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June 14, 2020

To: Mayor Marilyn Ezzy Ashcraft and members of the Alameda City Council

Mayor Marilyn Ezzy Ashcraft mezzyashcraft@alamedaca.gov
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Council member Tony Daysog tdaysog@alamedaca.gov
Council member Jim Oddie JOddie@alamedaca.gov
Council member Malia Vella mvella@alamedaca.gov
cc: City Clerk Lara Weisiger LWEISIGER@alamedaca.gov

RE: Encinal Terminals tidelands exchange, Agenda Item 2-A, June 16, 2020

Dear Mayor Ezzy Ashcraft and City Council members:

At your meeting on June 16, 2020, you are being asked to revisit a proposal for an exchange of state tidelands at Encinal Terminals for land and water owned by private developer North Waterfront Cove, LLC. In 2017 and 2018, the Sierra Club opposed the terms of the proposed swap, raising concerns about the reduced benefits to the people of California whose tidelands would have been exchanged.

We are skeptical that any material changes from the 2017 swap proposal are forthcoming that would make such a deal more attractive than it was in 2017. We therefore ask that you pull this item from the Consent Calendar and discuss the following issues before you entertain another tidelands exchange:

- **Prematurely abandons Tideland District economic development vision without findings** - The development plan agreed to in 2018, which did not require an exchange of tidelands, envisioned new economic opportunities in the Tideland District, with the details to be decided at a future time. As stated in the July 23, 2018, staff report, the Tideland District represents “a significant opportunity for the City to expand its maritime commercial business sectors consistent with the City Council’s economic development objectives. With its strategic location directly in between the Fortman Marina and the Alaska Basin and future Alaska Basin Marina, the Tideland District has the potential to become a major maritime commercial center with space

for marina land side facilities, boat and paddle boat sales and rentals, maritime and “blue tech” leased space, restaurants and other visitor serving commercial services.” Public discussion of potential plans for the Tidelands District has never occurred. Thus, it is premature to begin discussing a return to the previously abandoned master plan behind closed doors. No rationale for beginning this tidelands exchange negotiating exercise has been provided.

- **Tidelands sea wall is not forward thinking** - A tidelands exchange as envisioned in 2017 would create an encumbrance on the new tidelands upon which a sea wall is contemplated as a future sea level rise mitigation measure. The Sierra Club California is opposed to the construction of sea walls and levees, except as a last resort for already existing built areas, because they shift water and wave action elsewhere on a watershed, thereby compounding the impacts on neighboring communities and ecosystems. The Encinal Terminals project only exists on paper. Constructing a new project on a shoreline that will rely on a future sea wall, whether on state tidelands or not, is at odds with Sierra Club climate adaptation policy. A sea-wall-reliant project is not planning for the future, it’s a justification for continuing business as usual.
- **Bad deal for California** - The shoreline land and the adjacent water that the developer has available for exchange will not gain any special protection by becoming state tidelands that is not already enjoyed by virtue of the San Francisco Bay Plan.
- **Bad deal for Alameda** - The wharf that would become city property as state tidelands was built under standards of a bygone era for the purpose of unloading fish. It is located in an earthquake liquefaction zone. Taking ownership of this wharf would represent considerable risk to the City of Alameda. If it was damaged beyond repair before any of the promised development occurred, or fees accumulated by the project sufficient to maintain, repair or replace the structure, the City could be left with a mess in its waters that it had to at least clean up.

Sincerely yours,

Norman La Force

Norman LaForce

Chair, Sierra Club East Bay Public Lands Committee

Lara Weisiger

From: Richard Bangert
Sent: Tuesday, June 16, 2020 10:51 AM
To: City Clerk
Subject: [EXTERNAL] Special City Council Meeting, 5 PM, June 16, Agenda Item 2A, Consent Calendar

Hi Lara,

Below is my comment on Special City Council Meeting, 5 PM, June 16, Agenda Item 2A, Consent Calendar:

It is inappropriate for the City Council to be entering into closed-session negotiations today over an exchange of tidelands at Encinal Terminals.

When an exchange of Tidelands was being contemplated in 2017 in order to facilitate the proposed Master Plan, the City Council balked at going forward due to uncertainty about the value of the lands being exchanged. The exchange of Tidelands was not approved at that time, but rather put on hold until the developer could come back with the land valuations that the Council was seeking. Instead the developer opted not to provide the land valuations, but presented a plan without any exchange of land, which was approved in 2018.

It was presumed, at least by me, that these land valuations would have been presented publicly. Now staff is suggesting it be done behind closed doors.

This proposal for a closed session to undo the approved plan for Encinal Terminals is undermining confidence in city government. This process should be done publicly AFTER explaining why the approved vision for the Tideland District is infeasible. Thank you.

Richard Bangert
Alameda resident