

Appendix PUB

Public Hearing Transcripts

00:00:59 1
00:00:59 2
00:00:59 3
00:00:59 4
00:00:59 5
00:00:59 6
00:00:59 7
00:00:59 8
00:00:59 9
00:00:59 10
00:00:59 11
00:00:59 12
00:00:59 13
00:00:59 14
00:00:59 15
00:00:59 16
00:00:59 17
00:00:59 18
00:00:59 19
00:00:59 20
00:00:59 21
00:00:59 22
00:00:59 23
00:00:59 24
25

CITY OF OAKLAND
LANDMARKS PRESERVATION ADVISORY BOARD

---oOo---

Monday, March 22, 2021

Audio Transcription

Reported by: Connie J. Parchman, RPR, CRR, CSR 6137

JAN BROWN & ASSOCIATES
WORLDWIDE DEPOSITION & VIDEOGRAPHER SERVICES
701 Battery Street, 3rd Floor, San Francisco, CA 94111
(415)981-3498 or (800) 522-7096

00:00:59 1 ATTENDEES:
00:00:59 2 Vince Sugrue, Chair
00:00:59 3 Klara Komorous, Vice Chair
00:00:59 4 Benjamin Fu, Board Member
00:00:59 5 Tim Mollette-Parks, Board Member
00:00:59 6 Marcus Jonson, Board Member
00:00:59 7 Chris Andrews, Board Member

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

00:00:59 1 **MARCH 22, 2021**

00:00:59 2 P R O C E E D I N G S

00:00:59 3 ---000---

00:00:59 4 (Board proceedings not transcribed pursuant to request;
00:00:59 5 transcription begins at video time of 27:18.)

08:33:44 6 ...

08:33:47 7 **CHAIR SUGRUE:** If we can move to the public
08:33:48 8 comment portion.

08:34:23 9 **CLERK VOLLMAN:** Okay. So the first speaker I
08:34:24 10 see is, again, with the number ending in 1961.

08:34:30 11 I'm going to go ahead and allow you to talk.
08:34:32 12 Go ahead and unmute yourself and begin speaking.

08:34:42 13 **MS. DAVIS:** Hello. My name's Melanie Davis.
08:34:44 14 Can you hear me?

08:34:46 15 **CLERK VOLLMAN:** Yes.

08:34:48 16 **MS. DAVIS:** Okay. On the gondola, was that in
08:34:52 17 the EIR?

08:34:54 18 And how much would that cost?

08:35:00 19 And is that just for transportation from Tenth
08:35:04 20 to the ballpark?

08:35:06 21 Thank you.

08:35:11 22 **CLERK VOLLMAN:** Thank you.

08:35:17 23 Next speaker is Naomi Schiff. We'll go ahead
08:35:21 24 and allow you to talk. Go ahead and unmute yourself.

08:35:26 25 **MS. SCHIFF:** Hello. I actually request a

08:35:29 1 little bit longer. This is a pretty -- it's a thousand
08:35:32 2 page EIR and I don't think two minutes is adequate, but I
08:35:38 3 will begin anyway.

08:35:42 4 We have sent you a letter, I hope that you
08:35:44 5 received it, from Oakland Heritage Alliance.

08:35:48 6 And we have spoken with the A's about the
08:35:52 7 Peaker Plant and have a couple of remarks. Mostly we
08:35:56 8 think the mitigation package is too weak and request that
08:36:02 9 you add mitigation or recommend adding a mitigation,
08:36:06 10 which is a contribution to the facade improvement fund to
08:36:09 11 be used in the impacted areas of the West Waterfront ASI.

08:36:14 12 And also that the design of the new stadium
08:36:17 13 really requires a consulting historical architect to make
08:36:21 14 sure that it is compatible, the new stadium is compatible
08:36:27 15 with the old buildings around it. We really don't want
08:36:30 16 to have a violation of the Secretary of Interior
08:36:34 17 standards with regard to context.

08:36:37 18 Second, the gondola. The gondola is a large
08:36:43 19 intrusion into the fabric of Historic Oakland, which is
08:36:46 20 not on the site of the stadium property proposed by the
08:36:52 21 developer. We think it's a terrible idea, at this route
08:36:59 22 at least, on Washington Street.

08:37:02 23 It would be an enormous impact on the only
08:37:06 24 thing that's left from the redevelopment era demolition
08:37:11 25 of downtown Oakland, our old Oakland area.

08:37:16 1 It's really not an amusement park and it really
08:37:21 2 should not be viewed that way. It seems to us that it is
08:37:25 3 a shiny trinket being dangled as an entertainment feature
08:37:31 4 and that that is truly unacceptable.

08:37:34 5 There are other ways to move people that do not
08:37:37 6 require defacing a historic district. Actually two
08:37:41 7 historic districts, an area of primary importance with
08:37:45 8 many landmarks within it.

08:37:47 9 I'm sure you saw the report, and the West
08:37:50 10 Waterfront ASI, which holds an extremely valuable train
08:37:54 11 station, but also the oldest commercial building in
08:37:57 12 Oakland at the corner of Broadway in that same block.
08:38:02 13 And we really think it's a violation and entirely
08:38:07 14 completely oppose it.

08:38:11 15 **CLERK VOLLMAN:** That's the two minutes.

08:38:14 16 You can also submit additional comments in
08:38:17 17 writing or by e-mail or through the comment tracker as
08:38:21 18 well. And we did receive your letter. Thank you.

08:38:27 19 **CHAIR SUGRUE:** Thank you, Naomi.

08:38:34 20 **CLERK VOLLMAN:** The next speaker that we have
08:38:35 21 is Adam Lamoreaux. We'll go ahead and allow you to
08:38:40 22 speak. Go ahead and unmute yourself.

08:38:42 23 **MR. LAMOREAUX:** Good evening, board. My name
08:38:47 24 is Adam Lamoreaux. I've been a commercial resident here
08:38:50 25 at 95 Linden Street since March of 2005, so 16 years this

08:38:56 1 month.

08:39:03 2 If I've learned anything in the 16 years that
08:39:05 3 I've been in this neighborhood, I've learned that we have
08:39:08 4 really serious concerns on all fronts: Environmental,
08:39:11 5 commercial, residential, everything. It's all -- it's
08:39:16 6 all valid. The Port. It's a very complicated problem
08:39:20 7 out here.

08:39:22 8 And it's been 16 years since it's even looked
08:39:29 9 like it starts to get unraveled. And the one thing I
08:39:31 10 have seen from the Athletics and their teams is a
08:39:35 11 willingness to actually attempt to try and solve almost
08:39:37 12 all of those concerns at one time with this project.

08:39:39 13 And I just hope that this Board sort of
08:39:42 14 recognizes them for that. And knows that there are some
08:39:45 15 of us here in the neighborhood that really appreciate
08:39:49 16 that they're even trying and hoping that anybody with any
08:39:53 17 concerns about this project -- which I have plenty of my
08:39:56 18 own -- just recognizes that the A's aren't trying to push
08:40:00 19 any of them aside. They're actually trying to, it seems
08:40:03 20 like, they're trying to -- they're trying to solve them.

08:40:06 21 And so, that's my schpiel.

08:40:13 22 **CHAIR SUGRUE:** Thank you, Adam.

08:40:19 23 **CLERK VOLLMAN:** Okay. Our next speaker is Mark
08:40:22 24 Jacob. We'll go ahead and allow you to talk. Go ahead
08:40:25 25 and unmute yourself.

08:40:28 1 **MR. JACOB:** Good afternoon. Mike Jacob with
08:40:30 2 pacific Merchant Shipping Association.

08:40:33 3 We have a number of concerns with the EIR. But
08:40:34 4 limiting these comments just to the topic at hand, we
08:40:40 5 feel that the draft EIR significantly understates the
08:40:44 6 significant, unavoidable impact on historical cultural
08:40:47 7 resources for the site, fails to address appropriate
08:40:50 8 mitigation, or truly address superiority of Alternative
08:40:55 9 2, which is the coliseum site that would avoid of all of
08:40:58 10 the impacts, the current site location.

08:41:00 11 The draft EIR fails to sufficiently assess the
08:41:03 12 impacts of the project, including its nature, density and
08:41:06 13 massing.

08:41:06 14 It would negatively affect direct historic
08:41:09 15 resources in the vicinity of the project, including the
08:41:13 16 Southern Pacific Railroad corridor, USS Potomac and the
08:41:17 17 Lightship Relief.

08:41:19 18 But also in the proposed * Maker District, just
08:41:22 19 next to the project site, that includes three national
08:41:26 20 register of historic places and listed properties. In
08:41:29 21 addition, five areas of secondary interests are located
08:41:31 22 nearby.

08:41:34 23 These are obviously important because of the
08:41:36 24 if-then proposition included in the draft Downtown
08:41:39 25 Oakland Specific Plan that says if the ballpark is built,

08:41:42 1 these historic resources will be impacted.

08:41:45 2 There is no doubt that the significant
08:41:48 3 aesthetic impact to these cultural resources will result
08:41:51 4 from construction of massive new baseball stadium,
08:41:51 5 residential, entertainment, office, hotel and retail
08:41:54 6 uses, with buildings ranging from 500 to 600 feet high,
08:42:00 7 the will dwarf all other structures and buildings in the
08:42:02 8 vicinity and alter the historic visual character and
08:42:03 9 fabric of the maritime industrial complex and resources
08:42:06 10 around historic sites here at Howard terminal.

08:42:10 11 And I also like to briefly thank Naomi Schiff
08:42:14 12 and Oakland Heritage Alliance for bringing up the impacts
08:42:18 13 with the gondola and that variant. Obviously those have
08:42:23 14 not been significantly addressed in this draft EIR
08:42:25 15 either.

08:42:26 16 We look forward to continuing to work with the
08:42:28 17 city and we'll obviously be submitting more comments in
08:42:31 18 writing as this goes on.

08:42:33 19 Thank you.

08:42:40 20 **CHAIR SUGRUE:** Thank you, Mike.

08:42:46 21 **CLERK VOLLMAN:** Okay. Next speaker is Daniel
08:42:48 22 Levy. We'll allow you to talk. Go ahead and unmute
08:42:52 23 yourself.

08:42:52 24 **MR. LEVY:** Hi, my name is Daniel Levy. I'm
08:42:54 25 with Oakland Heritage Alliance. I just want to echo some

08:42:58 1 of Naomi's comments with regards to the Peaker Plant.
08:43:00 2 Definitely would like to see an alternative study that
08:43:04 3 doesn't require that demolition to occur.

08:43:07 4 I mean, we've lost quite a few portions of
08:43:10 5 A-rated buildings recently. We've lost, you know, the
08:43:12 6 inner urban platform at the West Oakland train station.
08:43:17 7 We've lost a lot of the Ninth Avenue Terminal. We've
08:43:18 8 lost a lot of the G.E. building.

08:43:20 9 So we would definitely like to see the entirety
08:43:23 10 of this A-rated building retained and an alternative
08:43:26 11 study to that effect.

08:43:28 12 I think increased flow is an important aspect.
08:43:31 13 And certainly the Howard Terminal is a really large site
08:43:36 14 and the stadium could be adjusted such that we don't need
08:43:39 15 to have this impact to this historic resource.

08:43:42 16 With regards to the gondola, definitely
08:43:44 17 interested in seeing some alternative there. You know
08:43:48 18 what can we do on the ground level to increase access and
08:43:53 19 inter connectivity.

08:43:56 20 There's definitely a lot of challenges and
08:43:58 21 impacts that should be studied with regards to the
08:44:00 22 gondola from impacts to businesses and public safety on
08:44:03 23 the ground. From bifurcating traffic from everyone on
08:44:06 24 the street level to some people in the air and some
08:44:09 25 people on the street.

08:44:09 1 So we would encourage an alternative to really
08:44:13 2 put resources to improve things at the street level,
08:44:16 3 rather than trying to just bypass all the existing fabric
08:44:21 4 that is there connecting downtown Oakland to the
08:44:23 5 ballpark.

08:44:24 6 Minneapolis has had challenges with their
08:44:24 7 skyway system and not having enough activity on the
08:44:27 8 ground level.

08:44:27 9 So I would definitely like to see some further
08:44:30 10 thought with the gondola to help improve things on the
08:44:34 11 ground in Oakland.

08:44:35 12 So thank you.

08:44:38 13 **CHAIR SUGRUE:** Thank you, Daniel.

08:44:46 14 **CLERK VOLLMAN:** Next speaker I have is Rita
08:44:48 15 Look. We'll allow you to talk. Go ahead and unmute
08:44:52 16 yourself and begin speaking.

08:44:53 17 **MS. LOOK:** Hello. Hi, yes, I'm a West Oakland
08:45:04 18 resident. And it is unfortunate to limit to two minutes
08:45:09 19 because I was really interested to hear more of what
08:45:12 20 Naomi, I think it was Naomi, the person who got -- had,
08:45:17 21 you know, very -- sounded like "knowledgeful" information
08:45:22 22 that I would have liked to hear, but -- in this meeting.

08:45:26 23 But, just a quick comment, I mean, I don't know
08:45:30 24 anything about public policy making or planning or
08:45:36 25 anything like that. Just a comment that my parents live

08:45:42 1 in the town of Santa Maria, California. And back in the
08:45:45 2 '70s, they decided to tear down all of their historic,
08:45:48 3 quaint buildings and build strip malls. And that's all
08:45:56 4 that city is.

08:45:57 5 Well, I'm -- I hope nobody feels bad about me
08:46:01 6 saying this about Santa Maria. But it has zero character
08:46:05 7 at all.

08:46:06 8 And then the towns around it took a lot of
08:46:12 9 these -- sorry about that -- you know, buildings and
08:46:18 10 turned these into, you know, a -- an attraction and
08:46:24 11 something that people are drawn to.

08:46:28 12 And once they're gone, you can't recreate that.
08:46:32 13 So, you know, what's down there at that -- in that area
08:46:37 14 are the Maker District, those -- that building they're
08:46:42 15 going to have to tear out a portion of, you know, other
08:46:47 16 historic areas. You build a big project like that, that
08:46:51 17 will permanently change the character of that area to be
08:46:56 18 something that you can never reverse back to what -- what
08:47:01 19 it is.

08:47:02 20 And I think there's some value in that.

08:47:04 21 And also the gondola idea just sounds like,
08:47:07 22 yeah, something shiny dangling in front of us to go for
08:47:12 23 this.

08:47:12 24 I don't see how in the world you can move
08:47:15 25 people and get them into that site with the gondola.

08:47:20 1 First of all, how do they get to the gondola
08:47:22 2 and et cetera, et cetera.

08:47:24 3 So, that's my point.

08:47:34 4 **CHAIR SUGRUE:** Thank you.

08:47:34 5 **CLERK VOLLMAN:** Thank you.

08:47:37 6 The next speaker is Mary Harper. Go ahead and
08:47:42 7 unmute yourself.

08:47:46 8 **MS. HARPER:** Hi, I'm Mary Harper with OHA.

08:47:49 9 First of all, it's -- this DEIR is unclear if
08:47:54 10 all the cranes will be kept. Others have spoken or will
08:47:59 11 speak about points in my letter of yesterday.

08:48:02 12 But I would like to speak about the cranes.

08:48:06 13 They are very important part of Oakland's
08:48:08 14 working waterfront. Keep them all, no matter what their
08:48:15 15 age, everyone associates them with the Port of Oakland.
08:48:18 16 T-shirts, hats, et cetera.

08:48:20 17 Please keep Oakland's maritime history alive
08:48:23 18 and keep all the cranes.

08:48:33 19 Thank you.

08:48:34 20 **CHAIR SUGRUE:** Thank you.

08:48:37 21 **CLERK VOLLMAN:** Okay. Next speaker is Bro
08:48:38 22 Muhammad. Go ahead and unmute yourself and you can begin
08:48:44 23 speaking.

08:48:50 24 **MR. MUHAMMAD:** Yes, sir. Do you hear me?

08:48:50 25 **CHAIR SUGRUE:** Yes.

08:48:50 1 **MR. MUHAMMAD:** Okay. Hi, my name is Ronald
08:48:50 2 Muhammad. I'm deeply rooted in West Oakland.

08:48:54 3 And I wanted to speak to the historical value
08:48:59 4 of this project in terms of not necessarily the
08:49:04 5 buildings, cranes, and the other things that people are
08:49:08 6 talking about, but I'm actually talking about the people.

08:49:11 7 I know that we've been redistricting several
08:49:14 8 times and, you know, some of the newcomers they think
08:49:20 9 that, you know, Jack London is something different. But
08:49:22 10 it's not. It's West Oakland.

08:49:24 11 And we have seen that site for as long as I've
08:49:30 12 been alive be nothing done, inactive. And in essence it
08:49:39 13 turned -- even though it has historical value to it, it's
08:49:44 14 turned into blight because it hasn't been used.

08:49:47 15 And so while there are still points to be
08:49:50 16 debated about the project, I applaud the A's for what
08:49:55 17 they're striving to do because the areas has been unused.
08:50:00 18 Something of value is determined by -- based on its use,
08:50:03 19 the area has not been able to have been used in so long.
08:50:06 20 And so that terminal, whether it be the cranes, those
08:50:10 21 historical buildings that have turned into blight because
08:50:13 22 they -- we're not doing any industry in those buildings,
08:50:17 23 there's nothing industrial going on.

08:50:19 24 And now they're starting to put some housing
08:50:21 25 around. I think it would bring value to the site. And

08:50:25 1 us, as the most valued historical resource that we have,
08:50:31 2 which is the people, we would like to see some vibrance
08:50:35 3 in there. And I mean there's other things to be debated
08:50:38 4 about. But you can't debate blight. You can't debate
08:50:42 5 non-usage, regardless of the so-called potential. Thank
08:50:44 6 you.

08:50:48 7 **CHAIR SUGRUE:** Thank you.

08:50:53 8 **CLERK VOLLMAN:** Okay. The next speaker I just
08:50:55 9 have the name Jackson. We'll go ahead and allow you to
08:50:58 10 talk, and unmute yourself --

08:51:00 11 **MR. MOORE:** Hi, thanks for hearing me. Sorry,
08:51:03 12 Jackson Moore, property owner in Jack London Square.
08:51:05 13 Very much in favor of the Howard Terminal project,
08:51:09 14 including the Peaker Plant variant.

08:51:11 15 I do think the recommendations and mitigations
08:51:14 16 in the EIR sort of maintain the historical sort of
08:51:16 17 significance of that building. I think seems reasonable
08:51:19 18 to sort of a lay person.

08:51:22 19 I do want to comment that the gondola variance
08:51:26 20 seems like an abomination to me with no connection to the
08:51:31 21 cultural history of the area.

08:51:33 22 I think that the -- I just think that that
08:51:36 23 piece of the proposed project seems to be sort of
08:51:38 24 disconnected from everything else. I don't quite
08:51:41 25 understand why it's in there. It does seem to be

08:51:43 1 something that was just thrown in there to, you know,
08:51:46 2 sort of be able to talk about this gondola but it really
08:51:49 3 has no connection to the area and I think it actually
08:51:52 4 takes away from the project.

08:51:54 5 So speaking in support of the project, against
08:51:56 6 the gondola.

08:52:00 7 **CHAIR SUGRUE:** Thank you.

08:52:09 8 **CLERK VOLLMAN:** Okay. Next speaker I have is
08:52:12 9 "travistarr".

08:52:14 10 Go ahead and allow you to speak. Go ahead and
08:52:17 11 unmute yourself.

08:52:19 12 **MR. TARR:** Yeah. Thank you.

08:52:21 13 I'm Travis. And I'm just going to speak that
08:52:24 14 all these alternatives look great. It means investment.

08:52:28 15 **CLERK VOLLMAN:** I'm sorry, Travis, could you
08:52:28 16 state your full name for the record so we can document
08:52:30 17 it?

08:52:32 18 **MR. TARR:** Travis Tarr.

08:52:36 19 **CLERK VOLLMAN:** Thank you.

08:52:37 20 **mR. T:** These alternatives look great.

08:52:39 21 If people are riding the gondola they will see
08:52:42 22 historic buildings from a whole new perspective. Sounds
08:52:46 23 great.

08:52:46 24 People get right up close to the cranes that
08:52:48 25 get preserved. That's fantastic how much closer can you

08:52:51 1 get to the character of Oakland than if you build
08:52:54 2 projects like this?

08:52:55 3 So I would say all the alternative are
08:52:56 4 fantastic.

08:52:58 5 And don't get muddled up in the -- trying to --
08:53:04 6 trying to trying to tie someone's hands down. That's
08:53:07 7 all. Thanks.

08:53:10 8 **CHAIR SUGRUE:** Thank you, Travis.

08:53:16 9 **CLERK VOLLMAN:** Okay. The next speaker I have
08:53:18 10 is last four digits of the number is 1961.

08:53:23 11 I'm not sure if this is who we already heard
08:53:25 12 from earlier. But you're only allowed to speak one time.

08:53:30 13 I'll go ahead and allow you to speak, but if
08:53:32 14 you had already spoken earlier that was your two minutes.

08:53:35 15 Go ahead and allow you to talk. You can begin
08:53:37 16 speaking.

08:53:43 17 **MS. DAVIS:** Yes, I did speak earlier, Melanie
08:53:46 18 Davis. Can you hear me?

08:53:49 19 **CLERK VOLLMAN:** Yes. Yeah, we can hear you.

08:53:53 20 **SPEAKER:** I had a question. What happened to
08:53:54 21 the gondola that's on West Oakland BART station taking
08:53:59 22 people to the stadium? What happened to that idea?

08:54:04 23 Thank you.

08:54:10 24 **CHAIR SUGRUE:** Thank you.

08:54:14 25 **CLERK VOLLMAN:** Okay. That's all the public

08:54:16 1 speakers we have so far.

08:54:26 2 **CHAIR SUGRUE:** Do we have any other public
08:54:27 3 speakers? If so, please raise your hand.

08:54:43 4 Seeing none, we're going to close the public
08:54:50 5 speakers and we're going to move to board comments.

07:46:34 6 So moving on to board comments.

07:46:39 7 Do we have any hands or comments from the
07:46:41 8 board?

07:46:45 9 **VICE CHAIR KOMOROUS:** I'm sorry, I lost my
07:46:46 10 ability to raise my hand.

07:46:50 11 **CHAIR SUGRUE:** No worries. You can go for it,
07:46:55 12 Vice Chair Komorous.

07:46:58 13 **VICE CHAIR KOMOROUS:** Just here.

07:46:58 14 So I -- I have two questions. One is -- and
07:47:03 15 maybe this is something that staff can answer. In
07:47:11 16 reading the extract that the board members were sent,
07:47:15 17 that 62-page document, in the DEIR, okay, it said that
07:47:21 18 there is an alternative for a maritime reservation
07:47:29 19 scenario that was on page 7 and 8. And what that said
07:47:33 20 was that the entire site may get smaller because of the
07:47:42 21 Port of Oakland has left that option open for themselves.
07:47:47 22 So that it meant that the entire site would get smaller
07:47:50 23 and all of that space would be taken out of the park and
07:47:57 24 open space.

07:47:58 25 And my question is, is that addressed by the

07:48:03 1 DEIR? Because I did not see that specifically. So if I
07:48:09 2 could get an answer to that, please.

07:48:13 3 **MR. VOLLMAN:** Yeah, this is Pete Vollman,
07:48:15 4 Planning staff.

07:48:17 5 Yeah, so in the project description it
07:48:19 6 specifically states the maritime reservation scenario and
07:48:22 7 that's brought up in every topic item throughout the
07:48:28 8 Draft EIR.

07:48:29 9 What it is, is that the Port has been studying
07:48:29 10 looking at expansion of the turning basin that's directly
07:48:31 11 adjacent to the site right now. So they have a time
07:48:35 12 frame that they can take that land back in order to
07:48:39 13 proceed with doing that turning basin expansion. But it
07:48:43 14 is not certain whether they're going to proceed with that
07:48:46 15 or not. So there's various different levels.

07:48:48 16 So what the site plan shows with the maritime
07:48:51 17 reservation area is the absolute maximum of land that
07:48:54 18 could be taken back to expand that turning basin. It may
07:48:59 19 be less. To what extent we don't know for certain.

07:49:01 20 So, that's why we can't show, like, every
07:49:04 21 single scenario. It is basically showing the maximum
07:49:07 22 extent it would be pulled back as part of that and that
07:49:10 23 is addressed in every topic throughout the Draft EIR.

07:49:15 24 **VICE CHAIR KOMOROUS:** Okay. Thank you. I
07:49:16 25 get -- I just wanted to make sure that it was included.

07:49:18 1 And I understand that it is.

07:49:21 2 And can I ask one more question? And this is
07:49:24 3 for the project Applicant.

07:49:30 4 The information that we were sent did not
07:49:34 5 include any details about the Peaker Plant and I
07:49:46 6 understand that you're talking about cutting a wing or
07:49:49 7 part of a wing.

07:49:50 8 Would it possible -- for -- to see that today?

07:49:55 9 Can we could -- or could you at least explain
07:49:57 10 it on your site plan what of it is being proposed to be
07:50:03 11 demolished and what is being kept? Thank you.

07:50:09 12 **CHAIR SUGRUE:** Yeah, Vice Chair Komorous, I
07:50:12 13 moved them back over to attendees. So let me move them
07:50:16 14 back up and they can show you that.

07:50:18 15 That was in their presentation. Maybe they can
07:50:20 16 bring it up again and show that.

07:50:36 17 **MR. KAVAL:** Yeah, Pete we can actually just
07:50:38 18 bring up that slide we have, which actually does show.

07:50:41 19 **MR. VOLLMAN:** I brought Noah back over, if you
07:50:44 20 want to share that screen and bring up that slide.

07:50:48 21 **MR. KAVAL:** Yeah, so we'll go though that
07:50:50 22 specific slide.

07:50:51 23 You can see from the plan view in terms of the
07:50:56 24 power plant, the one wing, about 40 percent of the
07:51:01 25 building is chopped right there. There it is. You can

07:51:04 1 see it.

07:51:05 2 And then the remaining structure is reinforced
07:51:11 3 and made seismically stable so it can be used and it ends
07:51:16 4 up being kind of an open area for people to see the
07:51:19 5 building, access the building in a positive way. So
07:51:22 6 that's the way we have proposed it in the variant, if
07:51:24 7 this, in fact, does move forward as part of the project.

07:51:27 8 And we think that strikes a nice balance
07:51:29 9 between the two.

07:51:31 10 But we're obviously open to input from this
07:51:33 11 board and also from other folks in the community.

07:51:39 12 **VICE CHAIR KOMOROUS:** Yes, thank you. It's
07:51:40 13 clear. It's just -- so you know, we're seeing it pretty
07:51:43 14 small and it's -- but you explained it. Thank you so
07:51:47 15 much.

07:51:48 16 **MR. KAVAL:** Yeah.

07:51:55 17 **CHAIR SUGRUE:** Thank you. Board Member
07:51:57 18 Andrews.

19 **BOARD MEMBER ANDREWS:** Yeah, I just wanted to
07:32:06 20 make a general comment that it's great to see the
07:32:08 21 potential of baseball in downtown Oakland. I hope I live
07:32:17 22 long enough to go to a game there. And obviously there
07:32:20 23 are lots of challenges and issues, some of which I think
07:32:24 24 both the -- some of the citizens, and also Oakland
07:32:29 25 Heritage Alliance have brought up. And I'm very

07:32:35 1 optimistic that with the help of the planners and City of
07:32:38 2 Oakland, citizens of Oakland and the business people of
07:32:42 3 Oakland that become engaged, we'll be able to work toward
07:32:49 4 a solution that works for everyone.

07:32:50 5 I'm not particularly in love with the gondola
07:32:53 6 either, but I'm hoping that there's just a wonderful way
07:32:56 7 we can get people to walk down Broadway from the BART
07:33:00 8 station and revitalize Broadway as an urban pedestrian
07:33:05 9 boulevard and promenade on the nights of the games. I
07:33:09 10 can see that being incredibly exciting and fantastic.
07:33:12 11 So, looking forward to this project continuing and happy
07:33:19 12 to be part of that process.

07:33:25 13 **CHAIR SUGRUE:** Great. Thank you so much Board
07:33:28 14 Member Andrews. Other comments from the board?

07:33:30 15 Well as folks gather their thoughts, I know
07:33:37 16 I'll use this time to just address one particular thing
07:33:41 17 in addition to what's been addressed tonight. And we do
07:33:44 18 want to thank OHA for submitting the letter.

07:33:47 19 And in addition to their comments, I want to
07:33:52 20 point out the vibration analysis for historical
07:33:57 21 structures. So I believe that it's being studied in the
07:34:02 22 DEIR at -- analyzed at 150 feet. And just looking at
07:34:08 23 this project and understanding, you know, the massive
07:34:10 24 construction that's downtown, anyone that's been downtown
07:34:14 25 you know that the construction is pretty overwhelming and

07:34:17 1 just in terms of vibration on the historic waterfront
07:34:21 2 area, I was wondering why that's 150 feet and can that be
07:34:27 3 pushed to potentially 300 feet.

07:34:29 4 I don't know if that would encapsulate Jack
07:34:32 5 London. I just think that, you know -- I envision this
07:34:36 6 obviously being an active construction site right next to
07:34:39 7 an area we have a lot of historic buildings in Jack
07:34:42 8 London and a lot of folks downtown just visiting from out
07:34:47 9 of town. So wanted to put that one additional comment in
07:34:50 10 there as well.

07:34:53 11 Does the board have any other comments at this
07:34:59 12 time?

07:35:01 13 **MR. VOLLMAN:** Chair, I believe Board Member Fu
07:35:02 14 has his hand up right now.

07:35:06 15 **CHAIR SUGRUE:** Thank you so much. Board Member
07:35:07 16 Fu, go ahead.

07:35:09 17 **BOARD MEMBER FU:** Can you guys here me okay?
07:35:13 18 Just a really quick -- two, actually. I want
07:35:15 19 to appreciate the Oakland A's organization for their
07:35:18 20 efforts. And I know we've hearing sort of comments on
07:35:21 21 both sides and it's a big project and you're working
07:35:25 22 with -- sitting with lots of history and lots of
07:35:28 23 passionate folks about the history of the city.

07:35:32 24 With that said, the gondola does trouble me a
07:35:34 25 little bit. I'm just not convinced of its impact on the

07:35:40 1 API. And I agree with Board Member Andrews, I think some
07:35:44 2 kind of pedestrian connection to experience the City of
07:35:47 3 Oakland would have been better, but we're not here to
07:35:50 4 talk about that design.

07:35:52 5 So I'll just summarize by saying that I'm just
07:35:55 6 not entirely convinced of replacing, or that the API, or
07:36:01 7 something like the gondola is the best.

07:36:04 8 Usually something like this with the
07:36:07 9 entertainment value would have been better if it was able
07:36:11 10 to balance and preserve the history of the city. So I'll
07:36:14 11 end with that.

07:36:15 12 Sorry for the crying baby in the background
07:36:18 13 there.

07:36:22 14 **CHAIR SUGRUE:** No worries whatsoever. Thank
07:36:23 15 you for your comments.

07:36:27 16 **VICE CHAIR KOMOROUS:** I have a comment.

07:36:28 17 I'm sorry, this is Klara Komorous, but I'm
07:36:32 18 still not able to raise my hand.

07:36:35 19 **CHAIR SUGRUE:** I think it's because you're a
07:36:36 20 co-host.

07:36:38 21 **VICE CHAIR KOMOROUS:** Okay. So it means I can
07:36:40 22 butt in, right?

07:36:42 23 So would this be a good time for my comment?

07:36:45 24 **CHAIR SUGRUE:** Yeah, absolutely. No, please.

07:36:47 25 And then we'll go to Board Member Andrews

07:36:50 1 after.

07:36:50 2 **VICE CHAIR KOMOROUS:** Just related to the
07:36:54 3 question that the board is just being asked for comments
07:36:59 4 about the DEIR. And you know, how thorough it is,
07:37:06 5 provides all the information, et cetera, so that's all
07:37:12 6 that I'm going to speak to.

07:37:15 7 I have absolutely no objection to this entire
07:37:19 8 plan. I think that it's wonderful. But we are here to,
07:37:25 9 you know, get into the details.

07:37:29 10 So, just relative to the Draft EIR, I think
07:37:34 11 that I would reiterate Naomi Schiff and Daniel Levy being
07:37:41 12 the alternative with the Peaker Plant, I think that the
07:37:52 13 Draft SEIR is not complete. I think the mitigation
07:37:57 14 measure is -- is basically nonexistent. And it provides
07:38:05 15 absolutely no alternatives to tearing down 40 percent of
07:38:10 16 that wing.

07:38:13 17 So I'm not saying that the 40 percent of the
07:38:16 18 wing, you know, should or should not be torn down, that's
07:38:19 19 really not what I'm addressing.

07:38:21 20 I'm just addressing that the Draft EIR should
07:38:25 21 address it and they should explain why it is not possible
07:38:30 22 or they should -- they should pro -- I think that what
07:38:34 23 would be much better is that they should provide an
07:38:38 24 alternative where that wing is kept in its entirety. And
07:38:41 25 I think that saying that, you know, this is a few feet of

07:38:46 1 wall does not fit on a 55-acre site is just -- is just
07:38:52 2 hard to believe.

07:38:54 3 So I think that the alternative should be
07:38:59 4 included.

07:39:04 5 And also as Naomi Schiff said, giving funds to
07:39:07 6 the Facade Improvement Fund, that would be great too as
07:39:11 7 part of the mitigation measure proposal.

07:39:15 8 And related to that, to that gondola, I have no
07:39:20 9 comment about yes gondola, no gondola. But relative to
07:39:25 10 the EIR, it doesn't really address any kind of
07:39:30 11 alternatives or, you know, mitigation or -- so I think
07:39:36 12 that basically in those two areas, my comments is that it
07:39:43 13 is not adequate and that that part of it should be
07:39:48 14 studied and there should be more information before it is
07:39:54 15 complete.

07:39:56 16 Thank you.

07:40:00 17 **CHAIR SUGRUE:** Thank you Vice Chair Komorous.
07:40:03 18 Board Member Andrews?

07:40:04 19 **BOARD MEMBER ANDREWS:** Yeah, thank you. I
07:40:07 20 just -- the only other thing I wanted to just -- I meant
07:40:08 21 to add this before, was that I do agree with -- I can't
07:40:11 22 remember the member of the public that spoke, but I think
07:40:16 23 that all of the cranes that we can preserve the better.

07:40:21 24 To me they all are historic resources they are
07:40:26 25 absolutely essential to our image and perception and

07:40:29 1 feeling about the City of Oakland.

07:40:36 2 **CHAIR SUGRUE:** Thank you, Board Member Andrews.

07:40:40 3 Are there any other comments from the board?

07:40:50 4 I do just want to bring back one item that I
07:40:53 5 think is important regarding the Peaker Plant and making
07:40:59 6 sure that we feel we have enough -- we have adequate
07:41:01 7 information on it.

07:41:03 8 I know that it was brought to the attention
07:41:06 9 that we weren't given the full details on it and I know
07:41:11 10 that there's been some comments on it. But I just wanted
07:41:17 11 to make sure does everyone feel as if this is adequate?
07:41:23 12 And does anyone else have any other comments for the
07:41:25 13 DEIR?

07:41:37 14 **VICE CHAIR KOMOROUS:** I would just like to
07:41:38 15 reiterate that I think that it isn't adequately --
07:41:46 16 alternatives to the -- you know, in the mitigation part
07:41:50 17 of the Draft EIR states no alternatives. And the
07:41:55 18 mitigation isn't really addressed.

07:41:59 19 So, I think that the answer is a resounding no,
07:42:06 20 it's incomplete.

07:42:12 21 **CHAIR SUGRUE:** Thank you, Vice Chair.

07:42:16 22 Seeing no other comments, we will close this
07:42:20 23 portion of the -- of this piece. And that is to close
07:42:28 24 the portion on the DEIR.

07:42:29 25 But we do have a potential decision around the

07:42:34 1 crane.

07:54:35 2 **MR. VOLLMAN:** Yeah, so this is Pete Vollman,
07:54:35 3 Planning staff again. So as I mentioned earlier, one of
07:55:58 4 the cranes at the site, it's actually the low profile
07:56:02 5 crane on the west end and it's known as crane X-422.

07:56:08 6 And it's within the Draft EIR document where it
07:56:13 7 discusses that this is a potential historic resource.

07:56:17 8 We had two analyses, one by ESA and another one
07:56:21 9 by Jacobs. The ESA analysis basically stated it was
07:56:25 10 believed to be a historic resource under CEQA because of
07:56:28 11 its presence, its early presence at the site when the
07:56:31 12 port went to containerization.

07:56:34 13 The Port had concerns with this and got another
07:56:38 14 study because they felt that not all of the information
07:56:41 15 was there about this crane.

07:56:42 16 This crane was actually modified and relocated
07:56:46 17 to the Howard Terminal site in the mid '90s and their
07:56:51 18 argument was that if it was going to be anything historic
07:56:53 19 about it, it would be with relationship to the
07:56:56 20 development of the Seventh Street Terminal because there
07:56:59 21 numerous other cranes on the site that predated that or
07:57:03 22 were similar in time that had been removed and there were
07:57:06 23 no historic issues with those.

07:57:06 24 And this crane is no longer present in its
07:57:10 25 historic setting at the Seventh Street Terminal and was

07:57:13 1 moved to Howard Terminal as I mentioned in 19 -- I
07:57:17 2 believe it was '94. I actually found a picture of it
07:57:19 3 being installed at Howard Terminal and added it into the
07:57:22 4 staff report.

07:57:23 5 And the concern is that it would be considered
07:57:25 6 a historic resource when it's barely of age and is not
07:57:29 7 even in its historic setting.

07:57:30 8 So, the argument from the Jacobs end is that it
07:57:33 9 should not be considered a historic resource pursuant to
07:57:36 10 CEQA.

07:57:37 11 And what we were looking for is if the board
07:57:40 12 feels comfortable with the information, if the Board
07:57:42 13 would like to make a motion for a recommendation to staff
07:57:46 14 as to whether or not we should continue to treat it as a
07:57:50 15 historic resource, as we've done within the Draft EIR,
07:57:53 16 which has -- was out of an abundance of caution, and was
07:57:57 17 the most conservative approach.

07:58:00 18 Or does the board believe it should not be
07:58:02 19 considered a historic resource pursuant to the follow-up
07:58:05 20 Jacobs study that was provided?

07:58:12 21 **CHAIR SUGRUE:** Great, thank you so much. With
07:58:13 22 that, I will open it up to the board if anyone has any
07:58:15 23 potential recommendations or comments around this.

07:58:21 24 **VICE CHAIR KOMOROUS:** Maybe I could jump in
07:58:22 25 again. This is Vice Chair Komorous.

07:58:26 1 **CHAIR SUGRUE:** Yes, please.

07:58:27 2 **VICE CHAIR KOMOROUS:** I -- so I read the
07:58:31 3 reports, the parts of the reports that were given to us
07:58:34 4 in our package.

07:58:35 5 The first one it didn't have who wrote it and
07:58:38 6 then there's the Jacobs report.

07:58:40 7 But there were -- I think that we do have
07:58:48 8 enough information to weigh in on this. And I just --
07:58:52 9 for the board members that didn't have a chance to really
07:58:58 10 read it, there are a couple of things that I think are
07:59:03 11 really important.

07:59:07 12 In the first report it -- that report concluded
07:59:13 13 that this crane qualified as a historic resource because
07:59:18 14 it was the last remaining crane associated with the 1962
07:59:23 15 to 1977 era and this crane is from 1970.

07:59:29 16 So the deal is that there were four cranes of
07:59:33 17 this type, but the other three have already been
07:59:38 18 demolished. So this is the last crane of its type. And
07:59:44 19 that was the main reason why they felt that this crane is
07:59:49 20 eligible.

07:59:52 21 The other report, the second report that the
07:59:55 22 Port paid for -- so my guess is that they didn't like
08:00:00 23 that now they had a crane that was considered a historic
08:00:02 24 resource, so the Port paid for a report basically that
08:00:08 25 said that it wasn't a historic resource. But -- so there

08:00:12 1 are a couple things related to that.

08:00:14 2 First of all, it says that it wasn't a resource
08:00:19 3 because it was constructed less than 50 years ago.

08:00:23 4 So, first of all, that's no longer true. I
08:00:26 5 mean, it might have been true when this report was
08:00:28 6 written, but it isn't true anymore.

08:00:30 7 It's 1970. This crane it is over 50 years old.
08:00:37 8 So that's one reason why I believe that this crane should
08:00:40 9 be continued to be considered as a historic resource.
08:00:44 10 And I believe that staff did it absolutely properly.

08:00:50 11 I think that it's great that it's being
08:00:53 12 considered a historic resource and I think that other
08:00:56 13 parts of, like, the reasons why they're saying that it's
08:01:00 14 not was because it was moved.

08:01:02 15 Well, the point under the SHPO rules, the point
08:01:08 16 isn't that something can't be moved, it just has to say
08:01:11 17 relevant. So if this crane had been moved inland, then
08:01:15 18 the location wouldn't matter. But it's -- it appears to
08:01:19 19 me, from reading this, that actually they moved these
08:01:23 20 cranes around. I mean, this is not like something that
08:01:27 21 all of a sudden it's not a crane because it's moved a few
08:01:30 22 yards.

08:01:31 23 So, I think that that -- saying that it was
08:01:33 24 moved makes it not historic is meaningless.

08:01:38 25 And then some of the things that they're

08:01:40 1 saying, that it was modified. But it just feels very
08:01:45 2 nitpicky that yes, that what the Jacobs report says is
08:01:49 3 true, but it's so nitpicky because it's kind of like, you
08:01:53 4 know, if -- the height was modified.

08:01:58 5 Well, it's still a crane, it's still on the
08:02:00 6 water and it's the last remaining crane of its kind.

08:02:04 7 So, I think that it -- that the big picture is
08:02:12 8 that it is a historic resource.

08:02:14 9 Now that doesn't mean that it is -- you know,
08:02:20 10 in terms of explanation, to the -- you know, attendees,
08:02:25 11 that doesn't mean that it won't be removed.

08:02:28 12 All we're saying is that it be considered as a
08:02:31 13 resource and that that means a conservative approach.
08:02:35 14 And then you know, if it has to be demolished then
08:02:40 15 there's appropriate mitigation, because if it's not a
08:02:43 16 historic resource, they can just tear it down and it goes
08:02:46 17 away. Whereas if it is considered a historic resource,
08:02:51 18 then you know mitigation can take place or, you know,
08:02:55 19 hopefully it is kept.

08:02:57 20 But it won't just disappear overnight and then
08:03:01 21 the thing is gone.

08:03:02 22 And actually, I have another issue related to
08:03:06 23 the DEIR which I forgot to make, is that I think that the
08:03:10 24 mitigation measures related to the crane are also
08:03:14 25 incomplete because the only mitigation measure that it

08:03:17 1 says is that the -- that the Applicant in the mitigation
08:03:24 2 is only responsible for the cost of demolition under all
08:03:28 3 of the mitigation measures.

08:03:30 4 So, you know, they get to tear it down. And if
08:03:34 5 somebody wants to keep it or relocate it, then that's
08:03:38 6 their problem. And at their cost, more importantly.

08:03:41 7 So I think that also that doesn't appear to me
08:03:45 8 to be a mitigation measure. I mean, that just says, you
08:03:49 9 know, that they pay the money and then the thing can just
08:03:53 10 disappear.

08:03:54 11 So, to summarize, I think that this -- the
08:04:03 12 crane X-422 is a historic resource. And should continue
08:04:11 13 to be considered as such as it has been and as it already
08:04:15 14 is in the DEIR. And I think that staff was absolutely
08:04:22 15 correct to do that.

08:04:25 16 End of comment.

08:04:27 17 **CHAIR SUGRUE:** Thank you, Vice Chair.

08:04:30 18 Board Member Andrews.

08:04:32 19 **BOARD MEMBER ANDREWS:** Yeah. Thank you, Board
08:04:33 20 Member Komorous for clarifying all that. I totally agree
08:04:39 21 with you. I think that -- and thank you so much for
08:04:41 22 making that so clear.

08:04:44 23 I don't think there's any question this is a
08:04:45 24 historic resource.

08:04:46 25 Cranes are modified and moved around. That's

08:04:48 1 just the nature of them. They're industrial objects.
08:04:50 2 They're not, you know, cathedrals. Anyway, cathedrals
08:04:57 3 are moved around and changed. I just don't think that's
08:04:59 4 a good argument.

08:05:01 5 So thank you and I think staff did the right
08:05:03 6 thing in their original discussion of that.

08:05:05 7 Thank you. That's all I have to say.

08:05:08 8 **CHAIR SUGRUE:** Thank you. Any other comments
08:05:09 9 from the board?

08:05:16 10 So I know I just want to chime in and echo Vice
08:05:20 11 Chair Komorous and Board Member Andrews. And I think
08:05:24 12 part of this particular crane also tells a regional and a
08:05:28 13 global history. Regionally from the fact that it had to
08:05:33 14 be lower due to the local airfields, Navy airfields.

08:05:40 15 And then globally, there's a great explanation
08:05:44 16 on the Panamax crates. And you know, the role that this
08:05:52 17 crane plays.

08:05:53 18 And I think that there's just such a rich
08:05:56 19 maritime history within this space. And we look at
08:06:01 20 container ships now and we don't recognize that there
08:06:05 21 used to be different sized container ships. And this
08:06:08 22 used to be -- you know, one of those cranes to do that.

08:06:15 23 And so, I think there's a rich history here and
08:06:18 24 Vice Chair Komorous --

08:06:20 25 Oh, yes, Board Member Fu.

08:06:28 1 **BOARD MEMBER FU:** Yes, thank you, Chair. Let
08:06:29 2 me see if I can try to do this without too much
08:06:31 3 interruption here.

08:06:32 4 I agree with all board member comments.

08:06:38 5 I think what drove me a little bit, I wish
08:06:42 6 there was more discussion in terms of alternatives, and I
08:06:44 7 think designating this or continuing to designate this
08:06:47 8 because it has always been a historic resource will allow
08:06:50 9 the opportunity to talk and look at alternatives just as
08:06:53 10 the Vice Chair had mentioned. So I just wanted to concur
08:06:59 11 and point out that.

08:07:00 12 Thank you.

08:07:01 13 **CHAIR SUGRUE:** Thank you. Any other comments
08:07:03 14 from the board at this time?

08:07:07 15 Vice Chair Komorous, I'm not trying -- oh, yes.
08:07:10 16 Board Member Andrews?

08:07:14 17 **BOARD MEMBER ANDREWS:** I'm here. I'm ready to
08:07:15 18 make a motion, but I --

08:07:17 19 **CHAIR SUGRUE:** Thank you. No, let's do it.

08:07:19 20 **BOARD MEMBER ANDREWS:** Vice Chair Komorous is
08:07:20 21 much better at phrasing these motions more precisely
08:07:24 22 since she's studied this. But basically to back up the
08:07:28 23 city's initial analysis of this crane.

08:07:31 24 **CHAIR SUGRUE:** Great. So we -- it sounds like
08:07:33 25 we have a motion from Board Member Andrews to consider

08:07:35 1 the crane as a historic resource to support the city's
08:07:39 2 findings.
08:07:40 3 Do we have a second?
08:07:44 4 **VICE CHAIR KOMOROUS:** I will second that. This
08:07:45 5 is Komorous.
08:07:47 6 **CHAIR SUGRUE:** Thank you so much.
08:07:49 7 Can we please have a roll call?
08:07:52 8 **MR. VOLLMAN:** Board Member Fu.
08:07:53 9 **BOARD MEMBER FU:** Yes.
08:07:55 10 **MR. VOLLMAN:** Board Member Joiner?
08:07:58 11 **BOARD MEMBER JOINER:** Yes.
08:07:59 12 **MR. VOLLMAN:** Board Member Molette-Parks?
08:08:01 13 **BOARD MEMBER MOLETTE-PARKS:** Yes.
08:08:03 14 **MR. VOLLMAN:** I'm sorry, that wasn't completely
08:08:05 15 clear?
08:08:07 16 **BOARD MEMBER MOLETTE-PARKS:** Sorry about that.
08:08:07 17 That was yes.
08:08:10 18 **MR. VOLLMAN:** Yes, okay.
08:08:11 19 Board Member Johnson?
08:08:12 20 **BOARD MEMBER JOHNSON:** Yes.
08:08:13 21 **MR. VOLLMAN:** Board Member Andrews.
08:08:14 22 **BOARD MEMBER ANDREWS:** Yes.
08:08:17 23 **MR. VOLLMAN:** Vice Chair Komorous?
08:08:19 24 **VICE CHAIR KOMOROUS:** Yes.
08:08:21 25 **MR. VOLLMAN:** Chair Sugrue?

08:08:24 1 **CHAIR SUGRUE:** Yes.

08:08:25 2 **MR. VOLLMAN:** That motion passes.

08:08:26 3 Thank you.

08:08:31 4 **CHAIR SUGRUE:** And with that this particular

08:08:32 5 item is closed.

08:08:33 6 So we will be moving on, on the agenda.

08:08:36 7 Do we have any announcements?

08:08:41 8 **MR. VOLLMAN:** No announcements from staff.

08:08:45 9 **CHAIR SUGRUE:** Great. Do we have anything

08:08:46 10 upcoming?

08:08:49 11 **MR. VOLLMAN:** Nothing to announce at this time.

08:08:53 12 **CHAIR SUGRUE:** Okay. We do have meeting

08:08:54 13 minutes to approve.

08:08:55 14 Do we have a motion to approve those meeting

08:08:58 15 minutes?

08:08:59 16 **BOARD MEMBER JOHNSON:** So move.

08:09:06 17 **CHAIR SUGRUE:** Thank you. Do we have a second?

08:09:07 18 **BOARD MEMBER JOINER:** Second.

08:09:08 19 (Multiple speakers.)

08:09:09 20 **CHAIR SUGRUE:** Great. We have a lot of

08:09:10 21 seconds.

08:09:11 22 Can we have a roll call vote, please.

08:09:13 23 **MR. VOLLMAN:** Board Member Fu?

08:09:17 24 **BOARD MEMBER FU:** Yes.

08:09:17 25 **MR. VOLLMAN:** Board Member Joiner?

08:09:20 1 **BOARD MEMBER JOINER:** Yes.

08:09:20 2 **MR. VOLLMAN:** Board Member Molette-Parks?

08:09:24 3 **BOARD MEMBER MOLETTE-PARKS:** Yes.

08:09:26 4 **MR. VOLLMAN:** Board member Johnson?

08:09:28 5 **BOARD MEMBER JOHNSON:** Yes.

08:09:30 6 **MR. VOLLMAN:** Board Member Andrews?

08:09:31 7 **BOARD MEMBER ANDREWS:** Yes.

08:09:33 8 **MR. VOLLMAN:** Vice Chair Komorous?

08:09:33 9 **VICE CHAIR KOMOROUS:** Yes.

08:09:33 10 **MR. VOLLMAN:** Chair Sugrue?

08:09:38 11 **CHAIR SUGRUE:** Yes.

08:09:38 12 **MR. VOLLMAN:** That motion passes.

08:09:40 13 **CHAIR SUGRUE:** Thank you so much. And with

08:09:40 14 that, our meeting is adjourned.

08:09:42 15 Thank you all so much for joining us and hope

08:09:45 16 everyone has a great night.

08:09:46 17 (Meeting concluded at video time 1:17:45.)

08:09:46 18 ---o0o---

19
20
21
22
23
24
25

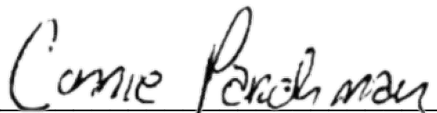
08:09:46 1
08:09:46 2
08:09:46 3
08:09:46 4
08:09:46 5
08:09:46 6
08:09:46 7
08:09:46 8
08:09:46 9
08:09:46 10
08:09:46 11
08:09:46 12
08:09:46 13
08:09:46 14
08:09:46 15
08:09:46 16
08:09:46 17
08:09:46 18
08:09:46 19
20
21
22
23
24
25

State of California)
County of Alameda) ss.

I, Connie J. Parchman, CSR #6137, do hereby certify: That I am a certified shorthand reporter of the State of California; that I was provided access to audio files; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney or any of the parties.

IN WITNESS WHEREOF, I have subscribed my name.



Connie J. Parchman, CSR #6137

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF OAKLAND
PLANNING COMMISSION
SPECIAL MEETING

---oOo---

Wednesday, April 21, 2021

Audio Transcription

Reported by: Connie J. Parchman, RPR, CRR, CSR 6137

JAN BROWN & ASSOCIATES
WORLDWIDE DEPOSITION & VIDEOGRAPHER SERVICES
701 Battery Street, 3rd Floor, San Francisco, CA 94111
(415)981-3498 or (800) 522-7096

1 Commissioners Present:

2 Tom Limon, Chair

3 Clark Manus, Vice-Chair

4 Jonathan Fearn

5 Nischit Hegde

6 Leopold Ray-Lynch

7 Sahar Shirazi

8

9 Absent:

10 Amanda Monchamp

11

12 Staff:

13 Desmona Armstrong, Public Service Representative

14 Catherine Payne, Secretary

15

16

17

18

19

20

21

22

23

24

25

1 **WEDNESDAY, APRIL 21, 2021**

2 P R O C E E D I N G S

3 ---000---

4 (Proceedings not transcribed pursuant to request.)

5 ...

13:16:07 6 **CHAIR LIMON:** Commissioner Fearn?

13:16:08 7 **COMMISSIONER FEARN:** Thanks for that

13:16:11 8 description, Pete.

13:16:13 9 I just have one question related to the
13:16:15 10 variance. Are those -- can you clarify if those are --
13:16:18 11 are those mutually exclusive from a, you know, practical
13:16:23 12 standpoint of how the applicant intends to build them?
13:16:27 13 And are they seen as mutually exclusive in the EIR or
13:16:30 14 does the EIR consider them from a cumulative standpoint?

13:16:36 15 **MR. VOLLMAN:** So the draft EIR actually has a
13:16:38 16 chapter that talks about the impacts of those variants
13:16:41 17 individually and in the context cumulatively. But they
13:16:44 18 would be associated with the project, but they were
13:16:47 19 broken out because they may or may not be part of the
13:16:50 20 project. So the project was viewed on its own on a stand
13:16:53 21 alone and then these were analyzed in addition to the
13:16:55 22 project, plus the cumulative development.

13:16:59 23 **COMMISSIONER FEARN:** Okay. Thanks.

13:17:02 24 **CHAIR LIMON:** Vice Chair Manus.

13:17:05 25 **VICE CHAIR MANUS:** Thank you, Pete. Can you

13:17:06 1 outline for us what the regulatory path forward is with
13:17:11 2 regard to the continued review and design review
13:17:16 3 component of the project beyond the CEQA process?

13:17:20 4 **MR. VOLLMAN:** Yeah, so, currently they have
13:17:23 5 filed for PUD application as well as the general plan
13:17:26 6 amendment and the rezoning, as well as the development
13:17:30 7 agreement. And currently we're working with them to
13:17:34 8 finalize the submittal to get a complete submittal and in
13:17:40 9 particular the first step would be the PUD application
13:17:43 10 and trying to get that before the design review
13:17:45 11 committee. So we're still waiting for a few revisions to
13:17:50 12 that before bringing it forward to the committee.

13:17:52 13 **VICE CHAIR MANUS:** And then second part of the
13:17:56 14 question, Pete. Thank you.

13:17:57 15 How did the project sponsor arrive at the
13:18:00 16 proposed height and configuration in the mixed-use
13:18:07 17 portion of the project, relative to potential visual
13:18:10 18 impact or any components related to the aesthetic
13:18:14 19 character?

13:18:17 20 So how was that arrived at?

13:18:19 21 **MR. VOLLMAN:** You're referring to why did they
13:18:21 22 decide on the proposed heights?

13:18:25 23 **VICE CHAIR MANUS:** Correct.

13:18:26 24 **MR. VOLLMAN:** I can't answer that question, as
13:18:27 25 I'm not the applicant.

13:18:29 1 But I would recommend we get that when we bring
13:18:32 2 the PUD to the design review committee.

13:18:35 3 **VICE CHAIR MANUS:** Sounds great. Thank you
13:18:36 4 very much.

13:18:38 5 **CHAIR LIMON:** And Pete, this is regarding just
13:18:41 6 I guess the aesthetics.

13:18:44 7 The orientation of sort of the low point of the
13:18:46 8 perimeter of the stadium used to face Athletics Way and
13:18:51 9 now it looks shifted, you know, a certain degree. So
13:18:55 10 it's -- the lowest point is facing the waterfront.

13:18:59 11 Can you talk a little bit about why that might
13:19:02 12 have changed?

13:19:03 13 **MR. VOLLMAN:** That's probably a better question
13:19:05 14 for the applicant.

13:19:06 15 However, my understanding was that they've also
13:19:09 16 been having obviously this is in BCDC jurisdiction. So
13:19:14 17 initially the ballpark opened directly down Water Street.
13:19:17 18 I'll say that from the city standpoint we actually really
13:19:21 19 liked that approach.

13:19:22 20 My understanding is that they made some of the
13:19:25 21 changes and -- with regard to baseball issues and the
13:19:28 22 batter's eye and also trying to make it more accessible
13:19:31 23 so the waterfront was tied more into the ballpark
13:19:35 24 activities.

13:19:35 25 So they actually have a public viewing area

13:19:38 1 that is something that BCDC is going to be requiring and
13:19:41 2 they went through this during the design meeting with
13:19:43 3 BCDC. I mean, there's been a number of them but there
13:19:47 4 was one a couple weeks ago and they went through that
13:19:49 5 about the shift where previously there was an area where
13:19:52 6 people could walk up from the waterfront and peer through
13:19:55 7 like a gated area. But now with it being turned there's
13:19:58 8 going to actually be like a sitting area like dead
13:20:02 9 center, well, not center field anymore, but it would be
13:20:02 10 right center, kind of looking into the ballpark.

13:20:05 11 So my understanding is that it was done to
13:20:07 12 primarily address the issues of connecting it more to the
13:20:09 13 water as some of the requirements under BCDC. But I
13:20:15 14 don't want to completely speak for the applicable but
13:20:17 15 that was my understanding.

13:20:19 16 **CHAIR LIMON:** Okay. Thank you.

13:20:20 17 Commissioner Hegde.

13:20:21 18 **COMMISSIONER HEGDE:** So this is related to the
13:20:22 19 project in that, you know, Oakland Coliseum is incredibly
13:20:28 20 important to our city. And I was wondering what the
13:20:32 21 timeline for that development project is.

13:20:39 22 **MR. VOLLMAN:** So that is a --

13:20:40 23 (Multiple speakers.)

13:20:41 24 **MR. VOLLMAN:** I'm sorry, I didn't know you were

13:20:41 25 --

13:20:42 1 **COMMISSIONER HEGDE:** No, no. Go ahead.

13:20:44 2 I was just saying maybe the applicant could
13:20:46 3 respond to that. Or you too, Pete, that's fine.

13:20:50 4 **MR. VOLLMAN:** At this point in time, we have
13:20:51 5 received no application for the Coliseum site. These are
13:20:54 6 two completely separate development projects and have no
13:21:00 7 relation whatsoever other than they would be leaving one
13:21:03 8 and moving to another.

13:21:04 9 Obviously there's discussions going on, you
13:21:06 10 know, with the A's, the County and the City about
13:21:09 11 acquiring and potentially developing that property.

13:21:11 12 But we have absolutely no applications or
13:21:13 13 anything at this point in time.

13:21:15 14 You know, anything that I would assume would
13:21:18 15 proceed there would probably be consistent with what was,
13:21:22 16 you know, approved under the Coliseum Area Specific Plan
13:21:25 17 and that was, you know, one of the alternatives that we
13:21:28 18 referenced here.

13:21:29 19 But whether or not that -- well the alternative
13:21:31 20 we reference here included a ballpark there, but if they
13:21:34 21 were to develop that as a separate project, it is unknown
13:21:38 22 what would be proposed at this point in time because we
13:21:41 23 don't have a preapplication or any submittal at this
13:21:43 24 point with the planning department.

13:21:47 25 **COMMISSIONER HEGDE:** I bring it up because I

13:21:48 1 saw it as an alternate. Okay. Thank you.

13:21:51 2 **MR. VOLLMAN:** Yeah, and the alternative is
13:21:53 3 really just in relation to this project, you know, with
13:21:55 4 regard to CEQA to look at, trying to reduce potential
13:22:01 5 impacts. So there's often an off-site alternative looked
13:22:05 6 at.

13:22:05 7 There was other ones, but there was no site
13:22:07 8 controls, so that's why we chose the Coliseum, obviously
13:22:10 9 being the fairly obvious one given there's a ballpark
13:22:13 10 there now.

13:22:15 11 **CHAIR LIMON:** And Pete just one last question
13:22:17 12 from me.

13:22:17 13 Related to I guess approved projects in that
13:22:21 14 area, and then also updates to the density bonus,
13:22:26 15 statewide density bonus, has that -- will that also be
13:22:30 16 reevaluated with the different studies associated with
13:22:33 17 this EIR?

13:22:35 18 **MR. VOLLMAN:** At this point in time, you know,
13:22:37 19 the EIR is looking at the maximum build out as is
13:22:41 20 provided.

13:22:41 21 I'm not sure if the city attorney could chime
13:22:44 22 in on how that would work going forward, but with the
13:22:48 23 General Plan Amendment, we would probably create a zoning
13:22:51 24 that would be, you know, relative to the PUD itself,
13:22:54 25 which would kind of encompass this kind of full

13:22:58 1 development and proposal.

13:22:59 2 So I don't know that the density bonus would
13:23:01 3 necessarily exceed that, it would probably align with
13:23:04 4 that, but we would need to see what happens with state
13:23:07 5 laws going forward.

13:23:12 6 **CHAIR LIMON:** Commissioner Hegde.

13:31:40 7 **COMMISSIONER HEGDE:** Yeah, so I also was
13:31:42 8 wondering if you could speak to just some of the -- some
13:31:49 9 of the planned mitigation efforts relating to climate
13:31:55 10 change and rising tides, considering this is going to be
13:31:57 11 rising waters considering this is going to be at the
13:32:03 12 waterfront.

13:32:04 13 **MR. VOLLMAN:** Yeah, so, you know, if you refer
13:32:07 14 to the summary table, there's a number of mitigations.
13:32:10 15 Basically under AB-734 this needs to be a no net new GHG
13:32:15 16 project. And that kind of describes measures that can be
13:32:19 17 taken and incorporated to help them achieve that goal.
13:32:23 18 And they needed to actually demonstrate that as well as
13:32:26 19 part of the AB-734 application.

13:32:29 20 And so we have mitigations included and a
13:32:32 21 monitoring program that is included as well.

13:32:36 22 With regard to sea level rise the site itself
13:32:38 23 is actually including raising portions of the site to
13:32:43 24 meet the -- I believe it's the 2100 projections.

13:32:50 25 **COMMISSIONER HEGDE:** And I see like carbon

13:32:52 1 offsets are included in here.

13:32:54 2 I -- maybe you can help me understand whether
13:32:56 3 -- I mean are there even enough carbon offsets to go
13:33:01 4 around?

13:33:02 5 I mean, it just seems like a lot of projects
13:33:05 6 are relying on the purchase of carbon offset credits.

13:33:12 7 So do we even know what's available or what
13:33:17 8 will be available and what the timeline for that will be?

13:33:20 9 **MR. VOLLMAN:** Yeah, I can't answer to the
13:33:21 10 current market right now on carbon offsets.

13:33:25 11 I know that there are some available. If they
13:33:28 12 need to go create them themselves, that's also things
13:33:31 13 that some people can do.

13:33:33 14 But I can't really speak to the current market,
13:33:36 15 but this is a project that is projected to build out over
13:33:39 16 numerous years as well.

13:33:45 17 **CHAIR LIMON:** Do we have any additional
13:33:47 18 questions from the commission?

13:33:51 19 Okay. So, with that, Ms. Armstrong if we could
13:33:55 20 open it up to the public comment portion of this.

13:33:58 21 And again this is not -- this is not an
13:34:02 22 opportunity to talk about the -- whether this is a good
13:34:07 23 project or bad project but how it relates to the EIR and
13:34:10 24 impacts you would like to comment on.

13:38:08 25 And also the city encourages documents to be

13:39:42 1 submitted electronically via the following link, if you
13:39:45 2 prefer to provide a written comment and that's -- we'll
13:39:48 3 provide that a little bit later, a link to that.

13:39:51 4 **MS. ARMSTRONG:** Okay. Thank you very much,
13:39:54 5 Commissioner Limon.

13:39:56 6 Looks like our first comment. And we do have
13:39:58 7 about 37 comments, so please be patient.

13:40:00 8 Eric S, please state your full name for the
13:40:03 9 record.

13:40:09 10 I'm sorry, Eric, you do need to unmute.

13:40:13 11 **MR. SEYLA:** Well thank you. Yeah, I was
13:40:14 12 looking for the unmute button. Hi my name is Eric Selya,
13:40:17 13 S-E-L-Y-A.

13:40:20 14 My employer, F'Real Foods, is headquartered --
13:40:22 15 world headquarters is in Emeryville. And our staff is
13:40:26 16 located throughout the East Bay. Many of our employees
13:40:31 17 call Oakland home.

13:40:33 18 I'm also a member of Town Business, which is an
13:40:37 19 initiative launched by Oakland business leaders to
13:40:42 20 promote economic and civic progress in Oakland.

13:40:45 21 You know, the opposition continues to push the
13:40:49 22 narrative that the A's have sought shortcuts and
13:40:53 23 exemptions from environmental laws, and that the site is
13:40:56 24 contaminated by land toxins.

13:40:59 25 The reality is that AB-734, as mentioned,

13:41:03 1 actually holds the A's to a higher environmental standard
13:41:08 2 requiring construction being all lead gold certified and
13:41:15 3 that there be total greenhouse gas neutrality.

13:41:20 4 The A's have also publicly committed private
13:41:24 5 dollars to the mitigation and remediation of the site.

13:41:30 6 I think the A's -- I think the overall project
13:41:33 7 and the report show that it's a clear upgrade from the
13:41:36 8 site's current use and will help to improve the air
13:41:39 9 quality in the surrounding communities and open the
13:41:42 10 waterfront up to Oakland residents with tons of parks and
13:41:46 11 open spaces.

13:41:50 12 It's bigger than baseball. And it will
13:41:53 13 generate real economic and community benefits for the
13:41:55 14 people of Oakland.

13:41:56 15 And it's important for the future of the City
13:42:00 16 of Oakland especially West Oakland, and the Bay Area
13:42:03 17 Council's -- Bay Area's Council on Economic Institute
13:42:07 18 released a study showing the project could have over
13:42:11 19 700 -- over \$7 billion in economic impact and create more
13:42:14 20 than 6,000 permanent jobs.

13:42:21 21 **MS. ARMSTRONG:** Thank you, Eric, for your
13:42:21 22 comment.

13:42:23 23 Our next comment, unmute yourself to make your
13:42:29 24 comment.

13:42:30 25 **CHAIR LIMON:** Just to remind everyone has two

13:42:32 1 minutes to speak.

13:42:36 2 **MR. KNECHT:** Okay. My name is Gary Knecht. My
13:42:39 3 residence has been in the Jack London District for 39
13:42:43 4 years. I've seen a lot of changes in 39 years and look
13:42:47 5 forward to many more years and changes.

13:42:51 6 I've also seen a lot of trains in 39 years.
13:42:56 7 Passenger trains are relatively short with predictable
13:43:01 8 schedules.

13:43:02 9 Freight trains are long. They are unscheduled
13:43:06 10 and they come and go as they please. Freight trains can
13:43:11 11 stop and block traffic for no apparent reason.

13:43:17 12 On numerous occasions in my 39 years I have
13:43:21 13 seen impatient pedestrians climb between freight cars to
13:43:26 14 get across the tracks. On two occasions, before I got
13:43:30 15 older and wiser, I myself climbed between cars to get to
13:43:38 16 the other side. There are no fences or pedestrian gates
13:43:44 17 to remind me or others how dangerous this can be.

13:43:49 18 I'm glad mitigation measure TRANS-3 calls for
13:43:54 19 pedestrian rail safety corridor from Market to Broadway.

13:43:58 20 But I'm astounded that it doesn't continue that
13:44:02 21 rail safety corridor to Oak Street. Franklin, Webster
13:44:09 22 and Oak streets need the same level of protection.

13:44:13 23 Chapter 4.15 of the Draft EIR says that these
13:44:18 24 intersections are in the study area for pedestrians and
13:44:22 25 bicycles and everything else, but nowhere could I find

13:44:25 1 evidence that they were studied or a reason for their
13:44:29 2 omission from the rail safety measures proposed
13:44:33 3 elsewhere.

13:44:34 4 I believe rail safety is needed from Market to
13:44:38 5 Oak Street to remind my younger self and the general
13:44:44 6 public to stay away from freight trains.

13:44:46 7 Thank you.

13:44:47 8 **MS. ARMSTRONG:** Thank you. Anne J, if you
13:44:50 9 could state your full name for the record.

13:45:04 10 **MS. JENKS:** My name is Anne Jenks and not
13:45:07 11 addressing the -- I think I'm not supposed to address the
13:45:11 12 facts of the proposal.

13:45:14 13 I'm sorry, I don't call into city functions
13:45:18 14 very often.

13:45:19 15 But I did want to call in because I don't think
13:45:24 16 that this report adequately addresses the long-standing
13:45:28 17 jobs that we've had in Oakland on the -- among the ILWU
13:45:36 18 folk.

13:45:36 19 And wherever you go in Oakland, especially in
13:45:37 20 the flats, you meet folks from the ILWU. They're a
13:45:41 21 strong part of the community and I think it would be
13:45:44 22 tragic to lose them and I don't think the report reflects
13:45:47 23 that.

13:45:47 24 And I don't think the report adequately
13:45:49 25 addresses air quality and noise issues that people would

13:45:52 1 be subjected to for -- by all appearances -- a decade.

13:45:55 2 Thank you.

13:45:57 3 **MS. ARMSTRONG:** Thank you, Anne.

13:45:58 4 Ruby Acevedo, you may unmute yourself to make
13:46:02 5 your comment.

13:46:09 6 Ruby, can you hear us?

13:46:12 7 **MS. ACEVEDO:** Yes, my name is Ruby Acevedo.
13:46:14 8 I'm a staff attorney with Public Advocates, as well as a
13:46:18 9 member of Oakland United.

13:46:19 10 I am here to ask that the Draft EIR be revised
13:46:24 11 and recirculated in order to provide members of the
13:46:27 12 public with the necessary with necessary information and
13:46:31 13 analysis.

13:46:34 14 The geographic scope and intensity of the
13:46:36 15 development contemplated by the Draft EIR will have
13:46:39 16 widespread environmental impacts not just on the
13:46:42 17 surrounding communities, but on all of Oakland and the
13:46:44 18 greater East Bay.

13:46:46 19 Full and accurate environmental review is
13:46:48 20 essential to ensuring that the public and decision makers
13:46:51 21 have all the relevant information before making decisions
13:46:55 22 about the project and the project components.

13:46:59 23 One of those key issues is housing and
13:47:01 24 employment. Those are among the most important factors
13:47:04 25 that will determine the environmental impact that will

13:47:07 1 result from this project.

13:47:09 2 And this project -- this Draft EIR fails as an
13:47:14 3 informational document. It doesn't account for the
13:47:16 4 housing affordability. It doesn't account for -- or
13:47:21 5 doesn't adequately consider jobs held in fits and it
13:47:24 6 doesn't account for displacement.

13:47:26 7 And the level of impacts on traffic, air
13:47:31 8 quality, greenhouse gas emissions and numerous other
13:47:34 9 environmental factors will be determined by the
13:47:37 10 affordability of the homes that are planned in this
13:47:40 11 project and the wages created by these jobs.

13:47:43 12 There's well-established studies that show that
13:47:46 13 the affordability of the homes matching the jobs that are
13:47:51 14 being created is necessary in order to reduce greenhouse
13:47:55 15 gas emissions. Otherwise, we're going to have a whole
13:47:57 16 new workforce commuting into Oakland, commuting in and
13:48:01 17 out of Oakland regularly.

13:48:04 18 And so, I'll just conclude with just given the
13:48:08 19 fundamental nature of this Draft EIR's flaws and
13:48:12 20 omissions by omitting the housing proposal and the
13:48:17 21 affordability levels and the massive scale of this
13:48:20 22 project, the foreseeable environmental impacts are going
13:48:25 23 to be substantive and much more --

13:48:28 24 **MS. ARMSTRONG:** Your two minutes --

13:48:29 25 (Multiple speakers.)

13:48:33 1 **MS. ACEVEDO:** -- than what is being concluded
13:48:33 2 here.

13:48:33 3 So we request that the draft environmental --
13:48:35 4 (Multiple speakers.)

13:48:37 5 **MS. ARMSTRONG:** Ruby, that is your two-minute
13:48:42 6 comment period. Thank you very much.

13:48:49 7 Sheryl Walton, you may unmute yourself to make
13:48:51 8 your comment.

13:50:10 9 **MS. WALTON:** Good afternoon, I'm Oakland
13:50:12 10 resident in District 7, Sheryl Walton.

13:50:16 11 So the Draft EIR is inadequate and vague
13:50:20 12 throughout, I found it.

13:50:23 13 Toxic clean up that needs to be done is not
13:50:25 14 addressed, as the earlier speaker had said.

13:50:28 15 Howard Terminal land is liquefied and the Draft
13:50:32 16 EIR does not provide a plan to drill down to support the
13:50:35 17 development or prevent the toxic dust -- cancer-causing
13:50:39 18 carcinogens -- that will rise from the ground and impact
13:50:42 19 the air quality. And depending on which way the wind
13:50:46 20 blows will determine as it travels into the rest of West
13:50:51 21 Oakland neighborhoods, City of Alameda, Emeryville,
13:50:56 22 Berkeley -- and Berkeley.

13:50:57 23 A's need to provide details for infrastructure
13:51:00 24 improvements. It should not be a future discussion as
13:51:03 25 said.

13:51:05 1 There's a need to address the cost the City of
13:51:07 2 Oakland and taxpayers like me would need to pay in the
13:51:11 3 hundreds of millions for new infrastructure.

13:51:13 4 Mayor Schaaf has already said that it would
13:51:16 5 cost taxpayers approximately 200 million. And that's
13:51:19 6 approximately, so it can go way over that.

13:51:21 7 It also fails to address the significant
13:51:24 8 impacts, negative impacts, to our working waterfront, our
13:51:30 9 longshoremen, truckers and others.

13:51:32 10 And it needs to be -- this whole process, this
13:51:36 11 whole development could be done at the coliseum where an
13:51:39 12 approved EIR, CEQA, are already in existence and key
13:51:44 13 modes of transportation are there. Train, air, car,
13:51:47 14 BART, bus, it's all there.

13:51:52 15 So this does not make sense to me. Thank you.

13:51:55 16 **MS. ARMSTRONG:** Thank you.

13:51:58 17 Saabir, please state your full name for the
13:52:00 18 record.

13:52:01 19 **MR. LOCKETT:** Hi, my name is Saabir Lockett.
13:52:07 20 I'm a West Oakland resident and father of my two-year-old
13:52:11 21 son.

13:52:11 22 I have lived at 7th and Peralta, near the
13:52:13 23 proposed site for the project for the past five years.

13:52:17 24 I serve as a director of Faith Alliance for a
13:52:17 25 Moral Economy, FAME, which is initiative of the East Bay

13:52:17 1 Alliance for a Sustainable Economy, EBASE.

13:52:23 2 I am also a commissioner of Oakland on the
13:52:25 3 Oakland Army Base Community Jobs Oversight Commission.

13:52:28 4 For the past 16 months, I have also served on
13:52:31 5 the steering committee of the city-sponsored community
13:52:32 6 benefits public process for the Howard Terminal project.
13:52:37 7 Specifically, I co-chair the jobs and economic
13:52:39 8 development topic cohort, which issued recommendations
13:52:42 9 around living wage job standards, local and fair chance
13:52:46 10 hiring practices and resources of small, local-owned
13:52:50 11 businesses.

13:52:50 12 I am here today to express a deep concern about
13:52:52 13 the potential repercussions of this project. For far too
13:52:57 14 long, West Oakland communities have dealt with the
13:53:00 15 consequences of environmental racism by being subjected
13:53:03 16 to unhealthy air quality I myself suffer from asthma and
13:53:06 17 I worry about my son's health and his exposure to harmful
13:53:10 18 particulates in the air, especially since he's still
13:53:14 19 young and his body is developing.

13:53:15 20 If this project is approved, it will inevitably
13:53:18 21 have significant and unavoidable impacts both during
13:53:20 22 construction phase and during the ongoing operations
13:53:23 23 through the life of the project.

13:53:24 24 These impacts stem from vehicle and mobile
13:53:27 25 sources producing harmful pollutants.

13:53:29 1 The analysis presented in the EIR is inadequate
13:53:34 2 in that it lacks the mitigation plan to address
13:53:36 3 greenhouse gas emissions and impacts on air quality.

13:53:39 4 It also defers the creation of such a plan to a
13:53:41 5 later date. After the DEIR is approved. This is
13:53:44 6 unacceptable.

13:53:45 7 The DEIR admits that the developer won't be
13:53:48 8 able to mitigate the impacts on the air quality to safe
13:53:51 9 levels and asks the City to approve the project anyway.

13:53:55 10 The City should require the developer to fully
13:53:57 11 mitigate air pollutions to protect the health of West
13:54:00 12 Oakland residents.

13:54:01 13 Given the issues I've just laid out, I urge the
13:54:03 14 Planning Department and City Administration to provide
13:54:06 15 the public with adequate information about the potential
13:54:08 16 harm this project holds and require a comprehensive plan
13:54:12 17 for how they will protect the health of the surrounding
13:54:15 18 communities.

13:54:15 19 And furthermore, the city must require a
13:54:18 20 concrete and robust community benefits agreement.

13:54:21 21 **MS. ARMSTRONG:** Your two-minute comment are --
13:54:24 22 (Multiple speakers.)

13:54:25 23 **MR. LOCKETT:** Affordable housing (inaudible)
13:54:25 24 and local hire opportunities --

13:54:27 25 **MS. ARMSTRONG:** Thank you.

13:54:29 1 **MR. LOCKETT:** -- (inaudible) air and healthy
13:54:29 2 environment.

13:54:31 3 **MS. ARMSTRONG:** Next comment comes from Jack
13:54:33 4 Fleck. You may unmute yourself to make your comment.

13:54:35 5 **MR. FLECK:** Hi, yeah, my comment is about the
13:54:37 6 railroad tracks.

13:54:41 7 Mr. Knecht pointed out those freight trains can
13:54:43 8 sit there a long time. And in fact, the EIR mentions
13:54:46 9 that that quite -- that happens, you know, a couple
13:54:48 10 dozens times in a one-week period.

13:54:50 11 So, it really needs to have overpasses on those
13:54:53 12 two crossings.

13:54:54 13 What I heard the presentation saying was great
13:54:58 14 separations would be possible at Martin Luther King and
13:55:00 15 at Market but they won't be possible in Jack London
13:55:03 16 Square.

13:55:04 17 But there's a big difference here. I'm a
13:55:06 18 registered traffic engineer. And there's an important
13:55:08 19 concept called "design immunity." If you have an
13:55:11 20 existing condition, you can defend yourself.

13:55:13 21 So like in the EIR, they point out 13
13:55:16 22 collisions between 1999 and 2009 in the Jack London
13:55:20 23 Square but the City can defend itself because those are
13:55:25 24 intersections that have been there for decades.

13:55:27 25 These two intersections with their really major

13:55:30 1 change in the land use and the whole intention of the
13:55:33 2 intersection, the City is going to be liable if there are
13:55:35 3 collisions. And then the city will be forced to build
13:55:37 4 those overcrossings at the City's expense, which is
13:55:41 5 apparently about \$298 million according to the Alameda
13:55:44 6 County Transportation Authority estimate.

13:55:47 7 So I would urge you to make sure that this
13:55:49 8 ballpark is designed the way the coliseum is. There's an
13:55:53 9 overpass goes over the same set of tracks that have all
13:55:55 10 these freight trains, takes you right to the level where
13:55:57 11 you pay the tickets and go into the coliseum.

13:56:00 12 That's the way this ballpark should be
13:56:03 13 designed. There should be overpass that goes right into
13:56:05 14 the ballpark, everybody would naturally use the
13:56:07 15 pedestrian overpass that way. There wouldn't be a
13:56:10 16 tendency through to get over the tracks and circumvent
13:56:14 17 the overpass.

13:56:15 18 Anyway, I think this is a very big liability
13:56:17 19 for the City and I don't think the EIR really addressed
13:56:20 20 it adequately.

13:56:22 21 **MS. ARMSTRONG:** Thank you, Jack.

13:56:27 22 Next comment is from Sonya Karabel.

13:56:30 23 You may unmute yourself to make your comment.

13:56:48 24 **MS. KARABEL:** Hello, my name is Sonya Karabel.

13:56:51 25 I'm a (inaudible) Alliance with Sustainable Economy,

13:56:53 1 which is a member of the Oakland United Coalition. And
13:56:56 2 I'm also a resident in D1 in Oakland.

13:56:59 3 I'm very concerned about this development at
13:57:00 4 Howard Terminal and its potential impacts on West
13:57:03 5 Oakland, (inaudible) and Jack London on both an
13:57:06 6 environmental and a social level. And I don't feel that
13:57:09 7 the EIR adequately addresses these concerns.

13:57:11 8 This EIR is incredibly long and complicated and
13:57:14 9 the public should have been given the maximum amount of
13:57:17 10 time to process this important document and consider the
13:57:19 11 impacts of such a giant project. It was a mistake to
13:57:22 12 deny the request for the maximum amount of time.

13:57:26 13 This EIR that we -- you know, insofar as we
13:57:29 14 have been able to process it, leaves several critical
13:57:33 15 areas vague rather than proposing a complete plan.

13:57:36 16 In this forum community members cannot truly
13:57:38 17 assess how we feel with the project.

13:57:41 18 For example, the Howard Terminal site is
13:57:43 19 currently on toxic land which is covered by a concrete
13:57:46 20 cap. In order to build, this toxic site will be exposed,
13:57:48 21 yet the EIR doesn't provide a plan for how workers and
13:57:51 22 future residents at the site will be protected. It just
13:57:53 23 says that they'll follow the Department of Toxic
13:57:56 24 Substances Control's protocols to clean it up.

13:57:58 25 Yet we've seen examples of the DTSC failing to

13:58:00 1 mandate proper clean up of toxic sites leaving residents
13:58:04 2 and workers, often predominantly black and brown
13:58:07 3 communities, to bear the brunt of the environmental and
13:58:09 4 health impacts.

13:58:10 5 One such troubling instance was the Treasure
13:58:11 6 Island development where residents on the former Navy
13:58:15 7 base were exposed to hazardous chemicals and complained
13:58:17 8 of the Treasure Island cough and other ailments as a
13:58:19 9 result.

13:58:21 10 This EIR should have a specific plan for how
13:58:23 11 cleanup will be done to make sure that no dangerous
13:58:25 12 substances are left behind.

13:58:26 13 Additionally, this EIR doesn't have any
13:58:29 14 information on how much, if any, affordable housing will
13:58:33 15 be on site. Though gentrification is not always
13:58:36 16 considered as an environmental issue, the reality is that
13:58:39 17 Oaklanders being pushed out further and further into the
13:58:43 18 suburbs has profound environmental impacts. And if this
13:58:45 19 project doesn't provide very significant levels of
13:58:47 20 affordable housing, it will exacerbate that pushing out,
13:58:50 21 particularly of West Oakland residents.

13:58:53 22 Given all these gaps in information this EIR is
13:58:55 23 not sufficient to give us a real understanding of the
13:58:57 24 project.

13:58:57 25 We in the Oakland United Coalition ask the City

13:58:59 1 go back to the drawing board and redo the analysis and
13:59:04 2 recirculate this report. Oakland deserves a real
13:59:06 3 understanding of this project.

13:59:06 4 Thank you.

13:59:07 5 **MS. ARMSTRONG:** Thank you.

13:59:11 6 Heather Lewis, you may unmute yourself to make
13:59:14 7 your comment.

16:27:26 8 **MS. LEWIS:** Good afternoon, commissioners. My
16:27:27 9 name is Heather Lewis and I'm an attorney with the UC
16:27:30 10 Berkeley Environmental Law Clinic.

16:27:33 11 We've been working with members of the Oakland
16:27:35 12 United Coalition to review this draft EIR. And I would
16:27:38 13 like to just make a few comments on the analysis of
16:27:40 14 hazards and hazardous materials.

16:27:45 15 The EIR fails to properly analyze and mitigate
16:27:46 16 the risks associated with hazardous contamination of the
16:27:48 17 Howard Terminal site. The EIR acknowledges that there
16:27:51 18 are at least 22 different hazardous chemicals that are
16:27:54 19 present in levels that make the site unsafe for
16:27:57 20 residential or commercial use.

16:27:59 21 These contaminants include lead, arsenic,
16:28:02 22 cadmium, PCBs, petroleum compounds and numerous other
16:28:06 23 cancer-causing materials.

16:28:08 24 The EIR assures the public these impacts will
16:28:10 25 be fully mitigated. But the mitigation measure offered

16:28:13 1 amounts to no more than a vague promise to create a
16:28:17 2 cleanup plan after the EIR is approved. This is
16:28:22 3 impermissible deferred mitigation.

16:28:24 4 The EIR does not describe how the contamination
16:28:27 5 will be remediated or how likely it is that it can be
16:28:30 6 remediated or what the health risks would be for workers,
16:28:33 7 residents and visitors to the site if the contamination
16:28:35 8 is not fully remediated.

16:28:38 9 Additionally, the EIR attempts to circumvent
16:28:41 10 future CEQA review by relying on the certification of
16:28:44 11 this EIR for future approvals from The Department of
16:28:46 12 Toxics Substances Control.

16:28:48 13 If the A's plan to rely upon the City's
16:28:52 14 certification of this EIR for DTSC's approval of their
16:28:54 15 cleanup plan, then the cleanup plan must be actually
16:28:57 16 developed and described in this EIR.

16:28:59 17 The failure to formulate mitigation measures is
16:29:02 18 a serious legal deficiency with this EIR which requires
16:29:05 19 recirculation.

16:29:05 20 The EIR must be revised to describe the
16:29:08 21 specific mitigation measures that will be undertaken to
16:29:10 22 clean up this toxic contamination and to provide
16:29:12 23 sufficient supporting information to demonstrate that
16:29:15 24 those cleanup actions will actually be effective.

16:29:18 25 Thank you for your time.

16:29:20 1 **MS. ARMSTRONG:** Thank you.

16:29:21 2 Our next comment comes from Austin.

16:29:23 3 Please state your full name for the record.

16:29:27 4 **MR. TAM:** Austin Tam. I'm an Alameda County
16:29:31 5 Democratic Central committee member and social justice
16:29:35 6 and disability advocate.

16:29:37 7 I strongly oppose this project and extremely
16:29:39 8 concerned. The money spent could be better used on
16:29:42 9 accessibility for people with disabilities. No access to
16:29:46 10 safe public transportation, infrastructure is not there.

16:29:49 11 Who is going to pay for it?

16:29:51 12 Our money could be better used for schools,
16:29:55 13 public housing, invest in community programs. And most
16:29:57 14 of all used to the address systemic racism that our
16:30:01 15 society is going through right now. And has always gone
16:30:05 16 through.

16:30:05 17 Thank you.

16:30:06 18 **MS. ARMSTRONG:** Thank you.

16:30:07 19 John Gifford, you may unmute yourself to make
16:30:10 20 your comment. John Gifford.

16:30:21 21 It shows that you are still muted. Oh, there
16:30:23 22 you go.

16:30:24 23 **MR. GIFFORD:** Hi, sorry.

16:30:25 24 Thank you, Mr. Chairman, commissioners. My
16:30:27 25 name is John Gifford. I represent the East Bay Stadium

16:30:30 1 Alliance and have been a CEQA practitioner for public
16:30:34 2 and private agencies for more than 30 years.

16:30:37 3 You have heard about deferred analysis,
16:30:39 4 deferred mitigation, you will probably hear more.

16:30:43 5 But I don't want to take that.

16:30:44 6 What I would like to do is talk to you a little
16:30:46 7 bit about the approaches I've read in this EIR and how
16:30:49 8 they've addressed the issues overall.

16:30:53 9 They seem to straddle I think the line between
16:30:55 10 two different kinds of EIRs: The program EIR and the
16:30:59 11 project level.

16:31:00 12 This, commissioners you know, the program level
16:31:04 13 document is for series of actions that can be
16:31:06 14 characterized as one project and then phases, which this
16:31:09 15 certainly is.

16:31:10 16 If you do a program document it allows you to
16:31:14 17 defer mitigation as long as the lead agency commits to
16:31:17 18 those mitigation efforts later. You can do that because
16:31:21 19 the subsequent phases are analyzed within another CEQA
16:31:27 20 document where they do get into specific mitigation and
16:31:29 21 that those are applied to the document.

16:31:32 22 However, this EIR seems to take both
16:31:35 23 approaches. It is analyzing project-level elements in
16:31:40 24 some cases and other cases like hazardous material
16:31:44 25 hydrology and land use and others, it's analyzing as a

16:31:47 1 program document because it's deferring the mitigation to
16:31:50 2 decisions by DTSC and others, the Planning Department and
16:31:55 3 the Engineering Department and others.

16:31:58 4 So it doesn't give the details that is really
16:32:00 5 required for a project-level document.

16:32:04 6 So, it seems like they've taken the approach
16:32:07 7 that where there's an immediate phase of the document,
16:32:12 8 immediate phase of the project, they have tried to do
16:32:15 9 some project-level analysis but have deferred much of it
16:32:19 10 to a program-type of document.

16:32:22 11 So it seems like the document is using the
16:32:24 12 project format to fit a convenient set of facts when it
16:32:29 13 needs to, but it's using a programmatic format for
16:32:32 14 others.

16:32:33 15 In this case, you can't do that.

16:32:35 16 **MS. ARMSTRONG:** John, that is your two-minute
16:32:37 17 comment period. Thank you.

16:32:40 18 Emily Wheeler, you may unmute yourself.

16:32:43 19 **MS. WHEELER:** Hello, my name is Emily Wheeler.
16:32:46 20 I live in East Lake and I work at Public Advocates, which
16:32:50 21 is member of the Oakland United Coalition.

16:32:54 22 I was calling in to comment that the DEIR for
16:32:56 23 the proposed Howard Terminal project is inadequate and
16:32:59 24 fails to properly identify and address serious
16:33:02 25 environmental impacts related to safety, traffic, air

16:33:03 1 quality, growth inducement, and housing stock burdens to
16:33:06 2 name just a few.

16:33:07 3 Again and again it relies on studies that have
16:33:09 4 not yet been completed and makes a mockery of the CEQA
16:33:12 5 process.

16:33:12 6 While it's deficient in too many areas to
16:33:14 7 discuss I wanted to highlight just a few.

16:33:17 8 The DEIR assumes that the ballpark and
16:33:17 9 performance venue, with a combined capacity of 38,500
16:33:19 10 people will share 2,000 parking spaces and sees no
16:33:19 11 problem with that despite the fact that the ballpark is
16:33:19 12 nowhere near a BART station. By contrast the coliseum
16:33:19 13 which has dedicated BART stop regularly sells its 10,000
16:33:19 14 parking spaces on game days.

16:33:25 15 The DEIR just assumes that people will fall in
16:33:35 16 line with the kind of goal of the project and walk or
16:33:38 17 bike. But we know that people don't necessarily do that.

16:33:43 18 So the project will also result in significant
16:33:46 19 impacts and the DEIR concludes that these environmental
16:33:48 20 impacts are unavoidable without even making an attempt to
16:33:51 21 mitigate the emissions that far exceed the city's
16:33:52 22 thresholds, and which affect an area that has
16:33:55 23 historically been deeply harmed by air pollution and
16:33:59 24 environmental racism.

16:34:00 25 Mitigation related to a disruption of the toxic

16:34:01 1 substances is either not considered or left to future
16:34:04 2 studies and there's no plan to remediate the toxic soil
16:34:07 3 that lies underneath the project.

16:34:09 4 The A's also brag that their entertainment
16:34:12 5 complex will create nearly 10,000 new jobs, but the DEIR
16:34:12 6 states that the project would not contribute to
16:34:15 7 cumulative and substantial unemployment growth in the
16:34:19 8 city or region.

16:34:19 9 And finally, it assumes that there will be
16:34:21 10 zoning changes that have not yet been voted on or
16:34:25 11 approved and relies on state laws that again, have not
16:34:28 12 yet been passed.

16:34:29 13 So again and again as you can see it relies on
16:34:31 14 studies that haven't been completed, assumes things that
16:34:34 15 are not set in stone and in general does not reflect a
16:34:36 16 project in reality.

16:34:39 17 So it is completely insufficient. The proposed
16:34:42 18 remediations will not adequately address the mass impacts
16:34:45 19 the project will have and it does not do a good job of
16:34:48 20 addressing questions on public health or safety risks
16:34:50 21 posed by the project.

16:34:50 22 The City should go back to the drawing board
16:34:53 23 and redo this analysis and recirculate the report. The
16:34:55 24 thanks so much.

16:34:57 25 **MS. ARMSTRONG:** Thanks, Emily.

16:34:58 1 Jackson Moore, you may make your comment.

16:35:04 2 **MR. MOORE:** Hello. Thank you. My name is

16:35:05 3 Jackson Moore. I'm a homeowner in the Jack London

16:35:08 4 District of Oakland.

16:35:10 5 I'm excited to see this project move forward.

16:35:12 6 But I'm concerned like some others here about the limited

16:35:16 7 railroad safety measures that have been proposed by the

16:35:18 8 project in TRANS-3.

16:35:20 9 TRANS-3 limits the proposed upgrades of the
16:35:22 10 railroad crossings to between Market Street and Broadway;

16:35:25 11 however, there are three other at-grade crossings that

16:35:28 12 allow access to the project: Franklin, Webster and Oak.

16:35:32 13 While analysis was provided of the railroad
16:35:34 14 crossings west of Broadway, those at Franklin, Webster
16:35:37 15 and Oak streets did not have any physical counts taken,
16:35:37 16 nor were pedestrian crossing volumes estimated.

16:35:42 17 For comparison, the RSE railroad study
16:35:46 18 referenced in the EIR estimates that 20,000 pedestrians
16:35:49 19 will cross the railroad tracks at Broadway or Washington,
16:35:51 20 but there are no counts or estimates of the rail
16:35:54 21 crossings just one block away at Franklin and Webster,
16:35:57 22 which are well within the half-mile minimum study radius.

16:36:01 23 It just seems implausible to me that these
16:36:04 24 crossings would be omitted from any physical counts,
16:36:06 25 particularly as these crossings provide the most

16:36:08 1 efficient paths to the project when walking from Lake
16:36:10 2 Merritt BART and the opportunity to enjoy the breweries,
16:36:13 3 wineries and restaurants in the Jack London District
16:36:15 4 between Lake Merritt BART and the ballpark.

16:36:19 5 Finally, the railroad study does actually
16:36:21 6 recommend mitigation along the railroad tracks through
16:36:23 7 the Franklin and Webster intersections. But this
16:36:26 8 recommendation was wholly omitted from TRANS-3 without
16:36:30 9 explanation.

16:36:30 10 Now I hope this project is approved. But I
16:36:33 11 hope this City will reconsider accepting the proposed
16:36:35 12 rail safety mitigation. It seems to only address half of
16:36:37 13 the dangerous rail crossings feeding to the project.

16:36:42 14 Thank you.

16:36:43 15 **MS. ARMSTRONG:** Thank you. Dolores Tejada, you
16:36:46 16 may unmute yourself to make your comment.

16:36:49 17 **MS. TEJADA:** Hello. My name is Dolores Tejada.
16:36:51 18 I'm the lead organizer at East Bay Housing Organizations,
16:36:55 19 EBHO.

16:36:56 20 Our communities deserve to benefit from any
16:36:59 21 development in Oakland which includes quality affordable
16:37:03 22 homes to live near the jobs created by this project. We
16:37:08 23 are part of the Oakland United Coalition. And we worked
16:37:12 24 hard to think about what this project means for our
16:37:17 25 community and our Coalition calls for a minimum of 35

16:37:20 1 percent of affordable housing at this site.

16:37:23 2 It is standard practice for the Draft EIR --
16:37:24 3 for Draft EIRs to include a detailed description of this
16:37:29 4 project that covers locations of all the aspects of the
16:37:33 5 proposed development including both market rate and
16:37:35 6 affordable housing units. It indicates that -- the Draft
16:37:39 7 EIR indicates that the project will include as many as
16:37:42 8 3,000 units of housing, but it doesn't say how many of
16:37:45 9 the 3,000 units will be affordable or if any of the units
16:37:49 10 will be affordable.

16:37:50 11 In a footnote, the DEIR states that the
16:37:53 12 developer may build affordable housing at the Howard
16:37:56 13 Terminal site or it may build affordable housing at some
16:38:00 14 other unspecified location or it may not build affordable
16:38:04 15 housing at all and instead pay impact fees to the city.

16:38:08 16 As such, the Draft EIR for Howard Terminal is
16:38:11 17 lacking critical information about the affordable housing
16:38:13 18 component of this project.

16:38:15 19 Because there's no specific plan for affordable
16:38:18 20 housing at this site in this document we cannot review
16:38:20 21 nor give input on the potential environmental impacts of
16:38:23 22 what is essentially a whole new community in West
16:38:25 23 Oakland.

16:38:28 24 We are calling on the City and on you all to
16:38:30 25 recirculate this DEIR. Residents and community leaders

16:38:35 1 demand and deserve a more comprehensive report that
16:38:38 2 provides a full picture of the potential harms the
16:38:42 3 project proposes and the ways the city and developer plan
16:38:45 4 to mitigate these harms. Oaklanders deserve no less.

16:38:48 5 Lastly of note I just wanted to say I'm a
16:38:51 6 resident in District 3. Thank you.

16:38:55 7 **MS. ARMSTRONG:** Thank you.

16:38:55 8 Eileen Warren, you may make your comment.

16:41:07 9 Eileen are you there?

16:41:11 10 I see that you are unmuted, but I can't -- we
16:41:13 11 can't hear you.

16:41:21 12 Okay. Eileen we're going to go to the next
16:41:23 13 caller and we'll come back to you. Hopefully, you will
16:41:26 14 have -- maybe you have some audio issues.

16:41:31 15 Susan Ransom, please unmute yourself to make
16:41:33 16 your comment.

16:41:37 17 **MS. RANSOM:** Hi, can you hear me?

16:41:39 18 **MS. ARMSTRONG:** Yes, we can.

16:41:40 19 **MS. RANSOM:** My name is Susan Ransom. I'm the
16:41:40 20 client relations manager for SSA Terminal.

16:41:44 21 I'm listening to all this talk and no one has
16:41:47 22 said anything about Port operations.

16:41:48 23 We are the largest stevedoring terminal in
16:41:50 24 Oakland, the Port's number one revenue contributor, we
16:41:53 25 work with 23 different steamship lines and currently

16:41:56 1 turning 20 ships at Howard Terminal's basin every week,
16:42:01 2 seven days a week, night and day.

16:42:02 3 And by the way, ten acres is not enough for the
16:42:06 4 new expanded turning basin.

16:42:10 5 Our steamship line customers as well as SSA
16:42:10 6 have grave concerns about the ballpark and condos being
16:42:14 7 built so close to maritime business.

16:42:15 8 With the steamship lines hesitant to sign
16:42:18 9 long-term agreements anymore out of concerns of liability
16:42:19 10 to them and increased water traffic, ship lights, noise,
16:42:22 11 and their customer concerns about delays.

16:42:25 12 Are the A's willing to take on these
16:42:27 13 liabilities?

16:42:27 14 In addition, SSA has personally spent upwards
16:42:31 15 of \$40 million in purchasing new cranes, retrofitting our
16:42:34 16 transtainers to environmental standards, adding outlets
16:42:38 17 at the docks to tie the ships in, all with the idea of
16:42:41 18 being long-term residents and environmentally efficient.

16:42:44 19 We have signed a lease with the Port of Oakland
16:42:46 20 with a payoff at the end of lease no matter what. Howard
16:42:48 21 Terminal was never mentioned, which is an issue within
16:42:51 22 itself.

16:42:52 23 A brand new state of the art Oakland Coliseum
16:42:54 24 seems to be the best option, keep the A's in town and not
16:42:57 25 disrupt chain of goods that all of us enjoy daily.

1 Recently I've already had commissioners,
2 reporters, T.V. stations, and others come to the terminal
3 to get a visual of what is at stake if Howard Terminal's
4 ballpark and playground is developed.

5 I invited any of you to contact directly to
6 visit as well.

7 Thank you.

8 **MS. ARMSTRONG:** Thank you.

9 Adrian Guerrero, you may make your comment.

10 **MR. GUERRERO:** Thank you, commissioners. This
11 is Adrian Guerrero, General Director Public Affairs with
12 Union Pacific Railroad.

13 I've heard a lot of comments about railroad
14 safety associated with the DEIR, as well as a number of
15 comments about the working waterfront.

16 And you know, representing Union Pacific and
17 the hundreds of employees that work out of our Oakland
18 terminal, I can tell you that we express significant
19 safety concerns with the Draft EIR, the inadequacy of the
20 transportation plan. These are similar comments that
21 we've submitted in various discussions with City of
22 Oakland leaders, with the Oakland A's, and with the Port
23 of Oakland.

24 UP has three rail yards directly adjacent to
25 Howard Terminal. Those rail yards have various different

16:44:16 1 operations, as other speakers have pointed out.

16:44:18 2 One of the operations we have is called
16:44:20 3 switching where we take a train and break it up into
16:44:22 4 smaller trains so that we can build a longer train that
16:44:25 5 will serve various customers in the local area, local
16:44:29 6 customers as well as the overall Bay Area region.

16:44:32 7 When we switch those trains, they stop directly
16:44:34 8 in front of Howard Terminal. They stop anywhere from ten
16:44:38 9 to 45 minutes each time. They are there sometimes
16:44:40 10 longer, depending on the need.

16:44:42 11 If you put the ballpark right at Howard
16:44:44 12 Terminal without having full grade separations or full
16:44:48 13 grade crossing closures, people make bad decisions and
16:44:52 14 they will attempt to crawl through the train. They will
16:44:54 15 decide whether they want to get into the ballpark
16:44:57 16 immediately or leave the ballpark depending on what time
16:44:59 17 that train is there.

16:45:00 18 And we implore the city to implement full grade
16:45:03 19 separation or grade crossing closures at those locations.

16:45:07 20 The plan does not speak to that, it simply
16:45:09 21 speaks to hosting an excellent ballpark experience and
16:45:13 22 not wanting to spend money. And the way that we see it
16:45:16 23 is that the City has the opportunity to make this right
16:45:20 24 once before anything happens out there. And without
16:45:23 25 those infrastructure improvements, there will be

16:45:26 1 significant safety risks.

16:45:28 2 Thank you.

16:45:29 3 **MS. ARMSTRONG:** Thank you for your comment.

16:45:32 4 Weston LaBar, you may make your comment.

16:45:37 5 **MR. LaBAR:** Yes, thank you. Chairman and
16:45:39 6 commissioners, I'm Weston LaBar, CEO of Harbor Trucking
16:45:45 7 Association. We represent a large number of the port
16:45:47 8 drayage operators, those are the trucking companies
16:45:50 9 moving goods to and from the Port of Oakland.

16:45:53 10 And I would also point out that we will submit
16:45:55 11 more substantial comments prior to the comment deadline.

16:45:59 12 But quickly today I just wanted to give the top
16:46:01 13 line analysis of our concerns.

16:46:05 14 With respect to the proposed elimination of
16:46:07 15 existing Port-related trucking activities at Howard
16:46:10 16 Terminal, the Draft EIR is deficient in that it fails to
16:46:14 17 identify or address the loss of over 40 percent of the
16:46:17 18 existing parking stalls at Howard Terminal and the
16:46:19 19 roundhouse. And the loss of over 60 percent of the daily
16:46:23 20 or short-term parking stalls at the two locations.

16:46:27 21 This will certainly result in increased truck
16:46:30 22 traffic, a fact that Draft EIR concedes; however, the
16:46:34 23 Draft EIR is deficient in claiming that this increase
16:46:36 24 can't be quantified because the EIR's authors don't know
16:46:39 25 exactly where the increase will occur.

16:46:41 1 It will clearly occur within Oakland. And this
16:46:44 2 increase in traffic and the environmental impacts
16:46:47 3 associated with this increase in traffic must be
16:46:49 4 addressed.

16:46:50 5 Thank you for your time today. And I look
16:46:53 6 forward to seeing how this matter plays out.

16:46:57 7 **MS. ARMSTRONG:** Thank you.

16:46:57 8 Daniel levy, you may make your two-minute
16:47:01 9 comment. Daniel?

16:47:18 10 There you go.

16:47:20 11 **MR. LEVY:** There we go. Thank you.

16:47:21 12 Yeah, my name is Daniel Levy, I'm with Oakland
16:47:23 13 Heritage Alliance.

16:47:25 14 We have a couple of concerns with some of the
16:47:27 15 variants. Mainly with the Peaker Plant variant.

16:47:31 16 I'm a bit curious to see why those wings won't
16:47:34 17 be retained and that the site is an extremely large site
16:47:37 18 so it seems like the DEIR could be amended to change the
16:47:43 19 project variant to accommodate those wings.

16:47:46 20 The site is a huge open canvas, not sure why
16:47:49 21 the study of those wings is even -- the study of the wing
16:47:53 22 removal is even being done.

16:47:55 23 Secondly, with the gondola, it would be great
16:47:57 24 to see some of the goals of the gondola to understand
16:47:59 25 what alternatives might be available to accomplish those

16:48:02 1 same goals.

16:48:03 2 There will be impacts to people not walking
16:48:05 3 through Old Oakland, people not walking on Broadway,
16:48:08 4 going to businesses, people being removed from the street
16:48:11 5 which has safety impacts. So I'm curious to see if
16:48:15 6 there's some alternatives to the gondola that could be
16:48:17 7 looked at that keep people on the street instead of
16:48:20 8 removing them from the street.

16:48:21 9 Thank you.

16:48:23 10 **MS. ARMSTRONG:** Thank you.

16:48:26 11 Stuart Flashman. Stuart, you can unmute
16:48:35 12 yourself to make your comment.

16:48:38 13 **MR. FLASHMAN:** Good afternoon. My name is
16:48:41 14 Stuart Flashman. I'm an attorney. I'm representing the
16:48:43 15 Jack London District Rail Safety Working Group.

16:48:47 16 And we have concerns and you've heard some
16:48:49 17 people talk about the concerns about rail safety and the
16:48:53 18 grade crossings for Union Pacific. And you've heard
16:48:56 19 Union Pacific talk about those grade crossings.

16:48:59 20 The main concern that my client has is that the
16:49:03 21 consideration of the safety of those grade crossings was
16:49:07 22 artificially truncated. They looked only as far to the
16:49:10 23 east as Broadway. They didn't look beyond Broadway.

16:49:13 24 And yet those grade crossings continue and
16:49:17 25 there is no question there will be impacts at those grade

16:49:20 1 crossings going further east from Broadway. And yet
16:49:22 2 there's nothing in the EIR talking about how many people
16:49:27 3 use those, how much impact there will be from leaving
16:49:31 4 those grade crossings as they are, even though the rail
16:49:33 5 study identified that there needed to be improvements
16:49:37 6 east of Broadway. But the EIR totally ignores that.

16:49:41 7 That needs to be corrected. And whether that
16:49:44 8 requires recirculation or not is another matter.

16:49:47 9 But I will be submitting written comments on
16:49:49 10 the EIR and I hope you will consider that.

16:49:51 11 Thank you.

16:49:53 12 **MS. ARMSTRONG:** Thank you.

16:49:54 13 Joseph Grib, you may unmute yourself to make
16:49:57 14 your comment.

16:50:00 15 **MR. GRIB:** Hi, can you hear me?

16:50:03 16 **MS. ARMSTRONG:** Yes, we can.

16:50:03 17 **MR. GRIB:** Hello, commissioners. Thank you for
16:50:04 18 your time today. My name is Joseph Grib and I'm a law
16:50:07 19 student clinician at the Berkeley Environmental Law
16:50:10 20 Clinic working with members of the Oakland United
16:50:12 21 Coalition.

16:50:13 22 The DEIR inadequately considers the issue of
16:50:15 23 existing and disproportionate air pollution burdening
16:50:15 24 West Oakland. West Oakland has historically and
16:50:19 25 continues to be one of the most polluted locations in the

16:50:23 1 state of California.

16:50:23 2 This pollution has created disproportionate
16:50:26 3 health impacts for residents leading to increased
16:50:30 4 likelihood of cancer, asthma and other adverse health
16:50:33 5 impacts.

16:50:34 6 Importantly, many of these impacts come from
16:50:35 7 pollution related to diesel particulate matter as West
16:50:38 8 Oakland is surrounded by several major highways and
16:50:42 9 traffic from the Port.

16:50:43 10 The project will bring even more diesel
16:50:44 11 particulate matter from diesel-burning vehicles, machines
16:50:46 12 and generators.

16:50:48 13 West Oakland's burden has been recognized by
16:50:51 14 the City and the State through its designation as a
16:50:52 15 community air protection program, CAP, community. The
16:50:55 16 project has a duty not to adversely impact this
16:50:58 17 environmental justice community.

16:51:00 18 First, the DEIR should use stricter significant
16:51:03 19 thresholds for air quality impacts because of West
16:51:06 20 Oakland's historically disproportionate amount of toxic air
16:51:09 21 pollution.

16:51:10 22 Second, the DEIR does not adequately mitigate
16:51:13 23 the project's air quality impacts because, one, the DEIR
16:51:16 24 impermissibly deters mitigation by refusing to commit to
16:51:18 25 specific mitigation measures that have been proposed

16:51:25 1 under West Oakland Community Action Plan.

16:51:26 2 Second, the DEIR states that EV chargers will
16:51:29 3 discourage use of fossil fuel vehicles. This analysis is
16:51:31 4 inadequate because it is not supported by substantial
16:51:34 5 evidence.

16:51:35 6 Lastly, due to significant and unavoidable
16:51:37 7 impacts on the environmental justice community, the City
16:51:40 8 should require greater mitigation measures.

16:51:42 9 For these reasons the DEIR's mitigation
16:51:46 10 measures related to air quality impacts are insufficient
16:51:47 11 and the DEIR should be revised and recirculated to
16:51:50 12 address these environmental justice concerns.

16:51:53 13 Thank you.

16:51:54 14 **MS. ARMSTRONG:** Thank you.

16:51:59 15 J.B. Davis, you may unmute yourself to make
16:52:02 16 your comment.

16:52:12 17 Okay, J.B., you may make your comment.

16:52:16 18 **MR. DAVIS:** Hi. Hi, can you hear me now?

16:52:20 19 **MS. ARMSTRONG:** Yes, we can.

16:52:22 20 **MR. DAVIS:** Hi, my name's J.B. Davis. I'm a
16:52:24 21 member of the Inlandboatmen's Union. And I have worked
16:52:29 22 both on -- I currently work on ferries. I've worked on
16:52:32 23 tugboats as well.

16:52:35 24 The I'm here to speak against this Draft EIR.
16:52:39 25 It's flawed in a number of areas.

16:52:43 1 Probably just the biggest one is sort of a
16:52:48 2 broad sense. This EIR fails to show compatibility or how
16:52:56 3 existing businesses at the Port, shipping, trains,
16:53:03 4 Schnitzer, how those would be compatible with the
16:53:05 5 proposed uses, specifically the residential uses.

16:53:15 6 Having lived in a refinery town before, I can
16:53:19 7 tell you that putting residential next to heavy industry
16:53:25 8 is generally bad public policy.

16:53:29 9 You know, is a residential land use compatible
16:53:33 10 with a three -- 24-7, 365 operations?

16:53:38 11 If you ever spent any time down there at 3:00
16:53:40 12 in the morning, you hear trains getting put together and
16:53:44 13 taken apart. You hear containers banging around. It's
16:53:48 14 noisy. It's loud. Schnitzer creates dust. There's been
16:53:53 15 many, many discussions about how the air quality down
16:53:58 16 there is already bad.

16:54:00 17 Do you want to put more houses where air
16:54:03 18 quality is already bad?

16:54:06 19 Secondly, the DEIR does not discuss the
16:54:12 20 ramification if these -- this project as proposed is --
16:54:19 21 goes through, what happens when jobs start getting lost?
16:54:22 22 Are they going to subtract those from the amount that
16:54:24 23 they say they're going to make? Where do those jobs go?
16:54:29 24 Legacy jobs on the waterfront, you can't put them
16:54:32 25 someplace else. They're there for a --

16:54:37 1 **MS. ARMSTRONG:** That's your two-minute comment
16:54:38 2 period. Thank you very much.

16:54:42 3 Tasion, you may unmute yourself to make your
16:54:45 4 comment.

16:54:45 5 **MS. KWAMILELE:** Good afternoon. Or good
16:54:45 6 evening. My name is Tasion Kwamilele. I am an Oakland
16:54:52 7 native, raised in West Oakland. I'm a homeowner in
16:54:53 8 District 7. And I'm the Government and Public Affairs
16:54:55 9 Manager for Schnitzer Steel.

16:54:57 10 It is in this light that I speak against the
16:54:58 11 project at Howard Terminal.

16:55:01 12 The DEIR does not adequately address jobs or
16:55:03 13 adverse impacts to our industrial industry at the Port.

16:55:08 14 For more than 50 years Schnitzer Steel has been
16:55:10 15 a valuable industrial player in our city. Today
16:55:13 16 Schnitzer creates over 350 local jobs throughout the Bay
16:55:16 17 Area and nearly 50 percent of our employees at our
16:55:20 18 Oakland facility are Oakland residents.

16:55:22 19 As an Oakland native whose family moved to the
16:55:23 20 Bay Area years ago for jobs at the port, I understand the
16:55:26 21 value of our industrial industry.

16:55:28 22 As D7 resident and homeowner, I know the
16:55:31 23 Coliseum in East Oakland is already approved for a
16:55:33 24 ballpark development, does not require environmental
16:55:36 25 remediation, has an adjacent BART station and won't

16:55:40 1 require pedestrians to cross busy railroad and trucking
16:55:43 2 corridors. I also know the economic importance the
16:55:45 3 Coliseum has for our city and for our East Oakland
16:55:49 4 community and why we must ensure such a critical
16:55:51 5 investment remains in East Oakland.

16:55:53 6 It is unacceptable that the A's are attempting
16:55:55 7 to buy the Coliseum at a discount.

16:55:57 8 Like you, I want the A's to stay in Oakland.
16:56:00 9 If they are truly rooted in Oakland, they must invest
16:56:02 10 back into the community that has invested in them for so
16:56:07 11 many years.

16:56:07 12 Thank you very much.

16:56:09 13 **MS. ARMSTRONG:** Thank you.

16:56:10 14 Willie Stevens, you may unmute yourself to make
16:56:13 15 your comment.

16:56:15 16 **MR. STEVENS:** My name is Willie Stevens. I
16:56:19 17 live in Oakland and I have for 13 years. I'm with EBHO,
16:56:23 18 East Bay Housing Organizations.

16:56:27 19 And we don't feel that the DEIR addresses the
16:56:39 20 affordable housing issue. It's saying that it's going to
16:56:43 21 be 3,000 units, but they're not saying how many of those
16:56:47 22 3,000 units would be affordable housing.

16:56:52 23 And it doesn't say if there's going to be
16:56:57 24 impact fees applied to that particular project versus
16:57:05 25 actually building affordable housing.

16:57:08 1 So thank you very much.

16:57:11 2 **MS. ARMSTRONG:** Thank you.

16:57:12 3 Next we have Evelyn Lee. You may unmute
16:57:16 4 yourself to make your comment.

16:57:20 5 **MS. LEE:** Good afternoon. Can you hear me?

16:57:22 6 **MS. ARMSTRONG:** Yes, we can.

16:57:25 7 **MS. LEE:** Okay. Great. My name is Evelyn Lee,
16:57:27 8 and I'm the Board President of the Oakland Asian Cultural
16:57:30 9 Center. We are located in Chinatown. And we present art
16:57:34 10 from the Asia-Pacific Islander community to improve
16:57:39 11 intercultural understanding and social justice.

16:57:41 12 We are an active participant in the community
16:57:44 13 benefits agreement process. And we were evaluating the
16:57:47 14 EIR in our capacity as stewards of the cultural resources
16:57:51 15 in Oakland Chinatown.

16:57:54 16 And unfortunately, the traffic impacts of this
16:57:59 17 project have the potential to severely harm and
16:58:03 18 eventually extinguish the Chinatown community. And it
16:58:08 19 would do that by creating so much gridlock that it would
16:58:12 20 discourage people from coming to Chinatown.

16:58:16 21 We've already had impact to Chinatown's
16:58:21 22 businesses, its community and its residents due to COVID
16:58:25 23 and its aftermath and having traffic jams that discourage
16:58:30 24 people from coming in to do their shopping for groceries,
16:58:34 25 bring their families and friends down to enjoy Chinatown

16:58:37 1 and its culture, that would be -- that would be so
16:58:42 2 debilitating to our community that it's -- it's just a
16:58:49 3 really frightening prospect because I think that Oakland
16:58:52 4 needs its authentic ethnic communities.

16:58:57 5 The problem with the traffic design is that
16:59:01 6 there is no -- there are only 2,000 parking spaces for a
16:59:05 7 35,000 person capacity ballpark. And if you're thinking
16:59:10 8 well, the ballpark's far away from Chinatown, just
16:59:14 9 consider the spill-over effect that you see on the Nimitz
16:59:17 10 on Raider days. Well, there used to be Raider days.
16:59:20 11 Even though they had a huge parking lot with 10,000
16:59:23 12 spaces. So, I guess what I'm saying is --

16:59:29 13 **MS. ARMSTRONG:** That was your two-minute
16:59:31 14 comment period. Thank you.

16:59:32 15 **MS. LEE:** Thank you.

16:59:34 16 **MS. ARMSTRONG:** Saied, you may unmute yourself
16:59:36 17 to make your comment.

16:59:43 18 **MR. KARAMOOZ:** My name is Saied Karamooz.

16:59:54 19 I'm a resident in Jack London District. I
17:00:03 20 would like to make three quick points about the Howard
17:00:05 21 Terminal project.

17:00:08 22 The first is that its complex can serve as an
17:00:11 23 economic engine like no other site in Oakland for its
17:00:14 24 proximity to downtown, iconic setting, and broad
17:00:17 25 accessibility.

17:00:18 1 I lived in Washington D.C. when Camden Yards
17:00:20 2 was built in Baltimore and witnessed profound positive
17:00:24 3 impact of a visionary stadium which could easily be the
17:00:27 4 case for the A's stadium at Howard Terminal.

17:00:30 5 But I think it's important that the City and
17:00:32 6 the A's think big, which brings me to my second point.

17:00:37 7 As it is, the transportation hub that's
17:00:39 8 proposed in the Draft EIR is nothing more than a
17:00:42 9 glorified bike shop at an expanded AC Transit bus stop.
17:00:47 10 To have a true transportation hub, the Amtrak station
17:00:47 11 must be relocated to the complex with the Greyhound bus
17:00:51 12 station as well.

17:00:51 13 And a pedestrian walkway should be built to
17:00:54 14 Alameda so we have a ferry, Amtrak station, AC bus stop,
17:00:59 15 walkway to Alameda along with the other planned transit
17:01:02 16 services, then the new complex would be a true
17:01:04 17 transportation hub in the -- in the surrounding area.

17:01:08 18 And an added benefit of relocating the Amtrak
17:01:12 19 station to Howard Terminal is that over 30 deadhead trips
17:01:15 20 between the Amtrak service depot in West Oakland and the
17:01:18 21 Oakland Transit train station would end at Howard
17:01:21 22 Terminal and not disrupt the traffic in the Jack London
17:01:26 23 area.

17:01:27 24 My third point has to do with rail crossing
17:01:29 25 safety measures that are proposed in the Draft EIR that

17:01:32 1 encompass five of the eight crossings from Market Street
17:01:36 2 to Broadway, but leave out Franklin, Webster and Oak
17:01:39 3 streets.

17:01:40 4 To mitigate risks at five of the eight
17:01:42 5 crossings is no different than -- from plugging five of
17:01:47 6 eight holes in a pipe and expecting to stop a leak.

17:01:51 7 Unless the other crossings are addressed, there
17:01:53 8 will be avoidable deaths and serious injuries by fans,
17:01:56 9 visitors and tourists.

17:01:58 10 As a firsthand witness, I can attest that the
17:02:00 11 issue is not limited to crossing accidents, rather it is
17:02:04 12 careless and daring acts by individuals who walk over or
17:02:08 13 jump onto slow-moving or freight trains.

17:02:12 14 **MS. ARMSTRONG:** That is the two-minute comment
17:02:13 15 period. Thank you.

17:02:15 16 Rita Look, you may unmute yourself to make your
17:02:19 17 comment.

17:02:20 18 **MS. LOOK:** Hi, I'm Rita Look. I'm a West
17:02:23 19 Oakland resident.

17:02:25 20 The Draft EIR is deficient and most likely
17:02:29 21 because they're trying to whitewash the fact that the
17:02:31 22 project is being shoehorned into a spot that has no
17:02:34 23 direct transit, no direct freeway exits and an active
17:02:38 24 railroad dividing us from them with insufficient plans
17:02:41 25 for grade separation in an area so small only 2,000

17:02:44 1 parking spaces for a 35,000 seat stadium on a landfill
17:02:49 2 without provisions for piers down to bedrock.

17:02:53 3 Air quality impacts. The DEIR doesn't
17:02:55 4 adequately address congestion around intersections and
17:02:59 5 freeways. West Oakland is a tiny island surrounded by
17:03:01 6 freeways. Traffic will be lined up for miles on the
17:03:04 7 freeways leading to the closest exits with the cars
17:03:07 8 waiting at the bottom for lights to turn green, and then
17:03:10 9 drive 30 feet to another red light.

17:03:13 10 Also impacting air quality -- I've lived in
17:03:16 11 West Oakland for almost 20 years -- Ellen Wyrick worked
17:03:17 12 for years to get idling trucks out of the neighborhood,
17:03:21 13 to have a place for them off streets with engines off,
17:03:24 14 which is the current use of the Howard Terminal. There's
17:03:27 15 no provisions for these trucks in the DEIR.

17:03:30 16 Also surprising, no absolute plans to grade
17:03:33 17 separate railroad from all streets leading to site seems
17:03:37 18 unimaginable.

17:03:39 19 Caltrain on the peninsula has been raising and
17:03:42 20 lowering tracks for years knowing that every road or path
17:03:45 21 that crosses tracks are accidents waiting to happen.

17:03:48 22 The rail is essential for the Port's operation.
17:03:51 23 Limitations on rail due to traffic will impact this
17:03:55 24 business.

17:03:55 25 The project isn't compatible with surrounding

17:03:58 1 businesses.

17:03:59 2 There are impacts to well-being of residents
17:04:02 3 with cars coming to area of gridlock, parking permits
17:04:06 4 required. Who will pay for that? Who will enforce
17:04:08 5 parking?

17:04:08 6 And then the noise with the fireworks. I'm
17:04:12 7 less than a mile from the site.

17:04:14 8 In conclusion, the Draft EIR presents a sexy
17:04:17 9 project next to the water and doesn't honestly address
17:04:20 10 the limitations of the site. And with no plans to make
17:04:23 11 it more user friendly with infrastructure and
17:04:26 12 transportation improvements the project creates a
17:04:29 13 dangerous traffic congestion and parking nightmare to
17:04:32 14 either be sold at a later time with money coming out of
17:04:35 15 public pockets (audio stops)

17:04:52 16 **MR. WILSON:** Chris Wilson. Hello, can you hear
17:04:54 17 me?

17:04:55 18 **CHAIR LIMON:** Yes, go ahead and state your name
17:04:56 19 for the record.

17:04:58 20 **MR. WILSON:** Good afternoon, commissioners. My
17:04:58 21 name is Chris Wilson. I'm currently a law student in UC
17:05:02 22 Berkeley's environmental law clinic.

17:05:05 23 The Draft EIR's analysis as it pertains to
17:05:05 24 greenhouse gas emissions is inadequate and violates both
17:05:09 25 CEQA and California case precedent.

17:05:11 1 CEQA guidelines, Section 15126.4 states in
17:05:16 2 clear and unequivocal terms that the formulation of
17:05:19 3 mitigation measures shall not be deferred until some
17:05:22 4 future time.

17:05:22 5 However, the Draft EIR does just this.

17:05:25 6 It states that the development of such a
17:05:27 7 greenhouse gas reduction plan will be deferred until some
17:05:30 8 point in the future before construction begins.

17:05:33 9 By deferring the development of the greenhouse
17:05:35 10 gas reduction plan until after the final EIR is approved,
17:05:40 11 the public's role in evaluating its adequacy is
17:05:42 12 eliminated.

17:05:44 13 The EIR simply provides a menu of potential
17:05:46 14 mitigation measures to ensure that the resulting
17:05:51 15 emissions are below the no net additional significance
17:05:51 16 criteria.

17:05:53 17 However there exists no calculations in either
17:05:56 18 the EIR itself or in the air quality appendix that
17:06:00 19 demonstrate how these additional measures will mitigate
17:06:02 20 all the substantial greenhouse gas impacts.

17:06:07 21 The DEIR also points to no legal authority to
17:06:09 22 permit it to defer the creation of a greenhouse gas
17:06:12 23 mitigation plan to a later date. That is because no such
17:06:14 24 legal authority exists.

17:06:16 25 In a similar court case, Communities for a

17:06:18 1 Better Environment versus the City of Richmond, the
17:06:21 2 California First Appellate District Court held the
17:06:24 3 greenhouse gas mitigation plan at issue there was
17:06:28 4 inadequate because it constituted improper deferral of
17:06:32 5 mitigation.

17:06:32 6 Like the project before us here, the court
17:06:34 7 criticized that plan because, among other things, no
17:06:37 8 effort was made to calculate how the proposed additional
17:06:41 9 mitigation measures would succeed. And because the
17:06:42 10 development of a future greenhouse gas reduction plan was
17:06:44 11 not done in open process involving the public.

17:06:47 12 Both of those conditions are present here.

17:06:49 13 We ask that the EIR please be revised to
17:06:51 14 include an adequate greenhouse gas reduction plan.

17:06:56 15 Thank you for your time.

17:06:58 16 **CHAIR LIMON:** I think we have a technical
17:07:00 17 difficulty. Rita Look I believe was cut off a little
17:07:02 18 early.

17:07:04 19 Is that right, Desmona?

17:07:07 20 **MS. ARMSTRONG:** I this so, I do apologize.

17:07:09 21 **CHAIR LIMON:** Rita, if you would like to chime
17:07:12 22 back in, we would be happy to hear the conclusion of your
17:07:15 23 comments.

17:07:17 24 **MS. ARMSTRONG:** Okay. One second.

17:07:21 25 I'll see if I can --

17:07:26 1 **MS. PAYNE:** She has her hand raised at the
17:07:28 2 bottom of the list.

17:07:30 3 **MS. ARMSTRONG:** We have a few more here.

17:07:34 4 Rita, I do apologize. Did you want to make a
17:07:41 5 final comment to your statement?

17:07:46 6 **MS. LOOK:** Sure. I don't know where I was cut
17:07:47 7 off.

17:07:49 8 **MS. ARMSTRONG:** Probably about another like 20
17:07:52 9 seconds or so. 30 seconds.

17:07:54 10 **MS. LOOK:** Okay. I missed talking about the
17:07:56 11 building that a private company in Foster City built on
17:08:02 12 landfill there. Half of it was built on piers and the
17:08:05 13 other half wasn't. Within ten years that building had to
17:08:09 14 be torn down because the half that wasn't on piers sunk.

17:08:14 15 So, the site will have to put piers somehow
17:08:18 16 either drilling or pounding piers down to bedrock and
17:08:22 17 that's -- the toxic dust hasn't been addressed.

17:08:26 18 But let me just read the conclusion.

17:08:30 19 In conclusion, the Draft EIR presents a sexy
17:08:33 20 project next to the water and doesn't honestly address
17:08:35 21 the limitations of the site. And with no plans to make
17:08:39 22 it more user friendly with infrastructure and
17:08:41 23 transportation improvements, the project creates a
17:08:44 24 dangerous traffic congestion and parking nightmare to
17:08:47 25 either be solved at a later time with money coming out of

17:08:50 1 public's pockets or dealt with in perpetuity by
17:08:53 2 residents.

17:08:54 3 Full impacts to residents' health is not
17:08:57 4 addressed.

17:08:58 5 **MS. ARMSTRONG:** Thank you, Rita. I think that
17:08:59 6 is the part that we missed. Thank you.

17:09:03 7 **MS. LOOK:** Thank you.

17:09:05 8 **MS. ARMSTRONG:** And Margie Lewis, if you can
17:09:07 9 unmute yourself to make your comment.

17:09:12 10 **MS. LEWIS:** Can you hear me?

17:09:14 11 **MS. ARMSTRONG:** Yes, we can.

17:09:15 12 **MS. LEWIS:** Okay. Thank you. My name is
17:09:17 13 Margie Lewis. Good afternoon, commissioners. I live in
17:09:20 14 Oakland. I'm here because I'm concerned about the
17:09:22 15 proposed development at Howard Terminal.

17:09:24 16 This EIR does not adequately address this
17:09:29 17 massive project on public land. And one of the many
17:09:32 18 things it doesn't address are environmental impacts. And
17:09:35 19 I'm just going to start with air pollution.

17:09:38 20 The air quality in West Oakland is already bad.
17:09:41 21 West Oakland youth already suffer from disproportionate
17:09:45 22 rates of asthma. The increased traffic is going to make
17:09:47 23 it worse.

17:09:49 24 This A's project increases the total
17:09:51 25 particulate matter emissions by 45 percent over existing

17:09:56 1 Port of Oakland operations. Even after mitigation
17:09:59 2 measures. There's no plan to make sure the air will be
17:10:03 3 healthy and breathable.

17:10:05 4 The Oakland A's project also dramatically shows
17:10:08 5 an increase of up to 12 times excess lifetime cancer risk
17:10:11 6 for West Oakland residents over current Port operations
17:10:15 7 at the Howard Terminal.

17:10:16 8 The City should not approve this project unless
17:10:19 9 the air pollution is mitigated to less than significant
17:10:22 10 levels.

17:10:23 11 Now I'm going to talk about the taxes and the
17:10:25 12 land.

17:10:26 13 The land where the A's are proposing to build
17:10:30 14 this project is so toxic no housing is allowed to be
17:10:33 15 built there. I'm concerned about the health risks for
17:10:35 16 construction workers who will be digging in this
17:10:38 17 contaminated soil. And if the clean up is not done
17:10:40 18 properly, future residents and visitors to the parks and
17:10:43 19 open space planned for the site may be exposed to those
17:10:46 20 toxic materials.

17:10:47 21 This report doesn't provide a plan of how the
17:10:49 22 developers are going to clean it up. We don't trust the
17:10:53 23 developers or the Department of Toxic Substances Control
17:10:55 24 to figure it out later on, after the project is approved.
17:10:59 25 This has to be addressed before going forward.

17:11:02 1 The City Administration's EIR is insufficient
17:11:05 2 and the proposed remediations will not adequately address
17:11:08 3 the massive impacts this project will have.

17:11:12 4 The developer's proposal does not do a good job
17:11:15 5 of addressing these questions or the public health and
17:11:18 6 safety risks posed by this project. Our neighborhoods
17:11:22 7 deserve better. No project without strong health and
17:11:25 8 safety protections for West Oakland. The city should go
17:11:27 9 back --

17:11:27 10 **MS. ARMSTRONG:** That was your two-minute
17:11:29 11 comment period. Thank you very much for your comment.

17:11:34 12 Derrick Muhammad, you may make your comment.

17:11:39 13 **MR. MUHAMMAD:** Good afternoon. My name is
17:11:40 14 Derrick Muhammad, West Oakland resident. I'm here on
17:11:45 15 behalf of my block and all the black people on it.

17:11:50 16 In the short time that I have I just want to
17:11:51 17 talk about a few things as to why I have big problems
17:11:55 18 with the Draft EIR. This project will undoubtedly
17:12:01 19 exacerbate the gentrification issues that West Oakland
17:12:04 20 and the entire city is being confronted with. And the
17:12:07 21 Draft EIR is rather silent on issues of displacement,
17:12:18 22 affordable housing and that's an issue that has to be
17:12:21 23 addressed.

17:12:21 24 The other problem I have with this Draft EIR is
17:12:25 25 that, again, this project will undoubtedly initiate the

17:12:32 1 deindustrialization of a key urban center. You cannot
17:12:36 2 put housing next to industry.

17:12:37 3 And you will initiate the decimation of jobs.
17:12:43 4 Yet, you know, the A's -- and I call it like I see it.
17:12:48 5 It's a lie. They say that there's jobs. But the jobs
17:12:52 6 that they're referring to don't replace the jobs that
17:12:55 7 will be lost. And there's -- and that's an issue.

17:12:59 8 The last point I want to make has to do with
17:13:03 9 the environment issues that this project will cause.

17:13:07 10 My father was a carpenter. He was exposed to
17:13:11 11 asbestos and eventually succumbed to that. And what I
17:13:15 12 learned from him was that you have that kind of toxin,
17:13:20 13 it's fine so long as it -- so long as it's kept under
17:13:24 14 wraps. But the moment you begin to dig, develop, and
17:13:28 15 fool with it, that kind of thing is released into the
17:13:32 16 environment and that spells death for our community.

17:13:35 17 So I'm rejecting the Draft EIR for all those
17:13:38 18 reasons and I would like for them to address all that.

17:13:41 19 Thank you.

17:13:42 20 **MS. ARMSTRONG:** Thank you for your comments.

17:13:45 21 Alex Cherin, you may make your comment.

17:13:54 22 **MR. CHERIN:** Hi, this is Alex Cherin. Thank
17:13:54 23 you, commissioners.

17:13:55 24 I currently serve as the executive director for
17:13:57 25 the California Trucking Association Intermodal

17:14:00 1 Conference. We represent a vast majority of draymen who
17:14:04 2 service the Port of Oakland. Together with the Harbor
17:14:07 3 Trucking Association, we have serious concerns about the
17:14:09 4 Draft EIR. Particularly it assumes that the existing
17:14:13 5 truck uses at the Howard Terminal facility will simply
17:14:16 6 disappear and do not consider with any specificity where
17:14:20 7 they would go.

17:14:22 8 Removing Howard Terminal for current uses for
17:14:24 9 the maritime industry would force the 3,200 trucks that
17:14:27 10 service that facility back into residential
17:14:29 11 neighborhoods.

17:14:31 12 Additionally, the Draft EIR does not
17:14:32 13 specifically outline or analyze any sort of comprehensive
17:14:37 14 transportation plan for the 10,000-plus cars that would
17:14:41 15 flood into the region on game days inevitably creating
17:14:45 16 traffic congestion for residents, visitors, and conflict
17:14:47 17 with trucks headed to and from the terminal facilities at
17:14:50 18 the Port of Oakland.

17:14:51 19 We've outlined a number of additional concerns
17:14:54 20 in our comment letter.

17:14:55 21 And thank you for your consideration.

17:14:58 22 **MS. ARMSTRONG:** Thank you. Vincent Traverso,
17:15:02 23 you may unmute yourself.

17:15:06 24 **MR. TRAVERSO:** Hi. Thank you, commissioners.

17:15:07 25 This is Vincent Traverso. I'm an owner of the

17:15:11 1 Kingfish Pub and Cafe, North Oakland in the Temescal
17:15:15 2 District.

17:15:16 3 First I just want to say how encouraged I am by
17:15:18 4 the enthusiastic input lot of our community members and I
17:15:22 5 understand a lot of the concerns. And I'm not going to
17:15:24 6 address any of those specific environmental or
17:15:26 7 transportation or infrastructure concerns. I'm confident
17:15:29 8 that the A's and the citizens and the councilmembers can
17:15:32 9 come up with creative solutions to not just mitigate the
17:15:36 10 impacts, but to create the kind of improvements that
17:15:39 11 we're all looking for in the city.

17:15:44 12 I know that the -- there's a lot of community
17:15:47 13 support for the A's. And I see it at my business. And I
17:15:50 14 know that the positive impacts of them, you know, being
17:15:54 15 able to relocate and continue their presence in the city
17:15:58 16 are going to be manifold not just for the waterfront but
17:16:01 17 for Oakland as an whole and the East Bay as a whole.

17:16:04 18 One thing I did want to mention was that I do
17:16:06 19 appreciate the Draft EIR's noting of cultural and
17:16:12 20 historic resources -- which the Kingfish is itself -- and
17:16:19 21 P.G.&E. station and the cranes.

17:16:21 22 And I just wanted to note that that crane
17:16:23 23 itself was moved in 1994. It's historic because it dates
17:16:28 24 to 1970. But I would encourage us to look at cultural
17:16:32 25 and historic resources (video stops; resuming after video

19:32:19 1 glitch) also it would be interesting for the EIR to note
19:33:45 2 what a cultural and historic resource the A's are. And
19:33:47 3 they themselves are undergoing a relocation.

19:33:49 4 And I'm confident that we can come up with
19:33:51 5 creative solutions for some of these other cultural and
19:33:54 6 historic resources.

19:33:55 7 And just to note that the Kingfish itself went
19:33:59 8 through that six years ago. And we're eternally grateful
19:34:03 9 to the city for its cooperation and assistance in our own
19:34:06 10 relocation across the street to save a bar that would
19:34:09 11 have otherwise been torn down for condos.

19:34:12 12 We hope the same thing doesn't happen with the
19:34:15 13 A's and I would just encourage us to make halo sun
19:34:18 14 shines. We don't know what's coming five years from now.

19:34:22 15 If the Kingfish hadn't moved five years ago, we
19:34:23 16 wouldn't have made it through the pandemic.

19:34:28 17 **MS. ARMSTRONG:** That is your time. Thank you
19:34:31 18 very much, Vincent.

19:34:32 19 Our next comment, David McCoard, you may unmute
19:34:36 20 yourself to make your comment.

19:34:41 21 **MR. McCOARD:** This is David McCoard. I live in
19:34:44 22 El Cerrito.

19:34:49 23 I've got two points in the energy chapter.

19:34:52 24 We've got the applicant developer that tries to
19:35:02 25 claim that putting electric vehicle charging stations on

19:35:05 1 the property would cause people to buy electric vehicles
19:35:16 2 who would not otherwise. There's no support for that by
19:35:25 3 the -- in the EIR or the -- by the developer.

19:35:32 4 And second point, in the geology section. The
19:35:41 5 EIR admits to potential for uneven settling and for
19:35:53 6 liquefaction in an earthquake. But does not propose any
19:36:09 7 mitigation. It simply punts that to a future consultant
19:36:18 8 study.

19:36:19 9 I'm done.

19:36:20 10 **MS. ARMSTRONG:** Thank you for your comment.

19:36:23 11 Dylin Redling, you may unmute yourself to make
19:36:26 12 your comment.

19:36:30 13 **MR. REDLING:** Yes, thank you. My name is Dylin
19:36:33 14 Redling and my wife and I are homeowners, residents, and
19:36:37 15 we work from home in Jack London Square. At the
19:36:40 16 Ellington at Broadway and Third Street. We've lived here
19:36:45 17 for over seven years.

19:36:46 18 Overall we support this project and the rail
19:36:49 19 safety improvements that are being suggested between
19:36:53 20 Market Street and Broadway.

19:36:59 21 But I wanted to echo what some of the previous
19:37:02 22 speakers mentioned earlier about the fact that those
19:37:46 23 safety improvements have not been extended from Broadway
19:37:50 24 to Webster, Franklin and down to Oak Street.

19:37:54 25 I think it just makes sense for residents, for

19:37:57 1 businesses and for fans coming from Lake Merritt to have
19:37:59 2 that, you know, measure of safety when they're crossing
19:38:04 3 the tracks to come to games and to enjoy the Jack London
19:38:08 4 waterfront area.

19:38:10 5 My wife and I walk along the waterfront just
19:38:12 6 about every day, so we've seen, as Gary mentioned
19:38:16 7 earlier, people sometimes doing unsafe things. We have
19:38:20 8 seen people climbing over stalled freight cars, as Gary
19:38:24 9 mentioned.

19:38:25 10 We've also seen pedestrians, bicyclists and
19:38:28 11 scooters rushing across in front of trains to get across
19:38:31 12 even when the barriers are down.

19:38:35 13 And we've even seen cars driving on the tracks
19:38:38 14 because it's not very clearly delineated in that respect.

19:38:44 15 So that's all I wanted to say. And just the
19:38:46 16 fact that the Ellington has a lot of units in it and it
19:38:49 17 is something that has come up in our board meetings quite
19:38:52 18 a few times, just the safety of the railroad.

19:38:54 19 Thank you.

19:38:55 20 **MS. ARMSTRONG:** Thank you.

19:38:55 21 Janani, you may unmute yourself to make your
19:39:01 22 comment.

19:39:04 23 **MS. RAMACHANDRAN:** Hi there. My name is Janani
19:39:05 24 Ramachandran, I'm an attorney living in Oakland District
19:39:09 25 2.

1 I am extremely concerned that this Draft EIR
2 does not take into account what Howard Terminal is going
3 to do to Oakland residents.

4 Firstly, West Oakland, as explained before by
5 other commenters, has borne the brunt of racist
6 environmental policies where residents are five times
7 more likely to be exposed to toxic pollution than in
8 other parts of the Bay Area.

9 Howard Terminal will add injury to insult,
10 increasing emissions by 45 percent even after mitigation
11 at a time where we should be spending our 200 plus
12 million dollars of taxpayer money elsewhere.

13 Second, this EIR does not sufficiently address
14 the issue of 3,000 new condos, which -- for which we have
15 absolutely no idea how many are going to be truly
16 affordable, if any at all. The reality is that Howard
17 Terminal condos will become a hub for (inaudible) from
18 all across the bay.

19 Three, the EIR does not take into consideration
20 the project's impact on the 85,000-plus well-paying
21 unionized port jobs at our nation's fifth largest port.

22 Having visited Howard Terminal myself, I
23 understand the proximity of the proposed stadium to the
24 turning basin which is essential to ships and our
25 commercial activity.

1 I also understand the importance of a buffer
2 zone between heavy industry and commercial activity in
3 Jack London. We don't want companies taking their
4 business somewhere else at a time where our port should
5 be growing and thriving and offering more and more jobs
6 to Oakland residents.

7 Finally, Howard Terminal is utilized --
8 contrary to a lot of media reports and popular opinion --
9 not simply for trucks to idle and sit around doing
10 nothing, but for trucks to get off West Oakland
11 residential streets where they used to linger before.

12 Howard Terminal offers a space for trucks to
13 drive at off-peak hours which ultimately benefits the
14 environment.

15 In sum, the City should go back to the drawing
16 board and redo this analysis and recirculate the --

17 Thank you.

18 **MS. ARMSTRONG:** Thank you.

19 Naomi Schiff, you may unmute yourself to make
20 your comment.

21 **MS. SCHIFF:** Hello, Naomi Schiff from Oakland
22 Heritage Alliance.

23 I'm going to address some very specific points
24 about historic preservation. We sent you a note earlier
25 today. We will make a full comment by the 27th, although

19:42:04 1 we would rather have more time and feel like it is a
19:42:08 2 constrained period for commenting on such a large
19:42:11 3 document.

19:42:13 4 There are unavoidable impacts listed of these
19:42:16 5 so-called variants. And there really should be a full
19:42:19 6 addressing of not doing them.

19:42:22 7 So, first of all, either don't build the
19:42:25 8 gondola or propose an alternate route that does not take
19:42:28 9 it down the historic main part of Old Oakland on
19:42:34 10 Washington Street.

19:42:36 11 Expend the huge sum of that project by
19:42:41 12 improving the walking and transit access to the proposed
19:42:45 13 project, perhaps incorporating some of those rail safety
19:42:49 14 measures that you've been hearing about.

19:42:52 15 It's just a shiny object. It's an amusement
19:42:56 16 park ride. We don't need it. It's only for 100 days a
19:43:00 17 year or less. And on the other hand, it would deface an
19:43:03 18 important historic area every single day.

19:43:09 19 We would like to make sure that the Peaker
19:43:12 20 Plant is looked at for its entirety and that partial
19:43:18 21 demolition is not assumed. There probably is a design
19:43:21 22 solution and that should be addressed in the variant
19:43:25 23 analysis. I'm not sure that it really has been fully
19:43:29 24 discussed.

19:43:32 25 About the cranes, the discussion is rather

19:43:35 1 confusing and inconclusive. And we do think they
19:43:40 2 probably should be retained as historic objects. But
19:43:44 3 it's really connected to the fact that Oakland maritime
19:43:49 4 past is a core reason for the city existing today.

19:43:55 5 It was founded as a port in 1852. The
19:43:58 6 railroads cheerfully grabbed the waterfront as soon as
19:44:01 7 they could.

19:44:03 8 **MS. ARMSTRONG:** Naomi, that is your two-minute
19:44:06 9 comment period.

19:44:08 10 **MS. SCHIFF:** If I could finish my sentence. I
19:44:10 11 would urge that everyone work together to come up with a
19:44:14 12 non-conflict of use solution to baseball in Oakland.

19:44:17 13 It is ridiculous for us to build in conflicts
19:44:20 14 of use.

19:44:21 15 **MS. ARMSTRONG:** Thank you very much for your
19:44:23 16 comments.

19:44:23 17 Liana Molina, you may unmute yourself to make
19:44:29 18 your comment.

19:44:31 19 **MS. MOLIA:** Thank you so much.

19:44:31 20 Good afternoon, commissioners. This is Liana
19:44:31 21 Molina. I'm the senior campaign director for Oakland
19:44:37 22 campaign at the East Bay Alliance for Sustainable
19:44:39 23 Economy.

19:44:40 24 EBASE advances economic, racial, and social
19:44:41 25 justice by building a just economy based on good jobs and

19:44:45 1 healthy community.

19:44:46 2 For the last several years we've convened
19:44:49 3 Oakland United, a coalition of residents, workers, faith
19:44:51 4 leaders, youth, community organizations and unions
19:44:54 5 invested in the health, economy and future of Oakland.

19:44:57 6 You've heard concerns from my colleagues and
19:45:00 7 numerous other speakers about air quality, greenhouse gas
19:45:03 8 emissions, hazardous contamination, pedestrian safety,
19:45:07 9 cultural resources, land-use compatibility and affordable
19:45:12 10 housing this afternoon.

19:45:14 11 I won't repeat a lot of what's been said except
19:45:17 12 to urge the Planning Department and the Commission to
19:45:19 13 provide a more rigorous analysis of the potential impacts
19:45:22 14 of this project and stronger mitigation plans to prevent
19:45:26 15 toxic exposure and increased air pollution.

19:45:29 16 The city must prioritize community health and
19:45:31 17 safety over the interest of private investors and real
19:45:34 18 estate developers.

19:45:35 19 We're calling on the City to revise and
19:45:37 20 recirculate the study to provide the public and decision
19:45:40 21 makers with a more comprehensive analysis on the
19:45:43 22 environmental and public health impacts of this massive
19:45:46 23 corporate-backed project.

19:45:48 24 The City must also ensure strong community
19:45:51 25 benefits agreement that includes living wage jobs, local

19:45:53 1 and fair-chance hiring programs, and a minimum of 35
19:45:58 2 percent affordable housing units, in addition to stronger
19:46:00 3 environmental protections.

19:46:01 4 Thank you for your time.

19:46:03 5 **MS. ARMSTRONG:** Thank you.

19:46:05 6 David White, you may unmute yourself to make
19:46:07 7 your comment.

19:46:08 8 **MR. WHITE:** Good evening, commissioners. David
19:46:14 9 white, UC Berkeley Environmental Law Clinic. And we've
19:46:16 10 been working with members of Oakland United Coalition to
19:46:20 11 review this Draft EIR.

19:46:22 12 So many points of deficiency in the Draft EIR.
19:46:24 13 I want to speak to just one today.

19:46:27 14 Residential development is core objective of
19:46:30 15 the project. The Draft EIR indicates as part of
19:46:33 16 residential development there will be an affordable
19:46:35 17 housing program.

19:46:36 18 The details of this affordable housing program
19:46:38 19 are hugely important to Oakland United, however nowhere
19:46:41 20 in the Draft EIR is the affordable housing program
19:46:45 21 described or analyzed at all. The only details offered
19:46:47 22 are that the program may consist of a portion of on-site
19:46:52 23 development or additional off-site development or only
19:46:54 24 impact fees.

19:46:55 25 No further specifics are given about any

19:46:57 1 option.

19:46:58 2 Presenting several vague options without
19:47:01 3 committing to a plan makes it impossible for members of
19:47:03 4 the public to ascertain whether the program will actually
19:47:05 5 be effective.

19:47:07 6 For that reason, the Draft EIR is inadequate as
19:47:10 7 an informational document and should be revised and
19:47:12 8 recirculated.

19:47:13 9 A revised and recirculated EIR should commit to
19:47:16 10 a specific affordable housing plan and thoroughly
19:47:19 11 describe and analyze it. Even if the EIR were to present
19:47:22 12 multiple options for the program, each option should be
19:47:26 13 described in detail and analyzed in the EIR.

19:47:29 14 For example, the Draft EIR proposes off-site
19:47:32 15 affordable housing as an option, but doesn't even include
19:47:35 16 baseline information like where exactly the development
19:47:38 17 would be located, or how many units would be built, let
19:47:41 18 alone analyze impacts and offer mitigation measures where
19:47:45 19 necessary.

19:47:46 20 Affordable housing programs are a very
19:47:47 21 important part of the project. Members of Oakland United
19:47:51 22 just want to understand what is actually being proposed.
19:47:53 23 A revised and recirculated EIR should add the detail and
19:47:57 24 analysis to make this possible.

19:47:59 25 Thank you.

19:48:00 1 **MS. ARMSTRONG:** Thank you.

19:48:03 2 Peter, you may unmute yourself to make your
19:48:06 3 comment.

19:48:08 4 **MR. ZAWISLANSKI:** Good afternoon. My name is
19:48:10 5 Peter Zawislanski. I'm an environmental consultant and
19:48:43 6 hydrogeologist with the firm Terraphase, based here in
19:48:46 7 Oakland. And I'm commenting on behalf of the East
19:48:49 8 Oakland Stadium Alliance.

19:48:51 9 Our experts in engineering, geology,
19:48:53 10 contaminants, hydrology, risk assessment have identified
19:48:58 11 substantial deficiencies in the Draft EIR's analysis of
19:48:59 12 the proposed project's impacts and proposed mitigation,
19:49:02 13 as they pertain to geology, soils, hazards, hazardous
19:49:07 14 materials, hydrology and water quality.

19:49:09 15 I want to the highlight four of those findings
19:49:11 16 today.

19:49:11 17 The first is that the Draft EIR defers analysis
19:49:14 18 and mitigation related to site remediation. This was
19:49:17 19 mentioned a couple times in this forum today.

19:49:20 20 It relies on several documents that have
19:49:23 21 neither been finalized nor approved. And these are
19:49:26 22 related to site remediation, land-use controls, future
19:49:29 23 management, subsurface foundation (inaudible) and others.

19:49:32 24 So therefore it's really impossible to evaluate
19:49:36 25 the scope of work that would be required to implement

19:49:38 1 these documents and the associated risk of the required
19:49:42 2 mitigation.

19:49:42 3 The second point is that the Draft EIR relies
19:49:45 4 on a huge health and ecological risk assessment that is
19:49:49 5 fundamentally flawed because it underestimates risk in
19:49:53 6 several ways. And it should not be used to support risk
19:49:57 7 management decisions.

19:49:58 8 The third finding is that the Draft EIR
19:50:00 9 incorrectly presents the level of contamination that
19:50:06 10 requires mitigation at the Coliseum alternative site as
19:50:09 11 being equivalent to that at the project site.

19:50:12 12 In fact, the extent and the volume of
19:50:15 13 contaminated soil and the relative percentage of the
19:50:18 14 contaminated area are far greater at the proposed Howard
19:50:23 15 Terminal site as compared to the Coliseum site.

19:50:27 16 Fourth and final finding that I want to mention
19:50:28 17 today is that the Draft EIR understates the potential for
19:50:32 18 liquefaction impact and defers the analysis of the
19:50:35 19 mitigation of this issue to the future.

19:50:37 20 It doesn't provide sufficient detailed
19:50:40 21 information on, or the analysis of, the cumulative impact
19:50:45 22 of earthquake-induced liquefaction, site access to
19:50:48 23 facilities, structures, regional access, differential
19:50:53 24 settlement and flooding.

19:50:54 25 And these and other findings we would

19:50:56 1 present in detail --

19:50:58 2 **MS. ARMSTRONG:** Peter, that is your two-minute
19:51:01 3 time period.

19:51:01 4 Next I do have a caller with the last four
19:51:03 5 digits of 7022.

19:51:05 6 You may unmute yourself to make your comments.

19:51:10 7 **CALLER:** Hi, can you hear me?

19:51:12 8 **MS. ARMSTRONG:** Yes, we can.

19:51:13 9 **CALLER:** (Inaudible) Downtown resident and
19:51:16 10 daughter of a retired longshoreman of Local 10.

19:51:20 11 I oppose building a ballpark at the waterfront
19:51:24 12 or anywhere in Oakland. I support the no-project
19:51:28 13 alternative.

19:51:28 14 Noise and toxic pollution from construction and
19:51:30 15 increased traffic would have dramatic negative impact on
19:51:32 16 public health and safety. Dense crowds and traffic
19:51:37 17 congestion combined with railroad tracks would interfere
19:51:39 18 with emergency evacuations and first responders, not to
19:51:42 19 mention physical distancing during a pandemic.

19:51:45 20 It's irresponsible to build a mass-gathering
19:51:48 21 place in that location, let alone a gondola in an
19:51:52 22 earthquake zone.

19:51:53 23 The project would disturb marine ecology and
19:51:56 24 wildlife and nesting and predatory birds, including
19:52:00 25 protected species, which the Draft EIR acknowledges have

19:52:04 1 been observed there.

19:52:04 2 The only one who would benefit from this real
19:52:07 3 estate land grab is billionaire A's owner John Fisher.

19:52:12 4 His previous attempt targeted Laney, one of the
19:52:14 5 last working class colleges that offers occupational
19:52:17 6 training.

19:52:18 7 Now his latest scheme to destroy and privatize
19:52:22 8 Howard Terminal threatens maritime jobs with the
19:52:26 9 strongest union in the region.

19:52:28 10 As our communities are struggling economically,
19:52:29 11 this proposal is insulting in its decadence. We don't
19:52:34 12 need a shiny new stadium to enjoy baseball.

19:52:38 13 Instead of unnecessary demolition and
19:52:41 14 construction, pollution, fix the Coliseum to make it more
19:52:43 15 functional for the sport, make sure sewage problems are
19:52:47 16 resolved, and pay workers fair wages.

19:52:49 17 What they need is actually affordable housing.
19:52:52 18 No more over-priced luxury condos until all who are
19:52:56 19 unsheltered or housing insecure have a stable home. Not
19:53:00 20 went more penny or one more inch for development until
19:53:04 21 all who are poor, who live on fixed incomes, who are
19:53:07 22 disabled and aging are housed.

19:53:09 23 No ballpark at the waterfront. No project.

19:53:13 24 Thank you.

19:53:14 25 **MS. ARMSTRONG:** Thank you for your comment.

19:53:16 1 Jassmin, you may unmute yourself to make your
19:53:19 2 comment.

19:53:26 3 **MS. POYAOAN:** Hello, commissioners. My name is
19:53:28 4 Jassmin Poyaoan. I live in West Oakland. And I'm an
19:53:31 5 attorney at the East Bay Community Law Center.

19:53:35 6 We are working in solidarity with Oakland
19:53:38 7 United Coalition. I'm here today because I'm concerned
19:53:40 8 about the proposed development at the Howard Terminal and
19:53:44 9 the inadequacy of the Draft EIR.

19:53:48 10 First off, the Draft EIR is too long and
19:53:51 11 complicated for the average person to review and
19:53:53 12 understand in the time provided.

19:53:55 13 The Mayor, City Administration, really did a
19:53:59 14 disservice to the public by not granting the public the
19:54:02 15 maximum amount of time possible to take this in.

19:54:05 16 The responsibility of the City is to conduct a
19:54:07 17 rigorous analysis of the likely impacts of the project
19:54:10 18 and make sure those impacts are addressed. This DEIR is
19:54:14 19 not adequate for this massive project on public land.

19:54:18 20 Specifically I'm worried about jobs and
19:54:21 21 housing.

19:54:24 22 First, the DEIR overestimates job creation in
19:54:28 23 the project. AB-734 requires the project to create
19:54:33 24 high-wage, high-skilled jobs, that pay living wages and
19:54:37 25 provide permanent jobs.

19:54:40 1 Unfortunately, this draft report does not
19:54:43 2 ensure living wages with job creation. It also inflates
19:54:48 3 job growth estimates by claiming preexisting jobs. It
19:54:51 4 also fails to address the potential loss of jobs due to
19:54:53 5 the conflicts with the Port's activities.

19:54:56 6 In terms of housing, just to repeat what other
19:54:59 7 speakers have said, the Draft EIR says there will be
19:55:03 8 3,000 residential units but doesn't specify how many of
19:55:06 9 those units will be affordable. There's too much
19:55:10 10 ambiguity and too many uncertainties and contingencies.
19:55:14 11 And by failing to provide a fixed number affordable
19:55:17 12 housing units to be constructed, really prevents the city
19:55:21 13 and the public from reliably evaluating the project's
19:55:25 14 effects and impacts on displacement and gentrification.

19:55:29 15 So for all these reasons, we urge that the DEIR
19:55:32 16 is insufficient and the City should go back to the
19:55:35 17 drawing board and redo this analysis and recirculate the
19:55:39 18 report. Our neighborhoods deserve better.

19:55:42 19 Thank you very much.

19:55:44 20 **MS. ARMSTRONG:** Thank you.

19:55:46 21 Mike Jacob, you may unmute yourself to make
19:55:48 22 your comment.

19:55:51 23 **MR. JACOB:** Hi, good afternoon, Mr. Chair and
19:55:55 24 members of the Planning Commission. Mike Jacob with the
19:55:58 25 Pacific Merchant Shipping Association. We represent

19:56:00 1 ocean carriers, marine terminal operators and other
19:56:04 2 tenants in the maritime business at the Port of Oakland.

19:56:06 3 Obviously two minutes isn't enough time to
19:56:09 4 discuss all the impacts. And we'll be submitting formal
19:56:12 5 comment on marine safety, transportation, air quality
19:56:15 6 issues and the like.

19:56:17 7 But I would like to make a couple of comments
19:56:19 8 just on the nature of the EIR in front of you in general.

19:56:24 9 As you've heard from many, many speakers today,
19:56:27 10 with respect to project description, the EIR is
19:56:31 11 inadequate. But just in general, the disclosure
19:56:34 12 document, which was meant to facilitate a discussion and
19:56:40 13 input from the community, this is just a really deficient
19:56:46 14 document.

19:56:47 15 There's really no discussion here of the
19:56:49 16 significant cumulative impact and induced growth. That
19:56:53 17 analysis is basically omitted and missing. And that's
19:56:56 18 important because of the nature and scale of this
19:56:58 19 project.

19:56:59 20 What you hear from the A's and from boosters
19:57:01 21 time and time again -- and they're right -- is that this
19:57:04 22 is a transformative process, to build a project that's
19:57:09 23 going to change Oakland.

19:57:12 24 And nothing could be more true. That's exactly
19:57:16 25 right.

19:57:16 1 The problem is that's not analyzed in the EIR.
19:57:20 2 So, if the project is transformative and it's
19:57:23 3 changing Oakland and takes resources away from East
19:57:26 4 Oakland, moves them to West Oakland, completely changes
19:57:30 5 the downtown, and obviously has significant impacts that
19:57:36 6 are interacting with provisions of the Downtown Oakland
19:57:41 7 Specific Plan, which are also missing, there needs to be
19:57:44 8 a discussion about that.

19:57:46 9 The place for that discussion is in this EIR.
19:57:49 10 It's missing.

19:57:50 11 That is the biggest overall component of this,
19:57:54 12 is does it take away, outside of all the technical
19:57:57 13 components, and messaging that we're going to be
19:58:01 14 including in our letters are, where's the conversation
19:58:04 15 about how this changes the city?

19:58:05 16 As a resident --

19:58:07 17 **MS. ARMSTRONG:** Mike, that's a --

19:58:09 18 **MR. JACOB:** -- and representative of business.

19:58:10 19 Thank you very much.

19:58:11 20 **MS. ARMSTRONG:** Aaron Clay, you may unmute
19:58:13 21 yourself to make your comment.

19:58:17 22 **MR. CLAY:** Thank you. Can you hear me?

19:58:18 23 **MS. ARMSTRONG:** Yes, we can.

19:58:19 24 **MR. CLAY:** Great. My name is Aaron Clay. I'm
19:58:20 25 a member of the Oakland East Bay Democratic Club. I grew

19:58:24 1 up in West Oakland and currently live in District 7, East
19:58:28 2 Oakland. Good evening, chairman and commissioners.

19:58:31 3 My comment, and a lot of this has been said
19:58:33 4 already, but the planning commission should not approve
19:58:36 5 this EIR because it does not adequately describe
19:58:39 6 environmental, fiscal and human impacts of the project.
19:58:42 7 There are just too many uncertainties in this skeleton
19:58:44 8 EIR. It's long on pages, but low on substance. There's
19:58:48 9 20 pages of traffic data and no mitigation of the
19:58:51 10 problem.

19:58:51 11 And because of the extensive number of
19:58:54 12 potentially significant unavoidable impacts, it's just
19:58:57 13 not adequate at this time.

19:58:59 14 And I support the alternative with the least
19:59:02 15 impact, which is Number 1, the no-project alternative.

19:59:06 16 In the EIR they mention that they recommend the
19:59:08 17 reduced project -- maybe that's in the staff report --
19:59:11 18 but there's no comparison of alternative 3 off-site
19:59:16 19 coliseum alternative, which already has this EIR
19:59:20 20 discussion found to be suitable.

19:59:23 21 And so, I don't want to -- I know I'm low on
19:59:26 22 time, so I have several questions for the commission.

19:59:28 23 The project proposes that a change in the
19:59:31 24 General Plan from this area from General Industrial to
19:59:33 25 Regional Commercial. And it's my understanding that

19:59:36 1 Regional Commercial, it prohibits heavy, high-impact and
19:59:40 2 residential. So I may be wrong in that, if it's updated.

19:59:44 3 So why did this project contain 3,000
19:59:46 4 residential units if housing is prohibited under Regional
19:59:50 5 Commercial?

19:59:51 6 And it also doesn't discuss the proposed
19:59:55 7 residential units, how many will be affordable, deeply
19:59:59 8 affordable housing.

20:00:01 9 And the other thing what is the long-term
20:00:03 10 impacts on our jobs, so the global shipping job sector
20:00:06 11 after creating a residential tourism district right next
20:00:10 12 to a heavy industrial district that's zoned for, you
20:00:12 13 know, hazardous material generation and storage.

20:00:15 14 That doesn't seem to work out. It seems that
20:00:17 15 eventually those two land uses don't work together and
20:00:21 16 they will conflict.

20:00:22 17 And so I would like to see the impact of that.

20:00:25 18 And also -- what is the remediation process for
20:00:29 19 disturbing that capped toxic environmental material site
20:00:32 20 and how will Port employees, West Oakland residents, be
20:00:37 21 protected, considering it's already one of the most
20:00:39 22 environmentally contaminated historically -- polluted
20:00:43 23 area in California.

20:00:47 24 **MS. ARMSTRONG:** Thank you very much for your
20:00:48 25 comments.

20:00:52 1 And I have Cheuk, if you can state your full
20:00:55 2 name for the record. You may unmute yourself to make
20:00:57 3 your comment.

20:01:00 4 **MS. LI:** Hi. My name is Cheuk-Ning Li. I'm
20:01:02 5 with the Asia Pacific Environmental Network representing
20:01:06 6 over 300 working class Chinese families in Oakland. I'm
20:01:09 7 also here as a member of the Oakland Chinatown Coalition
20:01:54 8 of over 15 organizations and individuals deeply concerned
20:01:57 9 about this proposal.

20:01:58 10 We also had a team of a dozen volunteers
20:02:00 11 reviewing the Draft EIR around the clock to get our
20:02:03 12 comments in. And I want to state on the record that our
20:02:05 13 request for the DEIR extension to the full legal time
20:02:07 14 allowed was yet again denied by City Administration.

20:02:11 15 I want to reiterate the frustration of our
20:02:14 16 coalition and many, many others around this dense DEIR.

20:02:17 17 One of the most glaring problems that needs to
20:02:19 18 be addressed is the (inaudible) of impacts to Chinatown
20:02:22 19 in the DEIR. There's barely a mention of Chinatown
20:02:23 20 within 6,000 pages. An egregious point of neglect given
20:02:28 21 Chinatown's location within one mile of the site.

20:02:30 22 It appears that Chinatown will be used as the
20:02:32 23 ballpark's parking lot and become pick-up and drop-off
20:02:35 24 point for ride shares to the ballpark. Because 2,000
20:02:37 25 parking spaces wouldn't even be enough at the coliseum so

20:02:41 1 this will bring further congestion to a neighborhood
20:02:43 2 already suffering from poor air quality and a
20:02:45 3 disproportionate number of traffic-related injuries and
20:02:49 4 deaths.

20:02:50 5 Furthermore, the DEIR lacks detail about
20:02:52 6 affordable housing on site, mitigations of negative
20:02:54 7 impacts of the ballpark on Port operations and the
20:02:57 8 waterfront, and how the economic and cultural vitality of
20:02:59 9 the nearby neighborhoods of Chinatown, West Oakland, Jack
20:03:02 10 London, and Old Oakland will be defended and drawing more
20:03:06 11 benefits than harms in gentrification.

20:03:08 12 As much as we wish that the project would add a
20:03:10 13 beautiful public and open space for Oaklanders and
20:03:12 14 visitors, from what we've seen so far this vision isn't
20:03:15 15 environmentally sound.

20:03:16 16 The Draft EIR shows that the applicants didn't
20:03:19 17 do their homework and are instead taking advantage of
20:03:21 18 hundreds of volunteer hours to do this homework for them.

20:03:23 19 We've done our due diligence engaging in the
20:03:24 20 City-led process around a CDA (phonetic) despite not
20:03:27 21 having an EIR to work with. To be released two years
20:03:30 22 later with so little analysis of the impact of mitigation
20:03:33 23 measures needed for air quality, housing, and traffic,
20:03:35 24 it's just disrespectful.

20:03:37 25 So we hope to see an EIR and plans actual

20:03:40 1 substance more than fluff in the future.

20:03:42 2 Thank you.

20:03:43 3 **MS. ARMSTRONG:** Thank you very much for your
20:03:44 4 comments.

20:03:45 5 Gary Rubenstein. You may unmute yourself to
20:03:49 6 make your comment.

20:03:51 7 **MR. RUBENSTEIN:** Good evening, commissioners.

20:03:52 8 My name is Gary Rubenstein. I'm with the Firm
20:03:56 9 of Foulweather Consulting and I'm working on air quality
20:04:00 10 issues in support of the East Bay Stadium Alliance.

20:04:03 11 By way of background, I started my career at
20:04:06 12 the California Air Resources Board in the 1970s and I've
20:04:09 13 been working on air quality analyses related to both CEQA
20:04:13 14 and permit processes for some 40 years.

20:04:18 15 With respect to specific comments, the analyses
20:04:21 16 in the Draft EIR, as several speakers have noted, the
20:04:25 17 Draft EIR does not contain an air quality impact analysis
20:04:28 18 for particulates and toxic air contaminants that would be
20:04:34 19 released during project remediation. This is not a
20:04:37 20 matter of simply disagreement with the methodology, there
20:04:40 21 is no analysis. The assumption is that the mitigation
20:04:42 22 measures will be adequate. There's actually no
20:04:45 23 quantification of what those impacts would be.

20:04:49 24 Second of all, the Draft EIR's health risk
20:04:53 25 assessment was performed in a manner that's not

20:04:55 1 consistent with guidance issued by the Bay Area Air
20:04:57 2 Quality Management Direct with respect to the operation
20:05:01 3 of emergency generators. Those generators are now
20:05:04 4 routinely operated for things such as public safety power
20:05:08 5 shutoffs. That operation is not reflected in the Draft
20:05:11 6 EIR.

20:05:13 7 Third, the project analysis improperly
20:05:18 8 attributes to the project certain air quality and
20:05:21 9 greenhouse gas benefits associated with the installation
20:05:24 10 of infrastructure for electric vehicle charging.

20:05:28 11 However, when you actually look at the analysis, the
20:05:31 12 project is taking credit for actions taken by the
20:05:35 13 California Air Resource Board and other governmental
20:05:37 14 agencies that would occur whether the project occurs or
20:05:40 15 not.

20:05:43 16 As a previous speaker noted, the Draft EIR also
20:05:46 17 improperly and does not accurately estimate the increase
20:05:50 18 in truck vehicle miles traffic associated with the
20:05:54 19 relocation of certain activities from Howard Terminal to
20:05:58 20 other unspecified locations.

20:06:00 21 **MS. ARMSTRONG:** That is your two-minute comment
20:06:03 22 period.

20:06:03 23 Thank you very much.

20:06:06 24 So we are down to looks like our last nine
20:06:08 25 comments. And the last comment I have is by Angie Tam.

20:06:12 1 So any -- I'm sorry, one more, Lee Sandahl is
20:06:16 2 the last comment for right now.

20:06:20 3 Bill Dow, if you could unmute yourself to make
20:06:23 4 your comment.

20:06:35 5 Okay. Looks like we did lose Bill.

20:06:39 6 Carla Collins, if you could unmute yourself to
20:06:42 7 make your comment.

20:06:46 8 **MS. COLLINS:** Hi, my name is Carla Collins and
20:06:48 9 I'm with Signet Testing Labs, headquartered in Hayward.
20:06:51 10 I'm the president of Construction Management Association
20:06:51 11 of America, Northern California Chapter, an East Bay
20:06:51 12 resident, and a proud member of Town Business, in support
20:06:51 13 of building a new ballpark for the A's at Howard
20:06:51 14 Terminal.

20:07:05 15 I'm looking for the Planning Commission to
20:07:07 16 support this Draft EIR and not further delay the project
20:07:11 17 or the process. The A's are going through this
20:07:13 18 responsibly, having engaged chief stakeholders. And the
20:07:17 19 Jack London Square ballpark would be an upgrade in design
20:07:19 20 and sustainable.

20:07:20 21 If various city members don't do their part to
20:07:24 22 make this ballpark happen, there would be a good
20:07:26 23 possibility the A's could leave, just like the Warriors
20:07:28 24 and the Raiders when they had homes elsewhere.

20:07:31 25 As mentioned before, this is way bigger than

20:07:33 1 baseball. It's about community and civic pride.

20:07:35 2 And ten years ago I supported -- spoke in
20:07:39 3 support of the Sacramento Kings staying in Sacramento and
20:07:42 4 building a new arena there from a different public forum.
20:07:47 5 And there was a lot of logical challenges. They had
20:07:50 6 opposition, but they got it down.

20:07:52 7 There was no additional parking built, but they
20:07:56 8 figured it out. And now it is an amazing development
20:07:59 9 area that has sparked new investment dollars and other
20:08:04 10 projects, and now one of the most vibrant locations in
20:08:07 11 Sacramento County.

20:08:09 12 So, hopefully the City Planning Commission and
20:08:13 13 councilmembers can help make this happen. And looking
20:08:16 14 forward to bringing sports to the waterfront ballpark.

20:08:20 15 Thank you.

20:08:21 16 **MS. ARMSTRONG:** Thank you. Teff Reed. I'm
20:08:27 17 sorry. Teff, you may unmute yourself to make your
20:08:30 18 comment.

20:08:30 19 Teff, are you there?

20:08:46 20 **MR. REED:** Hello, everybody. Thanks for
20:08:47 21 spending the time today. I am a resident of Jack London
20:08:50 22 Square. I wanted to comment on two things at the
20:08:56 23 stadium.

20:08:57 24 I'm not in any way against the stadium, but I
20:09:00 25 am concerned in Jack London Square about the traffic that

20:09:06 1 the stadium will bring. This is an area that has quite a
20:09:09 2 few entertainment venues. Lots of -- lots of new
20:09:14 3 breweries, bars, pubs, other places that will be
20:09:18 4 attractive to folks coming to the stadium.

20:09:21 5 When I look at the EIR, there definitely
20:09:27 6 impacts called out in the area. There's definitely
20:09:32 7 traffic counts that would believe that the Jack London
20:09:36 8 area will be impacted. And there are two places where
20:09:39 9 I'm quite concerned.

20:09:41 10 I'm concerned about the intersection for 880 at
20:09:46 11 Jackson Street. This is already an intersection that is
20:09:50 12 quite dangerous because it does not have turn lanes. It
20:09:54 13 has people taking left turns onto the highway.

20:09:57 14 When folks let out from the stadium, pretty
20:10:01 15 much every intersection in the city that is going on 880
20:10:05 16 is going to be congested. Even if people believe that
20:10:09 17 other intersections will be used to leave the stadium, it
20:10:13 18 is likely that car routing, you know, iPhones, Androids,
20:10:20 19 whatever, are going to put people on to each of the
20:10:22 20 intersections in the area. And these intersections are
20:10:26 21 already overcrowded and already unsafe.

20:10:30 22 So that's the concern about vehicle traffic.
20:10:33 23 And there is no recognition of those problems and
20:10:37 24 remediation of those problems in the EIR.

20:10:40 25 And then like some of my neighbors, I am also

20:10:44 1 concerned about the train remediation. I've witnessed,
20:10:50 2 myself, people who will cross over the trains when the
20:10:53 3 trains are stopped. That's a completely unsafe scenario.

20:10:57 4 **MS. ARMSTRONG:** That's your comment period.

20:11:02 5 **MR. REED:** Yes. I'm asking that there be
20:11:04 6 intersections dealt with at Franklin, Webster and Oak
20:11:06 7 Street. Thank you.

20:11:08 8 **MS. ARMSTRONG:** Thank you. I have acronym,
20:11:11 9 EBHO. If you could state your full name for the record.
20:11:14 10 And you may unmute yourself to make your comment.

20:11:18 11 **MR. SCOTT:** Hi. Hello, my name is Damion Scott
20:11:20 12 and I'm a resident of East Oakland in District 7.

20:11:25 13 I'm concerned about the proposed development at
20:11:27 14 Howard Terminal. I believe that the Draft EIR does not
20:11:30 15 adequately address the negative impacts this development
20:11:35 16 would have on the air quality in the area near the
20:11:37 17 proposed stadium.

20:11:39 18 I've lived in the shadow of Oakland Coliseum
20:11:42 19 and the AB&I Foundry for half of my life, so I understand
20:11:45 20 firsthand the negative effects of poor air quality on
20:11:48 21 residents in the area.

20:11:50 22 Oakland already has a ballpark in a
20:11:52 23 neighborhood with poor air quality. My neighborhood.
20:11:55 24 Careful consideration should be given before another one
20:11:58 25 is built.

20:11:58 1 Thank you.

20:11:59 2 **MS. ARMSTRONG:** Thank you.

20:12:02 3 Next is A. Luna. If you could please state
20:12:06 4 your full name for the record.

20:12:09 5 **MS. LUNA BOCANEGRA:** Yes, so my name is Andrea
20:12:11 6 Luna Bocanegra. I am an East Oakland resident. I'm also
20:12:14 7 a member of Alameda County Democratic Central Committee.

20:12:18 8 So my concern is that this report does not
20:12:20 9 mention the impact that it gives to manufacturers and to
20:12:24 10 importers that use the Port of Oakland.

20:12:27 11 So I work for a large importer for olive oil.
20:12:32 12 We're the biggest in the U.S. and we are located in
20:12:35 13 Oakland. So the Port is very important to us.

20:12:37 14 Folks don't understand that the Howard Terminal
20:12:40 15 location actually helps the Port because trucks are able
20:12:44 16 to, you know, stay there, wait their turn. And also
20:12:49 17 containers, when they're transferred and emptied out. So
20:12:53 18 that space is very important because it helps streamline
20:12:55 19 all the movement with the Port.

20:12:57 20 As many of you have seen in the news there's a
20:13:01 21 big congestion on the west coast ports.

20:13:03 22 So there -- we've been dealing with a lot of
20:13:07 23 backlogs because there's not enough movement, it's not
20:13:10 24 fast enough. So imagine if we reduce the productivity
20:13:14 25 for the Port of Oakland. It is going to reduce

20:13:17 1 tremendously all the manufacturers that -- we depend on
20:13:20 2 that port.

20:13:21 3 We are also a commodity so our product also
20:13:25 4 helps manufacture pasta, bread, other items. So it's not
20:13:29 5 just going to impact my job and my work which has been
20:13:31 6 there for over 100 years, it's going to impact all the
20:13:34 7 local manufacturers and all the local companies that
20:13:37 8 depend on that port to import and export products and
20:13:42 9 commodity.

20:13:42 10 So this is something not included in the report
20:13:44 11 and a lot of us that work in the same industrial area
20:13:48 12 have talked about this and we realize this is going to
20:13:51 13 raise the prices because if we have to use the port down
20:13:55 14 in Southern California or the port up in Seattle, it's
20:13:58 15 going to cost us to put all those containers on the
20:14:02 16 trucks and bring them to us here in the Bay Area.

20:14:04 17 So that's something that's not included in this
20:14:06 18 report. And I think it's tremendous. And it's going to
20:14:10 19 impact, again, not just the local companies that are here
20:14:13 20 in the Bay Area, this is a global connection for us to
20:14:18 21 all the rest of the world and also to other --

20:14:23 22 **MS. ARMSTRONG:** Your two-minute comment period
20:14:24 23 is --

20:14:26 24 **MS. LUNA BOCANEGRA:** -- not just millions,
20:14:27 25 billions.

20:14:28 1 **MS. ARMSTRONG:** Thank you very much for your
20:14:29 2 comment.
20:14:30 3 Christopher Dobbins, you may unmute yourself to
20:14:33 4 make your comment.
20:14:35 5 **MR. DOBBINS:** Thank you very much for doing
20:14:35 6 this, commissioners. Chris Dobbins, president and
20:14:40 7 co-founder, Save Oakland Sports, a grassroots
20:14:43 8 organization that tried to keep the Raiders, A's and
20:14:46 9 Warriors. And we are in support of this project going
20:14:49 10 forward at the Howard Terminal site, acknowledging that
20:14:52 11 you've heard a lot of comments today that people think
20:14:55 12 there's other possibilities for this site or keeping it
20:14:57 13 at the Coliseum.
20:14:58 14 However, the A's don't want to stay there.
20:15:00 15 While we've had this meeting, the A's had an exciting
20:15:03 16 walk-off win today. 11 in a row. So you know, the
20:15:06 17 excitement and the jobs that's going to bring to the
20:15:08 18 downtown waterfront area is meaningful.
20:15:11 19 It's not just going to help out Oakland, but
20:15:14 20 it's going to help out the entire region.
20:15:16 21 So we're in support of the A's moving forward
20:15:18 22 with this process and we support this. The dialogue
20:15:21 23 we're having here and discussing it with the community.
20:15:23 24 I hate to say it, but the lease runs out at the Oakland
20:15:26 25 Coliseum in 2023. And if we just push this back, push

20:15:30 1 this back, I can see the A's follow what the Raiders did
20:15:33 2 and what the Warriors did.

20:15:34 3 The 700-plus jobs that are generated by each
20:15:36 4 A's game, fans support that comes in and the jobs that
20:15:39 5 it's going to generate are very important to our local
20:15:41 6 community here.

20:15:41 7 And I think, you know, in the interest of
20:15:43 8 trying to get something done, the young lady said what
20:15:46 9 happened in Sacramento. The leadership of that city was
20:15:49 10 able to get that beautiful downtown stadium done and they
20:15:52 11 worked through the all the issues.

20:15:54 12 Everyone is acknowledging there's going to be
20:15:55 13 some issues with this process. However, we don't want to
20:15:58 14 do it at the expense of losing our last remaining sports
20:16:00 15 team in Oakland.

20:16:01 16 So thank you again for hosting this meeting.
20:16:03 17 And thank you for hearing my comments.

20:16:05 18 **MS. ARMSTRONG:** Thank you.

20:16:05 19 Lee Sandahl, you may unmute yourself to make
20:16:08 20 your comment.

20:16:14 21 Lee, I'm showing that you are still muted.

20:16:25 22 Okay. Lee?

20:16:30 23 **MR. SANDAHL:** Can you hear me okay?

20:16:31 24 **MS. ARMSTRONG:** Yes, now I can hear you. Go
20:16:31 25 ahead.

20:16:36 1 **MR. SANDAHL:** Okay. All right. I'm ready to
20:16:36 2 go. Okay.

20:16:37 3 Actually I was going to say good afternoon, but
20:16:39 4 it's actually evening. So good evening, city
20:16:41 5 commissioners.

20:16:42 6 My name is Lee Sandahl. I was a 40-year member
20:16:47 7 of the International Longshore Warehouse Association.
20:16:50 8 And today I'm speaking on behalf of the Northern
20:16:52 9 California District Council for the International
20:16:56 10 Longshore and Warehouse Union.

20:17:02 11 We have this feeling that the City/Port of
20:17:05 12 Oakland, seems more interested in waterfront real estate
20:17:10 13 development than commercial cargo operations. The Port
20:17:14 14 is the largest revenue producer for the City of Oakland
20:17:18 15 and for the entire Bay Area. We see this sacrificing of
20:17:23 16 a stable revenue base which supports 90,000 good-paying,
20:17:27 17 middle-class jobs for a revenue base that benefits no one
20:17:36 18 except the Oakland A's.

20:17:40 19 We urge you to avoid this destructive intrusion
20:17:44 20 and build the ballpark where it belongs at the Oakland
20:17:47 21 Coliseum.

20:17:48 22 Thank you.

20:17:50 23 **MS. ARMSTRONG:** Thank you.

20:17:52 24 Brandon, please state your full name for the
20:17:54 25 record.

20:17:59 1 **MR. MacDONALD:** Hi, Brandon MacDonald. Born in
20:18:02 2 Oakland, lived in Oakland, worked in West Oakland at the
20:18:04 3 Port for the last 25 years. The company I work for
20:18:08 4 employes 300 people.

20:18:11 5 At the end of the day, if this project is
20:18:13 6 allowed to go through, everybody's talking about the jobs
20:18:16 7 it will create. But I think the bigger discussion is the
20:18:19 8 jobs that will be lost: Some of the best blue-collar,
20:18:21 9 middle-class jobs in California, hands down. It will be
20:18:24 10 a loss to the region. It will be a loss for a lot of the
20:18:27 11 small businesses that rely on the Port of Oakland. And
20:18:30 12 for nothing more than what's really a land grab by
20:18:33 13 another billionaire.

20:18:34 14 This project is -- the Port of Oakland is the
20:18:41 15 only port no longer investing in their own
20:18:44 16 infrastructure. If this project is allowed to go
20:18:46 17 through, there simply won't be any room for the Port to
20:18:49 18 grow. It will be a slow decline and we'll end up like
20:18:53 19 Portland. If you look at the Port of Portland, once the
20:18:53 20 steamship lines moved out, there was no longer a Port of
20:18:55 21 Portland. All those jobs were lost. And read about it.
20:18:58 22 It's very educational. The same thing will happen in
20:19:00 23 Oakland and we'll just go backwards.

20:19:03 24 Thank you for your time, commissioners, today
20:19:04 25 and be well.

20:19:07 1 **MS. ARMSTRONG:** Thank you.

20:19:07 2 Okay. Scott Taylor. And let's try again. If
20:19:12 3 you can please unmute yourself to make your comment.

20:19:15 4 **MR. TAYLOR:** Thank you very much. Chairman
20:19:16 5 Limon, commissioners, my name is Scott Taylor.

20:19:20 6 I'm the CEO and chairman of the board of GSC
20:19:23 7 Logistics. GSC handles 16 percent of all the imports at
20:19:28 8 the Port of Oakland. I would like to use a little common
20:19:31 9 sense for a minute.

20:19:33 10 I read the EIR and I counted 17 times that it
20:19:38 11 says mitigation measures would reduce the hazard but not
20:19:41 12 to less than significant level.

20:19:45 13 Another 19 times -- and I finally gave up
20:19:48 14 counting -- it says mitigation measures would reduce the
20:19:51 15 severity of this impact which would nonetheless remain
20:19:55 16 significant and unavoidable.

20:19:59 17 All I can tell you is that this is just a
20:20:02 18 boondoggle that is trying to be pushed through by a
20:20:06 19 billionaire who wants to have more land at his disposal.

20:20:12 20 The EIR does not address where 10,000 cars on
20:20:16 21 game day will park. 5,000 cars will also frequent the
20:20:21 22 residential hotels and commercial space. The Port will
20:20:25 23 be at gridlock.

20:20:26 24 This reminds me of ten years ago when the
20:20:30 25 Oakland Army Base and the Wayan Brothers wanted to build

20:20:34 1 a movie studio. Or another harebrained idea, auto row.
20:20:39 2 Moving all the card dealerships from Broadway to the
20:20:44 3 Port.

20:20:44 4 You know, enough is enough. This is absolutely
20:20:46 5 ridiculous.

20:20:47 6 This Port operates 24 hours a day, seven days a
20:20:51 7 week, with trucks, trains, vessels blowing their horns.
20:20:55 8 It is loud.

20:20:58 9 This is no place for a playground. This is a
20:21:02 10 24-7 industrial area that never stops, never sleeps.

20:21:07 11 If the A's are allowed to build their amusement
20:21:11 12 park on Port property we all know what will happen.
20:21:16 13 There will be lawsuits filed by residents because of all
20:21:19 14 the noise.

20:21:19 15 I just say enough is enough. And I really
20:21:21 16 thank you for your time.

20:21:23 17 **MS. ARMSTRONG:** Thank you. Melvin Mackay,
20:21:27 18 please unmute yourself to make your comment.

20:21:29 19 **MR. MACKAY:** Hi, my name is Melvin Mackay. I'm
20:21:34 20 a longshoreman here in Oakland, California. I've been
20:21:37 21 here over 25 years.

20:21:39 22 I know that the DEIR has a lot of
20:21:43 23 inconsistencies in it. And one of the things that you
20:21:46 24 guys have to understand, if they cannot be forthright and
20:21:51 25 up front, it has to be defined. There's no way that we

20:21:56 1 can turn around and allow a DEIR to go through with the
20:22:00 2 inconsistencies and telling us that at the end of what we
20:22:04 3 do, we'll let you know. That's wrong.

20:22:08 4 It will affect the longshoremen's work. They
20:22:11 5 got a lot of blue-collar jobs here. Some of the best in
20:22:14 6 the country. It will affect all the longshoremen, not
20:22:17 7 some of them.

20:22:19 8 If SSA, as Susan Ransom spoke about, if her
20:22:23 9 terminal is affected, who moves more cargo in California
20:22:26 10 than anybody else, we will lose a lot of jobs.

20:22:29 11 You guys spoke about the turning basin. It's
20:22:32 12 very well needed. The ships are not getting any smaller.
20:22:35 13 They're getting larger. One of the things we need is a
20:22:39 14 turning basin. That's at the end of where your ballpark
20:22:43 15 allegedly supposed to be in Howard Terminal.

20:22:45 16 One of the things we do know, seven years ago
20:22:48 17 we decided to get the trucks off of the streets so the
20:22:52 18 idling trucks do not affect the people in West Oakland.
20:22:54 19 All the particulate matter diesel emission is no longer
20:22:58 20 around there.

20:23:00 21 They have a place to park their containers.
20:23:02 22 They go in what's called a catch-and-pitch yard. They
20:23:05 23 can take and get a container off the terminal in two
20:23:09 24 minutes, put it over at Howard Terminal. The trucker
20:23:11 25 comes in, picks up his container and moves on with his

20:23:14 1 container. They don't sit around.

20:23:16 2 If there is a ballpark, it will be a gridlock
20:23:19 3 in West Oakland. The small businesses around there will
20:23:22 4 close up. They won't have any business.

20:23:25 5 The people in West Oakland, they'll have the
20:23:27 6 trucks back on the streets, blocking the city streets,
20:23:31 7 won't be able to go to work or go to lunch or go home.

20:23:34 8 One of the things I can ask this council is to
20:23:37 9 reject this.

20:23:38 10 Thank you.

20:23:39 11 **MS. ARMSTRONG:** Thank you.

20:23:42 12 Bill Dow. You may unmute yourself to make your
20:23:46 13 comment.

20:23:48 14 **MR. DOW:** Can you hear me?

20:23:50 15 **MS. ARMSTRONG:** Yes, we can.

20:23:51 16 **MR. DOW:** Oh, good. I have trouble with this
20:23:53 17 thing all the time.

20:23:55 18 My name is Bill Dow, William Dow. I'm a member
20:23:59 19 of ILW Local 6, retired. And I was going to express some
20:24:04 20 of what others, Melvin and (inaudible) state.

20:24:07 21 And also a member of the district office.

20:24:10 22 You know, I have been around a long time. And
20:24:13 23 you know, you can't endanger the maritime industry by
20:24:18 24 creating a ballpark on a working port. With -- and
20:24:22 25 condominiums. You know, it just doesn't work.

20:24:26 1 It will take it out, the rest of the industry
20:24:29 2 and warehousing and other industry down in the area will
20:24:33 3 end up closing up. It's just -- I've seen it before.
20:24:37 4 When you -- manufacturing is -- goes in -- I mean, when
20:24:42 5 housing goes in where manufacturing goes, the
20:24:45 6 manufacturing leaves. So don't let it happen.

20:24:47 7 The A's have a perfectly good place to put
20:24:49 8 their ballpark and they don't want to use it.

20:24:51 9 Thank you very much.

20:24:53 10 **MS. ARMSTRONG:** Thank you. And looks like our
20:24:57 11 last hand for today, Angie Tam.

20:24:59 12 You can unmute yourself to make your comment.

20:25:10 13 Angie, you know, I do have a prompt on my
20:25:13 14 screen that says you have to update your version of Zoom
20:25:16 15 and your microphone is not available. So, just you do
20:25:22 16 need to update your platform.

20:25:27 17 I'm going to go, looks like we have a few more
20:25:30 18 hands that went up.

20:25:34 19 **MS. PAYNE:** I'm going to interrupt right there,
20:25:34 20 since Angie is trying to connect. If you -- Angie, if
20:25:38 21 you cannot get on by computer, if you can try calling in
20:25:41 22 by phone, and the reminder to our phone callers that you
20:25:45 23 use the star 9 to raise your hand I believe and star 6 to
20:25:52 24 unmute yourself. Is that correct, Desmona?

20:25:55 25 **MS. ARMSTRONG:** Yes, that is correct.

20:25:59 1 **CHAIR LIMON:** We will also post other ways of
20:26:02 2 including your comments shortly.

20:26:07 3 **MS. HARPER:** Hi, Mary Harper from Oakland
20:26:10 4 Heritage Alliance. Sorry, I have a really bad cold.

20:26:14 5 Oakland was founded as a port city in the late
20:26:17 6 1800s. Since then, there have been many changes in
20:26:20 7 shipping from great bulk, loading, offloading, by a
20:26:24 8 throng of dockworkers to automatic container shipping
20:26:29 9 with far less workers. In fact, Oakland was one of the
20:26:33 10 first ports to adapt to containers.

20:26:35 11 Oakland must keep its connection to its
20:26:38 12 maritime roots. Keep the cranes. They could be part of
20:26:41 13 the Port's interpretive history. No matter their age,
20:26:46 14 the cranes are part of Oakland's image. Think souvenirs,
20:26:48 15 T-shirts, coffee cups and the like.

20:26:50 16 I worry that the industrial land such as Howard
20:26:53 17 Terminal is being chipped away by mixed-use development
20:26:57 18 such as the ballpark. And I don't want to see it
20:26:59 19 happened.

20:27:00 20 Thank you.

20:27:01 21 **MS. ARMSTRONG:** Thank you, Mary.

20:27:04 22 Jim Zelinski, you may unmute yourself to make
20:27:08 23 your comment.

20:27:19 24 Jim, are you there?

20:27:22 25 **MR. ZELINSKI:** Yeah, hi, can you hear me?

20:27:23 1 **MS. ARMSTRONG:** Yes, I can now.

20:27:24 2 **MR. ZELINSKI:** This is Jim Zelinski. I a
20:27:25 3 co-founder of Save Oakland Sports, lifelong Oakland A's,
20:27:31 4 Raiders, Warriors fan. Went to the very first game in
20:27:35 5 Oakland in 1968. And I currently reside in San Ramon.

20:27:42 6 And I just -- you know, I think there's been
20:27:44 7 some great comments here, but I kind of want to reiterate
20:27:48 8 something that Chris Dobbins said. And that is that, you
20:27:52 9 know, I understand about the Coliseum. It's convenient.
20:27:55 10 It's off the freeway.

20:27:57 11 But the bottom line is the A's don't want to
20:28:00 12 build there. I mean they want to build their stadium
20:28:03 13 project at Howard Terminal. And it's kind of like me
20:28:08 14 telling a neighbor who wants to buy a house five doors
20:28:11 15 down, say, well, you know, what? I don't think you
20:28:13 16 should buy that. Buy the one three doors down.

20:28:17 17 Moreover, I think the A's are an invaluable
20:28:23 18 community partner. Not just in Oakland, but the East
20:28:25 19 Bay. You cannot replicate the type of advertising, the
20:28:30 20 positive PR, that the A's bring on Sundays, Saturdays,
20:28:36 21 you know, four, five times a week when they're in town.
20:28:38 22 You can't replicate that.

20:28:41 23 So I just -- I guess on behalf of the entire
20:28:45 24 East Bay, I hope you will make the right decision and
20:28:48 25 approve this because I think it would be terrible for

20:28:52 1 Oakland and the East Bay to lose the last of its --
20:28:55 2 really its professional sports empire.

20:28:58 3 Thank you.

20:29:00 4 **MS. ARMSTRONG:** Thank you.

20:29:01 5 **MS. PAYNE:** And again, apologies, this is the
20:29:02 6 secretary here. My attorney reminded me that we should
20:29:05 7 provide you with the phone number as we know a couple of
20:29:08 8 you are having issues with your Zoom.

20:29:10 9 And the phone number to call in just as a
20:29:14 10 reminder, I'll just give one of them out, but you can go
20:29:18 11 look at the agenda. One number would be 1(669)900-6833.

20:29:25 12 That's 1(669)900-6833.

20:29:30 13 You can try calling in if you're having trouble
20:29:34 14 connecting on Zoom, on the Zoom app. Thank you.

20:29:38 15 **MS. ARMSTRONG:** Thank you, Catherine.

20:29:40 16 Iris Corina. You may unmute yourself to make
20:29:43 17 your comment.

20:29:50 18 **MS. CORINA:** Hello, can you hear me?

20:29:53 19 **MS. ARMSTRONG:** I can now thank you.

20:29:55 20 **MS. CORINA:** Thank you so much. I've listened
20:29:57 21 to so much. I live on 9th and Market. And to the last
20:30:00 22 person that just called, I would like you to live here
20:30:04 23 and enjoy the five to seven days a week of entertainment
20:30:09 24 that will be going on at Howard Terminal.

20:30:15 25 We still have trucks that idle here. And we

20:30:18 1 have to go outside and ask them to move because our
20:30:23 2 bedrooms are right there on Market Street.

20:30:27 3 There are times when there have been games and
20:30:29 4 things going on at the Coliseum and also in San Francisco
20:30:33 5 and we cannot park either in front of our house or the
20:30:37 6 back of our house. And call the police? We can't get
20:30:41 7 the police to come out when someone breaks into our homes
20:30:46 8 in Oakland. And that's a matter of fact, a proven fact.

20:30:51 9 So what's going to happen when they park, which
20:30:55 10 happens now, in our driveways and we can't leave our
20:30:59 11 home? Or the fire department can't get into our home?
20:31:02 12 Because we are -- we have traffic from one end of Market
20:31:08 13 to the other.

20:31:09 14 There are criminals -- I believe it's going to
20:31:12 15 draw more crime. I had someone knocking on my door and
20:31:17 16 kicking on my door and window the other day. I couldn't
20:31:20 17 get the police to come out. How are we going to get
20:31:23 18 response from the police when their response to us is
20:31:28 19 blame your mayor for the reason that we can't do certain
20:31:31 20 things.

20:31:32 21 That's not enticing for me. That's not
20:31:35 22 encouraging for me. I'm a senior -- disabled senior
20:31:39 23 citizen and have had to park two blocks from my house
20:31:42 24 when things were going on either -- even downtown Oakland
20:31:47 25 or at the Coliseum.

20:31:48 1 I know it's about money. The A's sent a black
20:31:52 2 young man to one of our NCPC meetings and he swore he
20:31:57 3 would not do anything that would cause problems for the
20:32:00 4 City of Oakland because he was raised here.

20:32:04 5 That was a lie. What happened is I asked him:
20:32:07 6 Why do they not want to be at the Coliseum? And I quoted
20:32:12 7 him verbatim. Because at the Coliseum, they don't have
20:32:16 8 full control. They have to deal with the City and
20:32:19 9 County.

20:32:21 10 If they build at Howard Terminal, they can do
20:32:24 11 what they want to do. If they want to have a concert
20:32:28 12 five days a week, they can do it.

20:32:31 13 **MS. ARMSTRONG:** Iris, that is your two-minute
20:32:33 14 comment period.

20:32:34 15 **MS. CORINA:** Thank you for listening.

20:32:35 16 **MS. ARMSTRONG:** Thank you.

20:32:37 17 Next I do have a caller with the last four
20:32:39 18 digits of 0794.

20:32:42 19 Please state your full name for the record.

20:32:50 20 **MS. CUNNINGHAM:** Thank you, commissioners. My
20:32:51 21 name is Ms. Cecilia Cunningham, member of East Bay
20:32:57 22 Housing Organizations.

20:33:01 23 The draft environment impact report doesn't
20:33:06 24 analyze the impact of displacement and gentrification.

20:33:12 25 However, this report doesn't tell us what it

20:33:17 1 looks like. Thank you.

20:33:22 2 **MS. ARMSTRONG:** Thank you. Okay. I'm not sure
20:33:24 3 if this is a caller. I'll just read the last four digits
20:33:28 4 3081.

20:33:30 5 If you can unmute yourself, star 6, we'll allow
20:33:36 6 you to talk.

20:33:45 7 I don't have a full number, but the last four
20:33:50 8 digits are 3081 and you are still muted.

20:34:00 9 Okay. Once again if you do want to make your
20:34:02 10 comment, we will post -- we will share our screen and
20:34:06 11 post some e-mails and numbers where you can make a
20:34:09 12 comment. Thank you.

20:34:14 13 Next Evie. You may unmute yourself to make
20:34:18 14 your comment. Evie, if you can unmute yourself to make
20:34:34 15 your comment.

20:34:45 16 Okay. You are still muted and we can't hear
20:34:47 17 you.

20:34:56 18 Okay. Looks like Evie is the last caller. If
20:35:01 19 anyone else wishes to make a comment, this will be the
20:35:05 20 last call.

20:35:25 21 Commissioner Limon, I do not see any other
20:35:27 22 hands.

20:35:28 23 **CHAIR LIMON:** Okay. Well, thank you
20:35:31 24 Ms. Armstrong, for handling that so well.

20:35:34 25 And so, we will close the public hearing with

20:35:40 1 respect to comments and bring it back to the commission.

20:35:43 2 Commissioner Hegde has to go, so let's hear
20:35:46 3 from her.

20:35:48 4 **COMMISSIONER HEGDE:** Thank you. So I was
20:35:49 5 hoping that we could, you know, for the final EIR address
20:35:53 6 two things. Analysis of job loss due to the loss of
20:35:57 7 industrial and Port uses over time.

20:36:00 8 And I really appreciated the comment about
20:36:04 9 understanding the housing and analysis. If we could do
20:36:08 10 that, that would be helpful.

20:36:09 11 I recall when we did the discussion about
20:36:13 12 several -- myself and maybe even another commissioner
20:36:17 13 talked about the fact that the DEIR was ignoring
20:36:23 14 Chinatown. That has not changed and I would really -- I
20:36:28 15 mean this will affect the Chinatown community and we
20:36:33 16 really need to make sure that we are studying that.

20:36:36 17 And finally, I really appreciated hearing from
20:36:42 18 residents who talked about mitigation efforts for train
20:36:49 19 safety and crossing.

20:36:52 20 Generally speaking, I wanted to appreciate
20:36:54 21 everybody who came to this meeting to talk just because
20:36:56 22 this is such a complicated project and I don't think it's
20:37:06 23 just about the waterfront, it is also about East Oakland.

20:37:10 24 And today's meeting is not about the merits of
20:37:17 25 the project -- although it does feel like it is about

20:37:20 1 that -- it is about the environmental analysis and
20:37:24 2 whether or not the environment -- the draft is -- the
20:37:26 3 draft environmental impact report is adequate.

20:37:29 4 So, there are many more opportunities for
20:37:32 5 people to talk and try to effect the kind of changes they
20:37:37 6 want to see through this process and thank you for being
20:37:41 7 there.

20:37:43 8 **CHAIR LIMON:** Thank you, Commissioner Hegde.
20:37:44 9 And thank you for staying on a little longer.

20:37:48 10 And thank you to everyone who participated
20:37:52 11 today.

20:37:52 12 I wanted to share my screen, let's see, I would
20:38:01 13 like to share my screen with everyone.

20:38:03 14 So we mentioned, you know, I know two minutes
20:38:06 15 wasn't enough time for a lot of people. So if you have
20:38:09 16 more to share, you know, I want to post this. Let's see.
20:38:28 17 Here we go. So I wanted to post this.

20:38:30 18 So, if you still have -- comments that you
20:38:34 19 would like to submit, you have until Friday, 4:00 p.m.
20:38:39 20 And submit any comments to the Draft EIR. The City is
20:38:44 21 encouraging you submit them electronically via this link,
20:38:50 22 which is
20:38:51 23 comment-tracker@esassoc/oaklandsportseir/index.html.

20:39:02 24 Comments may also be directed in writing to
20:39:03 25 City of Oakland Bureau of Planning, attention Peterson

20:39:09 1 Vollman, Planner 4, 250 Frank H. Ogawa Plaza, Suite 2214,
20:39:15 2 Oakland 94612.

20:39:18 3 And if you could reference case file number
20:39:20 4 ER18-016 on all correspondence.

20:39:26 5 I've leave that up for a few more seconds.

20:39:30 6 **MS. PAYNE:** Yes, and I notice that the case
20:39:32 7 planner, Pete Vollman, is raising his hand. He may a
20:39:36 8 comment on this. Would you like to hear from him?

20:39:36 9 **CHAIR LIMON:** Sure.

20:39:37 10 **MR. VOLLMAN:** Yeah, I just wanted to clarify
20:39:38 11 that the end of the comment is not Friday, it is actually
20:39:41 12 Tuesday, April 27th. I just wanted to clarify that.

20:39:46 13 **CHAIR LIMON:** Thank you, Pete.

20:39:47 14 Okay. I'm going to stop sharing now and bring
20:39:49 15 it back to the commission.

20:39:53 16 Okay. So let's see, so there was a hand up on
20:39:59 17 the attendee side, Ms. Tam, we closed the oral
20:40:03 18 presentation from the public. So please if you could
20:40:07 19 submit your comments to the link that I just posted or if
20:40:12 20 you can contact Pete Vollman directly with that
20:40:16 21 information as well.

20:40:26 22 So Commissioner Fearn?

20:40:29 23 **COMMISSIONER FEARN:** I think -- so, Pete, just
20:40:29 24 to kind of (inaudible), can you describe once again what
20:40:31 25 the commission is being asked to respond to and comment

20:40:34 1 on regarding this?

20:40:37 2 Because to the Chairman's point we're not
20:40:40 3 commenting on -- also Commissioner Hegde's point, we're
20:40:43 4 not commenting on the merits of the project.

20:40:46 5 So just so everybody's kind of clear, can you
20:40:47 6 just describe once again what you're looking for
20:40:49 7 commission comment on?

20:40:50 8 **MR. VOLLMAN:** Yeah, so, I mean if the
20:40:52 9 Commission doesn't have any comments, that's fine.
20:40:53 10 Basically it's just providing comments with regard to
20:40:56 11 adequacy on the Draft EIR.

20:40:59 12 So if you feel that additional information
20:41:01 13 needs to be studied or provided or if mitigation should
20:41:06 14 include some additional measures, I mean, the list could
20:41:11 15 go on and on. But it's really just with regard to the
20:41:14 16 adequacy of the document as it's prepared.

20:41:20 17 **COMMISSIONER FEARN:** Okay. Thank you.

20:41:24 18 **CHAIR LIMON:** Okay. Commissioner Shirazi?

20:41:26 19 **COMMISSHIONER SHIRAZI:** Sorry, I couldn't find
20:41:32 20 my mouse. Thank you.

20:41:34 21 And I just want to add one more question, I
20:41:38 22 guess, or clarification, which is that the folks that
20:41:41 23 called in or dialed in today and left their comments on
20:41:46 24 public records, those will already be incorporated into
20:41:49 25 the comments, is that correct?

20:41:52 1 **MR. VOLLMAN:** Yes, that's correct. So we'll
20:41:54 2 have a video of this. Our consultant will have it
20:41:57 3 transcribed and that will be included in the response to
20:41:59 4 comments.

20:42:00 5 So comments, whether they're at the public
20:42:02 6 hearing today from Landmark's board meeting or anything
20:42:06 7 that's been submitted by email or through comment tracker
20:42:10 8 will all be responded to.

20:42:14 9 **COMMISSIONER SHIRAZI:** Thank you.

20:42:16 10 **CHAIR LIMON:** Okay. Vice Chair Manus.

20:42:26 11 **VICE CHAIR MANUS:** Chair Limon, I have two
20:42:27 12 things. So again, I just want to thank everybody that
20:42:28 13 came out to testify. There is certainly a lot to get
20:42:32 14 from this draft document.

20:42:35 15 Two things that I think are necessary part of
20:42:38 16 the assessment. And I guess the first one is I would
20:42:43 17 probably compare it to this Commission's ongoing review
20:42:48 18 of the Oakland -- proposed Oakland Downtown Plan in its
20:42:54 19 depth and analysis in so many ways.

20:42:56 20 And I would have to say that the scope of this
20:43:01 21 project that is being reviewed under CEQA is sort of like
20:43:06 22 a napkin sketch. There's a lot of things that I asked
20:43:10 23 earlier that are -- and Pete, you know, you're the one
20:43:14 24 reviewing this, so I understand that -- just don't seem
20:43:19 25 to resolve with a lot of things we're hearing. And there

20:43:22 1 seems to be a lot of difference opinion on a lot of
20:43:25 2 technical things, which is very troubling considering the
20:43:29 3 nature of this impact.

20:43:31 4 So I would like to see reflection of the
20:43:37 5 parallel effort on the Oakland Downtown Plan that's going
20:43:41 6 on, because if you look at the Downtown Plan, the site is
20:43:45 7 literally on the edge of it. And the scope of what we're
20:43:48 8 proposing is a huge part of it.

20:43:50 9 So that would be item number one.

20:43:53 10 Item number two, and I think I probably have
20:43:56 11 asked this before, but if we look across the bay to the
20:44:00 12 20-year duration that the San Francisco Giants have gone
20:44:03 13 through in the creation of the stadium and adjacent
20:44:07 14 development, I feel that we need to be looking at
20:44:11 15 comparable examples.

20:44:13 16 The duration of this project and its initial
20:44:20 17 request on CEQA review and analysis basically is a
20:44:25 18 bundled stadium and probably 12 individual development
20:44:31 19 sites that I'm certainly not sure how they actually fit
20:44:35 20 together.

20:44:36 21 So I would like to see some discussion about
20:44:39 22 how other major league teams, particularly in the Bay
20:44:43 23 Area, as an example, have approached similar problems
20:44:46 24 relative to doing that.

20:44:47 25 So, beyond that, Chair Limon, those are the two

20:44:51 1 things that I do think the document needs to incorporate
20:44:55 2 beyond those that were identified by many of the
20:44:58 3 speakers. So thank you.

20:45:01 4 **CHAIR LIMON:** Thank you. And I think there was
20:45:03 5 quite a bit covered today. And I concur with my fellow
20:45:11 6 commissioners as well.

20:45:12 7 So, again, I thank everyone for their
20:45:15 8 participation today. We had about 200 people today and
20:45:20 9 almost 60 speakers.

20:45:22 10 So, I appreciate everyone's participation in
20:45:24 11 this public process and it's a long way from being over.
20:45:28 12 There will be other opportunities to comment on the
20:45:32 13 project, and you know, the merits of the project at a
20:45:39 14 later date. So thank everyone for their participation.

20:45:42 15 Moving on with the agenda.

20:45:46 16 ...

20:45:46 17 (Requested proceedings concluded.)

20:45:46 18 ---o0o---

19
20
21
22
23
24
25

20:45:46 1
20:46:07 2
20:46:07 3
20:46:07 4
20:46:07 5
20:46:07 6
20:46:07 7
20:46:07 8
20:46:07 9
20:46:07 10
20:46:07 11
20:46:07 12
20:46:07 13
20:46:07 14
20:46:07 15
20:46:07 16
20:46:07 17
20:46:07 18
20:46:07 19
20:46:07 20
20:46:07 21
20:46:07 22
23
24
25

State of California)
County of Alameda) ss.

I, Connie J. Parchman, CSR #6137, do hereby certify: That I am a certified shorthand reporter of the State of California; that I was provided access to audio files; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney or any of the parties.

IN WITNESS WHEREOF, I have subscribed my name.



Connie J. Parchman, CSR #6137