

Meeting Report (draft)
West Oakland Toxics Reduction Collaborative
Monday, March 26, 2007
Oakland City Hall

Co-Conveners:
West Oakland Environmental Indicators Project
U.S. Environmental Protection Agency

Conclusions

The Core issue for this meeting of the West Oakland Toxic Reduction Collaborative was “*What leadership is needed to address port impacts and community health in at a time of expansion ?*” In order to shed light on this issue, the relatively successful efforts at the Ports of Los Angeles and Long Beach were considered for lessons applicable to the Port of Oakland and the neighboring West Oakland community. Five factors stood out based on the Los Angeles experience as relevant to Oakland:

1. **Political leadership.** The Mayor’s office was clear that there must be an effective plan for emissions reductions at the ports. The political leadership gave clear marching orders to the Commission.
2. **Strong Port Commission role.** Port commissioners were very involved and determined to get a plan developed. The Commission has to set policies and drive the process.
3. **Aggressive and organized port staff.** Port staff was well organized and aggressive about getting the information they needed. They drove the work with a vision and involved the Air District, Air Resources Board, and EPA to pull together the technical, legal, policy and other pieces.
4. **Community health concerns are ground zero.** The bottom line was an engaged and outraged community, whose concerns and demands drove the process. The community was well organized, had its own technical assistance and pressed its case on many fronts, not only with lawsuits, but also by way of the Port Community Advisory Committee, CEQA reviews.
5. **Economic growth depends on relieving community impacts.** There was clear recognition that further growth of the ports and shipping could not proceed without dealing with community impacts.

Caucus Recommendations

The Collaborative broke into caucuses to discuss the role each of four sectors (elected officials, agencies, community/NGOs, private sector) in bringing about solutions to the issue of port impacts and community health in Oakland. Recommendations:

Elected officials

- The Mayor's office should be engaged by the community regarding the appointments for two upcoming Port Commission vacancies.
- The Port Commission should be pressed to become more directly involved in these issues. City-Port Liaison Committee is reconvening, but the role of the community in this process needs further discussion.
- The Mayor's Port Task Force recommendations deserve attention, along with recommendations from the WOTRC.

Agencies

- A unified planning process is needed – the current process is too fragmented, confusing, duplicative and inefficient.
- An “agency caucus” should meet to coordinate this sector's work. This would have to be transparent to the community and other sectors.
- There is a need for agency aggressiveness. To support this, leadership is needed similar to that seen in Southern California.

NGO/Community

- A groundswell of anger with a united voice from the community is needed, working on alliance with drivers and small business.
- The community's own technical advisors should be provided access to the technical process and products being developed by the agencies.
- Community/NGO's should demand meetings with the Commission and the Port Executive Director. Attention is needed to the disconnect between senior management and line staff.
- The Port Commission should include representatives from the grassroots community, health specialists and maritime labor specialists.

Private sector

- There is a need for more shippers and terminal operators at the table
- Need a level playing field across California; address perception of Oakland as a “discretionary” port, make it a “preferred” port.
- Support green jobs and businesses in Oakland, such as biodiesel.
- Encourage innovative business sector leadership, such as PG&E, and provide green business incentives at OAB.
- Better “carrots” (incentives) are needed, since the “stick” of regulations is less available in Northern California than in Southern California where air quality designations are more severe.

Detailed Meeting Notes

Agenda:

1. Welcome, Introductions, Agenda Review
2. Award presentation and acknowledgements
3. Progress reports from Action Teams
4. Leadership on port impacts and community health at a time of expansion
5. Caucuses on leadership
6. Wrap up, next steps

1. Welcome, Introductions, Agenda Review

45 individuals from approximately 26 organizations attended and are listed at the end of this report.

Deborah Jordan (Region 9 EPA) and Brian Beveridge (West Oakland Environmental Indicators Project) welcomed everyone to the second anniversary of the Collaborative and the seventh meeting of the full Collaborative.

The meeting was held, for the first time, at Oakland City Hall, which the co-conveners said was appropriate following the inauguration of newly elected Mayor Dellums, who grew up on Wood Street in West Oakland. Oakland City Council member Nancy Nadel described how she had been working on the truck and port issues for the past 26 years. Congresswoman Barbara Lee's office congratulated and acknowledged the Collaborative for its work, in which she has participated from the start.

2. Award presentation and acknowledgements

The EPA presented a check for \$223,675 to the EIP to support its work in the Collaborative under the agency's Community Action for a Renewed Environment (CARE) program. California EPA's Department of Toxic Substance Control (DTSC) announced it has approved an additional \$25,000 for community outreach and organizing. The Bay Area Air Quality District confirmed that it intends to follow through on its previous commitment to provide \$25,000 to the EIP. The EIP also announced that they were finalists and likely grantees under EPA's Collaborative Problem Solving (CPS) program for \$100,000 to address land use issues, in particular as related to truck issues and reuse of the Oakland Army Base. Professor James Fine of the University of San Francisco described the work of four teams of students it has working on projects related to the Collaborative, supported by funding from the California Air Resources Board.

Finally, WOTRC Co-chair Richard Grow announced that, even with these awards, the larger of which are spread over 2 to 3 years, there is a significant funding gap for continuing operation of the Collaborative. The Co-chairs indicated that they would be seeking audiences with key stakeholders to solicit their support, especially those who had previously indicated their receptivity to such discussions.

3. Progress reports from Action Teams

The WOTRC is comprised of eight work groups, or “Action Teams”, each with its own co-chairs, at least one of which is from the community. This portion of the meeting featured a brief update from the co-chairs on each of the Action Teams, based on a 10 page progress report provided to all participants. That report is available from the co-chairs and will be distributed electronically along with the meeting notes.

The presentations were divided into two groups. The first five action teams are characterized by concrete results and readily defined next steps: Healthy Homes Checklists, Health Impact Assessments, Alternative Fuels, Clean Construction and Brownfields.

The other three action teams (Port-Related Reductions, Truck Incentives, Land Use) are more complex and, while making progress, are also more problematic. Common to all three are:

- All are related to the Port of Oakland.
- All are broad issues involving a wide mix of players and would require coordinated efforts among these players. Participation and commitment by the full set of essential participants has been uneven.
- All represent issues on which there must be progress, of which there has been too little, if there is to be a turnaround in conditions in West Oakland.
- Taken together, these describe a “logjam”. Breakthroughs are needed.

Brief highlights from these three action teams:

Truck Incentive Work Group

- Recommendations and criteria. This group is considering a set of eight recommendations, based on six criteria, intended to provide a basis for joint work by the TIWG, the Port, BAAQMD and others in developing a proposal to compete for 1B bond funds.
- United front on bond funds. While there is a desire for a “united front” in pursuing bond funds, there is not yet unity around the proposals under development. Discussions are continuing among TIWG members, including the Port in this issue.
- Business model. The truck industry “business model” issue (i.e. proposal to eliminate independent truckers and convert them to employees) is not seen as resolved in Northern California, and there is a need for the Northern California solution to fit Northern California needs. The TIWG has identified significant information gaps in the areas of economics, effectiveness and equity. On this issue the ARB noted two important factors which must be considered for any model:
 - o Sustainability. Use of state bond funds should be for emissions reductions that can reliably be sustained over an extended period of time.
 - o Third party. Any model must resolve the issue of who will be the local party in charge of implementing the truck clean-up program. Generally this has been presumed to be the local port, but this is not required.

Port-Related Reductions

- The bar has been raised substantially. While the original goal of this group (July, 2005) was “no net increase” in port-related emissions, the group is currently considering the recommendations of the Dellums Task Force on Ports, which calls for an 85% reduction in risk from port-related diesel pollutants.
- Air quality and risk assessment plans. The group is closely tracking the Port’s Maritime Air Quality Plan and the Air Resources Board’s risk assessments. The air plan effort has been reorganized and will resume meeting on April 10. Results from the risk assessments should start being available soon.
- Interlocking chairs. The Maritime Plan steering committee is co-chaired by the Port, Bay Area AQMD and Margaret Gordon of the EIP, who also is a co-chair of this work group (Port-Related Reductions) as well as the Mayor’s Task Force on Ports.

Land Use

- There are proposals. For at least the past 2 years there have been proposals from the community, truckers and the business community to take advantage of the transfer of former Oakland Army Base (OAB) lands and make use of some of them to relieve and mitigate impacts on the community from port-related trucking. The work group has worked to bring about collaborative progress on this issue.
- City-Port support needed. There has been little movement by either the City or the Port on this issue beyond identification of 15 acres each towards this need. This is not enough.
- Cooperation needed. There needs to be a very different level of cooperation by all key players.
- EPA investment. The \$100,000 EPA funding will be used to bring additional focus and resources, including technical, to this issue in order to come up with a collaborative solution.

4. Leadership on port impacts and community health at a time of expansion

The Core issue for this meeting of the West Oakland Toxic Reduction Collaborative was “*What leadership is needed to address port impacts and community health in at a time of expansion ?*” In order to shed light on this issue, the relatively successful efforts at the Ports of Los Angeles and Long Beach were considered for lessons applicable to the Port of Oakland and the neighboring West Oakland community. Several stakeholders, including the EPA, ARB and West Oakland EIP, all of whom had participated in either the Southern California port initiatives or the statewide Goods Movement initiative, were asked to provide their observations. The following summarizes the observations:

- The mayors were clear – they wanted an effective plan for emissions reductions at the ports. Political leadership, including the mayor and others, gave clear marching orders to the Commission.
- Port commissioners were very involved and determined to get plan developed before their terms ended. The Commission has to set policies and drive the process.

- Both of these have been missing in Oakland, but can be built.
- Port staff was well organized and aggressive about getting the information they needed. They drove the work with a vision and involved the Air District, Air Resources Board, EPA to pull together the technical, legal and other pieces.
- Bottom line was an engaged and outraged community. The community was well organized and had its own technical assistance.
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- The community pressed its case on many fronts including lawsuits, but also by way of the Port Community Advisory Committee, CEQA reviews.
- There was clear recognition that further growth of the ports and shipping could not proceed without dealing with community impacts. City Council has budget control over Port in Long Beach which gives it more control.
- Facilitated process helped.
- Underlying drivers were lawsuits, nonattainment air quality and local air toxics problems. No one factor dominates, all contributed.

5. Caucuses on leadership

Attendees selected which of four caucuses (elected officials, agencies, NGO/community, private sector) they wanted to participate in to discuss what that sector could do to address the question of needed leadership by that sector.

Three framing questions:

1. What leadership is needed here ?
2. What would demonstrated leadership look like ?
3. What are the barriers and what can be done about them ?

The caucuses then reported back to the full Collaborative. The results of the report back and other notes from the respective caucus hosts are as follows.

Elected officials

- The Mayor's office should be engaged on the two Port Commission vacancies coming up this summer, and recommendations provided by the community.
- The City-Port Liaison Committee, which had lapsed into dysfunction, is reconvening, with Councilperson Nadel from the City and Commissioner McClure chairing this process. The role of the community in this advisory process needs further attention.
- The work of the Collaborative and of the Health Risk Assessments currently underway should be brought before the Commission.
- Make use of the Mayor's Port Task Force recommendations.

- Work with U.S. Representative Barbara Lee's office to raise the standards for port clean-up nationally so that clean-up here doesn't create a competitive disadvantage for California ports or among California ports.

Agencies

- A unified planning process is needed – the current process(es) are too fragmented, confusing, duplicative and, as a result, inefficient use of scarce resources. There are too many meetings, forums etc. with no clear relationship to each other
- There should be an “agency caucus” where agencies can coordinate their work, i.e. technical; would have to be transparent to other sectors, especially community sector.
- Agency aggressiveness and leadership is needed similar to what was seen in Southern California.

NGO/Community

- There should be a groundswell of anger with a united voice from the community and truckers; break down any barriers between drivers, community and small business.
- The community has its own technical advisors who should be provided access to the technical process and products being developed by the Port and other agencies.
- Community/NGO's should be demanding meetings with the Commission and the Port Executive Director. Attention is needed to the disconnect between senior management and line staff.
- The Port Commission should include representatives from the grassroots community, health specialists and maritime labor specialists.

Private sector

- We need to bring more shippers and terminal operators to the table
- Need a level playing field across California; address perception of Oakland as a “discretionary” port, make it a “preferred” port.
- Support green jobs and businesses in Oakland, such as biodiesel.
- Encourage innovative leadership such as seen from PG&E, provide green business incentives at OAB.
- Better “carrots” needed, since the “stick” of regulations is less available in Northern California than in Southern California where air quality designations are more severe.

6. Wrap up, next steps

The results and recommendations from today will be written up in a meeting report and circulated for comment and revisions.

The results and recommendations will then be used to follow-up with the sectors addressed in the caucuses and other parties named in the recommendations.

Attendees

Bill Aboudi, OMSS
Mark Allen, Alameda County Lead Poisoning Prevention Program
Jennifer Alversom, BAAQMD
Sarah Andropoulos, for Congresswoman Barbara Lee
Marisa Arrona, Office of Councilperson Nancy Nadel
Dana Baker, USF
Brian Beveridge, West Oakland EIP
Doug Bloch, Coalition for Clean and Safe Ports
Nancy Cook, DTSC
Bishara Costandi
Tiffany Dawson, USF
Pam Evans, Alameda County Environmental Health Services
Chris Ferrara, Pacific Gas and Electric
Professor James Fine, USF
Margaret Gordon, West Oakland EIP
Jabari Herbert, Capital Stone Group, LLC
Vashone Huff, Office of Mayor Ron Dellums
Ray Kidd, West Oakland Neighbors
Paul Larking
Steve Lautze, City of Oakland, CEDA
Tim Leong, Port of Oakland
Richard Lew, BAAQMD
Cynthia Marvin, CARB
Nancy Nadel, Councilperson, City of Oakland
Monsa Ntoto, CWOR
Swati Prakash, Pacific Institute
Delphine Prevost, Port of Oakland
Bernida Reagan, Port of Oakland
Michaela Shaver, USF
Libby Schaaf, Port of Oakland
Teri Shore, Friends of the Earth
Clarence Thomas, ILWU
Julie Twichell, Alameda County Lead Poisoning Prevention Program
David Weinrich, office of State Senator Don Perata
Harvey Yarbrough
Viveka Chen, Facilitator
Mike Bandrowski, USEPA
John Brock, USEPA
Richard Grow, USEPA
Deborah Jordan, USEPA
Karen Henry, USEPA
Ken Israels, USEPA
Lisa Tharp, USEPA
Wenona Wilson, USEPA
Amy Zimpfer, USEPA