

**MAYOR ELECT RON DELLUMS COMMUNITY ADVISORY TASK FORCE
ON PORTS**

Port Task Force, Health and Environment Subcommittee (Question 1)

Question 1. *What policies will protect the health and environment of Oakland residents, while fully developing the economic potential of the Port?*

Recommendation (Summary)

Create a mandatory policy link between community health and port development that further development or expansion of the port must proceed only in the context of a strategy for relief of the already disproportionate impacts on the adjacent communities. That strategy should include policies addressing land use, lease conditions, health remediation, and air quality:

- **Land use. *Further land use allocations on the Oakland Army Base should include consideration of the effects of land use on community health.***
- **Leases and fees. *Make use of leases and fees to incorporate and implement environmental and health standards.***
- **Health Remediation. *There should be a Public Health and Safety Department of the Port of Oakland, committed to and supported by the Port, City and County.***
- **Build on State goals for goods movement and air quality. *The State's findings and resolutions with regard to goods movement and air pollution should be adapted and incorporated as the starting point for clean-up at the Port of Oakland.***

Short Term (within 100 days)

- The City should notify the Port, MTC, BAAQMD and others that the precondition for its support for further port expansion is a shared commitment to a policy and strategy for remediation of disproportionate port-related impacts, with that strategy including elements addressing land use, lease conditions, health remediation, and air quality.

- The City should begin implementation of these policies immediately in all of its own activities such as those pertaining to land use decisions and CEQA reviews.

Cost: No cost.

How the Task Force can help: By tracking and advising implementation of this policy.

Note: Details of this proposal are attached as Appendix 1.

Port Task Force, Benefit of Community Subcommittee (Question 2)

Question 2. *What relationship between the City of Oakland and the Port will bring maximum benefit to the residents of the City of Oakland?*

Recommendation (Short Version)

The Port and City should collaborate to increase access to Port employment opportunities while increasing awareness of Oakland as a port city. The Port and City should also collaborate to obtain funding from state and federal government by co-operative planning to meet infrastructure, environmental mitigation and security needs. The City can improve community involvement with the Port by establishing an Oakland Port Advisory Committee as a standing committee of the Port Commission with recommendation powers while increasing community access to the Port Commission by appointing Port Commissioners who are members of fence-line communities and changing meeting times and format to allow for greater public involvement. Also, the Mayor can convene a high-level panel to explore alternatives to maximize port revenue for community issues.

Detailed Recommendations

Job and Job-Training

The Port and City should collaborate to increase access to Port employment opportunities while increasing awareness of Oakland as a port city.

Shorter Term

- City enforces living-wage policies and expand living-wage job categories at the Port (including the Airport)
- City and Port prioritize job-training programs as a violence-prevention policy

Longer Term:

- Collaborate with Port to increase locally placed benefited positions for logistics and ancillary services
- Make use of leases and fees to incorporate and implement living-wage jobs
- Partner with Port to inform Oaklanders about benefited Port jobs
- Collaborate with Port to create workforce development center at the West Oakland Train Center (or some other forum in West Oakland) collaborating with Peralta Colleges, OUSD and other local job-training institutions.

Collaboration for Funding

The City and Port collaborate to obtain funding from state or federal government. This can be achieved by co-operative planning.

Short-Term and Long-Term:

- a) infrastructure funding needs: City and Port collaborate on Goods Movement funding. This is part of the realization that the Goods Movement is not just a Port issue but a City and County issue as well.
- b) environmental mitigation: collaboration follow Question 1 recommendations.

- c) security needs: City and Port collaborate on funding requests from Department of Homeland Security (DHS)

Community Involvement

The City can improve community involvement with the Port by establishing an Oakland Port Advisory Committee as a standing committee of the Port Commission with recommendation powers while increasing community access to the Port Commission by appointing Port Commissioners who are members of fence-line communities and changing meeting times and format to allow for greater public involvement.

Short Term:

- The Mayor should appoint Port Commissioners who live in Port fence-line communities There should always be at least one of the seven Port Commissioners who lives in a fence-line community.

- Port Commission should meet at night and allow more time for public discussion. (Currently, Port Commission meets during the day; eliminates many working people. Also, many issues are discussed in sub-committees, which means little public discussion.)

- The Mayor should create an Oakland Port Community Advisory Committee (“OPCAC” as a suggested acronym) that is a standing committee of the Port Commission with recommendation powers. Port and City Staff should regularly take part in every OPAC meeting to ensure good communication and understanding.

- OPCAC should have power to work with and make recommendations to the Port of Oakland similar to the Los Angeles Port Community Advisory Committee (PCAC).

- OPCAC should be made up of neighborhood group representatives, labor representative, small-business organization representatives, faith-based coalition representatives, renters-organization representatives, youth representatives (e.g an elected student rep from McClymond’s High School) and environmental justice group representatives. This group should not be too large and unwieldy but it should represent diffuse community interests.

Explore Revenue Sharing Potential

The Mayor convenes a high-level panel of 8 to 10 participants in January with the task of exploring alternatives to maximize port revenue for social issues. Report back by June 30, 2007 with a revenue sharing plan.

- Options for application of Shared Revenue: Education

Costs:

- administrative costs of high level panel; costs to Port unknown

Port Task Force, Oakland as a Center for World Trade (Question 3)

Question 3. *How can Oakland be enhanced a center for world trade?*

Short Term:

-Research the pros and cons of creating a regional port authority in light of implication for Oakland within

Logic/explanation: explore NY port model, represents compromise in group, some liked regional others didn't (because lose control); so key word is research and leveraging resources to make that happen.

Cost: little money if partner with UC Berkeley/ Peralta colleges

-Research the possibility of port/city as a leader of sustainability practices (environmental, labor and workforce development and protect manufacturing and procurement standards)

Costs: little money if partner with UCB/Peralta Colleges

-Mayor's office staff on port policy issues (a policy analyst within mayor office that is exclusively focused on port issues)

Costs: little money if cost-sharing with Port

-Designate a world trade center area that would include a world trade center building and other physical structures and possibly renaming other existing structures i.e changing convention center to world convention center and consider transportation needs

Costs: little or no money

Longer Term:

-Establish an aggressive marketing program that includes City and Port to promote world trade and builds upon existing structures

- Enhance education about the Port in Oakland.

Publicize curriculum on world-wide container movement within OUSD

- Increase Port efforts to educate Oaklanders about:

what Port operations do; what role the Port plays in the community;

Oakland as a Port City (a Gateway City)

i.e sister city programs

costs: perhaps substantial money

APPENDIX 1

Port Task Force, Health and Environment Subcommittee (Question 1)

Detailed Recommendations

Create a mandatory policy link between community health and port development that further development or expansion of the port must proceed only in the context of a strategy for relief of the already disproportionate impacts on the adjacent communities.

That strategy should include elements addressing (1) land use, (2) lease conditions, (3) health remediation, and (4) air quality, as recommended by the Health and Environment Subcommittee of the Port Task Force.

Background

- “The Port of Oakland recognizes that its maritime operation disproportionately impacts its neighbors, especially the West Oakland residential community.” (“Regional Air Quality Improvement Plan, Port of Oakland Maritime Segment; Goals, Strategy and Outline”, July 17, 2006.)

- “The air pollution from ports and goods movement in California pose a substantial health risk to nearby communities.” “...emissions from international and domestic goods movement currently contribute to approximately 2400 annual premature deaths.” Other health effects include “hospital admissions (for cardiovascular and respiratory causes), asthma and other lower respiratory symptoms, acute bronchitis, lost work days...” (State of California Air Resources Board, Resolution 06-14, April 20, 2006.)

- Several State policies are aimed at the costs of goods movement on community health, among them:

-- the requirement that goods movement impact mitigation be “simultaneous” with infrastructure improvements. (Goods Movement Action Plan, CalEPA and BH&T; Emission Reduction Plan (ERP), ARB.)

-- The State’s adopted goals for the ERP include (1) a near term cap on goods movement emissions at 2001 levels, (2) reduction of goods movement-related diesel risk by 85% by 2020, and (3) “every feasible effort to reduce localized risk in communities adjacent to goods movement facilities as expeditiously as possible”. (State of California Air Resources Board, Resolution 06-14, April 20, 2006.)

- All of the above show that *current conditions are already unacceptable*, and therefore support for expansion of the port and goods movement can no longer be unconditional, but should instead be based on a shared commitment to remediation. “Mitigation” cannot just be aimed at new or expansion related impacts. There needs to be a net benefit in order to relieve accumulated impacts.

- Green port technologies and practices are emerging worldwide, across the country, along the West Coast and in the Bay Area. The standard for approval of any activities related to the Port of Oakland should be application of “best available green practices”.

- Rush for funds. It should be anticipated that when/if bond \$ become available, there will be a rush to Sacramento by expansion/infrastructure supporters, possibly including city officials to get the funds. There is a real possibility that the “linkage” principle will be tossed aside in practice at this point.

- Mayor/City role. The roles and influence of the Mayor’s office are numerous in their potential to affect the various parties who may be advocating for infrastructure funds, among them: the Port Commission, BAAQMD, MTC.

Short Term

- The City should advise its partners at the Port, MTC, BAAQMD etc. that the precondition for its support for further expansion, bonds and infrastructure is a shared commitment to (1) addressing the disproportionate port-related impacts already occurring and (2) the environmental and public health goals spelled out in recommendations pertaining to land use, leases and fees, health remediation and air quality as spelled out in the recommendations of the Health and Environment Subcommittee of the Port Task Force.

1. Land use. *Further land use allocations on the Oakland Army Base should include consideration of the effects of land use on community health.*

Examples:

- Final decisions regarding land uses on the Oakland Army Base should await the examination of health impacts and mitigation costs, as well as ensuring a transparent public process that adequately considers community alternatives
- Land use should be understood as a potential mitigation tool for environmental and health impacts.

Short term

- Hold off on further land use allocations, including auto mall, AMPCO parking etc., until there has been meaningful consideration of community-advocated proposals to address community health impacts due to port-related truck operations.

Medium/Longer Term

- City/CEDA planning procedures and actions should be reviewed and revised as necessary to ensure that proposed land uses, and alternatives to those proposals, are evaluated in regard to their effects on environmental and public health in the community.

2. Leases and fees. *Make use of leases and fees to incorporate and implement environmental and health standards.*

Examples:

- Port leases could be negotiated/modified to include environmental and health mitigation criteria, as well as, basic operational and maintenance requirements for terminal operators and their vendors.
- Each terminal operator could be required to develop an implementation plan making use of the *best available*, greenest, healthiest devices and machinery to reduce emissions exposure.
- Each expansion project for the Port could contain a fraction of the budget set aside for environmental impact mitigation.
- A portion of non-maritime revenues, such as commercial rents, could be set aside to support community health infrastructure and initiatives.
- User fees should be considered to help pay for environmental health mitigation in the most impacted neighborhoods. Issues of equity and competitive advantage would have to be taken into consideration.

Short Term

- Survey best practices from all sources, including the proposed June, 2006 San Pedro Basin Clean Air Plan and other Port operations around the country for examples of lease conditions. Incorporate those proposals into any upcoming lease negotiations.
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Medium/Longer term

- The Port and City should coordinate with sister ports/cities to address “level playing field” (competitive advantage) issues.

How can the TF help ?

- By supporting the proposition that environmental justice and community health must be driving forces in the City’s policies with regard to the Port.

3. Health Remediation. *There should be a Public Health and Safety Department of the Port of Oakland, committed to and supported by the Port, City and County.*

Background:

- The Department should focus on environmental health and the mitigation of maritime, commercial and aviation operations. In addition to providing health services, this body would review all maritime, commercial and aviation lease agreements with regard to health and safety codes, air quality, green technologies and public health in general.
- There needs to be shared commitment and accountability by the Port and the City, joining with the County, in dealing with the actual health impacts. Currently everything is left to County Health, the City has no health office or officer and the Port is not contributing.

Short term

- County, City, Port, labor and community representatives should convene to develop options for implementing a shared commitment and accountability in dealing with the port-related health impacts.
- The tool of health impact assessments (HIA) should be applied to all Port of Oakland projects.

4. Build on State goals for goods movement and air quality. *The State's findings and resolutions with regard to goods movement and air pollution should be adapted and incorporated as the starting point for clean-up at the Port of Oakland.*

Background

-The adopting resolution for the State's Emission Reduction Plan (April 20, 2006) noted that goods movement is a "dominant contributor" to "public health concerns" in terms of death, respiratory ailments, lost work and school days.

- Accordingly, the Plan adopted set several goals, including (1) a near term cap on goods movement emissions at 2001 levels, (2) reduction of goods movement-related diesel risk by 85% by 2020, and (3) "every feasible effort to reduce localized risk in communities adjacent to goods movement facilities as expeditiously as possible".

- The State, and the Port of Oakland, have found that the immediately adjacent communities such as West Oakland bear the brunt of these impacts and are disproportionately impacted. For that reason, these goals need to be adopted immediately in all planning and technical efforts as the minimum goals. This includes the Regional Port/Air Quality Plan, CEQA reviews and other projects addressing pollution, risk or health impacts related to goods movement.

- There is also a need to capture the "best available" solutions being applied or tried out elsewhere, such as the green goats, ultra-low sulfur fuel applications, biodiesel and other solutions being considered at other ports in Seattle, Tacoma, San Pedro Bay's Clean Air Plan and so on.

Short term

- Adapt the State goals into all air quality planning efforts for the Port, including the Regional/Port Air Quality Plan, BAAQMD's plans (ozone, NOx, PM; CARE program), as the minimum goals, applicable at the local level.
- Adopt these goals, administratively, into CEQA/EIR reviews for port or port-related projects; revise the de facto standard for "unavoidable" air quality impacts to reflect these goals. (Joint action by City, Port)
- Incorporate a requirement for "best available green technologies" into these plans and assessments.
- Incorporate the "best available green technology" into lease negotiations.