From: Surlene Grant [sggrant@envirocommunications.com]
Sent: 2/8/2018 9:02:27 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: 'Margaret Gordon' [margaret.woeip@gmail.com]
Subject: RE: Clarification: Question: Truck Management Plan - studies and scope

Thank you for making sure that I am in the loop (smile).

Talk to you soon.

Surlene

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Thursday, February 8, 2018 8:53 AM
To: sggrant@envirocommunications.com
Cc: Margaret Gordon <margaret.woeip@gmail.com>
Subject: FW: Clarification: Question: Truck Management Plan - studies and scope

Surlene

I just noticed that, while you were in the distribution list for my initial exchange with the City regarding the TMP back in December, you weren't included in the exchange this week. Please feel free to call any time. Thank you.

Richard
Office: (415) 947-4104
Conference Line/Code / Ex. 6

-----Original Message-----
From: Grow, Richard
Sent: Wednesday, February 07, 2018 5:01 PM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Margaret Gordon (margaret.woeip@gmail.com) <margaret.woeip@gmail.com>; Brian Beveridge (brian.woeip@gmail.com) <brian.woeip@gmail.com>; Andrea Gardner <agardner@portoakland.com>; Gilchrist, William <WGilchrist@oaklandnet.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; brian.woeip@gmail.com
Subject: Clarification: Question: Truck Management Plan - studies and scope

Pat

Thank you. To try to be clear, my suggestion was for the TMP planning process, i.e. the one being conducted by the City and Port, to be modified to incorporate into it (the planning process) the information and implications of these studies. I'm always supportive of WOEIP having even more public forums on these studies, and have appreciated the ones they have already held, but the point of my suggestion had to do with the effect on the TMP project itself.

Richard

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: Wednesday, February 7, 2018 4:27 PM
To: Grow, Richard
Cc: Margaret Gordon (margaret.woeip@gmail.com); Brian Beveridge (brian.woeip@gmail.com); Andrea Gardner; Gilchrist, William; Ranelletti, Darin
Subject: RE: Question: Truck Managament Plan - studies and scope

Hi Richard,
I am not ignoring your e-mail, just the opposite in fact. I am discussing it again with Bill Gilchrist and Darin Ranelletti. And on a related e-mail Surlene Grant is discussing with Ms. Margaret the content of the public meeting WOEIP is planning to hold regarding the Google/EDF/Aclima study.

We'll get back to you next week.

Thanks,

Pat

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Tuesday, February 06, 2018 8:33 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Brian Beveridge <brian.woeip@gmail.com>; Margaret Gordon <margaret.woeip@gmail.com>
Subject: Question: Truck Managament Plan - studies and scope

Greetings, Patricia

It's been a while since I heard from you on the suggestions in my December 4 email, below. Could you please get back to me regarding the status of these issues ?

Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

-----Original Message-----
From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, December 13, 2017 11:55 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
Subject: RE: Truck Managament Plan - studies and scope

Hello Richard,
Please excuse my delay in replying to your e-mail. As you may know, City staff was on strike from Dec. 5 - 11, so I was unable to reply during that period.

Thank you for your attendance at the Dec. 2 public meeting and your compliment that you found it to be an excellent public workshop. Your comments/suggestions about the scope of the West Oakland Truck Management Plan are under consideration by the City and Port team. I will be in touch again as the City/Port team work through these suggestions.

Best regards,
Patricia

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

This note is to follow up on the suggestion I put forward at the excellent community workshop on trucks in West Oakland which you hosted this past Saturday. In my remarks Saturday I made reference to a suggestion previously put forward by Ms. Margaret Gordon of the WOEIP at the July 10 meeting at City Hall which you also hosted, and during which EDF presented the findings from its "Street View" project documenting on a fine scale (block by block) the levels and distribution of black carbon. At the July

10 meeting Ms. Gordon suggested that the 20 or so parties gathered around the table, representing perhaps a dozen organizations, agencies and interests, work collaboratively together to assess and address the implications of the studies findings with regard to mitigation of the effects revealed by the study.

My suggestion this past Saturday was that you, along with others carrying out this latest "truck management plan" exercise, incorporate into the current planning effort time to for participants in the planning effort to consider the EDF/Google study as well as a more recent UC Berkeley assisted "100 x 100" West Oakland black carbon monitoring study. As I mentioned Saturday, there may be no community in the country for which there is a richer availability of local scale air pollutant data. It seems here that it would be unfortunate to not make use of this information in coming up with a truck plan addressing the public health impacts of truck-related operations in West Oakland.

Regarding the scope of the TMP, I hope you will be open to the possibility that consideration of this additional information could have some effect on the scope of the plan itself. It was clear from the discussions Saturday that the issue of the scope of the TMP is itself an issue of quite some concern to many stakeholders. This also goes to the assurances I had previously received from both yourself and Claudia Cappio at the August 23 Air Quality Stakeholders meeting, assurances that the scope of the TMP had not already been set, but would rather be set by way of the interactive process which you would be convening this fall. I found this encouraging, as well as consistent with the language of mitigation measure 4.3-7, committing to a truck management plan and enumerating 8 potential "elements", while also including the caveat that the plan "is not limited to" that list of elements.

I understand that you have been assuming the viability of a "five step" planning process as laid out at the Saturday meeting, with the next (i.e. third) meeting to be focused on "prioritization" of measures proposed by City staff based on the first two meetings, and acknowledge that my suggestions might result in the TMP process taking a bit longer, but hope that you will consider whether they might also add to the quality of and support for the plan. There may be some logic in getting a common understanding of, and agreement on, the scope of the plan before moving on to prioritizing components of the plan.

Please feel free to call me directly to discuss this further, and thanks again for the very educational event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

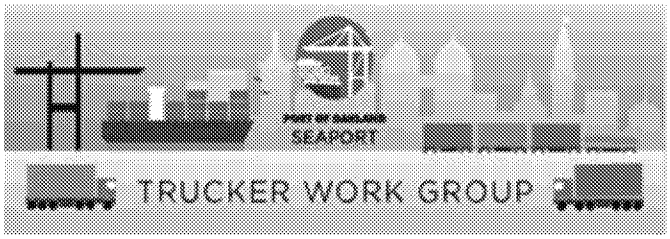
Message

From: Ralph Reynoso [rreynoso@portoakland.com]
Sent: 11/16/2017 8:08:55 PM
Subject: Port of Oakland Terminal Gate Holiday Schedule- Winter Holidays (Revised)
Attachments: 2017 Winter Holiday Schedule.pdf

Dear Port of Oakland Trucker Work Group Participants & Port Customers,

See attachment to view Terminal Yard and Gate Operations that will be closed on Thanksgiving Day, Christmas Day, and New Year's Day.

Thank You,



Message

From: Connors, Rachel@ARB [Rachel.Connors@arb.ca.gov]
Sent: 7/7/2017 10:27:28 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

HI Richard,

Unfortunately something came up and I was not able to call from 11 -3. I will follow up Monday with another call.

Have a good weekend.

Rachel Connors
Air Resources Engineer
Fuels Enforcement Section
Phone: (916) 229-0513
rachel.connors@arb.ca.gov

California Environmental Protection Agency
Air Resources Board

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, July 03, 2017 1:45 PM
To: Connors, Rachel@ARB; Olp, Kevin@EPA
Subject: Re: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Sure, anytime that day between 11 and 3 would be best, but I can make other times work if need be. Thanks

Richard

From: Connors, Rachel@ARB <Rachel.Connors@arb.ca.gov>
Sent: Monday, July 3, 2017 1:12 PM
To: Grow, Richard; Olp, Kevin@EPA
Subject: RE: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Hi Richard,

I am following up to schedule an informal meeting with Kevin and I, to discuss the issues you mentioned in the email below. Are you still available Friday 7/7? Is there any particular time that works for you? Thanks!

Rachel Connors
Air Resources Engineer

Fuels Enforcement Section
Phone: (916) 229-0513
rachel.connors@arb.ca.gov

California Environmental Protection Agency
Air Resources Board

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Wednesday, June 28, 2017 1:27 PM
To: Olp, Kevin@EPA
Cc: Reyes, Deldi; Connors, Rachel@ARB; Eady, Veronica@ARB
Subject: RE: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Hi Kevin – This Friday is kind of jammed (busy in West Oakland) but I'm free next Weds 7/5 (any time other than 11-12), Thursday 7/6 (other than 10-11, 2-3) or Friday 7/7 anytime. Looking forward to talking, pls let me know if any of these times work. Tomorrow 6/29 also good any time other than 10-11.

Richard

From: Olp, Kevin@EPA [mailto:Kevin.Olp@calepa.ca.gov]
Sent: Wednesday, June 28, 2017 10:53 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>; Connors, Rachel@ARB <Rachel.Connors@arb.ca.gov>; Eady, Veronica@ARB <Veronica.Eady@arb.ca.gov>
Subject: RE: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Thanks for sharing Richard! I'd very much love to get your feedback on the larger issues here and I'll invite my colleagues Rachel and Veronica to join as well. Do you have time on Friday to chat, or is next week better for you? In advance of our conversation just wanted to say thanks for your help!

Kevin

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Wednesday, June 28, 2017 10:19 AM
To: Olp, Kevin@EPA <Kevin.Olp@calepa.ca.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: FYI: Solutions for Reducing and Preventing Emissions at the Port of Oakland and Oakland Army Base Working Meeting

Kevin – this just came in.

Richard Grow
US EPA
Region 9
(415) 947-4104

From: Aloha Galimba [mailto:agalimba@baaqmd.gov]
Sent: Wednesday, June 28, 2017 8:48 AM
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
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| Cell: Personal Phone / Ex. 6
agalimba@baaqmd.gov| www.baaqmd.gov

Message

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 7/19/2017 1:26:38 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Port/OAB - events on the ground

Thanks Richard, told you I'd come back

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: Tuesday, July 18, 2017 7:58 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: Port/OAB - events on the ground

Ryan

Welcome back, hope you had a grand time.

You haven't missed much but thank you for kicking the thing out the door today.

Mainly checking in to let you know there have been many meetings, discussions on the ground etc out here involving key players, a fairly dramatic attempt at resetting the table by BAAQMD, RB and Councilperson Rebecca Kaplan last Friday etc etc. I haven't talked at all with ECRCO about this, not wanting to distract them in any way from getting the letter out. There was an EPA-DOT call on 7/6 which Yvette may have caught you up on. We can talk when you're ready, I think the on-the-ground choreography will matter a lot.

Richard

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/8/2018 1:15:37 AM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Personal Email / Ex. 6
Subject: Re: FW: Clarification: Question: Truck Management Plan - studies and scope

Richard,

I'm toldly in agreement.

Ms.M

On Wed, Feb 7, 2018 at 5:12 PM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Ms. Margaret and Brian

Please let me know if I need to explain better the difference (in my view) of (1) their actually taking the studies into the TMP process vs. (2) them wishing you well in your (EIP) having yet another public briefing on the studies without them making any commitment to build the implications of those studies into the TMP. You've already done this some number of times, they've been at at least one of them, in fact Pat hosted one at City Hall, after which they blithely proceeded to hire Surlene and set up a five step TMP process which ignored the studies. Their process I've tried to suggest wouold include a step, or setps, within the TMP process, in which the studies and their implications are presented, discussed, and the outcomes and suggestions from those discussions incorporated into the process as it proceeds from there. No ?

Richard

From: Grow, Richard
Sent: Wednesday, February 7, 2018 5:01 PM
To: McGowan, Patricia
Cc: Margaret Gordon (margaret.woeip@gmail.com); Brian Beveridge (brian.woeip@gmail.com); Andrea Gardner; Gilchrist, William; Ranelletti, Darin; brian.woeip@gmail.com
Subject: Clarification: Question: Truck Management Plan - studies and scope

Pat

Thank you. To try to be clear, my suggestion was for the TMP planning process, i.e. the one being conducted by the City and Port, to be modified to incorporate into it (the planning process) the information and implications of these studies. I'm always supportive of WOEIP having even more public forums on these studies, and have appreciated the ones they have already held, but the point of my suggestion had to do with the effect on the TMP project itself.

Richard

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: Wednesday, February 7, 2018 4:27 PM
To: Grow, Richard
Cc: Margaret Gordon (margaret.woeip@gmail.com); Brian Beveridge (brian.woeip@gmail.com); Andrea

Gardner; Gilchrist, William; Ranelletti, Darin
Subject: RE: Question: Truck Managament Plan - studies and scope

Hi Richard,
I am not ignoring your e-mail, just the opposite in fact. I am discussing it again with Bill Gilchrist and Darin Ranelletti. And on a related e-mail Surlene Grant is discussing with Ms. Margaret the content of the public meeting WOEIP is planning to hold regarding the Google/EDF/Aclima study.

We'll get back to you next week.

Thanks,
Pat

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

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From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Tuesday, February 06, 2018 8:33 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Brian Beveridge <brian.woeip@gmail.com>; Margaret Gordon <margaret.woeip@gmail.com>
Subject: Question: Truck Managament Plan - studies and scope

Greetings, Patricia

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Richard Grow
US EPA
Region 9
(415) 947-4104

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To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
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Best regards,
Patricia

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From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

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City staff based on the first two meetings, and acknowledge that my suggestions might result in the TMP process taking a bit longer, but hope that you will consider whether they might also add to the quality of and support for the plan. There may be some logic in getting a common understanding of, and agreement on, the scope of the plan before moving on to prioritizing components of the plan.

Please feel free to call me directly to discuss this further, and thanks again for the very educational event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

--

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

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

From: Brian Beveridge Personal Email / Ex. 6
Sent: 1/18/2018 2:34:33 AM
To: rsinkoff@portoakland.com
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: Re: MAQIP engagement criteria

Richard
Yes. I can meet you all at the Port. What office? Or whom should I call when I arrive? Will you have written responses to our criteria? Did we say 9:00 or 9:30?

Also, are all the people in the address line of this email invited or expected to attend tomorrow?
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 Wed, Jan 17, 2018 at 5:58 PM, Richard Sinkoff <rsinkoff@portoakland.com> wrote:

Hi Brian,

Would you be able to come to the Port office?

Richard

From: Brian Beveridge [mailt Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 3:29 PM

To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: RE: MAQIP engagement criteria

Hello all

Ms. Margaret is on the review panel interviewing applicants for the City's Chief Resilience Officer. The interviews are Thursday morning. So I'll meet with you all and hopefully report back progress to her.

Where would like to meet?

Brian

On Jan 16, 2018 3:07 PM, "Brian Beveridge" Personal Email / Ex. 6 wrote:

Richard

9am on Thursday, 01-18-18 will work for me. I'll verify it with Ms. Margaret and get back to you within the hour.

Brian

On Jan 16, 2018 1:48 PM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

Hi Brian,

How does 9:00 a.m. look on your schedule?

Richard

From: Brian Beveridge [mailto Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 1:47 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: Re: MAQIP engagement criteria

Richard

Sorry, I should have been more specific. Thursday at 2 I have a program meeting and at 4 the Jobs Commission. Any time before 2 is open.

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 Tue, Jan 16, 2018 at 12:06 PM, Richard Sinkoff <rsinkoff@portoakland.com> wrote:

Hi Brian, Thanks for the quick response.

Thursday at 2:00 p.m.?

Richard

From: Brian Beveridge [mailto Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 12:00 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: RE: MAQIP engagement criteria

Richard

I have meetings from 2 to 7 this afternoon. Wed between 1 and 3 would work. Or times on Thursday.

Thank you.

Brian

On Jan 16, 2018 11:53 AM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

Good morning, Brian,

Thank you for your e-mail. I am sorry that WOEIP elected to not join the conversation this morning; however, we do hear your concerns.

The Port is keenly interested in WOEIP's engagement and I trust that we can find common ground.

I will reach out to you by phone this afternoon. We are concurrently reviewing the engagement criteria that WOEIP presented to the Port last week.

Are you available this afternoon for a chat?

Best,

Richard

From: Brian Beveridge [mailto: Personal Email / Ex. 6
Sent: Monday, January 15, 2018 7:16 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>; Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>
Cc: Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>
Subject: MAQIP engagement criteria

Hello Richard and Scott

Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

Message

From: Grow, Richard [Grow.Richard@epa.gov]
Sent: 11/6/2017 4:20:59 PM
To: Machol, Ben [Machol.Ben@epa.gov]; mcdaniel.penny@epa.gov
Subject: FW: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1
Attachments: DRAFT Port-OAB Action List Nov 3.pdf; BAAQMD ltr to POAK Board Item 5.1.pdf

Deliberative Process / Ex. 5

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: Friday, November 3, 2017 11:39 AM
To: dedgerly@portoakland.com
Cc: David Vintze; Henry Hilken; Karen Schkolnick; afournier@baaqmd.gov; Jean Roggenkamp; dbreen@baaqmd.gov; Jack Broadbent; Grow, Richard; Marvin, Cynthia@ARB; Cappio, Claudia; Lakin, Matt; Machol, Ben
Subject: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1

Hello,

Attached please find BAAQMD's comment letter and attachment for the 11/9/17 Board of Port Commissioners meeting.

These items are in reference to Agenda item 5.1: Ordinance and Resolution to approve Lease with CenterPoint-Oakland Development I, LLC for a Transload and Distribution Facility on the Former Oakland Army Base.

I would appreciate it if you could reply to this email and let me know it has been received. Thanks in advance!

Please contact me if you have any questions.

Sincerely,

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

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ALAMEDA COUNTY
Pauline Russo Cutter
Scott Haggerty
Rebecca Kaplan
Nate Miley

CONTRA COSTA COUNTY
John Gioia
David Hudson
(Vice Chair)
Karen Mitchoff
Mark Ross

MARIN COUNTY
Katie Rice
(Secretary)

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
Edwin M. Lee
Hillary Ronen
Jeff Sheehy

SAN MATEO COUNTY
David Canepa
Carole Groom
Doug Kim

SANTA CLARA COUNTY
Margaret Abe-Koga
Cindy Chavez
Liz Kniss
(Chair)
Rod G. Sinks

SOLANO COUNTY
Pete Sanchez
James Spering

SONOMA COUNTY
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:

November 3, 2017

Joan H. Story
President, Board of Port Commissioners
Port of Oakland
30 Water Street
Oakland, CA 94607

Subject: **Ordinance and Resolution to approve Lease with CenterPoint-Oakland Development I, LLC for a Transload and Distribution Facility on the Former Oakland Army Base**

Dear Ms. Story and Members of the Board of Port Commissioners (Board):

The Bay Area Air Quality Management District (Air District) has reviewed Agenda item 5.1 on your November 9, 2017 meeting and is requesting that the Board:

- Delay approval of any resolution or ordinance on this item until the Port of Oakland (Port) has developed and funded the emission reduction programs (in concert with the City of Oakland (City)) identified by the former Oakland Army Base (OAB) Environmental Impact Report (EIR) Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP); and

- Developed criteria via a public process to determine when low emission equipment or strategies are "readily available" or "cost effective."

As currently drafted, Agenda item 5.1 seeks to authorize the Port of Oakland (Port) Executive Director to enter a ground lease with CenterPoint-Oakland Development I, LLC, (the Developer) for the design, construction, finance, operation, and maintenance of a transload and distribution facility (Project). The proposed Project seeks to build a 440,800-square foot facility with approximately 140 dock doors, and parking for 365 autos and 70 trailers for warehouse, storage, other maritime trade and logistics uses. The proposed location is approximately 27 acres at the former Oakland Army Base (OAB) land the Port has named the Seaport Logistics Complex.

As stated in the Board's Agenda Report, this and any project on the former OAB is required to comply with the OAB Environmental Impact Report (EIR) Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP). As you may recall, the SCA/MMRP was adopted by the Oakland City Council (City) and the Port to mitigate the significant health and air quality impacts expected to occur in the West Oakland community and impacts to regional air quality resulting from the build out of the OAB. However, many the SCA/MMRPs require the City and the Port to develop emission reduction programs that have not been developed, such as:

- MM 4.4-3a: "The Port shall develop and implement a criteria pollutant reduction program aimed at reducing or off-setting Port-related emissions in West Oakland from its maritime and rail operations to less than significant levels..."

- MM 4.4-4 "The City and the Port shall jointly create, maintain and fund on a fair share basis, a truck diesel emission reduction program. The program shall be sufficiently funded to strive to reduce redevelopment related contributions to local West Oakland diesel emissions to less than significant levels ...."

- MM 4.4-5: "Major developers shall fund on a fair share basis BAAQMD – recommended feasible Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations, as well as all CAP [Clean Air Plan] TCMs the BAAQMD has identified as appropriate for local implementation ...."

- MM 4.4-6: "...the City and Port shall implement sustainable development policies and strategies related to new development design and construction..."

- MM 5.4-1: "The City and the Port shall encourage, lobby, and potentially participate in emission reduction demonstration projects that promote technological advances in improving air quality..."

- MM GCC-1: "The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval. The applicant shall implement the approved GHG Reduction Plan..."

- Some of the mitigation measures include language that would require emission reduction actions only if low emission equipment or strategies are "readily available" or "cost effective".

To date, neither the City nor the Port has developed or funded the emission reduction programs identified above or developed any criteria to determine when low emission equipment or strategies are "readily available" or "cost effective." The Air District recommends that the Port develop the emission reduction programs and guidance identified above in a forum that seeks public input prior to acting on this Project. The Air District believes that any resolution adopted by the Board relative to this project should include clear language and direction to staff and the proposed tenants/operators that ensures the maximum use of zero and near zero emission equipment at the time of building permit issuance, and requires upgrades into the future as fully zero emissions equipment options become available.

To assist the Board, City and Port in determining what is "readily available" or "cost effective," the Air District has attached its draft "BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base," (August 2017) document. The Air District is currently finalizing this document in consultation with both Port and City staff and expects some minor changes to it based on those discussions. However, the technology suggestions in this document

have been reviewed by the California Air Resources Board and represent what the Air District believes to be most protective of community health and air quality relative to equipment that is currently and reasonably available.

West Oakland remains the most disproportionately impacted community in the Bay Area due in part to its proximity to the Port. Since 2001, the Air District has invested over 80 million dollars of public funds to reduce diesel particulate matter (DPM) emissions from Port truck, maritime and rail operations and over $50 million to reduce emissions on adjacent highways. In 2018, the Air District projects another approximately $70 million dollars in incentive funds will be available for the purchase of zero and near zero emission equipment and technologies that could be used at the Port and OAB. The Air District stands ready to assist current and prospective tenants/operators at the Port and OAB in taking advantage of these funds.

However, these incentives alone cannot address the air quality related health issues in the West Oakland community. It is important that the Board play a leadership role in reducing the impacts of the Port's operations by directing its staff to honor the spirit and letter of the mitigation measures required in the SCA/MMRP. This includes specifying requirements for zero and near zero equipment and operations as part of new leases and ordinances.

Air District staff is available to assist the Board or Port staff with questions about these comments. If you have any questions, please contact Alison Kirk, Senior Planner, at (415) 749-5169 or akirk@baaqmd.gov.

Sincerely,

Damian Breen
Deputy Air Pollution Control Officer

Attachment: BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base – Draft Document (August 2017)

cc: BAAQMD Director Pauline Russo Cutter
BAAQMD Director Scott Haggerty
BAAQMD Director Rebecca Kaplan
BAAQMD Director Nate Miley
Cynthia Marvin, California Air Resources Board
Claudia Cappio, City of Oakland
Richard Grow, EPA
Matt Lakin, EPA
Ben Machol, EPA

From: Kaplan, Rebecca [RKaplan@oaklandnet.com]
Sent: 7/19/2017 2:33:46 AM
To: Grow, Richard [Grow.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)

Thanks!

From: Grow, Richard <Grow.Richard@epa.gov>
Sent: Tuesday, July 18, 2017 4:48:10 PM
To: Kaplan, Rebecca
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)

It's out there and public in the sense that all interagency correspondence is (unless marked otherwise, and this isn't). Everyone probably got their electronic copies in the past 1-1/2 hrs, which I would guess they may not all be aware of it yet. Probably the letter to Earthjustice isn't public - that's up to them. EPA didn't do a release though did prepare a "desk statement", meaning a statement for use in responding to any public inquiries. I don't see any reason you can't make use of it.

Richard

From: Kaplan, Rebecca <RKaplan@oaklandnet.com>
Sent: Tuesday, July 18, 2017 4:42 PM
To: Grow, Richard
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)

Thanks very much.

P.S. Is this public?

Best wishes,
-RK

From: Grow, Richard <Grow.Richard@epa.gov>
Sent: Tuesday, July 18, 2017 4:13:40 PM
To: Kaplan, Rebecca
Cc: Thao, Sheng
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)

Rebecca

Separate letter to complainants to follow.

Richard

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST); Charles.james@dot.gov; Jang, Deeana (OST); Fitzpatrick, Ryan (OST); 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
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)

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

From: Margaret Gordon Personal Email / Ex. 6
Sent: 1/18/2018 2:17:08 AM
To: rsinkoff@portoakland.com
CC: Brian Beveridge Personal Email / Ex. 6 Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: Re: MAQIP engagement criteria

Dear Everyone,

Thank you for the email and update information.

Ms.Margaret

On Wed, Jan 17, 2018 at 5:58 PM, Richard Sinkoff <rsinkoff@portoakland.com> wrote:

Hi Brian,

Would you be able to come to the Port office?

Richard

From: Brian Beveridge Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 3:29 PM

To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: RE: MAQIP engagement criteria

Hello all

Ms. Margaret is on the review panel interviewing applicants for the City's Chief Resilience Officer. The interviews are Thursday morning. So I'll meet with you all and hopefully report back progress to her.

Where would like to meet?

Brian

On Jan 16, 2018 3:07 PM, "Brian Beveridge" Personal Email / Ex. 6 wrote:

Richard

9am on Thursday, 01-18-18 will work for me. I'll verify it with Ms. Margaret and get back to you within the hour.

Brian

On Jan 16, 2018 1:48 PM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

Hi Brian,

How does 9:00 a.m. look on your schedule?

Richard

From: Brian Beveridge [mailto: Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 1:47 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: Re: MAQIP engagement criteria

Richard

Sorry, I should have been more specific. Thursday at 2 I have a program meeting and at 4 the Jobs Commission. Any time before 2 is open.

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 Tue, Jan 16, 2018 at 12:06 PM, Richard Sinkoff <rsinkoff@portoakland.com> wrote:

Hi Brian, Thanks for the quick response.

Thursday at 2:00 p.m.?

Richard

From: Brian Beveridge [mai Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 12:00 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: RE: MAQIP engagement criteria

Richard

I have meetings from 2 to 7 this afternoon. Wed between 1 and 3 would work. Or times on Thursday.

Thank you.

Brian

On Jan 16, 2018 11:53 AM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

Good morning, Brian,

Thank you for your e-mail. I am sorry that WOEIP elected to not join the conversation this morning; however, we do hear your concerns.

The Port is keenly interested in WOEIP's engagement and I trust that we can find common ground.

I will reach out to you by phone this afternoon. We are concurrently reviewing the engagement criteria that WOEIP presented to the Port last week.

Are you available this afternoon for a chat?

Best,

Richard

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Hello Richard and Scott

Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

--
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: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 8/17/2017 9:40:26 PM
To: Ross, Brian [Ross.Brian@epa.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: Update: West Oakland Title VI complaint

Brian, I'm not sure if we've met before. If so, my apologies for not remembering. Re our ports call today, Richard Grow is the best person for you to connect with. I gave him the gist of what I heard today and he didn't see it as an issue. But best if you two connect directly.

From: Grow, Richard
Sent: Thursday, August 10, 2017 8:58 AM
To: Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>
Cc: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Israels, Ken <Israels.Ken@epa.gov>
Subject: Update: West Oakland Title VI complaint

Elizabeth & Matt

Following is a partial summary of events since the formal acceptance by DOT and EPA of the complaint on July 18.

- Deliberative Process / Ex. 5

-

Deliberative Process / Ex. 5

CalEPA and ARB.

More details available, I remain available to come talk with you at your convenience. Please pass this on to any of your staff you feel would be interested.

Richard
7-4104

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 1/18/2018 1:58:05 AM
To: Brian Beveridge [brian.woeip@gmail.com]
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
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Sincerely, Brian Beveridge

Message

From: Aloha de Guzman [adeguzman@baaqmd.gov]
Sent: 7/12/2017 7:44:15 PM
To: CCappio@oaklandnet.com; MDNichols@oaklandnet.com; Tess Lengyel [tlengyel@alamedactc.org]; adao@alamedactc.org; abockelman@mtc.ca.gov; Beba Sanchez [BSanchez@mtc.ca.gov]; Matt Maloney [mmaloney@mtc.ca.gov]; cynthia.marvin@arb.ca.gov; Grow, Richard [Grow.Richard@epa.gov]; mdavis@portoakland.com; anna.lee@acgov.org
CC: Sheng Thao [sthao@oaklandnet.com]; Jack Broadbent [jack@baaqmd.gov]; Maricela Martinez [mmartinez@baaqmd.gov]; Vanessa Johnson [vjohnson@baaqmd.gov]; dbreen@baaqmd.gov
Subject: AGENDA: Meeting on Emissions Reductions for the Port of Oakland's/Former Oakland and Base Development
Attachments: Agenda- July 14- POA_OAB Meeting.docx

On Behalf of Director Kaplan and the Bay Area Air Quality Management District:

Attached is the agenda for the meeting on Friday July 14, 2017.

Thank you!

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| Cell: 415.745.5633
adeguzman@baaqmd.gov| www.baaqmd.gov

Interagency Meeting on Emissions Reductions for the Port of Oakland's/Former Oakland and Base Development

Alameda County Transportation Commission
1111 Broadway, Room D,
Oakland, CA 94607

July 14, 2017 - 12 noon to 2:00pm

Meeting Goal:

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

- To reduce emissions and health impacts in the West Oakland Community from current operations at the Port of Oakland; and
- To prevent emissions and health impacts in the West Oakland Community from future operations at the former Oakland Army Base.

Meeting Format:

This meeting is to be solutions oriented. It is a given that each of the government entities participating in this meeting has extensive knowledge regarding both Port of Oakland (Port) and the former Oakland Army base (OAB).

The meeting is structured to allow the Bay Area Air Quality Management District (Air District) to present its views on possible solutions (revised "strawman" proposal) to achieving the goals listed above. The Air District's "strawman" is meant to provide a platform for an actionable workplan which can be taken back to each of the government's oversight bodies (Boards, Councils, Commissions, etc.) for approval, funding and action.

Interagency Meeting on Emissions Reductions for the Port of Oakland's/Former Oakland and Base Development

AGENDA

12:00 – 12:10pm Introductions and Welcome by Director Kaplan

12:10 – 12:40pm Overview (BAAQMD)

- *Historical emissions & reductions efforts*
- *Current emissions & reductions efforts*
- *Future emissions concerns*
- *Outline of possible emissions reductions solutions*
  - *Regulation & Enforcement Action*
  - *Use of Partner Authorities*
  - *Grant Funding*

12:40 – 1:30pm Group Discussion

1:30 – 2:00pm Action Item recap, Assignments and Next Steps

2:00pm Adjourn

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: 2/8/2018 12:27:03 AM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Margaret Gordon (margaret.woeip@gmail.com) [margaret.woeip@gmail.com]; Brian Beveridge (brian.woeip@gmail.com) [brian.woeip@gmail.com]; Andrea Gardner [agardner@portoakland.com]; Gilchrist, William [WGilchrist@oaklandnet.com]; Ranelletti, Darin [DRanelletti@oaklandnet.com]
Subject: RE: Question: Truck Managament Plan - studies and scope

Hi Richard,
I am not ignoring your e-mail, just the opposite in fact. I am discussing it again with Bill Gilchrist and Darin Ranelletti. And on a related e-mail Surlene Grant is discussing with Ms. Margaret the content of the public meeting WOEIP is planning to hold regarding the Google/EDF/Aclima study.

We'll get back to you next week.

Thanks,
Pat

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Tuesday, February 06, 2018 8:33 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>; Brian Beveridge <brian.woeip@gmail.com>; Margaret Gordon <margaret.woeip@gmail.com>
Subject: Question: Truck Managament Plan - studies and scope

Greetings, Patricia

It's been a while since I heard from you on the suggestions in my December 4 email, below. Could you please get back to me regarding the status of these issues ?

Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

-----Original Message-----
From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, December 13, 2017 11:55 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
Subject: RE: Truck Managament Plan - studies and scope

Hello Richard,
Please excuse my delay in replying to your e-mail. As you may know, City staff was on strike from Dec. 5 - 11, so I was unable to reply during that period.

Thank you for your attendance at the Dec. 2 public meeting and your compliment that you found it to be an excellent public workshop. Your comments/suggestions about the scope of the West Oakland Truck Management Plan are under consideration by the City and Port team. I will be in touch again as the City/Port team work through these suggestions.

Best regards,
Patricia

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

-----Original Message-----

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

Deliberative Process / Ex. 5

event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

Message

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 7/12/2017 6:27:28 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Three things
Attachments: CalEPA EJ Task Force - Follow Up

Hey there, attached is the email from Kevin to our Oakland ad hoc agency list with the registration link.

And, I've been a calendar idiot lately. My CO friends have had plans to visit me here (and at sea ranch) for a while now and I just didn't get it on my calendar.
I'm at the ranch the week of Aug 6 so the 8th is out for me for hosting. Bummed about that for sure but too late for me to change plans with friends – they have flights.

From: Grow, Richard
Sent: Wednesday, July 12, 2017 10:12 AM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Three things

Hi

1. I have the flyer for the Thursday eve EJ/Enforcement intiative but can't find the incoming email that told me about it (from you ?) Could you forward something with a link so I can sign up ?

2. Doug L. said he had to pick just one W.O. event for this week and opted for the Friday 12-2 meeting of the agencies with Kaplan et al. I agree this would get him quality intro to key principals from ARB, BAAQMD, City et al and shld probably be #1. But the chance to get a snapshot of what community/EJ/enf/toxics issues look like Thursday evening is exceptional. If you have a chance to encourage him to choose "two" events this week pls take advantage.

3. Meant to report, Marianne loves the idea of a carryout get together at your place the eve of August 8. Are you still up for it ? (No Alexis, Marianne would stop by here that afternoon.) All subject to cancellation if the judge cancels the 9th Circuit hearing for the 9th.

RG

From: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 7/7/2017 8:15:33 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: OK ? So far: Oakland Army Base (OAB) and Port of Oakland redevelopment

Let's confer with them and send early Monday.

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, July 7, 2017 12:20 PM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: Re: OK ? So far: Oakland Army Base (OAB) and Port of Oakland redevelopment

I'm 98.5% sure it's all good, but could give them to mid-day Monday. If it was only in my name I'd do it but you have a bit more at stake and your name matters.

From: Strauss, Alexis
Sent: Friday, July 7, 2017 12:06 PM
To: Grow, Richard
Subject: RE: OK ? So far: Oakland Army Base (OAB) and Port of Oakland redevelopment

Tell me whether it's better to wait for Monday and BAAQMD input. I can go either way, keeping both partners happy is impt.

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, July 7, 2017 12:06 PM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: OK ? So far: Oakland Army Base (OAB) and Port of Oakland redevelopment

Cynthia good, my main BAAQMD planning manager is out, his staff said it looked OK but her planning manager won't be back in until Monday, I'm told Jack B is out. We could wait but honestly I expected Cynthia to be our toughest audience and instead she was quite enthusiastic. BAAQMD has had, if anything, a harsher posture than ARB. I'd be inclined to get it done today but whatever makes your weekend better is probably best. Richard

From: Grow, Richard
Sent: Friday, July 7, 2017 10:55 AM
To: Strauss, Alexis
Cc: Garnett, Desean
Subject: So far: Oakland Army Base (OAB) and Port of Oakland redevelopment

Cynthia quite happy, best contact at BAAQMD out, I took another way around, gave them til mid-aft for any objections.

From: Strauss, Alexis
Sent: Thursday, July 6, 2017 3:41 PM
To: Grow, Richard
Cc: Garnett, Desean; Strauss, Alexis
Subject: Oakland Army Base (OAB) and Port of Oakland redevelopment

RG: could you ask BAAQMD and CARB if any edits should be made to this draft? You and Desean are also free to edit.
Thx, A

Dear Ken

Deliberative Process / Ex. 5

US EPA: Diesel Emission Reductions Act Grant program Funding - $34M available. Due date – July 5, 2017.https://www.epa.gov/cleandiesel/clean-diesel-national-grants#rfp

Clean Diesel National Grants | Clean Diesel and DERA ...

www.epa.gov

National Funding Assistance Program administers competitive grants for clean diesel projects. The Diesel Emissions Reduction Act (DERA) appropriates funds for these ...

US DOT: https://www.transportation.gov/grants

Grants | US Department of Transportation

www.transportation.gov

u.s. department of transportation. 1200 new jersey avenue, se. washington, dc 20590. 855-368-4200

FASTLANE funding: https://www.transportation.gov/buildamerica/FASTLANEgrants

FASTLANE Grants

www.transportation.gov

Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) Grants program

US DOE: Clean Cities Coalitions sometimes have funding: https://cleancities.energy.gov/funding-opportunities/

Clean Cities: Funding Opportunities

cleancities.energy.gov

Securing funding is critical to the success of efforts to cut petroleum use in transportation. Funding opportunities for Clean Cities projects are available from many ...

Volkswagen settlement information: https://www.epa.gov/vw. Note: Port cargo handling equipment, ferries/tugs, shorepower, rail, truck and bus eligibility in Appendix D of the partial CD: https://www.epa.gov/enforcement/third-partial-and-30l-second-partial-and-20l-partial-and-amended-consent-decree (see Appendix D-2 of 2.0L partial CD).

Third Partial and 3.0L Second Partial and 2.0L ... - US EPA

www.epa.gov

This is the third partial, 3.0 liter second partial consent decree, 2.0 liter partial and amended partial consent decree for the Volkswagen Clean Air Act Settlement ...

Volkswagen Light Duty Diesel Vehicle Violations for Model ...

www.epa.gov

United States Environmental Protection Agency. Search Search. Volkswagen Light Duty Diesel Vehicle Violations for Model Years 2009-2016

I hope this is helpful. I'm hopeful we can work together to bring about resolution of these issues.

Kind regards,

Alexis

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 7/18/2017 11:50:16 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Ltr to City/Port: 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)

Thanks for the update. Look forward to hearing more about how it will work. See 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: Tuesday, July 18, 2017 4:25 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Subject: Re: Ltr to City/Port: 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)

30 days for city and port to respind, emanwhile we work with hq to put together an "investigative plan". But what really happens is Ryan is back from India and I need to catch him and others up on developments at BAAQMD, ARB and City Council coming out of all of last week's meetings. Spoke with Kaplan for nearly an hour yesterday. In in the morning.

From: BANDROWSKI, MIKE
Sent: Tuesday, July 18, 2017 4:21 PM
To: Grow, Richard
Subject: RE: Ltr to City/Port: 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)

Thanks Richard. What happens next?

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: Tuesday, July 18, 2017 4:07 PM
To: LUEHE, DOUGLAS <luehe.douglas@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>
Cc: Johnson, Kathleen <Johnson.Kathleen@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Israels, Ken <Israels.Ken@epa.gov>
Subject: Ltr to City/Port: 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

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST); Charles.james@dot.gov; Jang, Deeana (OST); Fitzpatrick, Ryan (OST); 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
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)

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: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: 2/7/2018 8:49:00 PM
To:

Personal Email / Ex. 6

Subject: 45-day notice of preparation of Air Quality Plan for Operations of a logistics warehouse at the CE-1 site, in the Northeast Gateway of the Oakland Army Base Redevelopment Project

Date: February 7, 2018
Subject: **45-day notice of preparation of Air Quality Plan for Operations of a Logistics Warehouse, at the site referred to as CE-1** in the Northeast Gateway at the Oakland Army Base Redevelopment Project

To all Oakland Army Base Stakeholders:

This e-mail will serve as the **45-day notice** that the diesel emission reduction and air quality plan related to operations of a logistics warehouse at the CE-1 site in the Northeast Gateway **will be available for review and comment on March 26, 2018 or shortly thereafter**. This notice is required by Mitigation Measure Public Outreach (MM PO-1) of the Oakland Army Base Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCA/MMRP).

You previously received a 45-day notice about this Plan on February 3, 2017. We are re-issuing the 45-day notice, and starting the 45 days over, because development of the draft plan was delayed.

The intention of the 45-day notice is to inform the public that an air quality plan is being developed by Prologis and will be available for stakeholder review within approximately 45 days. At that time, approximately March 26, 2018, a 17-day review period will begin per MM PO-1. You will receive additional notification of the 17-day review period and a copy of the Air Quality Plan will be e-mailed to you, and posted on the City's website, at the beginning of the 17-day review period.

Here is a brief summary of the building for which Prologis is developing this Air Quality Plan:

- The 16-acre site referred to as CE-1 is in the Northeast Gateway, located at the corner of Maritime Street and Admiral Toney Way (the new name for the eastern part of Burma Road).
- The exterior of the building was completed in 2017 and the building is not occupied. Prologis is working to secure a tenant(s). Interior build-out has not been done.

- The building is a 256,000 square foot cross-dock logistics warehouse with 56 loading docks, plus car and bicycle parking for employees, and parking for approximately 70 containers or trucks.
- The building will likely be occupied by one to three tenants (but can have more based on market demand).

We intend to hold a quarterly Stakeholder meeting during the 45-day period (prior to March 26, 2018) so that the concepts of the Air Quality Plan for operations of this building can be discussed with Stakeholders before the official 17-day review and comment period. We will issue a separate notification of the date and time of that Stakeholder meeting.

The Plan to be reviewed will relate to the following mitigation measures of the adopted SCA/MMRP: MM 4.4-4: Truck Diesel Emissions Reduction Plan; MM 4.4-5: Transportation Control Measures;
4.4-6: Energy Conserving Features/Design; Trans-1: Parking and Transportation Demand Management; MM 5.4-1: Demonstration Projects.

You can find the SCA/MMRP on the City's website at the following link:
http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf

Thank you for your continued interest in the development of the Oakland Army Base.

Please contact me if you have any questions,
Patricia 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

ALAMEDA County Transportation Commission

Memorandum

6.2

1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

DATE:	November 6, 2017
SUBJECT:	Goods Movement Emissions Reduction Pilot Program
RECOMMENDATION:	Approve the Goods Movement Emissions Reduction Pilot Program Principles and Investment Types and authorize the Executive Director to negotiate and enter into funding agreements as necessary to implement the program.

Summary

The their Countywide Goods Movement Plan includes a goal to reduce environmental and community impacts from goods movement operations to create healthy communities and a clean environment, and improve quality of life for those communities most impacted by goods movement. In an effort to advance that goal, Alameda CTC included $6 million in the 2018 Comprehensive Investment Plan to fund a Goods Movement Emissions Reduction Pilot Program. For the past year, Alameda CTC has been participating in a multi-agency effort led by the Bay Area Air Quality Management District to advance a coordinated program that can leverage other funds from multiple sources to reduce impacts on our local communities.

Staff recommends the Commission approve a list of programs to advance for funding as part of the Goods Movement Emissions Reduction Pilot Program. Programming will be contingent on the principles articulated below being met prior to execution of any funding agreements.

Background

For the past year, Alameda CTC has actively participated in a multi-agency effort focused on goods movement emissions reductions led by the Bay Area Air Quality Management District (BAAQMD) and including participation of a number of agencies: the City of Oakland, the Port of Oakland, the Alameda County Public Health Department, the Metropolitan Transportation Commission, the California Air Resources Board (CARB), and the Environmental Protection Agency. The group met multiple times to identify potential areas of investment with a focus on reducing emissions in the West Oakland neighborhood, which the BAAQMD has identified as having significantly higher rates of particulate emissions resulting in adverse impacts on public health. The

intent is to develop a strategic framework to leverage the various funding sources at the agencies and private sector in order to advance investments that can result in measurable reductions in emissions.

The BAAQMD anticipates taking an update on the overall effort to its Mobile Source Committee in December. This will include a discussion of the funding programs the BAAQMD anticipates being available to fund emission reduction projects, which are primarily funding programs administered by BAAQMD or CARB, as well as a summary of the different types of equipment the BAAQMD is considering for inclusion in the investment strategy. Following the December discussion with the Mobile Source Committee, the BAAQMD will engage the private sector and community in discussions to get input on the overall strategy with a focus on feasibility and timing of new technology, economic feasibility and community priorities. It is anticipated that the full BAAQMD Board will approve an overall investment framework in early 2018.

In addition to the agency effort, Alameda CTC staff has met multiple times with members of the Ditching Dirty Diesel Collaborative (DDDC), who actively participated in the development of the Countywide Goods Movement Plan. DDDC was able to provide insight into the needs and priorities of the impacted communities to the discussion. Staff intends to continue regular meetings with DDDC as we advance the Alameda CTC Goods Movement Emissions Reduction Pilot Program.

Program Principles

The intent of Alameda CTC's Goods Movement Emissions Reduction Pilot Program is to use the $6 million investment from Alameda CTC Measure BB to leverage significant other funding from the public and private sector to reduce goods movement emissions in the county. Numerous funding opportunities exist, particularly those managed by BAAQMD and CARB, to invest in new equipment technologies across all modes of the goods movement system. The multi-agency partnership the BAAQMD has spearheaded seeks to identify the full range of needs and then start to match the most appropriate funding source to each need, taking into account things such as funding source restrictions, amount of emissions reduced, technological and economic feasibility, and impacted community and industry input. As Alameda CTC works with the BAAQMD and other agency partners to advance improvements, the following principles will guide how and where we seek to invest Alameda CTC local funds:

1. Alameda CTC shall actively partner with other agencies, the private sector and other stakeholders to advance emissions reduction projects.
2. Alameda CTC funding will be for investments that result in a reduction in emissions from Goods Movement activities in Alameda County.
3. Alameda CTC funding will serve as a local match to leverage other federal, state, regional, local and private funding to the greatest extent possible.
4. Alameda CTC shall provide no more than 30 percent of the funding for any investment.

5. Alameda CTC funding shall be encumbered only when a full funding agreement for an implementable project has been secured, including Alameda CTC matching funds.
6. Alameda CTC funding shall support investments that are proven technology and implementable within 18 months from date of award.
7. Alameda CTC shall serve as a funding partner, not an implementing agency, of emissions reduction projects.

Goods Movement Emissions Reduction Pilot Program Investment Types

Recommendations are based on priorities identified through the multi-agency partnership. In addition, the Ditching Dirty Diesel Collaborative provided a list of emission reduction priorities from the community perspective.

Specific amounts to each program will be determined based on projects meeting the principles listed above, project readiness, and anticipated emissions reduced.

- Ocean-going vessel emission control technologies: investments could include additional shore power improvements including power vaults or cable reels, or barge-mounted emission control technologies (e.g. bonnets) for container or bulk ships
- Locomotives: advance newest technology rail switchers at the Port of Oakland or Oakland Army Base
- Cargo handling equipment: includes investments such as rubber tired gantry cranes at the Port of Oakland
- Trucks: expand deployment of zero and near zero emission vehicles with a focus on trucks that operate in Alameda County

One investment area that has come up repeatedly by the community but that there are currently no eligible funding sources identified for are receptor-side mitigations, such as HVAC systems or tree planting in heavily impacted communities. Alameda CTC will support as appropriate efforts to secure funds to invest in receptor-side mitigations. To date, the Alameda County Public Health Department, CARB and the BAAQMD appear to be the most likely agencies able to move forward such a program.

Fiscal Impact: The Goods Movement Emissions Reduction Pilot Program was included in the 2018 Comprehensive Investment Plan for a total cost of $6 million. This action authorizes programming the funds, contingent upon the requirements as detailed in the recommended principles and investment types.

Staff Contact

Tess Lengyel, Deputy Executive Director of Planning and Policy

Carolyn Clevenger, Director of Planning

Vivek Bhat, Director of Programming

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From: Brian Beverid Personal Email / Ex. 6
Sent: 10/23/2017 10:51:35 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Margaret Gordo Personal Email / Ex. 6
Subject: Re: Customs public comment notice: Following up: Customs station: FYSA, T6

Well, if that was it, we got it and didn't comment. I was caught up in why the application process went by without our knowing. All we can do is complain some more about a process that doesn't reflect any level of direct engagement, even when an official complaint and investigation are under way.

Looks like neither NA3P nor Bobac could qualify, which leaves two applicants, on the OAB or in East Oakland/San Leandro?

Obviously, on the Base or the Port are the only spots that we find acceptable. A community partner for skills development and local jobs would be even better. This is where a dialogue with us would have helped.

See you Wednesday morning.
Brian

On Oct 23, 2017 11:11 AM, "Grow, Richard" <Grow.Richard@epa.gov> wrote:

Ms Margaret and Brian

To be clear as to what commenting process I was referring to in my note earlier today, here is the exchange you and I had on this on Sept. 21, and on which I followed up with an email on 9/27 and talked with Brian by phone on 9/29 before leaving town. If I understood Ms. Margaret correctly by phone today, you did not comment. Is that correct ? CBP also confirmed with me back on 9/21 that they had sent the notice to WOEIP, so it might be helpful to check whether you got that notice also. I need to have my facts straight before calling DHS. Thanks

Richard

From: Grow, Richard
Sent: Wednesday, September 27, 2017 1:15 PM
To: Brian Beveridge
Cc: Margaret Gordon; pcort@earthjustice.org
Subject: Following up: Customs station: FYSA, T6

Brian and Ms. Margaret

While our office is following up on this with DHS and CPB, I suspect it would be unfortunate to let the comment period close (October 12 ?) without you registering your concerns. And if your concerns go beyond those for which comment is asked directly in the notice, such as comments on the process or criteria, etc, I don't see a downside I that.

And on the Title VI front, I hope you have not lost track of the comment by Lilian Dorka on the August 17 call that you were welcome to submit additional information, specific suggestions and such at any time. Sooner is better, you can always submit more information later.

Richard

From: Brian Beveridg Personal Email / Ex. 6
Sent: Thursday, September 21, 2017 11:05 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Margaret Gordor Personal Email / Ex. 6
Subject: Re: Customs station: FYSA--West Oakland CES

I don't get it. The application period ends on 9/11, and the public notice went out on the 12th? I wanted to apply with some warehouse partners. How will they get this service back on the port without more discussion? Something wrong with this picture. And we did not get any emails from Customs.
Brian

On Sep 21, 2017 9:59 AM, "Grow, Richard" <Grow.Richard@epa.gov> wrote:

Ms. Margaret and Brian

Hope you are in the loop on this. I haven't read then notice (69 pp) yet.

Richard

From: DOIRON, LYNN [mailto:lynn.doiron@cbp.dhs.gov]
Sent: Thursday, September 21, 2017 8:50 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Hass, Jennifer <jennifer.hass@hq.dhs.gov>
Subject: FYSA--West Oakland CES

Good morning!
CBP is now in the process of selecting a CES. We have reached out to WOEIP to let them know (via email) and the hard copy is en route via certified mail. The official notice is attached.

Please let me know if you have any questions.

Lynn Doiron
Environmental Services Section Chief
Technical Resources Branch
FOF PMO
U.S. Customs and Border Protection

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 7/12/2017 12:01:47 AM
To: Donez, Francisco [Donez.Francisco@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
CC: Machol, Ben [Machol.Ben@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: RE: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

I don't think anyone has, so yes, go ahead. Thanks.

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: Donez, Francisco
Sent: Tuesday, July 11, 2017 4:58 PM
To: Grow, Richard <Grow.Richard@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Machol, Ben <Machol.Ben@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: RE: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

Good idea. If no one has done this yet, I will reply to the commenter tomorrow morning.

Thanks,
Francisco

From: Grow, Richard
Sent: Monday, July 10, 2017 3:54 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Machol, Ben <Machol.Ben@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Re: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

By all means. Feel free to mention my name and contact info (**Personal Email / Ex. 6**

From: BANDROWSKI, MIKE
Sent: Monday, July 10, 2017 3:30 PM
To: Grow, Richard; Donez, Francisco
Cc: Machol, Ben; Reyes, Deldi
Subject: RE: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

Might want to just send the person a note and say we got your inquiry, but are not clear on your question. Please contact Richard Grow to clarify your inquiry. See if they respond and go from there. That would be my suggestion.

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: Monday, July 10, 2017 3:17 PM
To: Donez, Francisco <Donez.Francisco@epa.gov>
Cc: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Re: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

No off the shelf response, esp since they've garbled so many issues and the question is so vague ("are we supposed to...." ??) What's our practice with comments that seem like such a toss off ?

From: Donez, Francisco
Sent: Monday, July 10, 2017 2:05 PM
To: Grow, Richard
Cc: BANDROWSKI, MIKE; Machol, Ben
Subject: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

Hi Richard: Do you have any short, off-the-shelf response that we might provide to the public inquiry below (scroll all the way down)? This general inquiry came in through the C-FERST help system.

Francisco

-----Original Message-----
From: Berg, Chelsea
Sent: Monday, July 10, 2017 1:46 PM
To: Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Quackenboss, James <Quackenboss.James@epa.gov>; Riddick, Lee <Riddick.Lee@epa.gov>
Subject: RE: Form submission from: C-FERST Contact Us About C-FERST form

Hi Francisco,

For this instance, I think it's appropriate for the response to come from Region 9. Thanks for offering! For our records, could you please BCC: CFERSTMAIL@epa.gov?

Best,
Chelsea

-----Original Message-----

From: Donez, Francisco
Sent: Monday, July 10, 2017 4:43 PM
To: Berg, Chelsea <Berg.Chelsea@epa.gov>
Cc: Quackenboss, James <Quackenboss.James@epa.gov>; Riddick, Lee <Riddick.Lee@epa.gov>
Subject: RE: Form submission from: C-FERST Contact Us About C-FERST form

Hi Chelsea: We in Region 9 should be able to craft a response. Would like the response to go through your team, or should we email the commenter directly?

Best,
Francisco

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

West Coast Collaborative

westcoastcollaborative.org

The West Coast Collaborative is a voluntary public-private partnership committed to reducing diesel emissions and advancing clean technologies throughout the western ...

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

Air | Region 9 | US EPA

www.epa.gov

Home page for Air programs of the Pacific Southwest

-----Original Message-----
From: Berg, Chelsea
Sent: Monday, July 10, 2017 1:18 PM
To: Donez, Francisco <Donez.Francisco@epa.gov>
Cc: Quackenboss, James <Quackenboss.James@epa.gov>; Riddick, Lee <Riddick.Lee@epa.gov>
Subject: FW: Form submission from: C-FERST Contact Us About C-FERST form

Hi Francisco,

We got a comment online from someone in your region. It seems the commenter is concerned about potential air pollution from transport via the Port of Oakland. Would you like to help craft a response? Since this comment is not specifically about C-FERST, we are reaching out for regional input. Betsy Smith recommended you as knowledgeable on this subject.

Best,
Chelsea

-----Original Message-----
From: drupal_admin@epa.gov [mailto:drupal_admin@epa.gov]
Sent: Friday, July 07, 2017 7:00 PM
To: Berg, Chelsea <Berg.Chelsea@epa.gov>
Subject: Form submission from: C-FERST Contact Us About C-FERST form

Submitted on 07/07/2017 6:59PM
Submitted values are:

Name: Michael Bean
Your Organization: Employee cvag
Email Address: Bikemean420@yahoo.com
Your Phone Number: Personal Matters / Ex. 6
Comments: Are we supposed to be loading black ore from rail cars at the port of oakland. its very airbourne?

Message

From: Margaret Gordon [Personal Email / Ex. 6
Sent: 2/7/2018 8:02:26 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Brian Beveridg Personal Email / Ex. 6
Subject: Re: Question: Truck Management Plan - contractor roles ??

Richard,

This email, give the WOEIP something to bring to the table on regard the lack pushing accountability and there no accountability, it's my concern Concur and POO are working to fast track the whole process of MAQIP for the broad of commission and the budget.

Ms.M

On Wed, Feb 7, 2018 at 10:52 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Ms. Margaret & Brian

Seems like good news and yes let's aim for a breakfast meeting, though this week is jammed.

But one concern I have is that somehow we all seem to be tolerating an approach in which the City and Port continue to put contractors forward to interact with stakeholders, i.e. Scott, Surlene. Before you/we proceed on any assumptions as to City and/or Port plans, perhaps they need to be confirmed by someone actually working for the City or Port ? For instance, in our (EPA/R9) interview with Scott when he was preparing for the MAQIP reconvening, we found we were in possession of several facts of which he was unaware, so of course this left him unable to answer some of the questions we had for him. Thus the Port was able to say it had interviewed "EPA" but we were unable to be able to say we learned anything from "the Port." This doesn't correspond with any model of accountability with which I am familiar.

Richard

--
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: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 11/15/2017 1:46:16 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Port of Oakland v. communities and EIP et al

Thanks for sharing this, I'm planning on diving into the details on all of this today

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: Tuesday, November 14, 2017 10:09 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: FW: Port of Oakland v. communities and EIP et al

Ryan - You already know this but I've seen signs within my own agency of some confusion about this Port project.

From: Grow, Richard
Sent: Tuesday, November 14, 2017 7:08 PM
To: Dorka, Lilian; Temple, Kurt; O'Lone, Mary
Cc: Strauss, Alexis; Reyes, Deldi; Israels, Ken; Garnett, Desean
Subject: Port of Oakland v. communities and EIP et al

All

Deliberative Process / Ex. 5

http://hoodline.com/2017/11/port-of-oakland-green-lights-52m-distribution-center

Richard

From: Gregory H. Nudd [gnudd@baaqmd.gov]
Sent: 1/17/2018 8:25:05 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Fwd: Draft MAQIP Task Force Meeting #1 Agenda for Review and Discussion by Co Chairs
Attachments: Streamlined Draft MAQIP Agenda Meeting 1_Jan15pm.docx

FYI. We'll be providing comments on this agenda. No luck in getting the kick-off meeting delayed. We also urged the port to address EIP principles for their participation.

I'm in a Board meeting now. Do you have a time to chat later this afternoon?

Greg Nudd
Deputy Air Pollution Control Officer for Policy
Bay Area Air Quality Management District

From: Meredith Cowart <meredith@concurinc.net>
Sent: Tuesday, January 16, 2018 10:59:13 AM
To: Jack Broadbent; Gregory H. Nudd; Brian Beveridge; Margaret Gordon; Andy Garcia; clytle@portoakland.com
Cc: Richard Sinkoff; Catherine Mukai; Scott McCreary; Riz Galang
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 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 – 10:45	MAQIP Refresher – "Where We've Been, Where are Heading" • Planning Framework- MAQIP Initiation • Planning Framework - 2018 • Key Findings of Interviews • Clarifying Questions
10:45 –11:05	MAQIP Setting • Setting in 2006-2008 • Setting in 2018: Regulatory Changes: state is accelerating the regulatory process; AB 617 • Clarifying questions
11:05 – 12:00	MAQIP Implementation • MAQIP Plan • MAQIP Plan achievements • Implementation status: Past, current, and expected emissions reductions • Clarifying Questions
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
2:00	Adjourn

Message

From: Donez, Francisco [Donez.Francisco@epa.gov]
Sent: 7/11/2017 11:58:11 PM
To: Grow, Richard [Grow.Richard@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
CC: Machol, Ben [Machol.Ben@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
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Good idea. If no one has done this yet, I will reply to the commenter tomorrow morning.

Thanks,
Francisco

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Subject: Re: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

By all means. Feel free to mention my name and contact info (email and phone: Personal Matters / Ex. 6

From: BANDROWSKI, MIKE
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Cc: Machol, Ben; Reyes, Deldi
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Might want to just send the person a note and say we got your inquiry, but are not clear on your question. Please contact Richard Grow to clarify your inquiry. See if they respond and go from there. That would be my suggestion.

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

---

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Cc: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>

Subject: Re: Public inquiry re. Oakland coal shipments - FW: Form submission from: C-FERST Contact Us About C-FERST form

No off the shelf response, esp since they've garbled so many issues and the question is so vague ("are we supposed to...." ??) What's our practice with comments that seem like such a toss off ?

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Subject: RE: Form submission from: C-FERST Contact Us About C-FERST form

Hi Francisco,

For this instance, I think it's appropriate for the response to come from Region 9. Thanks for offering! For our records, could you please BCC: CFERSTMAIL@epa.gov?

Best,
Chelsea

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Subject: RE: Form submission from: C-FERST Contact Us About C-FERST form

Hi Chelsea: We in Region 9 should be able to craft a response. Would like the response to go through your team, or should we email the commenter directly?

Best,
Francisco

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

West Coast Collaborative

westcoastcollaborative.org

The West Coast Collaborative is a voluntary public-private partnership committed to reducing diesel emissions and advancing clean technologies throughout the western ...

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

Air | Region 9 | US EPA

www.epa.gov

Home page for Air programs of the Pacific Southwest

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From: Berg, Chelsea
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Cc: Quackenboss, James <Quackenboss.James@epa.gov>; Riddick, Lee <Riddick.Lee@epa.gov>
Subject: FW: Form submission from: C-FERST Contact Us About C-FERST form

Hi Francisco,

We got a comment online from someone in your region. It seems the commenter is concerned about potential air pollution from transport via the Port of Oakland. Would you like to help craft a response? Since this comment is not specifically about C-FERST, we are reaching out for regional input. Betsy Smith recommended you as knowledgeable on this subject.

Best,
Chelsea

-----Original Message-----
From: drupal_admin@epa.gov [mailto:drupal_admin@epa.gov]
Sent: Friday, July 07, 2017 7:00 PM
To: Berg, Chelsea <Berg.Chelsea@epa.gov>
Subject: Form submission from: C-FERST Contact Us About C-FERST form

Submitted on 07/07/2017 6:59PM

Submitted values are:

Name: Michael Bean
Your Organization: Employee cvag
Email Address: Bikemean420@yahoo.com
Your Phone Number: Personal Matters / Ex. 6
Comments: Are we supposed to be loading black ore from rail cars at the port of oakland. its very airbourne?

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/7/2018 7:56:16 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Brian Beveridge Personal Email / Ex. 6
Subject: Re: Goals: Air Mapping Workshop to the West Oakaland Community

Richard,

I agree with all statement and comments in your email, to do what you are proposing to me, we need a champion, a ground swell of people or stopping the flow of funding to the City and Port.

Ms.M

On Wed, Feb 7, 2018 at 11:02 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Ms. Margaret, Brian

Hopefully we can meet soon, but in the meantime I want to offer a thought or two on the role of the studies vis a vis the TMP. When I raised the question of the use of the studies in the TMP in the December 2 meeting, I did not have in mind something directed at the community for the communities education, but rather something directed at the City and Port in a way that would have an effect on the TMP. My recollection is that many conclusions or implications have already been drawn, by EDF, UCB, WOEIP as to the implications of the study. Those implications, and yes others also, now need to be pulled into and addressed within the planning process. Any process that doesn't commit the City/Port to addressing the issues implicated by the studies – ie beyond thank you for your input – would be of questionable value in my view.

Richard

From: Margaret Gordon Personal Email / Ex. 6
Sent: Wednesday, February 07, 2018 10:29 AM
To: Thomas Kirchstetter <twkirchstetter@lbl.gov>; Chelsea Preble <cvpreble@berkeley.edu>; Fern Uennatornwaranggoon <puennatornwaranggoon@edf.org>; Maria Harris <mharris@edf.org>; Gabriela Zayas del Rio <gzayasdelrio@edf.org>; Brian Beveridge Personal Email / Ex. 6
Subject: Air Mapping Workshop to the West Oakaland Community

Dear Everyone,

Good morning, WOEIP as taken the lead, for the City and Port regarding introduction of the update data and research from EDF and UC Berkeley to the Truck Management Plan. I've good news, Surlene the facilitator Truck Management Plan has agreed that there will a workshop on the data and research to the participates of TMP from EDF and UC Berkeley. There no date, time or location set. We all do need to meet to fre a possible a poplar education program for the West Oakland community. Will have more details by Thursday or Friday. Can you'll please forward dates and times we can come together to structure the workshop.

Ms.M

--

Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project

349 Mandela Parkway

Oakland, CA 94607

510-257-5647 Direct line

www.woeip.org

--
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: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]
Sent: 1/17/2018 8:23:32 PM
To: Grow, Richard [Grow.Richard@epa.gov]; cmarvin@arb.ca.gov; Yura, Elizabeth@ARB [eyura@arb.ca.gov]
Subject: Viveka report
Attachments: 7_Admin Committee Report_Maritime Stakeholder Group.pdf

FYI

Anna Lee
Alameda County Public Health Department
anna.lee@acgov.org | Phone: (510) 267-8019

From: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Friday, January 12, 2018 4:11 PM
To: Davis M.D., Muntu, Public Health, OOD <Muntu.Davis@acgov.org>
Cc: Potier, Gail, Public Health, OOD <Gail.Potier@acgov.org>; Scott McCreary <scott@concurinc.net>; Galvez, Sandi, Public Health, OOD <Sandi.Galvez@acgov.org>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>
Subject: Re: Following up RSinkoff email: Scheduling a Port MAQIP Interview-DrDavis

As discussed, here is the MARITIME STAKEHOLDER GROUP OUTREACH REPORT, produced by Viveka Chen Associates 2009.

Best,

Meredith

On Tue, Jan 9, 2018 at 9:58 AM, Meredith Cowart <meredith@concurinc.net> wrote:

> Dr. Davis,
>
> Yes, you are welcome to include your colleagues.
>
> We look forward to speaking with you all on Friday.
>
> Best,
>
> Meredith and Scott
>
> On Mon, Jan 8, 2018 at 11:47 PM, Davis M.D., Muntu, Public Health, OOD <Muntu.Davis@acgov.org> wrote:
>
> > Great! I may have two of my key staff with me during the interview. Is that ok?
> >
> > Thank you.
> >
> > MD
> >
> > p.s. This was sent from my smartphone which is not as smart as it claims. Please excuse typos and nonsensical word changes.

Muntu Davis, MD, MPH | Public Health Director and County Health Officer
Alameda County
1000 Broadway, Suite 500 <x-apple-data-detectors://2/0> | <x-apple-data-detectors://2/0> Oakland, California 94607<x-apple-data-detectors://2/0>
Ofc. 510.267.8010<tel:510.267.8010> | Cel. 510.774.1327<tel:510.774.1327> | Fax. 510.267.3223<tel:510.267.3223>
Email. Muntu.Davis@acgov.org<mailto:Muntu.Davis@acgov.org> | Web. www.acphd.org<http://www.acphd.org/>

Gail Potier | Scheduling Assistant
Tel: 510.267.8099<tel:510.267.8099> | Email: Gail.Potier@acgov.org<mailto:Gail.Potier@acgov.org>

[cid:image001.jpg@01D30A1A.58BE72A0] [cid:image002.jpg@01D30A1A.58BE72A0]

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On Jan 8, 2018, at 12:40, Meredith Cowart <meredith@concurinc.net<mailto:meredith@concurinc.net>> wrote:

Perfect, thank you!

On Mon, Jan 8, 2018 at 12:36 PM, Potier, Gail, Public Health, OOD <Gail.Potier@acgov.org<mailto:Gail.Potier@acgov.org>> wrote:
HI Meredith, you can call him @ (510) 267-8007<tel:(510)%20267-8007>, but, if he does not answer, you can call me @ (510) 267-8099<tel:(510)%20267-8099> and I will get him on the line for you.

From: Meredith Cowart [mailto:meredith@concurinc.net<mailto:meredith@concurinc.net>]
Sent: Monday, January 8, 2018 12:33 PM
To: Potier, Gail, Public Health, OOD <Gail.Potier@acgov.org<mailto:Gail.Potier@acgov.org>>
Cc: Davis M.D., Muntu, Public Health, OOD <Muntu.Davis@acgov.org<mailto:Muntu.Davis@acgov.org>>; Scott McCreary <scott@concurinc.net<mailto:scott@concurinc.net>>; Galvez, Sandi, Public Health, OOD <Sandi.Galvez@acgov.org<mailto:Sandi.Galvez@acgov.org>>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org<mailto:Anna.Lee@acgov.org>>

Subject: Re: Following up RSinkoff email: Scheduling a Port MAQIP Interview-DrDavis

Thank you both. We have Dr. Davis scheduled for an interview at 3:15 on Friday, Jan 12. We will call directly; please let us know what number to use.

Regards,

Meredith and Scott

On Mon, Jan 8, 2018 at 9:31 AM, Potier, Gail, Public Health, OOD <Gail.Potier@acgov.org<mailto:Gail.Potier@acgov.org>> wrote:

Good morning Mr. McCreary, I have put a hold on Dr. Davis's calendar for January 12th @ 3:15PM. Please let me know if this will work for you. Also, please let me know if you will be coming here or would you prefer to call him or would you like for him to come to you?

From: Davis M.D., Muntu, Public Health, OOD
Sent: Friday, January 5, 2018 9:17 PM
To: Scott McCreary <scott@concurinc.net<mailto:scott@concurinc.net>>
Cc: Meredith Cowart <meredith@concurinc.net<mailto:meredith@concurinc.net>>; Galvez, Sandi, Public Health, OOD <Sandi.Galvez@acgov.org<mailto:Sandi.Galvez@acgov.org>>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org<mailto:Anna.Lee@acgov.org>>; Potier, Gail, Public Health, OOD <Gail.Potier@acgov.org<mailto:Gail.Potier@acgov.org>>
Subject: Re: Following up RSinkoff email: Scheduling a Port MAQIP Interview-DrDavis

Mr. McCreary,

I'm happy to talk with you about the Port MAQIP.

I'm thinking Jan 12. How much time would you like?

Gail Potier will confirm a date and time.

Thank you.

MD

p.s. This was sent from my smartphone which is not as smart as it claims. Please excuse typos and nonsensical word changes.

Muntu Davis, MD, MPH | Public Health Director and County Health Officer
Alameda County<https://maps.google.com/?q=Alameda+County+1000+Broadway,+Suite+500%C2%A0*%7C%C2%A0*Oakland,+California+94607+Ofc.%C2%A0510&entry=gmail&source=g>
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Begin forwarded message:
From: Scott McCreary <scott@concurinc.net<mailto:scott@concurinc.net>>
Date: January 5, 2018 at 10:21:01 PST
To: "Davis M.D., Muntu, Public Health, OOD"
<Muntu.Davis@acgov.org<mailto:Muntu.Davis@acgov.org>>
Cc: Meredith Cowart <meredith@concurinc.net<mailto:meredith@concurinc.net>>

Subject: Following up RSinkoff email: Scheduling a Port MAQIP Interview-DrDavis

Dear Dr. Davis,

Following up on the Port of Oakland's January 4, 2018, email, we are contacting you to schedule a brief interview for the MAQIP Update Task Force. We hope to cover the following:

1) Your background and interests as they relate to the MAQIP

2) Your involvement with past Port of Oakland air quality planning efforts

3) Goals of the MAQIP Update

4) Role of the MAQIP Task Force members

5) Meeting agenda topics

We will use the interviews to help plan the MAQIP Task Force meetings and agendas.

Attached please find the "MAQIP Update – Task Force Project Description", with background information and draft goals of the MAQIP Update Task Force. We expect that these draft goals may change, depending on what we learn in our interviews with you and other MAQIP Task Force Members.

We're looking at the following potential interview time windows.

Friday, Jan 5

- 3:30 pm

Monday Jan 8

- 8:30 to noon

- 3:30 to 5:30

Tuesday Jan 9

- 8:30 to 12:30

- 3:30 to 5:30

Wed Jan 10

- 8:30 to 11:30

- 2:30 to 5:30

Thurs Jan 11

- 8:30 to 5:30

Friday Jan 12

- 8:30 to 5:30

Please let us know which of these time windows will work for you.

We look forward to hearing your thoughts and input.

Regards,

Scott McCreary, Principal
Meredith Cowart, Associate

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Scott McCreary, PhD
Principal
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PORT OF OAKLAND

MEMO

To: **Administration Committee**
Commissioner Anthony A. Batarse, Jr., Chair
Commissioner Pamela Calloway
Commissioner James Head

From: Diann Castleberry, Director of Social Responsibility

Date: November 24, 2009

Subject: **Informational Report** – Port of Oakland Maritime Stakeholder Advisory Group Outreach Report

This is an informational report to update the Committee and full Board on the status of Port of Oakland's efforts to design a forum that seeks to serve as a focal point for continued public engagement in Port Maritime projects. The proposed main intent is to provide an on-going process for monitoring of and input on the Maritime Air Quality Improvement Plan (MAQIP), including the Maritime Comprehensive Truck Management Program (CTMP) as well as Port seaport projects.

The Port has attempted to take a thoughtful approach that responds to lessons learned, seeking diverse input from key stakeholders along with recommendations already put forward by the MAQIP, CTMP, Oakland Mayor's Task Force (2007), West Oakland Environmental Indicators Project (WOEIP), the Oakland Partnership (sponsored by the Oakland Metropolitan Chamber of Commerce), and similar groups as they pertain to the Port and neighboring community.

As you know, the Board adopted a Port Maritime CTMP in June 2009 and adopted the Port MAQIP earlier in the year. Earlier this year, the Port began steps to conduct an outreach process to help design this forum. First, the Port hired an experienced, neutral, third-party consultant, Viveka Chen & Associates (See Attachment) to conduct an outreach process with a diverse representation of stakeholders interested in Port Maritime activities. Over the summer, nearly 70 individuals representing 1) Impacted Residents (Oakland and Corridor Communities), 2) Industry (Tenants and Terminal Operators), 3) Industry (Trade and Logistics), 4) Labor and Workforce Development, 5) Maritime Air Quality Improvement Plan (MAQIP) Interagency Group and Other Agencies, 6) Mayor's Port Task Force, 7) Nongovernmental, Environmental and Community Based Organizations and 8) Small Local and Regional Trade Associations participated in this process through surveys and focus groups.

Attached is a copy of the *Port of Oakland Maritime Stakeholder Group Outreach Report* prepared by Viveka Chen & Associates (See Attachment).

The next step is to begin implementation for framing substantive focus as well as how to move forward in the most viable way for optimal results. As part of the implementation process, the next immediate step is to convene a meeting between the stakeholder participants and Port staff on the afternoon of December 9, 2009 to share progress.

It is requested that the Committee accept this report.

Attachments (3)

Cc: Oakland Board of Port Commissioners
Omar Benjamin, Executive Director
James Kwon, Director of Maritime
Richard Sinkoff, Director of Environmental Programs & Planning

VIVEKA CHEN & ASSOCIATES
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PORT OF OAKLAND

MARITIME STAKEHOLDER GROUP OUTREACH REPORT

October 9, 2009

MARITIME STAKEHOLDER GROUP OUTREACH REPORT

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APPENDICES

All documents in the appendices were included in the original invitation to participate in the outreach process.

1. Letter of invitation to stakeholders to participate in outreach
2. Letter inviting participation in outreach survey
3. Port of Oakland stakeholder groups visual diagram
4. Participant list
5. Consultant bio

A. EXECUTIVE SUMMARY

The Port of Oakland is seeking to design a forum that can serve as the focal point for continued public engagement in Port Maritime projects. The main intent of the forum being proposed by the Port is to provide an on-going process for monitoring of and input on the Maritime Air Quality Improvement Plan (MAQIP) and the Comprehensive Truck Management Program (CTMP), as well as Port seaport projects.

In early June 2009, the Port invited approximately 75 stakeholders to provide input on the design of a Maritime Stakeholder Group (MSG). Background and parameters were shared in the invitation letter included in the appendices.

The consultant, Viveka Chen & Associates, conducted the outreach process, which resulted in nearly 70 individuals providing information through surveys and focus groups in June and July. This report shares the key findings and consultant recommendations and is being shared with the public.

KEY FINDINGS

The results of the outreach provide a clear outline of the basic requirements and context for meaningful stakeholder engagement.

- Stakeholders seek to share and have access to **information** relevant to key issues, as well as the opportunity to stretch assumptions based on reliable, up-to-date factual information that may come from sources outside the Port.
- Stakeholders are looking to participate with the Port and each other in **joint problem solving** on select priority issues of convergence or divergence that require multiple parties for successful resolution.
- Stakeholders want **decision making and priority setting** to be influenced by their input. They require transparency to understand the reasoning when recommendations are not adopted. They specify that the Commissioners should hear reports and recommendations directly from the stakeholders themselves.
- Stakeholders want decisions made in relation to an **overall strategic vision, plans and measurable goals** in order to partner with the Port with a focus on achieving and monitoring results.
- The Port's **trust and the courage to listen and act** based on input coming from stakeholders are seen as crucial supports to meaningful engagement, requiring **strong leadership** to guide a shift in the prevalent organizational culture.

There is now an opportunity to meaningfully engage a wide range of stakeholders. The high level of participation in the outreach effort indicates interest in the proposed MSG and a willingness to shape it as a forum and participate in its success. The range of experience and expertise within and across groups is impressive and represents a considerable amount of social capital for the Port to access so it can succeed in terms of the triple bottom line of economics, the environment and social responsibility. Many of the problems the Port faces require multiple sectors to work together on solutions. Stakeholders expressed appreciation for the exchange of perspectives and ideas that took place in the focus groups. In several instances they have already taken initiative to create venues for cooperation amongst themselves and to reach out to nontraditional partners. A common refrain was a desire to see the Port thrive as an important regional economic engine.

However, stakeholders consistently reported a high degree of dissatisfaction and frustration with previous efforts to work collaboratively with the Port. Participants were very clear in describing conditions for success and clarifying what has not worked in the past. Some previous active MAQIP and CTMP participants declined to participate in further Port stakeholder advisory processes. A strong theme is that continued participation is dependent on Port leadership taking a strong stance to affirm the benefit of stakeholder engagement and acting to shift an organizational tendency toward insularity. Stakeholders are adamant that their input must yield results. There is a risk that if the Port doesn't improve collaboration, stakeholders may feel they have no choice but to pursue alternative and possibly more adversarial means to address their interests. A repeated message was that the Port is missing the opportunity to align its stakeholders as a team pulling together for shared goals and success.

The economic downturn has changed the Port's operating context considerably, and many see the Port gradually losing its competitiveness, potentially to the point where it can't bounce back when the projected economic upswing arrives. Stakeholders describe the Port as retrenching rather than exhibiting strong leadership at a time when it is needed more than ever. There is considerable pressure for the Port to aggressively market itself and retain and attract business and jobs and to make policy decisions to specify how environmental compliance will be achieved. At the same time, stakeholders are eager to seize the window of time the economic downturn provides as an unusual opportunity to improve efficiency and introduce greener technology to prepare for an increase in throughput when the economy shifts.

This Report includes the following findings:

1. Observations on overarching themes

2. Conditions necessary for meaningful engagement:
   Common themes across stakeholder groups (chart)

3. Specific themes emerging within each stakeholder group:
   a. Process concerns
   b. Substantive issues of concern
   c. Engagement requests

RECOMMENDATIONS AND NEXT STEPS

1. Make a clear leadership statement about formation of a Maritime Stakeholder Group.
Stakeholders are looking for a cue from the Port as to whether the MSG being launched will incorporate lessons learned from previous processes and this outreach project, and ultimately whether participation will be worthwhile and in their best interest.

To move forward, the Port could usefully send out a refined MSG description based on consideration of stakeholder input. It would be ideal to send a clear signal back to participating stakeholders without delay. This may require working through appropriate Board committees to agendize a Board policy guidance action item on the formation of an MSG.

2. Design operating guidelines for the MSG and first year's activities.
After Port leadership provides policy guidance on the parameters for an MSG and any other stakeholder groups to be formed in response to outreach feedback, the Port can work with the outreach consultant to draft specific operating guidelines for the formation of the stakeholder group(s) and the first year of activities. The design would follow the Commission's policy

guidance and draw from stakeholder input. Many of the process tools used in the MAQIP process can inform the design of the MSG, with important improvements put in place in response to feedback on lessons learned.

Proposed operating guidelines should be reviewed by the MSG, and any other groups formed, at their initial meeting(s) to ensure that conditions for success are in place.

3. Convene a meeting of stakeholders in Fall 2009.
Some months have passed since the last MAQIP and CTMP stakeholder meetings. However, it may take the remainder of 2009 to finish designing and implementing procedures for officially forming a newly constituted MSG that meaningfully takes into consideration the outreach feedback. For example, the member selection process is likely to take some time.

In the meantime, the Port should look for options to convene a Fall 2009 meeting to fill the gap between the old and new advisory processes and facilitate monitoring of and input on the MAQIP and CTMP, as well as Port seaport projects impacting land use.[1] Stakeholders have listed issues of concern to tackle during the first 6-12 months of the proposed MSG, and this information could be used to shape agenda design. The outreach invitation list would be a good starting point for participants to invite to such a "bridging" meeting.

The consultant recommended that the Port consider how the October 5, 2009 *State of the Port* meeting could help to fulfill this bridging function. The Port did decide to expand the invitation list for the 2009 event to include outreach participants. Another option is the Mayor's Port Task Force suggestion to hold a town hall meeting to hear from all stakeholders before the end of 2009.

4. Identify opportunities for taking more immediate action.
It would be useful for the Port to identify and respond to issues surfacing in the outreach process that extend beyond the scoping and design of an MSG. There are many potential "win-win" actions that would both: 1) demonstrate the Port's willingness to listen to and act on input gathered through this process, which will help improve stakeholder relations, and 2) achieve real results in priority areas for improving Maritime operations.

This is also a good time for Port staff to revisit early actions for implementation prioritized during the later stages of the MAQIP and CTMP stakeholder processes to determine whether they have been accomplished or not and what follow-through may need attention. Brief updates from the staff responsible for implementation could be shared with the former members of those groups by e-mail.

[1] Stakeholders consistently named progress on land use as a priority for any MSG. The current issue of Oakland Army Base development is of special interest as a time sensitive opportunity to achieve economic, environmental and public health goals.

B. OUTREACH PROCESS BACKGROUND

The Port of Oakland contracted with the consultant, Viveka Chen & Associates, to run an outreach process to inform design of a Maritime Stakeholder Group (MSG).

On June 4, 2009 the Port of Oakland sent a letter to approximately 75 stakeholders requesting their participation in the outreach effort. The invitation letter and related outreach process documents are included in the appendices and provide important context for this report.

The stakeholders were invited to complete a survey and to participate in focus groups facilitated by the consultant without Port staff present. In late June and early July eight focus groups met to provide their input on design of an MSG. The following focus groups were organized to maximize participation based on scheduling constraints:

1. Impacted Residents (Oakland and Corridor Communities)
2. Industry – Tenants and Terminal Operators
3. Industry – Trade and Logistics
4. Labor and Workforce Development
5. Maritime Air Quality Improvement Plan (MAQIP) Interagency Group and Other Agencies
6. Mayor's Port Task Force
7. Nongovernmental, Environmental and Community Based Organizations
8. Small Local and Regional Trade Associations

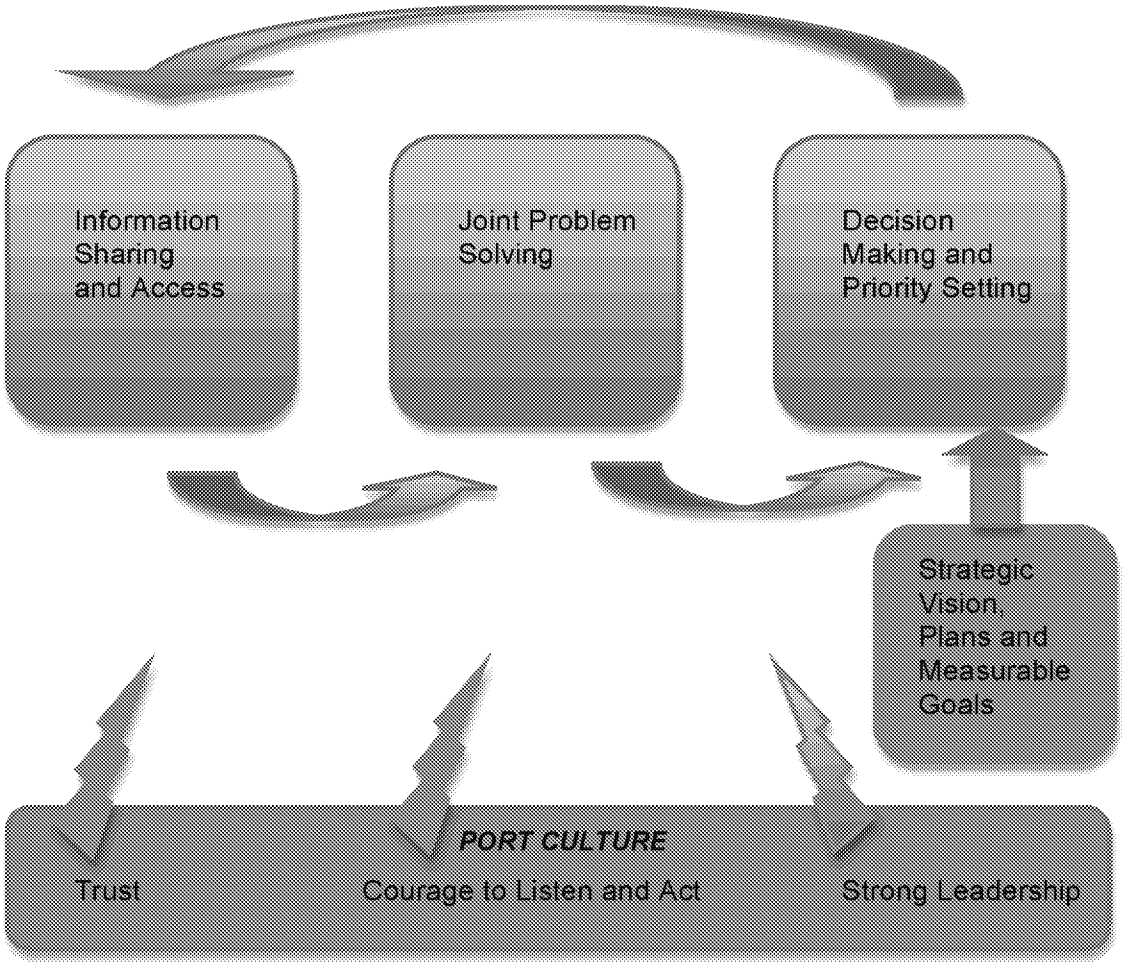
Nearly 70 individuals provided information through surveys and focus groups and a list of participants is provided in the appendices. This report shares the key findings and consultant recommendations and is being shared with the public.

C. SUMMARY OF FINDINGS

1. OBSERVATIONS ON OVERARCHING THEMES

The results of the outreach provide a clear outline of the basic requirements and context for meaningful stakeholder engagement. The diagram on page 6 visually captures this information.

- Stakeholders seek to share and have access to **information** relevant to key issues, as well as the opportunity to stretch assumptions based on reliable, up-to-date factual information that may come from sources outside the Port.
- Stakeholders are looking to participate with the Port and each other in **joint problem solving** on select priority issues of convergence or divergence that require multiple parties for successful resolution.
- Stakeholders want **decision making and priority setting** to be influenced by their input. They require transparency to understand the reasoning when recommendations are not adopted. They specify that the Commissioners should hear reports and recommendations directly from the stakeholders themselves.
- Stakeholders want decisions made in relation to an **overall strategic vision, plans and measurable goals** in order to partner with the Port with a focus on achieving and monitoring results.
- The Port's **trust and the courage to listen and act** based on input coming from stakeholders are seen as crucial supports to meaningful engagement, requiring **strong leadership** to guide a shift in the prevalent organizational culture.



This process also brought to light a number of opportunities and challenges for the Port as it works to develop partnerships with its stakeholders.

Opportunities for successful stakeholder engagement:

- There was a high level of participation in the outreach effort. Individuals made time to provide valuable feedback through the surveys and in-person focus groups. Stakeholders were cautiously willing to explore the possibility of a meaningful maritime stakeholder engagement process.
- Stakeholders want to work collaboratively with the Port to see it succeed economically, environmentally and socially. The Port is seen as an important asset in Oakland and regionally, and many are concerned to see it thrive into the future.
- Stakeholders are willing to bring considerable expertise, time and resources to the table if they can be assured that their participation will bring results.
- A meaningful stakeholder process moving forward could prevent some stakeholders from resorting to more adversarial and potentially costly tactics to achieve change.
- The outreach process has surfaced information that can guide the Port in meaningfully and constructively engaging stakeholders on key issues. There were many ideas shared for making progress, which the Port could take a leadership role in moving forward.
- There is still energy to work collaboratively for successful implementation of the MAQIP and the CTMP in order to reach the overall risk reduction goals.
- The economic downturn provides an unusual opportunity for stakeholders to improve efficiency and introduce greener technology to prepare for an increase in throughput when the economy shifts, as it is eventually predicted to do.
- Stakeholders have interest in chartering a standing MSG, as well as working in more flexible, ad-hoc meetings that can efficiently add value on specific issues.

Challenges to successful stakeholder engagement:

- Port Commission and executive leadership are under scrutiny and frequently described as lacking an organizational commitment to working effectively with stakeholders to ensure the Port's continued success. The Port is described as retrenching.
- The economic downturn has significantly changed the Port's operating context, and many see the Port as lacking direction and steadily losing competitiveness. There is considerable pressure for the Port to aggressively market itself and retain and attract business and jobs and to make policy decisions to specify how environmental compliance will be achieved.
- The Port is operating with multiple identities and performance expectations: as a business, a public agency and increasingly an environmental regulator.
- Stakeholders commonly expressed a high degree of frustration with the Port's past treatment of stakeholders and their input, as well as with the Port's follow-through on substantive issues of concern.
- Stakeholders are testing what further engagement they are willing to have with Port-run stakeholder processes and considering other strategies for achieving the change they seek. Alternative strategies could include more adversarial tactics that could be costly to the Port and its reputation. Some stakeholders have already stopped participating.
- Many of the problems the Port faces require multiple parties to work together on solutions. Continued loss of confidence and decreasing participation in joint problem-solving could result in inefficiencies. Beneficial cargo owners, shippers and railroads are considered significant invisible stakeholders who have not participated in collaboration.
- Stakeholders are interested in working with the Port at a variety of levels and on diverse issues. A single stakeholder advisory group forum may not suffice although it is attractive to the Port as an efficient solution for maintaining stakeholder relations.

2. COMMON THEMES REPORTED ACROSS STAKEHOLDER GROUPS REGARDING CONDITIONS NECESSARY FOR MEANINGFUL ENGAGEMENT

Going Forward: Key Conditions for Meaningful Stakeholder Engagement	***Looking Back: Past Conditions that Inhibited Meaningful Stakeholder Engagement***
STRONG LEADERSHIP	
Top leadership believes benefit is gained by engaging stakeholders on matters of substance. The Commission establishes stakeholder engagement as a matter of policy and owns the process.	No ownership of stakeholder involvement by Commissioners or executive level staff and consequently no accountability to stakeholders. The Commission is unaware of the substance of the stakeholder group's work and recommendations.
All Port divisions are on board with engaging stakeholders. The Maritime Division prioritizes an MSG as a core part of its operations structure and practices.	Stakeholder process is seen as the domain of the Social Responsibility division. Other divisions do not own the group, process or its resulting input.
Staff are directed by leadership to engage stakeholders and know they have leadership's backing to respond to stakeholder input.	Executive level consistently delegates stakeholder engagement to lower level staff. Lack of leadership directing staff to find solutions to disagreements between parties.
Stakeholders have access to executive staff and Commissioners.	Executive leadership is absent from the process or inaccessible. Stakeholders are left with only two minutes of public comment time at Commission meetings to convey their input.
COLLABORATIVE INSTITUTIONAL CULTURE	
A Port organizational culture that genuinely values the benefits of stakeholder input.	Port not open to developing new ideas and tends to solve problems behind closed doors without drawing on outside thinking.
A culture that seeks innovation and collaboration with stakeholders to find better solutions that can meet multiple needs.	Expertise of stakeholders not sought out or valued. Opportunities for increased and coordinated support for a thriving Port are missed.
Institution has the willingness and courage to listen and be challenged to move beyond current standard practices and comfort zone.	Port conveys a resistance to or fear of what they might hear or be asked to do. Port understands how to get things done, but is not open to other possible routes towards a solution. Stakeholder group is largely a venue to promote what the Port is already doing.

	Stakeholder process for soliciting input is largely perceived as a facade.
Stakeholders willing to compromise.	Stakeholders unwilling to compromise.
SUBSTANTIVE COMMUNICATION	
A regular flow of up-to-date information relevant to stakeholder concerns.	Lack of consistent, timely information from the Port on key concerns identified by stakeholders.
Stakeholders have venue(s) for giving input on impacts, what's working or not, and possible solutions. Ability for stakeholders to request information in advance, raise and get matters of concern addressed.	One-way information sharing from the Port without opportunity for stakeholders to give feedback or solicit information.
Policy setting done with substance of deliberations shared transparently.	Policy setting not aired publicly. Inconsistency between public messages and private dealings.
Constraints set by Port openly shared along with a willingness and energy to find solutions. Honest disclosure of parameters.	Port does not frankly state constraints, which results in participants believing follow-through is being undertaken or that an area was up for discussion when it was not. Port considers constraints non-negotiable, when feasible alternatives merit consideration.
Substantive discussion. Real dialogue with the stakeholders. Collaborative problem-solving across stakeholder groups. Working sessions with staff responsible for implementation. Joint problem solving focusing on issues that require multiple stakeholder/sector participation for success.	Stakeholders used as a sounding board, without opportunities to work with staff on implementation.
Allowance for exploration of reasonable disagreement over facts and claims used to craft policy decisions. Stakeholders able to share alternative information and analysis to shape policy.	Decisions made by Port without consideration of all factual information and input from those stakeholders most impacted. Solutions crafted with insufficient influence from those most impacted. No room for finding more effective alternatives to meet the same goals. A perceived "take it or leave it" message regarding decisions and policy directions.

	No forum to meaningfully influence policy setting other than very brief public comments at Board meetings.
Sharing and using up-to-date information. All participants have timely access to information relevant to agenda topics.	Information circulated last minute with an expectation that participants respond immediately.
ACCOUNTABILITY TO INPUT PROVIDED	
Clear protocol on how Port will make use of stakeholder input and how an MSG can track follow-up.	No requirement for Port staff to integrate input into final plans/products. Staff appears to be listening, but plans/products/decisions reflect very little stakeholder input.
Ability to impact policy. Recommendations taken seriously (with understanding that every suggestion made cannot be feasibly adopted).	Stakeholders asked to go along with decisions already made by others.
Commissioners receive objective reports of stakeholder input (staff are not intermediaries) to accommodate full diversity of group opinion. Commission considers the input and takes steps to implement recommendations.	Staff act unilaterally to accept or reject input without conveying alternative stakeholder point of view to Commission. Lack of communication on why input is not incorporated.
Up-to-date monitoring and reporting of progress on agreed actions and plans.	Promises not kept (inconsistency of staffing, agreements forgotten, rules and policies without teeth, no monitoring).
Frank, honest communication when an action cannot be taken, with information shared on what happened and why.	
RESULTS ORIENTATION	
Realistic, practical plans developed, with goals and timelines that can be measured and monitored.	Considerable time spent on process, yet end results do not reflect the input or effort.
	Plans adopted without measurable goals or timelines.
Visible, timely results on attainable goals. Action-oriented focus on specific projects.	Commission decisions delayed.
	Port slow to implement.
EQUAL PARTICIPATION OF FULL RANGE OF STAKEHOLDERS	
Efforts made to engage the true and diverse breadth of stakeholders. All parties critical to solving an issue are brought to the same table.	Important stakeholders are not at the table. In some cases they have not been invited, in others, powerful interests do not participate (shippers, beneficial cargo owners, railroads are seen as the invisible stakeholders).

Opportunities are created for all stakeholders to learn about each others' concerns and points of view, so they can better collaborate to find mutually benefiting solutions.	Stakeholders lack information on and understanding of each others' points of view, experience and expertise. Adversarial relations between stakeholders and with Port.
Transparent, fair, process that puts all interests on equal footing.	Specific stakeholders and points of view have disproportionate representation or have taken over discussions. Special interest groups have undue influence outside of the public dialogue and stakeholder processes. Specific interest group(s) treated as low priority by the Port.[2] Changes cannot be made because relevant stakeholders are not present.
GOOD GROUP PROCESS	
Clear and consistent structure, process, participation, and follow-through. Agreement by participants that group is correctly chartered.	Unstructured and reactive ways of engaging stakeholders. False starts, repeating and losing previous work. Unclear parameters. Frequent staff changes result in changes to the process and products.
Port leadership formally supports the process and makes sure it stays on track. Financial commitment from Port to fund stakeholder process.	Commissioners and executive level staff have not set a sufficiently clear leadership priority on stakeholder involvement, and consequently there is no accountability.
Process steered by stakeholder co-chairs who have control over the agenda. Clear agendas and action items with advance information.	Community unable to get topics on the agenda. Agenda set by staff. Process is staff-driven.
Strong, neutral facilitation.	Ineffectual meeting process. Some voices unfairly dominating.
Consistent participation.	Inconsistent participation by stakeholders.

[2] Every one of the focus groups expressed the opinion that their interests and perspectives were undervalued in comparison to the Port's consideration of other special interest groups.

3. SPECIFIC THEMES EMERGING WITHIN EACH STAKEHOLDER GROUP

Process Themes Emerging within Each Stakeholder Group

Impacted Residents (Oakland and Corridor Communities)

- Don't want those who stand to make a profit to make decisions on behalf of the community.
- Don't want others speaking on community's behalf (past technical consultants have presented inaccurate data regarding conditions in the community).
- The now defunded Good Neighbor Breakfasts were popular with impacted residents. It was valuable for residents from different communities to meet together, receive updates, give feedback and have access to senior staff and Commissioners.
- Current system treats residents as lacking the expertise necessary to make a useful contribution.

Industry – Tenants and Terminal Operators

- Board meetings and hearings are geared toward political theater. Want a decision-making process and forum that is substance- and fact-based, rather than caught up in politics.
- Want a forum to educate other stakeholders on industry's point of view and to work together on the most cost-effective solutions for community and environmental priorities and goals.
- Worried that a maritime stakeholder advisory group could be used by the Commission as political cover and a justification for delayed decision-making. A reputation for a contentious stakeholder process can further discourage businesses from working with the Port of Oakland.

Industry – Trade and Logistics

- Truckers are not included at the table and their opinion is not valued.
- Social issues have overshadowed and overwhelmed practical business issues, presenting Oakland as unfriendly to business.

Labor and Workforce Development

- Port needs to show it is serious about creating job opportunities and partnering with industry, labor and education. Training has taken a backseat due to leadership change and turnover at the Port, as well as the economic downturn.
- This sector has significant resources to bring and could leverage more with increased partnership with the Port and its tenants.

MAQIP Interagency Group and Other Agencies

- Agencies already have access to the Port. More important is having a public forum to effectively address community concerns. Resident perspectives and their concerns help the agencies operate.
- Don't want to participate in a process where the Port appears to be engaging stakeholders, when in reality the engagement is not meaningful.
- If Port doesn't really want to collaborate, then should go back to a more structured, traditional agency review and comment workshop format.
- Impacted community needs technical and legal support to fully participate.

Mayor's Port Task Force

- The current City-Port Liaison Committee is not living up to its promise to set policy. Therefore the Task Force strongly supports the City and Port of Oakland jointly creating the

new MSG. The City-Port Liaison Committee could potentially still meet to resolve conflicts where their interests and obligations overlap.
- An MSG should report to the Commission directly (not through staff) and be the responsibility of and led by the Maritime Division.
- Establish an MSG with mandated authority through policy passed by the Commissioners (not through an administrative decision, which could later be reversed).
- MSG Co-Chairs should set the agenda, and there should be a Community Co-Chair who can get issues of importance on the agenda.
- Port Commissioners need training and independent legal advice on the Port's mandated goals and authority to address community engagement.
- Port staff need training to develop a better understanding of community engagement.
- The Port Commission should actively engage stakeholders to come to policy decisions that balance the concerns of both important stakeholders and the Port staff.

Non-Governmental, Environmental and Community Based Organizations
- Need a clear and motivated sense from the Port that they want to collaborate with stakeholders and see the benefits. Will require an institutional culture change coming from leadership.
- In previous stakeholder processes, the community advisory group input was treated as being of considerably less importance that that of the Port's business partners (shippers, beneficial cargo owners).

Small Local and Regional Trade Associations
- The Port needs to create a new vision and plan, with strong Port leadership in partnership with key players and innovators who can help the Port solve its problems. Leadership has been lacking.
- Real importer/exporter business stakeholders are not engaged.
- Create a flexible process for engaging stakeholders. May be less static than a single MSG.
- Environmental issues are sapping energy from the Port's main business.

Substantive Issue Themes Emerging within Each Stakeholder Group

Impacted Residents (Oakland and Corridor Communities)
- Toxic reduction - Trucks a priority because of proximity to residents, but also non-truck emitters. San Leandro residents are also concerned about environmental health issues related to the Oakland Airport.
- Truck traffic/routes, idling and parking and related public health issues.
- Land use solutions for truck issues, especially using the Oakland Army Base to move inappropriate truck uses (parking, trucker amenities) out of communities.
- Future infrastructure projects and impact on community and environment.
- Retention and creation of good local jobs (relates to strong economic performance overall).

Industry – Tenants and Terminal Operators
- Making the Port more business friendly.
- Port becoming more aggressive about marketing and securing market share.
- Optimizing the goods movement system.
- Maintaining a regulatory environment that allows economic growth and reduced environmental impacts. Addressing practicalities of implementation.

Industry – Trade and Logistics

- Stronger leadership creating a clear business vision for Port growth (otherwise the Port will go out of business slowly).
- A Port run with a stronger maritime, business-friendly focus (rather than run as a social and political entity). Ramp up a marketing program.
- Support for emissions regulations and compliance (more consistency, funding resources)
- Port placing greater priority on maximizing efficiency.
- Addressing truckers' issues (terminal access, amenities, parking).
- Assuring local businesses benefit from funding available for clean-up operations

Labor and Workforce Development

- More pro-active, systematic and strategic planning and connection between the Port and its tenants and the workforce development systems in the region.
- Port policies and programs to create quality jobs (or transform low quality jobs to high quality) and improve air quality. Create good career ladder jobs for Oakland and Alameda County residents with lifelong learning opportunities in the goods movement industry cluster.
- Industry needs an ongoing pipeline of qualified workers. Opportunity to partner with industry to identify business trends and future job inventory, projections, and access points.

MAQIP Interagency Group and Other Agencies

- Public health impact of air pollution from operation of diesel vehicles and equipment at the Port (seaside and landside) and Port related traffic in the West Oakland community.
- Real Port action and results on emission reductions to reach MAQIP goal of 85% risk reduction. Implementation of MAQIP and CTMP.

Mayor's Port Task Force

- Economic expansion should proceed, if at all, in an overall strategy to mitigate and remediate environmental and health impacts.

Non-Governmental, Environmental and Community Based Organizations

- Human health risks from Port operations, with special concern for greatly/disproportionately impacted communities.
- Swifter progress from Port on cleaning up pollution from maritime operations. Implementation of MAQIP and CTMP and development of MAQIP beyond its broad vision. Addressing funding strategies.
- Opportunities for land use solutions at the Oakland Army Base.
- Jobs and employment, especially as they relate to changes in the trucking industry.

Small Local and Regional Trade Associations

- Vision, strategic plan and leadership so all know where the Port is going and it can attract business. The Port is losing its competitive edge.
- Stronger Port executive leadership. The Port needs a champion.
- The Port focusing on soliciting trade, customer relations and marketing (deciding that it's not just a landlord).
- Building broad community appreciation for the Port as a key driver to the regional economy. Counteract current frustration and divisiveness.
- Increasing operating capacity and throughput to reduce congestion and improve competitiveness. Support rapid advancement of logistics innovations.

Engagement Requests Emerging within Each Stakeholder Group[3]

Impacted Residents (Oakland and Corridor Communities)
- Reinstate the Port Good Neighbor Breakfast Meetings.

Industry – Tenants and Terminal Operators
- Small work groups in-between larger MSG meetings to take on ad-hoc problem-solving on specific issues.

Industry – Trade and Logistics
- Create and communicate a business vision for the Port to retain and attract business.
- Ramp up the marketing program working in partnership with business and trade associations.

Labor and Workforce Development
- Develop a regional goods movement sector strategy and apply for EDD funding. Create a goods movement sector partners planning group.

MAQIP Interagency Group and Other Agencies
- Ask Port leadership to clarify if an MSG will be a real collaboration, as currently described, or will actually be a quarterly public workshop for stakeholders to convey concerns.

Mayor's Port Task Force
- Ask Commissioners to hold a town hall meeting before the end of 2009 to hear from all stakeholders.
- Follow-up outreach process with a statement to all stakeholders from the Port Executive and relevant Division Directors indicating the value they see in stakeholder input in relation to the stated goals of the group.

Non-Governmental, Environmental and Community Based Organizations
- Form a multi-sector community body to monitor and enforce the CTMP and MAQIP. The role of this body would be formally recognized by Commissioners and executive level staff.

Small Local and Regional Trade Associations
- Create an Innovation Task Force with key leaders in business and infrastructure making best practice based decisions on rapid adaptation of new logistics technology, while also being environmentally responsible.
- Set up a stakeholder process to develop a Port strategic business plan with a priority on deciding the Port's role in marketing and attracting business. Plan would include environmental concerns.

[3] These requests may be folded into a single MSG design or best be responded to with separate ad-hoc groups, each with a specific purpose, composition, and goal.

D. RECOMMENDATIONS AND NEXT STEPS

1. Make a clear leadership statement about formation of a Maritime Stakeholder Group.

Stakeholders are looking for a cue from the Port as to whether the maritime stakeholder group being launched will incorporate lessons learned from previous processes and this outreach project, and ultimately whether participation will be worthwhile and in their best interest. A clear leadership commitment from Port Commissioners, the Executive Director and Maritime Division Director is a key condition for success. The June 4, 2009 letter launching the outreach effort shared a proposed design for an MSG. To move forward, the Port could usefully send out a refined MSG description based on consideration of stakeholder input.

It would be ideal to send a clear signal back to participating stakeholders without delay. This may require working through appropriate Board committees to agendize a Board policy guidance action item on the formation of an MSG.

The statement should be an accurate, forthright description of what level of engagement can be expected by stakeholders, including any constraints. The scale of the stakeholder engagement effort must be calibrated to be realistic for the Port to sustainably implement. Past stakeholder frustration resulted from inconsistent follow-through.

Questios to address in the statement include:

- What does the Port see as the value of establishing an MSG? What will be the MSG's function?
- What assurances or clarifications can be offered in response to the issues identified in the summary chart "Going Forward: Key Conditions for Meaningful Stakeholder Engagement" (see page 8)?
- What agenda topics are anticipated in the first 6-12 months? What major policy decisions are coming up?
- Are there any constraints or concerns to share up front? Anything that will be off the table?

A key decision to make early on is whether the Commission will charter the MSG and have it report directly to the Commission as a standing agenda item.

A second important early design question for the MSG relates to the specific function of monitoring and enforcing the MAQIP and CTMP. Some NGOs have mentioned seeking stakeholder voting power in this role as a way to ensure meaningful influence. They suggested looking at the Port's Maritime Aviation Project Labor Agreement (MAPLA) Social Justice Committee as a potential model. It is possible that a representative multi-sector sub-group of the MSG could best play this oversight role. The Port needs to consider its response to proposals for shared decision-making (this will likely require some follow-up with the NGOs).

The Port began this process envisioning a single MSG forum for continued stakeholder engagement in Port Maritime projects, with particular attention to an on-going process for monitoring of and input on the MAQIP and CTMP, as well as Port seaport projects. Given stakeholder input, the MSG scope could be expanded to include projects that impact land use as well as reuse of the Oakland Army Base specifically.

While a single stakeholder advisory group forum is attractive to the Port as an efficient solution for maintaining stakeholder relations, it may not suffice. Other needs flagged by stakeholders might best be met by convening distinct working groups (could be ad-hoc to start during the pilot

year), each with a specific purpose, composition and goal. The advantage of convening these specific groupings is that stakeholders working most closely on those issues could have substantive working meetings with relevant Port staff. This would facilitate a more meaningful level of information sharing, joint problem-solving and crafting recommendations for policy makers. The overall MSG could review and comment on the activities of these working groups.

Stakeholder engagement requests that might best be met by creating distinct working groups:

- Logistics innovation to maximize efficiency (e.g., strong industry interest in revisiting the cold-ironing decision and consider more cost-effective alternatives to reach emission reduction goals).
- Strengthening the Port's marketing program in partnership with business stakeholders.
- Creating a regional goods movement sector workforce development strategy.
- Creating a Port strategic business vision and plan.
- Meetings with impacted residents and NGOs in fenceline and corridor communities to make progress on specific truck issues (not requested as a separate meeting by stakeholders, but recommended for consideration by the consultant).

It would also be useful to inform stakeholders which maritime-related forums convened by others the Port intends to participate in and in what capacity (e.g., City-Port Liaison Committee, Port of Oakland's Trucker Work Group, Oakland Chamber of Commerce, Oakland Partnership Industry Cluster Logistics Task Force, Bay Area Trade Coalition Group).

After Port leadership agrees on the scope and design parameters of the future MSG, on-going internal follow-through needs leadership attention to ensure all staff responsible for engaging stakeholders are aligned with the effort and have the skills and resources necessary to succeed.

2. Design operating guidelines for the MSG and first year's activities

After Port leadership provides policy guidance on the parameters for an MSG and any other stakeholder groups to be formed in response to outreach feedback, the Port can work with the outreach consultant to draft operating guidelines for the formation of the stakeholder group(s) and the first pilot year of activities.[4] The design would follow the Commission's policy guidance and draw from stakeholder input. Many of the process tools used in the MAQIP process can inform the design of the MSG, with important improvements put in place in response to feedback on lessons learned.

Proposed operating guidelines should be reviewed by the MSG, and any other groups formed, at their initial meeting(s) to ensure that conditions for success are in place.

3. Convene a meeting of stakeholders in Fall 2009.

Some months have passed since the last MAQIP and CTMP stakeholder meetings. However, it may take the remainder of 2009 to finish designing and implementing procedures for officially forming a newly constituted MSG that meaningfully takes into consideration the outreach feedback. For example, the member selection process is likely to take some time.

[4] The MSG is envisioned as an on-going stakeholder group. However the Port is designating the first year as a pilot to facilitate getting the group started without excessive process and to proceed with a clear intent to further refine design and procedures based on experience and need.

In the meantime, the Port should look for options to convene a Fall 2009 meeting to fill the gap between the old and new advisory processes and facilitate monitoring of and input on the MAQIP and CTMP, as well as Port seaport projects impacting land use. Stakeholders have listed issues of concern to tackle during the first 6-12 months of the proposed MSG, and this information could be used to shape agenda design. The outreach invitation list would be a good starting point for participants to invite to such a "bridging" meeting.

The consultant recommended that the Port consider how the October 5, 2009 *State of the Port* meeting could help to fulfill this bridging function. The Port did decide to expand the invitation list for the 2009 event to include outreach participants. Another option is the Mayor's Port Task Force suggestion to hold a town hall meeting to hear from all stakeholders before the end of 2009.

4. Identify opportunities for taking more immediate action.

It would be useful for the Port to identify and respond to issues surfacing in the outreach process that extend beyond the scoping and design of an MSG. There are many potential "win-win" actions that would both: 1) demonstrate the Port's willingness to listen to and act on input gathered through this process, which will help improve stakeholder relations, and 2) achieve real results in priority areas for improving Maritime operations.

This is also a good time for Port staff to revisit early actions for implementation prioritized during the later stages of the MAQIP and CTMP stakeholder processes to determine whether they have been accomplished or not and what follow-through may need attention. Brief updates from the staff responsible for implementation could be shared with the former members of those groups by e-mail.

APPENDICES

June 4, 2009

Dear Port Stakeholder,

Recently, the Port of Oakland completed its Maritime Comprehensive Truck Management Plan (CTMP) after a 2-year multi-stakeholder process. This plan, with special thanks to many of you who endured the process, will be returning to the full Board on June 16 for consideration and adoption. Also, earlier this year, the Port of Oakland Board of Port Commissioners adopted its Maritime Air Quality Improvement Plan (MAQIP) completing a more than 2-year multi-stakeholder process that included an Interagency Work Group. As a result of those stakeholder processes and other drivers, the Port committed to create an on-going opportunity for stakeholder involvement.

The Port is seeking to design a forum that serves as a single opportunity for continued public involvement focused on Port Maritime projects with particular attention to an on-going process for monitoring and input of the MAQIP and CTMP as well as Port seaport projects. In doing so, **we are seeking your assistance and input as part of our outreach effort in designing this process by completing a survey and by participating in a focus group – this is distinct from a subsequent process to select membership.**

Your assistance to fill out an on-line survey *(accommodations can be made for those wishing to participate with hard copy option)* will require approximately 20-30 minutes of your time to complete. Your completed survey will be due by 12:00 noon on Friday, June 12. A separate e-mail/letter is coming shortly with survey instructions from the consultant who will be independently conducting and collecting all survey results.

Background/History:

Before going further, I believe it is important to take a moment to provide some history and background leading up to this design process.

In 2005, the Port began discussions with the West Oakland Environmental Indicators Project (WOEIP), who reached out to the Port, about creating a Port stakeholder group that would provide an on-going forum for *fenceline* residents to have access to the Port in addressing impacts on their quality of life that may be a result of Port operations. Additional meetings and best practices were exchanged with presentations and research of the Port's Maritime and Aviation Project Labor Agreement (MAPLA) Social Justice Program, the Port of Los Angeles Community Advisory Committee (PCAC) and other Port and external stakeholder groups and processes.

Later in 2007, the Honorable Ron Dellums, while campaigning and eventually winning the seat as Mayor of the City of Oakland, initiated the Mayor's Task Force with one specifically focused on the Port of Oakland. After nearly 1 1/2 years, the Task Force made the following recommendation, among others encouraging the Port of Oakland to continue community involvement of the Maritime Air Quality Improvement Plan (MAQIP) and the Comprehensive Truck Management Plan (CTMP); and to create a Port community advisory committee. This recommendation was also endorsed by the Oakland Partnership, which is facilitated by the Oakland Chamber of Commerce on behalf of the Mayor.

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PORT OF OAKLAND

Over the past decade, the Port has been seeking ways to improve its response to economic, social and environmental implications of Port maritime operations on neighboring communities in a way that manages Port resources and respects stakeholder participation and time. Initially, it took a lawsuit by the West Oakland Neighbors in the late 1990s, resulting in many spirited discussions with the community, in particular West Oakland Neighbors and the West Oakland residents at-large. In turn, it created a significant culture shift in the way the Port does business and the Port is committed to continuing to improve in that area. In an effort to improve its relations with the community, the creation of a Maritime-focused stakeholder process seeks to also build upon successful Port stakeholder processes (i.e., MAPLA Social Justice Program, Aviation Stakeholder Group and Airport-Community Noise Forum). Moreover, one that considers the uniqueness of Oakland, in particular West Oakland.

In 2008, the Port conducted an inventory of all Port stakeholder processes (formal and informal) and began preliminary assessments for continued public involvement. Unfortunately, over the past few years, the Port has experienced on-going challenges with its financial health drawing out the process due to change over of staff, limited resources (Port staff time and funding for expert consultants to work on the design of a single maritime stakeholder process).

The good news is that we are back on track, consistent with communications outlined in both the MAQIP and CTMP. The Port is pleased to announce that we have hired and expanded the role of Viveka Chen & Associates who will be running the outreach process to design the stakeholder forum and will also be facilitating the first year of the pilot launch. (See attachment 2 for Facilitator bio)

Definitions:

Maritime is defined as the Port of Oakland Seaport, which serves as the principal ocean gateway for container cargo in Northern California. It is further defined geographically as the area situated along the Oakland waterfront that extends from the border of Emeryville into the western banks of Jack London Square, Oakland. The seaport includes approximately 1,210 acres of water area and land-side facilities and provides an interface for waterborne international and domestic cargo moving between inland points in the United States and the Pacific Basin, as well as other points in the world. The seaport is a landlord port.

Stakeholder for this process is defined as any person that has an interest in the implementation of the Port of Oakland's Maritime operations related to MAQIP implementation including the CTMP and Maritime project development.

Proposed functions of the group:

- Keeping communication flowing between member's stakeholder groups and the Port of Oakland;
- Creating a venue for the Port to educate and share information about Maritime operations;
- Providing early input on possible impacts of projects and operations on stakeholder groups;
- Establishing a feedback loop for how implementation is going from the experience of the stakeholders on the group;
- Monitoring to help keep the Port on track;
- Advising program design; and
- Assisting with advocacy

PORT OF OAKLAND

Assumptions:

- The assumption is that other Port stakeholder groups that are working will remain as they are. Attachment 3 depicts our various stakeholder groups graphically for your information. This is to avoid disrupting those processes that are working or to make them less efficient, especially since many of these have been in place for at least 10 years. Furthermore, to respect those stakeholder participants who have invested in these standing processes.

- There is a possibility to connect with other stakeholder groups and take a larger birds' eye view of the Port at an annual gathering.

Outreach process timing:

The outreach process will continue through mid June into early July 2009 in anticipation of a first Maritime stakeholder meeting by Fall/Winter 2009. This group will provide a formal opportunity for the Port and its stakeholders to meet on a regular basis. It is proposed that these meetings be held on a quarterly basis. The approach is for the first year to serve as the pilot year, which will allow for regular check-in along the way to see what's working and what might improve the process and its results. As conveyed earlier, Viveka Chen & Associates will facilitate the first year pilot.

Conclusion:

On behalf of the Port of Oakland, I would like to thank you for your patience and participation in past Port outreach and stakeholder involvement opportunities and to further thank you in advance for your participation in this outreach effort to design an on-going Maritime stakeholder forum. With your help, the Port hopes to establish a new, single maritime stakeholder group to discuss and seek input on seaport-related projects with particular monitoring of the MAQIP and CTMP.

Sincerely,

Diann Castleberry

Diann Castleberry
Director of Social Responsibility

Enclosures

Cc: Viveka Chen, Viveka Chen & Associates
Omar Benjamin, Executive Director, Port of Oakland
Laura Arreola, Community Relations, Port Social Responsibility Division

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2020-10-29

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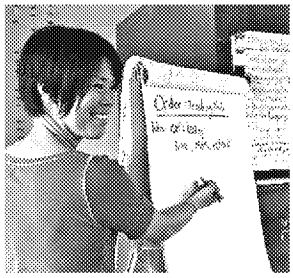


June 4, 2009

Dear Port of Oakland Maritime Stakeholder:

Recently you received a letter from the Port of Oakland outlining an outreach process to inform establishment of a Maritime Stakeholder Group. If you have not yet read that letter please do. It provides the fuller background you will need to understand the context of this survey invitation.

If you are receiving this correspondence you are being invited to participate in a survey requesting your input on the formation of a Port of Oakland Maritime Stakeholder Group. Your feedback is important. In order to support a constructive input process and your ability to provide full and honest feedback, the survey and focus group themes will be reported by the consultant to the Port without attribution. None of your specific comments will be identified with your name.

Responding via the on-line web survey is preferred, however, those without convenient internet access can phone the consultant to request a hard copy of the survey to submit by mail.

To access the web survey, please click on the following link or cut and paste it into the address bar of your browser.
http://www.surveymonkey.com/s.aspx?sm=xxtW86HKhRlVg0gjPr88Kw_3d_3d

The web survey must be completed all in one session. The 6 sections will likely take 20-30 minutes to fill out. A copy of the questions that you will find on-line is attached. If you encounter technical difficulties please contact the consultant directly (contact information on the above letterhead).

If you feel someone else from your organization should complete this survey instead, then please contact the consultant with that contact information.

Responses are due by noon, Friday June 12, 2009.

Thank you in advance for your valuable guidance.

Viveka Chen

Consultant
Viveka Chen and Associates

THE PORT OF OAKLAND MARITIME STAKEHOLDER GROUP OUTREACH SURVEY

QUESTIONS POSTED ON THE WEB SURVEY

Launched June 4, 2009

The survey is now available on-line. Please click on the following link to respond:
http://www.surveymonkey.com/s.aspx?sm=xxtW86HKhRlVg0gjPr88Kw_3d_3d
Or...cut and paste it into the address bar of your browser.

Responding via the on-line web survey is preferred, however, those without convenient internet access can phone the consultant at 415-282-5918 to request a hard copy of the survey to submit by mail.

Thank you for making time to fill out the Port of Oakland's Maritime Stakeholder Group Outreach Survey.

The survey must be completed all in one session. The 6 sections will likely take 20-30 minutes to fill out. If you cannot complete the full survey now, please return later when you have sufficient time.

Please make sure to proceed through all 6 pages (a "next" button at the bottom of each page will easily navigate you to the next page). You will know you have successfully completed the survey when you get to page 6 with the title "THANK YOU."

If you encounter technical difficulties contact the consultant directly at viveka@igc.org

Responses are due by noon, Friday June 12, 2009.

Thank you in advance for your valuable guidance.

Viveka Chen
Viveka Chen and Associates

1. BACKGROUND

1. Name
2. Organization

2. STAKEHOLDER POINT OF VIEW

1. What are issues of greatest concern, from your stakeholder perspective, regarding the Port of Oakland's Maritime Operations?

The proposed key functions of this stakeholder group are:

- *Keeping communication flowing between member's stakeholder groups and the Port*
- *A venue for Port to educate and share information about Maritime operations*
- *Providing early input on possible impacts of projects and operations on stakeholder groups*
- *Establishing a feedback loop for how implementation is going from the experience of the stakeholders on the group*
- *Monitoring to help keep the Port on track*
- *Advising program design*
- *Assisting with advocacy*

The group is envisioned as meeting quarterly with a first meeting anticipated by Fall/Winter 2009.

2. Is participation in such a Maritime Stakeholder Advisory Group likely to be something you or your organization would seriously consider and why?

If you do *not* envision participating in the proposed Maritime Stakeholder Advisory Group *(skip this question if you would consider participation in the group and go to question #4):*

3. What alternate requests do you have for how the Port could best stay in good communication with your stakeholder group?

   If you do not envision participation and answered #3, please skip questions #4-7 and go directly to the next section/page

If you would consider participation in the proposed Maritime Stakeholder Advisory Group:

4. What would make participation in a Maritime Stakeholder Advisory Group worth your time?

5. What would success look like a year from now as a result of this group forming and meeting?

6. What would be your top three agenda items for the group in its first 6-12 months and why? (Initial meeting anticipated Fall/Winter 2009)

7. Is there any important business before a Fall/Winter 2009 meeting that warrants an ad hoc solution for stakeholder input? If so, please describe what is needed.

3. <u>FOR PARTICIPANTS IN THE MARITIME AIR QUALITY IMPROVEMENT PLAN TASK FORCE ONLY:</u>

1. Please provide your thoughts on what worked and didn't work in your experience of the MAQIP Task Force effort as relevant to the launching of a future Maritime Stakeholder Group

4. FOR PARTICIPANTS IN THE COMPREHENSIVE TRUCK MANAGEMENT PLAN (CTMP) TECHNICAL ADVISORY COMMITTEE ONLY:

1. Please provide your thoughts on what worked and didn't work in your experience of the CTMP Technical Advisory Committee effort as relevant to the launching of a future Maritime Stakeholder Group

5. LOGISTICAL QUESTIONS:

1. Please indicate all of the windows of time you are available to participate in a one hour and fifteen minute follow-up focus group session on the following dates and time ranges

   (Evening meeting times are anticipated for impacted residents and those are available June 25, 5-6:15pm and anytime in the range from 5-8pm on June 30 and July 1)

   - June 24, Wednesday, 3:00-5:00pm
   - June 25, Thursday, 9:00-6:15pm
   - June 29, Monday 9:00-5:00pm
   - June 30, Tuesday, 9-11:30am
   - June 30, Tuesday, 3:00pm-8:00pm
   - July 1, Wednesday, 9:00-10:00am
   - July 1, Wednesday, 11:00am-8:00pm

2. Who from your group would most likely and appropriately participate?

3. The Port sent out a letter listing the stakeholders included in this outreach effort. Are there other groups you are aware of that should be involved? If yes, which ones, any particular individual, and why?

6. THANK YOU

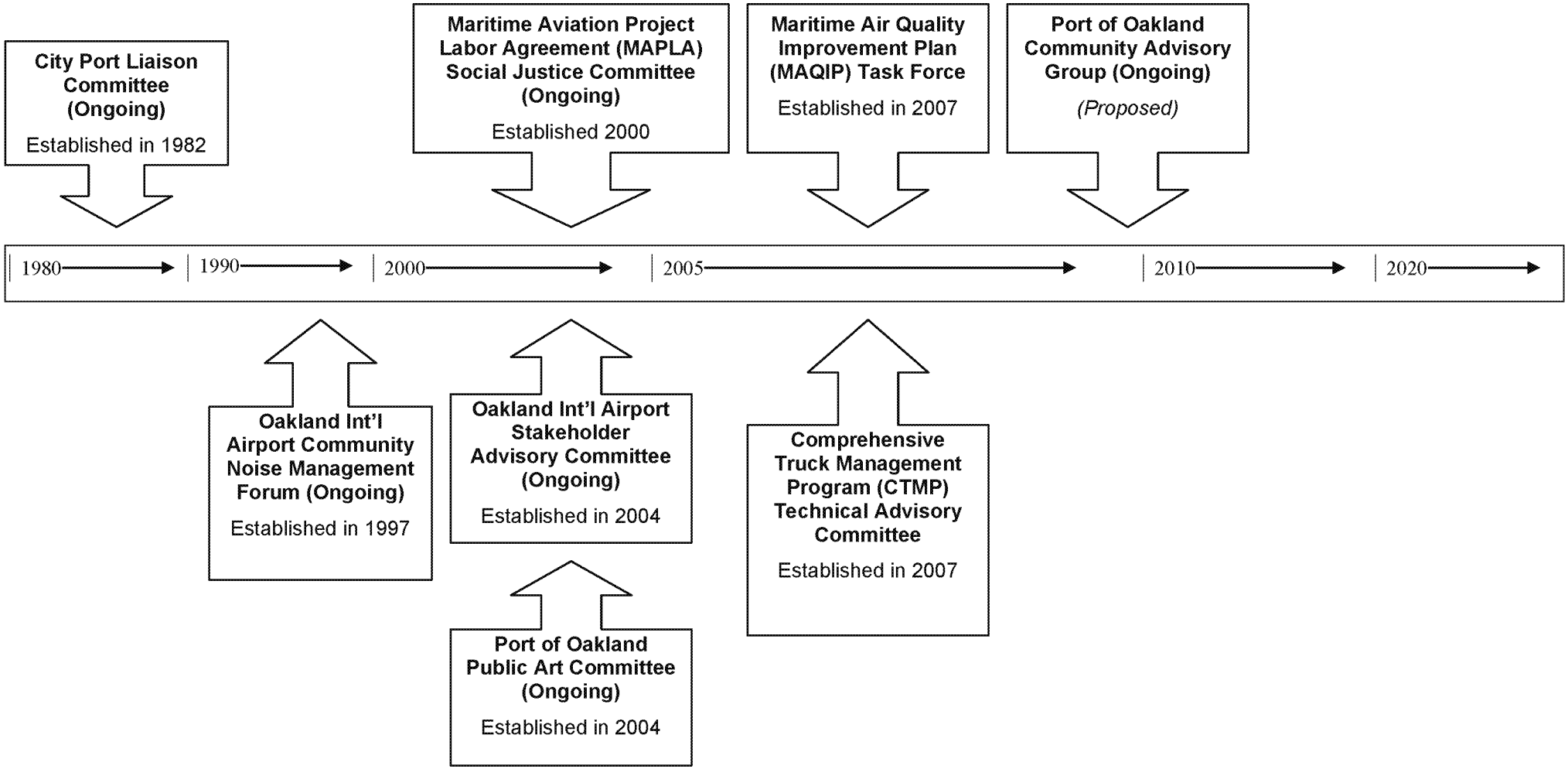
You have successfully completed the survey.

If you have any further questions please contact:

- Outreach Consultant, Viveka Chen at viveka@igc.org 415-282-5918, or
- Port of Oakland Community Affairs staffperson Laura Arreola at larreola@portoakland.com 510-627-1135

APPENDIX 3. Port of Oakland stakeholder groups diagram

Port of Oakland Stakeholder Groups



APPENDIX 4. Participant List

PORT OF OAKLAND MARITIME STAKEHOLDER ADVISORY GROUP
JUNE/JULY 2009 OUTREACH PROCESS

STAKEHOLDER PARTICIPANT LIST

INDUSTRY – TENANTS AND TERMINAL OPERATORS

Survey respondents:

- Darcy Wheeles - California Environmental Associates - consultant to the Association of American Railroads (Union Pacific Railroad and BNSF Railway in California)
- John McLaurin - Pacific Merchants Shipping Association

June 24 - 2009 Focus Group Participants:

- John McLaurin - Pacific Merchants Shipping Association
- Jack Murphy - Eagle Marine Services - LTD
- Mike Porte - TraPac Inc. - General Manager of Terminal Operations
- Carlos Rivera - Horizon Logistics - shipping to Honolulu and Guam
- Sarah Weldon – Environmental Consultant working with the Association of American Railroads in California on air quality

SMALL LOCAL AND REGIONAL TRADE ASSOCIATIONS

Survey respondents:

- Michael Cunningham - Bay Area Council
- Ellen Joslin Johnck - Bay Planning Coalition
- Sugiarto Loni - Oakland Chinatown Chamber of Commerce
- Melody Marr - Alameda Chamber of Commerce
- Scott Peterson - Oakland Metropolitan Chamber of Commerce

June 24 - 2009 Focus Group Participants:

- Jose Duenas - Center for International Trade Development (Bay Area World Trade Center) and State Task Force on International Trade
- Dave Johnson - San Leandro Chamber of Commerce
- Ellen Joslin Johnck - Bay Planning Coalition
- Bruce Kern - East Bay Economic Development Alliance
- Steve Lowe - West Oakland Commerce Association and Co-Convenor of Mayor's Port Task Force
- Jennie Ong - Oakland Chinatown Chamber of Commerce
- Melody Marr - Alameda Chamber of Commerce
- Scott Peterson - Oakland Metropolitan Chamber of Commerce
- Ron Silva - Hispanic Chamber of Commerce of Alameda County

INDUSTRY – TRADE & LOGISTICS

Survey respondents:

- Bill Aboudi - AB Trucking
- Richard Coyle - California Trucking Association

- Harry Mamizuka - NorCal Kenworth
- Alan Osofsky - Rodgers Trucking Company

June 25 - 2009 Focus Group Participants:

- Bill Aboudi - AB Trucking
- Andy Garcia - GSC Logistics
- Ron Light - West State Alliance
- Alan Osofsky - Rodgers Trucking Company and the Truckers Work Group
- Karen Vellutini – Devine Intermodal

MAQIP INTERAGENCY AND OTHER AGENCIES

Survey respondents:

- Mike Bandrowski - US Environmental Protection Agency (EPA). Also participated in MAQIP Interagency Working Group and Mayor's Port Task Force.
- Matt Beyer - Alameda County Public Health Department. Also participated in MAQIP Interagency Working Group
- Carolyn Clevenger- Metropolitan Transportation Commission
- Richard Grow - US Environmental Protection Agency (EPA), Air Division. Also participated in MAQIP Interagency Working Group and Mayor's Port Task Force.
- Cynthia Marvin – California Air Resources Board (CARB). Also participated in MAQIP Interagency Working Group.
- Tara Reinertson – Middle Harbor Shoreline Park - East Bay Regional Park District (also a West Oakland resident)
- Amy Zimpfer - US Environmental Protection Agency (EPA). Also participated in MAQIP Interagency Working Group and Mayor's Port Task Force.

June 30 - 2009 Focus Group Participants:

- Carolyn Clevenger- Metropolitan Transportation Commission
- Richard Grow - US Environmental Protection Agency (EPA). Also participated in MAQIP Interagency Working Group and Mayor's Port Task Force.
- Cynthia Marvin – California Air Resources Board (CARB) with Carolyn Suer, Cathryn Cardoza and Judy Friedman (all joining by phone). Also participated in MAQIP Interagency Working Group.
- Tara Reinertson – Middle Harbor Shoreline Park, East Bay Regional Park District (also a West Oakland resident)
- Dr. Sandra Witt - Alameda County Public Health Department. Also participated in MAQIP Interagency Working Group.

NONGOVERNMENTAL - ENVIRONMENTAL AND COMMUNITY-BASED ORGANIZATIONS:

Survey respondents:

- Brian Beveridge - West Oakland Environmental Indicator's Project
- Diane Bailey - Natural Resources Defense Council
- Nehanda Imara – Communities for a Better Environment
- Andy Katz - Breathe California
- Dorothy Poston - West Oakland Senior's Center
- Swati Prakash - Pacific Institute and Ditching Dirty Diesel Collaborative

June 30 - 2009 Focus Group Participants:

- Wafaa Aborashed- Bay Area Healthy Communities - and Ditching Dirty Diesel Collaborative
- Brian Beveridge - West Oakland Environmental Indicator's Project
- Andy Katz - Breathe California
- Dorothy Poston - West Oakland Senior's Center
- Queen Thurston - Economic Council of West Oakland and also works with Dr. Burns at the Prescott Joseph Center.
- Aditi Vaidya – East Bay Alliance for Sustainable Development (EBASE)

LABOR & WORKFORCE DEVELOPMENT

Survey respondents:

- Sharon Cornu - Alameda Labor Council, AFL-CIO
- Berit Eriksson - Workforce Development, Sailors' Union of the Pacific
- Earl Johnson - Oakland Mayor's Office and Interim Executive Director of the Oakland City Workforce Investment Board (WIB)

July 1 - 2009 Focus Group Participants:

- William Bartelson - Pacific Maritime Association
- Garlin Cephas - Oakland Trade Academy, Oakland Unified School District
- Gay Plair Cobb - Oakland Private Industry Council - Inc.
- Brian Cook - Continuing & International Education, California State University, East Bay
- Sharon Cornu - Alameda Labor Council, AFL-CIO
- Rene DuCroux - ILWU Local 34
- Berit Eriksson - Workforce Development, Sailors' Union of the Pacific
- Sean Farley - ILWU Local 34
- Lorraine Giordano - ATLAS Project, College of Alameda
- Zach Goldman - Change to Win
- Lawrence Thibeaux - ILWU 10

MAYOR'S PORT TASK FORCE

Survey respondents:

- Brian Beveridge - West Oakland Environmental Indicator's Project
- Richard Grow - US Environmental Protection Agency (EPA), Air Division
- Ray Kidd - West Oakland Neighbors

July 1 - 2009 Focus Group Participants:

- Brian Beveridge - West Oakland Environmental Indicator's Project
- Jose Duenas - Bay Area World Trade Center and State Task Force on International Trade
- Margaret Gordon - served on the Mayor's Task Force in her capacity as Co-Director of West Oakland Environmental Indicator's Project (also a Port Commissioner)
- Richard Grow - US Environmental Protection Agency (EPA, Air Division
- Ray Kidd - West Oakland Neighbors
- Steve Lowe - West Oakland Commerce Association

IMPACTED RESIDENTS – OAKLAND & CORRIDOR COMMUNITIES

Survey respondents:

- Brian Beveridge – West Oakland resident (also works at West Oakland Environmental Indicators Project)
- Ray Kidd – West Oakland resident (also represents West Oakland Neighbors)
- Daryl Meshack – West Oakland resident
- Ellen Wyrick Parkinson – West Oakland resident
- Viviana Rodriguez-Smith – West Oakland resident (also works at La Clinica de la Raza)
- Sandra V. Sanders West - – West Oakland resident (also works at West Oakland Police Department)

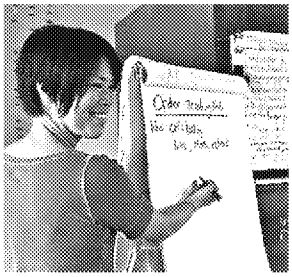
July 1 - 2009 Focus Group Participants:

- Frank Gallo – San Leandro resident (also member of Ditching Dirty Diesel Collaborative)
- Sylvester Grisby- East Oakland resident (involved in the Coliseum Neighborhood Council)
- Jacquee Castain- East Oakland resident
- Viviana Rodriguez-Smith – West Oakland resident (also works at La Clinica de la Raza)
- Queen Thurston - – West Oakland resident (also works at Economic Council of West Oakland and works with Dr. Burns at the Prescott Joseph Center)

APPENDIX 5. Consultant Bio

Viveka Chen & Associates
viveka@igc.org

819 Hampshire St.
San Francisco, CA 94110
415-282-5918
415-269-2701 (cell)



CONSULTANT BIO

Updated June 2009

Viveka Chen provides culturally competent organizational and community consulting and facilitation services. She specializes in multi-stakeholder collaboration, strategic planning and executive transitions. Since 1990, she has worked as a trusted partner with low-income communities of color and their allies to advance racial, social and environmental justice. Viveka has played a key role in several large-scale field-building initiatives in collaboration with organizations such as the Movement Strategy Center, San Francisco Foundation, Annie E. Casey Foundation, and CompassPoint Nonprofit Services. Prior to consulting, Viveka was Executive Director of the East Bay Conversion & Reinvestment Commission and Associate Director of Urban Habitat. She has served on several nonprofit boards of directors continuously for over a decade. Viveka is chairwoman, board member and a teacher at the San Francisco Buddhist Center and leads retreats and workshops to help individuals and communities of activists sustain their service and work together with the support of meditation and reflective practices.

Her work related to Ports and goods movement began during the 1995 Oakland Army Base and Fleet Industrial Supply Center base closures and her related community planning work at the East Bay Conversion & Reinvestment Commission. During that time Viveka was exposed to the land use and toxics issues related to the development and use of waterfront industrial sites and their proximity to adjacent communities of color with environmental health and justice and equitable community development impacts and concerns. Many of the planning processes Viveka engaged in at EBCRC and subsequently at Urban Habitat sought to engage equity concerns with environmental and economic concerns in the pursuit of sustainable development.

More recently Viveka has worked as a facilitator of diverse stakeholder processes addressing sustainable development related to the Port of Oakland and goods movement in several capacities including:

- Facilitator and process advisor contracted by the Port for Maritime stakeholder processes including the latter half of the Comprehensive Truck Management Program Technical Advisory Committee and design of a Maritime Stakeholder Group
- Facilitator and process advisor for the West Oakland Toxic Reduction Collaborative funded by the US EPA and co-chaired by the West Oakland Environmental Indicators Project and US EPA
- Neutral consultant and mediator contracted by non-governmental organizations (labor, grassroots groups and community-based organizations, and policy intermediaries) to facilitate various strategic multi-stakeholder conversations

- Consultant in the EH +EJ Consulting Group contracted by The California Endowment to design and facilitate statewide convenings for grantees across California working on freight transport and environmental health and justice concerns

Message

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 11/15/2017 7:02:32 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Thursday talk with ECRCO re W.O.: Title VI : DOT#2017-0092 and EPA File Nos. 13R-17-R9; 14R-17-R9

Richard, thanks.

Personal Matters / Ex. 6

Feel free to text or call my personal cell

Hope all is well with you.

From: Grow, Richard
Sent: Tuesday, November 14, 2017 3:13 PM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: Thursday talk with ECRCO re W.O.: Title VI : DOT#2017-0092 and EPA File Nos. 13R-17-R9; 14R-17-R9

Deldi – just saw that Kurt's invite to meet/talk Thursday (8:30) didn't go to you. Alexis says she'll join for the first half hour so we can meet on 19. Into the soup.

Richard

From: Temple, Kurt
Sent: Monday, November 13, 2017 9:10 AM
To: Rhines, Dale <rhines.dale@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; O'Lone, Mary <OLone.Mary@epa.gov>; Keeler, Katsumi <Keeler.Katsumi@epa.gov>
Subject: FW: Title VI : DOT#2017-0092 and EPA File Nos. 13R-17-R9; 14R-17-R9

Hello. Following up on the email I just sent to DOT. Would it be possible for the EPA team to meet and discuss this Thursday? Please let me know if that will or will not work.

Thanks,

Kurt

From: Dorka, Lilian
Sent: Sunday, November 12, 2017 4:15 PM
To: 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>; Yvette Rivera <yvette.rivera@dot.gov>; ryan.fitzpatrick@dot.gov
Subject: Fwd: Title VI : DOT#2017-0092 and EPA File Nos. 13R-17-R9; 14R-17-R9

Sent from my iPhone

Begin forwarded message:

From: "Michele Heffes" <mheffes@portoakland.com>
To: "charles.james@dot.gov" <charles.james@dot.gov>, "Dorka, Lilian" <Dorka.Lilian@epa.gov>
Cc: "Parker, Barbara" <BParker@oaklandcityattorney.org>, "Bee, Maria" <MBee@oaklandcityattorney.org>, "Cappio, Claudia (CCappio@oaklandnet.com)" <CCappio@oaklandnet.com>, "Danny Wan" <dwan@portoakland.com>, "Michele Heffes" <mheffes@portoakland.com>, "Chris Lytle" <clytle@portoakland.com>, "Michele Heffes" <mheffes@portoakland.com>, "Smith, Jamie" <JSmith@OaklandCityAttorney.org>, "Laurice Henry-Ross" <lhenry@portoakland.com>
Subject: Title VI : DOT#2017-0092 and EPA File Nos. 13R-17-R9; 14R-17-R9

Dear Ms. Dorka and Mr. James:

Attached please find a November 10, 2017, letter (including the 2 referenced attachments) from Oakland City Attorney, Barbara J. Parker, and Port Attorney, Danny Wan, concerning the above-referenced matter. Hard copies will be sent via First Class Mail. Please let me know if you have any questions.

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

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From: Kaplan, Rebecca [RKaplan@oaklandnet.com]
Sent: 7/18/2017 11:42:51 PM
To: Grow, Richard [Grow.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)

Thanks very much.

P.S. Is this public?

Best wishes,
-RK

From: Grow, Richard <Grow.Richard@epa.gov>
Sent: Tuesday, July 18, 2017 4:13:40 PM
To: Kaplan, Rebecca
Cc: Thao, Sheng
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)

Rebecca

Separate letter to complainants to follow.

Richard

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST); Charles.james@dot.gov; Jang, Deeana (OST); Fitzpatrick, Ryan (OST); 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
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)

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: Margaret Gordon Personal Email / Ex. 6
Sent: 2/7/2018 6:28:36 PM
To: Thomas Kirchstetter [twkirchstetter@lbl.gov]; Chelsea Preble [cvpreble@berkeley.edu]; Fern Uennatornwaranggoon [puennatornwaranggoon@edf.org]; Maria Harris [mharris@edf.org]; Gabriela Zayas del Rio [gzayasdelrio@edf.org]; Brian Beveridge Personal Email / Ex. 6
Subject: Air Mapping Workshop to the West Oakland Community

Dear Everyone,

Good morning, WOEIP as taken the lead, for the City and Port regarding introduction of the update data and research from EDF and UC Berkeley to the Truck Management Plan. I've good news, Surlene the facilitator Truck Management Plan has agreed that there will a workshop on the data and research to the participates of TMP from EDF and UC Berkeley. There no date, time or location set. We all do need to meet to fre a possible a poplar education program for the West Oakland community. Will have more details by Thursday or Friday. Can you'll please forward dates and times we can come together to structure the workshop.

Ms.M

--
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: Jackson, Julia [Jackson.Julia@epa.gov]
Sent: 11/24/2017 7:35:01 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Ross, Brian [Ross.Brian@epa.gov]; Siu, Jennifer [Siu.Jennifer@epa.gov]
Subject: RE: SEP for West Oakland ?

Hi Richard,
Yes, we can certainly discuss SEPs when that time comes. We are way out right now, though. I will give you a call when we get closer. Happy Holidays.

From: Grow, Richard
Sent: Wednesday, November 22, 2017 11:12 AM
To: Jackson, Julia <Jackson.Julia@epa.gov>
Subject: SEP for West Oakland ?

Julia

I heard from my manager Mike Bandrowski that there is some sort of enforcement action going on with regard to the Port of Oakland and dredging, and perhaps the possibility of a SEP ? If so, maybe we can talk ?

FYI I've been working directly with community folks there for several years around EJ and Title VI issues, and currently am part of a cross-agency team (with our HQ, DOT and DOJ) dealing with a formal Title VI complaint filed in April. We accepted the complaint in July and are now in a "pre-investigation" phase, meaning in discussions with the City and Port (the recipients against whom the allegations were filed) to see if an agreement can be reached resolving the issues without a formal investigation and findings. FYI this is all an administrative process under Title VI, not in court, although the offices on point are the civil rights offices at EPA/HQ (Lilian Dorka), DOT and DOJ.

Anyway, if there is a potential role for a SEP, can we talk ?

BTW, Happy (whatever you call tomorrow at your house) Day !

Thanks

Richard
7-4104

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/7/2018 5:19:52 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Brian Beveridge Personal Email / Ex. 6
Subject: Re: Question: Truck Managament Plan - studies and scope

Richard,

Here the other updates:

The Port, City and Surlene are meeting Thursday to discussion TMP.

Surlene is to call me and update me on the outcomes of the their meeting.

Lastly, we need a breakfast meeting, Brian and I need to meet with the research teams to frame the workshop.

Ms.M

On Wed, Feb 7, 2018 at 7:50 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

> Excellent. But I'll still look to the City to do me the courtesy of responding to my query.
>
> **From:** Margaret Gordon [mailt Personal Email / Ex. 6
> **Sent:** Tuesday, February 06, 2018 7:14 PM
> **To:** Grow, Richard <Grow.Richard@epa.gov>; Brian Beveridge Personal Email / Ex. 6
> **Subject:** Re: Question: Truck Managament Plan - studies and scope
>
> Richard,

I've update on the regarding the "Air Mapping Workshop", I had a conversation with Surlene, she in agreement that WOEIP, EDF and Berkeley hold a workshop on the update data to support giving information to the community before the "the proiorizing workshop" for the Truck Management Plan. No date or time has been set and stay tune.

Ms.M

On Tue, Feb 6, 2018 at 8:47 AM, Margaret Gordon Personal Email / Ex. 6 wrote:

> Thanks Pat and Richard,
>
> WOEIP met with EDF, agreed that a community workshop is need to be held to inform residents on the update data from the "Air Mapping Project with the Google" and to include any draft information that the consultant hired by City of Oakland for the Truck Management Plan. WOEIP see before any prioritizing, everyone involved must have all update data, research and information. We see having such a workshop in the next four weeks on a Saturday. WOEIP interested in developing the workshop with City of Oakland staff and Surlene to shape the program for the workshop. Please reply.
>
> Ms.Margaret Gordon
>
> On Tue, Feb 6, 2018 at 8:32 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:
>
> > Greetings, Patricia
> >
> > It's been a while since I heard from you on the suggestions in my December 4 email, below. Could you please get back to me regarding the status of these issues ?
> >
> > Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

-----Original Message-----
From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, December 13, 2017 11:55 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
Subject: RE: Truck Managament Plan - studies and scope

Hello Richard,
Please excuse my delay in replying to your e-mail. As you may know, City staff was on strike from Dec. 5 - 11, so I was unable to reply during that period.

Thank you for your attendance at the Dec. 2 public meeting and your compliment that you found it to be an excellent public workshop. Your comments/suggestions about the scope of the West Oakland Truck Management Plan are under consideration by the City and Port team. I will be in touch again as the City/Port team work through these suggestions.

Best regards,
Patricia

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

This note is to follow up on the suggestion I put forward at the excellent community workshop on trucks in West Oakland which you hosted this past Saturday. In my remarks Saturday I made reference to a suggestion previously put forward by Ms. Margaret Gordon of the WOEIP at the July 10 meeting at City Hall which you also hosted, and during which EDF presented the findings from its "Street View" project documenting on a fine scale (block by block) the levels and distribution of black carbon. At the July 10 meeting Ms. Gordon suggested that the 20 or so parties gathered around the table, representing perhaps a dozen organizations, agencies and interests, work collaboratively together to assess and address the implications of the studies findings with regard to mitigation of the effects revealed by the study.

My suggestion this past Saturday was that you, along with others carrying out this latest "truck management

plan" exercise, incorporate into the current planning effort time to for participants in the planning effort to consider the EDF/Google study as well as a more recent UC Berkeley assisted "100 x 100" West Oakland black carbon monitoring study. As I mentioned Saturday, there may be no community in the country for which there is a richer availability of local scale air pollutant data. It seems here that it would be unfortunate to not make use of this information in coming up with a truck plan addressing the public health impacts of truck-related operations in West Oakland.

Regarding the scope of the TMP, I hope you will be open to the possibility that consideration of this additional information could have some effect on the scope of the plan itself. It was clear from the discussions Saturday that the issue of the scope of the TMP is itself an issue of quite some concern to many stakeholders. This also goes to the assurances I had previously received from both yourself and Claudia Cappio at the August 23 Air Quality Stakeholders meeting, assurances that the scope of the TMP had not already been set, but would rather be set by way of the interactive process which you would be convening this fall. I found this encouraging, as well as consistent with the language of mitigation measure 4.3-7, committing to a truck management plan and enumerating 8 potential "elements", while also including the caveat that the plan "is not limited to" that list of elements.

I understand that you have been assuming the viability of a "five step" planning process as laid out at the Saturday meeting, with the next (i.e. third) meeting to be focused on "prioritization" of measures proposed by City staff based on the first two meetings, and acknowledge that my suggestions might result in the TMP process taking a bit longer, but hope that you will consider whether they might also add to the quality of and support for the plan. There may be some logic in getting a common understanding of, and agreement on, the scope of the plan before moving on to prioritizing components of the plan.

Please feel free to call me directly to discuss this further, and thanks again for the very educational event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project

349 Mandela Parkway

Oakland, CA 94607

510-257-5647 Direct line

www.woeip.org

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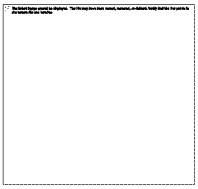
Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project



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

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

Message

From: RH RH Personal Email / Ex. 6
Sent: 11/23/2017 8:06:01 AM
To: Brian Brian Beveridge Beveridge Personal Email / Ex. 6
CC: Personal Email / Ex. 6
Subject: Re: WO truck plan process

I'll be there.

On Nov 21, 2017 9:52 PM, "Brian Beveridge" Personal Email / Ex. 6 wrote:

Hi all
WOEIP is hosting and presenting at a community prep session to prepare residents and youth for the City's Dec 2 tour and workshop about the new truck Plan.

The prep session takes place Nov 30 at the Attitudinal Healing Connection, Mandela and 20th St. Not the West St office. 4:30 to 6:30.

This plan process will affect all of Oakland, whether the city takes real action or not. All the flatlands will win if we get a strong comprehensive plan to get trucks off our local streets. We need all of you to come and learn the strategies to eliminate diesel pollution in our neighborhoods.

Get in touch with Ms. M or I for more information.
Brian

Message

From: Margaret Gordon Personal Email / Ex. 6
Sent: 8/9/2017 9:56:25 PM
To: Monetta, John [JMonetta@oaklandnet.com]
CC:

Personal Email / Ex. 6

Subject: Re: Army Base AQ Stakeholders Meeting - August 23

John,

Please provide all attachment reports and Prologis Presentation before the August 23 meeting. How can Stakeholder members review reports and presentation without the materials? Please forward the material now.

Ms.Margaret Gordon

On Wed, Aug 9, 2017 at 2:39 PM, Monetta, John <JMonetta@oaklandnet.com> wrote:

> Army Base Air Quality Stakeholders:
>
> Thank you for your availability responses. The next Army Base Air Quality Stakeholders meeting is scheduled for:
>
> DATE: Wednesday, August 23
>
> TIME: 11am to 1pm
>
> LOCATION: City Hall, Hearing Room 4
>
> 1 Frank Ogawa Plaza
>
> Oakland, CA 94612

DRAFT AGENDA

- Army Base Air Quality Monitoring Reporting
- Army Base Air Quality Planning and Process Overview
- Prologis Presentation - Diesel Emission Reduction & Air Quality Planning

Any questions, please contact me at jmonetta@oaklandnet.com or 510-238-7125.

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

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Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
510-257-5647 Direct line
www.woeip.org

From: Margaret Gordon [margaret.woeip@gmail.com]
Sent: 7/11/2017 6:55:24 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Brian Beveridge [brian.woeip@gmail.com]
Subject: Re: FW: Oakland Army Base & Port of Oakland

Richard,

What about add the latest study to the list? I'm going to call now.

https://www.edf.org/airqualitymaps/pollution-and-health-concerns-west-oakland

Ms.M

On Tue, Jul 11, 2017 at 11:36 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Ms. Margaret and Brian

This went out yesterday afternoon from Acting Regional Administrator Alexis Strauss to Ken Alex, Director of the Governor's Office of Planning and Research.

Richard Grow

US EPA

Region 9

(415) 947-4104

From: Strauss, Alexis
Sent: Monday, July 10, 2017 4:00 PM
To: 'Ken.Alex@gov.ca.gov' <Ken.Alex@gov.ca.gov>
Subject: Oakland Army Base & Port of Oakland

Dear Ken,

Thank you for our recent discussion of environmental and public health issues associated with development of the Port of Oakland and Oakland Army Base (OAB). As requested, following are our main concerns and a list of potential federal funding opportunities.

West Oakland, a largely minority community, experiences a disproportionate exposure to toxic air contaminants. While diesel particulate emissions have been significantly reduced in recent years, substantial progress is still needed and within reach. One key barrier is the lack of resolution of concerns raised by various environmental and public health agencies regarding inadequacies in the OAB mitigation plan, approved by the City in 2012. The shortcomings of the mitigation plan date to the City's expedited CEQA process in 2012 which bypassed the normal interagency and public discussion of whether the many "significant but unavoidable" impacts were in fact avoidable. Since then, there has been an ongoing reluctance to further develop or implement the measures in the plan, in particular those applicable to the operational phase of the project. This is at the heart of understanding why the past five years of discussions have not yielded progress.

This is the right time for the City, Port and developer to avail themselves of existing opportunities to adopt state-of-the-art low-or-zero emissions strategies, making use of many public and private funding opportunities. BAAQMD and CARB's technical advice has been invaluable to date. Now, other catalysts may be needed to bring about resolution of outstanding issues. As you know, the community has filed a complaint under Title VI of the Civil Rights Act, based on obligations which the City and Port incurred through receipt of federal funds.

As requested, here is a list of federal funding opportunities that may be relevant to the OAB and Port. Substantial federal funding has previously been provided to the City and Port as described on the attached spreadsheet. The list is incomplete, covering $153 million from DOT, EPA and Homeland Security for FY 2009 through FY 2014, but does not include the monetary value of the OAB transfer from the federal government to the City in 2001.

US EPA: Diesel Emission Reductions Act Grant program Funding - $34M available. Due date – July 5, 2017.https://www.epa.gov/cleandiesel/clean-diesel-national-grants#rfp

www.epa.gov

US DOT: https://www.transportation.gov/grants

www.transportation.gov

u.s. department of transportation. 1200 new jersey avenue, se. washington, dc 20590. 855-368-4200

FASTLANE funding: https://www.transportation.gov/buildamerica/FASTLANEgrants

www.transportation.gov

Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) Grants program

US DOE: Clean Cities Coalitions sometimes have funding: https://cleancities.energy.gov/funding-opportunities/

cleancities.energy.gov

Securing funding is critical to the success of efforts to cut petroleum use in transportation. Funding opportunities for Clean Cities projects are available from many ...

Volkswagen settlement information: https://www.epa.gov/vw. Note: Port cargo handling equipment, ferries/tugs, shorepower, rail, truck and bus eligibility in Appendix D of the partial CD: https://www.epa.gov/enforcement/third-partial-and-30l-second-partial-and-20l-partial-and-amended-consent-decree (see Appendix D-2 of 2.0L partial CD).

www.epa.gov

This is the third partial, 3.0 liter second partial consent decree, 2.0 liter partial and amended partial consent decree for the Volkswagen Clean Air Act Settlement ...

I hope this is helpful. I'm hopeful we can work together to bring about resolution of these issues.

Kind regards,

Alexis

Alexis Strauss

Acting Regional Administrator

E.P.A. Region 9

75 Hawthorne Street

San Francisco, CA 94105

415-972-3572

--

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: Monetta, John [JMonetta@oaklandnet.com]
Sent: 8/9/2017 9:43:15 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]
Subject: RE: Question on upcoming meetings: Notice of Availability of Diesel Emission Reduction and Air Quality Plan (CE-2 & CC-1)

Richard:

Thank you for your email and sorry for the confusion created by the two emails., Yes, this is the same meeting. I just sent an email for the August 23 meeting with a draft agenda.

DRAFT AGENDA

- Army Base Air Quality Monitoring Reporting
- Army Base Air Quality Planning and Process Overview
- Prologis Presentation - Diesel Emission Reduction & Air Quality Planning

I hope that answers your questions.

Best,

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

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Wednesday, August 9, 2017 1:11 PM
To: Monetta, John <JMonetta@oaklandnet.com>
Cc: McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: Question on upcoming meetings: Notice of Availability of Diesel Emission Reduction and Air Quality Plan (CE-2 & CC-1)

John

I'm seeing your message which I received at 5:16 pm mentioning a possible meeting is the "first part of September" (below), but also have your message sent out at 4:13 pm to set up a meeting around August 23. Are these the same meeting, just rescheduled ? If they are different, could you clarify what the subject of the August 23 meeting is ? Copying Pat in case she can clarify. Thanks.

Richard

Fri 8/4/2017 4:13 PM

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*

From: Monetta, John [mailto:JMonetta@oaklandnet.com]
Sent: Friday, **August 04, 2017 5:16 PM**
To: Subject: Notice of Availability of Diesel Emission Reduction and Air Quality Plan (CE-2 & CC-1)

To All Oakland Army Base Air Quality Stakeholders,

Notice of Availability of
Diesel Emission Reduction and Air Quality Plan for
Construction of Prologis' CE-2 and CC-1

This e-mail will serve as official notice, as required by OARB SCA/MMRP Mitigation PO-1, that the
Diesel Emission Reduction and Air Quality Plan for Construction of Prologis' CE-2 and CC-1 Parcels
is available for public review and comment. The Plan is attached to this e-mail.

This Plan takes the Northeast Gateway Construction-Related Air Quality Plan, which was enhanced by input from the air quality agencies and the public before its approval by the City Administrator in October 2016,
and further improves upon it. Work has been done by Prologis since May, 2017 to improve the Plan based on input from City staff and staff from the air quality agencies.

We are working to schedule a Stakeholder meeting to review and discuss this Plan during the first part of September; the exact date and time of the Stakeholder meeting will be announced under a separate e-mail.

The official 17-day review period starts August 7, 2017 and is being extended, ending on September 1, 2017 to allow more time for review.

Written comments can be received until 5:00 pm September 1, 2017 via e-mail or US mail to:

Best,

JOHN MONETTA *PROJECT MANAGER I*

Message

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/7/2018 3:13:47 AM
To: Grow, Richard [Grow.Richard@epa.gov]; Brian Beveridge Personal Email / Ex. 6
Subject: Re: Question: Truck Managament Plan - studies and scope

Richard,

I've update on the regarding the "Air Mapping Workshop", I had a conversation with Surlene, she in agreement that WOEIP, EDF and Berkeley hold a workshop on the update data to support giving information to the community before the "the proiorizing workshop" for the Truck Management Plan. No date or time has been set and stay tune.

Ms.M

On Tue, Feb 6, 2018 at 8:47 AM, Margaret Gordon < Personal Email / Ex. 6 wrote:

Thanks Pat and Richard,

WOEIP met with EDF, agreed that a community workshop is need to be held to inform residents on the update data from the "Air Mapping Project with the Google" and to include any draft information that the consultant hired by City of Oakland for the Truck Management Plan. WOEIP see before any prioritizing, everyone involved must have all update data, research and information. We see having such a workshop in the next four weeks on a Saturday. WOEIP interested in developing the workshop with City of Oakland staff and Surlene to shape the program for the workshop. Please reply.

Ms.Margaret Gordon

On Tue, Feb 6, 2018 at 8:32 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Greetings, Patricia

It's been a while since I heard from you on the suggestions in my December 4 email, below. Could you please get back to me regarding the status of these issues ?

Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

-----Original Message-----
From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, December 13, 2017 11:55 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
Subject: RE: Truck Managament Plan - studies and scope

Hello Richard,
Please excuse my delay in replying to your e-mail. As you may know, City staff was on strike from Dec. 5 - 11, so I was unable to reply during that period.

Thank you for your attendance at the Dec. 2 public meeting and your compliment that you found it to be an excellent public workshop. Your comments/suggestions about the scope of the West Oakland Truck Management Plan are under consideration by the City and Port team. I will be in touch again as the City/Port team work through these suggestions.

Best regards,
Patricia

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

This note is to follow up on the suggestion I put forward at the excellent community workshop on trucks in West Oakland which you hosted this past Saturday. In my remarks Saturday I made reference to a suggestion previously put forward by Ms. Margaret Gordon of the WOEIP at the July 10 meeting at City Hall which you also hosted, and during which EDF presented the findings from its "Street View" project documenting on a fine scale (block by block) the levels and distribution of black carbon. At the July 10 meeting Ms. Gordon suggested that the 20 or so parties gathered around the table, representing perhaps a dozen organizations, agencies and interests, work collaboratively together to assess and address the implications of the studies findings with regard to mitigation of the effects revealed by the study.

My suggestion this past Saturday was that you, along with others carrying out this latest "truck management plan" exercise, incorporate into the current planning effort time to for participants in the planning effort to

consider the EDF/Google study as well as a more recent UC Berkeley assisted "100 x 100" West Oakland black carbon monitoring study. As I mentioned Saturday, there may be no community in the country for which there is a richer availability of local scale air pollutant data. It seems here that it would be unfortunate to not make use of this information in coming up with a truck plan addressing the public health impacts of truck-related operations in West Oakland.

Regarding the scope of the TMP, I hope you will be open to the possibility that consideration of this additional information could have some effect on the scope of the plan itself. It was clear from the discussions Saturday that the issue of the scope of the TMP is itself an issue of quite some concern to many stakeholders. This also goes to the assurances I had previously received from both yourself and Claudia Cappio at the August 23 Air Quality Stakeholders meeting, assurances that the scope of the TMP had not already been set, but would rather be set by way of the interactive process which you would be convening this fall. I found this encouraging, as well as consistent with the language of mitigation measure 4.3-7, committing to a truck management plan and enumerating 8 potential "elements", while also including the caveat that the plan "is not limited to" that list of elements.

I understand that you have been assuming the viability of a "five step" planning process as laid out at the Saturday meeting, with the next (i.e. third) meeting to be focused on "prioritization" of measures proposed by City staff based on the first two meetings, and acknowledge that my suggestions might result in the TMP process taking a bit longer, but hope that you will consider whether they might also add to the quality of and support for the plan. There may be some logic in getting a common understanding of, and agreement on, the scope of the plan before moving on to prioritizing components of the plan.

Please feel free to call me directly to discuss this further, and thanks again for the very educational event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

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

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

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Ms. Margaret Gordon/Co-Director

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510-257-5647 Direct line
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From: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 1/17/2018 4:39:32 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Re: R9/ECRCO call

Richard: FYI. Ryan says DOT will have agreement back to me this afternoon or tomorrow morning. As for a call, please propose a time and we will arrange. I am not available after 4 pm EST on Friday. Thanks.

Kurt

-----Original Message-----
From: Grow, Richard
Sent: Tuesday, January 16, 2018 4:17 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Subject: R9/ECRCO call

Hi Kurt, thanks for the update. Alexis and I would like to have a call with you and Lilian if at all possible later this week, preferably Friday. This wouldn't be the full "team" but hopefully a frank chat about tactics and touching on the concerns raised in my note below. Please let me know if this would work for you and Lilian.

Richard

-----Original Message-----
From: Grow, Richard
Sent: Friday, January 12, 2018 10:55 AM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Subject: W.O. status check, fallback ?

Hi Kurt -

Deliberative Process / Ex. 5

Richard

Personal Matters / Ex. 6

Message

From: Monetta, John [JMonetta@oaklandnet.com]
Sent: 8/9/2017 9:39:09 PM
To:

Personal Email / Ex. 6

Subject: Army Base AQ Stakeholders Meeting - August 23

Army Base Air Quality Stakeholders:

Thank you for your availability responses. The next Army Base Air Quality Stakeholders meeting is scheduled for:

DATE: Wednesday, August 23
TIME: 11am to 1pm
LOCATION: City Hall, Hearing Room 4
1 Frank Ogawa Plaza
Oakland, CA 94612

DRAFT AGENDA

- Army Base Air Quality Monitoring Reporting
- Army Base Air Quality Planning and Process Overview
- Prologis Presentation - Diesel Emission Reduction & Air Quality Planning

Any questions, please contact me at jmonetta@oaklandnet.com or 510-238-7125.

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

From: Margaret Gordon Personal Email / Ex. 6
Sent: 2/6/2018 4:47:12 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: McGowan, Patricia [PMcGowan@oaklandnet.com]; Gilchrist, William [WGilchrist@oaklandnet.com]; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin [DRanelletti@oaklandnet.com]; Brian Beveridge Personal Email / Ex. 6
Subject: Re: Question: Truck Managament Plan - studies and scope

Thanks Pat and Richard,

WOEIP met with EDF, agreed that a community workshop is need to be held to inform residents on the update data from the "Air Mapping Project with the Google" and to include any draft information that the consultant hired by City of Oakland for the Truck Management Plan. WOEIP see before any prioritizing, everyone involved must have all update data, research and information. We see having such a workshop in the next four weeks on a Saturday. WOEIP interested in developing the workshop with City of Oakland staff and Surlene to shape the program for the workshop. Please reply.

Ms.Margaret Gordon

On Tue, Feb 6, 2018 at 8:32 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:
Greetings, Patricia

It's been a while since I heard from you on the suggestions in my December 4 email, below. Could you please get back to me regarding the status of these issues ?

Thank you

Richard Grow
US EPA
Region 9
(415) 947-4104

-----Original Message-----
From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, December 13, 2017 11:55 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com; Ranelletti, Darin <DRanelletti@oaklandnet.com>
Subject: RE: Truck Managament Plan - studies and scope

Hello Richard,
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Thank you for your attendance at the Dec. 2 public meeting and your compliment that you found it to be an excellent public workshop. Your comments/suggestions about the scope of the West Oakland Truck Management Plan are under consideration by the City and Port team. I will be in touch again as the City/Port team work through these suggestions.

Best regards,
Patricia

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

-----Original Message-----
From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Monday, December 04, 2017 11:50 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Cc: Gilchrist, William <WGilchrist@oaklandnet.com>; sggrant@envirocommunications.com; agardner@portoakland.com
Subject: Truck Managament Plan - studies and scope

Patricia McGowan (cc William Gilchrist, Andrea Gardner, Surlene Grant)

This note is to follow up on the suggestion I put forward at the excellent community workshop on trucks in West Oakland which you hosted this past Saturday. In my remarks Saturday I made reference to a suggestion previously put forward by Ms. Margaret Gordon of the WOEIP at the July 10 meeting at City Hall which you also hosted, and during which EDF presented the findings from its "Street View" project documenting on a fine scale (block by block) the levels and distribution of black carbon. At the July 10 meeting Ms. Gordon suggested that the 20 or so parties gathered around the table, representing perhaps a dozen organizations, agencies and interests, work collaboratively together to assess and address the implications of the studies findings with regard to mitigation of the effects revealed by the study.

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enumerating 8 potential "elements", while also including the caveat that the plan "is not limited to" that list of elements.

I understand that you have been assuming the viability of a "five step" planning process as laid out at the Saturday meeting, with the next (i.e. third) meeting to be focused on "prioritization" of measures proposed by City staff based on the first two meetings, and acknowledge that my suggestions might result in the TMP process taking a bit longer, but hope that you will consider whether they might also add to the quality of and support for the plan. There may be some logic in getting a common understanding of, and agreement on, the scope of the plan before moving on to prioritizing components of the plan.

Please feel free to call me directly to discuss this further, and thanks again for the very educational event this past weekend.

Richard Grow
US EPA
Region 9
(415) 947-4104

--

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: Strauss, Alexis [Strauss.Alexis@epa.gov]
Sent: 7/11/2017 5:02:51 PM
To: Ken Alex [Ken.Alex@GOV.CA.GOV]
CC: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Oakland Army Base & Port of Oakland

Yes, please do. You may want to consider sharing it with the community leaders at some point also.
Alexis

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

From: Ken Alex [mailto:Ken.Alex@GOV.CA.GOV]
Sent: Tuesday, July 11, 2017 8:59 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: Re: Oakland Army Base & Port of Oakland

Thanks Alexis. Is it ok to share this with the City?

Sent from VMware Boxer

On July 10, 2017 at 3:59:44 PM PDT, Strauss, Alexis <Strauss.Alexis@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

US EPA: Diesel Emission Reductions Act Grant program Funding - $34M available. Due date – July 5, 2017.https://www.epa.gov/cleandiesel/clean-diesel-national-grants#rfp

www.epa.gov

US DOT: https://www.transportation.gov/grants

www.transportation.gov

u.s. department of transportation. 1200 new jersey avenue, se. washington, dc 20590. 855-368-4200

FASTLANE funding: https://www.transportation.gov/buildamerica/FASTLANEgrants

www.transportation.gov

Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) Grants program

US DOE: Clean Cities Coalitions sometimes have funding: https://cleancities.energy.gov/funding-opportunities/

cleancities.energy.gov

Securing funding is critical to the success of efforts to cut petroleum use in transportation. Funding opportunities for Clean Cities projects are available from many ...

Volkswagen settlement information: https://www.epa.gov/vw. Note: Port cargo handling equipment, ferries/tugs, shorepower, rail, truck and bus eligibility in Appendix D of the partial CD: https://www.epa.gov/enforcement/third-partial-and-30l-second-partial-and-20l-partial-and-amended-consent-decree (see Appendix D-2 of 2.0L partial CD).

www.epa.gov

This is the third partial, 3.0 liter second partial consent decree, 2.0 liter partial and amended partial consent decree for the Volkswagen Clean Air Act Settlement ...

I hope this is helpful. I'm hopeful we can work together to bring about resolution of these issues.

Kind regards,

Alexis

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

Message

From: Meredith Cowart [meredith@concurinc.net]
Sent: 1/17/2018 12:36:38 AM
To: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
CC: Grow, Richard [Grow.Richard@epa.gov]; Scott McCreary [scott@concurinc.net]
Subject: Re: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Mike,

We look forward to speaking with you and your colleagues tomorrow at 9:00 am. Why don't you plan to call us at Conference Line/Code / Ex. 6

Best,

Meredith

On Fri, Jan 12, 2018 at 4:43 PM, BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov> wrote:

Wednesday 9-9:30 will be fine. I think I will take the call from one of our conference rooms, so I can either send you the number or you can give me a number to call you. Thanks.

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: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Friday, January 12, 2018 4:40 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Grow, Richard <Grow.Richard@epa.gov>; Scott McCreary <scott@concurinc.net>
Subject: Re: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Mike,

Let's schedule Wednesday from 9-9:30. Shall we call you at Personal Address / Ex. 6

Best,

Meredith and Scott

On Fri, Jan 12, 2018 at 3:45 PM, BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov> wrote:

Meredith- Here are some times next week that will work for Richard and me. Let me know if any of them will work for you. Thanks.

Tuesday: 10-12, 1-2, 3-4

Wednesday: 9-10, 11-12, 3-4

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: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Thursday, January 11, 2018 3:28 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Scott McCreary <scott@concurinc.net>
Subject: Fwd: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Mike,

Per your note above, CONCUR would be happy to schedule a 20-40 minute interview with you and/or Richard and Stephanie as needed in the coming few days. We have the following time slots available:

Friday 1/12

8:30 -10:00

10:45-3:15

Tuesday 1/16

11:30 - 4:30

Wednesday 1/17

8:30 - 4:30

Please identify a half hour window during these times that work for you, and let us know what number we can reach you on (or if you'd like a conference line so that multiple parties can dial in).

Attached please find the "MAQIP Update – Task Force Project Description", with background information and draft goals of the MAQIP Update Task Force. Please keep in mind that we expect that these draft goals may change, depending on what we learn in our interviews with you and other MAQIP Task Force Members.

We look forward to speaking with you.

Regards,

Meredith Cowart, Associate

Scott McCreary, Principal

---------- Forwarded message ----------
From: **BANDROWSKI, MIKE** <Bandrowski.Mike@epa.gov>
Date: Thu, Jan 11, 2018 at 2:29 PM
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation
To: "rsinkoff@portoakland.com" <rsinkoff@portoakland.com>, "Zimpfer, Amy" <Zimpfer.Amy@epa.gov>
Cc: Scott McCreary <scott@concurinc.net>, Meredith Cowart <meredith@concurinc.net>, Amy Tharpe <atharpe@portoakland.com>, Laura Arreola <larreola@portoakland.com>, Catherine Mukai <cmukai@portoakland.com>, "Valentine, Stephanie" <Valentine.Stephanie@epa.gov>, "Grow, Richard"

<Grow.Richard@epa.gov>, "McDaniel, Penelope" <MCDANIEL.PENELOPE@epa.gov>, "Lakin, Matt" <Lakin.Matthew@epa.gov>

Hi Richard,

Why don't you have CONCUR contact me and I will include Stephanie and Richard, as needed.

We look forward to discussing the topics outlined in your January 5 note to Amy. I'm sure you recall that during the previous MAQIP effort there was an interagency workgroup which included EPA, the Bay Area Air Quality Management Agency, California Air Resources Board and the Alameda County Public Health department. We have been in contact with those agencies and will need time for discussion among the agencies regarding our goals and roles in the upcoming process. While we would hope to not upset your tentative schedule for launching the Task Force, we also feel it is important that the process be carried out in a way that is most likely to be productive and meaningful for the Port, community, relevant agencies and other stakeholders.

If CONCUR would like to contact me and suggest some times for the interview, I can let them know my availability and coordinate with Richard Grow, of my office, whom you may recall from the previous MAQIP work. Please copy him on further emails and materials regarding the MAQIP.

Looking forward to working with you.

Mike

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: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Thursday, January 11, 2018 1:41 PM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>

Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Lakin, Matt <Lakin.Matthew@epa.gov>
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Amy,

Thank you and by extension Stephanie, Mike and Richard for their support and participation on the MAQIP Task Force.

As a next step, CONCUR will contact Stephanie.

We look forward to working with the EPA team.

Best,

Richard

From: Zimpfer, Amy [mailto:Zimpfer.Amy@epa.gov]
Sent: Thursday, January 11, 2018 11:26 AM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Lakin, Matt <Lakin.Matthew@epa.gov>
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Richard,

Thank you for the invitation to participate in the updating of the MAQIP. With the MAQIP in its final stage of implementation, it is a good time to work with the community, regulatory agencies and stakeholders to take stock of accomplishments, continuing air pollution issues, and opportunities for additional reductions. We look forward to participating in your effort to update the plan.

To that end, Stephanie Valentine, currently serving as EPA Region 9's Air Division Acting Deputy Director, will represent EPA on the MAQIP Task Force, with Mike Bandrowski as her backup. Stephanie

is our lead for air quality issues in the Bay Area, and I believe you know Mike—he is EPA Region 9's Air Toxics, Radiation and Indoor Air Office Chief. Richard Grow will continue to be our staff lead. Stephanie, Mike and Richard can be contacted as follows: valentine.stephanie@epa.gov or 415.972.3014; bandrowski.mike@epa.gov or 415.947.4194; grow.richard@epa.gov or 415.947.4104.

Regards,

Amy

From: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Thursday, January 04, 2018 5:16 PM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>
Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>
Subject: FW: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Dear Amy,

Happy New Year 2018!

I am writing to invite you to participate in the final updating of the MAQIP. Indeed, we are in the "home stretch" of MAQIP implementation (Years 2018-Year 2020). Based upon the Port's 2015 emissions inventory, MAQIP programs and projects have resulted in a 76% reduction in diesel particulate matter (DPM) over the Year 2005 baseline. This is indeed great progress and we also have more to do. As you recall, the Board committed to an 85% reduction in DPM. The role of the MAQIP Task Force will be primarily to review and discuss emissions reduction measures to achieve the -85% goal.

We are planning three meetings, as follows:

Friday, January 26, 2018: 10:00 a.m.-2:00 p.m.

Friday, February 23, 2018: 10:00 a.m.-2:00 p.m.

Thursday, March 29, 2018: 10:00 a.m.-2:00 p.m.

Scott McCreary, CONCUR, will be following up with you.

We look forward to your anticipated participation.

Sincerely,

Richard

Richard Sinkoff

Director of Environmental Programs and Planning

Port of Oakland

510-627-1182

rsinkoff@portoakland.com

--

Meredith Cowart

Associate

CONCUR, Inc

meredith@concurinc.net

www.concurinc.com

(510) 649-8008

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Message

From: Brian Beveridge Personal Address / Ex. 6
Sent: 1/16/2018 11:29:24 PM
To: rsinkoff@portoakland.com
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Address / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: RE: MAQIP engagement criteria

Hello all
Ms. Margaret is on the review panel interviewing applicants for the City's Chief Resilience Officer. The interviews are Thursday morning. So I'll meet with you all and hopefully report back progress to her.

Where would like to meet?
Brian

On Jan 16, 2018 3:07 PM, "Brian Beveridge" Personal Address / Ex. 6 wrote:

Richard
9am on Thursday, 01-18-18 will work for me. I'll verify it with Ms. Margaret and get back to you within the hour.
Brian

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Hi Brian, Thanks for the quick response.

Thursday at 2:00 p.m.?

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Thank you.

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The Port is keenly interested in WOEIP's engagement and I trust that we can find common ground.

I will reach out to you by phone this afternoon. We are concurrently reviewing the engagement criteria that WOEIP presented to the Port last week.

Are you available this afternoon for a chat?

Best,

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Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

Message

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: 2/5/2018 11:55:38 PM
To:

Personal Address / Ex. 6

Subject: 45-day notice of preparation of Air Quality Plan for Operations of ConGlobal Container Depot and Repair Site, 11 Burma Road, at the OAB redevelopment project

Date: February 5, 2018
Subject: **45-day notice of preparation of Air Quality Plan for Operations of ConGlobal Container Depot and Repair Site, at 11 Burma Road**, Oakland, CA
at the Oakland Army Base Redevelopment Project

To all Oakland Army Base Stakeholders:

This e-mail will serve as the **45-day notice** that the diesel emission reduction and air quality plan related to operations of the proposed ConGlobal Container Depot and Repair Site at 11 Burma Road **will be available for review and comment on March 22, 2018 or shortly thereafter**. This notice is required by Mitigation Measure Public Outreach (MM PO-1) of the Oakland Army Base Standard Conditions of Approval / Mitigation Monitoring and Reporting Program (SCA/MMRP).

You previously received 45-day notices about this Plan on February 3, 2017 and July 27, 2017. We are re-issuing the 45-day notice, and starting the 45 days over, because development of the draft plan was delayed until now.

The intention of the 45-day notice is to inform the public that an air quality plan is being developed by Prologis and will be available for stakeholder review within approximately 45 days. At that time, approximately March 22, 2018, a 17-day review period will begin per
MM PO-1. You will receive additional notification of the 17-day review period, and a copy of the Air Quality Plan will be e-mailed to you, and posted on the City's website, at the beginning of the 17-day review period.

Here is a brief summary of the operations for which Prologis and ConGlobal are developing the Air Quality Plan:

- ConGlobal is currently operating a depot for storage and repair of empty shipping containers at the Port of Oakland at 555 Maritime Street.
- ConGlobal is proposing to relocate a portion of these operations to a 16-acre site on the City's portion of the former Oakland Army Base at 11 Burma Road which is part of Prologis' New Central Gateway parcel, near the corner of Maritime St. and Burma Road.

- ConGlobal, as a tenant on the Prologis parcel, is proposing to operate a container storage yard where empty shipping containers are stacked and stored on a short-term basis. They are also proposing to do maintenance, repair, washing and touch-up painting of the empty containers. Empty chassis will also be stacked and stored on-site.
- A location map as well as a more detailed description of their operations will be included in the Air Quality Plan.

We intend to hold a quarterly Stakeholder meeting during the 45-day period (prior to March 22, 2018) so that the concepts of the Air Quality Plan can be discussed with Stakeholders before the official 17-day review and comment period. We will issue a separate notification of the date and time of that Stakeholder meeting.

The Plan to be reviewed will relate to the following mitigation measures of the adopted SCA/MMRP: MM 4.4-4: Truck Diesel Emissions Reduction Plan; MM 4.4-5: Transportation Control Measures; 4.4-6: Energy Conserving Features/Design; Trans-1: Parking and Transportation Demand Management; MM 5.4-1: Demonstration Projects.

You can find the SCA/MMRP on the City's website at the following link:
http://www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak042281.pdf

Thank you for your continued interest in the development of the Oakland Army Base.

Please contact me if you have any questions,
Patricia 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: Brian Beveridge Personal Address / Ex. 6
Sent: 1/16/2018 11:07:39 PM
To: rsinkoff@portoakland.com
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Address / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: RE: MAQIP engagement criteria

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9am on Thursday, 01-18-18 will work for me. I'll verify it with Ms. Margaret and get back to you within the hour.
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How does 9:00 a.m. look on your schedule?

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BRIAN BEVERIDGE, Co-Director
West Oakland Environmental Indicators Project
349 Mandela Pkwy.
Oakland, Ca. 94607
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Thursday at 2:00 p.m.?

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Sent: 1/16/2018 9:48:43 PM
To: Brian Beveridge Personal Address / Ex. 6
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Address / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
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Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

Message

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 1/16/2018 9:44:34 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: EIP-Port exchange: MAQIP engagement criteria

Interesting. Let's try to talk before our call tomorrow.

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: Tuesday, January 16, 2018 12:02 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Subject: EIP-Port exchange: MAQIP engagement criteria

FYI below. May be reading too much into this but my impression is the Port will not be easily diverted from its schedule and choreography.

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: Tuesday, January 16, 2018 11:53 AM
To: Brian Beveridge; Scott McCreary; Chris Lytle
Cc: Margaret Gordon; Grow, Richard; David Vintze; Lee, Anna, Public Health, CAPE; Amy Tharpe; Laura Arreola
Subject: RE: MAQIP engagement criteria

Good morning, Brian,
Thank you for your e-mail. I am sorry that WOEIP elected to not join the conversation this morning; however, we do hear your concerns.
The Port is keenly interested in WOEIP's engagement and I trust that we can find common ground.
I will reach out to you by phone this afternoon. We are concurrently reviewing the engagement criteria that WOEIP presented to the Port last week.

Are you available this afternoon for a chat?

Best,

Richard

From: Brian Beveridge Personal Address / Ex. 6
Sent: Monday, January 15, 2018 7:16 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>; Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>
Cc: Margaret Gordon Personal Address / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>
Subject: MAQIP engagement criteria

Hello Richard and Scott
Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

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Sincerely, Brian Beveridge

Message

From: Margaret Gordo Personal Address / Ex. 6
Sent: 1/16/2018 9:37:13 PM
To: dbreem@baaqmd.gov; Brian Beveridg Personal Address / Ex. 6
Subject: Request a conference call with WOEIP

Hello Damian,

Have heard the Port of Oakland is reconvening MAQIP update:

As you know, the Port of Oakland plans to reconvene the Maritime Air Quality Task Force (Task Force) for its 2018 Maritime Air Quality Improvement Plan (MAQIP) Update. We are beginning a round of outreach to stakeholders and we are starting with you, as you have served as a Task Force Co-Chair.
For this MAQIP Update, the Task Force will work closely with the Port of Oakland's staff and technical consultants to take the MAQIP planning process beyond 2020, in light of the state's GHG goals for 2020 and 2030.
The reconvened MAQIP Task Force will review the Ports' strategies, compliance success and progress to date, and make recommendations on forward-looking strategies towards fulfillment of the 2020 MAQIP goals. The Task Force will meet in two or three half-day meetings in January - April 2018. A MAQIP project description (Working Draft) is attached to this email.
We at CONCUR are contacting you to schedule an interview about certain aspects of the Port's MAQIP Update goals and strategies. We expect the conversations to last 15 to 30 minutes and cover the following topics: 1) Your background and your view of the MAQIP and your interests as they relate to the MAQIP (2) Other air quality planning efforts you have been involved in (3) Expected outcomes of the MAQIP Update (4) Meeting and process design considerations including stakeholder representation.)

WOEIP see that many of our concerns regarding the MAQIP aren't connect to the BAAQMD plans for "Zero Emission" and WOEIP would like to have conference calll or face to face to discussion these issues to add in a more comprehensives goals of MAQIP, also we see the addition to including the Intergency Working Group to be working as problem-solving group on the more technical concerns. Brian and I can available on most Mondays, Tuesday and Thursday all day. Wednesday and Friday after 1pm. Please reply.

Ms.Margaret Gordon

--
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: 11/3/2017 6:39:12 PM
To: dedgerly@portoakland.com
CC: David Vintze [DVintze@baaqmd.gov]; Henry Hilken [HHilken@baaqmd.gov]; Karen Schkolnick [kschkolnick@baaqmd.gov]; afournier@baaqmd.gov; Jean Roggenkamp [jroggenkamp@baaqmd.gov]; dbreen@baaqmd.gov; Jack Broadbent [jack@baaqmd.gov]; Grow, Richard [Grow.Richard@epa.gov]; Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]; Cappio, Claudia [CCappio@oaklandnet.com]; Lakin, Matt [Lakin.Matthew@epa.gov]; Machol, Ben [Machol.Ben@epa.gov]
Subject: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1
Attachments: DRAFT Port-OAB Action List Nov 3.pdf; BAAQMD ltr to POAK Board Item 5.1.pdf

Hello,

Attached please find BAAQMD's comment letter and attachment for the 11/9/17 Board of Port Commissioners meeting.

These items are in reference to Agenda item 5.1: Ordinance and Resolution to approve Lease with CenterPoint-Oakland Development I, LLC for a Transload and Distribution Facility on the Former Oakland Army Base.

I would appreciate it if you could reply to this email and let me know it has been received. Thanks in advance!

Please contact me if you have any questions.

Sincerely,

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

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ALAMEDA COUNTY
Pauline Russo Cutter
Scott Haggerty
Rebecca Kaplan
Nate Miley

CONTRA COSTA COUNTY
John Gioia
David Hudson
(Vice Chair)
Karen Mitchoff
Mark Ross

MARIN COUNTY
Katie Rice
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NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
Edwin M. Lee
Hillary Ronen
Jeff Sheehy

SAN MATEO COUNTY
David Canepa
Carole Groom
Doug Kim

SANTA CLARA COUNTY
Margaret Abe-Koga
Cindy Chavez
Liz Kniss
(Chair)
Rod G. Sinks

SOLANO COUNTY
Pete Sanchez
James Spering

SONOMA COUNTY
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:

November 3, 2017

Joan H. Story
President, Board of Port Commissioners
Port of Oakland
30 Water Street
Oakland, CA 94607

Subject: **Ordinance and Resolution to approve Lease with CenterPoint-Oakland Development I, LLC for a Transload and Distribution Facility on the Former Oakland Army Base**

Dear Ms. Story and Members of the Board of Port Commissioners (Board):

The Bay Area Air Quality Management District (Air District) has reviewed Agenda item 5.1 on your November 9, 2017 meeting and is requesting that the Board:

- Delay approval of any resolution or ordinance on this item until the Port of Oakland (Port) has developed and funded the emission reduction programs (in concert with the City of Oakland (City)) identified by the former Oakland Army Base (OAB) Environmental Impact Report (EIR) Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP); and

- Developed criteria via a public process to determine when low emission equipment or strategies are "readily available" or "cost effective."

As currently drafted, Agenda item 5.1 seeks to authorize the Port of Oakland (Port) Executive Director to enter a ground lease with CenterPoint-Oakland Development I, LLC, (the Developer) for the design, construction, finance, operation, and maintenance of a transload and distribution facility (Project). The proposed Project seeks to build a 440,800-square foot facility with approximately 140 dock doors, and parking for 365 autos and 70 trailers for warehouse, storage, other maritime trade and logistics uses. The proposed location is approximately 27 acres at the former Oakland Army Base (OAB) land the Port has named the Seaport Logistics Complex.

As stated in the Board's Agenda Report, this and any project on the former OAB is required to comply with the OAB Environmental Impact Report (EIR) Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP). As you may recall, the SCA/MMRP was adopted by the Oakland City Council (City) and the Port to mitigate the significant health and air quality impacts expected to occur in the West Oakland community and impacts to regional air quality resulting from the build out of the OAB. However, many the SCA/MMRPs require the City and the Port to develop emission reduction programs that have not been developed, such as:

- MM 4.4-3a: "The Port shall develop and implement a criteria pollutant reduction program aimed at reducing or off-setting Port-related emissions in West Oakland from its maritime and rail operations to less than significant levels..."

- MM 4.4-4 "The City and the Port shall jointly create, maintain and fund on a fair share basis, a truck diesel emission reduction program. The program shall be sufficiently funded to strive to reduce redevelopment related contributions to local West Oakland diesel emissions to less than significant levels ...."

- MM 4.4-5: "Major developers shall fund on a fair share basis BAAQMD – recommended feasible Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations, as well as all CAP [Clean Air Plan] TCMs the BAAQMD has identified as appropriate for local implementation ...."

- MM 4.4-6: "...the City and Port shall implement sustainable development policies and strategies related to new development design and construction..."

- MM 5.4-1: "The City and the Port shall encourage, lobby, and potentially participate in emission reduction demonstration projects that promote technological advances in improving air quality..."

- MM GCC-1: "The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval. The applicant shall implement the approved GHG Reduction Plan..."

- Some of the mitigation measures include language that would require emission reduction actions only if low emission equipment or strategies are "readily available" or "cost effective".

To date, neither the City nor the Port has developed or funded the emission reduction programs identified above or developed any criteria to determine when low emission equipment or strategies are "readily available" or "cost effective." The Air District recommends that the Port develop the emission reduction programs and guidance identified above in a forum that seeks public input prior to acting on this Project. The Air District believes that any resolution adopted by the Board relative to this project should include clear language and direction to staff and the proposed tenants/operators that ensures the maximum use of zero and near zero emission equipment at the time of building permit issuance, and requires upgrades into the future as fully zero emissions equipment options become available.

To assist the Board, City and Port in determining what is "readily available" or "cost effective," the Air District has attached its draft "BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base," (August 2017) document. The Air District is currently finalizing this document in consultation with both Port and City staff and expects some minor changes to it based on those discussions. However, the technology suggestions in this document

have been reviewed by the California Air Resources Board and represent what the Air District believes to be most protective of community health and air quality relative to equipment that is currently and reasonably available.

West Oakland remains the most disproportionately impacted community in the Bay Area due in part to its proximity to the Port. Since 2001, the Air District has invested over 80 million dollars of public funds to reduce diesel particulate matter (DPM) emissions from Port truck, maritime and rail operations and over $50 million to reduce emissions on adjacent highways. In 2018, the Air District projects another approximately $70 million dollars in incentive funds will be available for the purchase of zero and near zero emission equipment and technologies that could be used at the Port and OAB. The Air District stands ready to assist current and prospective tenants/operators at the Port and OAB in taking advantage of these funds.

However, these incentives alone cannot address the air quality related health issues in the West Oakland community. It is important that the Board play a leadership role in reducing the impacts of the Port's operations by directing its staff to honor the spirit and letter of the mitigation measures required in the SCA/MMRP. This includes specifying requirements for zero and near zero equipment and operations as part of new leases and ordinances.

Air District staff is available to assist the Board or Port staff with questions about these comments. If you have any questions, please contact Alison Kirk, Senior Planner, at (415) 749-5169 or akirk@baaqmd.gov.

Sincerely,

Damian Breen
Deputy Air Pollution Control Officer

Attachment: BAAQMD Emissions Reductions Actions for the Port of Oakland/Former Oakland Army Base – Draft Document (August 2017)

cc: BAAQMD Director Pauline Russo Cutter
BAAQMD Director Scott Haggerty
BAAQMD Director Rebecca Kaplan
BAAQMD Director Nate Miley
Cynthia Marvin, California Air Resources Board
Claudia Cappio, City of Oakland
Richard Grow, EPA
Matt Lakin, EPA
Ben Machol, EPA

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 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 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 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 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 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 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 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 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 2023. In 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 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 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 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 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. Incorporate conditions into lease agreements with BNSF and/or UP to ensure that switch locomotives meet a minimum Tier 4 emissions level by 2023.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 https://www.arb.ca.gov/msprog/tech/techreport/freight_locomotives_tech_report.pdf.

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.

DRAFT

Message

From: McGowan, Patricia [PMcGowan@oaklandnet.com]
Sent: 8/17/2017 6:19:58 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Agenda and Information for OAB Stakeholder meeting August 23, 2017

Hi Richard,
It's the attachment called "response to comments".

Patricia

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

---

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Thursday, August 17, 2017 10:08 AM
To: McGowan, Patricia <PMcGowan@oaklandnet.com>
Subject: FW: Agenda and Information for OAB Stakeholder meeting August 23, 2017

Patricia – could you clarify which of the attachments is the "memo which summarizes some of the key components of this Plan" mentioned in your note below ?

Thanks

Richard

From: McGowan, Patricia [mailto:PMcGowan@oaklandnet.com]
Sent: Wednesday, August 16, 2017 3:52 PM
To: Brian Beveridge Personal Email / Ex. 6 Margaret Gordon Personal Email / Ex. 6 Robyn Hodges Personal Email / Ex. 6 en Houston Personal Email / Ex. 6 ess Dervin-Ackerman <Jess@sfbaysc.org>; Jahmese Myres <jahmese@workingeastbay.org>; Gene Hazzard Personal Email / Ex. 6 Ray Kidd Personal Email / Ex. 6 Steve Low Personal Email / Ex. 6 >; Kate O'Hara <kate@workingeastbay.org>; Mark McClure <mmcclure@californiagroup.com>; Megan Morodomi <mmorodomi@californiagroup.com>; Cory Chung <cchung@prologis.com>; Jeff Major Personal Email / Ex. 6 Maile Smith <Maile.smith@ngem.com>; James Heilbronner <jamesh@archdim.com>; Joanne Park <joannep@archdim.com>; Brent Bucknum Personal Email / Ex. 6 Bill Aboudi <bill@oaklandmss.com>; Momina Jalil <momina@cecginc.com>; jbroadbent@baaqmd.gov; Henry Hilken <Hhilken@baaqmd.gov>; Alison Kirk <akirk@baaqmd.gov>; Jean Roggenkamp <jroggenkamp@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Cynthia Marvin <cynthia.marvin@arb.ca.gov>; Robbie Morris <robbie.morris@arb.ca.gov>; Richard Boyd <richard.boyd@arb.ca.gov>; Elizabeth Yura <elizabeth.yura@arb.ca.gov>; Grow, Richard <Grow.Richard@epa.gov>; Anna Lee <Anna.lee@acgov.org>; Rebecca Flournoy <rebecca.flournoy@acgov.org>; Stuart Sonnenburg <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; Diane Heinze <dheinze@portoakland.com>; Andrea Gardner <agardner@portoakland.com>
Subject: Agenda and Information for OAB Stakeholder meeting August 23, 2017

Hello OAB Stakeholders,

Attached please find the agenda for the Stakeholder meeting next week. I have also attached the AQ plan which was distributed for public review on August 4, 2017 (attached herein just for convenience since it's the same one you received via e-mail on August 4) and a memo which summarizes some of the key components of this Plan. Some of you have e-mailed with questions about the Plan and I apologize for my delayed or lack of response; I was out on vacation. I hope this e-mail and the attachments will respond to your questions.

I'd would also like to provide some context about the draft air quality plan which was distributed for public review on August 4, 2017.

This is the third air quality plan that we have reviewed. The first was in 2013 and it was for the construction of the new roads, utilities and general infrastructure including upper Maritime Road, Burma Road, the road out to the future East Bay Regional Park (Gateway Park) etc. The second was for the construction of the first Prologis building on the Northeast Gateway site. And now this is the third one, and it will be used to guide the construction of the remaining two Prologis sites, called the Southeast Gateway and the New Central Gateway. There is a site plan on page 2 of the Plan showing the location of these sites.

Each time the plans have started with the City's list of conditions related to improving air quality during construction and the list of recommendations from the BAAQMD in the CEQA Guidelines. Then the applicant prepared a plan based on these lists of specific actions and additional air quality measures which the applicant proposed. At that point, the plans were released for public review, per the MM PO-1, and comments were received from yourselves: the agencies, the WOEIP and other stakeholders. The City and the applicant then worked on the plans again, sometimes with meetings with the agencies, e-mails, discussions, etc. And then another version, or versions, of the plan were submitted for the City to consider.

The Plans were enhanced by adding more measures to reduce emissions from construction equipment and reduce air quality impacts during construction. The comments of the agencies and the stakeholders were considered, studied and evaluated, and revised Plans were ultimately approved by the City Administrator.

Now we have the third such Plan to reduce emissions and air quality impacts during the construction of remaining two Prologis sites. The applicant submitted the Plan to the City in March 2017. Knowing that the agencies and stakeholders have already done a lot of work giving comments on the past two such Plans, the City undertook more staff work on this Plan before we started the official public review per MM PO-1. Staff worked on an administrative draft Plan with the applicant, and then had a staff-to-staff working session on the administrative draft in May. Discussions and comments from that meeting were subsequently considered and studied by the applicant and City staff. And now a Plan has been submitted which is ready for the official public review period, as outlined in MM PO-1.

So as to facilitate your review of this Plan, I have attached a table which shows the comments/recommendations resulting from the staff-to-staff review, and how the Plan has incorporated the recommendations, or a response as to why it is difficult or infeasible to do so. Hopefully this will make your review of the Plan easier.

We will discuss this Plan at next week's Quarterly Stakeholder meeting (August 23, 2017). Prologis will describe the Plan, how it has been enhanced based on past input, and we can discuss its specifics. We hope this will be a good working session.

I have attached the Plan to this e-mail, for your ease. It is the same Plan you received as an attachment to the Notice of Availability of this Plan, sent via e-mail of August 4, 2017. I have also attached a table which might help your review of the Plan. Along with the agenda, attached herein, this is all we have to distribute prior to the meeting. The report on air quality monitors is available at http://ngem.com/OAB_AQM/.

I hope this description helps and I hope you will be able to come to the Stakeholder meeting on Aug. 23.

Patricia

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

From: Zimpfer, Amy [Zimpfer.Amy@epa.gov]
Sent: 11/2/2017 8:13:28 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Re: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

Thanks. Also seems truck parking Enforcement might be needed too?

Amy Zimpfer, Associate Director
USEPA, Region 9, Air Division
zimpfer.amy@epa.gov
+1 415.947.4146

Sent from my iPhone

On Nov 2, 2017, at 11:42 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Zimpfer, Amy
Sent: Thursday, November 02, 2017 10:52 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: Fwd: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

What do you know about this?

Amy Zimpfer, Associate Director
USEPA, Region 9, Air Division
zimpfer.amy@epa.gov
+1 415.947.4146

Sent from my iPhone

Begin forwarded message:

From: "Port of Oakland" <portofoakland@public.govdelivery.com>
Date: November 2, 2017 at 8:03:40 AM PDT
To: zimpfer.amy@epa.gov
Subject: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track
Reply-To: portofoakland@public.govdelivery.com

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
concerns about big rig traffic on streets in West Oakland. The agencies say they anticipate a n
West Oakland Truck Management Plan by the fall of 2018 that will address trucking problems i
area. The goal: steer heavy truck traffic away from West Oakland residences bordering the Por

"This will be a plan that relies on community input to address truck circulation and parking," sai
Patricia McGowan, Senior Planner for the City of Oakland Planning and Building Department.
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 cond
by the City and Port. About 100 people attended to provide their views on diesel-powered sem
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 near
freeways, he said. But truckers in search of fuel, food or repairs, sometimes detour through ne
West Oakland.

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

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

The City and Port said they are already taking steps to steer freight-haulers away from resident
neighborhoods. Truck service centers are planned at the Port and at an adjacent City develop

so that drivers won't have to venture into West Oakland for fuel, food and other services. Overn 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 Lo Square. Together with its business partners, the Port supports more than 73,000 jobs in the region and nearly 827,000 jobs acr United States. Connect with the Port of Oakland and Oakland International Airport through Facebook, or with the Port on Twitte 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

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PORT OF OAKLAND

Questions? Contact Us

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

Message

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 1/16/2018 8:06:48 PM
To: Brian Beveridge Personal Email / Ex. 6
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: RE: MAQIP engagement criteria

Hi Brian, Thanks for the quick response.
Thursday at 2:00 p.m.?
Richard

From: Brian Beveridge [mailto Personal Email / Ex. 6
Sent: Tuesday, January 16, 2018 12:00 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>; Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>
Subject: RE: MAQIP engagement criteria

Richard
I have meetings from 2 to 7 this afternoon. Wed between 1 and 3 would work. Or times on Thursday.
Thank you.
Brian

On Jan 16, 2018 11:53 AM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

> Good morning, Brian,
>
> Thank you for your e-mail. I am sorry that WOEIP elected to not join the conversation this morning; however, we do hear your concerns.
>
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>
> I will reach out to you by phone this afternoon. We are concurrently reviewing the engagement criteria that WOEIP presented to the Port last week.
>
> Are you available this afternoon for a chat?
>
> Best,
>
> Richard

From: Brian Beveridge [mailto: Personal Email / Ex. 6
Sent: Monday, January 15, 2018 7:16 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>; Scott McCreary <scott@concurinc.net>; Chris Lytle <clytle@portoakland.com>
Cc: Margaret Gordon Personal Email / Ex. 6 Richard Grow <grow.richard@epa.gov>; David Vintze <DVintze@baaqmd.gov>; Lee, Anna, Public Health, CAPE <Anna.Lee@acgov.org>
Subject: MAQIP engagement criteria

Hello Richard and Scott

Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

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This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

From: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 1/29/2018 12:46:14 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Re: Phone access good: Oakland Drafts with DOT and R9 comments

Okay Richard. Thanks

Sent from my iPhone

On Jan 28, 2018, at 5:36 PM, Grow, Richard <Grow.Richard@epa.gov> wrote:

> Hi Kurt, looks like good phone access here Personal Phone / Ex. 6 so call anytime. I've downloaded the doc representing your attempt at cleaning up which I assume is what you and Ryan will be working from. For sure I'll pick up anytime after 10:30 your time (7:30 mine), before then may be OK also. Hope to hear from you sometime Monday even if you and Ryan get things worked out without calling. Thanks
>
> Richard
>
> _____
> From: Temple, Kurt
> Sent: Sunday, January 28, 2018 6:54 AM
> To: O'Lone, Mary
> Cc: Rhodes, Julia; Keeler, Katsumi; Dorka, Lilian; Grow, Richard
> Subject: Re: Oakland Drafts with DOT and R9 comments
>
> Thanks. There is no call. Just a work session. Richard is making himself available by phone as needed. If you give us a number, we can contact you as needed as we work through.
>
> Sent from my iPhone
>
> On Jan 26, 2018, at 5:51 PM, O'Lone, Mary <OLone.Mary@epa.gov<mailto:OLone.Mary@epa.gov>> wrote:
>
> Kurt-
> In anticipation of the meeting Monday morning, here is what I was able to do.
> Given that the discussion is 9:30 am Monday morning, I am ccing Richard since it is already late on Friday.
>
> Is there a conference line for Monday morning? I am working from home, but would like to be on the call. I can answer any questions you might have about my comments which may make the next round of review a bit easier.
>
> Thanks, Mary
>
> Mary M. O'Lone
> Civil Rights and Finance Law Office
> Office of General Counsel, US EPA
> 1200 Pennsylvania Avenue, NW
> Washington, DC 20460
> (202) 564-4992

From: Temple, Kurt
Sent: Thursday, January 25, 2018 11:59 AM
To: O'Lone, Mary <OLone.Mary@epa.gov<mailto:OLone.Mary@epa.gov>>
Cc: Rhodes, Julia <Rhodes.Julia@epa.gov<mailto:Rhodes.Julia@epa.gov>>; Keeler, Katsumi <Keeler.Katsumi@epa.gov<mailto:Keeler.Katsumi@epa.gov>>; Dorka, Lilian <Dorka.Lilian@epa.gov<mailto:Dorka.Lilian@epa.gov>>
Subject: Oakland Drafts with DOT and R9 comments

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks for your help!

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: Tuesday, January 23, 2018 12:55 PM
To: Temple, Kurt <Temple.Kurt@epa.gov<mailto:Temple.Kurt@epa.gov>>
Cc: Garnett, Desean <Garnett.Desean@epa.gov<mailto:Garnett.Desean@epa.gov>>; Israels, Ken <Israels.Ken@epa.gov<mailto:Israels.Ken@epa.gov>>; Reyes, Deldi <Reyes.Deldi@epa.gov<mailto:Reyes.Deldi@epa.gov>>
Subject: R9 W.O. comments on res. agreement

Kurt

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Richard
Office: (415) 947-4104
Cell: Personal Phone / Ex. 6
<Oakland Draft Informal Resolution Agreement EPA Reconciliation of DOT R9 edits 2018.1.25 (002).mmo.docx>

From: Zimpfer, Amy [Zimpfer.Amy@epa.gov]
Sent: 11/2/2017 5:52:13 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Fwd: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track

What do you know about this?

Amy Zimpfer, Associate Director
USEPA, Region 9, Air Division
zimpfer.amy@epa.gov
+1 415.947.4146

Sent from my iPhone

Begin forwarded message:

From: "Port of Oakland" <portofoakland@public.govdelivery.com>
Date: November 2, 2017 at 8:03:40 AM PDT
To: zimpfer.amy@epa.gov
Subject: Port of Oakland press release: City, Port of Oakland work with neighbors to get trucks on track
Reply-To: portofoakland@public.govdelivery.com

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

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PORT OF OAKLAND

Questions? Contact Us

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

Message

From: Brian Beveridge Personal Email / Ex. 6
Sent: 1/16/2018 7:59:58 PM
To: rsinkoff@portoakland.com
CC: Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]; Margaret Gordon Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
Subject: RE: MAQIP engagement criteria

Richard
I have meetings from 2 to 7 this afternoon. Wed between 1 and 3 would work. Or times on Thursday.
Thank you.
Brian

On Jan 16, 2018 11:53 AM, "Richard Sinkoff" <rsinkoff@portoakland.com> wrote:

Good morning, Brian,

Thank you for your e-mail. I am sorry that WOEIP elected to not join the conversation this morning; however, we do hear your concerns.

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Sincerely, Brian Beveridge

From: Richard Sinkoff [rsinkoff@portoakland.com]
Sent: 1/16/2018 7:53:09 PM
To: Brian Beveridge Personal Email / Ex. 6 Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]
CC: Margaret Gordon Personal Email / Ex. 6 Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]; Amy Tharpe [atharpe@portoakland.com]; Laura Arreola [larreola@portoakland.com]
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Appointment

From: adeguzman@baaqmd.gov [adeguzman@baaqmd.gov]
Sent: 10/11/2017 5:23:33 PM
To: 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 Personal Email / Ex. 6 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| Cell: Personal Phone / Ex. 6
adeguzman@baaqmd.gov| www.baaqmd.gov

From: Yura, Elizabeth@ARB [eyura@arb.ca.gov]
Sent: 1/16/2018 6:22:03 PM
To: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]; Grow, Richard [Grow.Richard@epa.gov]; Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]
Subject: RE: RSVP: Availability for interagency call about MAQIP

Hi all, I'm back from DC and finally have access to my email again (CARB server migration late last week totally cut off my access! Errrrr).

I can do a call today around 3:15 (I have a quick meeting at 3pm I need to attend), or tomorrow at 9am. Let me know if either of those work!

Elizabeth Yura
Chief, Freight Activity Branch
California Air Resources Board
Direct: (916) 322-8277
Branch Line: (916) 323-4327
Elizabeth.Yura@arb.ca.gov

-----Original Message-----
From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Friday, January 12, 2018 8:51 PM
To: Grow, Richard <Grow.Richard@epa.gov>; Marvin, Cynthia@ARB <cynthia.marvin@arb.ca.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Subject: RE: RSVP: Availability for interagency call about MAQIP

Thanks Richard. CONCUR's response to the rushed timeline is that Richard Sinkoff is pushing for a process (3 meetings over the next 3 months) to get advice before he submits for some grant applications and that the scope to be around reviewing the strategies to get to the last ~10% of emissions reduction to achieve the 85% by 2020. They also said that they hadn't seen the Viveka report until a couple days ago and were surprised that they weren't interviewed for it. But they have it and will forward it. I told them I don't get why they need to convene the whole MAQIP structure and process right now. So much has changed (updated health thresholds, new air monitoring studies) and we're so close to 2020 that they're better off committing to a new stronger goal, coordinating with other planning processes like AB 617 process. I also brought up that given there's a lot of mistrust from the past process, that the Port's going to have to really show how they're going to be transparent and accountable to the community for them to stay at the table. That's going to be hard when things are moving so quickly.

Didn't hear that Jean retired! She was the MAQIP rep, right? Too bad we're losing that institutional memory.

Anna Lee
Local Policy Coordinator
Alameda County Public Health Department
1000 Broadway, Suite 500
Oakland, CA 94607
anna.lee@acgov.org | Phone: (510) 267-8019 _____
From: Grow, Richard [Grow.Richard@epa.gov]
Sent: Friday, January 12, 2018 7:33 AM
To: Lee, Anna, Public Health, OOD; Marvin, Cynthia@ARB; Yura, Elizabeth@ARB
Subject: RE: RSVP: Availability for interagency call about MAQIP

Anna - Thanks, still juggling dates. Some questions we plan to explore in our "interview" with CONCUR; no way is this just us being "surveyed":

- What's the rush ?
- if "reconvene" (their project description), EIP again as co-chair ?
- co-chairs involved in (1) defining project, (2) setting schedule, (3) setting agenda ?
- when/where will there be open discussion of 2009 evaluation ? (we don't want this just one on one, needs open discussion)
- Can we see 2016 report by Viveka/Anuja ? (Scott mentioned it in an email to EIP) ?
- Status of response to EIP criteria (provided to Port/CONCUR on 1/8) ?
- We see a role for IWG; has that been considered, provided for ? Is ther time for us to regroup the IWG ? if not, why not ?
- etc.

Overall the questions go to how deep, serious or meaningful is this upcoming exercise ? If it is truly substantive, why not take time, design and do it right ? If not, why bother with a TF ?

Meeting with BAAQMD this aft on AB617, maybe learn more about their thoughts on MAQIP (Greg Nudd, replacing Jean who retired, designated by Jack B as their rep on TF.)

Richard

From: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]
Sent: Thursday, January 11, 2018 8:58 PM
To: Marvin, Cynthia@ARB; Grow, Richard; Yura, Elizabeth@ARB
Subject: RE: RSVP: Availability for interagency call about MAQIP

Hi everyone,

Happy New Year! I can talk Tuesday, 3-4pm and Wednesday 9-10 or 11-12. There's a chance I can talk Tuesday before 11am, but I'm still waiting to hear back about another meetings, so I want to hold that time for now. By the way, Dr. Davis and I are talking to Concur tomorrow at 3pm. I haven't received an invitation for 1/26 either.

Thanks
Anna

Anna Lee
Local Policy Coordinator
Alameda County Public Health Department
1000 Broadway, Suite 500
Oakland, CA 94607
anna.lee@acgov.org | Phone: (510) 267-8019

From: Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]
Sent: Thursday, January 11, 2018 5:00 PM
To: Grow, Richard; Yura, Elizabeth@ARB; Lee, Anna, Public Health, OOD
Subject: RE: RSVP: Availability for interagency call about MAQIP

I am totally booked during your times, but Liz may have a bit more flexibility. She's in DC and may need more time than usual to respond.
Cyn

PS, Hi Anna, happy new year!

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Thursday, January 11, 2018 3:29 PM
To: Marvin, Cynthia@ARB <cynthia.marvin@arb.ca.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>; 'Lee, Anna, Public Health, CAPE' <Anna.Lee@acgov.org>
Subject: RSVP: Availability for interagency call about MAQIP

Cynthia, Elizabeth and Anna

We have just responded to the Port/CONCUR invite to join this round of the MAQIP task force, but also told them we are talking with the agencies who made up the IWG on the previous MAQIP effort and may need time to have those discussions, which may impede their planned first (of three) meetings set for January 26 (for which we have not seen an invitation). I've heard back from Jack B that he agrees there should be an IWG again this time and it should have some discussion before the MAQIP TF is convened. He also identified Greg Nudd as the main rep on the TF, though Jack intends to act as one of the co-chairs of the TF, as BAAQMD (and EIP) did last time.

This note is to see whether you are available for a first rather informal conversation next Tuesday or Wednesday at any of the times listed below. For now we see the IWG as including only the environmental/health agencies (ie not the City or Port) meaning CARB, BAAQMD, ACPHD and EPA. Attaching EIP conditions as of Monday when presented to Port and the current CONCUR project description.

Times:

Tuesday 1/16: 10-12, 1-2, 3-4
Wednesday 1/17: 9-10, 11-12

If none of these work we may have to consider Thursday morning, but sooner would be good.

Thanks
Richard
Cell: Conference Line/Code / Ex. 6

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 7/18/2017 11:21:26 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Ltr to City/Port: 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)

Thanks Richard. What happens next?

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: Tuesday, July 18, 2017 4:07 PM
To: LUEHE, DOUGLAS <luehe.douglas@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>
Cc: Johnson, Kathleen <Johnson.Kathleen@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Israels, Ken <Israels.Ken@epa.gov>
Subject: Ltr to City/Port: 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

From: Dorka, Lilian
Sent: Tuesday, July 18, 2017 3:52 PM
To: officeofthemayor@oaklandnet.com; colbruno@portcommissioner.com
Cc: Rivera, Yvette (OST); Charles.james@dot.gov; Jang, Deeana (OST); Fitzpatrick, Ryan (OST); 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
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)

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: O'Lone, Mary [OLone.Mary@epa.gov]
Sent: 1/26/2018 5:48:05 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Israels, Ken [Israels.Ken@epa.gov]
Subject: RE: Is West Oakland the same as Richmond/San Pablo in CRAE report?

Thanks. I found West Oakland in the CARE stuff a few minutes ago.
I was panicking I had mis-remembered & was saying stuff about West Oakland that wasn't true.

By the way - did you all fact check the stuff that City/Port or ECRCO inserted?
I am looking at the paragraph that describes a CARB HRA conducted in 2008.
Do you have a copy of that HRA? It isn't discussed in the CARE report -- all I see is the HRA started in 2006 and published in 2008 that uses 2005 PM data.

Thanks, Mary

Mary M. O'Lone
Civil Rights and Finance Law Office
Office of General Counsel, US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

-----Original Message-----
From: Grow, Richard
Sent: Friday, January 26, 2018 12:42 PM
To: O'Lone, Mary <OLone.Mary@epa.gov>
Cc: Israels, Ken <Israels.Ken@epa.gov>
Subject: RE: Is West Oakland the same as Richmond/San Pablo in CRAE report?

All are in the same metro Bay Area covered by the air district and the CARE analysis, but also all different. Richmond and West Oakland both CARE areas, don't recollect if "San Pablo" was. BAAQMD says West Oakland is the worst of all with regard to air pollution driven risk.

From: O'Lone, Mary
Sent: Friday, January 26, 2018 8:59 AM
To: Grow, Richard
Cc: Israels, Ken
Subject: Is West Oakland the same as Richmond/San Pablo in CRAE report?

Richard & Ken-
I think I have been have been conflating West Oakland with Richmond/San Pablo.
Are they the same place? Is West Oakland ones of the places BAAQMD found was disproportionately impacted in the CARE analysis?

Thanks, Mary

Mary M. O'Lone
Civil Rights and Finance Law Office
Office of General Counsel, US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 5/23/2017 11:10:00 PM
To: Grow, Richard [Grow.Richard@epa.gov]; Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]; David Vintze [DVintze@baaqmd.gov]; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) [cynthia.marvin@arb.ca.gov]; Elizabeth Yura (eyura@arb.ca.gov) [eyura@arb.ca.gov]; Margaret Gordor Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
Subject: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - May 25 moved to June

Hello,

Mobile Source Committee meeting agenda item: Update on Prologis Developments at Oakland Army Base has been moved to June. I am not certain of exact date yet – will let you know when I hear back from clerk.
Alison Kirk
Senior Environmental Planner
415-749-5169

From: Alison Kirk
Sent: Wednesday, March 22, 2017 3:04 PM
To: 'Grow, Richard' <Grow.Richard@epa.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) <cynthia.marvin@arb.ca.gov>; Elizabeth Yura (eyura@arb.ca.gov) <eyura@arb.ca.gov> Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Currently scheduled for April 27 at 9.30 am.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Wednesday, March 22, 2017 2:55 PM
To: Alison Kirk <AKirk@baaqmd.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) <cynthia.marvin@arb.ca.gov>; Elizabeth Yura (eyura@arb.ca.gov) <eyura@arb.ca.gov>; Margaret Gordor Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Ah, too bad. Do you know the date of that meeting ?

Richard

From: Alison Kirk [mailto:AKirk@baaqmd.gov]
Sent: Wednesday, March 22, 2017 2:53 PM
To: Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; David Vintze <DVintze@baaqmd.gov>; Grow, Richard <Grow.Richard@epa.gov>; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) <cynthia.marvin@arb.ca.gov>; Elizabeth Yura (eyura@arb.ca.gov) <eyura@arb.ca.gov>; Margaret Gordor Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Hello all,

Dave asked me to email you and let you know that this item has been tabled until the next meeting of the Mobile Source Committee.

P.S. Yes, we record the meetings (and webcast!)

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Wednesday, March 22, 2017 2:11 PM
To: David Vintze <DVintze@baaqmd.gov>; Grow, Richard (Grow.Richard@epa.gov) <Grow.Richard@epa.gov>; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) <cynthia.marvin@arb.ca.gov>; Elizabeth Yura (eyura@arb.ca.gov) <eyura@arb.ca.gov>; Margaret Gordon Ex. 6 - Personal Privacy veridge Ex. 6 - Personal Privacy lison Kirk <AKirk@baaqmd.gov>
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Hi Dave,

Thanks for the heads up. I have an internal staff meeting that conflicts. Are your committee meetings recorded?

Anna

From: David Vintze [mailto:DVintze@baaqmd.gov]
Sent: Tuesday, March 21, 2017 11:21 AM
To: Grow, Richard (Grow.Richard@epa.gov) <Grow.Richard@epa.gov>; Marvin, Cynthia@ARB (cynthia.marvin@arb.ca.gov) <cynthia.marvin@arb.ca.gov>; Elizabeth Yura (eyura@arb.ca.gov) <eyura@arb.ca.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; Margaret Gordon Ex. 6 - Personal Privacy Ex. 6 - Personal Privacy Alison Kirk <AKirk@baaqmd.gov>
Subject: FW: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Hello Everyone – the process for submitting the letter that we have discussed recently to the Mayor and City Council is moving forward. The first action is to brief our Mobile Source Committee this Thursday on our frustrations working with the City and the Port through the Stakeholder process and the failure to implement the mitigation measures in the OAB CEQA documents and the LDDA. We are informing the Board members that we are going to reach out to the other members of the Stakeholder group to possibly sign onto a joint letter or to voice support for our letter. The email string below is Damian's outreach to his working group on the Port letting them know about the upcoming meeting. You are all welcome and encouraged to come and express your thoughts as I am sure the Port, City and developer will. Dave

---

From: Damian Breen
Sent: Tuesday, March 21, 2017 10:36 AM
To: Phil Tagami <tagami@californiagroup.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; CCappio@oaklandnet.com; Cole, Doug <DCole@oaklandnet.com>
Cc: Jean Roggenkamp <jroggenkamp@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Henry Hilken

<HHilken@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Apologies, one minor edit below

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: Damian Breen
Sent: Tuesday, March 21, 2017 10:20 AM
To: 'Phil Tagami' <tagami@californiagroup.com>; Richard Sinkoff <rsinkoff@portoakland.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; CCappio@oaklandnet.com; Cole, Doug <DCole@oaklandnet.com>
Cc: Jean Roggenkamp <jroggenkamp@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Henry Hilken <HHilken@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Dear Mr. Tagami,

As you are aware, Air District staff has been working with the Air Quality Stakeholder group (Air District, EPA, ACDPH, ARB & WOEIP) that the Oakland City Council set up to assist in the implementation of the mitigation measures approved by the City Council and included in the Lease Disposition and Development Agreement (LDDA) for the former Oakland Army Base (OAB).

Both the Air District and these stakeholders have raised numerous concerns over the past 40 + months that the operational emission reduction plans and programs called for in the mitigation measures and LDDA, have not been prepared. If implemented, these mitigation measures would substantially lessen the significant air quality impacts and adverse health impacts that will occur in the West Oakland Community as a result of development at the OAB.

In addition, without these mitigation measures being implemented, years of work and tens of millions of dollars expended by the Air District and others to reduce toxic air emissions and health impacts in the West Oakland Community will receive a major set-back. The operational plans and programs required by the mitigation measures and the LDDA should have been developed years ago to ensure the infrastructure was in place to support the zero and near zero emission technologies envisioned at the OAB and Port of Oakland. The Air District and other Stakeholders are concerned that the operational mitigation measures will never be implemented as promised and the most community most disproportionately impacted by toxic Air Contaminants in the Bay Area will be further impacted.

We plan to discuss this with our Board of Directors before taking further action.

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: Phil Tagami [mailto:tagami@californiagroup.com]
Sent: Monday, March 20, 2017 5:05 PM
To: Damian Breen <dbreen@baaqmd.gov>; Richard Sinkoff <rsinkoff@portoakland.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; CCappio@oaklandnet.com; Cole, Doug <DCole@oaklandnet.com>
Cc: Jean Roggenkamp <jroggenkamp@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Henry Hilken <HHilken@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: RE: Bay Area Air Quality Management District's Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Damian

Thanks for the notice we will look to have the appropriate representatives present.

There are not any issues that we are aware of from the 40+ months of the delivery of the infrastructure program and related construction activity. Specifically the MMRP/SCA program and specific Air monitoring Program http://ngem.com/OAB_AQM/ has been conducted by Northgate in close coordination with BAAQMD staff.

Could I ask you to expand in writing on your "concerns about the City's and developers' implementation of CEQA mitigations in the redevelopment of the Former Oakland Army Base."

Your response before the 3/23/17 hearing would be appreciated.

Respectfully,

Tagami

Phil Tagami
CEO & President
CALIFORNIA CAPITAL & INVESTMENT GROUP
Office 510.463.6343
tagami@californiagroup.com

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This e-mail, including any attachments hereto, is intended for use solely by the addressee(s) named herein. If you are not a named addressee of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail and of any attachments hereto is strictly prohibited. If this e-mail has been transmitted to you in error, please immediately notify us by telephone at (510) 268-8500 or via e-mail at tagami@californiagroup.com, and permanently delete the original and any copy of this e-mail and destroy any printout thereof. Thank you for your cooperation.

From: Damian Breen [mailto:dbreen@baaqmd.gov]
Sent: Monday, March 20, 2017 4:37 PM
To: Richard Sinkoff <rsinkoff@portoakland.com>; Ranelletti, Darin <DRanelletti@oaklandnet.com>; CCappio@oaklandnet.com; Phil Tagami <tagami@californiagroup.com>; Ex. 6 - Personal Privacy
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Cc: Jean Roggenkamp <jroggenkamp@baaqmd.gov>; Karen Schkolnick <kschkolnick@baaqmd.gov>; Henry Hilken <HHilken@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>
Subject: Bay Area Air Quality Management Districts Mobile Source Committee to Get Update on Prologis Developments at Oakland Army Base - Thursday - 3/23/17

Dear Colleagues,

I apologize for the late notice but I wanted let you know about an informational item that will be brought to the Air District's Mobile Source Committee (MSC) at its meeting on Thursday, March 23, 2017, at 9:30 am.

The agenda item is intended as a follow-up on an informational presentation in January 2017, which discussed the various efforts by the Port, State, Air District, industry, the local community and others to reduce emissions from the Port, UP railyard and surrounding roadways over the past decade. At this meeting, the Air District will be covering some of the background presented in January, and will also be sharing our concerns about the City's and developers' implementation of CEQA mitigations in the redevelopment of the Former Oakland Army Base.

For your reference, I have attached a link to a staff memo that provides additional background information on this item (item #7): http://www.baaqmd.gov/~/media/files/board-of-directors/2017/msc_agenda_032317-pdf.pdf?la=en

Please let me know if you have any questions,

Regards,

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: Brian Beveridge Ex. 6 - Personal Privacy
Sent: 1/16/2018 6:31:20 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Networking: MAQIP engagement criteria

Right on. Sounds good.
Brian

On Jan 15, 2018 8:56 PM, "Grow, Richard" <Grow.Richard@epa.gov> wrote:
Hi. Don't need you to carry the load on IWG, just thought it might give you one more question to pose to those rushing along in case there is an attempt to cast EIP as the problem holding things up. It's up to the IWG to defend itself and I'm guessing we will. With the T6 complaint still unresolved I feel it is important that our agency not participate in any empty exercises. Thanks

From: Brian Beveridge Ex. 6 - Personal Privacy
Sent: Monday, January 15, 2018 8:49 PM
To: Grow, Richard
Subject: Re: Networking: MAQIP engagement criteria

Hey
Anna was on this email, but I will include ARB in he future. The "response" issue is about how they are willing to suggest change, which I don't really expect to hear much proactively. But, Chris Lytle may be desparate enough about his budget, and the appearance of equity, to actually come to the table.
We'll see what happens next.

The IAW is a good thing. I didn't know we needed to be the ones to make it happen. Will take it under advisement and see what we can do.
Thanks, Brian

On Jan 15, 2018 8:26 PM, "Grow, Richard" <Grow.Richard@epa.gov<mailto:Grow.Richard@epa.gov>> wrote:
Brian

Thanks for sharing this. In order to keep the agencies informed of your views pls also be copying Greg Nudd (replaced Jean R.) and Cynthia and Elizabeth at ARB, Anna at County Health. I forarded your note below to all but Anna, didn't have her email address with.

I believe the agencies will be insisting on a reconvening of the IWG prior to any reconvening of the task force, though no one has flatly stated that at this point (our "interview" is Weds morning and that's our current pla based on discussions with the other agencies). In the meantime I think it's fair for you to ask CONCUR/Port "what about the IWG ?" etc.

I've also had some back and forth with Viveka and Anuja and feel strongly we need an open discussion of what their 2016 report and recommendations were, whether their recommendations are being implemented, and if not why not.

Finally, to state the obvious but sometimes lost amidst the verbiage, what we need to hear from the Port vis a vis these evaluations and recommendations is not simply their "response" but more specifically, what CHANGES are being made.

Be well....

Richard G.

From: Brian Beveridge Ex. 6 - Personal Privacy
Sent: Monday, January 15, 2018 7:16 PM
To: rsinkoff@portoakland.com<mailto:rsinkoff@portoakland.com>; Scott McCreary; Chris Lytle
Cc: Margaret Gordon; Grow, Richard; David Vintze; Lee, Anna, Public Health, CAPE
Subject: MAQIP engagement criteria

Hello Richard and Scott
Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

From: Brian Beveridge Ex. 6 - Personal Privacy
Sent: 1/16/2018 4:49:49 AM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: Re: Networking: MAQIP engagement criteria

Hey
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Finally, to state the obvious but sometimes lost amidst the verbiage, what we need to hear from the Port vis a vis these evaluations and recommendations is not simply their "response" but more specifically, what CHANGES are being made.

Be well....

Richard G.

From: Brian Beveridge Ex. 6 - Personal Privacy
Sent: Monday, January 15, 2018 7:16 PM
To: rsinkoff@portoakland.com; Scott McCreary; Chris Lytle
Cc: Margaret Gordon; Grow, Richard; David Vintze; Lee, Anna, Public Health, CAPE
Subject: MAQIP engagement criteria

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If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

From: Zimpfer, Amy [Zimpfer.Amy@epa.gov]
Sent: 1/25/2018 9:18:03 PM
To: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Swanson, Charles [Swanson.Charles@epa.gov]; Pathak, Priyanka [Pathak.Priyanka@epa.gov]
CC: Valentine, Stephanie [Valentine.Stephanie@epa.gov]; Davidson, Ken [Davidson.Ken@epa.gov]; Kurpius, Meredith [Kurpius.Meredith@epa.gov]
Subject: RE: BAAQMD and AB617 & MAQIP

Deliberative Process / Ex. 5

From: BANDROWSKI, MIKE
Sent: Thursday, January 25, 2018 12:58 PM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Swanson, Charles <Swanson.Charles@epa.gov>; Pathak, Priyanka <Pathak.Priyanka@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Interesting. Seems like it would be simpler to just develop a woodstove changeout program similar to the West Coast Diesel Initiative.

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: Zimpfer, Amy
Sent: Thursday, January 25, 2018 11:14 AM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Swanson, Charles <Swanson.Charles@epa.gov>; Pathak, Priyanka <Pathak.Priyanka@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Thanks. One more tidbit from a conversation I had with Allan Abbs, CAPCOA EO: there continues to be tension between the urban and rural districts, with the concern all the money and attention is going to the large/urban districts. A specific concern is wood smoke. The legislature may be considering a "Rural AB617".

From: Reyes, Deldi
Sent: Thursday, January 25, 2018 10:50 AM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Swanson, Charles <Swanson.Charles@epa.gov>; Pathak, Priyanka <Pathak.Priyanka@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Amy, here are my notes from our session on the 12th. I thought it was an excellent discussion and learned a lot about their approach. In terms of participants, in addition to Greg and later Harry we also had Kate H., and Luz Gomez and

Dave Ralston from the community engagement office. (Dave came in on his day off for the session.) Karen M of ARB was not able to participate after all.

One side note – I am putting together the EJ Spring Training Series and after hearing more about Kate's role I decided to invite her to speak on our citizen science and EJ panel with Ms. Margaret and Tim O'Connor of EDF. She has agreed to do so. More on that later.

Overview
Greg opened by noting the district's achievement of the NAAQS, freeing them to focus on overburdened places. He noted strong Board support for aggressive action. In the context of AB617, a couple of challenges are managing expectations and meeting community needs. Via their CARE approach they have identified priority communities, e.g. West Oakland. The plan is to present to the Board the universe of potential places in March, following a Feb 19 public session with the Exec committee about the list. The board will finalize in July. ARB is on the hook for a state strategy by Oct 1.

Jan 31 public meeting
There was some description of how their public meeting on Jan 31 will flow: ARB and then the district will provide an overview of AB617. There will be a community panel including reps from Bay View Hunters Point, CBE, Ms. Margaret and Fresh Air Vallejo. *[We have engaged with the Vallejo group in the context of the proposed cement plant.]* Their engagement plan is to kick off the input at this meeting, then shift the dialogue to their online platform.

Other relevant items
- The District and OEHHA are working on a **standard for undifferentiated PM2.5**. OEHHA is a couple of months along. This could support a regional analysis.
- **BARCT Review** – The routine review under the Clean Air Plan covers 4K sources (1000 facilities). Due to AB617 they will focus on sources at refineries [perhaps because this is what some of the concerns were about extension of cap and trade that led to passage of AB617?]. Such sources include cat crackers, refinery tanks and wastewater at refineries.
- **Indirect source rule** – an EIR would be required for this, possibly by April ??

Current Community Monitoring Efforts (Kate Hoag)
- Through the District's grants programs, they are working in Vallejo with the "purple air network". (Greg noted they are finding hits there but not sure what the sources are—we did not have time to delve into the details.)
- South Coast invited BAAQMD to participate with them in their STAR grant and through this, BAAQMD is working with the Asian Pacific Environmental Network and Asian Health Services [also a frequent recipient of EJ small grant and current CPS EJ grants for their work with nail salon workers].
- Kate is also managing a contract with TD (Tim Dye) Consulting and Kearns and West re how best to facilitate a community-led air quality monitoring framework.

From our end, we shared info re the Region's RARE/RESES opportunities (Matt Small) and experiences from CARE approach.

From: Zimpfer, Amy
Sent: Thursday, January 25, 2018 9:28 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Thanks for the summaries.

I don't have the latest on how AB617 is playing out in South Coast. Meredith attended a UCLA session in late December focused on monitoring and the district is very involved with communities through-out the district regarding facility based measures and on specific issues such as Exide, Paramount and Compton as well as the update of MATES. Copying Ken Davidson to see if he has anything to add.

Amy

From: BANDROWSKI, MIKE
Sent: Thursday, January 25, 2018 8:41 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Nice summary Richard. The only thing I would add is that both CARB and BAAQMD acknowledge that the AB617 process has a fast moving and complicated set of steps to move it along and that it will be difficult. Both Agencies are hiring people and trying to get up to speed, while quickly moving forward. How they will get from identification of communities, to monitoring, to developing a plan, and to ultimately get reductions is not fully understood. Gregg used the example of the South Park underwear gnomes, which you can look up if you would like, but it seemed apt. It will be interesting to see how this all plays out and where we can provide any support.

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, January 25, 2018 7:48 AM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Amy

Deferring to others to provide their own impressions, I thought it went great, excellent discussion with Greg Nudd on point for BAAQMD, Veronica Eady (ARB/EJ) also attending. No materials that I can recall though I've attached the PPT Greg used the following Wednesday at the BAAQMD Board retreat.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Enforcement Division | Tel 415.972.3795 | reyes.deldi@epa.gov

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To: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
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Deliberative Process / Ex. 5

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Message

From: Brian Beveridge Personal Address / Ex. 6
Sent: 1/16/2018 3:16:11 AM
To: rsinkoff@portoakland.com; Scott McCreary [scott@concurinc.net]; Chris Lytle [clytle@portoakland.com]
CC: Margaret Gordon Personal Address / Ex. 6; Grow, Richard [Grow.Richard@epa.gov]; David Vintze [DVintze@baaqmd.gov]; Lee, Anna, Public Health, CAPE [Anna.Lee@acgov.org]
Subject: MAQIP engagement criteria

Hello Richard and Scott
Unfortunately I will not be attending the interview co-chairs meeting on Tuesday, Jan 16. At our meeting on Monday, Jan 8, I presented a set of engagement criteria and requested that the Port address the issues listed. Perhaps a week was not enough time, but it makes little sense for us as representatives of the community to enter into yet another unilateral planning process with the Port.

Our attendance without a reply to our concerns and expectations would imply that we are satisfied with the process that has been initiated by the Port. Adding the stakeholders after the fact is unacceptable. The Port now wants to rush to judgement on many issues critical to the health of our West Oakland neighbors, all for the sake of meeting a last minute budget deadline. This work could have been undertaken months ago.

This delay, the self-imposed urgency, speaks volumes about the Port's real commitment to true action in the MAQIP Update. It appears that the purpose of this exercise is to get public money while making no real financial or policy commitment by the Port. This is all to familiar.

If the Port administration wishes to meet and discuss real community engagement, we are willing, but this process strikes us as being for appearance sake only and that is not in our interest.

Sincerely, Brian Beveridge

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Sent: Thursday, January 25, 2018 9:28 AM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Davidson, Ken <Davidson.Ken@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Thanks for the summaries.

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Amy

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Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>
Subject: RE: BAAQMD and AB617 & MAQIP

Nice summary Richard. The only thing I would add is that both CARB and BAAQMD acknowledge that the AB617 process has a fast moving and complicated set of steps to move it along and that it will be difficult. Both Agencies are hiring people and trying to get up to speed, while quickly moving forward. How they will get from identification of communities, to monitoring, to developing a plan, and to ultimately get reductions is not fully understood. Gregg used the example of the South Park underwear gnomes, which you can look up if you would like, but it seemed apt. It will be interesting to see how this all plays out and where we can provide any support.

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

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Subject: RE: BAAQMD and AB617 & MAQIP

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Deliberative Process / Ex. 5

One further observation – I think we are still learning about the many ways in which AB617 intersects with a whole host of issues, many of them providing a premise for our partnering with state and local agencies. For instance in the District's own framing of AB617 on the second slide of the PPT BAAQMD acknowledges that the AB617 program has among its many purposes addressing the concerns raised by communities with regard to the cap and trade program.

Along those lines, I am not well informed as to how AB617 is playing out in South Coast, and any information you can share would be appreciated.

Richard

From: Zimpfer, Amy
Sent: Wednesday, January 24, 2018 6:27 PM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>
Subject: RE: BAAQMD and AB617 - Update / Discussion with ARB, EPA

How'd it go? IF there were presentations, can you please send my way? thanks

From: Reyes, Deldi
Sent: Thursday, December 28, 2017 3:06 PM
To: 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>; Zellinger, Andrew <Zellinger.Andrew@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>
Cc: Swanson, Charles <Swanson.Charles@epa.gov>
Subject: BAAQMD and AB617 - Update / Discussion with ARB, EPA

Colleagues, I'm sure most of you are already on ARB's mailing list but just in case, since you are also on the invite for our check in with the District and ARB on Jan 12, check out the latest in the attached.

AB 617 was part of a package of legislation—the mapping tool ARB just released is part of it. There is a filter that is supposed to highlight sources that are subject to AB 617.

RUN—DON'T WALK

Deldi Reyes
Environmental Justice Program Manager | U.S. Environmental Protection Agency | Region 9
Enforcement Division | Tel 415.972.3795 | reyes.deldi@epa.gov

Message

From: Reyes, Deldi [Reyes.Deldi@epa.gov]
Sent: 1/25/2018 6:50:17 PM
To: Zimpfer, Amy [Zimpfer.Amy@epa.gov]; BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]; Swanson, Charles [Swanson.Charles@epa.gov]; Pathak, Priyanka [Pathak.Priyanka@epa.gov]
CC: Valentine, Stephanie [Valentine.Stephanie@epa.gov]; Davidson, Ken [Davidson.Ken@epa.gov]
Subject: RE: BAAQMD and AB617 & MAQIP

Amy, here are my notes from our session on the 12th. I thought it was an excellent discussion and learned a lot about their approach. In terms of participants, in addition to Greg and later Harry we also had Kate H., and Luz Gomez and Dave Ralston from the community engagement office. (Dave came in on his day off for the session.) Karen M of ARB was not able to participate after all.

One side note – I am putting together the EJ Spring Training Series and after hearing more about Kate's role I decided to invite her to speak on our citizen science and EJ panel with Ms. Margaret and Tim O'Connor of EDF. She has agreed to do so. More on that later.

Overview
Greg opened by noting the district's achievement of the NAAQS, freeing them to focus on overburdened places. He noted strong Board support for aggressive action. In the context of AB617, a couple of challenges are managing expectations and meeting community needs. Via their CARE approach they have identified priority communities, e.g. West Oakland. The plan is to present to the Board the universe of potential places in March, following a Feb 19 public session with the Exec committee about the list. The board will finalize in July. ARB is on the hook for a state strategy by Oct 1.

Jan 31 public meeting
There was some description of how their public meeting on Jan 31 will flow: ARB and then the district will provide an overview of AB617. There will be a community panel including reps from Bay View Hunters Point, CBE, Ms. Margaret and Fresh Air Vallejo. *[We have engaged with the Vallejo group in the context of the proposed cement plant.]* Their engagement plan is to kick off the input at this meeting, then shift the dialogue to their online platform.

Other relevant items

- The District and OEHHA are working on a **standard for undifferentiated PM2.5**. OEHHA is a couple of months along. This could support a regional analysis.
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Mike Bandrowski | Manager, Office of Air Toxics, Radiation and Indoor Air
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Enforcement Division | Tel 415.972.3795 | reyes.cieldi@epa.gov

From: BANDROWSKI, MIKE [Bandrowski.Mike@epa.gov]
Sent: 1/13/2018 12:43:43 AM
To: Meredith Cowart [meredith@concurinc.net]
CC: Grow, Richard [Grow.Richard@epa.gov]; Scott McCreary [scott@concurinc.net]
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Wednesday 9-9:30 will be fine. I think I will take the call from one of our conference rooms, so I can either send you the number or you can give me a number to call you. Thanks.

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: Meredith Cowart [mailto:meredith@concurinc.net]
Sent: Friday, January 12, 2018 4:40 PM
To: BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>
Cc: Grow, Richard <Grow.Richard@epa.gov>; Scott McCreary <scott@concurinc.net>
Subject: Re: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Mike,

Let's schedule Wednesday from 9-9:30. Shall we call you at Personal Phone / Ex. 6

Best,

Meredith and Scott

On Fri, Jan 12, 2018 at 3:45 PM, BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov> wrote:

> Meredith- Here are some times next week that will work for Richard and me. Let me know if any of them will work for you. Thanks.
>
> Tuesday: 10-12, 1-2, 3-4
>
> Wednesday: 9-10, 11-12, 3-4
>
> **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:** Meredith Cowart [mailto:meredith@concurinc.net]
> **Sent:** Thursday, January 11, 2018 3:28 PM
> **To:** BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>

Cc: Valentine, Stephanie <Valentine.Stephanie@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Scott McCreary <scott@concurinc.net>
Subject: Fwd: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Mike,

Per your note above, CONCUR would be happy to schedule a 20-40 minute interview with you and/or Richard and Stephanie as needed in the coming few days. We have the following time slots available:

Friday 1/12

8:30 -10:00

10:45-3:15

Tuesday 1/16

11:30 - 4:30

Wednesday 1/17

8:30 - 4:30

Please identify a half hour window during these times that work for you, and let us know what number we can reach you on (or if you'd like a conference line so that multiple parties can dial in).

Attached please find the "MAQIP Update – Task Force Project Description", with background information and draft goals of the MAQIP Update Task Force. Please keep in mind that we expect that these draft goals may change, depending on what we learn in our interviews with you and other MAQIP Task Force Members.

We look forward to speaking with you.

Regards,

Meredith Cowart, Associate

Scott McCreary, Principal

---------- Forwarded message ----------
From: **BANDROWSKI, MIKE** <Bandrowski.Mike@epa.gov>
Date: Thu, Jan 11, 2018 at 2:29 PM
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation
To: "rsinkoff@portoakland.com" <rsinkoff@portoakland.com>, "Zimpfer, Amy" <Zimpfer.Amy@epa.gov>
Cc: Scott McCreary <scott@concurinc.net>, Meredith Cowart <meredith@concurinc.net>, Amy Tharpe <atharpe@portoakland.com>, Laura Arreola <larreola@portoakland.com>, Catherine Mukai <cmukai@portoakland.com>, "Valentine, Stephanie" <Valentine.Stephanie@epa.gov>, "Grow, Richard" <Grow.Richard@epa.gov>, "McDaniel, Penelope" <MCDANIEL.PENELOPE@epa.gov>, "Lakin, Matt" <Lakin.Matthew@epa.gov>

Hi Richard,

Why don't you have CONCUR contact me and I will include Stephanie and Richard, as needed.

We look forward to discussing the topics outlined in your January 5 note to Amy. I'm sure you recall that during the previous MAQIP effort there was an interagency workgroup which included EPA, the Bay Area Air Quality Management Agency, California Air Resources Board and the Alameda County Public Health department. We have been in contact with those agencies and will need time for discussion among the agencies regarding our goals and roles in the upcoming process. While we would hope to not upset your tentative schedule for launching the Task Force, we also feel it is important that the process be carried out in a way that is most likely to be productive and meaningful for the Port, community, relevant agencies and other stakeholders.

If CONCUR would like to contact me and suggest some times for the interview, I can let them know my availability and coordinate with Richard Grow, of my office, whom you may recall from the previous MAQIP work. Please copy him on further emails and materials regarding the MAQIP.

Looking forward to working with you.

Mike

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: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Thursday, January 11, 2018 1:41 PM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>

Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>; BANDROWSKI, MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Lakin, Matt <Lakin.Matthew@epa.gov>
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Amy,

Thank you and by extension Stephanie, Mike and Richard for their support and participation on the MAQIP Task Force.

As a next step, CONCUR will contact Stephanie.

We look forward to working with the EPA team.

Best,

Richard

From: Zimpfer, Amy [mailto:Zimpfer.Amy@epa.gov]
Sent: Thursday, January 11, 2018 11:26 AM
To: Richard Sinkoff <rsinkoff@portoakland.com>
Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>; Valentine, Stephanie <Valentine.Stephanie@epa.gov>; BANDROWSKI,

MIKE <Bandrowski.Mike@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Lakin, Matt <Lakin.Matthew@epa.gov>
Subject: RE: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Hi Richard,

Thank you for the invitation to participate in the updating of the MAQIP. With the MAQIP in its final stage of implementation, it is a good time to work with the community, regulatory agencies and stakeholders to take stock of accomplishments, continuing air pollution issues, and opportunities for additional reductions. We look forward to participating in your effort to update the plan.

To that end, Stephanie Valentine, currently serving as EPA Region 9's Air Division Acting Deputy Director, will represent EPA on the MAQIP Task Force, with Mike Bandrowski as her backup. Stephanie is our lead for air quality issues in the Bay Area, and I believe you know Mike—he is EPA Region 9's Air Toxics, Radiation and Indoor Air Office Chief. Richard Grow will continue to be our staff lead. Stephanie, Mike and Richard can be contacted as follows: valentine.stephanie@epa.gov or 415.972.3014; bandrowski.mike@epa.gov or 415.947.4194; grow.richard@epa.gov or 415.947.4104.

Regards,

Amy

From: Richard Sinkoff [mailto:rsinkoff@portoakland.com]
Sent: Thursday, January 04, 2018 5:16 PM
To: Zimpfer, Amy <Zimpfer.Amy@epa.gov>
Cc: Scott McCreary <scott@concurinc.net>; Meredith Cowart <meredith@concurinc.net>; Amy Tharpe <atharpe@portoakland.com>; Laura Arreola <larreola@portoakland.com>; Catherine Mukai <cmukai@portoakland.com>
Subject: FW: Maritime Air Quality Management Plan (MAQIP) Update: Invitation

Dear Amy,

Happy New Year 2018!

I am writing to invite you to participate in the final updating of the MAQIP. Indeed, we are in the "home stretch" of MAQIP implementation (Years 2018-Year 2020). Based upon the Port's 2015 emissions inventory, MAQIP programs and projects have resulted in a 76% reduction in diesel particulate matter (DPM) over the Year 2005 baseline. This is indeed great progress and we also have more to do. As you recall, the Board committed to an 85% reduction in DPM. The role of the MAQIP Task Force will be primarily to review and discuss emissions reduction measures to achieve the -85% goal.

We are planning three meetings, as follows:

Friday, January 26, 2018: 10:00 a.m.-2:00 p.m.

Friday, February 23, 2018: 10:00 a.m.-2:00 p.m.

Thursday, March 29, 2018: 10:00 a.m.-2:00 p.m.

Scott McCreary, CONCUR, will be following up with you.

We look forward to your anticipated participation.

Sincerely,

Richard

Richard Sinkoff

Director of Environmental Programs and Planning

Port of Oakland

510-627-1182

rsinkoff@portoakland.com

--

Meredith Cowart

Associate

CONCUR, Inc

meredith@concurinc.net

www.concurinc.com

(510) 649-8008

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Meredith Cowart
Associate
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Message

From: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 1/25/2018 3:51:36 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: FW: Oakland Clean Air Action Plan

Richard: See Ryan's note below. Do you have any thoughts regarding this? And if we are to include this concept, where in the Agreement (I assume Section III.B.) we would put it/how it would read, etc.

Thanks, Kurt

From: ryan.fitzpatrick@dot.gov [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, January 24, 2018 4:44 PM
To: Temple, Kurt <Temple.Kurt@epa.gov>
Subject: Oakland Clean Air Action Plan

Hey Kurt:

Deliberative Process / Ex. 5

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: Cappio, Claudia [CCappio@oaklandnet.com]
Sent: 4/27/2017 5:58:18 PM
To: Margaret Gordon; Personal Address / Ex. 6 Brian Beveridge
Personal Address / Ex. 6
CC: 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: Moving forward with air quality and truck management plans

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

From: Margaret Gordon Personal Address / Ex. 6
Sent: 4/27/2017 12:37:42 AM
To: Tom, Pattie (MARAD) [pattie.tom@dot.gov]
CC: Personal Address / Ex. 6 Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]; Kizito-Ramos, Rachel (MARAD) [Rachel.Kizito-Ramos@dot.gov]
Subject: Re: Visit to Oakland Next Week

Dear Pattie,

After our conversation, WOEIP has communication with legal team, they are i in agreement for us to attend the workshop, which would include the legal team as observer and Richard Grow. Please reply.

Ms.Margaret Gordon

On Wed, Apr 26, 2017 at 3:00 PM, Tom, Pattie (MARAD) <pattie.tom@dot.gov> wrote:

Good afternoon Ms. Gordon and Mr. Beveridge,

Margaret- Thank you for returning my telephone call. I am Pattie Tom, Director, Office of Civil Rights, for the Maritime Administration (MARAD). As a follow-up, Ryan Fitzpatrick (whom you met in December 2016) and I will be in Oakland next week, and that we wanted to take advantage of that opportunity to stop by for a brief meet and greet while we were in Oakland. Will you and Mr. Beveridge be available on May 4 in the morning for a visit? We were thinking of 10 am, but are flexible for the morning hours.

MARAD is standing up a Title VI training and technical assistance program for its seaport stakeholders and grantees. As part of that effort, we will be providing training to the Port of Oakland staff next week on May 3.

I can be reached at 202-366-5065. Email: pattie.tom@dot.gov. Cell: 202-306-7233.

Please let us know if you will be available.

V/r,

Pattie Tom

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Address / Ex. 6 Direct line
www.woeip.org

Message

From: Margaret Gordon [Personal Address / Ex. 6]
Sent: 4/26/2017 11:12:10 PM
To: pcort@earthjustice.org
CC: [Personal Address / Ex. 6] Aadeyeye@earthjustice.org; Yana Garcia [ygarcia@earthjustice.org]
Subject: Re: Visit to Oakland Next Week

Yes Paul,

More the merrier, make the party more fun and will have value.

Ms.Margaret

On Wed, Apr 26, 2017 at 4:05 PM, Paul Cort <pcort@earthjustice.org> wrote:

> Very interesting. Would you be open to us joining you? I don't want to scare them away by including lawyers. So if they (or you) don't want us to join, don't cancel on our account. But if we could listen in that would be great.
>
> **From:** Margaret Gordon [mailto [Personal Address / Ex. 6]
> **Sent:** Wednesday, April 26, 2017 [illegible]
> **To:** Yana Garcia; Paul Cort
> **Subject:** Fwd: Visit to Oakland Next Week
>
> FYI,
>
> Ms.Margaret
>
> ---------- Forwarded message ----------
> From: **Tom, Pattie (MARAD)** <pattie.tom@dot.gov>
> Date: Wed, Apr 26, 2017 at 3:00 PM
> Subject: Visit to Oakland Next Week
> To: [Personal Address / Ex. 6]
> [Personal Address / Ex. 6]
> Cc: "Fitzpatrick, Ryan (OST)" <ryan.fitzpatrick@dot.gov>, "Kizito-Ramos, Rachel (MARAD)" <Rachel.Kizito-Ramos@dot.gov>
>
> Good afternoon Ms. Gordon and Mr. Beveridge,

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I can be reached at 202-366-5065. Email: pattie.tom@dot.gov. Cell: Personal Address / Ex. 6

Please let us know if you will be available.

V/r,

Pattie Tom

--

Ms. Margaret Gordon/Co-Director

West Oakland Environmental Indicators Project

349 Mandela Parkway

Oakland, CA 94607

Personal Address / Ex. 6 Direct line

www.woeip.org

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Address / Ex. 6 irect line
www.woeip.org

Message

From: Margaret Gordon [margaret.woeip@gmail.com]
Sent: 4/26/2017 10:55:13 PM
To: Yana Garcia [ygarcia@earthjustice.org]; pcort@earthjustice.org
Subject: Fwd: Visit to Oakland Next Week

FYI,

Ms.Margaret

---------- Forwarded message ----------
From: **Tom, Pattie (MARAD)** <pattie.tom@dot.gov>
Date: Wed, Apr 26, 2017 at 3:00 PM
Subject: Visit to Oakland Next Week
To: Personal Address / Ex. 6
Cc: "Fitzpatrick, Ryan (OST)" <ryan.fitzpatrick@dot.gov>, "Kizito-Ramos, Rachel (MARAD)" <Rachel.Kizito-Ramos@dot.gov>

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I can be reached at 202-366-5065. Email: pattie.tom@dot.gov. Cell: Personal Address / Ex. 6

Please let us know if you will be available.

V/r,

Pattie Tom

--

Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Address / Ex. 6 Direct line
www.woeip.org

Message

From: Margaret Gordon Personal Address / Ex. 6
Sent: 4/26/2017 10:48:09 PM
To: Tom, Pattie (MARAD) [pattie.tom@dot.gov]
CC: Personal Address / Ex. 6 Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]; Kizito-Ramos, Rachel (MARAD) [Rachel.Kizito-Ramos@dot.gov]
Subject: Re: Visit to Oakland Next Week

Thanks Pattie,

Please clarify the following:

Do want Brian and I to attend the training with the Port of Oakland and the City of Oakland on May 3? Yes, we can attend the class, but we would like to have Richard Grow attend the class and the visit

Please provide if the (MARAD team), plan is to visit WOEIP on the March 4, if so Brian can't make the meeting until 11:30am. Also, WOEIP prefer Richard Grow to participate in visit and please reply?

Best to you,

Ms. Margaret GordonMs. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Address / Ex. 6 Direct line
www.woeip.org

On Wed, Apr 26, 2017 at 3:00 PM, Tom, Pattie (MARAD) <pattie.tom@dot.gov> wrote:

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Please let us know if you will be available.

V/r,

Pattie Tom

--
Ms. Margaret Gordon/Co-Director
West Oakland Environmental Indicators Project
349 Mandela Parkway
Oakland, CA 94607
Personal Address / Ex. 6 irect line
www.woeip.org

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 4/25/2017 3:45:47 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Ph #s: Bay Area travel schedule

Got it **Conference Line/Code / Ex. 6**

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: Tuesday, April 25, 2017 11:42 AM
To: Fitzpatrick, Ryan (OST)
Subject: Ph #s: Bay Area travel schedule

Conference Line/Code / Ex. 6

Office: (415) 947-4104

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Tuesday, April 25, 2017 8:33 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Subject: RE: Bay Area travel schedule

Shoot me a call, let's chat about this real quick. I don't have your number handy

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: Tuesday, April 25, 2017 11:31 AM
To: Fitzpatrick, Ryan (OST)
Subject: Bay Area travel schedule

Ryan

I'm hoping you have time to meet while you are out here to meet with the Port, which I am assuming is still set for some time next week. I wanted to also let you know that the first of three meetings called by the City to meet with CARB and BAAQMD (and which I will join) is set for May 9 from 11-12:30. If you see any utility in arranging your schedule to allow participation in that meeting, I'd think that could be accommodated. While the City has scheduled three meetings (May 9, 18 and 30) my sense is that ARB and BAAQMD are committing only to the first at this point, in lieu of determining whether the discussions are in fact meaningful.

Richard

Message

From: Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]
Sent: 4/25/2017 3:38:37 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Title VI complaint acknowledgement

Thanks it's helpful to know what the process is.

From: Grow, Richard [mailto:Grow.Richard@epa.gov]
Sent: Tuesday, April 25, 2017 8:24 AM
To: Alison Kirk <AKirk@baaqmd.gov>; David Vintze <DVintze@baaqmd.gov>; Yura, Elizabeth@ARB <eyura@arb.ca.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; Marvin, Cynthia@ARB <cynthia.marvin@arb.ca.gov>; Margaret Gordon <margaret.woeip@gmail.com>; Brian Beveridge <brian.woeip@gmail.com>
Subject: Title VI complaint acknowledgement

All

Letters acknowledging receipt of the complaint went out on April 7 (from EPA) and April 13 (DOT), at least to Earthjustice, which had filed the complaint. My understanding is that the recipients, ie the City and Port, whose activities are the subject of the complaint, would also have been notified. The next step at both federal agencies is a "jurisdictional" review, which leads to a decision of whether or not to formally accept the complaint for investigation.

Richard

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 4/25/2017 3:33:11 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Bay Area travel schedule

Shoot me a call, let's chat about this real quick. I don't have your number handy

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: Tuesday, April 25, 2017 11:31 AM
To: Fitzpatrick, Ryan (OST)
Subject: Bay Area travel schedule

Ryan

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Richard

Message

From: Israels, Ken [Israels.Ken@epa.gov]
Sent: 2/5/2018 5:11:16 PM
To: Temple, Kurt [Temple.Kurt@epa.gov]; Grow, Richard [Grow.Richard@epa.gov]
CC: Keeler, Katsumi [Keeler.Katsumi@epa.gov]
Subject: RE: Clarification on current cancer risk in West Oakland community

Kurt –

Thanks for your efforts to keep this moving.

Best,

Ken

From: Temple, Kurt
Sent: Monday, February 5, 2018 9:03 AM
To: Grow, Richard <Grow.Richard@epa.gov>
Cc: Keeler, Katsumi <Keeler.Katsumi@epa.gov>; Israels, Ken <Israels.Ken@epa.gov>
Subject: Re: Clarification on current cancer risk in West Oakland community

Thanks Richard. The consolidated EPA draft is with DOT for its final sign off before sending to recipients.

Sent from my iPhone

On Feb 5, 2018, at 11:45 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Katsumi (cc Kurt)

Deliberative Process / Ex. 5

Richard

From: Keeler, Katsumi
Sent: Monday, February 5, 2018 8:10 AM
To: Grow, Richard
Cc: Temple, Kurt
Subject: Clarification on current cancer risk in West Oakland community

Deliberative Process / Ex. 5

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

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• Please consider the environment before printing this email.

Message

From: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 4/25/2017 12:59:53 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Subject: Acknowledgement Letters
Attachments: 2017.04.07 Garcia, Cort, Adeyeye re Acknowledgement of Admin Correspondence 13R-17-R9.pdf; 2017.04.07 Schaaf, L. (Recipient) Acknowledgement of Admin Correspondence 13R-17-R9.pdf; 2017.04.07 Garcia, Cort, Adeyeye re Acknowledgement of Admin Correspondence 13R-17-R9.pdf; 2017.04.07 Colbruno, M (Recipient) Acknowledgement of Admin Correspondence 14R-17-R9.pdf

Please see attached.

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

April 7, 2017

Return Receipt Requested
Certified Mail #: 7015 3010 0001 1267 5010

In Reply Refer to:
EPA File No: 14R-17-R9

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

Re: Acknowledgement of Receipt of Administrative Correspondence

Dear Mr. Colbruno:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), received correspondence on April 5, 2017, involving the Port of Oakland and the Board of Port Commissioners.

ECRCO is responsible for processing and resolving complaints alleging discrimination by programs or activities that receive financial assistance from the EPA. ECRCO will review the correspondence in light of EPA's nondiscrimination regulation to determine whether it is a complaint that falls within ECRCO's jurisdiction. Once this jurisdictional review is completed, ECRCO will notify you as to whether it will accept the complaint for investigation or reject, or refer the complaint to another Federal agency.

In the interim, if you have any questions about the status of this correspondence, please contact me by telephone at (202) 564-7299 or by email at temple.kurt@epa.gov.

Sincerely,

Kurt Temple
Senior Advisor
Office of Civil Rights

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

April 7, 2017

Return Receipt Requested
Certified Mail #: 7015 3010 0001 1267 5614

In Reply Refer to:
EPA File Nos: 13R-17-R9
and 14R-17-R9

Ms. Yana Garcia
Mr. Paul Cort
Mr. Adenike Adeyeye
Earthjustice
50 California Street
Suite 500
San Francisco, CA 94111

Re: Acknowledgement of Receipt of Administrative Correspondence

Dear Ms. Garcia and Messrs. Cort and Adeyeye :

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), received your correspondence on April 5, 2017.

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Sincerely,

Kurt Temple
Senior Advisor
Office of Civil Rights

Ms. Yana Garcia
Mr. Paul Cort
Mr. Adenike
Adeyeye

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

April 7, 2017

Return Receipt Requested
Certified Mail #: 7015 3010 0001 1267 5614

In Reply Refer to:
EPA File Nos: 13R-17-R9
and 14R-17-R9

Ms. Yana Garcia
Mr. Paul Cort
Mr. Adenike Adeyeye
Earthjustice
50 California Street
Suite 500
San Francisco, CA 94111

Re: Acknowledgement of Receipt of Administrative Correspondence

Dear Ms. Garcia and Messrs. Cort and Adeyeye :

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Sincerely,

Kurt Temple
Senior Advisor
Office of Civil Rights

Ms. Yana Garcia
Mr. Paul Cort
Mr. Adenike
Adeyeye

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

April 7, 2017

Return Receipt Requested
Certified Mail #: 7015 3010 0001 1267 5591

In Reply Refer to:
EPA File No: 13R-17-R9

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

Re: Acknowledgement of Receipt of Administrative Correspondence

Dear Mayor Schaaf:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), received correspondence on April 5, 2017, involving the City of Oakland.

ECRCO is responsible for processing and resolving complaints alleging discrimination by programs or activities that receive financial assistance from the EPA. ECRCO will review the correspondence in light of EPA's nondiscrimination regulation to determine whether it is a complaint that falls within ECRCO's jurisdiction. Once this jurisdictional review is completed, ECRCO will notify you as to whether it will accept the complaint for investigation or reject, or refer the complaint to another Federal agency.

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Sincerely,

Kurt Temple
Senior Advisor
Office of Civil Rights

cc: Kenneth Redden
Acting Associate General Counsel
Civil Rights & Finance Law Office

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

Message

From: Alison Kirk [AKirk@baaqmd.gov]
Sent: 9/29/2017 11:08:14 PM
To: Lee, Anna, Public Health, OOD [anna.lee@acgov.org]; Grow, Richard [Grow.Richard@epa.gov]; 'Margaret Gordon' [margaret.woeip@gmail.com]; Brian Beveridge [brian.woeip@gmail.com]; Yura, Elizabeth [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
Attachments: October 12, 20174 Agenda.pdf

CenterPoint Lease is not included on the October 12th Agenda. See attached. Thanks.

Alison Kirk
Senior Environmental Planner
415-749-5169

From: Alison Kirk
Sent: Friday, September 22, 2017 11:40 AM
To: Anna Lee <Anna.Lee@acgov.org>; 'Richard Grow' <grow.richard@epa.gov>; 'Margaret Gordon' <margaret.woeip@gmail.com>; Brian Beveridge <brian.woeip@gmail.com>; 'Yura, Elizabeth' <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 Address / Ex. 6 Brian Beveridge Personal Address / 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

530 Water Street
Oakland, California 94607
510.627.1696

www.portofoakland.com

PORT OF OAKLAND

BOARD AGENDA

Thursday, October 12, 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 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 1

File ID: [308-17]

1.2 **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 1

File ID: [309-17]

1.3 **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -** (Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9): Number of Matters 1

- Wilson Kung v. Port of Oakland; WCAB Case No. ADJ10752533

File ID: [310-17]

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: [311-17]

1.5 CONFERENCE WITH REAL PROPERTY NEGOTIATOR - (Pursuant to California Government Code Section 54956.8)

Property: 510 Embarcadero West, Oakland, CA
Negotiating Parties: Yoshi's Japanese Restaurant, Inc. and Port of Oakland
Agency Negotiator: Pamela Kershaw, Director of Commercial Real Estate
Under Negotiation: Price and Terms of Tenancy

Property: 9532 Earhart Road (Approx. 3.86 acres)
Negotiating Parties: Port of Oakland and Various Parties
Agency Negotiator: Bryant Francis, Director of Aviation and Brandon Mark, Aviation Properties Manager
Under Negotiation: Price and Terms of Tenancy

Property: 1 Airport Drive, Oakland, CA
Negotiating Parties: Port of Oakland and Various Parties
Agency Negotiator: Bryant Francis, Director of Aviation and Brandon Mark, Aviation Properties Manager
Under Negotiation: Price and Terms of Tenancy

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: Port of Oakland and SSA Terminals, LLC
Agency Negotiator: John Driscoll, Director of Maritime
Under Negotiation: Price and Terms of Tenancy

File ID: [307-17]

1.6 PUBLIC EMPLOYMENT (Pursuant to California Government Code Section 54957):

- Secretary of the Board

File ID: [312-17]

1.7 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to California Government Code Section 54957).

- Chief Audit Officer
- Port Attorney

File ID: [313-17]

Citizens Oversight and Reporting Committee (CORC)

1) Call to Order

2) Introduction of Members

a) Board of Port Commissioners;
b) Mayor Trish Herrera **Spencer**, CORC Member, City of Alameda;
c) Walt **Jacobs**, CORC Member, City of Alameda;
d) Michelle **Ingram**, CORC Member, CLASS;
e) Ed **Downing**, CORC Member, CLASS;
f) Jim **Nelson**, CORC Member, KJOB;
g) Margery **Eriksson**, CORC Member, KJOB.

3) President Story's remarks

4) Walt Jacob's remarks on behalf of CORC

5) Presentation by CORC

a) Issues related to implementation of NextGen technology.

b) Concerns regarding increasing aircraft noise from north field operations.

c) Working with the Port to develop a plan to address increasing noise.

6) Discussion

7) Open Forum (CORC)

8) Adjournment (CORC)

File ID: [304-17]

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 **Resolution:** Authorize a Construction Budget of $499,000 and Award Construction Contract to Bay Construction, Inc., for the amount of $310,000 for Construction of a Service Animal Relief Area, Terminal 2, South Field, at the Oakland International Airport. **(Aviation)**

File ID: [275-17]

Attachments: Agenda Report

2.2 **Ordinance:** Approval of a Ten-Year License and Concession Agreement for a Monthly Rental Rate of $5,871 with T-Mobile West, LLC for a Telecommunications Facility Located at 101 Washington Street **(CRE)**

File ID: [302-17]

Attachments: Agenda Report

Exhibit A

2.3 **Ordinance 4442,** 2nd Reading Of An Ordinance Approving The 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 Rent Of Approximately $17.6 Million. **(Board)**

File ID: [305-17]

Attachments: Ordinance 4442

2.4 **Ordinance 4443,** 2nd Reading Of An Ordinance Amending Port Ordinance No. 867 To Add Subsection 5.1051 And To Create The Workforce Development Manager Classification And Assign The Classification To Existing Salary Grade 543.7. **(Board)**

File ID: [306-17]

Attachments: Ordinance 4443.docx

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.

4. BUDGET & FINANCE

This segment of the meeting is reserved for action or discussion regarding the status of Budget and Finance issues.

4.1 **Report:** Fiscal Year 2017 Financial Highlights. **(Finance & Admin)**

File ID: [297-17]

Attachments: Report

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

Public Comment Uber Letter

5.2 **Report:** Food & Beverage Concession Opportunities at Oakland International Airport, and Update for the Board and the Status of the Request for Proposals **(Aviation)**

File ID: [303-17]

Attachments: Report

Attachment

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 **Ordinance**: Adoption of an Ordinance Approving Amendment No. 2 To Space/Use Permit for Non-Exclusive In-Terminal Advertising Concession with Clear Channel Outdc dba Clear Channel Airports To Correct and Resolve Rental Calculation Issues Identifiec by the Office of Audit Services; There Will Be No Change in Compensation for Advertising Located Throughout the Terminal Complex. **(Aviation)**

File ID: [299-17]

Attachments: Agenda Report

6.2 **Resolution:** Approve a $194,000 Design Budget for Security Exit Improvements at Terminal 2 Near the Bag Claim Exit, Oakland International Airport **(Aviation)**

File ID: [293-17]

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 26, 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**

To receive Port Agendas and Agenda Related Materials by email, please email your request to: **dedgerly@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.

Daria Edgerly, Acting Secretary of the Board
530 Water Street, Oakland, CA 94607
dedgerly@portoakland.com
(510) 627-1337

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, Acting Secretary of the Board
530 Water Street, Oakland, CA 94607
dedgerly@portoakland.com
(510) 627-1337

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: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 2/5/2018 5:02:41 PM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Keeler, Katsumi [Keeler.Katsumi@epa.gov]; Israels, Ken [Israels.Ken@epa.gov]
Subject: Re: Clarification on current cancer risk in West Oakland community

Thanks Richard. The consolidated EPA draft is with DOT for its final sign off before sending to recipients.

Sent from my iPhone

On Feb 5, 2018, at 11:45 AM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Katsumi (cc Kurt)

Deliberative Process / Ex. 5

Richard

From: Keeler, Katsumi
Sent: Monday, February 5, 2018 8:10 AM
To: Grow, Richard
Cc: Temple, Kurt
Subject: Clarification on current cancer risk in West Oakland community

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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

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• Please consider the environment before printing this email.

Message

From: Brian Beveridge Personal Address / Ex. 6
Sent: 4/25/2017 12:27:29 AM
To: Grow, Richard [Grow.Richard@epa.gov]
CC: Alison Kirk [AKirk@baaqmd.gov]; David Vintze [DVintze@baaqmd.gov]; Yura, Elizabeth@ARB [eyura@arb.ca.gov]; Lee, Anna, Public Health, OOD [Anna.Lee@acgov.org]; Marvin, Cynthia@ARB [cynthia.marvin@arb.ca.gov]; Margaret Gordon [margaret.woeip@gmail.com]
Subject: RE: Request to review draft AQ plans with the City for development at the former Oakland Army Base

We have not heard from EarthJustice yet, but I did have an interesting call from Kaplan today. I think we should have a meeting of our ConC group and discuss it.
Brian

On Apr 24, 2017 1:14 PM, "Grow, Richard" <Grow.Richard@epa.gov> wrote:

FYI – I'm told the complaint has been "acknowledged" by at least EPA and probably by DOT, via a letter (likely to Earthjustice) several days ago. Basically this simply acknowledges receipt of the complaint. The next step would be formal "acceptance" (or rejection) of the complaint by either or both agencies, based on "jurisdictional" review, which would confirm an actual investigation. While my guess is this is likely in the next week or so, it doesn't actually change much in the near term, while the federal agency(ies) develop plans for investigation.

Richard

From: Lee, Anna, Public Health, OOD [mailto:Anna.Lee@acgov.org]
Sent: Monday, April 24, 2017 12:47 PM
To: 'Marvin, Cynthia@ARB' <cynthia.marvin@arb.ca.gov>; David Vintze <DVintze@baaqmd.gov>; Brian Beveridge Personal Address / Ex. 6
Cc: Alison Kirk <AKirk@baaqmd.gov>; Grow, Richard <Grow.Richard@epa.gov>; Margaret Gordon Personal Address / Ex. 6 ; Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Subject: RE: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Same here, but want to follow Brian's advice of waiting until the Feds acknowledge the complaint.

Thanks,

Anna

From: Marvin, Cynthia@ARB [mailto:cynthia.marvin@arb.ca.gov]
Sent: Sunday, April 23, 2017 5:30 PM
To: David Vintze <DVintze@baaqmd.gov>; Brian Beveridge Personal Address / Ex. 6
Cc: Alison Kirk <AKirk@baaqmd.gov>; Lee, Anna, Public Health, OOD <Anna.Lee@acgov.org>; Richard Grow

<grow.richard@epa.gov>; Margaret Gordon; Personal Address / Ex. 6 Yura, Elizabeth@ARB <eyura@arb.ca.gov>
Subject: RE: Request to review draft AQ plans with the City for development at the former Oakland Army Base

ARB is open to participating in these meetings, assuming the first one is substantive and productive. There are some other State players trying to help get the City onboard and we will be approaching on multiple fronts simultaneously. All with the same objectives as we've discussed as group. If you have any questions or concerns, please call (v. email) to discuss. Thanks.

Cyn

From: David Vintze [mailto:DVintze@baaqmd.gov]
Sent: Friday, April 21, 2017 10:56 AM
To: Brian Beveridge
Cc: Alison Kirk; Anna Public Health CAPE Lee; Richard Grow; Margaret Gordon; Marvin, Cynthia@ARB; Yura, Elizabeth@ARB
Subject: Re: Request to review draft AQ plans with the City for development at the former Oakland Army Base

My guess is that they may be going further on the mitigation side than before the most recent events, but probably not as far as we would like. We won't know the answer to that question until we see the plan either in a pre-public release of the operational plan or when it is publicly released. I think my management will want me to attend at least one meeting with the City per their request. I will let everyone know if that is the case.
Dave

Dave Vintze

Air Quality Planning Manager

Bay Area Air Quality Management District

375 Beale Street. Suite 600

San Francisco, CA. 94105

Desk. 415-749-5179

Conference Line/Code / Ex. 6

On Apr 20, 2017, at 11:21 PM, "Brian Beveridge" <brian.woeip@gmail.com> wrote:

Hi Dave

Thanks for the notice. My first concern is the continued reference to the SCA/MMRPs. If they aren't going beyond those docs, they are just rearranging the life boats. Do you think they are taking the recommendations from BAAQMD and CARB seriously? We are holding off with any formal meetings until we get acknowledgement from the feds.

Regards, Brian

On Apr 20, 2017 12:19 PM, "David Vintze" <DVintze@baaqmd.gov> wrote:

Ms, Margaret & Brian,

The City has requested a meeting with agency staff only to discuss a pre-public draft of the operational mitigation plan. I had mentioned this to the City as a possible means of jump starting a new process. I don't know if we need three meetings but I think agency staff should at least attend the first meeting to see if things will be different.

I think this would be a good opportunity to meet one on one with City staff to see if they will discuss issues more openly and or how far they are willing to push the developer on mitigation. We can reassess this new process after the first meeting.

Margaret/Brian, and others please weigh in on your preference. Dave

Dave Vintze

Air Quality Planning Manager

Bay Area Air Quality Management District

375 Beale Street. Suite 600

San Francisco, CA. 94105

Desk. 415-749-5179

Cell. Personal Address / Ex. 6

Begin forwarded message:

> **From:** "McGowan, Patricia" <PMcGowan@oaklandnet.com>
> **Date:** April 19, 2017 at 2:51:48 PM CDT
> **To:** David Vintze <dvintze@baaqmd.gov>, "Yura, Elizabeth@ARB"

<eyura@arb.ca.gov>
Cc: "Anna Lee (anna.lee@acgov.org)" <anna.lee@acgov.org>, "Richard Grow (grow.richard@epa.gov)" <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>, "Damian Breen (dbreen@baaqmd.gov)" <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

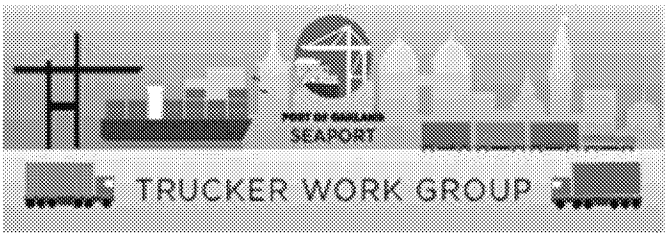
Patricia McGowan, Environmental Coordinator | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315 | Oakland, CA 94612 | Phone: (510) 238-3588 | Fax: (510) 238-6538 | Email: PMcGowan@oaklandnet.com |
Website: www.oaklandnet.com/planning

From: Ralph Reynoso [rreynoso@portoakland.com]
Sent: 4/24/2017 9:13:46 PM
Subject: Port of Oakland Terminal Gate Holiday Schedule- ILWU Stop Work
Attachments: May Day May 1 2017.pdf

Dear Port of Oakland Trucker Work Group Participants & Port Customers,

See attachment to view Terminal Yard and Gate Operations that will be closed on Monday, May 1st for May Day / ILWU Stop Work.

Daytime cargo operations at the Port of Oakland will be suspended Monday, May 1, for the ILWU's regular monthly Stop Work meeting. The meetings are provided for in the labor agreement covering U.S. West Coast ports. Stop Work meetings are usually conducted Thursday evenings the third week of each month. Oakland's ILWU Local 10 requested a shift to May 1st. The Pacific Maritime Association, representing waterfront employers, approved the change.



Message

From: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]
Sent: 11/13/2017 7:57:23 PM
To: Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1

Thank you kindly

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 2:43 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Subject: FW: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1

_____
From: Alison Kirk [AKirk@baaqmd.gov]
Sent: Friday, November 3, 2017 11:39 AM
To: dedgerly@portoakland.com
Cc: David Vintze; Henry Hilken; Karen Schkolnick; afournier@baaqmd.gov; Jean Roggenkamp; dbreen@baaqmd.gov; Jack Broadbent; Grow, Richard; Marvin, Cynthia@ARB; Cappio, Claudia; Lakin, Matt; Machol, Ben
Subject: Comment Letter from BAAQMD for Port Board Meeting 11/9/17 item 5.1

Hello,

Attached please find BAAQMD's comment letter and attachment for the 11/9/17 Board of Port Commissioners meeting.

These items are in reference to Agenda item 5.1: Ordinance and Resolution to approve Lease with CenterPoint-Oakland Development I, LLC for a Transload and Distribution Facility on the Former Oakland Army Base.

I would appreciate it if you could reply to this email and let me know it has been received. Thanks in advance!

Please contact me if you have any questions.

Sincerely,

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

From: adeguzman@baaqmd.gov [adeguzman@baaqmd.gov]
Sent: 9/28/2017 10:18:19 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]

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 | Cell Personal Address / 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: Temple, Kurt [Temple.Kurt@epa.gov]
Sent: 4/24/2017 2:53:05 PM
To: Fitzpatrick, Ryan (OST) [ryan.fitzpatrick@dot.gov]; Grow, Richard [Grow.Richard@epa.gov]
Subject: RE: Upcoming mtgs with City: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Deliberative Process / Ex. 5

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Monday, April 24, 2017 10:50 AM
To: Grow, Richard <Grow.Richard@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: RE: Upcoming mtgs with City: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Good to see, no problem on my end.

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, April 24, 2017 10:47 AM
To: Temple, Kurt; Fitzpatrick, Ryan (OST)
Subject: Upcoming mtgs with City: Request to review draft AQ plans with the City for development at the former Oakland Army Base

Kurt & Ryan

Deliberative Process / Ex. 5

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

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