

APPROVED
MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY

Wednesday, October 3, 2007

2-A

The meeting convened at 7:12 p.m. with Vice Chair Tam presiding.

1. ROLL CALL

Present: Boardmember Doug deHaan
Boardmember Frank Matarrese
Boardmember Marie Gilmore
Vice Chair Lena Tam

Chair Johnson arrived at 7:52 p.m. (during item 3-B).

2. CONSENT CALENDAR

2-A. Approve the minutes of the Special Meeting of September 4, 2007.

2-B. Approve Three-Year Sublease for Sustainable Technologies at Alameda Point.

2-C. Approve the Waiver of License Fee for Alameda Unified School District Student Activities.

2-D. Authorize the Executive Director to Amend the Consultant Agreement with Trident Management, Inc. to Modify Exhibit C and Accommodate Technical Changes.

Approval of the Consent Calendar was motioned by Member Matarrese, seconded by Member deHaan and passed by the following voice votes: 4 ayes, 0 noes, 0 abstentions.

3. REGULAR AGENDA ITEMS

3-A. Presentation by Friends of the Wildlife Refuge - An Update of Their Activities at Alameda Point.

A power point presentation was made by Leora Feeney, Chair of FAWR, and Eli Saddler, Conservation Director for Golden Gate Audubon, to update the Board and community on the resources at the Alameda proposed Wildlife Refuge to ensure the resources are protected while transfer negotiations continue. Eli Saddler thanked the Board for the opportunity to present the update and encouraged them to do whatever possible to protect the resource. He expressed concern about the current plans that have been proposed that are within the area that was considered in the Biological Opinion. They want to continue to work cooperatively with the VA to protect the resource and honor the veterans at the same time.

Member deHaan commented on how nice it is to look at the maturity of the site, referring to the photos included in the presentation. He asked if the resources, the ponds and wildlife area, are getting to a better state. Ms. Feeney replied that the ponds are wonderful, but that Alameda Point and the breakwater is vulnerable. She discussed the increase in the Pelican numbers, and the use of the willows by migratory birds, including a hawk, one winter. Ms. Feeney also mentioned how far the recognition of the Alameda Wildlife Refuge stretches, explaining that two college students chose the Refuge site for their graduate work, one from Los Angeles, and the other from

Toronto, Canada. Also, the first magazine issued by the National Wildlife Refuge Association included an segment on Alameda and asked the FAWR to be an affiliate of theirs.

Member deHaan asked how successful the mating pairs have been up to this point. Ms. Feeney summarized the progress of the lease tern colony, explaining that Alameda has the sixth largest colony in the world, but that we are isolated from the other colonies (most in Southern Ca).

Member Matarrese really enjoyed the pictures included in the presentation and appreciates the fragility of the ecosystem of the site. He discussed another upcoming item on the Agenda, Site 1, an uncharacterized waste pit which is adjacent to the Wildlife Refuge, and the importance of addressing the clean-up issues and how it relates to the water-borne life of the refuge. Mr. Saddler added that once construction begins at Alameda Point, it would inevitably impact how the clean-up is managed.

Vice Chair Tam asked if they have seen some of the latest conceptual plans from the VA. Mr. Saddler said that he and Ms. Feeney met with the VA and were able to see three versions of proposed plans. They were concerned that the new concepts proposes the area between the proposed Golf course and the refuge site as a buffer zone, but also expressed their desire to stay engaged with the VA and keep things in perspective as to what's best for Alameda, what's best for the Veterans and what's best for the wildlife.. Member Matarrese clarified that the VA is a fed-to-fed transfer, and not the Alameda development.

Member deHaan recommended the Board receive periodic updates of the VA's proposals and requested a briefing. Member Matarrese agreed and asked whether the updates can be obtained officially. Deputy Executive Director, David Brandt, stated that there is no official proposal available yet from the VA. Member Matarrese requested that when there is an official proposal, he would like the Board to see it. The Board agreed.

3-B. Alameda Point Project Update - oral report

Debbie Potter, Base Reuse and Community Development Manager, reported that the VA is currently engaged in informal Section 7 consultations with the USF&W and have a potential site plan, but there are no additional details beyond that.

Member deHaan asked what role the ARRA would have, since the property would be a fed-to-fed transfer. Ms. Potter explained that it has been properly characterized as a fed-to-fed transfer, and, as such, the VA would work directly with the Navy on the conveyance of the property. This opportunity is one that the VA would be interested in exploring because the property would be conveyed to them for free; different than the conveyance we're involved in for the remainder of the property. ARRA and staff would be involved at an informal level, but because the development is adjacent, we have interest in some issues like the submerged lands adjacent to dry lands. Ms Potter stated that staff would continue to consult and work with the VA, the USF&W, and the Navy, but key issues are hammered out at the federal level.

Member deHaan discussed his understanding that the USF&W made a claim to property, said that they would be the governing body and provide financially, but they could not fulfill their commitment and this is why the Navy is looking for a different avenue. Ms. Potter explained that, in the USF&W's own words, "the status of refuge is at an impasse"; that they are unable to reconcile their issues with the Navy regarding a fed-to-fed transfer, and that their key concern is future liability regarding environmental cleanup. They have not perfected the transfer arrangement, so the Navy has been in discussions with the VA in lieu of USF&W. Because there are endangered species on the property, Section 7 of the Endangered Species Act requires

consultation to make sure that whatever the VA does, they cannot harm the endangered species. Ms. Potter clarified that the USF&W are not pursuing ownership of the property at this time and that if the Navy goes forward with the property transfer to the VA, the Navy will retain clean-up obligations for the property.

Vice Chair Tam questioned what SunCal's follow-up with the VA has been to this point regarding the site, if their dialogue with the VA includes potential alternative sites. Ms Potter responded that SunCal has had one additional follow-up meeting with the VA and that SunCal is aware of their need ultimately, and that this issue is a key item on SunCal's Project Master Schedule.

It is noted that Chair Johnson arrived at this point in the discussion (7:52 p.m.).

Ms. Potter gave her update on SunCal, including that the first two community meetings have been scheduled, the first on 10/24 at Mastick Senior Center. The agenda for this meeting includes introduction of SunCal and their partners to the community, framing the project and their approach to the project, and site constraints. A second meeting is tentatively scheduled on 12/12 at the O'club to solicit feedback from community regarding the range of development scenarios, and their key focus to continue surveying property and preparing to do sampling – the technical work to support the land-planning effort.

Member Matarrese asked if we're on track with zoning issues. Ms. Potter explained that she has prepared an off-agenda report discussing that the status of the public trust designation protects us more than locking in zoning, and recommends that staff not do anything ahead of the entitlement process. FM requested that this item be agendized.

Chair Johnson asked if the mortgage crisis is a risk to SunCal. Ms. Potter said that SunCal has reassured they are not impacted by that crisis. Chair Johnson wants to be kept updated of SunCal's activities regarding the project.

This report was for information only. No motion or action was required.

3-C. Approve and Submit Comment Letter on the Draft Record of Decision for Installation Restoration Site 1 (1943-1956 Disposal Area).

Ms. Potter summarized a letter sent to the EPA requesting additional investigative work be done at IR Site 1. She explained that trenching activities are concluded at the site and key concerns identified: no intact drums were found, but the waste had low-level radioactivity. The cost of digging up and hauling off the landfill is very expensive so staff's recommendation is to take the Navy's approach outlined in their draft ROD to cap the landfill.

Member Matarrese had deep concerns about the radioactive and hazardous waste and groundwater migration of the contaminants out of the landfill. Dr. Peter Russell addressed the concerns and explained that the landfill was closed and no waste put in for 50 years, with a good deal of monitoring and investigation, it appears not to be any migration of contents. Dr. Russell further explained that 11 trenches were dug and there were no drums or containers whatsoever, except for one broken which was consistent with the Navy's supposition that what drums were placed in there were crushed. It is unlikely that there are many, if any, drums. Another issue was the volume of waste – the Navy over-estimated by a factor of two or three, so accordingly, they inflated the cost by two or three. Their feasibility study did not consider radioactivity in landfill, and now that there is, we do not have an argument that the cost for the removal is at the Navy's estimate.

Member Matarrese motioned to send a letter that is policy in nature requesting that the Navy excavate and remove the contents of the radioactive contaminated landfill, and dispense with institutional controls on surrounding properties that are deemed to be cleaned.

The motion was seconded by Member Gilmore and passed by the following voice votes: 5 ayes, 0 noes, and 0 abstentions.

4. ORAL REPORTS

4-A. Oral report from Member Matarrese, Restoration Advisory Board (RAB) representative.

The RAB met regularly and again on Sept. 28th to discuss six alternatives for the draft feasibility study for IR Site 32. Their recommendation endorses a chemical oxidation and institutional controls for that site to alleviate groundwater contaminations.

5. ORAL COMMUNICATIONS, NON-AGENDA (PUBLIC COMMENT)

none.

6. COMMUNICATIONS FROM THE GOVERNING BODY

Member Matarrese was contacted by a member of boating industry regarding development in Jack London Square that will displace their annual boat show in 2009. The representatives are interested in another venue for the boat show and are looking at Alameda Point. Member Matarrese expressed that this would be a great thing to pursue a boat show of that magnitude, and that it would be an economic boom for our city. He requested a report when/if this can be done.

Executive Director, Debra Kurita, said that ARRA staff has been in discussions with the representatives of the boat show and will update the Board with information.

7. ADJOURNMENT

Meeting was adjourned at 8:29 p.m. by Chair Johnson.

Respectfully submitted,

A handwritten signature in cursive script, reading "Irma Glidden".

Irma Glidden
ARRA Secretary