

June 6, 2012 Alameda City Council Meeting

Comments of Paul Kibel (Co-Director of the Center on Urban Environmental Law at Golden Gate University) on Item 6B Regarding Reuse of Alameda Point/Formal Naval Air Station

Thank for you the opportunity present public comments on Item 6B, concerning the City of Alameda's strategy for redevelopment of the former Alameda Naval Air Station

My name is Paul Kibel, and I am professor of land use and environmental law at Golden Gate University School of Law in San Francisco, and am also Co-Director of the law school's Center on Urban Environmental Law (CUEL). Since 2010, CUEL has undertaken independent research and analysis on land use and open space issues pertaining to Alameda Point, and in September 2011 CUEL published a booklet outlining the tremendous open space, habitat and parkland opportunities at the former Naval Air Station. I have several copies of the booklet with me tonight.

In regard to Item 6B on the meeting agenda, I wish to submit two comments. The first comment is in the nature of "praise" and the second comment is in the nature of a "recommendation."

I. Praise

Starting with the praise, CUEL would like to commend the City of Alameda City Manager (John Russo) and the City's planning staff (Jennifer Ott and Andrew

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Thomas) for their recommendation about “next steps” in the *Going Forward* planning process. More specifically, the City staff have recommended that the planning process be “city led” rather than “developer led” – that is the City should take the lead in deciding where and how development should proceed, and should develop this plan through a CEQA environmental impact report prepared by the City. This “city led” process can be contrasted with the “private developer” led process, where the City essentially solicits bids from private developers about where and how development should proceed.

CUEL strongly supports this recommendation. As the City Staff memorandum explains, the advantage of this “city led” approach is that it allows the City to position the land in a way that will hopefully build community support for the end result, and that will allow thoughtful and careful consideration of different alternatives. As the City Staff memorandum further elaborates, the “city led” approach will help (and I quote) “**overcome the stigma that Alameda Point is a stagnant and impossible development environment.**”

CUEL believes the City is on the right track with this approach.

II. Recommendation

The City Staff's memorandum's remarks regarding “**avoiding stigma**” provides an appropriate segue to CUEL's second “recommendation” comment tonight.

In our previous submissions to the City, including our September 2011 booklet, CUEL emphasized that the planning for the federal portions of Alameda Point, and the City portions of Alameda Point, are necessarily inter-related. That is, if the federal portions of Alameda Point are planned as beautiful and scenic landscapes, with grand vistas and recreational opportunities and habitat for birds and waterfowl, this will contribute greatly to the prospects for the successful redevelopment of the

City portions of Alameda Point. People will want live and work in and visit Alameda Point to take advantage of these adjacent open space amenities. CUEL submitted information on numerous studies establishing that proximity to adjacent, large scale natural open space increases property values and investment.

Conversely, however, if the federal portions of Alameda Point are perceived as polluted, as dangerous, as ugly, as an eyesore – the federal portions will remain a “stigma” for Alameda Point. The federal portions will embody and perpetuate perceptions that Alameda Point is a toxic wasteland, a blight, nothing but a Superfund site. And this “stigma” will undermine what the City is trying to achieve with its city-led *Going Forward* process.

Two weeks ago, at the Alameda Point Restoration Advisory Board (RAB) meeting, the Navy unveiled a series of permanent cleanup remedies that would unfortunately create the very eyesores and stigma that threaten the City's redevelopment plans. More specifically, in the most scenic area of the federal portions along the edge of the bay and immediately adjacent to magnificent wetlands (see map in Attachment A to this letter), the Navy has proposed to install a 6 foot high chain link exclusionary fence with barbed wire on top around 110 acres. In addition, the Navy has proposed installing 30 10-foot high methane gas vents in this same area. This fence and these gas vents would blight and obstruct the viewsheds and landscapes on the federal portions of Alameda Point, taking what promised to be a landmark, place-making naturalist open space and instead treating it like an off-limits toxic dump. With the Navy's proposed remedies, what should be highlighted is hidden and degraded.

Other individuals and groups have spoken tonight against the Navy's proposed exclusionary fence and gas vents. CUEL, for its part, has retained its own environmental consultant, to submit detailed technical comments to the Navy, to US EPA and to the Regional Water Board concerning the Navy's proposal, and

identifying alternatives that are equally protective of human health and the environment. Our environmental consultant's comments will be submitted later this month. Throughout the San Francisco Bay Area, there are many examples of former landfills that have been re-purposed for open space and habitat, and that do not include exclusionary fencing and that do not include 10 foot high gas vents. The technical comments submitted by CUEL later this month will contrast the approach taken at these other landfill-to-open space Bay Area sites with what the Navy is presently recommending for Alameda Point.

I am here tonight to call upon the City of Alameda to lend its clear and strong support to those calling for the Navy to come up with alternatives to the proposed fence and gas vents. Let the City of Alameda go on record as calling for something better than what the Navy has proposed, and have Peter Russell (the City of Alameda's environmental consultant) submit well-researched comments identifying alternatives to the fence and gas vents. This is an opportunity for the City to be the voice of leadership on this issue, rather than remaining silent and on the sidelines.

If the City allows this remedy to stand without engaging, it will be shooting itself in the foot, by allowing the creation of the very eyesores and stigmas that will undermine the *Going Forward* process and Alameda Point's future, and by undercutting the plans for scenic open space that are Alameda Point's best chance to attract residents, to attract businesses and to attract investment. If the City of Alameda wants high quality development on the built portions of Alameda Point, it must insist upon high quality open space on the federal lands adjacent to these built portions. Thank you.



FLIGHT PARK AT ALAMEDA POINT
PROPOSED PARK AND WETLANDS

LEGEND

- 1 FLIGHT PARK
- 2 MITIGATION WETLANDS
- 3 HISTORIC REMNANT AIRSTRIPS "EXHIBITION RUNWAY"
- 4 POSSIBLE VETERANS ADMINISTRATION FACILITY
- 5 LEAST TERN BEACH
- 6 ECO HOTEL
- 7 CONTROL TOWER MUSEUM AND NATURE CENTER
- 8 PROMENADE GRASSLANDS
- 9 SEAPLANE LAGOON VILLAGE (SHOPS/RESTAURANTS)
- 10 LAWRENCE BERKELEY NATIONAL LABORATORIES CAMPUS
- 11 RESTORED WETLANDS AND GRASSLANDS AND SITE OF PROPOSED NATIONAL WILDLIFE REFUGE