator allows concerned residents and community-based organizations to keep an eye on what type of parcels are being sold, how many, and how quickly.

How Are We Doing?

General turnover rates in West Oakland are just slightly higher than in the city of Oakland, but the rapid turnover rates were significantly higher in the neighborhood than in the city as a whole. The current data for the indicator

<<EPA-HQ-2019-003701>> 000347 <<2020-01-21>>
ED_002352_00004173-00031

is drawn from a 30-month period from January 1997 to June 1999. During this time, 21.9% of all the land parcels in West Oakland changed hands. Industrial parcels posted the highest rates of turnover, at 28.5%. During the study period, 22.5% of residential parcels and 19.6% of commercial parcels were bought and sold. The turnover rates in West Oakland were a little higher than in the city as a whole, with the exception of commercial parcels. (See the Turnover Comparison chart.)

Out of the 1,276 West Oakland parcels that were sold from January 1997 to June 1999, nearly a quarter of them (23.6%) were being sold for the second time within two years. This represents a relatively high rate of rapid turnover. The rapid turnover rate in the city for the same time period was only 18.0%. A high rapid turnover rate may indicate that there is some degree of land speculation occurring in West Oakland. Investors may be buying parcels in the neighborhood with the intention of turning around and selling them for a quick profit. Excessive land speculation can be a serious threat to community stability. This rapid turnover indicator will be important to watch as the neighborhood implements community improvement projects and attracts growing interest from investors.

Data Limitations

This indicator tells us about the amount of parcels that were bought and sold in the neighborhood, but it does not give us any information about what happened on the parcels. For example, we do not know if the turnover on parcels means new employment or housing is coming into the area, or if ownership is simply changing hands. The indicator does not measure improvements on parcels or who buys and sells them.

What You Can Do About Community Stability?

There are organizations in West Oakland that are working for community stability. They want to make sure that as the neighborhood changes, residents' lives are not dramatically interrupted. These organizations are working with developers, investors, and local government agencies to attract investments in the neighborhood that will contribute to the long-term stability of the area and enhance the quality of life for all residents. In addition, community groups have discussed the importance of new developments setting aside some resources to mitigate any negative effects they might have on the stability of the West Oakland community. Other groups of residents have discussed the possibility of setting up a community land trust in West Oakland. A land trust would buy properties and commit them to community serving uses, thereby contributing to neighborhood stability.

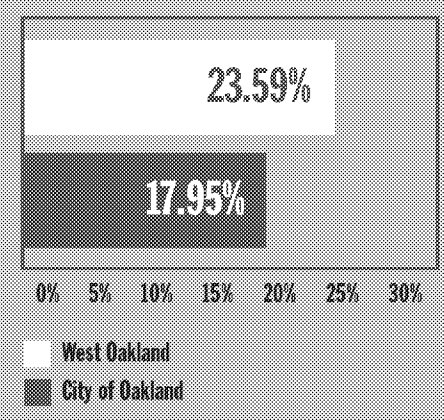
Contact Information for Additional Resources

Anti-Displacement Network:

- *Emergency Services Network*
  James Thomas, (510) 747-1090
- *Coalition for West Oakland Revitalization*
  Lonnie Johnson, (510) 451-2967
- *Jubilee West*
  Josephina Vasquez, (510) 839-6776 x 22
- *7th Street/McClymonds Corridor Neighborhood Improvement Initiative*
  Allen Edson, (510) 835-0833
- *Alliance for West Oakland Development*
  Jabari Herbert, (510) 663-0363

West Oakland - City of Oakland Rapid Turnover Comparison

Percentage of All Parcels Sold 2 Times Within 2 Years
January 1997 - June 1999



Source: Metroscan, 1999

Number of Parcels Sold in West Oakland

January 1997 - June 1999

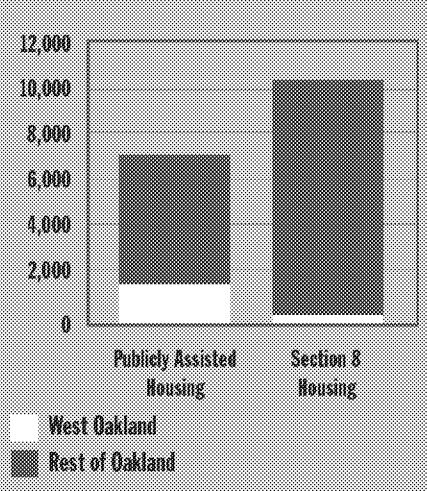
Type of Parcel	Number of Parcels Sold	Total Number of Parcels
Residential	967	4,307
Commercial	95	486
Industrial	199	698
All Parcels Combined	1,276*	5,834**

*Includes 15 public and institutional parcels not shown on the chart.
**Includes 343 public and institutional parcels not shown on the chart.

Source: Metroscan, 1999

<<EPA-HQ-2019-003701>> 000348 <<2020-01-21>>
ED_002352_00004173-00032

Publicly Subsidized Housing



Source: Community and Economic Development Agency, 2000; Oakland Housing Authority, 2000

West Oakland's Share of Total Oakland Subsidized Housing

	Publicly Assisted Housing	Section 8 Housing
West Oakland	1,455	375
Total Oakland	6,943	10,500
West Oakland Subsidized Housing as a % of Citywide	21.0%	3.6%

Source: Community and Economic Development Agency, 2000; Oakland Housing Authority, 2000

While West Oakland is considered saturated in the number of publicly assisted housing units in the neighborhood (over 20% of all public housing in Oakland is located in West Oakland); there has been a decline in the number of private units renting to HUD Section 8 voucher holders.

The Indicator

This indicator monitors the number of publicly assisted rental units in the West Oakland neighborhood—the area "inside the freeways." The information for this indicator is divided into two major categories. The first category includes units that are managed by private non-profit organizations and receive subsidies from federal, state, or local funds, or any combination of these funds. The second category includes all housing units that are occupied by people receiving assistance from the federal department of Housing and Urban Development (HUD) in the form of Section 8 vouchers.

Why Is This Indicator Important?

This indicator measures the number of housing opportunities in the neighborhood for low and lower-middle income families. While the *Vulnerability to Displacement* indicator identifies the number of households that cannot afford median market rents or home sale prices, the *Publicly Subsidized Housing* indicator demonstrates what housing options exist for lower income households. As the neighborhood develops and changes, it is important that people who have grown up in the neighborhood can continue to live there if they choose to do so.

By watching the *Publicly Subsidized Housing* indicator, residents and community organizations can monitor the housing opportunities in West Oakland for families who may otherwise be displaced by rising prices. People concerned about affordable housing and displacement in West Oakland may want to see this indicator stay steady (not change) so the number of affordable units is always the same as it is now. Or West Oakland residents may want to see the number of assisted, affordable units increase as the population of the neighborhood grows or if rising housing costs price more and more residents out of the neighborhood.

How Are We Doing?

The first category includes units that are owned and managed by private or non-profit entities, but which receive assistance from public subsidy programs. According to city of Oakland data released in February of 2000, there are

<<EPA-HQ-2019-003701>> 000349
<<2020-01-21>>
ED_002352_00004173-00033

currently 1,455 publicly assisted rental units within the West Oakland neighborhood. This number includes units receiving assistance from federal HUD subsidy programs like section 8 and section 236. It also includes units receiving assistance from state agencies and the city of Oakland, including the Redevelopment Agency. These 1,455 units in West Oakland make up 21% of all the publicly assisted units in the city. According to 1999 population estimates, these 1,455 units make up 16% of all households in West Oakland.

There has been only one dramatic change in the absolute numbers of assisted affordable housing in the neighborhood in recent years. The Acorn housing project was redeveloped at a lower density and lost a total of 391 rental units in 1999. Scattered site development by Jubilee West added 8 units in 1998. West Oakland is generally thought to be saturated with publicly assisted housing and public housing, and some city officials have expressed a desire to locate new assisted housing elsewhere in the city.

The second category of assisted affordable housing includes the 375 units of private housing in which rents are subsidized by HUD section 8 vouchers. These types of units make up just over 4% of the housing units in West Oakland, and just under 4% of all such units in the city of Oakland. According to Oakland Housing Authority officials, people with section 8 vouchers have been having increasing difficulty finding housing in the city of Oakland. The "success rate" of people with vouchers finding housing before the vouchers expire (4-6 months) has dropped approximately 35-40% in recent years.

In West Oakland specifically, the Housing Authority has noted a decline in units renting to Section 8 tenants; at the same time, East Oakland is experiencing an increase. One possible reason for this is that as market rents increase in West Oakland, landlords shift from accepting the limited rate of a Section 8 tenant to charging higher market rents. Another reason for the decline of Section 8 units in West Oakland could be due to the conversion of previously rented units to owner occupied units as new people buy houses in the neighborhood and move in. The decrease of Section 8 housing may make up the largest change in affordable housing over next several years. This portion of the indicator should be watched closely.

West Oakland Subsidized Housing as a Percent of Total West Oakland Units

	West Oakland Units	West Oakland Subsidized Housing as a % of Total West Oakland Units
Publicly Assisted Housing	1,455	15.9%
Section 8 Housing	375	4.06%
Total # of Housing Units	9,244	

Source: Community and Economic Development Agency, 2000; Oakland Housing Authority, 2000; Claritas, 1999

Data Limitations

This indicator only measures the number of subsidized housing units in West Oakland. It does not measure the number of market rate units that may be affordable to residents based on their incomes, the number of West Oakland residents who are first-time homebuyers, or the percentage of household income that residents spend on housing.

This indicator also does not count the number of federally owned and managed housing units in West Oakland—public housing. City officials reported that there were approximately 1,675 public housing units "on-line" in various sized projects throughout West Oakland. The Oakland Housing Authority expects this number to increase moderately in the short-term as units that are being renovated are brought back online. In the long-term, however, the number of public housing units in West Oakland should remain fairly stable.

What Can You Do About Affordable Housing?

Many West Oakland organizations are working to ensure affordable housing options for local residents. Some are working to secure sites and funding for the construction of new affordable housing. Others are investigating the possibility of establishing an inclusionary zoning ordinance that would require new developments to set aside money or units for affordable housing.

Contact Information for Additional Resources

Alliance for West Oakland Development
Jabari Herbert, (510) 663-0363

7th Street/McClymonds Corridor Neighborhood Improvement Initiative
Allen Edson, (510) 835-0833

City of Oakland, Community and Economic Development Agency, Housing Division

First Time Home Buyer's Program	(510) 238-3502
Housing Development	(510) 238-3502
Housing Counseling & Rent Arbitration	(510) 238-7721

New Business Development

Newly Licensed Businesses in West Oakland

	1997	1998	1999	2000*
Mnfg	-	14	9	1
Trans	-	20	14	11
Whsle	-	9	7	11
Retail	-	16	24	22
Serv	12	31	26	31
AdServ	1	16	24	21
ArtEnt	-	12	10	12
HuServ	-	5	8	7
DvCon	1	7	13	7
TOTAL	14	130	135	123

Key:

- **Mnfg** Manufacturing, Publishing, Commercial Printing
- **Trans** Transportation, Trucking, Shipping, Cargo and Freight
- **Whsle** Wholesale, Distribution (groceries, metals, etc.)
- **Retail** Retail, Eating Places
- **Serv** Services (beauty, janitorial, landscaping, hotel, etc.)
- **AdServ** Advanced Services (computer software, legal, consulting, engineering, architecture, etc.)
- **ArtEnt** Arts, Entertainment (photography, graphics, production studio, promoters, recreation)
- **HuServ** Human Services, Healthcare, Childcare, Social Services
- **DvCon** Developers, Construction, Trades, Property Management, Real Estate

*Year 2000 includes businesses licensed through September 15th only.

Source: City of Oakland, Business Tax Division, 1997-2000

The last few years has seen steadily climbing new business development in West Oakland, most notably in the retail, services, and advanced services (e.g., computer software, consulting, architecture) sectors.

The Indicator

This is an indicator of new business investment in West Oakland. This indicator monitors the types of businesses that are setting up operations in the neighborhood by grouping newly licensed businesses into nine categories. The indicator includes data from 1997 to late 2000 and points to trends and changes in the West Oakland economy. This indicator is based on data from the section of the 94607 zip code that is west of Martin Luther King Jr. Avenue.

Why Is This Indicator Important?

The businesses that operate in West Oakland play a large role in creating the character of the neighborhood. Different types of businesses bring different opportunities and challenges for neighborhood residents. New businesses can bring with them traffic, noise, and pollution, or they can contribute to the vibrancy and beauty of the neighborhood. They can contribute greatly to the economic prosperity of the neighborhood, or they can bring no new job opportunities for local residents. They can spew pollution into the air and leak toxics into the soil and groundwater, or they can be models of green business development.

All communities need basic levels of goods and services. Local businesses can meet these needs. How they do so contributes enormously to the quality of life in the neighborhood. Ultimately, business investment in a community can help create a unique, prosperous, and healthy community. This indicator will help West Oakland residents track the kinds of businesses that are coming into the neighborhood.

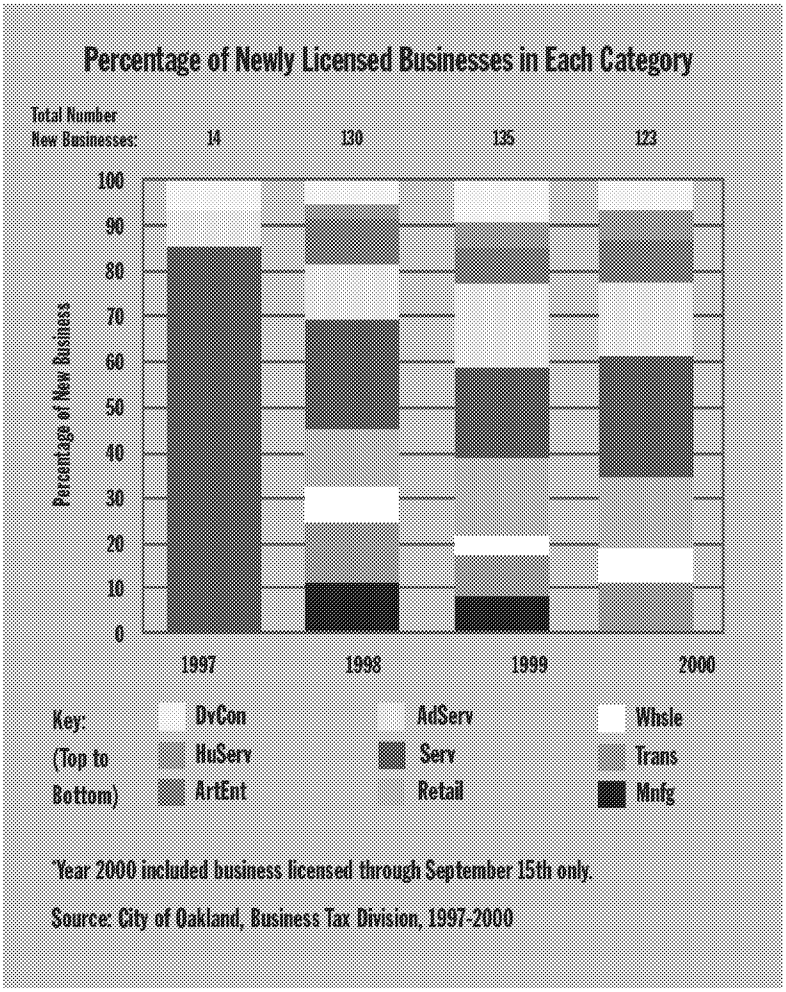
How Are We Doing?

The service sector appears to be growing—with a notable increase in advanced services, like computer software, consulting, architecture, and business services. There also appears to be increasing investment from firms involved in arts and entertainment. Retail is also on the rise, which could be good news for neighborhood Over the past few years there has been steadily climbing business investment in West Oakland. Historically, manufacturing and industrial enterprises have dominated the business sector in West Oakland. In recent years, fewer new

<<EPA-HQ-2019-003701>> 000351 <<2020-01-21>>
ED_002352_00004173-00035

businesses of these types have been setting up shop in the neighborhood. Also, fewer new businesses related to transportation and motor vehicle services were licensed in the last few years.

residents as retailers offer necessary goods within the community. The wholesale operations and human services category, which includes childcare, healthcare, and other social services, has also experienced increasing investment during this period.



Data Limitations

This indicator tells us about newly licensed businesses, but it doesn't really give us a full picture of business activity in the neighborhood. For example, it doesn't tell us if newly licensed businesses are replacing failed businesses or if they are adding to the economic activity of the neighborhood. Nor does the indicator show how many people are employed in these businesses or who owns them. The indicator also does not identify the environmental impact these new businesses may have on the neighborhood.

What Can You Do About New Business Development?

Many organizations in West Oakland have concerned themselves with promoting business development that will contribute to the health and vitality of the neighborhood. Some of these organizations work with the city to attract and support good business investments. Some residents and organizations are working with the city to change zoning regulations, which is the groundwork for business investment. Other organizations work directly with potential investors and encourage beneficial development. There are also efforts underway to transform existing businesses into model "green businesses," that will minimize their impact on the local environment and help make West Oakland a healthy, livable community.

Contact Information for Additional Resources

West Oakland Commerce Association
(510) 272-9622

Alliance for West Oakland Development

(510) 663-0363

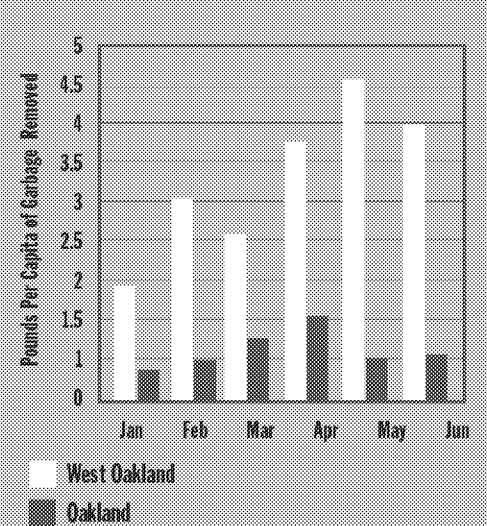
Alameda County Green Businesses Program
http://www.greenbiz.abag.ca.gov
Pamela Evans
pevans@co.alameda.ca.us
(510) 567-6770

7th Street/McClymonds Corridor Neighborhood Improvement Initiative
(510) 835-0833

Community and Economic Development Agency, City of Oakland
(510) 238-6656

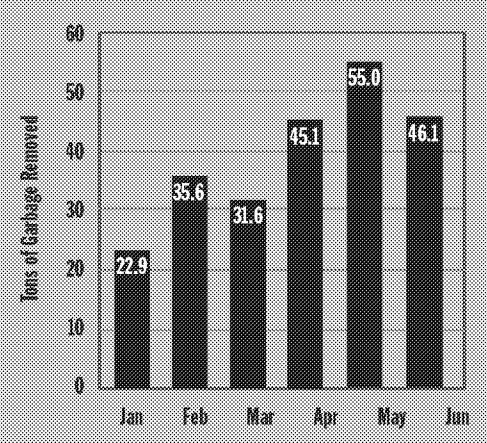
Illegal Dumping

Pounds of Illegally Dumped Garbage Per Capita in West Oakland and Oakland, 2000



Source: City of Oakland Public Works Agency, 2000; US Census 2000

Tons of Illegally Dumped Garbage Removed from West Oakland January through June 2000



Source: City of Oakland Public Works Agency, 2000.

Between January and June 2000, the city of Oakland removed 263 tons of illegally dumped garbage from the streets of West Oakland; this represents three times the amount of illegally dumped garbage per person collected in all of Oakland.

The Indicator

This indicator measures the amount of illegally dumped garbage removed from the streets of West Oakland by the city each month. The indicator tracks illegal dumping by measuring the total tonnage removed from neighborhood streets and the pounds of illegal garbage removed per person in West Oakland and Oakland. This indicator uses the US Census 2000 population within the freeway boundaries to calculate per capita garbage removed, and looks at the first six months of the year 2000.

Why Is This Indicator Important?

Illegally dumped garbage is unsightly and can be hazardous. Piles of garbage sitting in vacant lots or along street sides detract from the beauty and character of West Oakland. This garbage is offensive to nearby residents, gives visitors to the neighborhood a bad impression, and drives down property values. Piles of illegally dumped garbage can attract rodents and other pests, contaminate soil and groundwater, and are hazardous to children who may play near the refuse.

This indicator will help concerned residents and community organizations monitor the amount of garbage that is removed from their neighborhood. By comparing the pounds of illegally dumped garbage per person in West Oakland and Oakland, residents can see how much more or less illegal dumping is happening in West Oakland than in the city as a whole. This can help direct attention to the severity of the problem and advocate for increased city and resident involvement in monitoring illegal dumping. Combined with first-hand observation of neighborhood streets, this indicator will give people an idea of how much garbage is being dumped in their neighborhood. This indicator also helps show how the city of Oakland is responding to the problem of illegal dumping because it measures the amount of garbage they collect.

How Are We Doing?

In the first six months of the year 2000, the city removed over 263 tons of illegally dumped garbage from the streets of West Oakland. Over this period,

<<EPA-HQ-2019-003701>> 000353 <<2020-01-21>>
ED_002352_00004173-00037

the pounds of illegally dumped garbage collected in West Oakland per resident was three times the pounds per capita in the rest of Oakland. The two charts show how the pounds per capita of illegal garbage removed and the total tonnage of that garbage were spread through the six months studied. The trash collected from the West Oakland neighborhood makes up 18% of all the illegally dumped garbage the city deposited in the city dump from January to June 2000.

The garbage was collected by a single city truck which circulates through Public Works Service District 1 each day Monday through Friday. According to city officials, much of the garbage is regularly collected from the same locations. However, the city also responds to complaints by residents. While it is difficult to know who illegally dumps garbage on the streets of West Oakland, there is some evidence that a portion of the garbage comes from sources outside the neighborhood.

The city occasionally sifts through the illegally dumped garbage it collects in an effort to find out who dumped it. If there is clear evidence that one person or business is responsible for the trash, the city will send the responsible party a bill for the garbage disposal. In November 2000, a city ordinance was passed to allow for an enforcement branch in the Illegal Dumping Maintenance Staff. It provides for an illegal dumping team of ten people, including six enforcement officers that will investigate illegally dumped refuse, locate the offender, issue them a citation, and take them to small claims court. It also provides for hidden mobile cameras to be placed in certain hot spot zones to help catch violators.

If the city is not removing an amount equal to the garbage being dumped, then West Oakland residents would want to see this indicator go up. That is, they would want to see an increase in the amount of illegally dumped garbage collected from their streets by the city. Over time, however, the neighborhood will want to see the indicator go down. With increased education, vigilance, and prosecution of offenders there should be less garbage illegally dumped in West Oakland.

Data Limitations

This indicator measures the total tonnage of illegally dumped garbage removed from city streets by the city's Public Works Department, and the pounds removed per person in West Oakland and Oakland. As discussed earlier the indicator might go down (less tonnage removed) for two reasons: one, there is less garbage on the street; or, two, the city is not collecting as much as they used to. In order for this indicator to most effectively point to the amount of dumping in the neighborhood, it should be combined with some first-hand observation of the streets or some monitoring effort. Another limitation is that this indicator only measures garbage dumped on land, it does not take into account garbage dumped into the Bay. Nor does this measure inform us about the damage done to soil or groundwater because of illegal dumping.

What Can You Do About Illegal Dumping?

There are community groups that have organized to clean up litter and garbage in the neighborhood. Some residents also routinely report illegal dumping to the city. In the future, residents may want to work with the city to monitor sites where illegal dumping occurs regularly. Residents could be involved in catching and prosecuting illegal dumpers. Community organizations can also play a role in educating neighborhood residents about how to report illegal dumping and about city waste disposal services that may help prevent illegal dumping.

Contact Information for Additional Resources

City of Oakland, Public Works Agency, Sanitation and Graffiti Abatement
(510) 434-5101

Call this number to report illegally dumped garbage. The Sanitation and Graffiti Abatement department is in charge of street cleaning and garbage on public property. They do not deal with paint or hazardous materials. To report blighted private property, call the Code Compliance Department at (510) 238-3381.

Clean City Hotline
(510) 238-7630

Provides information on Team Oakland, neighborhood and community cleanups, Adopt-A-Spots, and storm drain cleaning.

Environmental Services Hotline
(510) 238-7611

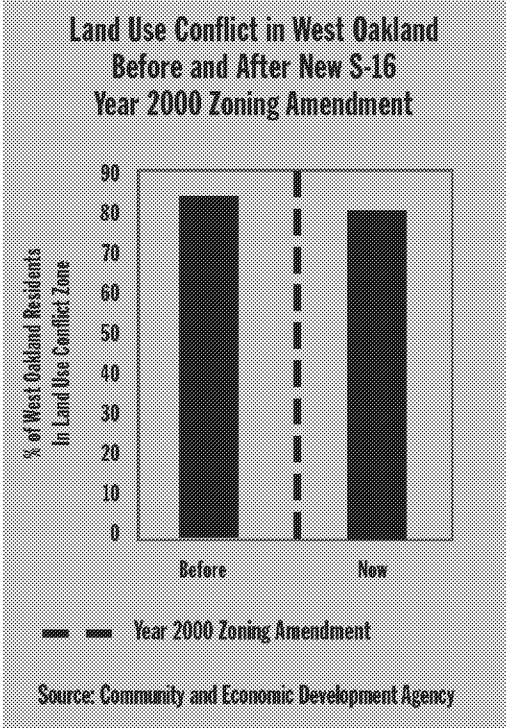
Organizes citywide cleanups. If you want to volunteer time in your neighborhood or organize a neighborhood cleanup, call this hotline.

Recycling / Solid Waste
(510) 238-SAVE

This recycling hotline provides used oil recycling kits, and information on residential, office, and library recycling and solid waste.

Clean Oakland Program
Sandra Steen
(510) 434-5113

Land Use Conflict



Nearly 82% of West Oakland residents live within 1/8 of mile of an industrial area.

The Indicator

This indicator measures the percentage of the West Oakland population that lives in or within 1/8 mile of an industrial area.[1] It tracks the degree of land use conflict between industrial and residential uses by estimating the proportion of West Oakland residents that live in close proximity, i.e., within 1/8 mile or 660 feet, to areas with industrial land uses

Why Is This Indicator Important?

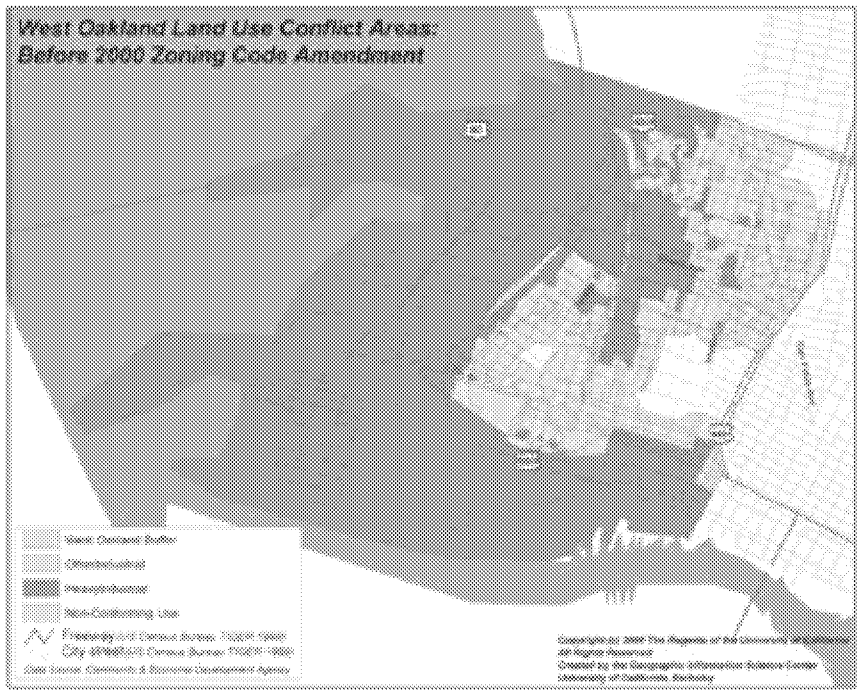
Land use compatibility is an important component of the well being of communities, especially in urban areas where population densities are high. Because different land uses make different demands upon urban space, a great mixture of land uses can generate a high degree of conflict among the different users. Two land uses are particularly difficult to harmonize, and are often considered incompatible: residential and heavy industrial uses.

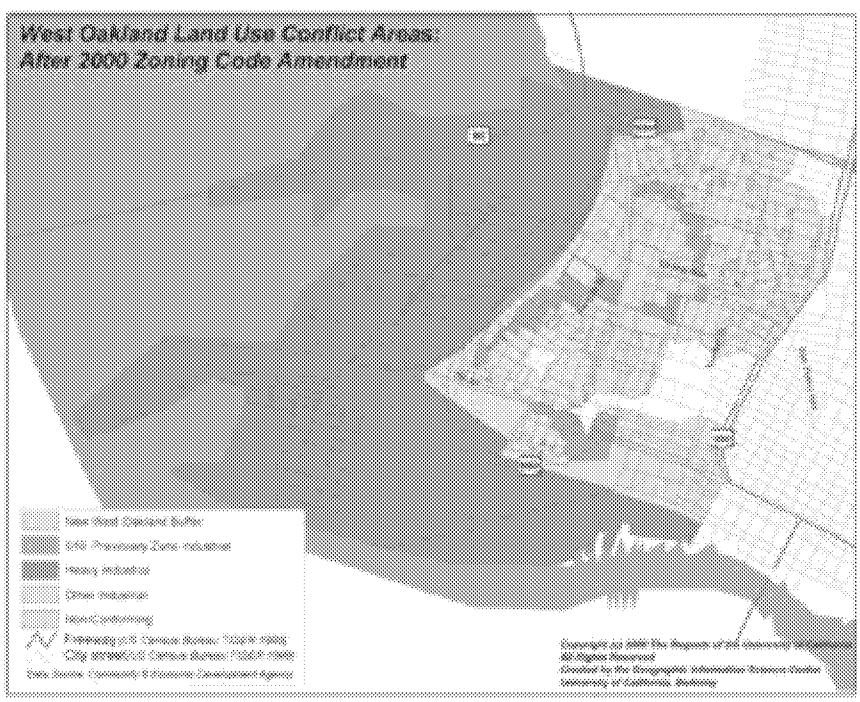
In general, people enjoy living in quieter, cleaner, more "attractive" places, with a great deal of amenities such as schools, clinics, shopping areas, and parks. The presence of industry close to residences changes not only people's perception of the attractiveness of their neighborhood (through visual, architectural cues), but it also impacts residents' day-to-day living conditions. For example, people living close to industries will experience higher levels of noise and pollution from facilities and their associated truck traffic, than people living in core residential areas. Also, residents living adjacent to a heavy industrial zone may experience greater impacts than residents living adjacent to light industrial areas where some of the uses allowed in heavy industrial areas are not permitted. For example, the transfer and storage of hazardous waste is permitted in heavy industrial zones, but not in light industrial zones.[2]

Industry is also impacted by the conflicts generated by the close proximity of residential areas. For example, industries can experience greater levels of scrutiny of their activities from concerned neighboring residents. Despite a facility's location in an industrial zone, any complaints that are registered may force the facility to change or even more permanently restrict its operations. In many cases, pollution prevention options and substitution of non-toxic chemicals for toxic ones can both improve the environment and the bottom line.

<<EPA-HQ-2019-003701>> 000355 <<2020-01-21>>
ED_002352_00004173-00039

It is often desirable to reduce land use conflicts between residential and industrial areas by creating a buffer zone—a transitional zone between industrially zoned areas and residential areas. These zones are likely to allow mixed uses, some types of light industry, commercial uses, and usually no residential uses. The city of Oakland has been working on the Citywide Zoning Update in an effort to comply with the direction set forth in the recently adopted General Plan. A priority area was West Oakland, due to its existing land use conflicts and the high pressure for redevelopment. On October 31, 2000, the City Council adopted an amendment to the Zoning Code allowing for the creation of the new S-16 Industrial-Residential Transition Combining District.[3] This newly created zoning classification, of a mixed-use character, is intended to provide a buffer between heavy industrial uses and residential uses in West Oakland. The S-16 combining district was previously zoned as light industrial for the most part. Permitted activities in the S-16 zone are lighter than the previously existent industrial zone, and residential uses are not allowed.[4]





This indicator provides a way of tracking the degree of land use conflicts by measuring the percentage of residents most directly impacted given their proximity to existing and permitted industrial uses—this would include those residents actually living within industrial areas (i.e., areas either zoned as industrial, or non-conforming industrial uses in residential zones) as well as those living in close proximity to an industrial area. The indicator thus provides a way of detecting what proportion of the population is potentially negatively impacted by existing land use patterns, whether planning decisions are resolving these issues, and a way to evaluate planning proposals or redevelopment projects for the neighborhood.

Because of the recent zoning change, we can evaluate the impact of this planning tool on West Oakland residents. Although the 2000 Zoning Amendment does not change the underlying zoning in a strict sense and does not change existing land uses, two new "special use" zones have an impact on this indicator. These are the S-16 mixed use zone, created to limit the impacts of new non-residential development on adjacent residential zones, and the S-15 zone, which protects transit-oriented development (e.g., Transit Village). Both impose land use restrictions that are excluded from the indicator's definition of "industrial areas" after the amendment. Thus, residents living with this newly zoned area are still considered within a "land use conflict" area as they are now within 1/8 of a mile of an industrial zoned area, but the area itself creates a buffer, reducing the impacts on those residents adjacent to it.

<<EPA-HQ-2019-003701>> 000356 <<2020-01-21>>
ED_002352_00004173-00040

How Are We Doing?

West Oakland is characterized by a great mixture of land uses, from residential to heavy industrial, all coexisting in less than 4,000 acres, or about 10.5% of the area of the city of Oakland.[5] In 1990, the West Oakland population totaled 22,144 residents.[6] This grew to 23,475 people in 2000, representing approximately 6% of the city of Oakland's population.[7]

This indicator shows that in early 2000 (before the 2000 Zoning Update for West Oakland), 10.2% of West Oakland residents (2,396 people) actually lived within industrial areas, and another 73.5% of residents (17,263 people) lived within a 1/8 mile buffer zone surrounding industrial areas.[8] This meant that the vast majority (83.7%) of the West Oakland community lived within one or two blocks of an industrial area.[9]

The October 2000 Zoning Amendment, by creating S-15 and S-16 "special use" zones, has changed the designation of industrial zones and shifted the "land use conflict zone" (i.e., the 1/8 mile industrial buffer area) to include the newly zoned areas. With the new zoning in place, 82.1% of West Oakland residents now live within 1/8 mile of industrial areas; this is a decrease of 387 people (or 1.6% of the population). The estimated number of people living in industrial areas decreased from 2,396 to 1,905 people after the amendment, which represents a 2.1% decrease in the West Oakland population exposed to the greatest potential land use conflict. However, the number of West Oakland residents living within the 1/8 mile industrial buffer area or "land use conflict zone" has gone up from 17,263 to 17,367 residents (an increase of 0.5%)

The change in zoning will not change existing land uses, but it is intended to change future land uses. Thus, although conditions do not change immediately for West Oakland residents (particularly those still living within industrial areas or in close proximity to non-conforming industrial sites), the indicator tells us that the overall impact of the zoning amendment is a positive one in the long run. The new zoning intends to change the nature of potential conflicts in the buffer zone, and improve conditions for those residents abutting the new buffer zone. Those residents in the 1/8 mile wide "land use conflict zone" will still face land use conflicts posed by the adjacent industrial activities. However, conditions within this buffer should improve for the 489 people who were in areas previously zoned as industrial and currently zoned S15 (98) and S16 (391 people). It will be interesting to see whether or not there is an increase in residents choosing to live in this newly created buffer area, as S15 will include transit village housing and S16 allows for live-work space.

Data Limitations

This indicator is a measure of potential land use conflicts rather than actual land use conflicts. By measuring proximity to a zoned land use rather than to an existing land use, one is measuring the potential for land use conflict.[10] This type of measure can, however, be very useful in estimating the impact of land use planning decisions on a growing community.

One of the greatest limitations of this indicator is that, by nature of its definition, it may not be possible or useful to issue regular yearly updates. Actual land uses (rather than zoning) would be equally as difficult. Updates would require both annual population information and land use information (preferably in spatial form). Information systems that provide citywide data on land use planning decisions to the community are still not user friendly and their updates are irregular. Generally, updates of zoning and other related land use data are completed when there are significant amendments to the city's General Plan. This involves a lengthy process of discussion and reviews and thus makes updated information rarely available.

What Can You Do About It?

Some local organizations such as the 7th Street/McClymonds Corridor Neighborhood Improvement Initiative (through their Community Development Working Group), the West Oakland Commerce Association (WOCA), the Coalition for West Oakland Revitalization (CWOR), and others have been working on redevelopment issues and trying to address land use conflicts in their neighborhood. The City of Oakland Community Development Agency has targeted West Oakland as a priority area of intervention in its citywide zoning update. The recent amendment of the Zoning Code was intended to address land use conflict issues and the community's development needs. As development moves forward in West Oakland, the community will want to carefully monitor new land uses, particularly in the newly zoned areas.

<<EPA-HQ-2019-003701>> 000357 <<2020-01-21>>
ED_002352_00004173-00041

Contact Information for Additional Resources

City of Oakland, West Oakland Community Planner
Margot Lederer Prado
mprado@oaklandnet.com
(510) 238-6766

Coalition for West Oakland Revitalization (CWOR)
(510) 451-2967

7th Street/McClymonds Corridor Neighborhood Improvement Initiative
Allen Edson
(510) 835-0833

Notes

[1]This indicator considers *industrial areas* as either areas zoned as industrial (light or heavy industrial uses), or industrial parcels within areas zoned as residential (non-conforming industrial uses).

[2]Industrial zones are intended to create, preserve, and enhance areas containing manufacturing and related establishments. They are usually classified from *Special to Heavy* Industrial Zones, according to their degree of impact (respectively, lower to higher impact). In *Special* and *Light Industrial Zones,* some custom and light manufacturing activities are permitted if they have limited external impact within an open and attractive setting, and is typically appropriate to locations near major thoroughfares and nonmanufacturing areas, and to locations adjacent to residential communities. In General and Heavy Industrial Zones, a wider range of manufacturing activities are permitted which are potentially incompatible with most other activities.
[3]Other special use designations were also applied for the first time to West Oakland through this amendment – the new S-15 (Transit Oriented Development) and S-4 (Design Review) combining districts.

[4]Uses allowed in the S-16 buffer include custom and light manufacturing (conditioned to facility's size), new and converted joint live work quarters (limited up to 1/3 of living area), and other civic and commercial activities. Uses not allowed include residential uses, and general manufacturing, small-scale transfer and storage of hazardous waste management, alcoholic beverage sales, fast-food restaurants, automotive repair and cleaning (S-16 Ordinance, CEDA, 2000).

[5]West Oakland is defined by the area within the 580 and 980 freeways, and includes the Port of Oakland and the Army Base areas.

[6]The number of West Oakland residents was estimated using 1990 Claritas Block Group Data, and the EIP West Oakland "freeway" boundary. The number of Oakland residents (372,242 people) was retrieved from 1990 Census Place Data.

[7]Based on 2000 Census figures.

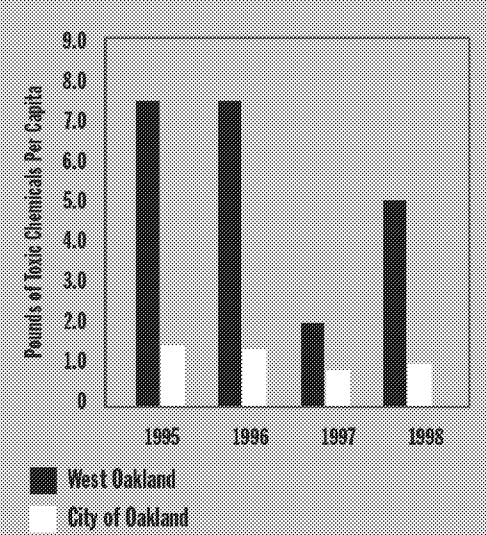
[8]The "early 2000" indicator value for West Oakland was calculated based on 2000 Census population data and existing zoning information prior to the approval of the October 2000 zoning amendment. Industrial areas buffered included all areas zoned as industrial plus all non-conforming uses of industrial properties within residential zoned areas.

[9]Blocks in West Oakland vary widely in size, usually ranging from 320 ft for a typical residential block, to about 600ft or more in the more typical industrial blocks of the west part of West Oakland.

[10]The indicator value would be the same whether there was a higher or lower number of industrial parcels in the same area zoned as industrial, provided that the population distribution throughout the neighborhood remained the same.

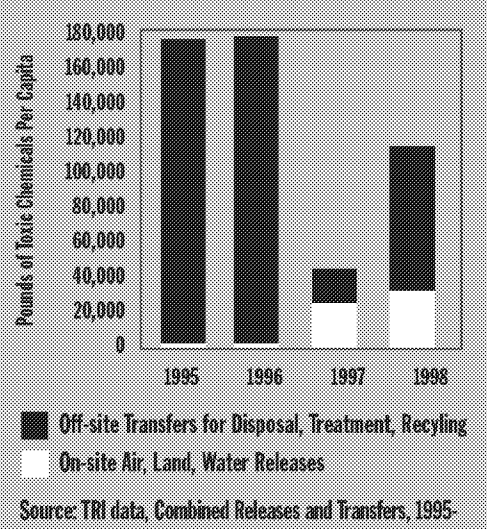
Neighborhood Toxic Volumes

Comparison of Per Capita Toxics Generated in West Oakland and Oakland, 1995-1998



Source: TRI data, Combined Releases and Transfers, 1995-1998; population estimates based on 1990 US Census

West Oakland Combined TRI Releases and Transfers, 1995-1998 (Zip Codes 94607 & 94608)



Source: TRI data, Combined Releases and Transfers, 1995-1998; population estimates based on 1990 US Census

In 1998, West Oakland facilities generated five times more pounds of toxic chemicals per capita than facilities in the city of Oakland.

The Indicator

This indicator measures the pounds of toxic chemicals per person generated by facilities reporting to the Toxics Release Inventory (TRI).[1] The amount of toxics generated in West Oakland is a sum of the total amounts of air emissions, surface water discharges, land releases, underground injections, and chemical transfers to off-site locations reported to TRI in one year in zip code 94607 and the portion of 94608 in Oakland.[2] The per capita indicator was calculated based on West Oakland population estimates for each year using the freeway boundary.

Why Is This Indicator Important?

For many decades, West Oakland residents have shared their neighborhood with a number of polluting industries that contaminate the air, water, and soil. Of the 33 TRI facilities in Oakland during the study period 1987-1998, 8 were located in West Oakland.[3]

Aside from the large industrial facilities tracked by TRI, numerous other pollution sources contribute to unhealthy conditions in West Oakland. Most of these are not currently measured but contribute to and heighten the seriousness of the pollution problem in West Oakland. These include: small businesses such as gas stations and dry cleaners, the Port of Oakland and the Army Base, the high density of freeways that surround West Oakland, the old housing stock (which imposes higher risks of lead poisoning and other indoor pollution impacts), and the inherited contamination from old industrial sites that have closed down. All of these sources, large and small, contribute to the health and well-being of the West Oakland community.

Although the *Neighborhood Toxic Volumes* indicator does not capture pollution generated by other sources (e.g., small manufacturing facilities or traffic exhaust), it captures the combined burden that these large polluters (i.e., those regulated by TRI) are imposing upon the community. This indicator is a proxy for a pollution trend that has an impact on public health in the neighborhood, and also reflects the risk of future contamination.

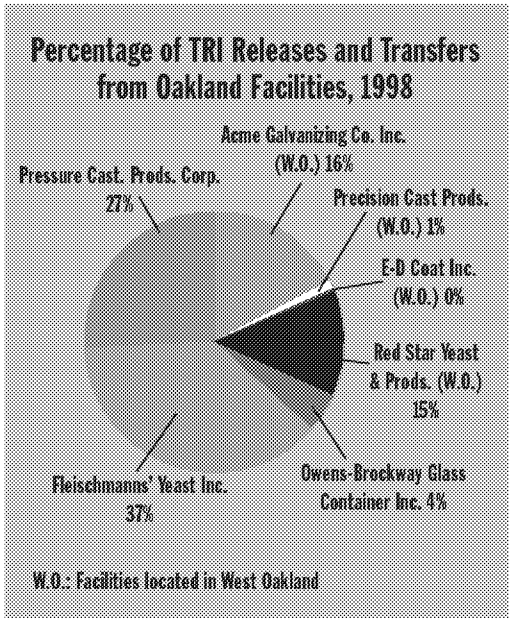
<<EPA-HQ-2019-003701>> 000359
<<2020-01-21>>
ED_002352_00004173-00043

How Are We Doing?

Over the years 1995-1998, facilities in West Oakland generated on average nearly five times more toxic chemicals per capita than the city of Oakland as a whole. Specifically, in 1998, West Oakland generated *over five times* the pounds of toxics chemicals (or TRI releases and transfers) per person as was generated in Oakland that year. The figure "Comparison of Per Capita Toxics" clearly demonstrates the great discrepancy in per capita toxics generation in West Oakland as compared to Oakland.

Since 1987, the combined toxic chemical releases and transfers for TRI facilities located in zip codes 94607 and 94608 (mostly representing West Oakland industries) have experienced some significant shifts.

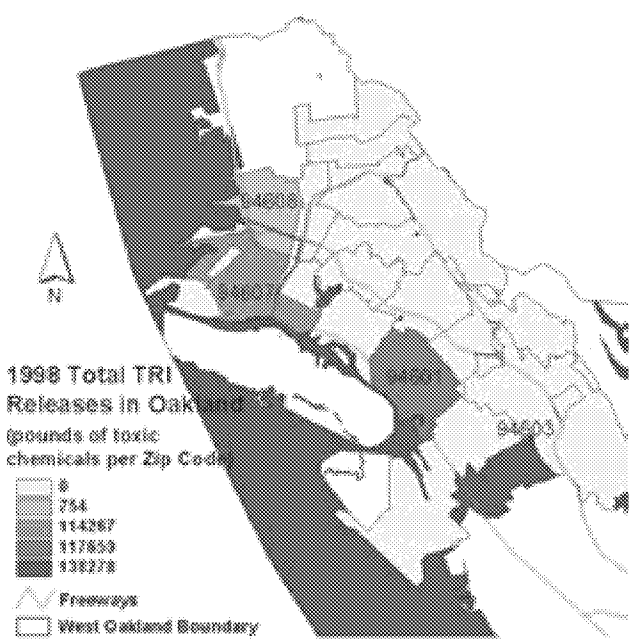
During the period 1987-1998, West Oakland industries (including those in zip codes 94607 and the portion of 94608 in Oakland) generated an average of about 140,499 pounds of toxic chemicals a year. In 1998, the combined amount of toxic releases and transfers for West Oakland neighborhood was 115,021. This is slightly better than the over 170,000 pounds that was released and transferred per year during the period 1994 to 1996.



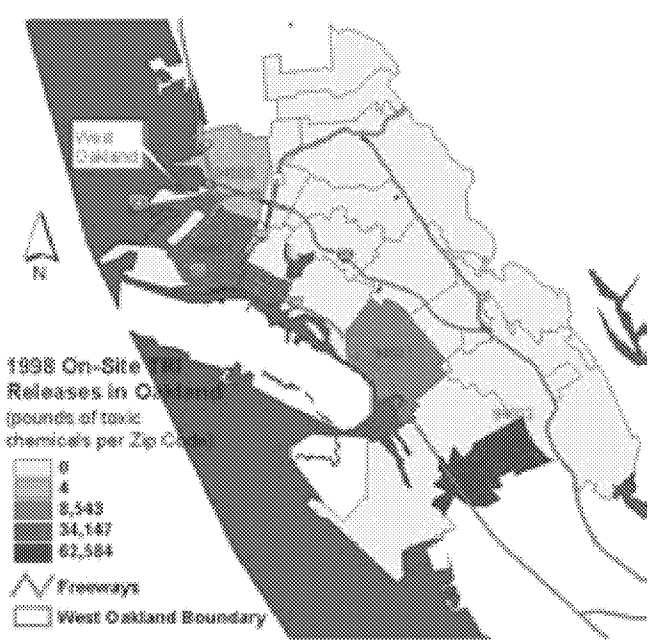
The majority of the toxics generated in West Oakland are generated in zip code 94607. The changes in releases and transfers over the previous nine years in this zip code are mostly due to the activity of two major polluters: Acme Galvanizing Co. and Red Star Yeast. From 1994 to 1996, Acme Galvanizing Co. was the major polluter and was responsible for about 90% of the overall releases and transfers in this zip code. Acme stopped production in 1997. When Acme resumed activity in 1998, it reduced its toxic releases by one-third. However, since 1994, Red Star Yeast has increased its toxic releases almost tenfold and in 1998 was responsible for about 50% of all releases in this zip code. Thus, 1998 releases in the 94607 zip code are still very high and far worse than what was reported for this zip code in 1992 (34,635 pounds) and in 1997 (44,211 pounds) when releases from both of industries were far less than they are today.[4]

Looking at the two zip codes together, separating the toxics generated in West Oakland into the amount that was released on site and the amount that was transferred off-site helps us to better understand potential environmental impacts. On-site releases have the potential to pose a greater burden to communities where the TRI facility is located as these represent direct releases to the local environment. On-site releases include air emissions, chemical discharges to water (streams, lakes, the Bay, or other bodies of water),

Total Toxics Generated in Oakland Zip Codes, 1998



On-Site Releases in Oakland Zip Codes, 1998



<<EPA-HQ-2019-003701>> 000360 <<2020-01-21>>
ED_002352_00004173-00044

injection of toxic chemicals into wells or surface impoundments (e.g., ponds), storage in on-site landfills and other methods of disposal (e.g., waste piles, leaks, and spills).

A greater portion of total toxics generated in West Oakland are released into the community (on-site releases), as opposed to being transferred off-site. This can pose greater health and environmental risks to the residents of this neighborhood. In 1998, over 32% of Oakland's on-site toxic releases occurred in West Oakland, although this neighborhood represents only 10% of Oakland's land area.[5] As shown in the second figure, on-site releases in West Oakland are actually on the rise and making up a greater proportion of total toxics generated. In the city of Oakland as a whole, on-site releases have been decreasing over time (this downward trend in Oakland releases is not as pronounced as in the *Amount of Air Pollutants Released* indicator for the 1995-1998 period).

The two maps show the comparison of Oakland zip codes relative to the generation of toxic chemicals, and the release of those chemicals. The two West Oakland zip codes (94607 and 94608) are highlighted on the map of Oakland as significant contributors to toxic generation and release in the city of Oakland as a whole. Other zip codes with significant toxic generation are 94601 and 94603.

TRI data allows us also to find out which industries are generating toxic chemical releases into our communities, as shown in the pie graph. For example, we can see that four West Oakland facilities registered releases and transfers within the 1998 reporting year. The other four TRI facilities reporting in 1998 are located mostly in zip code 94601, with the exception of Fleischmann's Yeast, Inc. located in zip code 94603.

Data Limitations

This indicator only tracks toxic chemical releases and off-site transfers from TRI permitted facilities, i.e., the "big polluters". Thus, it does not track other sources of toxic releases or contamination that can be found in urban industrial areas such as West Oakland.

In addition, the Toxic Release Inventory tracks self-reported annual estimates of toxic releases and transfers by TRI facilities in a given zip code. The indicator does not take into account environmental releases of toxics from closed or inactive facilities with contaminated sites. This is potentially a significant part of yearly releases to land and water in West Oakland for which there is no reported information. Although some models can be applied to try to estimate these other releases to the local environment[6] (e.g., plume models for releases from underground storage tanks), they require a great deal of resources. There are also no direct ways of measuring the annual contribution of the contamination left over by old industrial facilities that have operated in West Oakland in the past. Thus, this presents a significant information gap in assessing the level of toxic pollutants entering the community.

What Can You Do About It?

The West Oakland community has been very active in getting organized around contamination issues. Groups such as the Environmental Science Institute, the African American Development Association, and Citizens for West Oakland Revitalization (CWOR) have uncovered information about sources and levels of contamination in West Oakland and engaged in actions to reduce existing contamination and raise community awareness about these issues.

Local organizations can be instrumental in the cleanup of contaminated sites. For example, they can enlist the City of Oakland's support in cleanup efforts by encouraging city agencies to submit specific proposals to the Department of Toxic Substances Control (DTSC) or the State Water Quality Control Board (SWQCB) for evaluation and clean up of contaminated sites. Community organizations can also collaborate with developers and city agencies, alerting them if brownfield cleanup grants could help support the higher costs of developing contaminated areas. This grant-financed redevelopment of brownfields could improve the environment in West Oakland, while being economically attractive to developers.

Agencies such as the SWQCB, DTSC, and EPA can help communities with information and technical advice on existing pollution sources and measures to mitigate and prevent pollution, as well as serve as lead agencies in overseeing cleanup of contaminated sites. Using the information provided by this indicator, citizens, businesses, and governments can work together to develop targeted intervention and action plans to more effectively use resources to protect the quality of their land, air, and water and improve the overall environmental quality and well being of the community.

<<EPA-HQ-2019-003701>> 000361 <<2020-01-21>>
ED_002352_00004173-00045

Contact Information for Additional Resources

Citizens for West Oakland Revitalization (CWOR)
(510) 451-2967

City of Oakland, Environmental Services Hotline
(510) 238-7630

Pollution Prevention Information Clearing House (PPIC)
www.epa.gov/opptintr/library/libppic.htm

Envirofacts
Specific facility information on: www.epa.gov/enviro/html

Notes

[1] Manufacturing facilities reporting to TRI are those in Standard Industrial Classification (SIC) codes 20-39 (or Federal facilities in any SIC code) that manufacture or process over 25,000 pounds of the approximately 600 chemicals listed (or 28 categories of chemicals) in the regulations, or those that "otherwise use" more than 10,000 pounds of any listed chemical or category, in a given zip code, and that have the equivalent of 10 full-time workers. These facilities include chemicals, petroleum refining, primary metals, fabricated metals, paper, plastics, and transportation equipment. Recently, other industrial sectors have been added.

[2] This includes chemical waste transfers for treatment to off-site Publicly Owned Treatment Works facilities or other offsite locations, recycling, and energy recovery.

[3] There were three additional facilities within zip code 94608 that were located in Emeryville. The last time any of these reported to TRI was in 1994. Their releases and transfers were included in the totals for this zip code shown in the graph.

[4] Acme Galvanizing only started operations in the 1993 reporting year.

[5] As would be expected, since West Oakland releases count towards the city of Oakland total releases.

[6] For example, California Water Quality Control Board has undertaken a detailed study of plume models to estimate releases and contamination from underground storage tanks for the South Bay; it is foreseeable that some time in the future they could also study the North Bay and East Bay and West Oakland although there is no set date.

Resident Toxic Exposure

Oakland and West Oakland Contaminated Sites

TOTAL NUMBER OF CONTAMINATED SITES		
Oakland	West Oakland	West Oakland as a % of Oakland sites
2,137	403	19%

NUMBER OF SITES IDENTIFIED PER DATABASE			
Databases	Oakland	West Oakland	West Oakland as a % of Oakland sites
NPL	0	0	–
CERCLA	27	8	30%
CALSITES	11	5	45%
RCRA-RCRIS	538	103	19%
TRI98	10	4	40%
TSD	3	2	67%
LUST	611	116	19%
HAZMAT	1,880	361	19%
SLIC	76	16	21%
MTBE	61	6	10%

*Address-matched sites only. Duplicate sites removed. Note: Successful address matching rates were: HazMat - 95%, SLIC - 85%, and MTBE - 100% (address-matched by UCB-GISC student Xu Jianchun). For all other databases, location information for the sites identified was obtained from USEPA as Arcview files.

The majority of West Oakland residents (83%) live in close proximity to at least one of the 403 contaminated or potentially contaminated sites in the neighborhood; this is significantly higher than resident toxic exposure in the rest of Oakland (54%).

The Indicator

This indicator measures the percentage of residents in a community living in close proximity (within 1/8 mile or about 660 feet) to a known or potentially contaminated site.

The indicator uses information from different federal, state, and local agencies[1] to identify and locate facilities or sites known or suspected to be contaminated with different toxic chemicals (see table of databases). By bringing this information together, the indicator presents an aggregated, although not exhaustive, picture of community exposure to different sources of contamination in different media (air, water, and soil).[2]

Why Is This Indicator Important?

Contamination is one of the serious problems West Oakland residents face. Past and present contamination places a heavy burden on a community, including: health problems resulting from resident exposure to toxics, costly cleanup of contaminated property, and limited economic development potential for known or potentially contaminated land. However, there is at present no aggregate measure of the community's level of contamination or of the level of exposure its residents have to this contamination.

Contamination levels in West Oakland, as in most historically industrial communities, are very difficult to estimate. With its industrial history and its continued mixed use development, West Oakland is home to numerous contaminated or potentially contaminated sites. In West Oakland, contaminated sites result from, among other things manufacturing facilities: activities of the Port of Oakland; past use of the Army Base and now its redevelopment; freeway traffic surrounding West Oakland; local small businesses (e.g., gas stations or dry cleaners); and inherited contamination from former land uses in the neighborhood.

Pollution can linger in the environment for decades if no clean up efforts are undertaken, and information on past and even present pollution sources (e.g.,

<<EPA-HQ-2019-003701>> 000363 <<2020-01-21>>
ED_002352_00004173-00047

Federal, State, and City Databases of Contaminated Sites

Databases		Description	Agency
1. NPL	National Priority List (Superfund)	Priority Cleanup Sites under the Superfund Program	USEPA
2. CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System	Sites proposed to or on the National Priority List	USEPA
3. CALSITES (AWP)	California Department of Toxic Substances Control – Annual Work Plan	Sites contaminated with hazardous substances and considered by DTSC as priority for cleanup or investigation	DTSC
4. RCRIS	Resource Conservation and Recovery Information System	Sites of hazardous waste handlers who generate, transport, treat, store, and/or dispose of hazardous waste	USEPA
5. TRIS	Toxic Release Inventory System	Sites with toxic chemical releases to air, water, and land	USEPA
6. TSD	Treatment, Storage, and Disposal	Location of RCRA hazardous waste treatment, storage and disposal facilities	USEPA
7. LUST	Leaking Underground Storage Tanks	State Water Resources Control Board list of reported underground storage tanks incidents	SWRCB (' arcview file received from EA)
8. HAZMAT	Hazardous Materials	Sites that handle hazardous materials identified by the City Emergency Services	Oakland Fire Dept.
9. SLIC	Spills, Leaks, Investigation and Cleanup Program	Sites with ground water polluted by chemicals other than total petroleum hydrocarbons (THP) and that are used as fuels	SWRCB
10. MTBE	Methyl Tertiary Butyl Ether	Location of underground storage tanks with MTBE contaminants	SWRCB

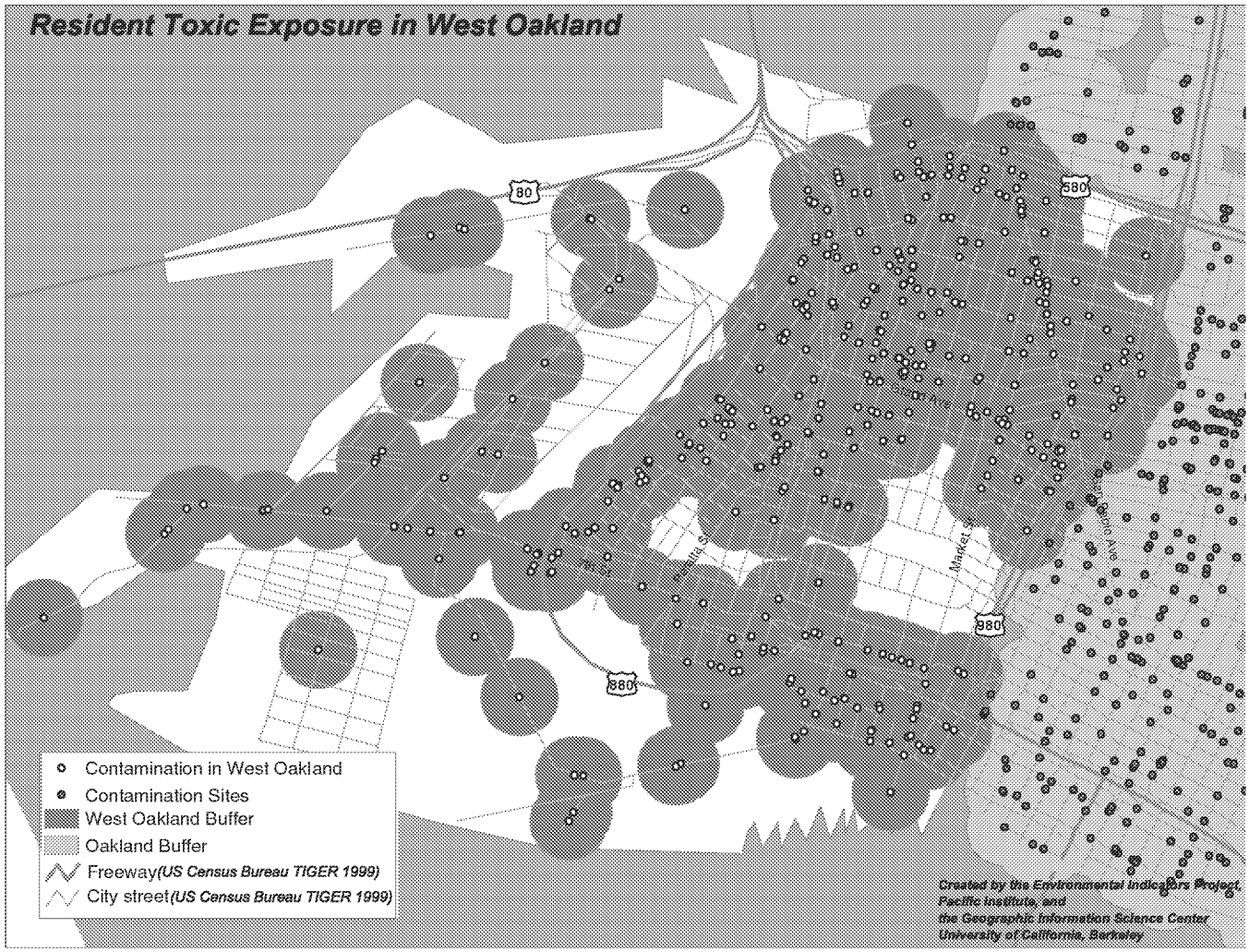
types and levels of contaminants emitted or present at a site) is very incomplete. Where such information does exist or is collected, it is fragmented among many agencies. In many cases, however, information on the actual contaminants present and on the level of contamination of a particular site identified is nonexistent.

Residents neighboring contaminated sites also have to contend with health problems associated with significant levels of exposure to environmental contamination. These health problems can range from "minor" breathing problems or other types of allergic reactions, to more serious effects such as cancer, long-term nerve damage, or even death.

From an economic development perspective, contaminated sites or those merely suspected of contamination can severely constrain redevelopment and economic opportunities in West Oakland. Environmental quality and health issues are inevitably intertwined with and will influence both the level of clean-up that is undertaken on contaminated sites and the nature of the redevelopment that takes place on the site. For example, will land suspected of contamination be redeveloped at all? If it is, what are the potential reuse alternatives? The level of clean up, and the cost of the clean up, will determine how the land can be reused—whether it is heavy or light industrial, commercial or residential.

West Oakland has numerous past and present pollution sources that affect many different media (air, water, land). Given the seriousness and complexity of the contamination problem for West Oakland residents, it is extremely important to present a manageable yet comprehensive picture of the environmental contamination in this community by bringing together information now spread among a multitude of public agencies.

Such a measure, although only a proxy for the level of contamination and the impact on residents, will allow the community to assess the seriousness of the problem and to identify whether and where critical resources should in fact be devoted to clean up contaminated sites. With time, the community will be able to find out whether the contamination problem is being addressed, and whether it is successfully decreasing residents' exposure to harmful toxics.



How Are We Doing?

The indicator shows that a majority of West Oakland residents live within close proximity to a contaminated or potentially contaminated site. Both the exposure of residents to toxic sites and the number of sites per unit land area is higher in West Oakland than in the rest of Oakland.

This indicator shows that about 83% of West Oakland residents live in close proximity (within 660 feet or a sizable block distance) of at least one of the 403 contaminated sites identified in the different public environmental databases in West Oakland.[3] The city of Oakland, where over 2,000 sites have been identified, shows an indicator value of 54%, i.e., 54% of Oakland residents live in the vicinity of contaminated sites. The map shows the location of the contaminated sites identified in West Oakland and the areas within 660 feet of those sites.

The table "Oakland and West Oakland Contaminated Sites" further reports on the number of contaminated sites identified in each database and provides a comparison between Oakland and West Oakland. Although West Oakland only occupies roughly 10% of the Oakland's land area, the number of contaminated sites in this community is about 19% of the total number of sites in Oakland, showing that this neighborhood has more than its share of sites. We can also observe that West Oakland has 5 of the 11 Oakland sites reported in the Annual Work Plan of the CALSITES database, which are sites known to be contaminated with hazardous substances and considered by the Department of Toxic Substances Control (DTSC) to be of the highest priority for remediation.

Although West Oakland[4] does not have any contaminated sites on the National Priority List for cleanup (these are contaminated sites managed by USEPA under the Superfund Program), the high percentage of West Oakland residents living near an identified contaminated

<<EPA-HQ-2019-003701>> 000365 <<2020-01-21>>
ED_002352_00004173-00049

site indicates that environmental contamination is a serious problem in this community and strongly affects a large majority of its residents. In addition, the distribution of these contaminated sites throughout the neighborhood also poses barriers to future community development, as the issue of brownfields[7] redevelopment in inner city communities has been difficult to address.

Data Limitations

The *Resident Toxic Exposure Indicator* is based on current information for known or potentially contaminated sites. The sites identified in the ten different databases used to calculate this indicator are not an exhaustive identification of all sites known or suspected to be contaminated.[6] While there may be other lists regarding potential or known contamination, we limited our selection to those databases that were regularly updated and/or maintained and those with credible reporting. Many lists are simply poorly maintained and many potentially contaminated sites simply are not on any of these lists.

The indicator chosen is only a proxy for the level of exposure of residents to the harmful effects of contaminated sites based on a representative number of known or potentially contaminated sites and the population's proximity to it. This indicator does not report on the level of the contamination at each site, or the actual exposure of residents to toxics from contaminated sites.

What Can You Do About It?

The West Oakland community's ongoing concerns about contamination, blight, air pollution, and other environmental health issues have generated significant community actions to improve quality of life and safety. Several organizations have been very active in working on contamination issues and have worked to increase awareness so that the community can be better prepared to implement their vision of a better West Oakland.

Many residents and community organizations have organized around reducing or eliminating known sources of contamination, both from currently operating facilities and contamination from past activities. Eliminating or reducing the sources of such contamination and cleaning up such sites are a health priority. There are federal and state agencies that have responsibility for monitoring toxic emissions, identifying potential health hazards, and pursuing clean up or remediation. Educating residents about sources, exposure, and protection is also important.

In addition to the public health implications of cleaning up and eliminating sources of contamination, there are also the economic implications of redeveloping contaminated sites or brownfields. At present, redevelopment interest in West Oakland presents a real opportunity to improve environmental quality and public health as well as promote positive economic development. Brownfields redevelopment, promoted through policy making, as well as legal and financial tools, presents an important opportunity for the neighborhood to attain community-wide revitalization and to improve the quality of their environment.

Contact Information for Additional Resources

Alameda County Environmental Health Agency
www.co.alameda.ca.us/health/environmental/environ.html#2
510-567-6700

Alameda County Environmental Health Agency coordinates the Local Oversight Program that reviews and oversees the clean-up of underground fuel releases, and inspects facilities and provides technical assistance in case of a fire or accidental spill involving hazardous materials.

Agency for Toxic Substances and Disease Registry
www.atsdr.cdc.gov/hazdat.html

This agency maintains a Hazardous Substance Release/Health Effects Database (HazDat) which contains substance-specific information such as the ATSDR Priority List of Hazardous Substances, health effects by route and duration of exposure, susceptible populations, etc. It also contains a site contaminant query and a toxicological profiles query which you can access through their web site.

US Environmental Protection Agency
www.epa.gov/epaoswer/hazwaste/ca/contacts.htm

USEPA is a great resource to learn about the health and other impacts of contamination. Contaminated sites often have more than one environmental agency overseeing the site. Depending on the particular contamination problem, different lead agencies may help residents in identifying risks, determining clean-up requirements for different levels of clean-up, and assessing the site's potential for reuse or redevelopment after clean-up.
www.epa.gov/swerosps/bf

USEPA is the lead federal agency for promoting brownfields redevelopment. USEPA offers tools for financing, tips on how to apply for a Targeted Site Assessment Program, and numerous other resources. At this USEPA Brownfields website you can read about communities that have made major strides in investigating and redeveloping brownfields, including the site assessment pilot project completed for the Fruitvale Transit Village project.

City of Oakland
Urban Land Redevelopment Program
http://www.oaklandpw.com/ulrprogram/index.htm
Mark Gomez, (510) 238-7314, mmgomez@oaklandnet.com

The Urban Land Redevelopment (ULR) Program is a collaborative effort by the city of Oakland and the principal agencies charged with enforcing environmental regulations in Oakland (Department of Toxic Substances Control, Regional Water Quality Control Board, and Alameda County Environmental Health) to facilitate the cleanup and redevelopment of contaminated properties. The ULR Program clarifies environmental investigation requirements, standardizes the regulatory process and establishes Oakland-specific, risk-based corrective action (RBCA) standards for qualifying sites. RBCA standards are criteria that, when met, adequately address the risk posed by contamination to human health. Through a comprehensive risk-based approach, the ULR Program can help you to design a corrective action strategy that is cost-effective while still providing a high level of protection for the public.

Community and Economic Development Agency, Redevelopment
(510) 238-3015

7th St./McClymonds Corridor Neighborhood Improvement Initiative
(510) 835-0833

The recent report done for the 7th Street/McClymonds Corridor Improvement Initiative by Parissh Knox on Contaminated Land Use Strategies for West Oakland (June, 2001) is an excellent resource in helping the community to define a plan of action; it identifies federal, state, and local programs available (for petroleum and non-petroleum products) and the steps necessary to leverage these resources.[7]

Notes

[1]USEPA, Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), and the City of Oakland Emergency Services (Oakland Fire Department).

[2]The values for this indicator were calculated using the EIP's freeway boundary definition for West Oakland and the Census Tiger data boundary definition for the city of Oakland.

[3] These sites are known or suspected contaminated sites identified at least in one of 10 databases queried.

[4]Nor, in fact, does the city of Oakland.

[5]Abandoned, idled or under-used industrial and commercial facilities where expansion or redevelopment is complicated with real or perceived environmental contamination (USEPA, 2000).

[6]The indicator does not include, for example, specific databases on military sites, ERNS, or information on known sites with lead soil contamination due to accessibility, time constraints, and privacy issues in acquiring such data.

[7]A few examples are: USEPA assessment grants, revolving loan funds, and training and development grants; there are Federal tax credits available to developers to deduct cleanup costs; the DTSC Voluntary Cleanup Program and the CLEAN Program providing loans and assistance to neighborhoods; the City of Oakland loan programs, and the Urban Land Redevelopment (URL) Program intended to clarify the process and help with site evaluation.

<<EPA-HQ-2019-003701>> 000367 <<2020-01-21>>
ED_002352_00004173-00051

Sensitive Area Toxic Hazard Exposure

Sensitive Site Toxic Hazard Exposure in Oakland and West Oakland

Percentage of Sensitive Sites within 1/8 Mile of Priority 1 High Hazardous Sites

West Oakland	Total Oakland
10.53%	2.41%

Number of Sensitive Sites within High Hazardous Site Buffer

	West Oakland	Total Oakland
Public Schools	1	1
Shelters	1	1
Hospitals	0	1*
Senior Centers	0	0
Childcare Centers	0	1
Total	2	4

Total Number of Sensitive Sites

	West Oakland	Total Oakland
Public Schools	8	82
Shelters	8	47
Hospitals	0	4
Senior Centers	1	4
Childcare Centers	2	29
Total	19	166

*This number considers the three medical buildings in the Summit Medical Center as one sensitive site.

Source for Tables: Fire Department Emergency Services, 1997, 2000

Over 10% of the sensitive sites (schools, hospitals, etc.) in West Oakland are within 1/8 mile of a Priority 1 High Hazardous Facility, whereas citywide less than 2.5% of sensitive sites face this level of risk.

The Indicator

This indicator measures the percentage of "sensitive sites"—public schools, childcare centers, parks, shelters, senior centers, and hospitals—that are in close proximity (within 1/8 mile) to facilities considered to present the highest risk for chemical accidents (Priority One High Hazardous sites).[1] Sensitive sites are intended to include areas or facilities used frequently by the more vulnerable groups in the community, i.e., children, the homeless, the sick, and the elderly.

Why Is This Indicator Important?

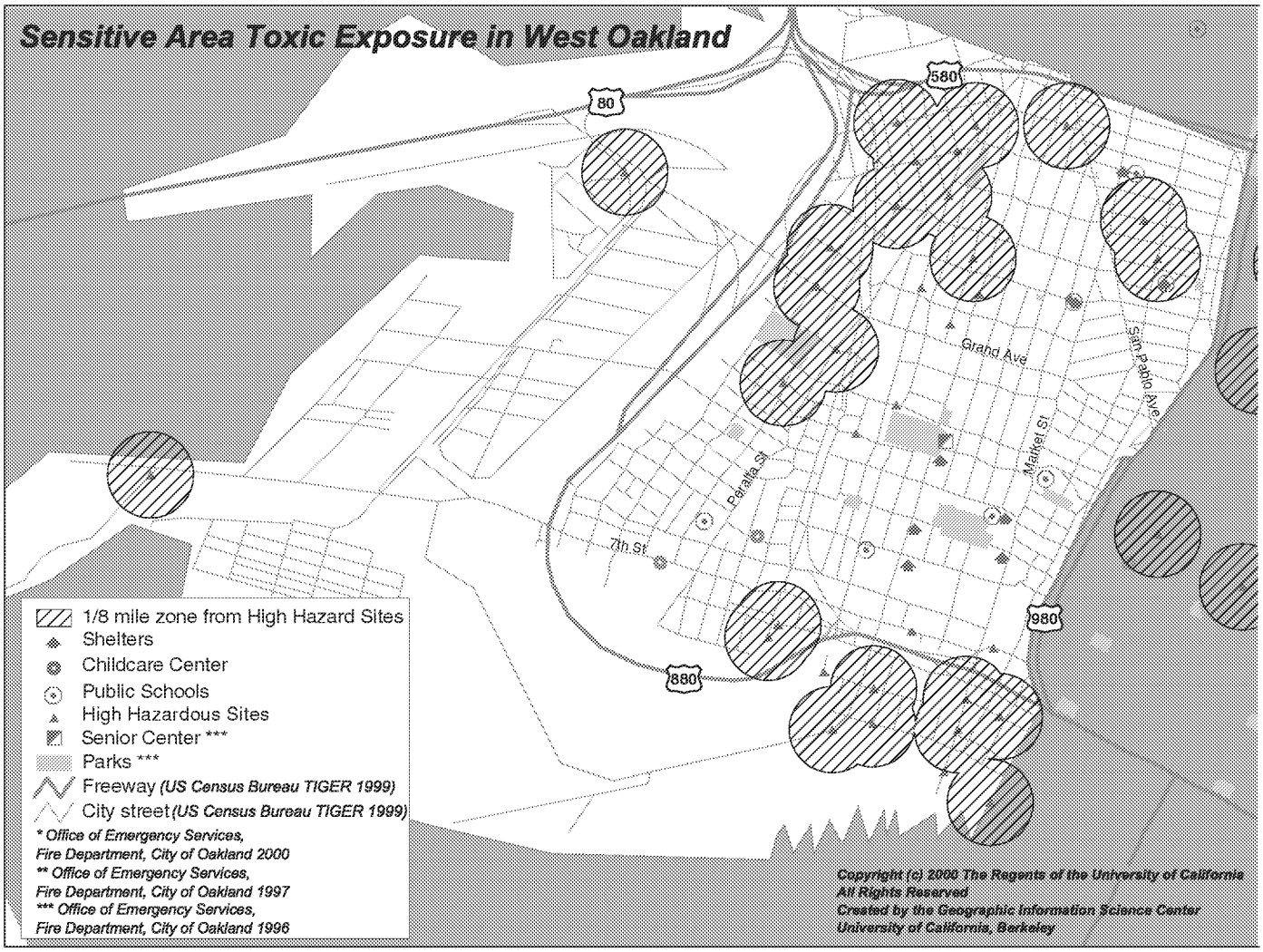
Many industries and businesses can have unexpected accidents during the course of normal operations. The consequences of chemical accidents may depend not only on the types of chemicals stored and handled by the facilities and the level of hazard they pose, but also on the manner in which facilities are operated and on how well a community is prepared for these accidents. If a serious accident occurs, communities may have to pay a high price in terms of economic losses, serious public health impacts, or even lives lost.

The identification of the sensitive sites which are in close proximity to facilities most at risk for a hazardous accident can help the community set priorities for action. These actions can range from educating residents and ensuring community preparedness to demanding that the Hazardous Materials Business Plan (HMBP) be revised or completed.

HMBPs are mandatory for existing Priority 1 High Risk facilities.[2] Although these plans only cover activities within the facility's boundary, they can provide the community with important information regarding the types of potential accidents and their likelihood. By developing a HMBP, the facility manager can be better prepared to deal appropriately with the hazards posed by the facility to both workers and the community.

HMBPs are required to include an Emergency Response Plan for use in the event of a release or threatened release of hazardous material. In the case of hazardous waste generators, additional Contigency Plans are required to minimize hazards to human health and the environment. Unfortunately, community residents may frequently find that a nearby high risk facility has not even developed a HMBP.

<<EPA-HQ-2019-003701>> 000368 <<2020-01-21>>
ED_002352_00004173-00052



How Are We Doing?

There are a total of 19 sensitive sites in West Oakland, these include senior centers, schools, homeless shelters, etc. This indicator shows that about 10% (2 out of 19 sites) of West Oakland's sensitive sites are within 1/8 mile of a Priority 1 High Hazardous facility. The accompanying table further reports on these sensitive sites, identifying both of West Oakland's sensitive sites—1 school and 1 shelter—that are in close vicinity to these highly hazardous sites.

The city of Oakland shows an indicator value of 2.4 %, i.e., out of a total of 166 sensitive sites in Oakland, only 4 of those are within 1/8 mile of a P1 high hazardous facility—the two West Oakland sites, a childcare center, and Summit Medical Center.[3]

Results for this indicator also clearly demonstrate that West Oakland has more than its share of High Hazardous Sites. Although West Oakland only occupies roughly 10% of the land area of Oakland, over 20% of the total number of Oakland's Priority 1 High Hazardous sites are located in West Oakland.

Data Limitations

The *Sensitive Area Toxic Hazard Exposure* indicator is based on current information for Priority 1 High Hazardous sites.[4] However, the geographical information regarding sensitive sites is not as current. The data used by city agencies (including Emergency Services) to identify sensitive sites was used for this indicator and mostly dates from 1996-1998.[5] An effort is being made by the Office of Information Technology (OIT) for the city of Oakland to update all geographical information, including information relative to these "sensitive sites," by September 2001.

<<EPA-HQ-2019-003701>> 000369
<<2020-01-21>>
ED_002352_00004173-00053

What Can You Do About Exposure to Toxic Hazards?

Knowing answers to the following questions will help you in being better prepared in the event of accidents at neighboring facilities: Where does your child spend most of the day? Do you and the teachers know what to do if an unexpected chemical accident happens next to your child's school or playground? Are teachers at the school informed and prepared? Do your neighborhood facilities have Hazardous Materials Business Plans?

Concerns about contamination, air pollution, and other environmental health issues in West Oakland have generated significant community actions to ensure safety and improve quality of life. Several organizations have been very active in increasing awareness about contamination issues so that the community can be better prepared to face chemical accidents in case they occur. In 1998, the African American Development Association (AADA) and Clearwater Revival Company, with the support of USEPA, produced the "Defensible Space Assessment" which reported on facilities handling toxic and hazardous materials and contaminated sites in West Oakland.[6]

Other local agencies have also been supportive of community efforts to raise awareness and preparedness. The Office of Emergency Services in the Oakland Fire Department, in collaboration with AADA, has been involved in developing and administering neighborhood training courses in hazardous materials as part of the Citizens of Oakland Respond to Emergencies (CORE). These programs are especially needed in communities like West Oakland that have a strong industrial presence. Still others have worked to reduce health risks by urging stronger safety procedures, reductions in hazardous material use, or even relocation of facilities.

Contact Information for Additional Resources

Hazardous Materials Program (HAZMAT), Office of Emergency Services, City of Oakland
Hernando Gomez
(510) 238-7253

For information regarding HAZMAT data and whether a facility has prepared and maintained its HMBP, contact Vibhor Jain at (510) 238-7491.

City of Oakland, Office of Information and Technology
Brian Kimball
(510) 238-6855

Contact for information regarding upcoming updates of geographical information for sensitive sites.

Alameda County Environmental Health Agency
www.co.alameda.ca.us/health/environmental/environ.shtml
(510) 567-6700

This Agency coordinates the Local Oversight Program that reviews and oversees the clean-up of underground fuel releases, inspects facilities, and provides technical assistance in case of a fire or accidental spill involving hazardous materials.

US Environmental Protection Agency
http://www.epa.gov/enviro

The USEPA site provides a great deal of information on hazardous waste, its regulation, and impacts.

Notes

[1]These facilities are defined by the Federal and State thresholds for Acute Hazardous Materials and identified by the local Fire Department Emergency Services. Up to 1995, Alameda County managed information related to high hazardous sites and required risk management plans. Since then, the City of Oakland assumed these responsibilities and this information is now managed by the Fire Department Emergency Services.

[2]There is a great deal of legislation that specifies reporting criteria and defines which businesses should file a Hazardous Materials Business Plan (HMBP). In general, any facility that has quantities of any hazardous material or waste greater than (1) 30 gallons for liquids, (2) 500 lbs for solids, and (3) 300 cubic feet at normal temperature and pressure for gases, has to file a HMBP (with a few exemptions). However, facilities that treat hazardous waste have to follow more stringent criteria. Information in the HMBP has to be reviewed regularly—an Inventory Statement must be updated yearly and the entire HMBP must be reviewed every two years.

[3]Whose three facilities of Summit Medical Center are counted as one sensitive site because of their proximity.

[4]HAZMAT Database (Emergency Services, Oakland Fire Department) is updated monthly, with information being collected on a weekly basis.

[5]There is no accurate information on creation and update dates for sensitive sites files (metadata for these files does not exist.)

[6]The more recent information reported in the Defensible Space Assessment refers to the years 1995 and 1996.

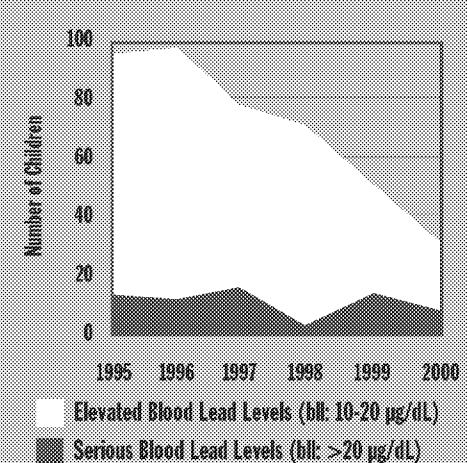
Lead Poisoning

West Oakland Zip Code 94607 Ranked for Lead Health Risk Amongst All Alameda County Zip Codes

1 = highest lead poisoning risk

	Elevated Blood Lead Level (bll>10 µg/dL)	Serious Blood Lead Level (bll>20 µg/dL)
1995	2	6
1996	2	4
1997	2	1
1998	3	8
1999	1	1
2000	3	3

Number of West Oakland Children in Zip Code 94607 Testing with Elevated Blood Lead Levels, 1995-2000



Source: ACLPPP, 1995-2000

Since 1995, the West Oakland zip code of 94607 has ranked as one of the top three worst zip codes for childhood lead poisoning risk within the entire Alameda County.

The Indicator

This indicator measures the number of children known to have tested with elevated blood lead levels (greater than 10 µg/dL) and is reported per year and per zip code. It is a very rough measure of the prevalence of lead poisoning in a given zip code in children ages six and younger. This indicator is only intended to be a proxy for prevalence, because not all children under age 6 have been tested. It is best used to evaluate trends in severity and geographical distribution and demonstrate which areas are more affected than others, rather than to be used in absolute terms.

Why Is This Indicator Important?

Lead is a neurotoxin that can cause severe health problems in people, particularly in children. Damage to the nervous system, reproductive system, digestive system, and kidneys are some of the common health effects caused by high exposures to lead. Lead poisoning can cause delayed development in children, which leads to learning disabilities as well as other developmental and behavioral problems.

Most adults are not at risk for lead poisoning except if they are exposed to it through their work.[1] Children six years old or younger, on the other hand, are the ones most at risk for lead poisoning (especially ages one to three) as they unintentionally ingest lead,[2] mostly from lead paint or contaminated soil. Young children who live in older homes are at a higher risk, because there is a greater likelihood that there will be lead-based paint hazards in or around their home.[3] Homes built before 1978 often have lead-based paint which can peel or flake, posing a great risk for young children. Renovations in these older homes pose particularly high risks if the work is not done in a lead-safe manner.

Lead in soil is also a major cause of lead poisoning in children. Soil around homes can have high concentrations of lead—posing significant risks to children and adults that play or work with it.[4] Lead in soil can come from the peeling of outdoor lead paint or from the deposition of lead in air emissions. High concentrations of lead in soil can be found in areas close to highways and major roads from past emissions of car exhaust (before leaded gasoline was banned). Also, houses in industrial areas can have lead in soil from industrial emissions. As a neighborhood surrounded by freeways and industrial sites (over 80% of West Oakland's population lives within

<<EPA-HQ-2019-003701>> 000371 <<2020-01-21>>
ED_002352_00004173-00055

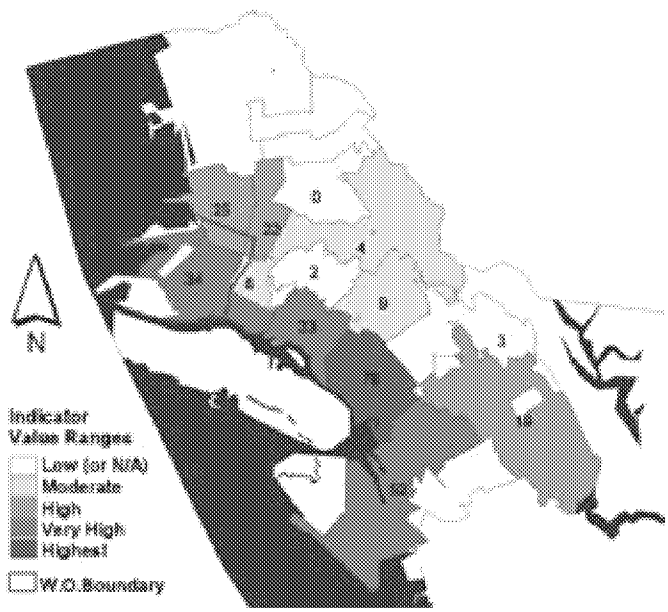
1/8 mile of an industrial area), we would expect to find higher levels of lead in soil in West Oakland than in other Oakland neighborhoods. Education and awareness about the dangers and sources of lead contamination and resources to reduce lead poisoning risk in the community are particularly important in West Oakland. As most children do not present any observable symptoms of lead poisoning,[5] the only way to way to measure the extent of lead poisoning in a community is to have all children tested.

Other sources of lead can increase the risks of lead poisoning. Although lead in drinking water is not of concern in the Alameda County area,[6] certain types of cookware such as ceramic pots with a lead-based glaze, and home remedies such as *azarcon* and *greta* can pose additional risks to particular segments of the population.

Lead poisoning is determined by measuring the concentration of lead in the blood in micrograms of lead per deciliter of blood (µg/dL). Blood lead levels below 10µg/dL (bll <10µg/dL) are considered normal. *Elevated blood lead levels* (bll >10µg/dL) indicate that the child may need to be tested again, and actions should be taken to reduce lead hazards around the child's home. *Severe blood lead levels* (bll >20µg/dL) indicate that a child has a moderate to serious exposure to lead, and medical attention is required (in some cases a child may need to be hospitalized). In cases of severe blood lead levels, lead hazards must be found and removed.

This indicator is intended to track the number of children with elevated blood lead levels (bll >10 µg/dL), although information on the number of serious blood lead level cases (bll >20 µg/dL) is also monitored.

Number of Children Under Age 6 with Elevated Blood Lead Levels (bll >10µg/dL) by Zip Code, 2000



Source: ACLPPP, 2000

How Are We Doing?

Based on different risk factors,[7] the Alameda County Lead Poisoning Prevention Program (ACLPPP) has estimated lead risks throughout Alameda County. ACLPPP has rated West Oakland as a "Critical, Highest Risk" zone. Since 1995, the *Lead Poisoning* indicator for the West Oakland zip code of 94607 has ranked in the "worst top three" zip codes within the entire county of Alameda. Actually, in 1999, the West Oakland zip code 94607 was the Alameda County zip code with the *highest* number of reported cases of children with elevated blood lead levels (bll >10µg/dL). In 1999, this zip code also reported the *highest* number of the severe blood lead level cases (bll > 20 µg/dL).[8]

Results for severe blood lead level cases show a greater variation during the 1995-2000 period than elevated blood lead level cases. In both categories (elevated blood lead levels and severe blood lead levels), the West Oakland zip code ranked as first and third highest risk in all of Alameda County in 1999 and 2000, respectively. During 2000, zip codes along the water's edge reported the highest number of children with elevated blood lead levels—with 94601, 94621, and 94607 recording the highest numbers of affected children.

Overall, during the period 1995-2000 the number of cases of children with elevated blood lead levels and serious blood lead levels in Oakland have been decreasing. However, we should note that these numbers are directly related to the level of screening that is conducted in the different zip codes. In Alameda County the total number of children that were tested represented less than 8% of the children under six years of age.[9] Unfortunately, there is no data regarding the actual number of children that are tested each year in each zip code.[10]

Data Limitations

The *Lead Poisoning* indicator is based on information that is gathered by the ACLPPP and entered in the Housing and Medical Lead Environmental Testing (HAMLET) Database. There are a few limitations that need to be taken into account when interpreting results for this indicator. The values shown for this indicator underestimate the number of children known to have blood lead levels of concern (bll > 10 µg/dL).

ACLPPP estimates that their data represents about 90% of all the lab tests done in the county, where unreported results from a few smaller labs conducting blood lead level testing account for about 10% of all tests performed in the county. Furthermore, a portion of the blood lead test

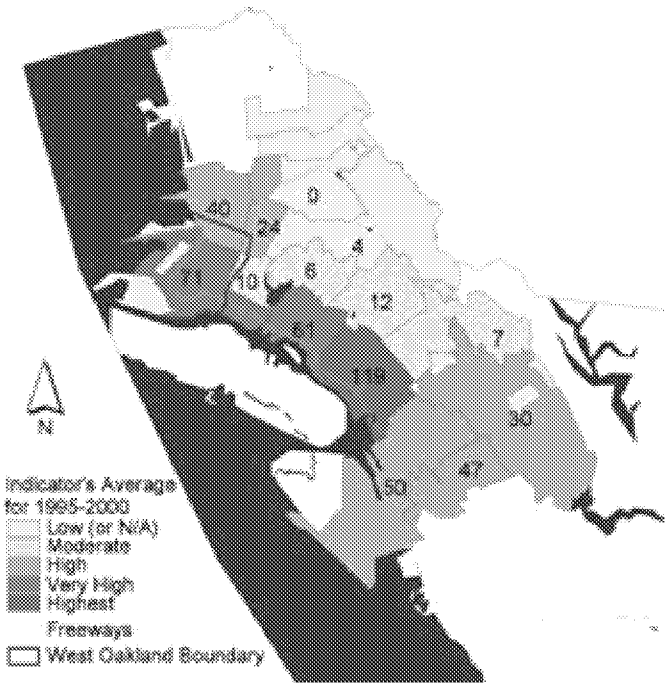
results above 10 µg/dL do not have zip code information and were not included in the final tally of each zip code.

However, even if all labs reported their results to ACLPPP, the figures obtained would still only represent a fraction of the total number of children that have elevated blood lead levels. Children may suffer from lead poisoning but never be tested. No one really knows the actual number of lead poisoned children in an area (e.g., West Oakland), as there is no comprehensive screening of the overall population in this age group.

Blood lead tests are usually performed at a doctor's request because there is some reason to suspect that a child might be suffering from lead poisoning. For example, ACLPPP recommends that a child be tested if he/she lives in a house that has a lead problem, lives close to a contaminated site (i.e., where paint, dust, or soil tests were above specific threshold levels), or if a sibling has tested with elevated blood lead levels.

A large percentage of children testing with normal blood lead levels (bll < 10 µg/dL) were recorded without zip code information. This makes it infeasible to get a reasonable estimate of the total number of children tested in each zip code. It is therefore impossible to estimate the percentage of all screened children who have lead poisoning by zip code. Efforts to improve recording of address information for all children tested (and not only lead poisoned children) will help identify the severity of the problem in specific areas. The number of children tested can vary greatly from area to area and from year to year. ACLPPP has put a great deal of effort into increasing blood lead testing, but because of yearly inconsistencies in program funding, the county often focuses work on a few target areas believed to be at high risk for lead poisoning.

Annual Average Number of Oakland Children Testing with Elevated Blood Lead Levels (bll>10µg/dL) by Zip Code, 1995-2000



Source: ACLPPP, 1995-2000

Despite all the limitations inherent in the data, it is still the best information available to the community. These limitations clearly show that additional screening and data collection efforts are needed to better estimate the prevalence of lead poisoning in children and more accurately assess the extent and severity of the lead problem in West Oakland.

What Can You Do About Lead Poisoning?

One of the most important things you can do to improve the well-being of your community and reduce the number of children affected by lead hazards is to have children in your community tested. In addition, awareness and education about lead hazards and lead exposure are critical to reducing the lead poisoning risk in a community.

The ACLPPP provides significant help in the detection, abatement, and prevention of lead problems to the residents of Alameda County. Services are especially aimed at owners of pre-1978 residential property. ACLPPP provides free paint testing kits (upon request), free Lead Safe Home renovation classes to property owners who are planning home renovations or are concerned about lead hazards in the home, loans and grants on an emergency basis for homes with lead poisoned children, and a free lending program of High Efficiency Particulate Air Filter (HEPA) vacuum cleaners to property owners.

ACLPPP also offers expert information to the community and in some cases technical assistance.[11] Assistance to tenants depends on the condition of the property and the cooperation of the property owner, except if there is a known lead-poisoned child. If there is a known lead-poisoned child, the agency may carry out enforcement actions in cases where the rental property owner is not cooperating. ACLPPP has been working with other agencies—including HUD, USEPA, Alameda County Health Services, the City of Oakland and other cities, Child Care Licensing Division (CDSS), local schools, and other organizations such as Bananas, Inc.—to reduce lead hazards in communities within Alameda County.

<<EPA-HQ-2019-003701>> 000373
<<2020-01-21>>
ED_002352_00004173-00057

Contact Information for Additional Resources

Alameda County Lead Poisoning Prevention Program (ACLPPP)
Information Line: 1-800-B-Lead-Safe
Information/Health Questions: (510) 567-8282
www. aclppp.org/lead.htm
www. aclppp.org/regs.htm

This site has information on lead poisoning, sources of lead, and lead abatement practices, among many other useful resources. On the regulations web page, disclosure needs of any information concerning lead-based paint upon sale or lease of pre-1978 residential property can be found.

California Department of Health Services
Information Line: (510) 622-5000
Occupational Health: (510) 622-4300

California Occupational Lead Poisoning Prevention Program
(510) 540-3448

City of Oakland Housing Complaints
(510) 238-3381

National Lead Information Center (NLIC)
1-800-424-LEAD (1-800-424-5323)

USEPA Indoor Air Quality Information Clearinghouse
800-438-4318 (IAQ hotline)
800-SALUD-12; 725-8312 (Spanish)
www.epa.gov/lead/
www.epa.gov/iaq/iaqinfo.html

Notes

[1]For example, working in a foundry, metal casting, or plating, or in the construction industry.

[2]Children tend to absorb ingested lead into the blood more readily than adults, especially those children who have diets low in iron and calcium.

[3]According to HUD and the California Department of Health Services, the standard for lead-based paint is 5,000 ppm (by laboratory analysis) or 1.0 mg/square centimeter (by XRF analysis). Also, according to USEPA, under the new standards, lead is considered a hazard if there are greater than 40 micrograms of lead in dust per square foot on floors, and 250 micrograms of lead in dust per square foot on interior window sills.

[4]According to Cal-EPA, lead levels that are equal to or above 400 ppm in bare soil are considered hazardous for children. Lead levels that are equal to or above 1,000 ppm are considered hazardous for adults.

[5]Symptoms may include diarrhea, stomach cramps, lethargy, vomiting, or seizures in some severe cases.

[6]Lead levels in EBMUD water are well below federal limits (the Federal Maximum Contaminant Limit is 15 ppb).

[7]Lead poisoning risks were estimated based on income, ethnicity, and age of housing stock, where highest risk areas such as West Oakland are the ones with the highest percentages of low income and minority populations, and pre-1950 housing structures. Risks were based on 1990 Census Data for poverty, age of housing stock, and race/ethnicity.

[8]Although ACLPPP has been collecting data regarding Alameda County blood lead test results since 1992 (which constitute the data source for this indicator and is shown in the graph with bll >10µg/dL) it is best to look at the data from 1995 on, when data gathering procedures were already well established.

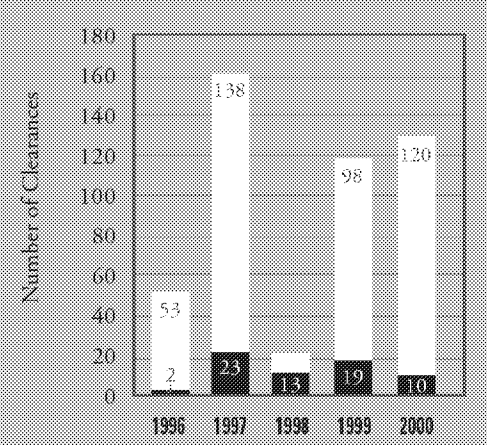
[9]This estimate only takes into account the blood lead tests reported to ACLPPP (and a rough estimate of number of Alameda County children in this age group based on 1990 census population data).

[10]Some results for bll>10µg/dL have no zip code information—these were not counted in the tabulation of indicator values for the different zip codes. As to results for bll>20µg/dL, mostly they reported on zip code information and therefore undercounts due to unreported zip codes do not occur (except during 1999 and 2000, but even then, a small number).

[11]This technical assistance includes lead-based paint inspections, environmental assessments, pre- and post-clearance testing.

Lead Abatement

Number of Units Cleared per Year in Lead Abatement Projects in West Oakland and Oakland, 1996-2000



West Oakland
Rest of Oakland

Source: ACLPP, 2000

Although West Oakland is considered one of the highest risk areas in Alameda County for lead poisoning, the number of lead abatement projects in West Oakland in 2000 was less than 8% of the total for Oakland.

The Indicator

This indicator tracks the number of housing units where lead hazard reduction work has been completed per year and per census tract. Completed lead abatement projects are referred to as "clearances." The indicator value reported for West Oakland corresponds to the number of housing units that have been cleared in the West Oakland census tracts,[1] whereas the value for Oakland corresponds to the total number of housing units cleared in all Oakland tracts.

Why Is This Indicator Important?

Lead poisoning can have devastating effects on the health and well being of communities. Lead presents a serious health risk for people that are exposed to it, particularly children. One of the frequent causes of lead poisoning in children is through ingestion of lead, mostly from lead-based paint chips or contaminated soil. Young children who live in older homes are at higher risk, because there is a greater likelihood that there will be lead-based paint hazards in or around their home.[2] Homes built before 1978, with peeling or chipping lead-based paint, pose the most risks for young children. Renovations in these homes are particularly hazardous if the work is not done in a lead-safe manner.

To monitor lead contamination problems in a neighborhood it is important not only to assess the extent of the problem (e.g., by tracking the *Lead Poisoning* indicator), but also to evaluate how well the community is doing in abating the existing problem. The risk of lead poisoning in pre-1978 (and especially pre-1950) homes is not likely to decrease without some level of intervention.

Since 1995, the Alameda County Lead Poisoning Prevention Program (ACLPPP) has been recording the number of lead abatement projects,[3] including consultations with owners or those doing repair work regarding risk assessment. Many of these clearances were done as a result of HUD funded lead hazard reduction projects.

Knowing how many units have been cleared through lead abatement projects gives us an approximate measure of the level of lead abatement in a community.

<<EPA-HQ-2019-003701>> 000375
<<2020-01-21>>
ED_002352_00004173-00059

Using this information, we can identify where remediation efforts and resources have been targeted in the past. Although a significant percentage of lead abatement projects occur in high risk areas, a more thorough comparison of the level of abatement and the level of risk in particular communities can help identify priority areas for future remediation work.

How Are We Doing?

The map of the Lead Poisoning Risk in Alameda County (ACLPPP, 1999) in the *Lead Poisoning* Indicator shows that West Oakland is considered a "Critical, Highest Risk Area." It is therefore of particular importance to know how well lead hazards are being reduced in this community. In the year 2000, this indicator shows that 10 West Oakland housing units completed lead abatement projects, and between zero and three units were cleared per census tract.[4]

Looking at the evolution of this indicator during the last five years, we cannot see a clear trend for either Oakland or West Oakland. Although there are numerous barriers to the completion of lead abatement projects,[5] the community needs to find ways to move this indicator in a more positive direction.

The number of clearances in West Oakland during the past year (2000) was less than 8% of the total for Oakland, even though West Oakland represents slightly over 10% of the City's total land area and is an area where the lead poisoning risk level is considered "critical".

West Oakland fares slightly better when we look at the aggregate picture for the period 1996-2000. The indicator's average for West Oakland over the last five years was about 13 units per year (13.4 units/yr), while in Oakland it averaged almost 100 units per year (97.4 units/yr)—that is, West Oakland clearances represent slightly less than 14 % of the Oakland's total. Although the cumulative picture is better than the 2000 indicator's value, it still reveals that West Oakland is not attaining as much lead abatement as its "critical risk" level would advise.

A comparison of the geographical distribution of lead poisoning risk levels and lead abatement projects in Oakland clearly demonstrates the need for increasing lead abatement efforts in West Oakland and other high-risk areas. A more detailed look at the distribution of lead abatement projects in West Oakland alone reveals that the number of housing units that completed lead hazard reduction projects is not uniform throughout the neighborhood. Areas around Lowell Park, Wade Johnson Park, and the Defremery Recreation Center have received little or no abatement work.[6]

Data Limitations

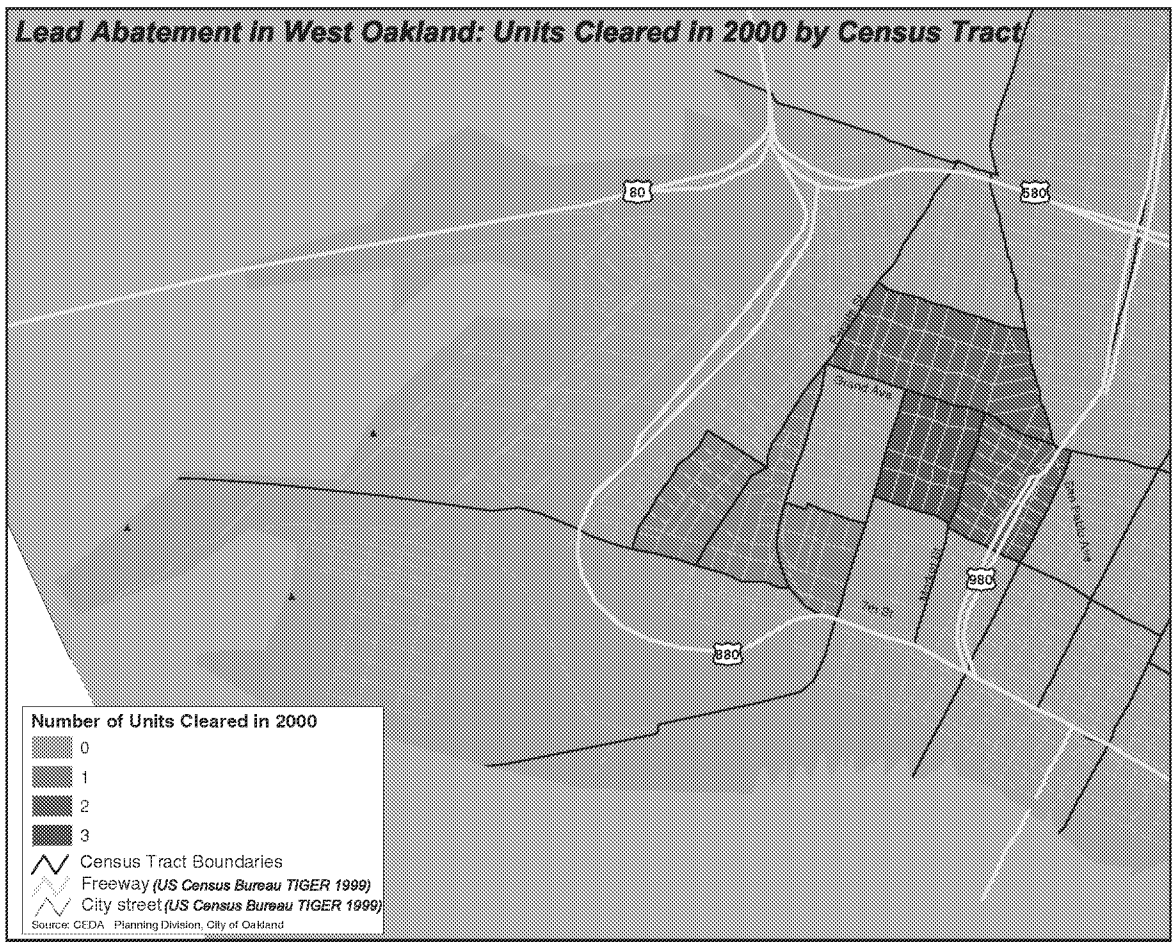
The lead abatement data (number of units that have "cleared") is from the ACLPPP Housing Database. This data does not provide us with information regarding the level of abatement and whether or not the problem is likely to occur again.[7] It is important to note that "clearance" does not mean that lead contamination is completely eliminated from a unit, but that the lead hazard was reduced or abated in some way.

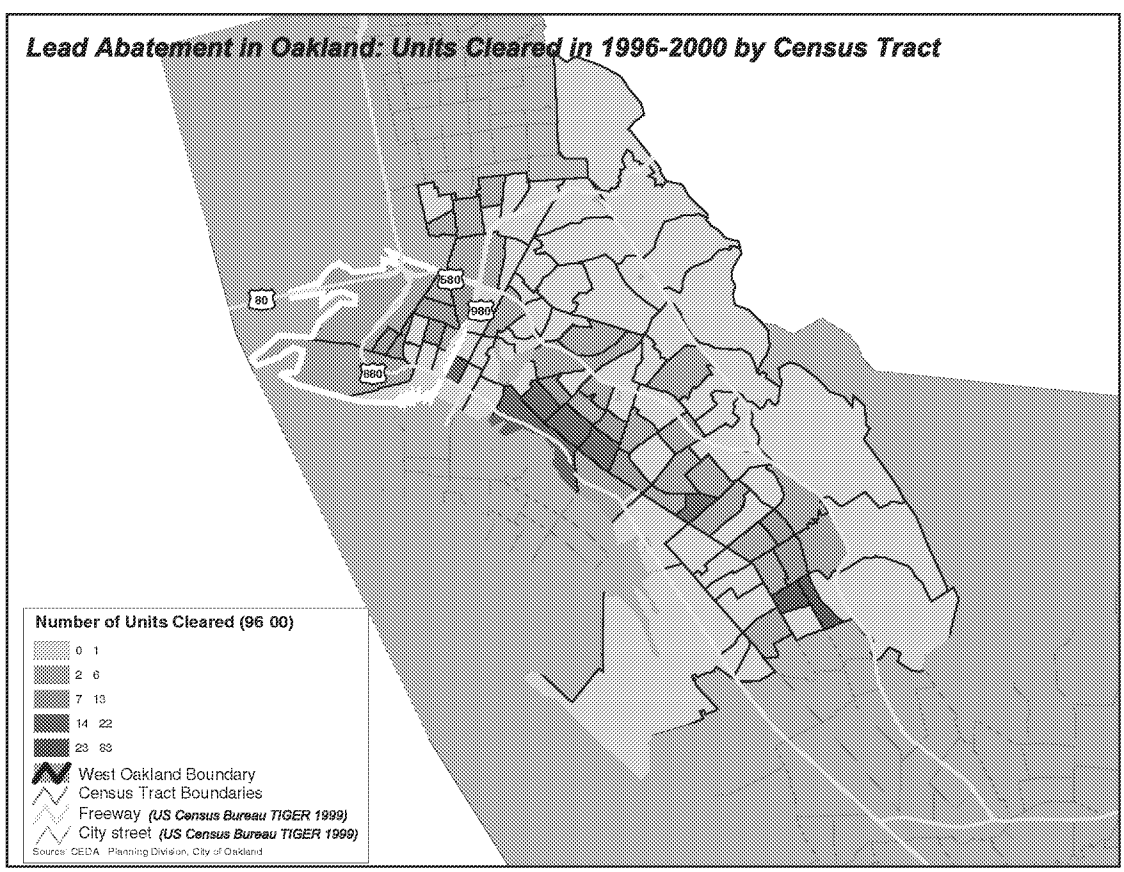
The data used in this indicator refers only to projects tracked by ACLPPP, and leaves out other lead abatement projects where ACLPPP was not involved in any capacity. ACLPPP has several avenues of intervention. For example, their efforts in educating homeowners, training contractors, and providing lead-safe painting preparation kits are not captured in this indicator, although these activities can often result in abatement activities.

ACLPPP is the agency that is the primary administrator of all major lead hazard reduction programs and grants. By tracking ACLPPP activity we can get a good sense of how well a community is doing regarding lead abatement. The data on number of units cleared is a conservative estimate because a small percentage of cleared units do not show a correct census tract identification—this percentage ranges from 31% (in 1996) to less than 1% of the total number (in 1997 & 1999).[8]

What Can You Do About Lead Abatement?

You can help reduce lead hazards by learning what constitutes a potential hazard, what can be done to prevent or reduce lead hazards, and what resources are available to help you clean up your home and your community from lead contamination. The ACLPPP provides significant help in the detection, abatement, and prevention of lead problems for the West Oakland community. Their services are especially aimed at owners of pre-1978 residential property. ACLPPP provides free paint testing kits (upon request), lead-safe painting preparation kits,[9] free Lead Safe Home remodeling classes to property owners who are planning home renovations or are concerned about lead hazards in the home, loans and grants on an emergency basis for homes with lead-poisoned children, and a free lending program of High Efficiency Particulate Air Filter (HEPA) vacuum cleaners to property owners. ACLPPP also offers expert information to the community and, in some cases, technical assistance.[10] Assistance to tenants depends on the condition of the property and the cooperation of the property owner, except when there is a known lead-poisoned child. The agency also carries out enforcement actions in cases where the rental property owner is not cooperating and where there is a lead-poisoned child.





<<EPA-HQ-2019-003701>> 000377
<<2020-01-21>>
ED_002352_00004173-00061

ACLPPP has been working with other agencies—HUD, USEPA, Alameda County Health Services, the city of Oakland and other cities, Child Care Licensing Division (CDSS), local schools, and other organizations such as Bananas, Inc.—to reduce the lead hazard in communities within Alameda County.

Contact Information for Additional Resources

Alameda County Lead Poisoning Prevention Program (ACLPPP)
Information Line: 1-800-B-Lead-Safe
Information/Health Questions (510) 567-8282
www. aclppp.org/lead.htm
www. aclppp.org/regs.htm

This site has information on lead poisoning, sources of lead, and lead abatement practices, among many other useful resources. On the regulations web page, disclosure needs of any information concerning lead-based paint upon sale or lease of pre-1978 residential property can be found.

National Lead Information Center (NLIC)
1-800-424-LEAD (1-800-424-5323)

USEPA Indoor Air Quality Information Clearinghouse
800-438-4318 (IAQ hotline)
800-SALUD-12; 725-8312 (Spanish)
www.epa.gov/lead/; www.epa.gov/iaq/iaqinfo.html

California Occupational Lead Poisoning Prevention Program
(510) 540-3448

California Department of Health Services
Information Line (510) 622-5000
Occupational Health (510) 622-4300

City of Oakland, Housing Complaints
(510) 238-3381

Notes

[1]West Oakland Census Tracts are the ones that fall, at least partly, within West Oakland freeway boundaries, namely 1990 Census Tracts 4014-4027.

[2]According to US Housing and Urban Development and the California Department of Health Services, the standard for lead-based paint is 5,000 ppm (by laboratory analysis) or 1.0 mg/square centimeter (by XRF analysis). Also, according to USEPA, under the new standards, lead is considered a hazard if there are greater than 40 micrograms of lead in dust per square foot on floors, and 250 micrograms of lead in dust per square foot on interior window sills.

[3]Housing Database, ACLPPP.

[4]West Oakland Tracts 4014-4027 combined.

[5]Barriers such as the lack of the owners' financial capability, the high demand for housing which reduces the incentive to make property improvements (including lead hazards), the limited capability of enforcement, and the irregular funding base for lead abatement programs.

[6]There was only one unit cleared in the last 5 years in the area near Wade Johnson Park (census tract 4021).

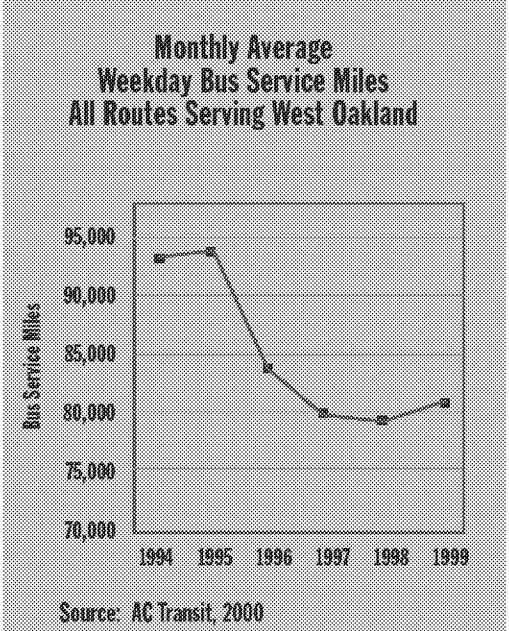
[7]In fact, some of these units may be double counted if for example some type of lead abatement is needed during later repairs or renovation projects.

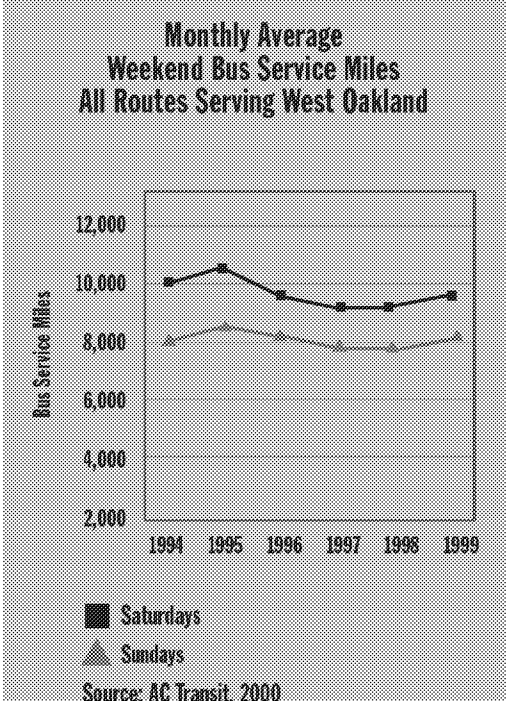
[8]Information regarding 1995 — the first year that this data was recorded — was found to be unreliable and was therefore not used in the analysis of this indicator (e.g. data for this year registered a 74% rate of unknown census identification).

[9]These kits include tools, safety equipment, and educational materials for conducting lead safe painting projects.

[10]For example, lead-based paint inspections, environmental assessments, pre- and post-clearance testing.

Transit Mobility





From 1995 to 1999, the West Oakland neighborhood experienced a 15% reduction in the frequency and range of bus service.

The Indicator

This indicator tracks the efficiency and accessibility of public transportation within West Oakland. The indicator measures the average monthly AC Transit bus service miles for the routes that travel through West Oakland from 1994 through 1999. Service miles are an aggregate measure of every mile driven for a particular bus route over a particular period of time. It is a helpful way to account for the total number of bus routes and the frequency of service for each route within a single measurement. This indicator also measures the number of West Oakland residents that live within 1/8 of a mile from a bus stop.

Why Is This Indicator Important?

Mobility is about travel time and the movement of people. While many West Oakland residents live within close proximity to a bus stop, this access is of little use if the buses do not go where people need to go or if the buses do not run at the right times of day. Although this indicator does not answer the "How long will it take me to get there?" question, it tries to generally measure how well public transit can deliver people where they want to go, when they want to go there. It considers the frequencies of buses and the hours of the day that they run.

The Automobile Association of America reports that the average cost of owning and operating a vehicle is about $6,500 per year. As a result, for those who earn a minimum wage equivalent to $11,500 per year before taxes, car ownership is close to impossible. Even if a car can be bought, operated and maintained for half of the average cost, it is simply too expensive for many low-income families.[1] Unlimited access to transbay and local AC Transit buses is much less costly, at less than $1,000 per year.[2]

In West Oakland, many residents depend on public transit for their transportation needs. These families are cut off from the growing pool of jobs that require a car for access. They have reduced access to grocery stores, schools, and other basic life essentials. Hours are wasted every day waiting for buses that run infrequently, or making complex trips with multiple links or connections between different routes. Long walking distances from one's home to a bus stop reduces the likelihood that the bus can be a realistic transportation option.

<<EPA-HQ-2019-003701>> 000379
<<2020-01-21>>
ED_002352_00004173-00063

How Are We Doing?

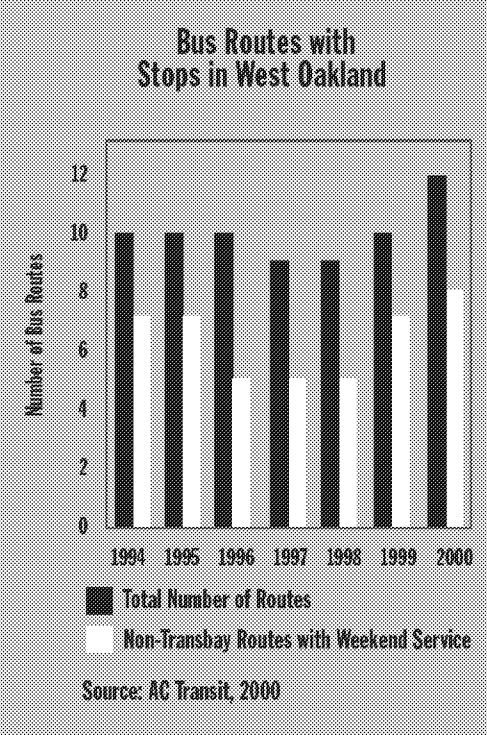
West Oakland has the advantage of being located with easy access to many of the Bay Area's transportation networks: freeways including I-80, I-580, and the I-980, BART, and AC Transit. The current AC Transit routes with stops in West Oakland are 13, 14, 15, 62, 72, 82, 88, 315, 362 and (Transbay) B, F, K. While West Oakland is well located in regards to numerous transportation options, significant cutbacks in bus service that began in 1995 substantially reduced the bus service miles within West Oakland.

Mobility via transit requires as a first step that residents have access to bus stops. In 1999, 85.3% of West Oakland residents lived within 1/8 mile of a bus stop. This measurement excludes routes 315 and 362. Using the same population data, 75% lived within 1/8 mile of a bus stop with weekend service. Living close to a bus stop eliminates the need to use different modes of transportation in the same trip (i.e., driving a car to the bus stop, parking, and then taking the bus). The close proximity of most residents to a bus stop means that even many people with impaired mobility can easily access transit services.

The next step is to have dependable buses that run frequently and go to the right places. Here the news is not as good. From 1995 to 1999, West Oakland lost 15% of its monthly average weekday AC Transit bus service miles.

In 1994, 10 AC Transit routes serviced West Oakland, and every one of the non-transbay routes had evening and weekend hours. AC Transit made major cuts in service in 1995 and 1996. During that time, West Oakland lost one transbay route and weekend service on two non-transbay routes. The next changes happened in 1999, when routes 315 and 362 were added to support welfare-to-work transitions—bringing the total number of bus routes in West Oakland to 12.

By the end of 2000, nine of these routes had weekend routes. Only the number 82 offers late night service between 1:00 AM and 5:00 AM. As shown in the adjoining table, much of the transit service in Alameda County operates on reduced schedules or not at all in the evening, late night, and on weekends. Only 23 out of 86 AC Transit routes continue past 8:00 PM, only 15 operate after 10:00 PM and only 10 operate until midnight.[3]



Source: AC Transit, 2000

Percentage of Night and Evening AC Transit Bus Routes, December 1999

Routes running on weekday evenings after 8pm	Routes running on weekday evenings after 10pm	Routes running on weekday evenings after midnight
27%	17%	12%

Source: AC Transit route schedules, as of December 1999

During AC Transit's extensive system-wide cuts in service, West Oakland did lose bus routes, but the most significant impacts to the community came from reductions in the frequency of bus service and cuts in evening and weekend routes. The charts of average monthly weekday service show a sharp annual decrease in service in 1995, which slows down after 1996 and continues through 1998. It is not until 1999 that there is a very slight increase in service. For weekend service, the trend is the same, but less dramatic. These changes in service are not as much the result of a decrease in routes as they are a result of cutbacks in service on existing routes. West Oakland lost bus service in 1995 and that bus service has yet to be restored.

Data Limitations

This indicator originally was intended to track how long it took residents from different parts of West Oakland to reach each of five key locations from their West Oakland neighborhood. AC Transit historical data is limited. Schedule information is not kept on databases and neither is historical route information. As a result, it was not possible to get the original data that we had hoped for. Instead we are using proximity to bus stops, vehicle service miles, and the number of routes as a proxy—assuming that if enough buses ran frequently enough and stopped close enough to one's home, travel time would be low and mobility would be improved.

What Can You Do About Transit Mobility?

You can help improve the bus service in your community by getting involved with organizations that already care about this issue. Bus rider advocacy groups, such as the bus riders union are working to improve bus service for the people who depend on it. Other groups who care about community issues, such as the 7th Street/McClymonds Corridor Neighborhood Improvement Initiative, the Coalition for West Oakland Revitalization (CWOR), and Building Opportunities for Self-Sufficiency (BOSS) are also working on community transportation needs. Joining such an organization or letting them know your transit concerns is one way to make your voice heard. AC Transit board members are elected officials. If you need more bus stops or better bus service, let them know.

Contact Information for Additional Resources

AC Transit
http://www.actransit.org
(510) 891-4777
Greg Harper is the Director for Ward 2, West Oakland's AC Transit Ward.

Alliance for AC Transit
(510) 291-2879
The mission of the Alliance is to advocate for adequate funding for AC Transit local, transbay, and paratransit service; to educate the public and decision-makers about the need for public bus transit, and to develop a constituency supportive of AC Transit.

Building Opportunities for Self - Sufficiency (BOSS)
http://www.self-sufficiency.org/contents.html
(510) 663-6580

BOSS is dedicated to ending poverty and homelessness in the East Bay Area. Their community building team can help with advocacy for improved transportation services in your community.

The Bay Area Transportation and Land Use Coalition, Transportation Justice Campaign
http://www.transcoalition.org/index.html
(510) 740-3100

BATCLU is working to shape and influence the Metropolitan Transportation Commission's launch of regional welfare-to-work planning. The campaign is calling for several essential programs, including: a lifeline transit discount pass, 24/7 transit in the urban core, new reverse commute services, and child care transportation services. Included in their strategies is the promotion of creative partnerships among service providers, churches, foundations and the business community.

Notes

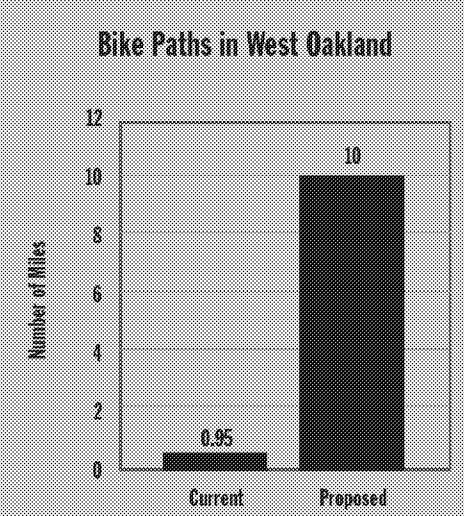
[1]BATLCU, 1999. *Transportation Divide.*

[2]This figure was calculated by considering the purchase of twelve 31-day AC-Transit passes at $80 per pass.

[3]BATLCU, 1999. *Transportation Divide.*

<<EPA-HQ-2019-003701>> 000381 <<2020-01-21>>
ED_002352_00004173-00065

Bikeable Streets



Source: Bicycle Master Plan, 2000

West Oakland currently has only 0.95 miles of designated bikeways, although Oakland's Bicycle Master Plan has proposed adding 10 miles of new bikeways.

The Indicator

This indicator tracks the total miles of designated bikeways in West Oakland, which include bicycle paths or multi-use trails, bicycle lanes, and bicycle routes. According to state law, bicycles are allowed on all city streets. Bikeways refer to streets or corridors that have been designed or improved to facilitate easier bicycle use. This indicator uses the freeway boundaries to define the West Oakland neighborhood.

Why Is This Indicator Important?

Bicycling for transportation is easy, enjoyable, and good for your health. Regular commuting by bicycle is less costly than owning a car or taking the bus, and like other fitness programs, contributes to general health and well-being. Bicycling provides great recreational opportunities for youth and families, and builds community as people interact on neighborhood streets. Bike paths often provide access to recreational opportunities for the community, including access to parks and other open spaces (e.g., the Bay). Bicycling also avoids the congestion and air pollution caused by automobile usage.

The Bay Area's mild climate allows for year-round bicycle commuting. The easy access to BART, AC Transit, and the ferry service to San Francisco create opportunities for bicyclists to extend their trips beyond West Oakland. The numerous bicycle advocacy groups in the East Bay create a supportive community for local cyclists. Despite these promising conditions, few people are likely to consider bikes as a serious transportation option without designated bikeways, bicycle parking, and safety education.

How Are We Doing?

West Oakland currently has only 0.95 miles of bikeways. These are divided between a short, unsigned stretch on West Street and an off the street trail near Port Park. Yet people *are* using bicycles in West Oakland. Inadequate bikeways contribute to accidents between bicyclists and cars. From 1985-1994, the city of Oakland had an average of 225 of these accidents per year.

<<EPA-HQ-2019-003701>> 000362 <<2020-01-21>>
ED_002352_00004173-00066

Most of Oakland's existing bikeways are in North Oakland. The city of Oakland recognizes the need to provide improved bikeways for the rest of the city's residents, and their 1999 Bicycle Master Plan proposes significant improvements to the bikeway system. If the proposals in the plan are implemented, West Oakland will gain more than 10 miles of new bikeways, in addition to bike access over the Bay Bridge. The city's new bike plan is clearly good for West Oakland bicyclists.

A portion of the proposed bikeways through West Oakland is a designated section of the San Francisco Bay Trail. The Bay Trail is a proposed regional hiking and bicycling trail around the perimeter of the San Francisco and San Pablo Bays. The Trail Plan was prepared by the Association of Bay Area Governments pursuant to Senate Bill 100. This bill mandated that the Bay Trail must: provide connections to existing park and recreation facilities; create links to existing and proposed transportation facilities; and, be planned in such a way as to avoid adverse effects on environmentally sensitive areas. Once the West Oakland section of the trail is completed, the neighborhood will have a significant increase in access to regional recreational activities and the Bay itself.

High quality of life means that people can live, work, learn, and play in their neighborhood and feel comfortable and safe. It means that the surroundings make the residents' lives better in ways that they value. Like pedestrian activity, avid bicycle use can be an indicator of community quality of life. Bike riding provides opportunities for community members to interact in the neighborhood and outside their homes. These types of interactions form the heart of strong community feeling in any neighborhood and help contribute to a high quality of life.

Data Limitations

This indicator does not describe how much bicycle riding is happening in West Oakland or what groups of people in the community are riding bikes. Bicycle traffic and usage may be the more relevant measure but that information is difficult to get without performing a survey. Assessing the length of bike paths is a proxy for whether bicycling is supported or encouraged in the community and by the city.

What Can You Do About Bikeable Streets?

The city of Oakland completed a Bicycle Master Plan in 1999. While many miles of new bike paths for West Oakland have been proposed, these plans still need to be implemented. Every time the City wants to install a new bike lane, a public participation process is required. Citizens who care about bikeable streets have an opportunity to become involved in these processes and help the city move forward with these plans.

Contact Information for Additional Resources

Kathryn Hughes
City of Oakland, Public Works
(510) 238-6493

East Bay Bicycle Coalition
http://www.ebbc.org/
East of the Hills call: (510) 939-5181
West of the Hills call: (510) 530-3444

Bike the Bridge! Coalition
http://guest.xinet.com/bike/btbc/
(510) 273-9288

San Francisco Bay Trail
Janet McBride
www.abag.ca.gov/bayarea/baytrail/index.html
(510) 464-7935 or JanetM@abag.ca.gov

<<EPA-HQ-2019-003701>> 000383 <<2020-01-21>>
ED_002352_00004173-00067

Appendix A - Methodology

Amount of Air Pollutants Released

Data Source

Toxic Release Inventory (TRI) Data, EPA for reporting years 1987-1998, downloaded as .CSV files from Envirofacts EPA site using "Easy Query" search. TRI. 1998 was the most recent dataset available when data was downloaded and analyzed in 2000, TRI updates yearly.

Methodology

The main dataset was retrieved by downloading data for the city of Oakland. The fields that were used to retrieve data for the calculation of this indicator were: reporting year; sum of air releases (corresponding stack and fugitive air releases from TRI facilities); city name (Oakland); county name (Alameda); state abbreviation (CA); facility Zip Code. Other fields used in more detailed queries to acquire additional information on TRI air releases were: facility name; facility address; TRI facility ID code; chemical name; carcinogen indicator.

To calculate this indicator numerous sorting operations had to be applied to the original dataset in order to get the necessary summary information for the different years. Downloaded CSV files were converted into Excel files and the data sorted by zip code. The Envirofacts Zip_Code information had to be converted into a "SimpleZip" column which retrieved the 5 first digits of the Zip_Code field. Data was then sorted by zip code and by reporting year. Indicator values report the Sum of TRI Air Releases (stack and fugitive air releases) per zip code per year.In the 1995-1998 West Oakland versus Oakland comparison, values for "West Oakland" were estimated by adding up the total air releases for the zip codes 94607 and 94608, based on a query that delimited retrieved information to the city of Oakland (thus not counting the amounts from zip code 94608 released in the city of Emeryville for the Zip Code 94608).

Additional information regarding release of carcinogens was obtained using the Risk-Screening Environmental Indicators Model (RSEIM).[1] This model was also used to perform the regional analysis presented, namely a comparison of total air releases (and carcinogen releases) for all Zip Codes within the 9 Bay Area County region.

Contact Information

EPA Envirofacts Website: www.epa.gov/enviro/htm

Air Pollution Health Risks

Data Sources

The base data for the indicator is contained in the Risk-Screening Environmental Indicators Model (RSEIM), version 1, July 1999 of the Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency (EPA). The model uses many different types of data to arrive at the full risk indicator value, including:

1. location of facility and chemicals released or transferred: Toxic Release Inventory (TRI) Data, EPA (1988-1997), this information is updated yearly

2. adjustments for chemical-specific chronic human health toxicity: numerous data sources were selected by EPA and used in assigning toxicity weights to chemicals, mostly representing expert Agency-wide judgments (IRIS, HEAST, OPP and other sources of secondary data)

3. adjustments for pathway-specific exposure potential: weights based on quantitative and qualitative EPA exposure assessment regarding media-specific and pathway-specific releases (including AIRS data and National Emission Trends Database) , and site characteristics (e.g., STAR meteorological data) to calculate ambient concentrations

4. adjustment to reflect the size of population: 1990 US Census data was used to estimate population values for non decennial years

Methodology

The Air Pollution Health Risk Indicator uses the OPPT's Risk-Screening Environmental Indicators Model (RSEIM), version 1, July 1999, to estimate relative health risks associated with air releases from TRI facilities. The model combines three main components—toxicity, exposure potential, and population—to calculate chemical-facility-medium-specific indicator elements, integrating numerous data sources and models. The final full relative-risk based indicator value corresponds to the sum of all indicator elements.

The information was received on disk from OPPT, EPA (both the model, and all data tables used). RSEIM was received in October, 2000, which included TRI data for the 1988-1997 period. The RSEIM data was disaggregated by year, facility, geographical area (zip code, county state), chemical, carcinogen chemical, etc.

Only "Full Model" values [2] were used to estimate (rank) Air Pollution Health Risk Indicator results. The relative-risk ranking of the different zip codes within a certain geographic area for a specific year is obtained by ranking the full model results for the different zip codes for that year.

Relative-Risk data (full model value) was analyzed at 3 different scales: the 9 Bay-Area County Region; Alameda County; and the city of Oakland. Within each of these 3 levels of aggregation, the relative health risks from TRI emissions was estimated and ranked using the Full Model. Relative risk rankings of facilities within a specific geographical area, and ranking of relative risks of facilities posed by their carcinogenic emissions are examples of the numerous queries performed.

Queries performed during analysis of this indicator used some of the following search criteria: Year; Media (all TRI air emissions, i.e., stack and fugitive releases); State (California); FIP: 06001 (Alameda County), or list of FIPS for 9 Bay Area Counties; counties associated with facilities; City: OAKLAND; C.OSHA Carcinogens (flag indicating whether the chemical is a known carcinogen based on OSHA criteria)

Variables selected for display were: Facility Name; Zip Code of TRI Facility; and Chemical (common chemical name).

Results of queries performed were converted into excel files. Different data aggregations, sorting, and ranking operations had to be applied to the different data sets in order to get the necessary summary information and indicator results (ranking of "Full Model" values for facilities or zip codes) for the different years. Although only "Full Model" results should be used in calculating the EIP indicator (data in the "Full Model" filed/column), RSEIM results stored as excel or db files include other data. The additional data contained in other fields will allow users to answer different questions. For example, the difference between Total TRI pounds and TRI Modeled pounds indicates how much of the total air emissions were actually taken into account in estimating the "Full Model" value (because some chemicals can't be modeled due to incomplete knowledge).

Pre-Run Queries: EIP has already executed a significant number of runs – those queries thought to be of interest to the community – making it easier to retrieve results.[3] Important caveat: if running new queries, when entering search parameters (e.g. different zip codes), enter one in each line, but do not hit return when entering the last value. For information on how to run the model, build queries, etc. please refer to the User's Manual available in hardcopy and online at the EPA website.

Contact Information

Assistance with RSEIM caveats and queries: Nicole Buffa, EPA, 415-744-1137; buffa.Nicole@epa.gov

Asthma Rates

Data Sources

1. Patient Discharge Database–Version B, was received from Office of Statewide Health Planning and Development (OSHPD) on disk in Excel Spreadsheet format.[4] (1998 was most recent dataset, purchased by Pacific Institute)

2. 1990 Population demographics at the zip code level was received in Excel format from the Alameda County Department of Health Services, Environmental Health and Investigations Branch (DHS-EHIB); "STF3B"-"Summary Tape File 3, subfile B." (updates every ten years)

3. 1990 Population Demographic data for the State of California and for Alameda County were downloaded directly from the U.S. Census Bureau website at the Department of Finance (online data at www.dof.ca.gov/html/Demograp/data.htm).

Methodology

The received data was disaggregated in the following ways: 1) The Patient Discharge Data was disaggregated by year; hospital ID; age group; sex; ethnicity; race; zip code; county; source of admission; source of payment; principal diagnosis (ICD_9 codes); condition present on admission; source of routing (proxy for emergency room admission); priority (code created by OSHPD for EIP to enable identification of individual patients from Visits records); and, patient ID number (this is from encrypted patient's Social Security Number). 2) The Population demographics data was disaggregated by age group, sex, and race.

To calculate the Asthma Indicator, numerous sorting and filtering operations had to be applied to the original datasets in order to get the necessary summary information for the different years. OSHPD datasets for California had to be merged, as hospitalization records were recorded in two separate files for each year.

In calculating all rates, only discharges with asthma as the principal diagnosis were selected (filter applied: DIAG_P=493**, corresponding to ICD-9 codes 493). Asthma rates were calculated for each year using 1990 population estimates by age, race and zip code (U.S Census Bureau[5]).

Regarding race, only rates for the Black population (all ages and children under 15) were calculated. Patient discharge records with race as 'unknown' or 'other' were excluded from the race specific analysis, but were included in the overall estimates.Discharge records with age 'unknown' were not counted in the calculation of age specific rates that are the basis for this indicator (age-adjusted hospitalization rates for children under 15).

Age-adjusted rates were calculated using the direct method of the 1990 California standard population. Nineteen age groups were used: <1 years, 1-4 years, and 5-84 in 10 year age-groups, and over 84 years. The 95% confidence intervals were calculated for age-adjusted rates using a square root transformation assuming a Poisson distribution. Rates based on small numbers were omitted when the number of discharges for a zip code or group was less than 20.[6]

Estimating the number of patients that are hospitalized in a given year was done in a two-step process, and it tallied all single patients that were hospitalized (rather than number of discharges, or 'visits') for which there was a unique patient number (identification possible for patients with SSN information) and all records (discharges) of patients for which there was no SSN information. This resulted in an over estimate for single patient count[7], which was in part counteracted by an undercount for records with unknown zip code information.

To estimate number of patients hospitalized, first we isolated records with PAT_N=1 (those with no SSN). Then we tallied separately the total number of records where PRIO_N=1 (i.e., the first record of a patient that was hospitalized due to asthma and for which there was SSN information). Then these two were added to obtain a final estimate for the number of patients.Age-adjusted asthma hospitalization rates for children under 15 (based on number of discharges) were calculated for individual Oakland zip codes, the Alameda County, and California, representing the EIP indicator.

In addition, other rates were calculated during analysis of the asthma indicator: age-adjusted rates for all ages, based on number of discharges; age-adjusted rates for children under 15 and for all ages, based on number of patients; former age-adjusted rates for Oakland zip codes, based on number of discharges; ratios visits/patient; and distribution of hospitalization visits by medical unit for West Oakland, Oakland and Alameda County residents (% discharges by residence per hospital).

Contact Information

Office of Statewide Health Planning and Development (OSHPD): (916) 327-5335

Jan Morgan, Administrative: contactjmorgan@oshpd.state.ca.us

Mark Kloberdanz, Data Analyst in charge of query development: mkloberd@oshpd.state.ca.us.[8]

Phyllis Diaz, for questions regarding metadata: PDiaz@oshpd.state.ca.us

Alameda County Department of Health Services, Environmental Health and Investigations Branch (DHS-EHIB)

Julie Von Behren: JVonBehr@dhs.ca.gov

Voting Power

Data Sources

1. Voting rates obtained from the Office of the City Clerk, City of Oakland. (EIP data until 2000 election, tallied for every election by City Clerk)

2. Population estimates obtained from Claritas, Inc.

Methodology

The City Clerk's office keeps the official voting record for every election. Their data comes from the Alameda County Registrar of Voters office. These records are available upon request. The boundaries used to define West Oakland voting data include thirteen voting precincts in the city of Oakland: 33500, 33501, 33510, 33550, 33600, 33610, 33620, 33640, 33650, 33660, 33661, 33671, and 33680. These voting precincts correspond with census tracts 401400-402400.

Voting turnout data was calculated by first requesting the official record of the vote from the City Clerk's office for the desired elections. The voting precinct numbers came from a map of voting precincts available from the same office. With this information, it was then possible to record the number of registered voters and the number of voters who voted from each election. In certain years, one precinct or another did not have a high enough turnout to be calculated on its own. In these years, certain precincts would be combined.

Once the information was gathered and recorded, voter turnout was then graphed for comparison across time. Presidential elections were separated from other elections. West Oakland Voting rates were compared with District Three in Oakland and the City of Oakland for the most recent election. The chart showing the Registered Voters in West Oakland was calculated using the Official Record of the Vote for the November, 2000 elections and the 1999 Claritas population estimates for the corresponding census tracts.

Vulnerability to Displacement

Data Sources

1. Median rental data received from Homefinders, inc. an Excel database of all available rental units listed at Homefinders for Oakland "below Macarthur" from 1997 through July 2000.

2. Median home sales data received from Oakland Association of Realtors as an Excel database of Single-Family Residence (SFR) sales from 1997 through 8/31/2000. This is based on Multiple Listing Service (MLS) data.

<<EPA-HQ-2019-003701>> 000385 <<2020-01-21>>
ED_002352_00004173-00069

3. Income data received from Claritas, Inc. from 1999 census tract projections for West Oakland.

Methodology

The freeway boundary for West Oakland was used for these calculations. For the calculation of median rental price, addresses outside the West Oakland "inside the freeways" boundary were removed from the Homefinders Excel database. In practice, the cut-off for addresses was 3600 north on north-south streets (36th Street) and 650 east on east-west streets (Castro/MLK). Existing data was analyzed and median rents on different units was determined and a chart of rental prices was created.For median home prices, the Oakland Association of Realtors selected a "West Oakland" data set slightly larger than our study area of within the freeway boundaries; they did this with a custom real estate computer mapping program. We deselected addresses not within the "freeway boundary" for West Oakland. Addresses greater than 3600 north (36th Street) and less than 650 east (Castro/MLK) were deleted. We analyzed the sales data to determine a median home sales price, and created summary statistics and charts in Excel. We adjusted each year to reflect 1999 dollars.

For incomes and analysis of affordability, we aggregated census tract data from Claritas, Inc. We determined the percentage of households (HH) in the study area within each of the five income categories. This was compared to the data on rents and home sales.To determine the annual income needed to afford median rents we use the following formula: median rent x (12months/ 30%). To determine the annual income needed to afford the median home sale prices we used the payment/PMT function in Excel which calculates monthly payments based on a particular home sales price. Then, we compared the income needed to afford median rents and home sales to the five income categories to determine affordability by percentage of households.

Contact Information

Homefinders, Dana Goodel, CEO: (510) 549-6450

Oakland Association of Realtors, Judy Rix-Brown: (510) 836-3000

Community Stability

Data Source

Metroscan (parcel) data for all of Oakland from Prof. John Landis' research assistant, Ness Sandoval, from Department of City and Regional Planning, UC Berkeley. Data was current as of June 1999 and saved in SPSS file.

Methodology

For the analysis of turnover rates in West Oakland, Metroscan use codes were recoded into "newcode" that corresponds to the three parcel categories described in the indicator (industrial, residential, commercial). For example, all residential use codes were recoded "residential" and so on. Those parcels in the West Oakland census tracts 4014-4027 were copied as a new data set. Summary statistics for the "newcode" variable were run for both data sets on the years 1997 through 1999 (June), and those parcels which were sold in each category were totalled.

For Rapid Turnover analysis the parcels were sorted by the variables designating the date of prior sale and the date of the most recent sale. The entries within the study period (1997-1999) were pasted into an Excel document. In Excel the parcels in the study that had not sold twice in two years (according to prior sale date and current sale date) were deleted from the data set. The remaining entries were tallied and recorded in the top of the spreadsheet.

Subsidized Housing Supply

Data Source

1. Data on Publicly Assisted Rental Units in the City of Oakland received in hardcopy form from the Community and Economic Development Agency (CEDA), dated 2/25/00.

2. Data on Section 8 housing received over the phone from Oakland Housing Authority.

3. Data on public housing units received over the phone from Oakland Housing Authority.

4. Data on total number of housing units in West Oakland from 1999 Claritas, Inc. estimate.

Methodology

West Oakland units were delimited from the information on publicly assisted rental units by matching address to the "inside the freeways boundary." For publicly assisted housing, West Oakland units were tallied, and then all Oakland units tallied. To derive the percentage of total number of housing units in West Oakland that is publicly assisted housing, we used information on total number of housing units from Claritas, inc. 1999 estimate.

The Oakland Housing authority gave us data on Section 8 and public housing within census tracts 4016-4027 (West Oakland) as of last week in January 2001.

Contact Information

Community and Economic Development Agency (CEDA), City of Oakland, Jeff Levin (for information on Publicly Assisted Rental Units), jplevin@oaklandnet.com, (510) 238-6188

Oakland Housing Authority, Jim Wilson (Section 8 housing): (510) 587-2180

Lily Toney, Housing Management (Public Housing)(510) 874-1520

New Business Development

Data Sources

1. Excel databases of all new businesses in 94607 zip code received from City of Oakland, Business Tax Division. (Cost - $35)

2. Hardcopy of Standard Industrial Code table listing used by City of Oakland also received from Business Tax Division. (no cost)

Methodology

The city provided 4 databases, one for each year: 1997, 1998, 1999, and for the year 2000 through August 15. The databases included all newly licensed businesses in the zip code. The 4 databases were combined into one. These databases are updated by the city regularly.

Businesses outside the West Oakland "freeway boundary" were eliminated from the database. As a rule, addresses less than 650 on east-west streets were eliminated. This corresponds with Castro/MLK. Businesses were then recoded into "EIP Recode" based on SIC codes. Businesses for which there was no SIC explanation in the City's table listing were not recoded and were not included in the final indicator. Recoded businesses were tallied and analyzed, generating the indicator table of number of new businesses in each category.

Contact Information

City of Oakland, Marissa Wheeler: mdwheeler@oaklandnet.com, (510) 238-7468

Illegal Dumping

Data Sources

Obtained excel database of city dumping from Environmental Services, Public Works

Methodology

The data on illegal dumping comes in one file for each month. It includes all the garbage the city collects and dumps at the city dump. The information is coded for type of garbage and truck number. The route code for illegal dumping was 627. The truck code for West Oakland is 4985. The tonnage was

tallied by truck # 4985 to get the West Oakland total, and by all Route 627 to get city total for Illegal Dumping. The original city data was separated into monthly files.

Contact Information

City of Oakland, Public Works, Susan Katchee: (510) 238-6981

Truck Information, John Wright, Service District 1: (510) 434-5104

Jamil Blackwell: (510) 434-5106

Land Use Conflict

Data Sources

1. Zoning information from the General Plan Zoning Code data, Community Economic Development Agency (CEDA), City of Oakland (prior to and post the 2000 zoning update). (no cost)

2. Census 1990 and 2000 Block Group Population Data downloaded from the U.S. Census Bureau (TIGER files) website.

3. 1999 Estimates for Block Group Population Data from Claritas, Inc..

Methodology

Two 1997 CEDA Arcview files containing West Oakland zoning information prior to the 2000 West Oakland zoning update were used for this indicator: 1) a general zoning file with an indication of major land use zoning codes, (e.g. M codes designate industrial zones) and 2) a non-conforming uses file with information of industrial parcels within residential zoned areas. A 2001 CEDA Arcview file with information on the new West Oakland zoning (including the new S-16 mixed use "buffer" zone, and the S-15 Transit Village delimitation) which was approved on October 2000 as an amendment to the Zoning Code. 1990 and 2000 block group data (TIGER files) was downloaded from the USCensus Bureau web site. Population data was then re-projected into Sateplane (NAD 83) Projection.

This indicator is based on spatial analysis of CEDA zoning information and TIGER population data, using Arcview ESRI software. All spatial analysis for this indicator was performed by Anders Flodmark at GISC, UCB. Analysis was done using the EIP definition of West Oakland boundary (area within the 580 and 980 freeways, including the Port of Oakland and Army Base).First, industrial zoned areas and non-conforming uses in residential areas were spatially delimited in a new shapefile. Industrial areas in the new shapefile were buffered with a 0.125mile buffer. Population data from Census 1990, using 1990 TIGER blocks was re-projected to the Stateplane (NAD83) so it would be in the same projection as CEDA zoning data. 1990 TIGER blocks was clipped using Oakland from TIGER1990 Place shapes. Clipped further to rid the coverage of areas under water where it is estimated that not many people reside. Area of blocks was recalculated using the calcapl script from ESRI. These were intersected to determine the population within 1/8 mile, the population for the intersected blocks was calculated: Area/Blk_Area=Ratio; New population = Ratio * P1 in field Area_pop.

For the second set of results (i.e. results for the indicator post-2000 zoning update), a new indicator value was calculated using the same methodology, using data from Census 2000 (TIGER data) and post-2000 zoning information. In addition, an estimate of the percentage of population living within the new S-16 zones was calculated.

Note that, in the estimation of the new indicator value using the 2001 zoning data from CEDA, the industrial areas buffered were calculated by selecting all M10-40 zones (in the zoning2 field) and then excluding all S-15 and S-16 areas (identified in the Overlay field). The percentage of residents living in S-16 areas was calculated using the S-16 shapefile to intersect block dataset.

Note: the indicator value for the period prior to the 2000 West Oakland zoning update was calculated using two different population data sources: the 1990 Census population data, and the Claritas 1999 population estimates for West Oakland block group data. Both calculations yielded similar results (approximately 81.3% of population within 1/8 mile of industrial areas).

Contact Information

Community Economic Development Agency (CEDA), City of Oakland, Donavan Corliss: dcorliss@oaklandnet.com, (510) 238-3941

Office of Information Technology (OIT), City of Oakland, Brian Kimball (for future updates of zoning information): (510) 238-6855

Geographical Information Science Center (GISC), University of California, Berkeley Anders Flodmark (spatial analysis): flodmark@gisc.berkeley.edu, 510-643-4074

Neighborhood Toxic Volumes

Data Source

Combined Annual Releases and Transfers for all TRI facilities in Oakland, California[9] was downloaded as .CSV files from the Envirofacts EPA site based on Toxic Release Inventory (TRI) Data, EPA (1987-1998). 1998 was the most recent dataset available when data was downloaded and analyzed in early 2001. This information is updated yearly.

Methodology

The main dataset was retrieved by downloading data from Envirofacts. A query was preformed online using the Easy Query search. Selection criteria for the data retrieved were: State Abbreviation = CA; County Name = Alameda; City Name = Oakland. The fields that were used to retrieve data for the calculation of this indicator were: TRI facility name; facility ID; closed indicator (to indicate if facility was closed); reporting year; category (media) of release or transfer; sum of combined releases and transfers (corresponding to all chemical releases and transfers from TRI facilities, in amount of pounds of chemicals); facility address; and, facility zip code.To calculate this indicator numerous sorting operations had to be performed on the original dataset in order to get the necessary summary information for the different years. The CSV files downloaded were converted into excel files and the data was sorted by zip code. The Envirofacts Zip_Code information had to be converted into a "SimpleZip" column with only the 5 first digits of the Zip_Code field information. Data was then sorted by zip code, by reporting year, and by media.

Indicator values report the Sum of all TRI Releases and Transfers to the environment (all media) per zip code per year. Additional information regarding the amounts of "On Site Releases" versus "Releases Transferred Off Site" was tallied by aggregating the different codes in the Category of Release or Transfer.On-site Releases (Air, Land, Water) include: Air Stack and Fugitive Releases; Landfill (87-95); Other On-site Disposals; Surface Impoundment, Undetermined Injection (87-95); Water. Releases Transferred Off-site include: Disposition Metals; Disposition Non-Metals; Energy recovery; Land Treatment; OLOC; POTW; Recycling; Waste Treatment.

Further analysis was performed by zip code and by facility, including comparison between West Oakland and Oakland (West Oakland results reported as a percentage of Oakland totals), comparison of Per Capita Toxics Generated in West Oakland and Oakland (using a 1998 estimate based on US Census 1990 and 2000 population data), and ranking of facilities according to their contribution to the annual indicator values.

Contact Information

EPA Envirofacts Website: www.epa.gov/enviro/html

Resident Toxic Exposure

Data Sources

1. Ten different data sources were used to determine the location of known or potential contaminated sites-a Databases Table is included listing the names of the 10 databases used and corresponding agencies (refer to database numbering in the table to follow Methodology below).

2. Census 2000 Block Group Population Data, U.S. Census Bureau (TIGER 2000 Data files).

<<EPA-HQ-2019-003701>> 000387 <<2020-01-21>>
ED_002352_00004173-00071

Methodology

Databases #1 through #7 were obtained from EPA in February 2001.HAZMAT database received from Fire Emergency Services, City of Oakland, in February, 2001. SLIC and MTBE Databases were received/ downloaded in April 2001.

Geographic information data relative to databases #2 through #7 was obtained directly from EPA in Arcview format.[10] All shape files received from EPA had to be re-projected into Stateplane Coordinated System (NAD83) to match other Oakland and West Oakland GIS data.

Geographic information data relative to databases #8 through #10 (HAZMAT, SLIC, and MTBE) was obtained through address matching addresses provided in those databases. HAZMAT data was retrieved in Excel format. New sites can be identified or removed from the databases on a continuous basis. Updates on the geographical information of sites identified in these 10 databases are different for each database.

Some databases have yearly updates (e.g., CALSITES-AWP) others are updated much more frequently (e.g., HAZMAT is updated monthly). Note that EPA arcview files are not produced regularly and are not accessible to the public directly - EPA GIS staff works continuously on keeping geographic information updated but their work depends on the frequency of updates of individual databases and their own schedule constraints.[11]Each individual database has its own metadata describing in varying detail the existing fields. In the final arcview file produced for this indicator, only location information and database name were used (sites can be search by name of database or location).

The development of this indicator involved a long process of proofing and matching all databases, address matching databases obtained through sources other than EPA, buffering contaminated sites (1/8 mile buffer), and estimating population values for areas within the 1/8 mile buffer area. Data analysis for this indicator was conducted using Excel and GIS ArcView version 3.2 software.

The first step was to convert all information on contaminated sites from the different databases into shape files using the same Coordinate System. All shape files received from EPA (databases #2-7) had to be projected into StatePlane NAD83 to match other West Oakland GIS data. Information. Geographic information data relative to databases #8 through #10 (HAZMAT, SLIC, and MTBE) was obtained through address matching addresses provided in those databases with the 1999 Tiger Line Digital Street data from the U.S. Census Bureau. Address matching done by Xu Jiang, Geographical Information Center at U.C.Berkeley.[12]

The next step was to create a master database merging all information for Oakland contained in the 10 databases. In this process there were two main issues that required some data manipulation: removal of duplicate records both within the same database and between databases,[13] and standardization of site geocoding so that each site was represented by one single location.[14] In this master database, each contaminated site is associated with one unique location and with the names of databases where it has been identified.[15]

Next, spatial analysis was conducted at the GISC to estimate the number of residents of West Oakland (and Oakland) living within a 1/8 mile radius of any of the contaminated sites listed in the master database. Contaminated sites were buffered in ArcView (1/8 mile buffer) and population values for the areas within-the-buffer were estimated based on the proportion of census tract area within the buffer (using arcview calcapl script from ESRI).[16] The results for this indicator are reported as a percentage of West Oakland population residing within 1/8 mile proximity of a contaminated site.

A list of all the known or potentially contaminated sites identified in the analysis of this indicator is also provided in Excel format to allow for easier access to users without ArcView experience[17]. In addition, the number of contaminated sites identified in each database was calculated and presented in a summary table (included in the indicator report).

Contact Information

USEPA, San Francisco Office, Cheryl Henly (for database information)

Emergency Services, Oakland Fire department

Vibhor Jain (HAZMAT Database information), (510) 238-7491

Geographical Information Science Center (GISC), University of California, Berkeley Anders Flodmark (spatial analysis), flodmark@gisc.berkeley.edu, 510-643-4074

Sensitive Area Toxic Hazard Exposure

Data Sources

1. High Hazardous Sites locations were obtained from the Hazmat Database, Office of Emergency Services, Fire Department, City of Oakland in February 2001. This information is updated monthly.

2. Sensitive sites data is collected by the City of Oakland Community Economic Development Agency (CEDA), and the Office of Information and Technology (OIT). This data was last updated in 1997-1998.[18]

Methodology

Data on High Hazardous Sites was received in Excel format from the Office of Emergency Services. From the same source we received arcview shape files regarding location of Oakland sensitive sites (parks, senior centers, public schools, childcare centers, and hospitals). Information on shelter locations was obtained from OIT as an arcview shape file. All shape files received were in the StatePlane Coordinate System (NAD 83).

Oakland High Hazardous Sites file was sorted and only P1 (priority 1) Active Hazmat sites[19] were selected for this indicator. P1 active high hazardous sites were address matched through addresses provided in the Hazmat database with the 1999 Tiger Line Digital Street data from the U.S. Census Bureau. All sensitive sites contained in the Office of Emergency Services and OIT shape files were considered in the analysis.P1 Active High Hazardous sites were buffered with a 1/8 mile buffer and sensitive sites within the buffer were counted. Total number of Sensitive Sites within the buffer for Oakland and West Oakland were counted.[20]All spatial analysis for this indicator was performed by Anders Flodmark at GISC, UCB. Analysis was done using the EIP definition of West Oakland boundary (area within the 580 and 980 freeways, including the Port of Oakland and Army Base).

Contact Information

Emergency Services, Oakland Fire department, Vibhor Jain (for HAZMAT Database): (510) 238-7491

Community Economic Development Agency, City of Oakland, Donavan Corliss (for Sensitive Site Data): dcorliss@oaklandnet.com, 510-238-3941

Office of Information Technology, City of Oakland[21]Brian Kimball, (for Sensitive Site Data): 510-238-6855.

Geographical Information Science Center (GISC), University of California, Berkeley Anders Flodmark (spatial analysis): flodmark@gisc.berkeley.edu, 510-643-4074

Lead Poisoning

Data Sources

Blood lead level test results for children under 6 years of age obtained from the Housing and Medical Lead Environmental Testing (HAMLET) Database of the Alameda County Lead Poisoning Prevention Program (ACLPPP). ACLPPP estimates that their data represents approximately 90% of all lab tests performed in Alameda County labs. Data is updated monthly

<<EPA-HQ-2019-003701>> 000388 <<2020-01-21>>
ED_002352_00004173-00072

Methodology

Data was obtained directly from ACLPPP based on a query performed by Jackie Wertis (ACLPPP) for the EIP (query designed by Clara Landeiro and Jackie Wertis). Data was retrieved in two different formats: 1) data for the period 1992-1999 was received in hardcopy and input into excel spreadsheets; 2) data corresponding to test results for the year 2000 was received already as an excel file. (ACLPPP acquired the capability of delivering query results in a digital format at the end of 2000.) Data for the period 1992-1999 was received on 12/5/00; data for the year 2000 was received in March 2001.

The data was dissagregated by: year; zip code; 2 age groups (0-3 yrs old; 4-5 yrs old); 4 groups of blood lead levels (bll >20 µg/dL; 15-19 µg/dL; 10-14 µg/dL; <10 µg/dL).Note: data was also received on the total number of "new cases" of children testing higher than 10 µg/dL, disaggregated per year, per zip code, but not disaggregated into different blood lead level categories.

This indicator tracks the number of children that tested with elevated blood lead levels, bll >10 µg/dL. The number of children with severe blood lead levels (bll >20 µg/dL) is also monitored. To calculate the number of children in each year and in each zip code that have tested with bll >10 µg/dL and bll >20 µg/dL, we had to aggregate the data and estimate yearly subtotals for all the Alameda County zip codes. This was done in Excel after the data was input from the hardcopy format. The zip code totals were then ranked in Excel.

Blood lead level test results above 10 µg/dL reported without zip code information were not included in the final tally of each zip code. Results of analysis are shown in absolute numbers for each zip code (number of children testing with elevated blood lead levels), ranking of zip codes (e.g. zip code with the highest numbers of affected children), and zip code annual averages for the period 1995-2000.

Results are displayed in graphs showing the indicator trend for the period 1995-2000 for the West Oakland zip code of 94607, and in maps. Maps were obtained by transferring Excel results to an Arcview base map with zip code boundaries for Alameda County (shape file provided by GISC).

Note: although the data collected by ACLPPP (and received by EIP) corresponds to the period 1992-2000, data reported for this indicator refers to the period 1995-2000. ACLPPP considers that data reporting procedures were already well established after 1994.

Contact Information

Alameda County Lead Poisoning Prevention Program (ACLPPP), Jaclyn Wertis (for updates to this indicator from the HAMLET database): jwertis@co.alameda.ca.us, (510) 567-8255

Formal requests of information are needed in written form and should be addressed to the ACLPPP Director Steve Schwartzberg (510-567-8246). Also, contact the outreach coordinator Shannon Bermond (510-567-8289).

Lead Abatement

Data Source

Abatement data from the Housing Database of the Alameda County Lead Poisoning Prevention Program (ACLPPP). Data for the period 1995-2000 was received on hardcopy and transferred to Excel. Data was received on 2/2/0. This information is updated regularly.

Methodology

This indicator tracks the number of housing units where lead hazard reduction work has been completed (all types of projects) per year. Analysis was performed per census tract. Results for West Oakland were estimated by adding up all units cleared in 1990 Census Tracts 4014-4027 (West Oakland Census Tracts are those that fall, at least partly, within the West Oakland freeway boundary); results for the City of Oakland correspond to the sum of all census tract data received (query retrieved only City of Oakland clearances).Indicator averages for the period 1996-2000 were also estimated per census tract and for West Oakland and the City of Oakland.

The geographical distribution of lead abatement efforts was also analyzed by mapping indicator results. Maps were obtained by transferring Excel results to an Arcview base map with 1990 Census Tract boundaries for the City of Oakland (census tract boundary shape file provided by GISC).

Note: ACLPPP reports data on number of clearances in terms of the number of projects and in terms of the number of housing units (a project clearance can represent one or more housing units cleared).

For the indicator, we chose to track the number of housing units because it is the best estimates the impact of lead abatement efforts in the community. Information regarding 1995 (the first year that this data was recorded) was found to be unreliable and was therefore not used in the analysis. In 1995, 74% of housing unit clearances had no census tract information; in the following years, this percentage was drastically reduced to less than 3% in 2000 (although in 1996 there were still about 30% of clearances with unknown Census Tract information).

Contact Information

Dale Hagen, Alameda County Lead Poisoning Prevention Program (ACLPPP) (for Housing Database queries for updates of this indicator): dhagen@co.alameda.ca.us, (510) 567-8298

Formal requests of information are needed in written form and should be addressed to the ACLPPP Director Steve Schwartzberg, (510) 567-8246.

Also, contact the outreach coordinator Shannon Bermond, (510) 567-8289.

Transit Mobility

Data Sources

1. Bus service miles from TR38 reports, Scheduling Department, AC Transit.2. Historic bus schedules and route maps (routes 13, 14, 15, 62, 72, 82, 88, 315, 362, B, F, and K) obtained from AC Transit.

3. Graphic file of routes and stops for West Oakland (graphics file) from AC Transit.

4. AC Transit Bus System (early 1999) from Metropolitan Transportation Commission.

Methodology

This indicator uses the Freeway boundaries.

The TR38 reports track the average daily bus service miles for every AC Transit route on school days, holidays, Saturdays, and Sundays. The number is a daily aggregate and the report does not include other information such as the frequency of service on the route. New reports are distributed when routes are changed, most often on a quarterly basis.

Once the proper West Oakland Routes were identifies using AC Transit system maps, the next step was to record the service miles dating back to 1994. 1994 was previously selected as the baseline year because AC Transit made major cuts in service during 1995 and 1996. Starting before the cuts made it possible to determine what service West Oakland had lost at that time.

The bus service data from each report for non-holiday weekdays, Saturdays, and Sundays was recorded into an Excel spreadsheet. Each set of numbers was dated with the proper report date. In order to find the average daily total for each year, each set of numbers was multiplied by the number of months it represented. These totals were added together for each year and then divided by twelve for a mean number. Weekdays, Saturdays, and Sundays were each calculated separately. The numbers were then put into a graph for visual representation. These same reports were used to identify what routes offer weekend service.

In order to find additions and subtractions in the number of routes servicing West Oakland, AC Transit provided historic system maps for the years under

<<EPA-HQ-2019-003701>> 000389 <<2020-01-21>>
ED_002352_00004173-00073

consideration. Using the maps, it was then a matter of visually noting the routes shown on the map. Routes with evening service were identified using historic route schedule and again visually noting what routes offered service after midnight.

AC Transit provided the shape files with the routes and stops in West Oakland. GISC then created a buffer of 1/8 mile around West Oakland. Only routes with actual bus stops in West Oakland were considered. GISC created the final map used in the report and provided the numerical results.

Bikeable Streets

Data Sources

1. City of Oakland Bicycle Plan, CEDA, City of Oakland

2. Public Works, City of Oakland

Methodology

This indicator uses the freeway boundaries. Kathryn Hughes at the City of Oakland Public Works Department (PWD) is the person charged with implementing the bikeways proposed in the Bicycle Plan.

PWD provided the EIP with the number of miles of existing bike pathways in West Oakland, based on the map of existing bikeways shown in this report. Although the Plan was created and published by CEDA, as the implementing agency, Public Works will continue to have the most up to date information about the number of miles of bikeways in Oakland.

Notes

[1] Refer to methodology for the Air Pollution Health Risk Indicator for further information on this model.

[2] The Full Model multiplies the surrogate dose estimated using exposure models by the chemicals toxicity weight and by the population. Fate and transport of the chemical pounds were modeled and exposure assumptions were made. (User's Manual for OPPT's Risk-Screening Environmental Indicators Model: Version 1.0. EPA, Washington, D.C.1999)

[3] Please contact the Pacific Institute for details at (510) 251-1600.

The specifications in terms of hardware and software required to run the model may make it difficult for community organizations to use it (see manual). In addition, the time required to run the model is considerable. A single query can usually take up 0.5 to 1.5 hours if the model is installed on the computer hard drive (running the model off the CD can take up to 8 hours per query).

[4] Data was received in two separate files for each year because number of records exceeded the size handled by one single Excel spreadsheet.

[5] 1990 Population demographic data at the zip code level was obtained from DHS/EHIB (the same data used in the 1994-1996 RAMP Asthma Study)

[6] Analysis for age-adjusted rates followed the same methodology as the 1994-96 RAMP Study and the 1995-97 DHS Report.

[7] For example, for 1998, the percentage of records without SSN information was, for California, 16.7%, for Alameda County, 14.8%, and for West Oakland Zip Code 94607, 4.6%.

[8] Mark Kloberdanz is the contact for EIP specific query. Query is stored and titled by OSHPD as 'Clara Landeiro' and defines the subset of OSHPD database and the fields requested including definition of the added field 'Priority' and 'Patient ID'.

[9] Note that, although query limited search to City Name = Oakland, facilities located in the City of Emeryville (Zip Code 94608) were also retrieved, together with Oakland facilities within the same zip code.

[10] For database #1 no records were retrieved for Oakland in a query run by EPA, i.e. there are no NPL sites in Oakland (and therefore no Arcview file).

[11] EIP requested this data through FOIA during Summer of 2000, and received it in 2001 at no cost to the project.

[12] Errors introduced by the address-matching process may have resulted in site undercount. 95% of the sites listed in HAZMAT were successfully address-matched, SLIC had 85% success rate, and in MTBE database all sites listed were successfully matched.

[13] As different databases are maintained for different purposes and use different ways of reporting contaminated sites, the same site may be listed in more than one database (e.g. the same site maybe listed both in TRIS and HAZMAT databases) or it may be listed in different records (even within the same database) due to different spellings of site name or address.

[14] As the databases often use different geocoding procedures, overlapping points were inspected and manually selected and coded a single point representation for each address.

[15] More than one database might have identified the same site.

[16] Calculations assumed a uniform distribution of population within each census tract.

[17] Two separate Excel files were created from the ArcView dbf files: clip1wo_eipfinal2.xls, for West Oakland (EIP freeway boundary definition); and eipfinal2Oak.xls, for the City of Oakland.

[18] There was no accurate information on creation and update of these files at CEDA or at OIT (metadata for this data is inexistent).

However, according to CEDA, it is likely that they have been produced in 1997-1998 in preparation for the City of Oakland General Plan.[19] No swimming pool sites were considered since in 2001 these sites are no longer considered as Priority 1 Hazardous sites (due to a change in the active chemical used in public swimming pools).

[20] In counting the number of sites there was one exception – Summit Medical Center showed 3 locations in very close proximity to each other, and were counted as one single sensitive site.

[21] Brian Kimball is also the contact for future updates on Sensitive Sites data.

Appendix B - Indicators Not Included

This section introduces a few of the indicators that were not included because of the lack of consistent, reliable, and regularly updated information on these issues. The following four issues were identified as being of concern to the West Oakland community by our Neighborhood Task Force, but because of the unavailability of the necessary data, we were not able to include these indicators. Government agencies need to begin assessing, collecting, and reporting on these important issues so that residents can understand the scope of the problem and begin to take action to improve conditions in West Oakland.

Trucks

Expansion of the Port of Oakland is projected to bring over 22,000 trucks per day through West Oakland (2010),[1] up from about 10,000 (1996) trucks per day.[2]

Why Would an Indicator be Important?

Heavy duty diesel vehicles are responsible for 22 percent of the nation's particulate matter (i.e., soot) emissions, and 15 percent of the nation's emissions of smog-causing nitrogen oxides.[3] An older diesel truck or bus can emit almost 8 tons of pollution in a year. The presence of truck related activities and the impacts generated by truck traffic have been of great concern to the West Oakland community for decades. The presence of the Port of Oakland, and previously also the Army Base, has added greatly to the problem of trucks in West Oakland. These major sources are in addition to the number of trucks residents contend with just due to the industrial character of the neighborhood.

The sense that this community bears more than its fair share of the City's truck traffic has motivated community groups to organize and rally around the issue. A number of local organizations have advocated and organized to try to reduce the number of trucks going through their neighborhood. Issues raised by residents vary from air pollution and health concerns, to safety, visual and noise impacts. Perhaps most critically, air pollution associated with diesel exhaust emissions can have serious impacts on human health, causing respiratory illnesses from asthma to cancer.[4]

The EIP Neighborhood Taskforce identified trucks as one of the indicators the community would like to see developed and monitored. The potential indicator that was suggested was the volume of truck traffic through West Oakland streets (measured as the number of truck-trip miles traveled in West Oakland per year). However, there is very little information currently to support the development of such an indicator, and to allow for time trend analyses and geographic comparisons.

A 1997 report, the Vision 2000 Maritime Development EIR, projected for 2010 a daily total of 22,210 truck trips during peak weeks through West Oakland in its Reduced Harbor Fill Alternative (Option D),[5] which would mean a significant increase (225%) from the 1996 total of 9,870 trucks in peak weeks.[6]

More recently, the city of Oakland has commissioned a Diesel Study, which is being conducted by Harding ESE, and is now in its final stages.[7] This study estimates that the Port of Oakland generated 2,491 truck-trips per day in the year 2000 in and around West Oakland.[8] However, this is a one time study and city officials state they do not have the resources to update this information in the coming years. Thus at present, in the absence of any other reliable data sources, the WO EIP is identifying trucks as an area that urgently needs further study, including field surveys to document trucks travelling in and parking in residential areas.

What Can You Do About the Truck Problem?

Several community groups are working on truck related issues in West Oakland, and have participated in discussions surrounding Port of Oakland's truck related activities and the Oakland Army Base Reuse Plan. Some have also been actively involved in the West Oakland zoning updates of the Oakland General Plan. Some residents also routinely report on truck traffic violations (e.g., noise, parking, circulation outside truck-designated routes, etc.) to the Oakland Police Department. Residents, community organizations, and the city of Oakland can play a role in enforcing current truck traffic regulations and in prosecuting repeat offenders. They can work together to reduce emissions by retrofitting the truck fleet (e.g., installing emission control devices, or using biofuels)[9], and can participate in designing solutions to the conflicts generated in particular by the presence of truck traffic in residential streets (e.g., noise and safety issues).

In order to fill the existing data gap, regular truck traffic surveys in this community are not difficult to set up and could provide needed information that is now lacking to city officials and community groups. This could be an area where the community could partner with the City in data gathering and in collaborative policy design (e.g., students from local schools and other interested community residents could collect information on truck traffic volumes in their neighborhood which are fed into a database).[10]

Contact Information for Additional Resources

City of Oakland, Public Works Agency, Environmental Services
Niko Letunic: NLetunic@oaklandnet.com, (510) 434-5101

West Oakland Commerce Association (WOCA)
(510) 272-9622

City of Oakland, West Oakland Community Planner
Margot Lederer Prado: mprado@oaklandnet.com, (510) 238-6766

Neighborhood Blight

Blight is the presence of deteriorated urban conditions. Neighborhood blighted conditions often refer to the deteriorated appearance of buildings or streets including dilapidated facades, vacant buildings in disrepair, broken street lighting, abandoned vehicles, or the presence of litter on the streets or properties in the neighborhood.

On March 1998, the Oakland City Council approved a Blight Ordinance designed to improve the appearance of Oakland neighborhoods. This Ordinance recognizes the links between community's appearance and its economic growth and the quality of its social environment, and it clearly recognizes that private property is an important asset for neighborhoods. A set of legislative measures was instituted to combat neighborhood blight, and proprietors that are found in violation of the Ordinance can be cited for non-compliance.

This Ordinance contains new legal requirements for residential, commercial and industrial properties. Buildings and properties, occupied or vacant, are required to be maintained in good condition. Buildings and properties have to be kept neat and tidy, debris and litter must be properly disposed, and vacant properties must be fenced to avoid dumping. Other dispositions include regulations against odors and fumes that may constitute a nuisance to other properties, and parking regulations related to operating and inoperable vehicles, and dispositions for large trucks.[11]

The West Oakland community has identified keeping their community clean of trash, refuse, litter and blight as a goal in the 1999 7th Street/McClymonds Initiative Community Plan. In addition, the Initiative is working toward several blight abatement actions, such as increased enforcement against illegal dumping and owners of blighted properties, and assistance to senior citizens with the maintenance of their property. The WO EIP Neighborhood Taskforce selected blight as a problem area that should be measured and monitored through time. By tracking blight one could assess whether Initiative objectives and actions set in motion were in fact resulting in a change of neighborhood conditions.

<<EPA-HQ-2019-003701>> 000391
<<2020-01-21>>
ED_002352_00004173-00075

At present, there are several different sources of information regarding blight. The Community and Economic Development Agency (CEDA) has made publicly available the information regarding privately owned properties where the city of Oakland has paid for cleanup work to minimize blight.[12] Also, the City's Code Compliance Database keeps track of complaints, cleanup work, and citations issued for non-compliance with the Oakland Municipal Code and the Blight Ordinance.[13] There are also a few studies and reports on the problem of blight in Oakland.

However, none of the existing sources was found to provide reliable, consistent, and regularly updated information that could support an indicator in this area. Oakland's Code Compliance Database was explored in detail to assess its feasibility in supporting an indicator. Although there are specific violation codes for blight,[14] after interviews with different City Inspectors it was found that the violation codes were not being applied consistently.[15] Even if one were to improve the consistency and accuracy of code reporting, an indicator based on this information (e.g., number of complaints or number of blight-related code violations) would not give us the full picture of blight in the neighborhood.[16] Furthermore, the meaning of a particular change in the indicator could point to several explanations. For example, an increase in the number of blight violations or citations might be due to an increase in enforcement activity rather than a worsening of blight conditions in the community. In any case, improvements to code reporting for this database should be sought because this will at least help decision makers know how the City is responding to community residents concerns, and may inform the community on the types of blight violations encountered. [17]

What Can You Do About Blight?

You can join community groups that are working to combat blight in West Oakland, and ask City of Oakland officials to step up their enforcement activities and cleanup work in the neighborhood. Some residents also routinely report blight violations to the city of Oakland. Residents, community organizations, and the city of Oakland can play a role in enforcing current blight regulations and in prosecuting repeat offenders, and can participate in designing solutions to route out different causes of neighborhood blight. The city of Oakland makes available some home improvement loans and a neighborhood cleanup program that provide assistance to home or rental property owners, and also provides assistance to businesses that want to address blight (e.g., the Facade Improvement Program).

Contact Information for Additional Resources

City of Oakland: www.oaklandnet.com/government/government26.html

To report on Blighted Conditions of dilapidated buildings, overgrown weeds, vacant lots, etc.: (510) 238-3381

To report illegal dumping: (510) 615-5566

For trash removals from private property: (510) 238-3381. For public properties: (510) 434-5101

Indoor Air Quality

Indoor air quality (IAQ) refers to the quality of the air we breathe inside our homes, schools, or work places. Indoor air pollution is primarily caused by the release of gases or particles into the air from a variety of indoor sources, and it is generally associated with places where ventilation is poor (where outside air is not helping to disperse indoor emissions), and with high temperatures and humidity levels. All of these factors—lack of ventilation, humidity and temperature—contribute to increased concentrations of pollutants in enclosed spaces, thus worsening the quality of the indoor air.

There are many sources of indoor air emissions. Some sources release pollutants intermittently such as tobacco smoke, household cleaning products, and emissions from kitchen appliances, furnaces or fireplaces,[18] while other sources are constantly releasing pollutants, especially some building and furniture materials (e.g., particleboard and asbestos). [19] In addition, radiation levels may be of concern in certain areas. Radon has been identified as a major source of harmful radiation levels in homes.[20] Another common problem in homes with poor indoor air quality is mold, associated with homes where humidity levels are high and ventilation is poor. Mold exacerbates asthma.

According to City of Oakland Building Services, West Oakland has numerous homes with significant indoor air quality problems. Common causes are overcrowding (too many people living in small spaces), poor ventilation (which can be caused by bad design, but is often caused by windows painted shut or deficient kitchen and bathroom ventilation), and building or site conditions (e.g., water intrusion, deteriorating lead-based paint or asbestos insulation).

Health effects from indoor air pollutants vary widely according to how hazardous the pollutants are, the concentration of the pollutants, the individual exposed to them, and the exposure time. The impact on an individual's health can be felt immediately or years after the exposure. Health effects may vary from minor headaches and irritation of the eyes, nose, and throat; to respiratory and heart diseases, and cancer.

Due to the multiple sources of indoor air pollution and the fact that this field has not been, up until recently, the focus of much scientific research,[21] there are still no practical instruments available to measure indoor air quality. One can test for the concentration of numerous air pollutants and radiation levels, but that is both a costly and lengthy task. Further research is needed not only in terms of measurement but also in understanding the health effects of numerous indoor air pollutants (e.g., the concentrations and exposure times associated with particular health effects of specific pollutants).

Although this is one of the areas of concern to West Oakland community residents, at present there is no single aggregate measure that can be used to monitor indoor air quality, hence the indication of this as an area where more information needs to be collected. EIP explored the possibility of using the City of Oakland Code Compliance Database, which has a vast amount of descriptive information on current housing conditions of units or homes where a complaint has been filed, to extract information for an indoor air quality indicator.[22] However, the existing violation code system is not suited to monitor indoor air quality problems. According to City Inspectors, this code system is being redesigned and there will be changes to the codes which inspectors use in the field.

Community groups should work with the City to make sure that the new coding system would allow the monitoring of conditions of concern to residents, not only IAQ, but also blight and noise. The new coding system would potentially allow residents and the city to keep track of the number of complaints, violations, or conditions related to poor indoor air quality, and to detect the more frequent causes of indoor air quality problems in different neighborhoods. This could lead to designing targeted solutions to improve indoor air quality more efficiently.[23]

What Can You Do About Indoor Air Quality?

Residents can contribute greatly towards improving IAQ in their communities. One key aspect is learning to identify sources of indoor air pollutants and being informed about whom to contact for help. Community groups should also ensure that the city's new coding system tracks indoor air quality in neighborhood buildings. There are several agencies working on indoor air quality problems that provide assistance to community residents in different ways. A great deal has been done to make education materials about indoor air quality issues available to the community, including how to identify potential sources of air pollution and which mitigation measures might be of help.

Particular attention has been given to indoor air quality in schools since half of the schools in the U.S. have indoor air quality problems.[24] The EPA Program Tools for Schools provides information to teachers and other school personnel on what actions they can take to improve the indoor air quality in their schools.

Regarding home indoor air quality problems, there are two main agencies that respond to calls from residents: the City of Oakland Building Services and the Alameda County Department of Health Services, depending on location of the residence. Both agencies can help identify whether there could be cause for concern and potential sources of IAQ, as well as identify what steps can be taken to mitigate the problem.

Some calls from residents resulted in the resolution of an IAQ problem. For example, a resident's call to the City of Oakland may trigger an investigation by a City Building Inspector, which in turn may result in requiring the building owner to fix the problem (e.g., stuck windows, mildew and mold problems, water intrusion, etc.). Some causes of indoor air quality problems may derive from Building Code violations and homeowners can be cited by the city and forced to pay for repairs to bring residences up to Building Codes.

As we have said, building inspectors have accumulated a great deal of knowledge about on-the-ground conditions in West Oakland regarding IAQ. However, their knowledge is generally not in a form that is readily available to decision makers. The City's Code Compliance Database could be a very important resource and tool for decision makers in helping to track the occurrence and type of IAQ conditions throughout the City. This, however, would require some restructuring of the database, and staff training, so that site conditions that are now included in a descriptive form, can be coded and searchable in a practical manner.

Contact Information for Additional Resources

City of Oakland, Building Services, Code Compliance: (510) 238-3381

Inspection and response to complaints of violations, or other problems relating to the Oakland Housing Code (unsafe or unsanitary buildings that jeopardize the health and/or safety of the occupants or the neighborhood).

Environmental Protection Agency: www.epa.gov/iaq

This site has a great deal of information about IAQ in general and the IAQ Tools for Schools Program.

(800) 438-4318, iaqinfo@aol.com, www.californialung.org/support/indoorair.shtml

Noise Pollution

Noise is defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. Human activities add to the natural ambient noise levels. Mobile sources such as car, train, air, or ship traffic add to the natural ambient noise level and are the greatest contributors to the regional ambient noise level. At the local scale, stationary (or point) sources such as industrial areas, construction sites, or places where heavy machinery is used, usually contribute significantly to local ambient noise levels.

Noise pollution, in spite of different individual responses, can interfere with sleep or concentration and can even cause hearing loss. Human response to noise is also a function of the ambient environment in which the noise is perceived, and for example, the same ambient noise level that can be well tolerated outdoors, can disrupt activities indoors (e.g., sleeping or working).

West Oakland, due to its industrial character and being surrounding by a network of freeways, railways, and docks, is a community that has unusually high ambient noise levels. Noise pollution in this neighborhood comes from industrial facilities as well as from freeway traffic, truck roadway traffic, Union Pacific railway traffic, BART, and the ships and containers coming in and out of the Port of Oakland.

Measurements of ambient noise levels taken in West Oakland by different acoustical consultants at different times have shown that this is a community where noise pollution is prevalent. Residents of West Oakland are subjected to unusually high ambient noise levels, which are generally not accepted in residential areas. On some local streets (truck routes in particular), and in areas along I-880, BART and railroad tracks, noise levels can approach or sometimes exceed 70 dBA,[25] although acceptable noise levels for residential areas are normally 60 dBA[26] as described in the City of Oakland Noise Ordinance. For example, measurements taken in the vicinity of the West Oakland BART station showed that local noise environment is affected not only by transportation-related sources and but also by manufacturing activity at the Read Star Yeast facility.

The EIP Neighborhood Taskforce identified noise as one of the issues that they were concerned about and want to see monitored in their community. However, other than a few studies covering different areas of West Oakland at different periods, there is no good source of information available that gives residents and the city a complete and up-to-date picture of neighborhood noise conditions.

Although the city of Oakland has had in effect a Noise Ordinance and other regulations that define standards for maximum allowable noise levels for various land uses,[27] enforcement of these standards is still a problem. At the time of our investigation (2000) we found a lack of resources (equipment and staff) to address noise problems.[28] We also found a lack of clarity in the division of enforcement responsibilities between the City of Oakland Code Compliance Unit and the Police Department, the two enforcement agencies that can issue citations to those in violation of Noise regulations. It is sometimes confusing to residents and even city staff to know which unit is responsible for the enforcement of a specific type of violation. In general, the Police Department is responsible for abating transient noise sources (noise generated from a temporary source such as a loud party or truck traffic), and the Code Enforcement Division is responsible for abating fixed noise sources (noise generated from permanent sources such as mechanical equipment within a property).[29]

Although there is information available in the Code Compliance Database since 1996 regarding noise violations (Violation Code 35 of the Oakland Planning Code), after interviewing City Inspectors, it was found that this violation code was not being applied consistently.[30] This made it impossible to use this database to build an indicator based on the number of violations of the Noise Ordinance. Even if one were to improve consistency and accuracy of code reporting, an indicator based on information from this database would not give us a full picture regarding noise levels in this community.[31] Also, the meaning of a particular rise in the indicator value (i.e., an increase in the number of violations) could simply mean an increase in enforcement activity rather than a worsening of the noise conditions in the neighborhood.

As none of the existing data sources was found to provide reliable, consistent, and regularly updated data that could support an indicator in this area, we have opted to include Noise Pollution in the "Indicators Not Included" section of this report. We further recommend that attention will be given not only to developing adequate information in this area (e.g., noise map for the neighborhood), but also to clarifying responsibilities amongst different city agencies. Increased coordination between the City Planning and Code Compliance Departments and the Oakland Police Department, together with a clear definition of enforcement responsibilities would likely help the community to better identify, locate, and address existing noise problems.

What Can You Do About Noise?

In spite of legislation currently in place, there is no clear measure that will tell the community whether or not most of its residents live under the current legal noise limits. Although there are few community groups working to combat noise in West Oakland, some West Oakland residents routinely report noise violations to the city of Oakland. Residents, community organizations, and the city of Oakland can play a role in stepping up enforcement of the existing Noise Ordinance and in ensuring that different institutions with enforcement responsibilities coordinate their efforts in order to ensure compliance with current legislation.

Contact Information for Additional Resources

City of Oakland: (510) 238-3333 (to report noise in progress, 24 Hours), (510) 238-3841 (to report persistent noise problems), (510) 238-6777 (Noise Hotline, 24 Hours)

<<EPA-HQ-2019-003701>> 000393 <<2020-01-21>>
ED_002352_00004173-00077

Notes

[1] Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.10 2010 Daily Truck Traffic During Peak Week. July 1997. Oakland, CA. Appendix J.2, p. 28 (Option D).

[2] Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.2 1996 Peak-Daily Truck Traffic During Peak Week to Rail Yard. July 1997. Oakland, CA. Appendix J.2, p. 19.

[3] EPA, 2000.

[4] Diesel exhaust is an irritant to the respiratory system given sufficient episodic exposure and may cause a variety of inflammation-related symptoms (e.g. headache, eye discomfort, asthma-like reactions, nausea, etc.) depending on individual susceptibility, and is a factor in exacerbating or initiating allergenic hypersensitivity. In addition, diesel engine exhaust is "highly likely" to be carcinogenic through inhalation from ambient exposures. ("Health Assessment Document for Diesel Emissions" EPA, Washington, D.C., 2000)

[5] Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.10 2010 Daily Truck Traffic During Peak Week. July 1997. Oakland, CA. Appendix J.2 Pp. 28

[6] Fleet and Industrial Supply Center, Port of Oakland. FISCO/Vision 2000 Disposal and Reuse Final EIS/EIR: Table 3.2 1996 Peak - Daily Truck Traffic During Peak Week to Rail Yard. July 1997. Oakland, CA. Appendix J.2 Pp. 19

[7] "West Oakland Diesel Particulate Emissions Study", Oakland, California, 2001 (Draft – Aug 23, 2001)

[8] The study estimates diesel emissions from truck traffic associated with Port related activities (based on an average engine running time per trip) and from other stationary and mobile sources at the Port (e.g. train and marine vessels), and from highway truck traffic.

[9] For example, EPA's Voluntary Diesel Retrofit Program helps build partnerships among industry, community groups, and state and local officials to implement retrofit projects that result in cleaner, healthier air for their communities (www.epa.gov/otaq/retrofit). EPA, under the Clean Air Transportation Communities program, awards grants to communities aimed at reducing emissions from transportation sources and enhancing energy efficiency in the transportation sector. The California Air Resources Board, Sacramento, Calif., received a $171,000 grant - "Community-based Transit Improvements: Simple Solutions and Measurable Results."

[10] Efforts in other communities to implement direct data-gathering programs on community environmental conditions have already shown promising results.

[11] This ordinance recognizes that the presence of parked large trucks constitute a nuisance to residents and the community in general. It makes it illegal to park most trucks or trailers exceeding 7,000 lbs on residential streets or on a residential property (except in an enclosed garage). Business vehicles may be parked in residential areas only for the time that the vehicle is needed for use in construction or commerce at the property.

[12] Blighted Properties in Oakland (www.oaklandnet.com/government/government26.html).

[13] Database can be queried by a number of descriptors such as census tract, parcel number, or violation code.

[14] Violation Codes #20 (exterior blighted property), #21 (unsecured building), and #25 (exterior graffiti) of the Oakland Municipal Code specifically refer to violations of the Blight Ordinance. There are however other types of blighted conditions that are not specifically captured by these codes and are left to the interpretation of the inspector, e.g. broken streetlights.

[15] There are other data limitations regarding this database - e.g., duplicate records, and records without census tract, parcel number or correct address information - but code misreporting is probably the most significant, as it renders meaningless any data analysis.

[16] Information based solely on the number of complaints or violations will very likely represent only a subset of blighted conditions in the neighborhood.

[17] In 2000, the City of Oakland was in the process of reviewing the code system used in their Code Compliance Database.

[18] Emissions from combustion of gas, oil, kerosene, wood, or coal, can be high, especially if appliances are old and not well maintained.

[19] For example, particleboard and plywood wall paneling release formaldehyde, which is a asthma trigger and a known carcinogen; some insulation materials, floor tiles, etc., can release asbestos which is another known carcinogen.

[20] The federal government recommends that the level of radon (a radioactive element) be measured in homes; there is already inexpensive measuring equipment available.

[21] There are now several research institutes working actively on these questions. For example, Lawrence Berkeley Laboratory (LBL) is investigating IAQ (e.g., development of diagnostics and metrics for homes).

[22] City Inspectors, when investigating complaints, check for some of the conditions that can cause poor indoor air quality such as the presence of mold, water intrusion, old or malfunctioning appliances, etc., and record this information in the Database in a descriptive form.

[23] The use of the Code Compliance Database will not give the full picture of IAQ conditions throughout the neighborhood – the available information represents only a subset of the community as only those units where a complaint was filed are investigated. As with any other indicator based on number of complaints, an increase does not necessarily mean that the conditions are worsening – the rise can be due to a number of other factors. For example, awareness of IAQ issues and knowledge of who to call to request an inspection will potentially increase the number of complaints, whereas a fear of being evicted may prevent residents from filing a complaint even though their IAQ may be endangering their health.

[24] EPA, www.epa.gov/iaq/schools/promotional/whyiaq.html

[25] Port of Oakland. 50ft. Dredge Environmental Impact Statement. http://www.50ftdredge.com/EIS/EIS_7.2.htm

[26] Ambient noise levels can be measured in different ways. One common unit is the dBA (A-weighed decibel) which weighs the sound intensity measured in decibels (or dB) to take into account the range of human hearing. (60 dBA is similar to the noise generated by a vacuum cleaner at 10 feet; an increase of 10 dBA results in a perceived doubling of loudness.)

[27] Different noise levels are specified for the following land uses: residential, schools, child care, health care or nursing home, and public open space; commercial; and manufacturing, mining, and quarrying.

[28] According to a Police Officer working with noise enforcement, the Oakland Police Department does not have the capability to fully investigate all complaints and most infractions go unreported (e.g., an officer can halt the noise-generating activity but often times does not issue a citation).

[29] Noise Abatement Program, CEDA 1997.

[30] There are other data limitations - e.g., duplicate records, and records without census tract, parcel number or correct address information- but misreporting of codes is probably the most significant, as it renders meaningless any data analysis.

[31] Note that this database only accounts for complaints and violations registered by the Code Compliance Division and does not include Police Department citations.

Message

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/12/2018 4:50:44 PM
To: Surlene Grant [sggrant@envirocommunications.com]; to: Margaret Gordo Personal Email / Ex. 6 rian Beveridge [brian.woeip@gmail.com]; cc: Laura Arreola [larreola@portoakland.com]
Subject: Fwd: time to talk about the workshop
Attachments: Public meeting schedule.pdf

Thanks Surlene

Yes, the third workshop working with the City/ Port and us, are to me, where the update data and research would be introduce to all participates. This clarify the on the ground and real time findings, not just from the computer model, to address exposure, proximity, public health and safety.

Here are dates and times for meeting:
Feb 20 all day
Feb 21 between 4pm and 7pm
Feb 22 between 5pm and 7pm

Ms.M
---------- Forwarded message ----------
From: **Surlene Grant** <sggrant@envirocommunications.com>
Date: Sun, Feb 11, 2018 at 10:22 PM
Subject: RE: time to talk about the workshop
To: Margaret Gordon Personal Email / Ex. 6 Brian Beveridge Personal Email / Ex. 6
Cc: Laura Arreola <larreola@portoakland.com>

Hi Ms. M –

Thanks for the reply. I realized something as I read this. Tomorrow, Monday, Feb. 12 is a Port and City holiday. So, Laura may not have read your email. In any case, I am guessing she will not be available tomorrow.

I have attached a copy of the slide we shared at the October meeting that laid out the key milestones for the Port / TMP public outreach process. We are currently preparing for Workshop #3. This is the workshop where the

team will present the information from workshops 1 and 2, how it has been categorized and catalogued, and applied to the technical approach.

This would be followed by workshop #4 where we will do the prioritizing.

If I understand the goal of your workshop. The Port/ TMP team can have Workshop #3 and report out the information. Then WOEIP / EDF could have their workshop with your data information and the PORT/TMP information as part of it... and all of this would happen before the prioritization as you said you wanted.

We are looking at end of March dates, early April for our Workshop #3. Therefore, based on when you want to have your workshop, and trusting that you would want to have it in the pe3riod between Workshop #3 and Workshop #4 ... we can wait until the week of the 19th or soon after to find a calendar date / time everyone is free.

Does this make sense?

Surlene

Surlene G. Grant

sggrant@enivirocommunications.com

Office: (510) 352-7826

Personal Phone / Ex. 6

EnviroCom communications strategies, LLC

"An idea well-expressed is like a design of gold, set in silver"

-Proverb

From: Margaret Gordon [mailto:margaret.woeip@gmail.com]
Sent: Sunday, February 11, 2018 12:56 PM
To: Surlene Grant <sggrant@envirocommunications.com>; Brian Beveridge <brian.woeip@gmail.com>
Cc: Laura Arreola <larreola@portoakland.com>
Subject: Re: time to talk about the workshop

Laura and Surlene,

Monday, February 12, I'm open to meeting anytime after 10am-until 8pm, Tuesday, February 13, between 6pm-8pm, these are the only dates and times my schedule for such meetings. Please reply.

Ms.M

On Thu, Feb 8, 2018 at 12:57 PM, Surlene Grant <sggrant@envirocommunications.com> wrote:

> Hi Margaret,
>
> I left a message for you on your voice mail. But like you, I am moving in five directions today and I wanted to get back to you as I promised.
>
> The working group – me, Laura and Andrea – met this morning.

Laura and I want to meet and talk with you more about the workshop. In general we are on board with it and the timing works regarding flowing between the workshops I have planned for the TMP. However, we need to hear more of the details or talk about the program a bit more.

Let us know when you have some time. Mondays and Fridays work best for me.

Thanks,

Surlene

Surlene G. Grant

sggrant@enivirocommunications.com

Office: (510) 352-7826

Personal Phone / Ex. 6

Envirocom communications strategies, uc

"An idea well-expressed is like a design of gold, set in silver"

-Proverb

--

Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project

349 Mandela Parkway

Oakland, CA 94607

Personal Phone / Ex. 6 Direct line

www.woeip.org

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project

349 Mandela Parkway
Oakland, CA 94607
Personal Phone / Ex. 6 rect line
www.woeip.org

Message

From: Damian Breen [dbreen@baaqmd.gov]
Sent: 9/25/2017 11:54:56 PM
To: rsinkoff@portoakland.com; Matthew Davis [mdavis@portoakland.com]; tlengyel@alamedactc.org; Carolyn Clevenger [cclevenger@alamedactc.org]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez [dgonzalez@portoakland.com]; mmaloney@mtc.ca.gov; Catherine Mukai [cmukai@portoakland.com]; ccappio@oaklandnet.com; Aloha de Guzman [adeguzman@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Ranyee Chiang [rchiang@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Woo, Winnie [WWoo@oaklandnet.com]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: RE: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Richard,

This is the second time this meeting will be rescheduled. The Air District has attempted to stage these meetings to suit most people's calendars based on the poll responses we've recieved.

I apologize to those of you who have gone through the exercise of giving us your information and ask that you be patient so that we can accommodate the Port of Oakland.

Aloha will make a final attempt to reschedule for next week - so we would ask that you all please participate in the next round of polling.

Thank you,

Damian Breen
Deputy Air Pollution Control Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
Tel: (415) 749-5041

From: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Monday, September 25, 2017 3:04 PM
To: Damian Breen <dbreen@baaqmd.gov>; Matthew Davis <mdavis@portoakland.com>; tlengyel@alamedactc.org; Carolyn Clevenger <cclevenger@alamedactc.org>; Grow, Richard <Grow.richard@epa.gov>; machol.ben@epa.gov; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez <dgonzalez@portoakland.com>; mmaloney@mtc.ca.gov; Catherine Mukai <cmukai@portoakland.com>; ccappio@oaklandnet.com; Aloha de Guzman <adeguzman@baaqmd.gov>; Henry Hilken <HHilken@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Lee, Anna, Public Health, OOD <anna.lee@acgov.org>; Ranyee Chiang <rchiang@baaqmd.gov>; Alison Kirk <AKirk@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Woo, Winnie <WWoo@oaklandnet.com>
Cc: McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: RE: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Damien,
The Wednesday 9-10 is not convenient for City and Port staff. We need to find a time the week of October 2.
Will Aloha coordinate?

Thanks.

Richard

-----Original Appointment-----
From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Monday, September 25, 2017 9:23 AM
To: Damian Breen; mdavis@portoakland.com; tlengyel@alamedactc.org; Carolyn Clevenger; Grow, Richard; machol.ben@epa.gov; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez; mmaloney@mtc.ca.gov; Richard Sinkoff; Catherine Mukai; ccappio@oaklandnet.com; Aloha de Guzman; Henry Hilken; Karen Schkolnick; Lee, Anna, Public Health, OOD; Ranyee Chiang; Alison Kirk; David Vintze; Woo, Winnie
Cc: McGowan, Patricia
Subject: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
When: Wednesday, September 27, 2017 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Conference Call hosted by Mr. Damian Breen

** Based on the Doodle Poll that was sent out last week, September 25, 2017 at 9 am was the best time for attendees to participate. This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document**

Date: Wednesday September 27, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | Personal Phone / Ex. 6
adeguzman@baaqmd.gov | www.baaqmd.gov

Prologis Oakland Global Logistics Center

Diesel Emissions Reduction and Air Quality Plan for Construction of

CE-2: Southeast Gateway Parcel
CC-1: New Central Gateway Parcel

Prepared For:

City of Oakland
Planning & Building Dept.
250 Frank Ogawa Plaza
Oakland, CA 94612

Prepared By:

Prologis
3353 Gateway Blvd.
Fremont, CA 94538
+1 510 656 1900 Phone
+1 510 656 4320 Fax

www.prologis.com

Submitted on:

v0: May 1, 2017
v1: August 3, 2017

PROLOGIS.

Table of Contents

1. PROJECT OVERVIEW & SITE PLAN 1
2. SCA AIR-1: Construction Management Plan 2
   2.1 Requirements 2
   2.2 CMP Response 2
3. SCA AIR-2: Construction Related Air Pollution Controls 2
   3.1 Requirements 2
   3.2 Dust Control Mitigation Plan 4
   3.3 Emission Control Mitigation Plan 6
   3.4 Idling Policy 7
   3.5 Reporting and Labeling 8
   3.6 Restrictions on Adding Vehicles 8
   3.7 Enforcement 9

Exhibit A – Speed Limit Sign 10

Exhibit B – Complaint Sign 11

Exhibit C – Idling Policy Sign 12

1. PROJECT OVERVIEW & SITE PLAN

This Construction Air Quality (AQ) Plan covers the remaining Prologis projects, to be built on the Southeast Gateway and New Central Gateway of the Oakland Army Base Redevelopment site. See Fig. 1 below, showing the area and phase breakdown, which are further detailed in narrative below. The area under this AQ Plan is outlined in red.

The Southeast Gateway is Phase 2 of the Prologis projects, and consists of a 14.1-acre parcel located at the Southeast corner of Maritime St. and Burma Rd. Prologis is proposing to develop a 231,000 sf spec trade and logistics building and associated site improvements on this site.

The New Central Gateway site is Phase 3 of the Prologis projects, and consists of a 27-acre parcel located at the Southwest corner of Maritime St. and Burma Rd. Prologis plans to develop this site in two phases: SubPhase A) 16.5 acres, the westerly portion, as a container depot yard for Conglobal; and SubPhase B) 11.1 acres, the easterly portion, as a spec trade and logistics building, approximately 188,000 sf, with associated site improvements.

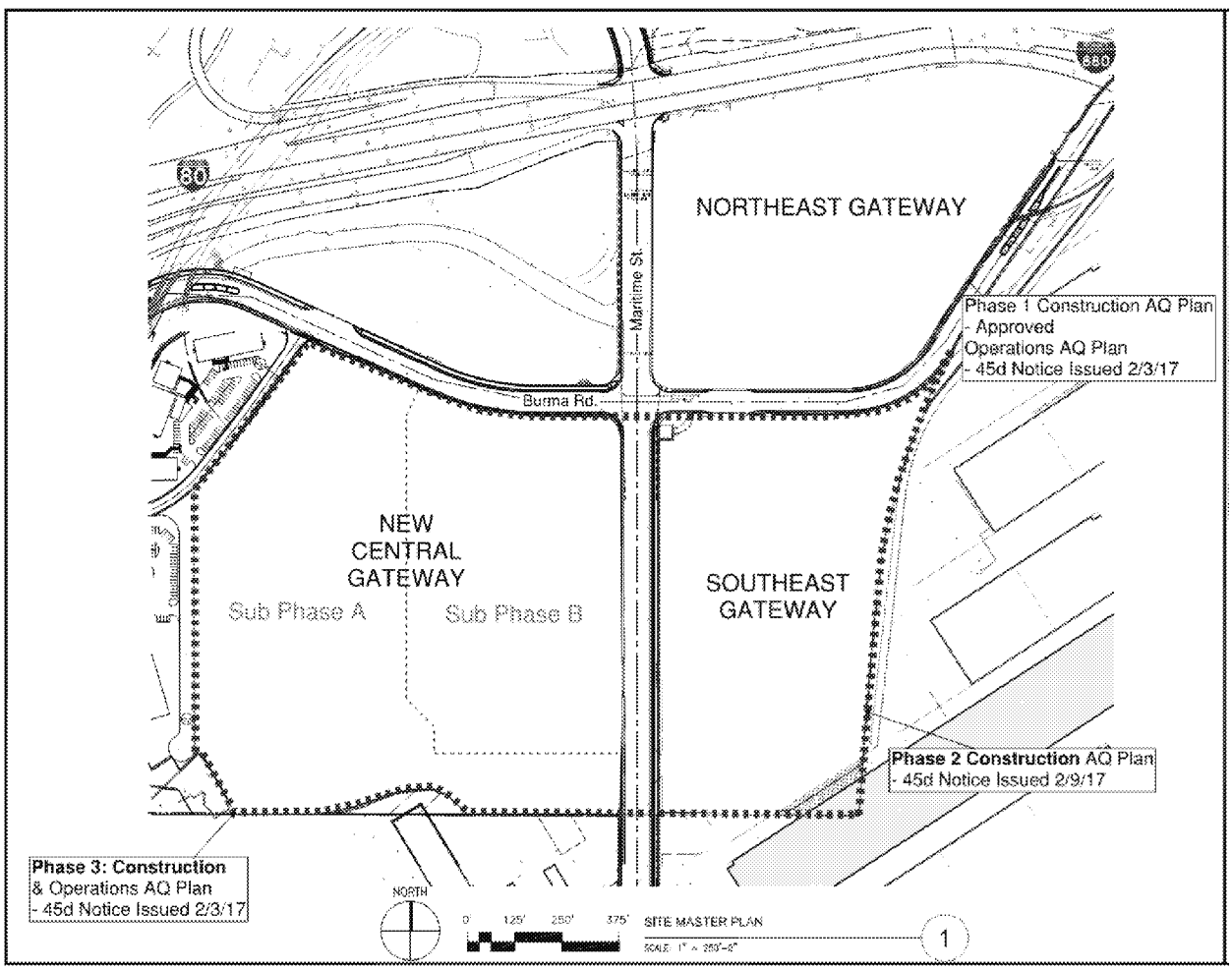


Figure 1 - Prologis Master Site Plan

2. SCA AIR-1: Construction Management Plan

2.1 Requirements

a. The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a construction management plan (CMP) that identifies the conditions of approval and mitigation measures to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval and mitigation measures.

2.2 CMP Response

b. Prologis will submit the CMP to the City of Oakland Planning and Building Departments during the plan check review process for site or building permits. Similar to the Northeast Gateway site, the CMP will include all of the AQ elements included this Construction AQ Plan.

3. SCA AIR-2: Construction Related Air Pollution Controls

3.1 Requirements

a. The entirety of this AQ Plan will be provided to all bidders on the Project, so that it is included in any bids received, and will be included in contracts let.
b. During Construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD).
c. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
d. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
e. Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
f. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
g. Requirement: Limit vehicle speeds on unpaved roads to 15 miles per hour.
h. Idling times on diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not is use or reducing the

maximum idling time to three minutes (40% more restrictive than the five minutes as required by Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.

i. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to three minutes and fleet operators must develop a written idling policy (as required by Title 13, Section 2449 of the California Code of Regulations.)

j. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

k. Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.

l. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.

m. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.

n. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

o. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).

p. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

q. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.

r. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

s. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.

t. All trucks and equipment, including tires, shall be washed off prior to leaving the site. Tire washing station will be included at each construction entrance. Water will be contained on-site and reused where possible.
u. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
v. Site accesses to a distance of 50 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel over filter fabric, consistent with the California Stormwater Quality Association's (CASQA) Best Management Practice (BMP) Handbook, Stabilized Construction Entrance/Exit Detail TC-1, as authorizeded by the National Pollutant Discharge Elimination System (NPDES) Permit administered by the EPA.
w. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449 of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet Emissions and Performance Requirements one year in advance of any fleet deadlines. The project applicant shall provide written documentation that the fleet requirements have been met.
x. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).

3.2 Dust Control Mitigation Plan

a. Use water trucks to water exposed surfaces during construction activities at least twice daily or more frequently if winds exceed 15 mph. Suspend excavation, grading, and demolition activities when average wind speed exceeds 20 mph. Maintain minimum soil moisture of 12% as indicated by laboratory samples or a moisture meter. Use reclaimed water for dust mitigation whenever feasible. Monitoring process will include: 1) Checking weather reports daily prior to starting construction activity to prepare for wind speeds as necessary. 2) Monitoring weather and dust as day progresses by setting up an anemometer wind speed sensor and checking periodically. 3) Increasing dust control watering as wind speeds increase to maintain minimum 12% moisture content, or to a point at which the earth becomes tacky.

b. Cover truck loads with tarpaulins or keep loads 2 feet below the sideboard of the truck bed to eliminate wind contact with soil or other loaded materials.

c. Require all operators tracking dirt/mud onto public roadways to have a wet power vacuum sweeper present daily during these activities and remove tracked dirt/mud at the end of each day or more frequently if needed.

d. Install construction area entrances at all ingress and egress sites to ensure dirt is kept off of public roads. Construction area entrances will be built using fabric and 3x5 rock to facilitate tire soil removal prior to leaving the site (or as defined by the guidelines in the Best Management Practice Handbook). Ingress/egress sites will also provide dry brushing of loose soil from tires and fenders.

e. As soon as practical and prior to rainy season, cover all access roads and/or permanent roads and building pads with aggregate or asphalt concrete to mitigate tracking of dirt and/or mud offsite.

f. Cover all inactive soil material stockpiles with plastic sheeting or non-toxic soil binders. Water all active stockpiles to maintain 12% moisture.

g. Install fencing with attached windscreen fabric on the windward side of the actively disturbed area of the construction site.

h. Replant vegetation in disturbed areas as quickly as possible.

i. Limit simultaneous occurrence of excavation, grading, and ground disturbance activities on the same area at any one time when feasible.

j. Draft and implement a Project SWPPP. The onsite QSP (TBD) will monitor runoff before, during, and after rain events. Deficiencies will be logged and corrected immediately. Inactive construction areas will be properly addressed with BMPs to eliminate erosion. Required BMPs will be outlined in the SWPPP and enforced with reporting and inspection.

k. Post signage and enforce 15 mph speed limit requirement for unpaved roads (Exhibit A).

l. Post signage and enforce dust complaint reporting requirement (Exhibit B). Take corrective action to remedy complaints within no more than 48 hours after receiving the complaint.

m. The Project Dust Compliance Manager will monitor and facilitate the implementation of mitigation measures. The Contractor will maintain Daily Inspection Logs throughout the Project.

n. Limit inactive construction areas (previously graded areas inactive for one month or more) by installing planting, finished hardscape, and paving as soon as possible.

o. Designate onsite Superintendent (identity TBD) as the person to monitor the dust control program and to order increased watering, as necessary.

p. Install fencing with attached windscreen fabric on the windward side of the actively disturbed area of the construction site.

q. Replant vegetation in disturbed areas as quickly as possible.

r. Limit simultaneous occurrence of excavation, grading, and ground disturbance activities on the same area at any one time when feasible.

s. Tire washing station will be included at each construction entrance and all equipment, including tires will be washed off prior to leaving the site.

t. Install construction area entrances at all ingress and egress sites to ensure dirt is kept off of public roads. Construction area entrances will be built using fabric and 3x5 rock to facilitate tire soil removal prior to leaving the site (or as defined by the guidelines in the Best Management Practice Handbook). Ingress/egress sites will also provide dry brushing of loose soil from tires and fenders

u. All contractors will be bound by contract to comply with the requirements of CCR Title 13, Section 2449. All written documentation that fleet requirements have been met will be submitted to the City of Oakland for record.

v. Install coatings meeting VOC content requirements specified in Project Specification.

3.3 Emission Control Mitigation Plan

a. All contractors will be encouraged to use Tier 4 off-road engines for all equipment brought to the site, as available. At a minimum, contractors will be required to use Tier 3 off-road engines for all equipment brought on-site. If Contractor must rent equipment, the Contractor shall contact a minimum of three (3) rental agencies in the Bay Area. If Tier 4 equipment is not available, Tier 3 equipment must be provided. Additionally, the two (2) most used pieces of equipment (equipment projected to have the most utilization hours), shall be Tier 4. Contractors shall provide Reporting and Labeling documentation required and enforced by CARB. In addition, each contractor shall submit specific list of equipment being proposed for this project site. Compliance officer to use this documentation to verify equipment meets requirement meets either Tier 4 or Tier 3 engine requirement, and ensure that equipment with Tier 1 or Tier 2 engines are not delivered or used on the site.

b. All contractors will be encouraged to use post 2010 model water trucks, as available.

c. Fuel being used will be compliant with California standards and consistent with regulatory requirements for Ultra Low Sulfur Diesel (USLD). Use late model (defined as Tier 4, manufactured post 2008, or Tier 3, manufactured post 2006) heavy-duty diesel-powered equipment, as well as zero and near-zero emission equipment at the Project Site to the extent that it is readily available in the San Francisco Bay Area.

d. Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area.

e. All scissor lifts and small tools will be electric. Use low-emission diesel fuel for all heavy-duty diesel-powered equipment.

f. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible. Temporary electric service from existing infrastructure will be provided on the job-site for contractors to use for small tools and equipment.

g. Keep all construction equipment properly tuned by a certified mechanic in accordance with the manufacturer's specifications. Operators will provide the Contractor with written documentation of equipment maintenance for all equipment to be used onsite. These maintenance logs shall be made available upon request.

h. All contractors will be bound by contract to comply with the requirements of CCR Title 13, Section 2449 (CARB Off-Road Diesel Regulations). All written documentation that fleet requirements for equipment to be used onsite have been met will be submitted to the City of Oakland for record.

i. The CARB Off-Road Diesel Vehicle Regulations will be enforced on this project using the requirements currently in effect and enforced by CARB. All emission standards and related requirements set forth in the CARB Regulations apply on the schedules set forth in the Regulations. https://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm

3.4 Idling Policy

a. Equipment operators must limit their unnecessary idling to 5 minutes. There are exceptions for vehicles that need to idle to perform work (such as a cranes providing hydraulic power to the boom), vehicles being serviced, or in a queue waiting for work. See Exhibit C for signage describing the Project Idling Policy.

3.5 Reporting and Labeling

a. Sellers of any equipment to be used on the Project must provide disclosure of the Off-Road regulation (exact language provided in the regulation) on the bill of sale or invoice, and must keep records that the disclosure was provided for three years after the sale. The seller must also report the vehicle sale to CARB via DOORS within 30 days of the sale.

b. Reporting can be completed using DOORS (Diesel Off-road online Reporting System), which is CARB's free online reporting tool for the Off-Road regulation. Additionally, hard copy reporting forms may be submitted. All equipment providers must review and update their information by March 1 of each year that annual reporting is required. Large fleets (fleet size > 5,000 HP) must report annually from 2012 to 2023, medium fleets (2,501 HP < fleet size < 5,000 HP) from 2016 to 2023, and small fleets (fleet size < 2,500 HP) from 2018 to 2028. For each annual reporting date, a fleet must report any changes to the fleet, hour meter readings (for low-use vehicles and vehicles used a majority of the time, but not solely, for agricultural operations), and also must submit the Responsible Official Affirmation of Reporting (ROAR) form. All of these items should be submitted using DOORS. In the event that a fleet cannot, or does not want to meet the fleet average emissions target in a given year, it may instead choose to comply with the BACT (Best Available Control Technology) requirements, which requires installation of VDECS (Verified Diesel Emission Control Strategies), ie. exhaust retrofits, on a certain percentage of their fleet.

c. All fleet equipment used onsite shall be properly labeled. After a fleet reports their vehicles to CARB, each vehicle is assigned a unique Equipment Identification Number (EIN). The fleet must label its vehicles within 30 days of receiving EINs. Labeling provisions of the Off-Road regulation were amended in December 2010 to require labels on both sides of each vehicle. Additionally, fleets reported as 'captive attainment area fleets' must have labels with a green background instead of red.

3.6 Restrictions on Adding Vehicles

a. The Off-Road regulation restricts fleets from adding vehicles with older tier engines. Contractors adding fleet equipment to be used on the Project shall comply with the following restrictions at a minimum of one year in advance of dates listed below.

b. Ban on adding Tier 0s – Effective January 1, 2014, a fleet may not add a vehicle with a Tier 0 engine to its fleet. (Note no Tier 0 engines will be permitted onsite).

c. Prohibition on adding Tier 1s – Also effective January 1, 2014, for large and medium fleets, and January 1 2016 for small fleets, a fleet may not add any vehicle with Tier 1 engine. The engine tier must be tier 2 or higher. (Note no Tier 1 engines will be permitted onsite).

d. Prohibition on adding Tier 2s – Beginning January 1, 2018, for large and medium fleets, and January 1, 2023, for small fleets, a fleet may not add a vehicle with a Tier 2 engine to its fleet. The engine tier must be Tier 3 or higher. (Note no Tier 2 engines will be permitted onsite).

3.7 Enforcement

a. Signage will be posted notifying Contractors that all equipment onsite is subject to the requirements of CCR Title 13, Section 2449 (CARB Off-Road Diesel Regulations) and must meet Emissions and Performance Requirements one year in advance of any fleet deadlines and enforced with inspection and reporting.

b. The Project Compliance Manager will monitor and facilitate the implementation of mitigation measures. Any off-road equipment that exhibits conditions outside of the manufacturer's specifications, or emits excessive visible smoke, shall be prohibited from operating on-site. All contractors will be subject to this provision and will maintain Inspection Logs daily throughout the project. Compliance Manager will complete online ARB courses for Visible Emissions Evaluation to enhance ability to ensure fleets are in compliance with CARB Regulations.

c. Post signage limiting truck and equipment idling time to five minutes or less, in accordance with CCR Title 13, Section 2485 & 2449. (Exhibit C)

d. A program to enforce and monitor vehicle compliance will be developed to ensure that vehicles associated with the Project comply with applicable local, regional, state, and federal air quality requirements. The program will include a gate check component to control vehicle access to and from the Project site and may include a voluntary decal program (i.e., "sticker program") whereby vehicles determined to be in compliance with Project requirements will be issued an exterior decal to assist in identifying compliant vehicles.

Exhibit A – Speed Limit Sign

Exhibit B – Complaint Sign

ATTENTION

PERMITTED CONSTRUCTION HOURS:
Monday-Friday 7AM-7PM

There will be no work on site outside of permitted hours without written permission from City of Oakland.

FOR CONCERNS REGARDING DUST, CONSTRUCTION NOISE, EROSION OR ANY CONSTRUCTION ACTIVITY ON THIS PROJECT PLEASE CONTACT:

During Construction Hours – **TBD**
After Construction Hours -**TBD**

CITY OF OAKLAND CODE COMPLIANCE:
(510) 238-3381

OAKLAND POLICE DEPARTMENT 24 HR LINE:
(510) 777-3333

BAY AREA AIR QUALITY MANAGEMENT DISTRICT:
(800) 334-6367

Exhibit C – Idling Policy Sign

IDLING POLICY

IDLING TIMES ON ALL DIESEL-FUELED COMMERCIAL VEHICLES OVER 10,000 LBS AND DIESEL-FUELED OFF-ROAD VEHICLES OVER 25 HORSEPOWER SHALL BE MINIMIZED EITHER BY SHUTTING EQUIPMENT OFF WHEN NOT IN USE OR REDUCING THE MAXIMUM IDLING TIME TO THREE ~~FIVE~~ MINUTES.
(CCR TITLE 13, SECTION 2485 & 2449)

VIOLATIONS SUBJECT TO MINIMUM FINE OF $300.

Message

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 2/9/2018 5:25:58 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Valentine, Stephanie [Valentine.Stephanie@epa.gov]
Subject: RE: Feb 23: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Deliberative Process / Ex. 5

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

-----Original Message-----
From: Grow, Richard
Sent: Friday, February 09, 2018 9:07 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: RE: Feb 23: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Mike

Deliberative Process / Ex. 5

From: Grow, Richard
Sent: Thursday, February 8, 2018 5:28 PM
To: BANDROWSKI, MIKE
Subject: Feb 23: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Deliberative Process / Ex. 5

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: Thursday, February 8, 2018 4:15 PM
To: Grow, Richard; cynthia.marvin@arb.ca.gov; Lee, Anna, Public Health, OOD
Subject: FW: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

In case you are wondering how the Port of Oakland MAQIP is going . . .

Greg

From: Gregory H. Nudd
Sent: Thursday, February 8, 2018 4:01 PM
To: Scott McCreary <scott@concurinc.net>
Cc: Chris Lytle <clytle@portoakland.com>; Jack Broadbent <jack@baaqmd.gov>; Andy Garcia <algarcia@gsclogistics.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Meredith Cowart **Personal Email / Ex. 6** 'Margaret Gordon' **Personal Email / Ex. 6**
Subject: RE: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Scott,

The Air District agrees with the comments from WOEIP. We'd like to stress a few issues in particular.

1. The Air District is not particularly concerned about the 85% emissions reduction goal. It's great that the Port has made that commitment and that they are standing behind it. But, given what we now know about the health risk from diesel particulate matter (DPM), it's important to focus on the long-term goal of zero exhaust emissions, consistent with the goals that have been set in Southern California.

1. An accounting of progress made is useful in evaluating the Port's efforts to-date. But, we can't depend only on the assumptions embedded in statewide emissions inventory models. Local data on actual emissions needs to be used to ground-truth the model results. Given what we know about failure rates of add-on DPM controls, we need to account for that in order to make an accurate assessment of progress. If we can't have technical agreement on how to account for that data in the inventory prior to the next meeting, then there needs to be space for a discussion of local data on actual emissions and exposures as WOEIP has suggested.

1. It seems a bit premature for the Port to present "Proposed Control Measures." Isn't the purpose of the MAQIP process to help the Port determine what their next suite of control measures should be? If that's the case, the Port should present a menu of all feasible measures with an initial analysis of the pros and cons of each. How will these options meet short-term goals and move toward long-term goals. Note that the Air District will find it difficult to support implementation of low emission technology if zero emissions technology is available for the same task.

1. The Air District is still a bit unclear about what the Port is intending to accomplish in the MAQIP process. The question of identifying and closing the gap between the Port's 85% emission reduction goal and the progress made to-date is a technical one that could be worked out through direct discussions and technical collaborations between the Port/Air District/CARB. If the Port could clarify it's intent in their opening statements at the first meeting, that would be helpful.

1. At the last co-chair meeting, you read a list of MAQIP Task Force members. Could you please provide that in writing prior to or during the meeting tomorrow? I'd also like to know why each Task Force member was selected and what role they are anticipated to play in the MAQIP process.

We've made some edits to the proposed agenda for the Feb. 23rd meeting consistent with our comments above.

Thanks and see you tomorrow.

Greg Nudd
Deputy Air Pollution Control Officer for Policy Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
415-749-4786

From: Margaret Gordon [mailto: Personal Email / Ex. 6
Sent: Monday, February 5, 2018 8:22 AM
To: Scott McCreary <s Personal Email / Ex. 6
Cc: Gregory H. Nudd <gnudd@baaqmd.gov<mailto:gnudd@baaqmd.gov>>; Chris Lytle <clytle@portoakland.com<mailto:clytle@portoakland.com>>; Jack Broadbent <jack@baaqmd.gov<mailto:jack@baaqmd.gov>>; nudd@baaqmd.gov<mailto:nudd@baaqmd.gov>; Andy Garcia <algarcia@gsclogistics.com<mailto:algarcia@gsclogistics.com>>; Richard Sinkoff <rsinkoff@portoakland.com<mailto:rsinkoff@portoakland.com>>; Meredith Cowart
Personal Email / Ex. 6
Subject: Re: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Good morning Every,

The items in Brian email, must be carry out, the request to had update research, to be compared to the Port emission inventory are essential to move any plan forward. It's WOEIP understanding there are be specifics, funding, and time lines. With the reflects and digest, are these base in the collaborative modeling, criteria for engagement, and to move the process?

To me, everything the Port has propose must have the as action attached to paper, with a clear list items for implementation for 2020 and 2030.

Ms.Margaret Gordon
On Sun, Feb 4, 2018 at 8:56 PM, Scott McCreary <scott@concurinc.net<mailto:scott@concurinc.net>> wrote:
Brian,

Thanks for your timely note. We'll reflect and digest this over the next couple of days.

Regards,

Scott

On Sun, Feb 4, 2018 at 6:17 PM, Brian Beveridge Personal Email / Ex. 6 wrote:
Scott
Thanks for this draft. I have a couple of responses.

1. The port agreed at our last co-chairs meeting that we would compare and contrast our new ground based air monitoring data with their emissions inventory models. I don't see a space for that to happen. Waiting until a later meeting will destroy the context of the comparisons. It needs to happen consecutively in the same block of time.

We can coordinate such a presentation with our research partners. Since we have several related studies, we feel it appropriate to allow equal time to that planned for the port inventory report.

2. I understand that the last co-chairs meeting went off the rails a bit and we heard an hour of reports about the Port's accomplishments and plans, so I feel like I'm going to hear a repeat of the same info in the public meeting. I'd like make sure this doesn't happen in the future. We asked the port to submit their report about electrification to the co-chairs in writing. If there has to be a PowerPoint for the public, that's fine, but we still need a report, matrix or other document with timelines and responsible parties.

3. In our meeting at WOEIP we requested a written response from the port on the points in our Criteria for Engagement. We have still not received that written response. Some elements are playing out in action, but others have not been addressed at all. WOEIP needs to know that verbal agreements made in these meetings will be fulfilled or we will find it difficult to continue our participation.

Lastly, it is very important that the schedule and intention of this process be made clear to the public. We need a clear introduction and commitment to both the 2020, 85% compliance goals, and to the 2030 action plan as well. We think this should be established early and clearly by the Port ED during opening presentations.

Regards Brian

On Feb 2, 2018 2:40 PM, "Scott McCreary" <Personal Email / Ex. 6 wrote:
Dear Co-Chairs,

As we committed to you at our January 26, 2108 Co-Chairs meeting, we are forwarding for your review a Draft Agenda for the Feb 23, 2018, MAQIP meeting.

As you review this, please note the following:

• MAQIP Mtg#1 Agenda: We believe that the February 23, 2018, Agenda is responsive to the points raised through our interviews with Task Force members and by the Co-Chairs regarding focus of the meeting and related agenda items, including technical presentations. Given the number of technical presentations and the need to allow sufficient time for public comments, we have kept the original timing of the meeting from 10:00 a.m.-2:00 p.m.
Please review this draft agenda, and provide comments to CONCUR with "cc" to all. It would be helpful to have your comments in hand by Feb 7th.

• Briefing documents: At the January 26, 2018, Co-Chairs meeting, Greg Nudd requested read-ahead materials that will be the subject of presentations at the February 23, 2018, meeting. The Port is preparing (through its consultant Starcrest) a presentation on emissions projections and emissions reduction measures associated with source categories.

CONCUR is finalizing the Stakeholder Assessment document. CONCUR will circulate both documents to the Co-Chairs in advance of next Friday's Co-Chairs meeting.
Key items to note: To allow for stakeholder input on emissions control options to reach the -85% DPM reduction goal, the Port and CONCUR have devised the following proposed sequence, which is reflected in the agenda attached.

• Meeting #1 (February 23, 2018): Starcrest will present on the proposed emissions control measures (Block III. Closing the Gap)

o CONCUR will lead a discussion by the Task Force on those proposed emissions control measures (Block V. Soliciting Input). The Task Force will be asked to comment on which elements have support, which do not, and offer additional suggestions. Members of the public will also have an opportunity to comment.

• Between Mtg #1 and Mtg #2 (Following the Feb 23, 2018, meeting)

o The Port and its technical consultants will review the feedback received, update the list, and respond to feedback. The Port's response will be circulated to Task Force members prior to March 29, 2018 (Meeting #2.)

• Meeting #2:

o CONCUR will gauge support for the recommended emissions reduction measures among Task Force members through a straw polling or voting exercise.

Thank you in advance for your review of the Draft February 23, 2018, Meeting Agenda. Please let us know if you have any comments or questions.

Best wishes for a great weekend.

Best,
Scott McCreary and Meredith Cowart

--
Scott McCreary, PhD
Principal
CONCUR, Inc.
1832 Second
Street<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmaps.google.com%2F%3Fq%3D1832%2BSecond%2BStreet%2BBerkeley%2C%2BCA%2B94710%26entry%3Dgmail%26source%3Dg&data=02%7C01%7C%7C5882913efdc6472b787008d56cb4a57e%7C1a54fc2165ee45188ece68e727907283%7C0%7C0%7C636534445497141961&sdata=rZ5h1bUw2c%2FpTn9pPEKhqez85hRFapDllhtCBXzQRYg%3D&reserved=0>
Berkeley, CA
94710<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmaps.google.com%2F%3Fq%3D1832%2BSecond%2BStreet%2BBerkeley%2C%2BCA%2B94710%26entry%3Dgmail%26source%3Dg&data=02%7C01%7C%7C5882913efdc6472b787008d56cb4a57e%7C1a54fc2165ee45188ece68e727907283%7C0%7C0%7C636534445497141961&sdata=rZ5h1bUw2c%2FpTn9pPEKhqez85hRFapDllhtCBXzQRYg%3D&reserved=0>
(510) 649-8008<tel:(510)%20649-8008> / 649-1980 (fax)
www.concurinc.com<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.concurinc.com&data=02%7C01%7C%7C5882913efdc6472b787008d56cb4a57e%7C1a54fc2165ee45188ece68e727907283%7C0%7C0%7C636534445497141961&sdata=3P7KIICwrVIT7u6%2Bd4B537nt0dlYAqpykIFftjK15GE%3D&reserved=0>

Message

From: Monetta, John [JMonetta@oaklandnet.com]
Sent: 8/4/2017 11:13:29 PM
To: Personal Email / Ex. 6
Jess@sfbaysc.org; jahmese@workingeastbay.org; Personal Email / Ex. 6
kate@workingeastbay.org; mmcclure@californiagroup.com; mmorodomi@californiagroup.com;
cchung@prologis.com; Personal Email / Ex. 6 Maile.smith@ngem.com; jamesh@archdim.com;
joannep@archdim.com; brent@hyphae.net; bill@oaklandmss.com; momina@cecginc.com;
jbroadbent@baaqmd.gov; Hhilken@baaqmd.gov; akirk@baaqmd.gov; jroggenkamp@baaqmd.gov;
DVintze@baaqmd.gov; cynthia.marvin@arb.ca.gov; robbie.morris@arb.ca.gov; richard.boyd@arb.ca.gov;
elizabeth.yura@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; Anna.lee@acgov.org;
rebecca.flournoy@acgov.org; stuart.sonnenburg@dot.gov; McElhaney, Lynette [lmcelhaney@oaklandnet.com];
Cook, Brigitte [BCook@oaklandnet.com]; Wald, Zachary [ZWald@oaklandnet.com]; Kaplan, Rebecca
[RKaplan@oaklandnet.com]; Thao, Sheng [SThao@oaklandnet.com]; Davenport, Kevin
[KDavenport@oaklandnet.com]; Cole, Doug [DCole@oaklandnet.com]; Cappio, Claudia [CCappio@oaklandnet.com];
Monetta, John [JMonetta@oaklandnet.com]; Ranelletti, Darin [DRanelletti@oaklandnet.com]; McGowan, Patricia
[PMcGowan@oaklandnet.com]; Spoerl, Peter [PSpoerl@oaklandcityattorney.org]; rsinkoff@portoakland.com;
dheinze@portoakland.com; agardner@portoakland.com
Subject: Army Base Air Quality Stakeholders Meeting

Army Base Air Quality Stakeholders:

We would like to hold a two hour Quarterly Army Base Air Quality Stakeholder meeting the week of August 21-25.

Staff is available the following three dates and times, with a strong preference for Wednesday (Aug 23):

Tuesday, August 22	**between 1pm and 5pm**
***Wednesday, August 23**	**between 10am and 3pm**
Friday, August 25	**1pm to 3pm.**

Please let me know your availability for these dates & times by 5pm on Tuesday, August 8.

Please note the planned meeting is for 2 hours. I am asking for your availability during these windows of time so we can schedule a 2 hour meeting.

Thank you,

JOHN MONETTA *PROJECT MANAGER I*
CITY OF OAKLAND, City Administrator's Office
Oakland Army Base Project Implementation
250 Frank H. Ogawa Plaza, 5th Floor, Oakland CA 94612
Tel: 510.238.7125 Fax: 510.238.3691

Message

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 9/25/2017 10:03:34 PM
To: dbreen@baaqmd.gov; Matthew Davis [mdavis@portoakland.com]; tlengyel@alamedactc.org; Carolyn Clevenger [cclevenger@alamedactc.org]; Grow, Richard [Grow.Richard@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez [dgonzalez@portoakland.com]; mmaloney@mtc.ca.gov; Catherine Mukai [cmukai@portoakland.com]; ccappio@oaklandnet.com; Aloha de Guzman [adeguzman@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Ranyee Chiang [rchiang@baaqmd.gov]; Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Woo, Winnie [WWoo@oaklandnet.com]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: RE: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)

Damien,
The Wednesday 9-10 is not convenient for City and Port staff. We need to find a time the week of October 2.
Will Aloha coordinate?

Thanks.

Richard

-----Original Appointment-----
From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Monday, September 25, 2017 9:23 AM
To: Damian Breen; mdavis@portoakland.com; tlengyel@alamedactc.org; Carolyn Clevenger; Grow, Richard; machol.ben@epa.gov; elizabeth.yura@arb.ca.gov; sthao@oaklandnet.com; rkaplan@oaklandnet.com; Diego Gonzalez; mmaloney@mtc.ca.gov; Richard Sinkoff; Catherine Mukai; ccappio@oaklandnet.com; Aloha de Guzman; Henry Hilken; Karen Schkolnick; Lee, Anna, Public Health, OOD; Ranyee Chiang; Alison Kirk; David Vintze; Woo, Winnie
Cc: McGowan, Patricia
Subject: CONFIRMED: Emissions Reductions Actions for Port of Oakland/OAB discussion (ag)
When: Wednesday, September 27, 2017 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Conference Call hosted by Mr. Damian Breen

** Based on the Doodle Poll that was sent out last week, September 25, 2017 at 9 am was the best time for attendees to participate. This meeting is to discuss the Emissions Reductions Actions for the Port of Oakland/OAB document that was provided a few weeks ago, if you would like to participate in this discussion, the information to call in is below – Please see attached document**

Date: Wednesday September 27, 2017

Time: 9 am – 10 am

Conference Line/Code / Ex. 6

If you have any questions or concerns, please feel free to reach out to me directly.

Thank you!

Regards,
Aloha for Mr. Breen -

Aloha de Guzman
Executive Secretary

Bay Area Air Quality Management District
Executive Office
375 Beale Street, Suite 600 | San Francisco, CA 94105
Office: 415.749.4782 | **Personal Phone / Ex. 6**
adeguzman@baaqmd.gov | www.baaqmd.gov

Message

From: Garcia, Yana@EPA [Yana.Garcia@calepa.ca.gov]
Sent: 8/4/2017 8:23:23 PM
To: Grow, Richard [Grow.Richard@epa.gov]; cynthia.marvin@arb.ca.gov
Subject: Greetings, and touching base re: West Oakland

Hi there Richard and Cynthia.

I wanted to reach out to you to connect now that I've started here at Cal EPA (and am actually in my third week somewhat unbelievably). I'd love to check with the two of you about how I can help in the ongoing efforts to address diesel emissions other forms of pollution around the Port of Oakland. I'd love to plug in where I can.

Cynthia, I don't think we've actually met in person before, but I believe we've been on calls together in the past. I've been looking forward to meeting you in person!

If you could both let me know your thoughts on when might be good for us to meet, I'd appreciate it.

I hope to connect soon!

All the best,

Yana

Assistant Secretary for Environmental Justice and Tribal Affairs
California Environmental Protection Agency
1001 I Street, 25th Floor
Sacramento, CA 95814
(916) 323-0444 (office)
Personal Phone / Ex. 6
Yana.Garcia@calepa.ca.gov

Message

From: Audree V. Jones-Taylor Personal Email / Ex. 6
Sent: 2/9/2018 5:22:56 AM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: LEE, LILY [LEE.LILY@EPA.GOV]
Subject: Re: Introducing Richard and Audree re West Oakland

Good Evening,

Thank you Lily for the introduction and the great information... You are amazing.

Richard,
Thank you for reaching out, yes I have been on their website and Ms. Margaret has sent me some great information.

I would love to have a conversation with you. I am interested in putting an argument together as it relates to the toxins and lack of green space, including trees, greenbelts, connectivity to parks and the community. My passion is greening the most vulnerable parts of our community through, parks, recreation, conservation, preservation, trails and play.

I am hoping to learn about your thoughts as it relates to the most recent challenges and the nexus between poor health, toxins, recycled businesses and greenspace.

I just left a community focus grout for downtown Oakland and met a young-man name Antwi Akom with Streetwyze are you familiar with him?

I think Oakland especially West Oakland is prime for changing the landscape and design through collaboration and partnerships with developers and regional resources.

Can I call you next week sometime?

Audree

On Thu, Feb 8, 2018 at 5:45 PM, Grow, Richard <Grow.Richard@epa.gov> wrote:
Audree Jones-Taylor

Following up on Lily's email, I am providing my contact information below and would be glad to speak with you. The main focus of my involvement in West Oakland has been by way of working with the West Oakland Environmental Indicators Project (WOEIP), whose co-dire tors are Ms. Margaret Gordon and Brian Beveridge. Much of our work with them has been framed under a formal "partnering agreement" which structured the West Oakland Toxics Reduction Collaborative.

Last spring WOEIP, assisted by EarthJustice, filed a complaint under Title VI of the Civil Rights Act of 1964 against the City and Port of Oakland. Our agency, along with the US Department of Transportation, accepted the complaint for formal investigation and since then has been engaged with the City and Port on resolution of the issues raised in the complaint.

The WOEIP website does not appear to me to be functioning right now, but if you Google them (by the full organization name) you will find many entries. Their FB address is https://www.facebook.com/West-Oakland-Environmental-Indicators-Project-167059986686549/

We can set up a time to talk if you would like to do so.

Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

From: LEE, LILY
Sent: Thursday, February 8, 2018 4:08 PM
To: Grow, Richard
Cc: Personal Email / Ex. 6
Subject: Introducing Richard and Audree re West Oakland

Dear Richard,

I wanted to introduce you to Audree Jones-Taylor. She used to work side by side with me in theCity of East Palo Alto. She is now retired after 12 years as the head of Oakland Parks and Rec department. She is still an active Oakland resident and wanted to learn more about environmental conditions in West Oakland and access to open space. I told her that you had worked with Margaret Gordon and Brian Beveridge closely. Here is some background information I found on the EPA website on some EPA work. Could you let her know more about your work? I think she would find it useful and interesting. I am cc'ing Audree.

Thanks!

Lily

https://www.epa.gov/newsreleases/us-epa-kicks-cleanup-west-oakland-superfund-site

https://archive.epa.gov/epapages/newsroom_archive/newsreleases/5f9d8ff72d1909ce85257db10071d756.html

https://archive.epa.gov/epapages/newsroom_archive/newsreleases/8c9c0f1b4184a0c9852572aa007e039c.html

https://archive.epa.gov/care/web/html/west_oakland.html

https://www.epa.gov/c-ferst/california-west-oakland-environmental-indicators-project-former-epa-care-project

Message

From: Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]
Sent: 2/9/2018 12:55:39 AM
To: Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Gregory H. Nudd [gnudd@baaqmd.gov]; Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: Re: FW: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

You rock Greg. I like all of your comments, and Brian/Margaret's. I would encourage you to introduce the State's zero emission operations goal in CARB and Governor's latest freight plans. Oakland embraced the 85% DPM reduction goal way back when to match ours. Love to see them pressed to do the same again.

Agenda for kickoff meeting looks like same old, same old of Port technical consultants talking at MAQIP members, not MAQIP members engaging on key questions to develop recommendations. Directing the agenda definitely lets them assure the outcome (not a compliment here). ☹

Just let us know if you need anything from us.
Cynthia

On February 8, 2018 at 4:16:00 PM PST, Gregory H. Nudd <gnudd@baaqmd.gov> wrote:

In case you are wondering how the Port of Oakland MAQIP is going . . .

Greg

From: Gregory H. Nudd
Sent: Thursday, February 8, 2018 4:01 PM
To: Scott McCreary <scott@concurinc.net>
Cc: Chris Lytle <clytle@portoakland.com>; Jack Broadbent <jack@baaqmd.gov>; Andy Garcia <algarcia@gsclogistics.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Meredith Cowart <meredith@concurinc.net>; 'Margaret Gordon' <margaret.woeip@gmail.com>
Subject: RE: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Scott,

The Air District agrees with the comments from WOEIP. We'd like to stress a few issues in particular.

1. The Air District is not particularly concerned about the 85% emissions reduction goal. It's great that the Port has made that commitment and that they are standing behind it. But, given what we now know about the health risk from diesel particulate matter (DPM), it's important to focus on the long-term goal of zero exhaust emissions, consistent with the goals that have been set in Southern California.

2. An accounting of progress made is useful in evaluating the Port's efforts to-date. But, we can't depend only on the assumptions embedded in statewide emissions inventory models. Local data on actual emissions needs to be used to ground-truth the model results. Given what we know about failure rates of add-on DPM controls, we need to account for that in order to make an accurate assessment of progress. If we can't have technical agreement on how to account for that data in the inventory prior to the next meeting, then there needs to be space for a discussion of local data on actual emissions and exposures as WOEIP has suggested.

3. It seems a bit premature for the Port to present "Proposed Control Measures." Isn't the purpose of the MAQIP process to help the Port determine what their next suite of control measures should be? If that's the case, the Port should present a menu of all feasible measures with an initial analysis of the pros and cons of each. How will these options meet short-term goals and move toward long-term goals. Note that the Air District will find it difficult to support implementation of low emission technology if zero emissions technology is available for the same task.

4. The Air District is still a bit unclear about what the Port is intending to accomplish in the MAQIP process. The question of identifying and closing the gap between the Port's 85% emission reduction goal and the progress made to-date is a technical one that could be worked out through direct discussions and technical collaborations between the Port/Air District/CARB. If the Port could clarify it's intent in their opening statements at the first meeting, that would be helpful.

5. At the last co-chair meeting, you read a list of MAQIP Task Force members. Could you please provide that in writing prior to or during the meeting tomorrow? I'd also like to know why each Task Force member was selected and what role they are anticipated to play in the MAQIP process.

We've made some edits to the proposed agenda for the Feb. 23rd meeting consistent with our comments above.

Thanks and see you tomorrow.

Greg Nudd

Deputy Air Pollution Control Officer for Policy

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

415-749-4786

From: Margaret Gordon Personal Email / Ex. 6
Sent: Monday, February 5, 2018 8:22 AM
To: Scott McCreary <scott@concurinc.net>
Cc: Gregory H. Nudd <gnudd@baaqmd.gov>; Chris Lytle <clytle@portoakland.com>; Jack Broadbent <jack@baaqmd.gov>; nudd@baaqmd.gov; Andy Garcia <algarcia@gsclogistics.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Meredith Cowart <meredith@concurinc.net>
Subject: Re: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Good morning Every,

The items in Brian email, must be carry out, the request to had update research, to be compared to the Port emission inventory are essential to move any plan forward. It's WOEIP understanding there are be specifics, funding, and time lines. With the reflects and digest, are these base in the collaborative modeling, criteria for engagement, and to move the process?

To me, everything the Port has propose must have the as action attached to paper, with a clear list items for implementation for 2020 and 2030.

Ms.Margaret Gordon

On Sun, Feb 4, 2018 at 8:56 PM, Scott McCreary <scott@concurinc.net> wrote:

Brian,

Thanks for your timely note. We'll reflect and digest this over the next couple of days.

Regards,

Scott

On Sun, Feb 4, 2018 at 6:17 PM, Brian Beveridge **Personal Email / Ex. 6** wrote:

Scott

Thanks for this draft. I have a couple of responses.

1. The port agreed at our last co-chairs meeting that we would compare and contrast our new ground based air monitoring data with their emissions inventory models. I don't see a space for that to happen. Waiting until a later meeting will destroy the context of the comparisons. It needs to happen consecutively in the same block of time.

We can coordinate such a presentation with our research partners. Since we have several related studies, we feel it appropriate to allow equal time to that planned for the port inventory report.

2. I understand that the last co-chairs meeting went off the rails a bit and we heard an hour of reports about the Port's accomplishments and plans, so I feel like I'm going to hear a repeat of the same info in the public meeting. I'd like make sure this doesn't happen in the future. We asked the port to submit their report about electrification to the co-chairs in writing. If there has to be a PowerPoint for the public, that's fine, but we still need a report, matrix or other document with timelines and responsible parties.

3. In our meeting at WOEIP we requested a written response from the port on the points in our Criteria for Engagement. We have still not received that written response. Some elements are playing out in action, but others have not been addressed at all. WOEIP needs to know that verbal agreements made in these meetings will be fulfilled or we will find it difficult to continue our participation.

Lastly, it is very important that the schedule and intention of this process be made clear to the public. We need a clear introduction and commitment to both the 2020, 85% compliance goals, and to the

2030 action plan as well. We think this should be established early and clearly by the Port ED during opening presentations.

Regards Brian

On Feb 2, 2018 2:40 PM, "Scott McCreary" <scott@concurinc.net> wrote:

Dear Co-Chairs,

As we committed to you at our January 26, 2108 Co-Chairs meeting, we are forwarding for your review a Draft Agenda for the Feb 23, 2018, MAQIP meeting.

As you review this, please note the following:

- MAQIP Mtg#1 Agenda: We believe that the February 23, 2018, Agenda is responsive to the points raised through our interviews with Task Force members and by the Co-Chairs regarding focus of the meeting and related agenda items, including technical presentations. Given the number of technical presentations and the need to allow sufficient time for public comments, we have kept the original timing of the meeting from 10:00 a.m.-2:00 p.m.

  Please review this draft agenda, and provide comments to CONCUR with "cc" to all. It would be helpful to have your comments in hand by Feb 7th.

- Briefing documents: At the January 26, 2018, Co-Chairs meeting, Greg Nudd requested read-ahead materials that will be the subject of presentations at the February 23, 2018, meeting. The Port is preparing (through its consultant Starcrest) a presentation on emissions projections and emissions reduction measures associated with source categories.

CONCUR is finalizing the Stakeholder Assessment document. CONCUR will circulate both documents to the Co-Chairs in advance of next Friday's Co-Chairs meeting.

Key items to note: To allow for stakeholder input on emissions control options to reach the -85% DPM reduction goal, the Port and CONCUR have devised the following proposed sequence, which is reflected in the agenda attached.

- Meeting #1 (February 23, 2018): Starcrest will present on the proposed emissions control measures (Block III. Closing the Gap)

  - CONCUR will lead a discussion by the Task Force on those proposed emissions control measures (Block V. Soliciting Input). The Task Force will be asked to comment on which elements have support, which do not, and offer additional suggestions. Members of the public will also have an opportunity to comment.

- Between Mtg #1 and Mtg #2 (Following the Feb 23, 2018, meeting)

    - The Port and its technical consultants will review the feedback received, update the list, and respond to feedback. The Port's response will be circulated to Task Force members prior to March 29, 2018 (Meeting #2.)

- Meeting #2:

    - CONCUR will gauge support for the recommended emissions reduction measures among Task Force members through a straw polling or voting exercise.

Thank you in advance for your review of the Draft February 23, 2018, Meeting Agenda. Please let us know if you have any comments or questions.

Best wishes for a great weekend.

Best,

Scott McCreary and Meredith Cowart

--

Scott McCreary, PhD
Principal
CONCUR, Inc.
1832 Second Street
Berkeley, CA 94710
(510) 649-8008 / 649-1980 (fax)
www.concurinc.com

Message

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: 2/9/2018 12:15:51 AM
To: Grow, Richard [Grow.Richard@epa.gov]; cynthia.marvin@arb.ca.gov; Lee, Anna, Public Health, OOD [anna.lee@acgov.org]
Subject: FW: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes
Attachments: DRAFT Meeting #1 MAQIP Agenda-gn(2-8).docx

In case you are wondering how the Port of Oakland MAQIP is going . . .

Greg

From: Gregory H. Nudd
Sent: Thursday, February 8, 2018 4:01 PM
To: Scott McCreary <scott@concurinc.net>
Cc: Chris Lytle <clytle@portoakland.com>; Jack Broadbent <jack@baaqmd.gov>; Andy Garcia <algarcia@gsclogistics.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Meredith Cowart <meredith@concurinc.net>; 'Margaret Gordon' Personal Email / Ex. 6
Subject: RE: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Scott,

The Air District agrees with the comments from WOEIP. We'd like to stress a few issues in particular.

1. The Air District is not particularly concerned about the 85% emissions reduction goal. It's great that the Port has made that commitment and that they are standing behind it. But, given what we now know about the health risk from diesel particulate matter (DPM), it's important to focus on the long-term goal of zero exhaust emissions, consistent with the goals that have been set in Southern California.

2. An accounting of progress made is useful in evaluating the Port's efforts to-date. But, we can't depend only on the assumptions embedded in statewide emissions inventory models. Local data on actual emissions needs to be used to ground-truth the model results. Given what we know about failure rates of add-on DPM controls, we need to account for that in order to make an accurate assessment of progress. If we can't have technical agreement on how to account for that data in the inventory prior to the next meeting, then there needs to be space for a discussion of local data on actual emissions and exposures as WOEIP has suggested.

3. It seems a bit premature for the Port to present "Proposed Control Measures." Isn't the purpose of the MAQIP process to help the Port determine what their next suite of control measures should be? If that's the case, the Port should present a menu of all feasible measures with an initial analysis of the pros and cons of each. How will these options meet short-term goals and move toward long-term goals. Note that the Air District will find it difficult to support implementation of low emission technology if zero emissions technology is available for the same task.

4. The Air District is still a bit unclear about what the Port is intending to accomplish in the MAQIP process. The question of identifying and closing the gap between the Port's 85% emission reduction goal and the progress made to-date is a technical one that could be worked out through direct discussions and technical collaborations between the Port/Air District/CARB. If the Port could clarify it's intent in their opening statements at the first meeting, that would be helpful.

5. At the last co-chair meeting, you read a list of MAQIP Task Force members. Could you please provide that in writing prior to or during the meeting tomorrow? I'd also like to know why each Task Force member was selected and what role they are anticipated to play in the MAQIP process.

We've made some edits to the proposed agenda for the Feb. 23rd meeting consistent with our comments above.

Thanks and see you tomorrow.

Greg Nudd
Deputy Air Pollution Control Officer for Policy
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
415-749-4786

From: Margaret Gordon [mailto: **Personal Email / Ex. 6**
Sent: Monday, February 5, 2018 8:22 AM
To: Scott McCreary <scott@concurinc.net>
Cc: Gregory H. Nudd <gnudd@baaqmd.gov>; Chris Lytle <clytle@portoakland.com>; Jack Broadbent <jack@baaqmd.gov>; nudd@baaqmd.gov; Andy Garcia <algarcia@gsclogistics.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Meredith Cowart <meredith@concurinc.net>
Subject: Re: For Co-Chair Review: Draft Jan 26 MAQIP Meeting Agenda; Key Planning Notes

Good morning Every,

The items in Brian email, must be carry out, the request to had update research, to be compared to the Port emission inventory are essential to move any plan forward. It's WOEIP understanding there are be specifics, funding, and time lines. With the reflects and digest, are these base in the collaborative modeling, criteria for engagement, and to move the process?

To me, everything the Port has propose must have the as action attached to paper, with a clear list items for implementation for 2020 and 2030.

Ms.Margaret Gordon
On Sun, Feb 4, 2018 at 8:56 PM, Scott McCreary <scott@concurinc.net> wrote:

> Brian,
>
> Thanks for your timely note. We'll reflect and digest this over the next couple of days.
>
> Regards,
>
> Scott
>
> On Sun, Feb 4, 2018 at 6:17 PM, Brian Beveridge <brian.woeip@gmail.com> wrote:
>
> > Scott
> > Thanks for this draft. I have a couple of responses.

1. The port agreed at our last co-chairs meeting that we would compare and contrast our new ground based air monitoring data with their emissions inventory models. I don't see a space for that to happen. Waiting until a later meeting will destroy the context of the comparisons. It needs to happen consecutively in the same block of time.

We can coordinate such a presentation with our research partners. Since we have several related studies, we feel it appropriate to allow equal time to that planned for the port inventory report.

2. I understand that the last co-chairs meeting went off the rails a bit and we heard an hour of reports about the Port's accomplishments and plans, so I feel like I'm going to hear a repeat of the same info in the public meeting. I'd like make sure this doesn't happen in the future. We asked the port to submit their report about electrification to the co-chairs in writing. If there has to be a PowerPoint for the public, that's fine, but we still need a report, matrix or other document with timelines and responsible parties.

3. In our meeting at WOEIP we requested a written response from the port on the points in our Criteria for Engagement. We have still not received that written response. Some elements are playing out in action, but others have not been addressed at all. WOEIP needs to know that verbal agreements made in these meetings will be fulfilled or we will find it difficult to continue our participation.

Lastly, it is very important that the schedule and intention of this process be made clear to the public. We need a clear introduction and commitment to both the 2020, 85% compliance goals, and to the 2030 action plan as well. We think this should be established early and clearly by the Port ED during opening presentations.

Regards Brian

On Feb 2, 2018 2:40 PM, "Scott McCreary" <scott@concurinc.net> wrote:

Dear Co-Chairs,

As we committed to you at our January 26, 2108 Co-Chairs meeting, we are forwarding for your review a Draft Agenda for the Feb 23, 2018, MAQIP meeting.

As you review this, please note the following:

- MAQIP Mtg#1 Agenda: We believe that the February 23, 2018, Agenda is responsive to the points raised through our interviews with Task Force members and by the Co-Chairs regarding focus of the meeting and related agenda items, including technical presentations. Given the number of technical presentations and the need to allow sufficient time for public comments, we have kept the original timing of the meeting from 10:00 a.m.-2:00 p.m.

  Please review this draft agenda, and provide comments to CONCUR with "cc" to all. It would be helpful to have your comments in hand by Feb 7th.

- Briefing documents: At the January 26, 2018, Co-Chairs meeting, Greg Nudd requested read-ahead materials that will be the subject of presentations at the February 23, 2018, meeting. The Port is preparing (through its consultant Starcrest) a presentation on emissions projections and emissions reduction measures associated with source categories.

CONCUR is finalizing the Stakeholder Assessment document. CONCUR will circulate both documents to the Co-Chairs in advance of next Friday's Co-Chairs meeting.

Key items to note: To allow for stakeholder input on emissions control options to reach the -85% DPM reduction goal, the Port and CONCUR have devised the following proposed sequence, which is reflected in the agenda attached.

- Meeting #1 (February 23, 2018): Starcrest will present on the proposed emissions control measures (Block III. Closing the Gap)
    - CONCUR will lead a discussion by the Task Force on those proposed emissions control measures (Block V. Soliciting Input). The Task Force will be asked to comment on which elements have support, which do not, and offer additional suggestions. Members of the public will also have an opportunity to comment.
- Between Mtg #1 and Mtg #2 (Following the Feb 23, 2018, meeting)
    - The Port and its technical consultants will review the feedback received, update the list, and respond to feedback. The Port's response will be circulated to Task Force members prior to March 29, 2018 (Meeting #2.)
- Meeting #2:
    - CONCUR will gauge support for the recommended emissions reduction measures among Task Force members through a straw polling or voting exercise.

Thank you in advance for your review of the Draft February 23, 2018, Meeting Agenda. Please let us know if you have any comments or questions.

Best wishes for a great weekend.

Best,

Scott McCreary and Meredith Cowart

--

Scott McCreary, PhD
Principal
CONCUR, Inc.
1832 Second Street
Berkeley, CA 94710
(510) 649-8008 / 649-1980 (fax)
www.concurinc.com

Port of Oakland Maritime Air Quality Improvement Plan (MAQIP)
"MAQIP 2018 Update" - Reconvened MAQIP Task Force - Meeting #1
February 23rd, 2018 - Port of Oakland
Draft Agenda – Feb 2nd – For Review by Co-Chairs

Agenda Topic	Time
I. Opening the Meeting (Scott McCreary, CONCUR) a. Welcome from the Co-Chairs (All Co-Chairs) b. Task Force Members and Alternates (All TF Members and Alternates) c. Port Air Quality Team (Richard Sinkoff, Port) d. Meeting Objectives (Scott McCreary, CONCUR)	10:00 – 10:20a
II. Setting the Context: Information Briefings (Scott McCreary, CONCUR) a. Stakeholder Engagement i. Briefing #1: *Findings of the Stakeholder Assessment* (CONCUR) (10 mins) b. Business Planning and Operations i. Briefing #2: *Development and Operations* (Chris Lytle, Port) (10-15 mins) c. Local Public Health i. Briefing #3: *Health Trends and Data* (Anna Lee, ACDPH) (10-15 mins) (To be confirmed) d. Clarifying questions (5-10 mins)	10:20 – 11:05a
III. Closing the Gap (Richard Sinkoff, Port) a. Briefing #4: *Modeling Progress: The Role of the Port's Emissions Inventories* (Ramboll) (To be confirmed) (10-15 mins) b. Briefing #5: Actual Emissions and Exposures in West Oakland (WOEIP and associates) ~~*Compliance Case Study: Shore Power Program* (Catherine Mukai, Port) (10-15 mins)~~ c. Briefing #6: *Emissions Forecasts and ~~Proposed~~ Control Measure Options~~s~~* (Starcrest) (10-15 mins) d. Clarifying questions (5-10 mins)	11:05 – 11:55a

~~IV. Bridging to the Future: "DPM and Beyond" (Diane Heinze, Port)~~ ~~Grants and Incentives (Catherine Mukai, Port)~~ ~~a. Clarifying questions~~ a.	11:55 – 12:15
Lunch - hosted by Port	***~~12:15~~ 00 – ~~12:45p~~30p***
~~V.~~IV. **Soliciting Input (Scott McCreary, CONCUR)** a. Task Force ~~Feedback on Proposed Emissions Control Measures~~Discussion (30 mins) b. Comments from the Public-at-Large (30 mins)	12:~~45~~ 30 – 1:~~45p~~ 30p
~~VI.~~V. **Summing Up (Scott McCreary, CONCUR)** a. Highlights and Action Items (Meredith Cowart, CONCUR) b. Closing Comments (TF Members and Co-Chairs)	1:~~45~~ 30 – 2:~~00p~~45
~~VII.~~VI. **Adjourn (Scott McCreary, CONCUR)**	~~2:00~~1:45p

Formatted: List Paragraph, Numbered + Level: 2 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Message

From: Brian Beveridg Personal Email / Ex. 6
Sent: 1/20/2018 3:21:06 AM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: gnudd@baaqmd.gov
Subject: Re: Suggestion on January 26 (MAQIP) meeting agenda

It looks like the Port got the message. The Friday meeting is now shortened and reframed to develop the purpose and content of the MAQIP update. We'll see how it rolls out. MG and I will be there for this one.
Brian

"(Community) resilience can be understood as place-based cultural practice that defines how residents survive in neighborhoods that already look broken, yet function due to existing social networks, tacit knowledge, and local histories." - Hector Fernando Burga

BRIAN BEVERIDGE, Co-Director
West Oakland Environmental Indicators Project
349 Mandela Pkwy.
Oakland, Ca. 94607
510-257-5645
WWW.WOEIP.ORG

On Fri, Jan 19, 2018 at 5:51 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Greg, Brian –

Having spoken with each of you yesterday, and putting that together with what I've heard talking with other of our sister agencies and several discussions within our own offices, I wanted to offer a thought as you consider your response to the draft agenda proposed by the Port for the January 26 meeting.

I've told you of reservations we have expressed to the Port, primarily (1) if there is to be a reconvening of the MAQIP task force, the necessary prep work for that has not been done, such as allowing time for the interagency group to reform and real discussion of the critical findings of the 2009 evaluation of the previous task force work, and (2) before locking down to an extensive (starting with a four hour meeting) effort focused solely on the MAQIP there ought to be consideration and discussion of how our collective work on the MAQIP can best fit with other immediate challenges with regard to environmental and public health in West Oakland.

Key among those "other" challenges are the AB617 initiative and the need to address disparate environmental burdens on West Oakland, the latter being most recently framed as a civil rights issue.

Please consider whether, if there is to be a gathering of stakeholders on January 26, instead of focusing a 4 hour discussion solely on the Port's MAQIP concerns, it might be more useful to start with a broader discussion, with presentations from the Port, BAAQMD and WOEIP, on the three issues, (1) MAQIP, (2) AB617 and (3) disparate impacts. Having set the table with these, and perhaps other, key issues, the discussion could then move on to next steps with respect to the three areas, including discussion of how to deal with the Port's MAQIP-related needs, both short term and long term.

This is admittedly a perhaps inappropriate and not fully thought out suggestion coming from a staffer at our agency, but one driven by the strong continuing sense that the best use of our collective time and energy on

January 26 would not be to lock down for 4 hours, as a “task force” not adequately yet formed, and talk solely about the MAQIP.

Obviously if you do reframe the meeting along these lines, this might also imply a somewhat different duration for the meeting and perhaps a different invitation list.

Respectfully,

Richard

Message

From: Brian Beveridge Personal Email / Ex. 6
Sent: 1/20/2018 2:51:38 AM
To: Gregory H. Nudd [gnudd@baaqmd.gov]
CC: Margaret Gordon Personal Email / Ex. 6 Meredith Cowart [meredith@concurinc.net]; Jack Broadbent [jack@baaqmd.gov]; Andy Garcia [algarcia@gsclogistics.com]; clytle@portoakland.com; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; Scott McCreary [scott@concurinc.net]; Riz Galang [rgalang@portoakland.com]; mmurphy@baaqmd.gov; Phil Martien [PMartien@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Luz Gomez [lgomez@baaqmd.gov]; David C. Ralston [dralston@baaqmd.gov]; Grow, Richard [Grow.Richard@epa.gov]; cynthia.marvin@arb.ca.gov
Subject: Re: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

I agree with the two major items submitted for the agenda. It's a good foundation on which to start a plan update process.
regards, Brian

"(Community) resilience can be understood as place-based cultural practice that defines how residents survive in neighborhoods that already look broken, yet function due to existing social networks, tacit knowledge, and local histories." - Hector Fernando Burga

BRIAN BEVERIDGE, Co-Director
West Oakland Environmental Indicators Project
349 Mandela Pkwy.
Oakland, Ca. 94607
510-257-5645
WWW.WOEIP.ORG

On Fri, Jan 19, 2018 at 3:35 PM, Gregory H. Nudd <gnudd@baaqmd.gov> wrote:

Thank, you Ms. Margaret. I strongly concur.

Greg

From: Margaret Gordon [mail Personal Email / Ex. 6
Sent: Friday, January 19, 2018 3:34 PM
To: Gregory H. Nudd <gnudd@baaqmd.gov>
Cc: Meredith Cowart <meredith@concurinc.net>; Jack Broadbent <jack@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com; Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>; Michael Murphy <MMurphy@baaqmd.gov>; Phil Martien <PMartien@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Luz Gomez <lgomez@baaqmd.gov>; David C. Ralston <dralston@baaqmd.gov>
Subject: Re: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

Gregory,

Thank you for the email and update information, also I would add the Interagency Working Group as an agenda item.

Ms.M

On Fri, Jan 19, 2018 at 3:21 PM, Gregory H. Nudd <gnudd@baaqmd.gov> wrote:

Thanks for the opportunity to comment on the agenda. It seems to me that the three co-chairing organizations all have different takes on the utility of this process and what they would like for it to achieve. At this point, a good first step would be to have a shorter meeting focused on working out those different perspectives and moving toward a plan for achieving the goals we all have in common.

To that end, I offer the attached suggested changes to the agenda.

Greg Nudd

Deputy Air Pollution Control Officer for Policy

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

415-749-4786

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Tuesday, January 16, 2018 10:59 AM
To: Jack Broadbent <jack@baaqmd.gov>; Gregory H. Nudd <gnudd@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott

McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>
Subject: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

MAQIP Task Force Co-Chairs,

Please find attached the draft agenda for review and discussion by Co Chairs. We apologize for not sending this last night.

The Port will set up a follow up discussion by the end of the week to receive agenda feedback and discuss any other items.

Brian - Acknowledging your email sent last night, and the positions expressed, we wanted to keep you in the loop on this step, and Richard will follow up with you later today.

Regards,

Meredith and Scott

--

Meredith Cowart

Associate

CONCUR, Inc

meredith@concurinc.net

www.concurinc.com

(510) 649-8008

--

Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project

349 Mandela Parkway

Oakland, CA 94607

510-257-5647 Direct line

www.woeip.org

Message

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: 1/20/2018 12:07:49 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs
Attachments: Streamlined Draft MAQIP Agenda Meeting 1_Jan15pm-gn.docx

Thought I'd bcc:d you on this. Please confirm receipt. – Greg

---

From: Gregory H. Nudd
Sent: Friday, January 19, 2018 3:22 PM
To: 'Meredith Cowart' <meredith@concurinc.net>; Jack Broadbent <jack@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>; Michael Murphy <MMurphy@baaqmd.gov>; Phil Martien <PMartien@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Luz Gomez <lgomez@baaqmd.gov>; David C. Ralston <dralston@baaqmd.gov>
Subject: RE: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

Thanks for the opportunity to comment on the agenda. It seems to me that the three co-chairing organizations all have different takes on the utility of this process and what they would like for it to achieve. At this point, a good first step would be to have a shorter meeting focused on working out those different perspectives and moving toward a plan for achieving the goals we all have in common.

To that end, I offer the attached suggested changes to the agenda.

Greg Nudd
Deputy Air Pollution Control Officer for Policy
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
415-749-4786

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Tuesday, January 16, 2018 10:59 AM
To: Jack Broadbent <jack@baaqmd.gov>; Gregory H. Nudd <gnudd@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>
Subject: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

MAQIP Task Force Co-Chairs,

Please find attached the draft agenda for review and discussion by Co Chairs. We apologize for not sending this last night.

The Port will set up a follow up discussion by the end of the week to receive agenda feedback and discuss any other items.

Brian - Acknowledging your email sent last night, and the positions expressed, we wanted to keep you in the loop on this step, and Richard will follow up with you later today.

Regards,

Meredith and Scott

--

Meredith Cowart
Associate
CONCUR, Inc
meredith@concurinc.net
www.concurinc.com
(510) 649-8008

Draft Agenda for Review by CoChairs
MAQIP Task Force Meeting #1
January 26, 2018 • Port of Oakland
Half-day Meeting

Time	Topic
9:30 to 10:00 10:00-10:~~30~~ 15 am	Arrival and Greetings Welcome and Introductions • Chris Lytle (Executive Director) • Richard Sinkoff (Environmental Programs and Planning) • CONCUR Inc, introduce co-chairs, meeting purpose, agenda review
10:~~30~~ 15 – ~~10:45~~11:00	~~MAQIP Refresher – "Where We've Been, Where are Heading"~~ ~~• Planning Framework- MAQIP Initiation~~ ~~• Planning Framework - 2018~~ ~~• Key Findings of Interviews~~ ~~• Clarifying Questions~~Co-Chair Presentations Regarding Aspirations and Desired Outcomes for This Process • Port of Oakland • West Oakland Environmental Indicators Project • Bay Area Air Quality Management District
~~10:45 – 11:05~~11:00 – 11:45	Comments, Questions, Discussion ~~MAQIP Setting~~ ~~• Setting in 2006-2008~~ ~~• Setting in 2018: Regulatory Changes: state is accelerating the regulatory process; AB 617~~ ~~• Clarifying questions~~
11:~~05~~ 45 – 12:00	~~MAQIP Implementation~~ ~~• MAQIP Plan~~ ~~• MAQIP Plan achievements~~ ~~• Implementation status: Past, current, and expected emissions reductions~~ ~~• Clarifying Questions~~Recap from CONCUR, logistics for next meeting.
~~12:00–12:30 pm~~	~~Lunch~~ ~~• Opportunity for informal networking~~
~~1:00 – 1:40~~	~~Preparations for Meeting 2: February 23~~ ~~• Information Needs, key presentations~~
~~1:40 – 1:55~~	~~• Additional Public comments~~ ~~• Final comments, next steps, meeting wrap up~~
12:00	Adjourn

Message

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: 1/19/2018 11:35:37 PM
To: Margaret Gordon [Personal Email / Ex. 6
CC: Meredith Cowart [meredith@concurinc.net]; Jack Broadbent [jack@baaqmd.gov]; Brian Beveridge [Personal Email / Ex. 6 Andy Garcia [algarcia@gsclogistics.com]; clytle@portoakland.com; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; Scott McCreary [scott@concurinc.net]; Riz Galang [rgalang@portoakland.com]; mmurphy@baaqmd.gov; Phil Martien [PMartien@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Luz Gomez [lgomez@baaqmd.gov]; David C. Ralston [dralston@baaqmd.gov]; Grow, Richard [Grow.Richard@epa.gov]; cynthia.marvin@arb.ca.gov
Subject: RE: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

Thank, you Ms. Margaret. I strongly concur.

Greg

From: Margaret Gordon [mailto: Personal Email / Ex. 6
Sent: Friday, January 19, 2018 3:34 PM
To: Gregory H. Nudd <gnudd@baaqmd.gov>
Cc: Meredith Cowart <meredith@concurinc.net>; Jack Broadbent <jack@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com; Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>; Michael Murphy <MMurphy@baaqmd.gov>; Phil Martien <PMartien@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Luz Gomez <lgomez@baaqmd.gov>; David C. Ralston <dralston@baaqmd.gov>
Subject: Re: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

Gregory,

Thank you for the email and update information, also I would add the Interagency Working Group as an agenda item.

Ms.M

On Fri, Jan 19, 2018 at 3:21 PM, Gregory H. Nudd <gnudd@baaqmd.gov> wrote:

> Thanks for the opportunity to comment on the agenda. It seems to me that the three co-chairing organizations all have different takes on the utility of this process and what they would like for it to achieve. At this point, a good first step would be to have a shorter meeting focused on working out those different perspectives and moving toward a plan for achieving the goals we all have in common.
>
> To that end, I offer the attached suggested changes to the agenda.

Greg Nudd

Deputy Air Pollution Control Officer for Policy

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

415-749-4786

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Tuesday, January 16, 2018 10:59 AM
To: Jack Broadbent <jack@baaqmd.gov>; Gregory H. Nudd <gnudd@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>
Subject: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

MAQIP Task Force Co-Chairs,

Please find attached the draft agenda for review and discussion by Co Chairs. We apologize for not sending this last night.

The Port will set up a follow up discussion by the end of the week to receive agenda feedback and discuss any other items.

Brian - Acknowledging your email sent last night, and the positions expressed, we wanted to keep you in the loop on this step, and Richard will follow up with you later today.

Regards,

Meredith and Scott

--

Meredith Cowart

Associate

CONCUR, Inc

meredith@concurinc.net

www.concurinc.com

(510) 649-8008

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project

349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

Message

From: Margaret Gordon Personal Email / Ex. 6
Sent: 1/19/2018 11:33:50 PM
To: Gregory H. Nudd [gnudd@baaqmd.gov]
CC: Meredith Cowart [meredith@concurinc.net]; Jack Broadbent [jack@baaqmd.gov]; Brian Beveridge Personal Email / Ex. 6 ndy Garcia [algarcia@gsclogistics.com]; clytle@portoakland.com; rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; Scott McCreary [scott@concurinc.net]; Riz Galang [rgalang@portoakland.com]; mmurphy@baaqmd.gov; Phil Martien [PMartien@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Luz Gomez [lgomez@baaqmd.gov]; David C. Ralston [dralston@baaqmd.gov]
Subject: Re: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

Gregory,

Thank you for the email and update information, also I would add the Interagency Working Group as an agenda item.

Ms.M

On Fri, Jan 19, 2018 at 3:21 PM, Gregory H. Nudd <gnudd@baaqmd.gov> wrote:

Thanks for the opportunity to comment on the agenda. It seems to me that the three co-chairing organizations all have different takes on the utility of this process and what they would like for it to achieve. At this point, a good first step would be to have a shorter meeting focused on working out those different perspectives and moving toward a plan for achieving the goals we all have in common.

To that end, I offer the attached suggested changes to the agenda.

Greg Nudd

Deputy Air Pollution Control Officer for Policy

Bay Area Air Quality Management District

375 Beale Street, Suite 600

San Francisco, CA 94105

415-749-4786

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Tuesday, January 16, 2018 10:59 AM
To: Jack Broadbent <jack@baaqmd.gov>; Gregory H. Nudd <gnudd@baaqmd.gov>; Brian Beveridge

Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>
Subject: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

MAQIP Task Force Co-Chairs,

Please find attached the draft agenda for review and discussion by Co Chairs. We apologize for not sending this last night.

The Port will set up a follow up discussion by the end of the week to receive agenda feedback and discuss any other items.

Brian - Acknowledging your email sent last night, and the positions expressed, we wanted to keep you in the loop on this step, and Richard will follow up with you later today.

Regards,

Meredith and Scott

--

Meredith Cowart

Associate

CONCUR, Inc

meredith@concurinc.net

www.concurinc.com

(510) 649-8008

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project

349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

Message

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: 1/19/2018 11:21:59 PM
To: Meredith Cowart [meredith@concurinc.net]; Jack Broadbent [jack@baaqmd.gov]; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Andy Garcia [algarcia@gsclogistics.com]; clytle@portoakland.com
CC: rsinkoff@portoakland.com; Catherine Mukai [cmukai@portoakland.com]; Scott McCreary [scott@concurinc.net]; Riz Galang [rgalang@portoakland.com]; mmurphy@baaqmd.gov; Phil Martien [PMartien@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Luz Gomez [lgomez@baaqmd.gov]; David C. Ralston [dralston@baaqmd.gov]
Subject: RE: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs
Attachments: Streamlined Draft MAQIP Agenda Meeting 1_Jan15pm-gn.docx

Thanks for the opportunity to comment on the agenda. It seems to me that the three co-chairing organizations all have different takes on the utility of this process and what they would like for it to achieve. At this point, a good first step would be to have a shorter meeting focused on working out those different perspectives and moving toward a plan for achieving the goals we all have in common.

To that end, I offer the attached suggested changes to the agenda.

Greg Nudd
Deputy Air Pollution Control Officer for Policy
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
415-749-4786

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Tuesday, January 16, 2018 10:59 AM
To: Jack Broadbent <jack@baaqmd.gov>; Gregory H. Nudd <gnudd@baaqmd.gov>; Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 ndy Garcia <algarcia@gsclogistics.com>; clytle@portoakland.com
Cc: Richard Sinkoff <rsinkoff@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Scott McCreary <scott@concurinc.net>; Riz Galang <rgalang@portoakland.com>
Subject: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs

MAQIP Task Force Co-Chairs,

Please find attached the draft agenda for review and discussion by Co Chairs. We apologize for not sending this last night.

The Port will set up a follow up discussion by the end of the week to receive agenda feedback and discuss any other items.

Brian - Acknowledging your email sent last night, and the positions expressed, we wanted to keep you in the loop on this step, and Richard will follow up with you later today.

Regards,

Meredith and Scott

--
Meredith Cowart

Associate
CONCUR, Inc
meredith@concurinc.net
www.concurinc.com
(510) 649-8008

Draft Agenda for Review by CoChairs
MAQIP Task Force Meeting #1
January 26, 2018 • Port of Oakland
Half-day Meeting

Time	Topic
9:30 to 10:00 10:00-10:~~30~~ 15 am	Arrival and Greetings Welcome and Introductions • Chris Lytle (Executive Director) • Richard Sinkoff (Environmental Programs and Planning) • CONCUR Inc, introduce co-chairs, meeting purpose, agenda review
10:~~30~~ 15 – ~~10:45~~11:00	~~MAQIP Refresher – "Where We've Been, Where are Heading"~~ ~~• Planning Framework- MAQIP Initiation~~ ~~• Planning Framework - 2018~~ ~~• Key Findings of Interviews~~ ~~• Clarifying Questions~~Co-Chair Presentations Regarding Aspirations and Desired Outcomes for This Process • Port of Oakland • West Oakland Environmental Indicators Project • Bay Area Air Quality Management District
~~10:45 – 11:05~~11:00 – 11:45	Comments, Questions, Discussion ~~MAQIP Setting~~ ~~• Setting in 2006-2008~~ ~~• Setting in 2018: Regulatory Changes: state is accelerating the regulatory process; AB 617~~ ~~• Clarifying questions~~
11:~~05~~ 45 – 12:00	~~MAQIP Implementation~~ ~~• MAQIP Plan~~ ~~• MAQIP Plan achievements~~ ~~• Implementation status: Past, current, and expected emissions reductions~~ ~~• Clarifying Questions~~Recap from CONCUR, logistics for next meeting.
~~12:00–12:30 pm~~	~~Lunch~~ ~~• Opportunity for informal networking~~
~~1:00 – 1:40~~	~~Preparations for Meeting 2: February 23~~ ~~• Information Needs, key presentations~~
~~1:40 – 1:55~~	~~• Additional Public comments~~ ~~• Final comments, next steps, meeting wrap up~~
12:00	Adjourn

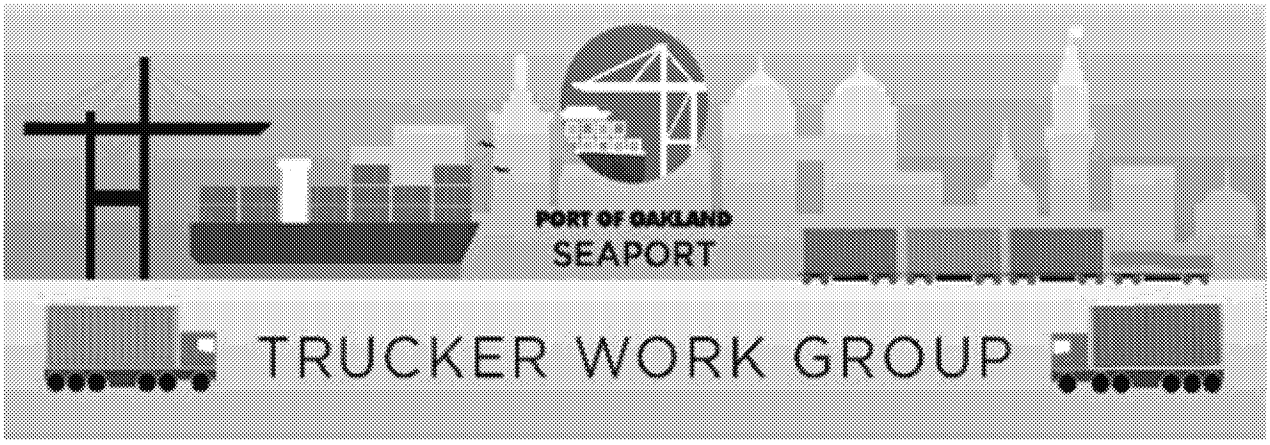
Message

From: Ralph Reynoso [rreynoso@portoakland.com]
Sent: 1/19/2018 11:13:50 PM
Subject: Port of Oakland TWG January Meeting - Reminder!
Attachments: January 22 2018 TWG Meeting Agenda.pdf

Dear Port of Oakland Stakeholders:

Several zero emission/near-zero emission truck vendors, for both on-road drayage and terminal yard hostlers, will be available to share information prior to the meeting starting at 11:30 AM. Please show up early if interested.

Also, after the meeting you are invited to attend a 1 hour workshop covering the eModal Community Portal and GeoStamp turn time initiatives. The Port would like your feedback.



Monday, January 22nd at **12:00 PM**

January Meeting

Please join us for the first scheduled bi-monthly Trucker Work Group (TWG) meeting of 2018.

Updates will be provided by Port staff, marine terminal operators, chassis equipment

UPCOMING MEETING
January 22nd, 2017
Noon – 1 PM

Harbor Facilities
Maintenance Yard
651 Maritime St.
Oakland, CA 94607

Driving Directions

https://maps.google.com/maps?q=651+maritime+street&ie=UTF-8&hnear=651+Maritime+St,+Oakland,+Alameda+County,+California+94607&gl=us&t=h&z=16

providers, regulatory agencies, OPD, logistic/drayage software developers, trucking associations and others as available.

The meeting location is located in the port area at the Port of Oakland Harbor Facilities Maintenance Building located at 651 Maritime Street. The meeting room is on the 1st floor.

2018 Bi-Monthly Meeting Schedule:

January 22nd (***Food will be Provided***)

March 19th

May 21st

July 16th

September 17th

November 12th

TWG Co-Chairs

Henry Osaki (Mutual Express Company)
&
Ralph Reynoso (Port of Oakland)

TWG MISSION STATEMENT

The Oakland Truck Work Group (TWG) was established in 2007 as a forum for open dialogue about safe, secure, compliant and efficient trucking operations at the Port of Oakland.

Monthly meetings are co-chaired by Port Staff and the Trucking Industry to foster communication and collaboration and facilitate efficient goods movement at the Port of Oakland.

Port of Oakland Trucker Work Group Meeting

January 22, 2018 Meeting Agenda

12:00 PM **Meeting Starts**

12:00 –12:10 **Port of Oakland Staff Reports** (Ralph Reynoso)
- → *2017 Statistics Update*
- → *Holiday Schedule*
- → *TMP Meeting*
- → *Available Grant Funding*

12:10 – 12:15 **BBSI** (Rob Singh)

12:15 – 12:25 **Zero/Near Zero Emission Truck Vendors**
- → *Cummins (Chris Dutton)*
- → *Orange EV (Virgil Stites)*

12:25 – 12:45 **Drayage Technology**
- → Advent Intermodal (Allen Thomas)
- → GeoStamp (Sal Manzo)
- → Jupigo Presentation (Vicki Ng)

12:45 – 12:55 **Marine Terminal Operator Updates**
- → *TraPac*
- → *OICT*
- → *Everport*

12:55 – 1:05 **Chassis Provider Reports**
- → *Flexi-Van*
- → *DCLI*
- → *TRAC*
- → *Milestone*
- → *American Intermodal Management*

1:05 – 1:15 **Motor Carrier & Trucking Association Updates**
- WSTA
- HTA

1:15 PM **Meeting closes** (Next Meeting March 19)

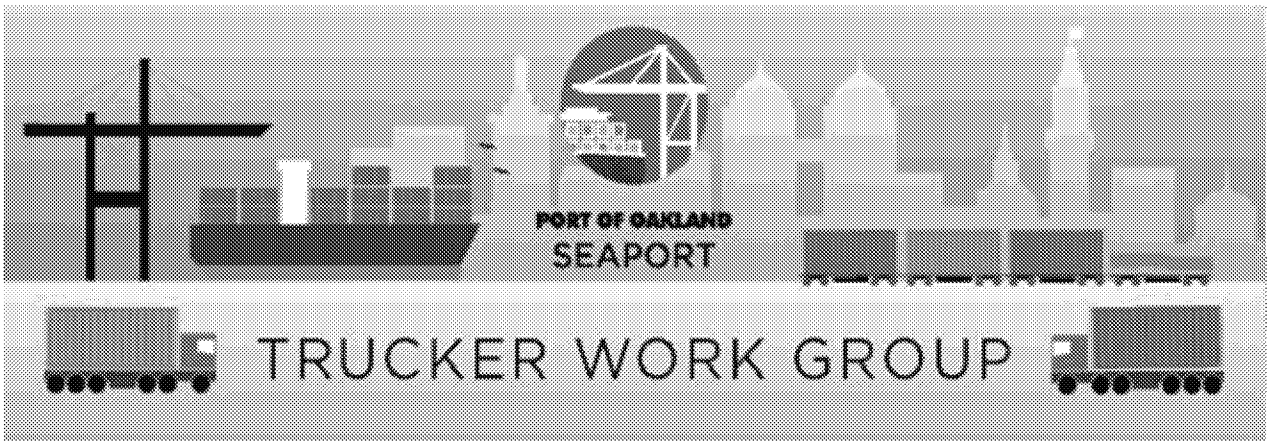
Message

From: Ralph Reynoso [rreynoso@portoakland.com]
Sent: 1/19/2018 11:07:30 PM
Subject: Port of Oakland TWG January Meeting - Reminder!

Dear Port of Oakland Stakeholders:

Several zero emission/near-zero emission truck vendors, for both on-road drayage and terminal yard hostlers, will be available to share information prior to the meeting starting at 11:30 AM. Please show up early if interested.

Also, after the meeting you are invited to attend a 1 hour workshop covering the eModal Community Portal and GeoStamp turn time initiatives. The Port would like your feedback.



Monday, January 22nd at **12:00 PM**

January Meeting

Please join us for the first scheduled bi-monthly Trucker Work Group (TWG) meeting of 2018.

Updates will be provided by Port staff, marine terminal operators, chassis equipment providers, regulatory agencies, OPD,

UPCOMING MEETING
January 22nd, 2017
Noon – 1 PM

Harbor Facilities
Maintenance Yard
651 Maritime St.
Oakland, CA 94607

Driving Directions

https://maps.google.com/maps?q=651+maritime+street&oq=UTF-8&hnear=651+Maritime+St,+Oakland,+Alameda+County,+California+94607&gl=us&ll=0,0&z=16

logistic/drayage software developers, trucking associations and others as available.

The meeting location is located in the port area at the Port of Oakland Harbor Facilities Maintenance Building located at 651 Maritime Street. The meeting room is on the 1st floor.

2018 Bi-Monthly Meeting Schedule:

January 22nd (***Food will be Provided***)

March 19th

May 21st

July 16th

September 17th

November 12th

TWG Co-Chairs

Henry Osaki (Mutual Express Company)
&
Ralph Reynoso (Port of Oakland)

TWG MISSION STATEMENT

The Oakland Truck Work Group (TWG) was established in 2007 as a forum for open dialogue about safe, secure, compliant and efficient trucking operations at the Port of Oakland.

Monthly meetings are co-chaired by Port Staff and the Trucking Industry to foster communication and collaboration and facilitate efficient goods movement at the Port of Oakland.

Message

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 1/19/2018 4:59:27 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Suggestion on January 26 (MAQIP) meeting agenda

Thanks for sharing. Let me know what you hear back.

Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
U.S. Environmental Protection Agency | Region 9| Air Division, Air-6 | 75 Hawthorne St |
San Francisco, CA 94105 |Tel 415.947-4194 | bandrowski.mike@epa.gov

-----Original Message-----
From: Grow, Richard
Sent: Friday, January 19, 2018 6:03 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Subject: FW: Suggestion on January 26 (MAQIP) meeting agenda

Hi Mike

Deliberative Process / Ex. 5

Richard

From: Grow, Richard
Sent: Friday, January 19, 2018 5:51 AM
To: gnudd@baaqmd.gov; brian.woeip@gmail.com
Subject: Suggestion on January 26 (MAQIP) meeting agenda

Greg, Brian –

Deliberative Process / Ex. 5

Respectfully,

Richard

Message

From: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 1/19/2018 2:02:46 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Subject: RE: Update on public engagement vs. issue II.A.2.c

Thanks for this helpful information Richard. We are going to get this draft agreement hammered out early next week and into the hands of recipients. We will keep you looped in and reach out to you for information/clarification.

Kurt T. Temple
Senior Advisor
External Civil Rights Compliance Office
EPA Office of General Counsel
1200 Pennsylvania Avenue, NW
Room 2524R
Washington, D.C. 20460
202-564-7299

From: Grow, Richard
Sent: Thursday, January 18, 2018 6:08 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: Update on public engagement vs. issue II.A.2.c

Kurt & Ryan

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

From: Grow, Richard
Sent: Thursday, January 04, 2018 11:37 AM
To: 'Fitzpatrick, Ryan (OST)' <ryan.fitzpatrick@dot.gov>
Subject: RE: WOEIP position on Port air plan update process

Deliberative Process / Ex. 5

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Thursday, January 04, 2018 11:29 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: RE: WOEIP position on Port air plan update process

Deliberative Process / Ex. 5

But thanks for sharing, it keeps us abreast of the current goings-ons over there. Curious to see how the Port responds to it.

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Thursday, January 04, 2018 2:17 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: RE: WOEIP position on Port air plan update process

Deliberative Process / Ex. 5

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Thursday, January 04, 2018 11:12 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: WOEIP position on Port air plan update process

Richard was that WOEIP position document drafted by them?

Ryan N. Fitzpatrick, Esq.
Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
(202) 366-1583

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Thursday, January 04, 2018 10:47 AM
To: Temple, Kurt <Temple.Kurt@epa.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: FYI: WOEIP position on Port air plan update process

Kurt & Ryan – brief update on Port initiation of update process for it's a.q. plan

Deliberative Process / Ex. 5

Richard

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 8/2/2017 4:32:32 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: OAB/Port IP first read & today's call

thx

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 9:28 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Here's the agenda for today's call which, along with the IP, are the only two docs for today's call. My 8:07 note was only about the IP. I can come up beforehand if you want. BTW Katsumi already rolling in odd directions as of this morning, but only in my direction.

From: Strauss, Alexis
Sent: Wednesday, August 02, 2017 9:24 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

I have the Inv. Plan from Ryan directly, and an 8:07 note from you with no attachment, but nothing from earlier today.

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 9:22 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Just now sent it again. My out box shows I sent it once at 7:29, pls let me know if you don't get the one I just now sent. I can run off hardcopies and bring them up.

From: Strauss, Alexis
Sent: Wednesday, August 02, 2017 9:19 AM
To: Grow, Richard <Grow.Richard@epa.gov>

Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Richard,
If you forwarded something, the email has not yet arrived.
Alexis

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 8:07 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: OAB/Port IP first read & today's call

Alexis (cc Desean & Deldi)

Deliberative Process / Ex. 5

Richard

Message

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 8/2/2017 4:24:26 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: OAB/Port IP first read & today's call

I have the Inv. Plan from Ryan directly, and an 8:07 note from you with no attachment, but nothing from earlier today.

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 9:22 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Just now sent it again. My out box shows I sent it once at 7:29, pls let me know if you don't get the one I just now sent. I can run off hardcopies and bring them up.

From: Strauss, Alexis
Sent: Wednesday, August 02, 2017 9:19 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: OAB/Port IP first read & today's call

Richard,
If you forwarded something, the email has not yet arrived.
Alexis

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Grow, Richard
Sent: Wednesday, August 2, 2017 8:07 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Cc: Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: OAB/Port IP first read & today's call

Alexis (cc Desean & Deldi)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard

Appointment

From: ryan.fitzpatrick@dot.gov [ryan.fitzpatrick@dot.gov]
Sent: 8/2/2017 1:25:48 PM
To: yvette.rivera@dot.gov; deeana.jang@dot.gov; howard.caro-lopez@dot.gov; marian.burroughs@dot.gov; daryl.hart@dot.gov; Rachel.Kizito-Ramos@dot.gov; Temple, Kurt [Temple.Kurt@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Daria.Neal@usdoj.gov; iris.goldschmidt@usdoj.gov
CC: Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]

Subject: Oakland investigation next steps
Attachments: 2017-0213 Investigative Plan DRAFT 08.01.2017 .docx; Meeting Agenda 08.02.2017.docx
Location: DOCR Conference Room, W78-124 1200 New Jersey Ave SE

Start: 8/2/2017 5:00:00 PM
End: 8/2/2017 6:00:00 PM
Show Time As: Tentative

Recurrence: (none)

Attached is a draft Investigative Plan that we have put together. We can discuss it, and particularly the "roles and responsibilities" portion of it, at today's meeting. I've also included a draft agenda. For those coming in person, please allow a short period of time to go through security. I'll be waiting in the main lobby to escort everyone upstairs. My cell is Personal Matters / Ex. 6 case you don't see me.

Conference Line/Code / Ex. 6

Good morning all:

The purpose of this meeting is to discuss our next steps in the Oakland investigation, and to begin a discussion on our respective roles and responsibilities here. DOT is currently drafting an investigative plan that we hope to be ready to share at the meeting as well.

Ryan

Appointment

From: ryan.fitzpatrick@dot.gov [ryan.fitzpatrick@dot.gov]
Sent: 8/2/2017 12:43:10 PM
To: deeana.jang@dot.gov; Dorka, Lilian [Dorka.Lilian@epa.gov]; Farrell, Ericka [Farrell.Ericka@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Johnson, Johahna [Johnson.Johahna@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; howard.caro-lopez@dot.gov; marian.burroughs@dot.gov; Rachel.Kizito-Ramos@dot.gov; daryl.hart@dot.gov

Subject: City and Port of Oakland complaint discussion
Location: Teleconference

Start: 8/7/2017 7:30:00 PM
End: 8/7/2017 8:30:00 PM
Show Time As: Tentative

Recurrence: (none)

Good morning:

This meeting was requested by the attorneys representing the City and Port of Oakland. The purpose is to introduce ourselves and answer questions about our Title VI investigative processes.

Conference Line/Code / Ex. 6

Message

From: Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]
Sent: 8/1/2017 10:28:14 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Yura, Elizabeth@ARB [eyura@arb.ca.gov]
Subject: RE: Catch up on West Oakland "freight" issues/status ?

Richard, Liz is going to give you a call.

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Tuesday, August 01, 2017 11:16 AM
To: Marvin, Cynthia@ARB <cynthia.marvin@arb.ca.gov>
Cc: Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Subject: Catch up on West Oakland "freight" issues/status ?

Hi Cynthia (cc Elizabeth)

As the T6 investigation is in its early stages it's more important than ever that I maintain some awareness of the moving pieces. On the "freight" front I am hearing two areas of activity, (1) Letitia Buchanan of your program contacting Ms. Margaret to set up discussions with you/your staff re freight issues and (2) Pat McGowan of the City rolling out some sort of "truck management plan" effort. I'm hoping you can find time to catch me up on what you know about either/both of these.

For what it's worth, Brian and I both came through the Port's so-called "comprehensive truck management plan" working group in 2007-2008, the results of which were far less than comprehensive and far short of what was promised at the kick-off meetings co-convened by the City and Port. In some ways I feel the truck management plan issues may be harder to resolve than the other Port/OAB mitigation issues. Brian and I talked about what is known thus far about Patricia's upcoming effort and it seems here like this would be a good time to get the issues framed as "comprehensively" as possible.

Hope to talk soon.

Thanks

Richard