

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT OF MEETING

January 22, 2004

Dago Mary's Restaurant
Hunters Point Shipyard, Building 916
Donahue Street at Hudson Avenue
San Francisco, California

Reported by Christine M. Niccoli, RPR, C.S.R. No. 4569

===== ***** =====

NICCOLI REPORTING

619 Pilgrim Drive

Foster City, CA 94404-1707

(650) 573-9339

CERTIFIED SHORTHAND REPORTERS SERVING THE BAY AREA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P A R T I C I P A N T S

FACILITATOR: MARSHA PENDERGRASS - Pendergrass &
Associates
CO-CHAIRS: LYNNE BROWN - Communities for a Better
Environment (CBE), Community
First Coalition (CFC)

RAB MEMBERS

LANI ASHER - Communities for a Better Environment (CBE),
Community First Coalition (CFC)
AMY BROWNELL - San Francisco Department of Public Health
MAURICE CAMPBELL - Business Development, Inc. (BDI);
Community First Coalition (CFC); New California Media;
NEW BAYVIEW NEWSPAPER
CHARLES L. DACUS, SR. - Hunters Point resident,
R.O.S.E.S.
MARIE J. FRANKLIN - Shoreview Environmental Justice
Movement Inc.
MARIE HARRISON - Communities for a Better Environment
(CBE), SAN FRANCISCO BAY VIEW, Greenaction
HELEN JACKSON - All Hallows Gardens Residents Association
///

1 RAB MEMBERS [Cont.]:

2

3 CHEIN KAO - California Department of Toxic Substances

4 Control (DTSC)

5 TOM LAMPHAR - California Department of Toxic Substances

6 Control (DTSC)

7 JACQUELINE ANN LANE - U.S. Environmental Protection

8 Agency (EPA)

9 LISA LAULU - All Islanders Gathering As One (A.I.G.A. 1)

10 LEA LOIZOS - Arc Ecology

11 KEVYN D. LUTTON - Resident

12 J. R. MANUEL - JRM Associates, India Basin resident

13 LAURENT M. MEILLIER - San Francisco Bay Regional Water

14 Quality Control Board

15 ALLEN NUNLEY JR. - Business owner, resident

16 GEORGIA OLIVA - Communities for a Better Environment

17 (CBE), CCA member

18 MELITA RINES - India Basin Neighborhood Association

19 KEITH TISDELL - Hunters Point resident

20 MICHAEL WORK - U.S. Environmental Protection Agency (EPA)

21 LEILANI WRIGHT - JRM Associates

22 ---oOo---

23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

OTHER ATTENDEES

- ARVIND ACHARYA - Innovative Technical Solutions, Inc.
(I.T.S.I.)
- DOUG BIELSKIS - Tetra Tech EM Inc.
- ANDREW L. BOZEMAN - Southeast Sector Community
Development Corporation
- PATRICK BROOKS - United States Navy
- PATRICIA BROWN - Shipyard artist
- ERNST H. BUIJTEN - NAVFAC contractor
- A. DON CAPOBRES - San Francisco Redevelopment Agency
- FRANCISCO DA COSTA - Environmental Justice Advocacy
- MARK A. GELSINGER - United States Navy
- CHRIS HANIF - Young Community Developers (YCD)
- CAROLYN HUNTER - Tetra Tech EM Inc.
- RONALD WM. KEICHLINE - Innovative Technical Solutions,
Inc. (I.T.S.I.)
- KEN LEONARD - Innovative Technical Solutions, Inc.
(I.T.S.I.)
- DEBRA MOORE - Innovative Technical Solutions, Inc.
(I.T.S.I.)
- SHERLINA NAGEER - Literacy for Environmental Justice
(LEJ)
- JOHN NAUER - All Islanders Gathering As One (A.I.G.A. 1)
- CHARLES H. PARDINI - Levine-Fricke for Lennar

1 ///

2 OTHER ATTENDEES [Cont.]:

3

4 DENNIS M. ROBINSON - Shaw Environmental &

5 Infrastructure, Inc.

6 DEBORAH BERMAN SANTANA - Mills College Ethnic Studies

7 Department

8 LEE H. SAUNDERS - United States Navy

9 CLIFTON J. SMITH - C.J. Smith & Associates, Eagle

10 Environmental Construction

11 DEREK SMITH - Marinship Construction Services, Inc.

12 MICHAEL STRAUSS -

13 PETER STROGANOFF - United States Navy ROICC Office

14 DAVID TERZIAN - The Point

15 ALLISON TURNER - Katz & Associates

16 DANE TYSON - Shiloh Foundation

17 TERRENCE VALEN - Literacy for Environmental Justice (LEJ)

18 MARK WALDEN - United States Navy

19 PETER WILSEY - San Francisco Department of Public Health

20 JACKIE WRIGHT - Pendergrass & Associates

21 ----oOo----

1 SAN FRANCISCO, CALIFORNIA, THURSDAY, JANUARY 24, 2004

2 6:01 P.M.

3 ---oOo---

4 MS. PENDERGRASS: Welcome, everybody, to the
5 first Hunters Point Shipyard Restoration Advisory Board
6 meeting for 2004. Hey, we've made it another year.

7 All right. As is our custom tonight, we'll
8 start with introductions, and I'm going to try to make
9 sure that we catch it on record and help Christine.
10 That's my goal for the year is to be nicer to our
11 stenographer.

12 So let's start with the RAB members, and if we
13 can start over with Ron.

14 MR. KEICHLINE: Yeah. Ronald Keichline,
15 I.T.S.I. community relations.

16 MS. MOORE: Debra Moore, I.T.S.I. community
17 relations.

18 MR. CAMPBELL: Maurice Campbell, Community
19 First Coalition.

20 MS. OLIVA: Georgia Oliva, Shipyard artist.

21 MS. ASHER: Lani Asher, Shipyard artist.

22 MS. LUTTON: Kevyn Lutton, resident, CFC.

23 MS. BROWNELL: Amy Brownell, San Francisco
24 Health Department.

25 MR. MEILLIER: Laurent Meillier, Regional Water

1 Quality Control Board.

2 MS. PENDERGRASS: Marsha Pendergrass,
3 facilitator.

4 MR. BROWN: Lynne Brown, co-chair.

5 MR. BROOKS: Pat Brooks, the lead Remedial
6 Project Manager for the Navy.

7 MR. WALDEN: Mark Walden, Navy Remedial Project
8 Manager.

9 MR. MANUEL: J. R. Manuel, JRM Associates.

10 MS. L. WRIGHT: Leilani Wright, RAB member.

11 MR. WORK: Michael Work, U.S. EPA.

12 MR. DACUS: Charles L. Dacus, Sr., RAB and also
13 affiliated with ROSES.

14 MS. LAULU: Lisa Laulu, A.I.G.A. 1.

15 MR. NUNLEY: Allen Nunley, RAB member.

16 MR. TISDELL: Keith Tisdell, RAB member,
17 resident.

18 MS. HARRISON: Marie Harrison, RAB member.

19 MS. JACKSON: Helen Jackson, RAB member.

20 MS. J. WRIGHT: Jackie Wright with Pendergrass
21 & Associates.

22 MS. PENDERGRASS: Okay. We're going to start
23 with community --

24 This [indicating microphone] is not working.

25 MR. ROBINSON: Dennis Robinson, Shaw

1 Environmental.

2 MR. STROGANOFF: I'm Pete Stroganoff with the
3 Navy ROICC office.

4 MR. STRAUSS: I'm Michael Strauss . . .
5 [inaudible].

6 THE REPORTER: I didn't get that. Michael who?

7 MR. STRAUSS: I'm Mike Strauss.

8 MS. PENDERGRASS: Just say it as loud as you
9 can, please.

10 MS. SANTANA: Deborah Santana, Mills College.

11 MS. LANE: Jackie Lane, EPA.

12 MR. BUIJTEN: Ernst Buijten, NAVFAC contractor.

13 MR. GELSINGER: Mark Gelsinger, U.S. Navy
14 contract specialist.

15 MR. BIELSKIS: Doug Bielskis, Tetra Tech.

16 MR. ACHARYA: Arvind Acharya, I.T.S.I.

17 MR. DA COSTA: Francisco Da Costa.

18 MS. NAGEER: Sherlina Nageer, LEJ.

19 MR. HANIF: Chris Hanif, Young Community
20 Developers.

21 MS. PENDERGRASS: Anyone else that we missed?

22 MS. HUNTER: Carolyn Hunter, Tetra Tech.

23 MS. PENDERGRASS: Thank you, Carolyn.

24 MR. LAMPHAR: Tom Lamphar, California
25 Department of Toxic Substances Control.

1 MS. PENDERGRASS: Did you get that?

2 MR. ATTENDEE: Who was he?

3 MR. BROWN: Chein Kao.

4 MR. KAO: Chein Kao.

5 MS. PENDERGRASS: All right. Did we miss
6 anybody?

7 MS. TURNER: Allison Turner from Katz &
8 Associates.

9 MS. PENDERGRASS: Allison Turner.
10 Did you get that?

11 THE REPORTER: (Nods.)

12 MS. PENDERGRASS: All right. Real good.
13 All right. Well, let's make sure we got the
14 agenda going on here. We've kind of switched things a
15 little bit around today. We'll review the action items
16 and go into the Navy announcements, do the subcommittee
17 reports, and then have a couple of presentations.
18 Anybody have any problems with that agenda today?
19 Great.

20 We had one other person that arrived.

21 MS. RINES: Oops. Melita Rines, RAB member,
22 India Basin Neighborhood Association.

23 MS. PENDERGRASS: Thank you, Melita.

24 All right. All right. Let's move to approval
25 of the minutes from the 4th of December. Everybody's in

1 receipt of those minutes? Everybody had a chance to
2 read those minutes? Are those members [sic] acceptable?
3 Are those minutes acceptable? Looking for a motion.

4 MR. BROWN: I'd like to make a motion to accept
5 the minutes of December 4th.

6 MR. TISDELL: Second.

7 MS. PENDERGRASS: All in favor of accepting the
8 minutes the way they are written, say, "Aye."

9 THE BOARD: Aye.

10 MS. PENDERGRASS: Any opposed? Any
11 abstentions?

12 All right. The ayes have it. Minutes are
13 accepted as written.

14 All right. Let's follow up on the action items
15 from last -- December's meeting. We have carry-over
16 items: Navy to provide information to Mr. Mason
17 regarding additional bonding/radioactive waste-hauling
18 certifications, if there are any.

19 MR. BROOKS: I'd like to carry that over until
20 February where Laurie Lowman can meet with Jesse. As
21 everyone knows, she's putting the final touches on the
22 HRA.

23 MS. PENDERGRASS: Okay. Any problem with that?
24 Any objections?

25 So we'll move that to the February meeting.

1 The second action item to follow up on was the
2 "Economic Subcommittee to prepare a letter in support of
3 Section 2912, Defense Authorization Act, establishing
4 preference for local businesses."

5 Mr. Campbell?

6 Where did he go?

7 MR. CAMPBELL: Yes. I'm sorry. I was just
8 getting some coffee.

9 MS. PENDERGRASS: We are following up on the
10 action item, which was the "Economic Subcommittee to
11 prepare a letter in support of Section 2912, Defense
12 Authorization Act, establishing preference for local
13 businesses." Were you work- --

14 MR. CAMPBELL: Well --

15 MS. PENDERGRASS: -- -ing on that?

16 MR. CAMPBELL: Yeah. Basically, we had an
17 Economic Committee meeting, and I could fill you in at
18 this time. Mark Gelsinger is here, and I was going to
19 have Mark speak on behalf of that.

20 MS. PENDERGRASS: Is he going to speak of your
21 subcommittee report?

22 MR. CAMPBELL: Yes.

23 MS. PENDERGRASS: And that will address this
24 issue?

25 MR. CAMPBELL: That will address this issue.

1 MS. PENDERGRASS: All right. So this issue
2 will be take -- stricken from our action item list?

3 MR. CAMPBELL: Yeah. I believe it's been
4 resolved. I believe that there will be an action that
5 the Navy will explain thoroughly to us.

6 MS. PENDERGRASS: Very good.

7 MR. CAMPBELL: Thank you.

8 MS. PENDERGRASS: All right.

9 All right. Do we have any report from the Navy
10 today?

11 MR. BROOKS: Yeah, we do.

12 We have a couple things. Most of you know,
13 Keith Forman is still on reserve duty. He's due back on
14 the 26th of January. That's next Monday.

15 The Historical Radiological Assessment will be
16 released one day before the February RAB. That's
17 27 February.

18 Most of you probably saw an e-mail from
19 Dr. Sumchai requesting a six-month leave of absence, and
20 Dr. Sumchai is the chairperson for the Radiological
21 Subcommittee.

22 And so I was suggesting that perhaps with the
23 HRA just coming out that maybe the Tech and Risk
24 Subcommittee could handle some extra duties as far as
25 the HRA. But just a thought, because I think that her

1 subcommittee would have been busy after this HRA comes
2 out.

3 Thirdly, HRA information day, we wanted to have
4 an information day on a Saturday in mid March, and we're
5 looking at either the 13th or the 20th to discuss the
6 findings of the Historical Radiological Assessment and
7 offer some guidance on how to review it and how to make
8 comments, that kind of thing.

9 We have a town hall meeting scheduled for
10 Saturday at the Milton Meyer gym. It runs from
11 11 o'clock to 3 o'clock, and it's being sponsored by All
12 Islanders Gathering As One. There will be a number of
13 people there: Navy, Home Depot; a number of people from
14 the RAB will be there to give some presentations. And I
15 hope everyone can find time to attend. I think it will
16 be very informative.

17 Got a busy spring and summer on Parcel E.
18 Going to be a lot of -- a lot of contamination removed
19 from the shoreline, a lot of opportunity for local
20 business there, especially in the way of trucking.

21 The community involvement plan. We're trying
22 to finalize the community involvement plan; and as of
23 yet, we have had no public comments on that. So I want
24 to just give you guys the opportunity, two more weeks,
25 to send in any comments on the community involvement

1 plan so we can incorporate those and finalize that

2 document.

3 And that's it. Thank you.

4 MR. BROWN: First of all, we need to make
5 proposal of what we going to do for this Radiological
6 Sub- -- this Radiological Committee. Hook it up with
7 the -- the Tech? But anyway, it's on us.

8 MS. LUTTON: Okay.

9 MS. ASHER: So are you making a motion?

10 MR. BROWN: I like to make a motion that we put
11 the Radiological Committee and the Tech Committee
12 together.

13 MS. ASHER: I second that.

14 MS. PENDERGRASS: Okay.

15 MR. BROWN: Also --

16 MS. PENDERGRASS: Wait. Got a motion on the
17 floor.

18 MR. BROWN: Oh, yeah, right. That's right.

19 MS. PENDERGRASS: All right. Any discussion
20 about that?

21 Mr. Campbell?

22 MR. CAMPBELL: I was calling for the question.

23 MS. PENDERGRASS: Okay.

24 Well, the motion on the floor right now is to
25 combine the Radiological Committee with the Technical

1 Review Committee?

2 MR. BROWN: Yes.

3 MS. PENDERGRASS: Is that correct?

4 MS. LUTTON: Mm-hmm.

5 MS. PENDERGRASS: Okay. All in favor?

6 THE BOARD: Aye.

7 MS. PENDERGRASS: Any opposed? Any abstentions
8 to that motion?

9 All right. So we have combined those two
10 together; and when we have those reports, perhaps we can
11 talk about when the next meeting will be.

12 All right. Continue, Mr. Brown.

13 MR. BROWN: This [indicating] is pertaining to
14 the -- the civil rights violation that the Redevelopment
15 has committed on us to disenfranchise everyone in
16 Bayview-Hunters Point. This is the DDA.

17 Mr. -- Mr. Campbell, can you give us a little
18 rundown about the DDA, how --?

19 MR. CAMPBELL: Yeah. As a matter of fact, the
20 CAC is going to be forwarding a report to the
21 Redevelopment Agency and the Redevelopment Commission
22 about the December 2nd meeting.

23 There were a lot of seemingly violations: The
24 press was kept out; that was one. A lot of the
25 community was kept out the main -- kept out of the main

1 meeting room. And so there's -- I know that there's
2 been a complaint filed on open meetings.

3 As far as the Disposition Development
4 Agreement, the Commission adopted the staff report, and
5 I believe the CAC had a specific report in that was
6 stated that they wanted their report accepted, special
7 paragraph. So their report will be accepted in its
8 entirety or not at all.

9 So, basically, it was a staff acceptance of the
10 report, and there's some questions -- there's also some
11 questions about who that -- Scott Madison, chair of the
12 CAC, wrote a document. What was read at the Commission
13 meeting didn't represent his position.

14 So there's all these that are taking place.
15 There's a ad hoc committee set up to investigate these
16 complaints and submit them to the -- the CAC, which will
17 forward it to the Redevelopment Agency and Commission.

18 MR. BROWN: Okay. But in the meantime, what's
19 happening, there's two redevelopments taking place in
20 Bayview-Hunters Point.

21 The second redevelopment is the -- the one
22 where they going to tear down everything from Cesar
23 Chavez and jump over from Oakdale and go all the way to
24 Gilman Street, and wasn't any participation in that --
25 it wasn't any participation in that because the -- the

1 Project Area Committee was elected in 1997 by the
2 community and we haven't had a new election since 1997.
3 So this is what they are putting out.

4 Anyway, it's all -- there -- they violated
5 everything -- CERCLA, NEPA -- with a rush to put in
6 Lennar out here at the Shipyard. And the annual median
7 income out here is \$37,000, and you should take a look
8 and see -- for this price, we won't be able to live out
9 here.

10 So anyway, I like to make a motion that we
11 accept this [indicating] so we can go forward for a
12 civil rights violation for nonparticipation of the
13 community.

14 Anybody else want to say anything?

15 MR. MANUEL: I'd like to say something about --

16 MR. BROWN: Hold on, hold on.

17 MS. FRANKLIN: Well, I know that as far as the
18 Project Area Committee or the joint hoc committee back
19 in '78 -- and I think Mayor Feinstein was our mayor at
20 that time, and we were led to believe that we would have
21 input on and have an opportunity to purchase property in
22 which we now live.

23 Most of the -- The majority of the people
24 migrated from the Shipyard to that area 'cause of the
25 Shipyard closure and everything with the promise that

1 this community would buy its -- be able to purchase the
2 property once redevelopment's 20-year to 30-year
3 mortgage payment expired.

4 And to caption on that, Mayor Feinstein also
5 gave us a sample of what would happen, that the portion
6 of the public housing that are designated reorganized
7 and re- -- remodeled as homeowners, these people are
8 living in the public housing. That was the care --
9 carrot that was dangled before us to encourage us to
10 stay here and be able to purchase one day; and this is
11 what we all perceived, everybody that lives on this --
12 east of Third Street on Hunters Point hill.

13 So -- and I have been saying this for years to
14 the Redevelopment Agency, and I have presented the
15 actual land -- land agreement signed by officials of San
16 Francisco Redevelopment Agency which describes the
17 covenant of the land is perpetual and has not, and now
18 I'm told that that does not apply to us.

19 So I have -- I -- I -- in behalf of our
20 community which I -- where I live and so forth, I -- I
21 support the idea that we have been disenfranchised
22 and -- and not given the opportunity to purchase
23 property of these United States as with every other
24 citizen. Thank you.

25 MS. PENDERGRASS: All right. Was there more

1 conversation on this particular motion?

2 Yes.

3 MR. MANUEL: Yes.

4 Some years ago I assembled a group of
5 attorneys, and we got injunctions against Lennar, and we
6 went after the Redevelopment Agency and the CAC and the
7 PAC. Most of these --

8 The CAC has nothing whatever to do with
9 anything outside the Shipyard boundaries. In fact, I'm
10 not sure they still are even legitimate. People should
11 look at the foundation of the organizations and see if
12 they are solvent as a means of dealing with this.

13 The PAC is wholly illegal. We have got a lot
14 of court documents, a lot of information, a lot -- I
15 even had Burton's office go and research the legitimacy
16 of a lot of things that the PAC has been done -- doing
17 in the name of the community, and it came back that most
18 of the things they have been doing is illegal.

19 So the point of the matter here is that the
20 Redevelopment Agency -- not everybody in the
21 Redevelopment Agency, because there's some good people
22 there; but some of the people in the Redevelopment
23 Agency, some of the people in SAEJ, some of the people
24 in a lot of these other local groups, India Basin
25 residents, a lot of these various people who have

1 participated in disenfranchising this community.

2 There have been -- there have been meetings
3 that are set up for community people. There are
4 different meetings by the same individuals and same
5 entities that are for the people at the Shipyard.
6 There's meetings for blacks. There's meetings for
7 whites. Different issues are addressed at these
8 meetings by the same entities, Lennar, Redevelopment
9 Agency. A lot of these people, they are doing things
10 that wholly are Brown Act infringements and a lot of
11 other legal areas.

12 Now, the point of the matter is, is that if you
13 going to address these issues, you got to go all the way
14 back, because the fact of the matter is -- is that these
15 illegal acts have been going on for a very long time.

16 And there's a lot that you could do. I would
17 suggest you contact John Burton's office, because
18 Johnny -- I forgot his last name. Johnny Carter
19 particularly did some research on this and found that a
20 lot of allegations we were making were very true, and a
21 lot of things have been very illegally done. So I just
22 would like to share that.

23 MS. PENDERGRASS: Okay. At this point, we
24 still have a motion on the floor regarding sending out
25 this particular document. So -- and it's been seconded,

1 but we don't have -- we haven't had enough discussion in
2 terms of everybody doesn't have -- doesn't have this
3 letter, do they? I'm sorry.

4 MS. LUTTON: If the e-mail -- in fact, I don't
5 know what the limits of that letter are, because I -- I
6 have an i- -- I mean, I've worked on this.

7 MS. PENDERGRASS: Does everybody have this,
8 Mr. Brown?

9 MR. BROWN: Yes, they should. I e-mailed them.

10 MS. PENDERGRASS: Okay. So --

11 MR. BROWN: We -- I passed it out last month
12 also.

13 MS. PENDERGRASS: Oh, okay.

14 MR. MANUEL: Lynne, Lynne, can I --?

15 MS. PENDERGRASS: All right.

16 MR. MANUEL: Is there a time -- is there a time
17 by what you're trying to do? By a certain time?

18 MR. BROWN: Yes.

19 MS. ATTENDEE: Yes.

20 MR. BROWN: This month to start --

21 MR. MANUEL: I mean, like, what date this
22 month?

23 MR. BROWN: First of all, all I want is
24 every -- the ones -- the RAB members to agree that we go
25 forward with a civil rights violation.

1 MR. MANUEL: The only reason that I was raising
2 that for is because maybe everybody hasn't had a
3 reasonable opportunity to look into this to see. If you
4 just start passing it out, that means a lot of people
5 may not have had the time to digest it.

6 MS. PENDERGRASS: Mr. Brown, would you like to
7 restate your position, please?

8 MR. BROWN: Last month I passed it out and told
9 people to look at it, but I didn't have it at that
10 meeting because that's the violation of the Brown Act.

11 MS. PENDERGRASS: Okay.

12 MR. BROWN: We don't --

13 MS. PENDERGRASS: All right. So -- so at this
14 point, everyone has had a copy of this at least a month.
15 And so at this point, would you restate your motion,
16 please.

17 MR. BROWN: Yes. I like -- I like the RAB
18 members to vote yea or nay on this complaint that will
19 be going to the US Justice Department for
20 disenfranchisement, violation of CEQA, violation of
21 NEPA, violation of --

22 MS. PENDERGRASS: Okay. Let's -- let's be
23 clear about the motion. The motion and the scope of the
24 RAB is that --

25 MR. BROWN: Right.

1 MS. PENDERGRASS: -- this -- this document can
2 come from the RAB with the majority of the vote to
3 whatever agency.

4 MR. BROWN: Right.

5 MS. PENDERGRASS: So -- and the content is what
6 you are agreeing on is that this letter -- in that the
7 full RAB is supporting this letter in sending this.
8 That's the essence of the motion.

9 So do we have a second? Who seconded that
10 motion again? Did you second it? Okay. I'm sorry.

11 MR. CAMPBELL: I'll second it.

12 MS. HARRISON: Lani seconded it.

13 MS. PENDERGRASS: Okay, Lani seconded it.

14 Okay. We had a second on that.

15 So we've had discussion. We have had
16 discussion on that issue, and I feel it's only fair to
17 add that -- the public comment portion to the discussion
18 prior to the vote. And since we have Mr. Capobres here,
19 if we could have a brief comment on that.

20 MR. CAPOBRES: I don't want to get into --
21 there's some formal complaints being filed. So I don't
22 want to get into the legality of that. I think the
23 appropriate forum for discussing this issue is probably
24 at the Redevelopment Agency Commission or a CAC meeting.

25 But I do want to -- I do need to clarify one

1 point that Mr. Brown made regarding the Bayview-Hunters
2 Point survey area. That is not a project area yet. It
3 has to go through a public process. It has to go to the
4 board of supervisors before it's determined to be a
5 project area. There's no plans to demolish entire
6 tracts of land.

7 I don't know boundaries that Mr. Brown gave,
8 but that is not a true statement. I just felt compelled
9 to clarify that issue.

10 MS. PENDERGRASS: Okay. Again, this is a
11 protest-type letter.

12 Yes, ma'am.

13 MS. LUTTON: Well, yeah. Just for the record,
14 I want to say that a lot of people here really tried to
15 deal with the Redevelopment Agency in several different
16 forums. And because we are at the RAB meeting, I think
17 it is an appropriate forum to protest the whole
18 redevelopment thing, because this community has a great
19 deal of needs.

20 And the basis of BRAC law is that the benefits
21 for the community must be ma- -- maximized by any kind
22 of development.

23 And quite the opposite is happening here. It's
24 a real theft of this land, which will when it's cleaned
25 up be extremely valuable, and it could be an economic

1 base for the poor people here to get a leg up in
2 ownership and profit making. If they were the
3 corporation, the people who live here, especially the --
4 the poor people on the hill, they could earn the
5 dividends.

6 But the way it is with the Redevelopment
7 Agency, what we have is Lennar going to scoop up
8 dividends off of this development.

9 And that's why this resolution is so important
10 for RAB members, that we really want to put it across
11 that we really feel that what Redevelopment is doing
12 is -- is totally contrary to the benefit of the
13 residents of 94124, which are the approximately 7 --
14 37,000 residents who live here. According to what
15 Redevelopment says, those are the people that are
16 supposed to be benefiting from the development of the
17 Shipyard.

18 In fact, the community or rather Ulysses
19 Montgomery and Michael Strauss in a letter to Pelosi,
20 which she responded to. And to show you how fuzzy and
21 confused really this whole plan to develop the Shipyard
22 is, I'd like Michael to describe what Pelosi said.

23 MR. BROWN: Michael, go on down here to Maurice
24 again.

25 MS. LUTTON: Okay.

1 MR. CAMPBELL: I -- I had a question for
2 Mr. Capobres. My -- yeah. My understanding of the
3 project area is a blighted area. Is that not correct?

4 MS. ATTENDEE: What are you talking about?

5 MR. CAMPBELL: Oh. Project area, the
6 definition is considered a blighted area?

7 MR. CAPOBRES: You have to answer -- go
8 through --

9 MR. CAMPBELL: Is it not redevelopment law that
10 a project area is a blighted area?

11 MR. CAPOBRES: That's right.

12 MR. CAMPBELL: Okay. Thank you. And it can be
13 bulldozed and clean. Thanks.

14 MR. CAPOBRES: (Shakes his head.)

15 MS. PENDERGRASS: All right. We've had
16 sufficient con- -- conversation and discussion on that
17 point, so -- and on the motion. At this point, unless
18 there's something new to add that has not been
19 discussed --

20 MR. DA COSTA: I would like to --

21 MS. PENDERGRASS: Okay. Is there something
22 new --

23 MR. DA COSTA: Yes.

24 MS. PENDERGRASS: -- that hasn't been added to
25 that?

1 Okay. Then we're going to have one more co- --
2 we have two more comments.

3 Then, Mr. Da Costa, you'll be next.

4 And, sir, with the red.

5 MR. ATTENDEE: Yes.

6 MS. LUTTON: Mr. Strauss.

7 MR. STRAUSS: I'm Michael Strauss, and I was
8 asked with Montgo- -- Jim Montgomery by some of the
9 people in the community to come up with a plan that was
10 an alternate plan for the Shipyard which will allow the
11 actual people to own a hundred percent of the Shipyard,
12 because what you may or may not know, if you've read
13 BRAC law, redevelopment law, and city policy coming out
14 of all the writings of the Redevelopment Agency and
15 the -- and the City from on high, you'll find out that
16 the Shipyard must be developed in the best interest of
17 and to maximize the economic benefits to the affected
18 community. That's the law.

19 And there's only one way to do that; and that
20 is, if the affected community, which is the
21 37,000 residents from Bayview-Hunters Point, actually
22 are the owners of the whole thing so that they hundred
23 percent own and hundred percent control, and they
24 receive all the dividends from profits from the
25 development of the Shipyard.

1 Now, the plan that the City has is completely
2 opposite to that. It means that the people are not
3 actually going to own it. They are going to have no
4 control, no ownership; and they are going to get no
5 direct profits.

6 And in fact, if you look at their -- at their
7 documents, they have a -- in the DDA, which is this
8 thick [indicating], in one of the sections, it has
9 community ownership.

10 And what community ownership there to them
11 means is 6 acres so that they're going to give them a
12 little bit of money, and they're going to be able to
13 build buildings, community buildings, which are the
14 normal role of governments, such as community centers
15 and swimming pools or other community facilities that
16 the people themselves should not have to build. They
17 should be built for its -- that's a rule of government.

18 So it's a --

19 MS. PENDERGRASS: Okay. I'm going to have to
20 kind of --

21 MR. STRAUSS: Okay. Well, I just -- to
22 continue with this, this land has become very valuable.
23 And with all land throughout history that's been
24 valuable, it's been occupied by poor people: poor
25 people of color, Indians and so forth.

1 They -- The -- the people in power always come
2 up with plans to --

3 ATTENDEE: Get rid of them.

4 MR. STRAUSS: -- get rid of them. And this is
5 the plan.

6 They have got the redevelopment area that is
7 now covering all of the Bayview. They have the Housing
8 Authority planning to demolish all these housing
9 projects, and they are lying about it, because Kevyn,
10 myself, and Jesse and Jim Montgomery are up on the hill
11 at a meeting at Hunters View, and they had two people
12 from the Housing Authority there, and the people said:
13 "We have heard we are going to be evicted, and our
14 property's going to be demolished. Is that true?"

15 He says: "That's not true. It's not going to
16 happen."

17 And we held up the document for the RFQ, for
18 the demolition and reconstruction of the Hunters View
19 and all the rest of the projects up there.

20 And they said, "We have never seen that."

21 So this is impossible to believe. The two
22 people who are the liaisons from the Housing Authority
23 to the people there have not heard that the projects are
24 going to be demolished? They are lying.

25 They are lying about the whole process. And

1 the only way to stop this is to have an official body
2 say, "Stop." We have to go into this without forces and
3 deceit from on high, and you can do this by sending a
4 clear signal by passing this resolution, which says the
5 process was illegal. Do not move forward until you meet
6 the -- the intent and letter of the law.

7 Thank you very much.

8 MS. PENDERGRASS: Thank you.

9 And Mr. Da Costa's our final comment on this
10 before we go to vote.

11 Mr. Da Costa, can you just keep it really
12 brief?

13 MR. DA COSTA: Why -- why should I keep it
14 brief? Because it's important.

15 MS. PENDERGRASS: Well, then, Mr. Da Costa, I'm
16 going to ask you to keep it to two minutes, or I --

17 MR. DA COSTA: Yeah. I'll -- I'll speak within
18 two minutes, but don't tell me to keep it brief.

19 First and foremost, in 1991 the Muwekma Ohlone
20 exercised their right of first refusal. And the first
21 national had made up the DDA had government before this
22 body, and you all said: "Oh, you know, we can deal with
23 this. Somebody has to deal with it."

24 What I detest is that over 40 subcommittee
25 meetings were pushed within a month because of Willie

1 Brown.

2 MS. ATTENDEE: Yeah.

3 MR. DA COSTA: And -- and the Navy should see
4 to the process, because I stated before the
5 Redevelopment Commission that I disagree with Willie
6 Brown, because Willie Brown said he does not believe in
7 the people having the process. He just believe -- He
8 just believes in the e- -- end result.

9 And I say this is a process. And I tell the
10 RAB here that we should stop, like, fighting over this,
11 that, and the other and -- and see that we exercise what
12 was stated in Proposition P.

13 And think I've spoken within two minutes.

14 MS. PENDERGRASS: Thank you, Mr. Da Costa. You
15 are wonderful.

16 All right. We're going to call the question
17 again. Is anybody confused about the question? I doubt
18 it.

19 MS. ATTENDEE: Oh.

20 MR. TISDELL: Oh.

21 MS. HARRISON: She's calling for the question.

22 MS. PENDERGRASS: I'm calling for the question.

23 MR. TISDELL: All right. Okay.

24 MS. PENDERGRASS: All in favor of the RAB
25 sponsoring the decision to go forward, say, "Aye."

1 THE BOARD: Aye.

2 MS. PENDERGRASS: Any op- --? Anybody opposed?
3 Is there anybody abstaining from that vote?

4 All right. The ayes carry that. This will be
5 moved forward; and Mr. Brown, our co-chair, will be
6 moving that forward.

7 Is it not correct?

8 MR. BROWN: Yes.

9 MS. PENDERGRASS: Okay. Thank you.

10 All right. We're going to move on with our
11 agenda tonight, and the next is our subcommittee
12 reports. If -- Just to make sure we can kind of keep
13 on track tonight, if we keep those as brief as possible.

14 I didn't see a lot of written reports, and I
15 didn't see one for the -- for the Economic Development.

16 MR. CAMPBELL: Yeah. Actually, it was going to
17 be a verbal report, because there were some meetings
18 that were taking place today.

19 I would like to have Mark Gelsinger on behalf
20 of the Navy present the information, the current
21 information. We had an Economic Committee meeting and
22 several people there. Mark was in attendance.

23 And Mark, would you explain what has happened.

24 MR. GELSINGER: Approximately three weeks ago
25 we started to include the public law into every

1 solicitation that goes out from the Hunters Point BRAC
2 team. We are including Public Law 2912 in all -- in all
3 of our solicitations that all of our contractors are
4 required to try to utilize small businesses in the
5 94124, 94134, and 94107 ZIP Codes as agreed by the
6 Economic Subcommittee. It has gone out, and its first
7 solicitation will go out hereafter.

8 We are also requiring our contractors to submit
9 with their proposals all of the information that they
10 have done to contact the local community so that we can
11 see that that's truly happening. We have also told them
12 to pay attention to local small businesses and local
13 hires.

14 I met with all the contractors today and
15 relayed the same information to every single one of them
16 and told them that it's -- it's going to be enforced.

17 MR. BROWN: All right.

18 MS. FRANKLIN: Address --

19 MS. PENDERGRASS: Well, actually, this is a
20 subcommittee report.

21 MR. CAMPBELL: Yeah, there's one other --

22 MS. HARRISON: Question.

23 MR. CAMPBELL: Oh, I'm sorry.

24 MS. PENDERGRASS: Mr. Campbell needs to finish
25 his report.

1 MR. CAMPBELL: Well, I saw Marie's hand go up
2 over there with a question.

3 MS. PENDERGRASS: Okay. Go ahead and finish
4 your report, then we'll take a question.

5 MR. CAMPBELL: Sure.

6 One other item is the -- the data base of local
7 business, and that still is outstanding, and it's a key
8 portion that's working on being resolved at this
9 particular point. And hopefully, it will be resolved
10 fairly shortly. Thank you.

11 MS. PENDERGRASS: All right. Now, before you
12 pass on the mike, there's a couple of questions to you,
13 I'm sure.

14 MR. CAMPBELL: Sure. Okay.

15 MS. PENDERGRASS: To you?

16 Okay. Miss Harrison? I'm sorry. Excuse me.
17 Miss Franklin first.

18 MS. FRANKLIN: Yes. I want to say to the
19 committee as a report, I -- I would like to henceforth
20 include -- when you say local businesses, could you also
21 include local nonprofits in this area also? Those are
22 the pioneers of the work that's being done.

23 MR. CAMPBELL: I don't see a problem with that.

24 Mark, what she's -- she's asking for the
25 501(c)(3)s be included.

1 As a matter of fact, the Navy is working with
2 some of the 501(c)(3)s. Mark can probably exchange
3 information with you, because some of the local 501s
4 going on -- 501(c)(3)s right now. So if you exchange
5 information with him, you can be included in the list.

6 I saw a question over there.

7 MS. PENDERGRASS: Miss Harrison?

8 MS. HARRISON: Yeah. Actually, my question
9 was -- I guess Mark gave the report. Maurice, perhaps
10 you could address this for me. He said that he had
11 talked to the contractors and got an agreement from
12 them. Do we have that in writing?

13 MR. CAMPBELL: Yeah. There -- there is a law
14 that's on the books.

15 MS. HARRISON: Well, I know about that law.

16 MR. CAMPBELL: And -- and -- and the law has
17 been challenged, and the law has been upheld. Okay.

18 Now, there's a requirement --

19 MS. HARRISON: Okay.

20 MR. CAMPBELL: -- in all RFPs that go out and
21 all contracts that are issued, and the enforcement of
22 that has just started officially. Okay?

23 MS. HARRISON: Who's monitoring that, Maurice?

24 MS. PENDERGRASS: Thank you.

25 MR. CAMPBELL: I'm -- I'm monitoring the

1 year-to-date figures, and I have some year-to-date
2 figures ready.

3 MS. HARRISON: Okay.

4 MR. CAMPBELL: And we will be continuing the
5 year-to-date figures, according to the reports, et
6 cetera, and then we'll be coming to the RAB. Thank you.

7 MS. HARRISON: Thank you.

8 MS. PENDERGRASS: Very good.

9 Yes, Mr. Brown?

10 MR. BROWN: How much money has been spent out
11 here at Bayview-Hunters Point at the Shipyard, and how
12 much has the community received?

13 MR. CAMPBELL: I think we're approaching --
14 we're approaching the -- the 400 million mark. We are
15 somewhere about 18, 19 million, et cetera. The numbers
16 year to date last year didn't look good. We had a
17 discussion with that. We have an understanding with the
18 Navy that it's going to improve immediately.

19 Thank you.

20 MS. PENDERGRASS: All right. Very good.

21 Are we finished with that community report?

22 No, I assume not. Yes.

23 MR. MANUEL: Little -- little tiny --

24 MS. PENDERGRASS: Yes, Mr. Manuel.

25 MR. MANUEL: I think the -- the RAB --

1 I don't really need that.

2 MS. J. WRIGHT: Okay.

3 MR. MANUEL: I think people should know that --
4 that there's a very good chance that there's going to be
5 a drastic cut in money that's available to this -- this
6 effort that we are all here for.

7 From what I've heard that there's going to be
8 some major cutbacks in a lot of RABs, and a lot of
9 the -- a lot of the bases that are being resituated
10 for -- for public use there's going to be some major
11 cutbacks financially out of -- out of Washington.
12 That's -- that's what -- It's just rumor, but that's
13 what I've heard.

14 I think it would behoove us to try to find out
15 if we can predict that is going to be the case and we
16 make the best use of the resources, and that may also
17 explain why there's a big rush on the part of other
18 people to kind of reach and to kind of grab whatever.
19 So, you know, to just -- So that's -- want to put out
20 there for . . .

21 MS. PENDERGRASS: All right. Very fine.

22 Does that conclude your report, Mr. Campbell?

23 MR. CAMPBELL: Yes, it does.

24 MS. PENDERGRASS: Thank you very much.

25 Radiological Issues, I guess, did not have a

1 meeting. And Mr. Brown, do you know of any issues with
2 that or anything?

3 MR. BROWN: No. The only thing that we're
4 waiting for is Laurie Lowman and Richard to come out
5 with the HRA.

6 MS. PENDERGRASS: Okay. Very fine.
7 Technical Review Committee?

8 MS. LOIZOS: Hi. We met last Wednesday and
9 there is a report. We decided to talk about the
10 upcoming -- the Navy's upcoming work plan for the next
11 six months.

12 But I think, Pat, maybe you can give us kind of
13 an overview of the whole year.

14 And there's a handout included that Pat brought
15 that just kind of shows what the major projects are that
16 they are planning for each parcel.

17 So it was an interesting discussion. I'm not
18 going to talk about everything. But I will say a few
19 things of interest.

20 The Navy is hoping to transfer Parcel A this
21 year. Of course, we all know the HRA will be coming out
22 soon, hopefully. There is a time-critical removal
23 action plan for Parcel D, which we get to hear about
24 today. And there's lots and lots of work on Parcel E to
25 remove contaminated soil in different areas.

1 So that's about it. The rest is in the report.

2 MS. MOORE: When's your next meeting?

3 MS. LOIZOS: Oh.

4 MS. MOORE: Next meeting.

5 MS. LOIZOS: I haven't thought about that.

6 How about Wednesday, February 18th?

7 MS. PENDERGRASS: And I'm sorry, Mr. Campbell,
8 I forgot to ask you when's your next meeting.

9 MR. CAMPBELL: February 10th at 2:30 at the
10 Anna Waden library.

11 MS. PENDERGRASS: February 10th at --

12 MR. CAMPBELL: -- the Anna Waden library.

13 MS. PENDERGRASS: At what time again?

14 MS. WRIGHT: 2:30.

15 MR. CAMPBELL: 2:30.

16 MS. PENDERGRASS: 2:30. All right. Very fine.
17 Next committee would be the --

18 MR. DA COSTA: Excuse me.

19 MS. PENDERGRASS: Yes.

20 MR. DA COSTA: Are you fully aware that the two
21 committees are consolidated?

22 MS. PENDERGRASS: Good point. Good point.
23 Did you tell?

24 MR. CAMPBELL: Yes.

25 MS. PENDERGRASS: Okay. Very fine.

1 Thank you, Mr. Da Costa, for keeping us on
2 track there.

3 I love that man.

4 The Risk Review. Who's Risk Review?

5 MS. LOIZOS: That was me.

6 MR. BROWN: Yeah.

7 MS. PENDERGRASS: You guys are two --

8 MR. BROWN: Yeah.

9 MS. PENDERGRASS: You guys are all combined.

10 MS. LOIZOS: I don't know what the story is
11 with that. I am Technical Risk Review, and apparently I
12 missed something; but now I'm Radiological Review?

13 MS. PENDERGRASS: Yes.

14 MS. LOIZOS: And I think there's some
15 discussion about potentially mixing in health review --
16 Health Risk, but we haven't done that officially.

17 MS. PENDERGRASS: Okay. All right. Very good.

18 MS. MOORE: So where's your meeting at?

19 MS. LOIZOS: Oh. At the Community Window on
20 the Shipyard.

21 MS. PENDERGRASS: All right. So at this point,
22 if you are a member of Radiological Issues or the Risk
23 Review or the Technical Review Committee -- did I get
24 those wrong? I got those wrong.

25 If -- if you're a member of the Radiological

1 Issues or the Technical Review, Risk Review and Health,
2 those are all being combined at this point or collapsed
3 into one meeting? So I'm -- just to make sure that
4 everybody's aware of that.

5 So if that gets to be too unwieldy, then we
6 need to talk about that, and Mr. Brown could facilitate
7 getting another chair or something if that gets to be
8 too much. All right.

9 And finally, we have Membership, Bylaws &
10 Outreach Committee.

11 MR. TISDELL: Yes. How you doing?

12 MS. PENDERGRASS: Hello.

13 MR. TISDELL: My name is Keith Tisdell. We had
14 a --

15 I talk loud enough.

16 We had a nice meeting in which Redevelopment
17 came, Mr. Don Capobres; and we want to thank him for
18 sharing information that he did, you know. And
19 there's -- The notes is over here on the table.

20 But I have announcement from coming from the
21 Membership & Bylaws: As of today I am stepping down as
22 leader of the Membership, Bylaws & Outreach because of
23 personal reasons dealing with my family. I'm not
24 stepping down from the RAB. It's just that committee
25 I'm stepping down from, and the RAB need to put someone

1 there.

2 Thank you.

3 MS. PENDERGRASS: Did you all discuss an
4 alternate?

5 MS. RINES: Obviously not.

6 MS. PENDERGRASS: I just thought I'd ask the
7 obvious question.

8 MS. RINES: Yeah.

9 MS. PENDERGRASS: All right.

10 Mr. Brown, have you . . . ? Okay. All right.
11 All right. So --

12 MS. BROWNELL: You could combine that with --

13 MR. ATTENDEE: Any volunteers?

14 MS. PENDERGRASS: Yeah.

15 MR. TISDELL: Volunteers?

16 Oh. Oh, okay.

17 MS. L. WRIGHT: I volunteer.

18 MR. TISDELL: Okay. Ask me -- You asked me a
19 question?

20 MS. L. WRIGHT: Yeah.

21 MR. TISDELL: Okay.

22 MS. L. WRIGHT: You're still technically -- I
23 mean, the -- you're still technically the chair?

24 MR. TISDELL: Yeah --

25 MS. L. WRIGHT: Okay.

1 MR. TISDELL: -- until this meeting is over at
2 8 o'clock.

3 MS. L. WRIGHT: Okay.

4 MR. MANUEL: Which just means later because
5 several . . .

6 MS. L. WRIGHT: Well, my question is regarding
7 Dr. Sumchai's request to have a leave of absence.

8 MR. TISDELL: The bylaws state --

9 MS. L. WRIGHT: Yeah, I know what the bylaws --

10 MR. TISDELL: -- four misses, regardless.

11 MS. L. WRIGHT: "Excused," there is no such
12 thing, right.

13 MR. TISDELL: Excused or unexcused. Four
14 misses.

15 MS. L. WRIGHT: Oh, and it's not dire- -- due
16 to her personally. I just wanted to know --

17 MR. TISDELL: Yeah.

18 MS. L. WRIGHT: -- if some exception was going
19 to be made --

20 MR. TISDELL: No, ma'am.

21 MS. L. WRIGHT: -- in the case --

22 MR. TISDELL: No -- There's no excuses. Four
23 misses.

24 MS. L. WRIGHT: Okay.

25 MS. PENDERGRASS: So I -- I mean, from the --

1 from the bylaws, just a clarification on the bylaws, she
2 would be off of the RAB, but she could certainly --

3 MR. TISDELL: She can reapply.

4 MS. PENDERGRASS: -- come back and reapply.

5 MR. TISDELL: Soon as she get back, she can
6 reapply.

7 MS. PENDERGRASS: Certainly. So not a problem
8 with that.

9 I would suggest, though, at this time -- I know
10 this -- we are running long, but we really need to at
11 the time make sure that we get -- appoint someone, or
12 someone is the interim for that -- for the Membership &
13 Bylaws Committee.

14 MS. LUTTON: Well, can I nominate Melita?

15 MS. RINES: Don't even.

16 MR. MANUEL: Yeah, get her. She's always doing
17 a good job.

18 MS. RINES: Okay. Basically, I was co-leader.
19 I was an interim leader for the Membership &
20 Bylaws/Community Outreach. Since I found out about this
21 just when you guys did, obviously --

22 MR. MANUEL: Well, George Bush --

23 MS. RINES: -- there was --

24 MR. MANUEL: George Bush used to be the vice
25 president. So what has that got to do with it?

1 MS. RINES: Obviously, I will step in, unless
2 there is anyone else would be willing to do it
3 full-time, being that I am rather stressed with
4 different committees. And I will definitely be, you
5 know, co-leader or help somebody; but obviously, for the
6 time being, Mr. Tisdell has made it possible that I will
7 have to be there.

8 MR. MANUEL: I make a motion that we vote on
9 her being the new leader --

10 MR. BROWN: I second.

11 MR. MANUEL: -- being that Mr. Tisdell, as
12 she's referred earlier, 8 o'clock, thereabouts, he's
13 over; he's toast. So I suggest we go ahead and vote
14 her -- her in.

15 MS. PENDERGRASS: Well, Mr. Manuel, you've been
16 so vocal; would you mind being co-chair with Miss --
17 Miss Rines?

18 MS. RINES: There you go.

19 MR. MANUEL: But [inaudible] got snowed in in
20 the northwest. I could have been snowed in too, so I
21 think somebody who would be more available should be --

22 MS. PENDERGRASS: I see.

23 Well, Ms. Rines, Mr. Brown has committed to
24 helping you work on finding you --

25 MS. RINES: Okay.

1 MS. PENDERGRASS: -- someone to help you with
2 that. Thank you for stepping up to the plate on that.
3 Thank you, Melita.

4 MR. MANUEL: Thank you, Melita.

5 MS. ASHER: I -- I'll volunteer to help Melita.

6 MS. PENDERGRASS: Thank you.

7 MS. RINES: All right.

8 MS. ASHER: I'll work -- I mean, I'll work with
9 you.

10 MS. RINES: Okay.

11 All right. Just to finish that subcommittee
12 report --

13 MS. PENDERGRASS: Yes, ma'am.

14 MS. RINES: -- there were three things that
15 were done, which is basically still following up on the
16 SFPD lease negotiations and that we are following --
17 finding a community relations representative out of SFPD
18 because this Victor Tsang is not the person that we
19 found out. He's in procurement. So that's not the
20 person we need to deal with.

21 And that we're also working on come -- some of
22 the issues directly outside of the Shipyard but along
23 Innes with the buses and abandoned vehicles as to who
24 has jurisdiction.

25 Our next meeting is February 10th at 6 p.m.,

1 Anna Waden library. Actually, I'm going to make that
2 meeting 6:15, because I might not be there on time since
3 now I'm the committee leader. At Anna Waden, February
4 10th, Tuesday.

5 MS. PENDERGRASS: Okay.

6 MR. MANUEL: I -- I have a question. Didn't we
7 need to vote her in, or did you just appoint her?

8 MR. BROWN: Yeah.

9 MR. MANUEL: I mean, did you appoint her, or --

10 MS. ATTENDEE: Actually --

11 MR. MANUEL: -- does someone appoint her, or --

12 MS. ATTENDEE: Actu- --

13 MR. MANUEL: -- do we need a vote?

14 MS. ATTENDEE: Actually, excuse me just one
15 second.

16 MS. PENDERGRASS: All right. Why don't we --
17 why don't we --? Just to keep it formal, why don't
18 we --? We need a motion.

19 And Mr. Tisdell, would you --

20 MR. TISDELL: I like to make a motion to --

21 MR. MANUEL: I already made the motion.

22 MS. PENDERGRASS: I just asked if we needed a
23 motion.

24 MS. RAB MEMBER: We need to --

25 MR. MANUEL: Well, I made the motion to -- to

1 elect her.

2 MS. PENDERGRASS: Okay.

3 MS. RINES: I need to --

4 MR. MANUEL: I need a second.

5 MS. RINES: -- need to qualify that. The
6 subcommittee leaders were voted on in the subcommittees.

7 MR. RAB MEMBER: Yeah.

8 MR. MANUEL: Oh.

9 MS. RINES: They are not voted at full RAB.

10 MR. MANUEL: Oh.

11 MS. RAB MEMBER: That is true.

12 MS. PENDERGRASS: Thank you. Thank you for
13 that clarification.

14 So we don't have a motion on that, but we -- we
15 do have a motion to accept Mr. Tisdell's resignation, I
16 guess, or step-down?

17 MS. RINES: Yes.

18 MS. PENDERGRASS: And again, that's in --
19 within the committee. So we don't have to make that a
20 full board motion.

21 All right. That business taken care of, any
22 other subcommittee reports or anything before we take a
23 break? Okay.

24 MS. LOIZOS: Well --

25 MS. PENDERGRASS: Agenda for next meeting?

1 MR. BROWN: February 10.

2 MS. PENDERGRASS: She gave February the 10th.

3 Okay. I'm sorry.

4 Let's see. Any other business for the
5 subcommittee?

6 MS. LOIZOS: Well, I was -- I was just going to
7 say that maybe it is possible we will have to have two
8 meetings, I mean, now that the HRA is passed and coming
9 out. So I'll keep people up to date if I'm having --
10 I'm -- if we are having another meeting to address all
11 of the issues, since there are many.

12 MS. PENDERGRASS: Thank you.

13 MS. LOIZOS: I'm sure.

14 MS. PENDERGRASS: All right. Let's take a
15 ten-minute break and come back at 7 o'clock. Thank you.

16 (Recess 6:46 p.m. to 7 p.m.)

17 MS. PENDERGRASS: We'd like to call the meeting
18 back to order, please, and to start this part of the
19 meeting.

20 We have just a couple more housekeeping things
21 that we need to do, just a couple of housekeeping
22 things: Mr. Kao has an announcement, and then we have a
23 couple of people that are acting as alternates today and
24 that will be permanent alternates? I think somebody
25 said, "permanent alternates." So we just need to make

1 sure that goes on record.

2 Mr. Kao?

3 MR. KAO: Thank you. I just want to -- I was
4 a little bit late at the beginning, so I didn't get a
5 chance to introduce our new project manager, Tom
6 Lamphar; and he is going to replace me as the project
7 manager for DTSC.

8 Before I leave, I just want to say, it was a
9 privilege and honor to work with you. And each one of
10 you are the heroes of the community. And, you know, I
11 take my hats off to you, all -- all of you.

12 And it -- I always said, you know, we, the
13 regulators, the Navy and the contractors, we get paid to
14 do this. But you devote your time, your energy, for the
15 good of the community; and, you know, we -- we can't say
16 enough. We can't have enough respect for all of your --
17 your devotion and your dedication.

18 So give a good round of applause to yourselves.

19 (Applause.)

20 MR. KAO: It was a pleasure to work with you.
21 And, you know, my -- my e-mail address stays the same.
22 If you -- Any time you have any question you want to
23 ask me, I'd be glad to talk to you. And best of luck to
24 all of you. Thank you.

25 (Applause.)

1 MS. PENDERGRASS: We should say, Mr. Kao, even
2 though you're paid to be here, you -- you brought such a
3 great attitude, so we appreciate that as well. And did
4 you --?

5 MS. LUTTON: I just want to second that and --
6 and say that Chein has been a real gift to this
7 community, and he's going to be really missed because of
8 his dedication and his warrior attitude on our behalf.

9 MS. HARRISON: Here, here.

10 (Applause.)

11 MS. PENDERGRASS: Thank you. All right. Very
12 good.

13 Now, we have a couple of substitutions and
14 alternates. So where should we start? Here? As a
15 substitution? Yes, sir.

16 MR. NAUER: John Nauer. I'm an alternate for
17 Sam Ripley.

18 MS. PENDERGRASS: Okay. Very good.

19 And --

20 MR. DA COSTA: And Francisco for Georgia.

21 MS. PENDERGRASS: Now, Mr. Da Costa, are you --
22 is this going to be a permanent alternate --

23 MR. DA COSTA: No, not at all.

24 MS. PENDERGRASS: -- or just for today?

25 MR. DA COSTA: Just for today.

1 MS. PENDERGRASS: I just want to see how it's
2 going.

3 MR. DA COSTA: Just for today.

4 MS. PENDERGRASS: We'd love to have you, you
5 know?

6 MR. DA COSTA: I know.

7 MS. PENDERGRASS: Somebody pass that man an
8 application. No.

9 All right, then. Let's move on.

10 A lot of work done so far today, and now we
11 have a presentation by Mr. Walden.

12 MR. BROOKS: Actually, it's going to be by both
13 Mark Walden and myself.

14 MS. PENDERGRASS: That's not on the agenda. We
15 can't have that.

16 (Laughter.)

17 MS. PENDERGRASS: Just a tease.

18 MR. BROOKS: Bend the rules this once.

19 (Pause.)

20 MR. BROOKS: Okay. Mark Walden and I are going
21 to tag-team this presentation on Parcel D time-critical
22 removal action. You'll see the acronym there, T.C.R.A.
23 We sometimes just shorten it up and say, "TCRA." And
24 that's first on soil in Parcel D that will actually be
25 dug out by excavation and then a number of miscellaneous

1 stockpiles that we have out on the Shipyard from
2 previous activities.

3 So we have -- this soil, it's all soil removal;
4 and there's 21 excavation areas that we have identified.

5 Should back up a little bit and just say that
6 this is a -- this is a proposed action, and we're still
7 preparing the action memo and the work plan; and both of
8 those draft documents, the community and the regulatory
9 agencies will have an opportunity to comment on those.
10 We can incorporate those comments and put the final
11 document together, you know, as a team and get some
12 contamination removed from the Shipyard.

13 We've identified 13 stockpiles that are on
14 Parcels D and E. And this action removes a total of
15 about 6,500 cubic yards of soil, and that's a volume
16 that's equivalent of filling about 325 of the big dump
17 trucks, the 20-yard dump trucks.

18 I.T.S.I. will be the prime contractor on this;
19 and there will be obviously a opportunity for local
20 business, local truckers, to be involved in this
21 project.

22 So, as I said, the Navy's preparing this action
23 memo and the work plan for review by both the community
24 and the regulatory agencies. We'll get your comments,
25 blend them in, and come out with a final document and go

1 ahead and get some contamination removed from the
2 Shipyard.

3 Next slide.

4 All right. Why do we do this removal action?

5 Well, the first reason is: The soil exceeds the cleanup
6 goals. We have contamination out there. It's above our
7 cleanup goals. And some of it is a potential source of
8 groundwater contamination.

9 That's some -- an old pickling and plating yard
10 where some chromium 6 was released to the soil, and then
11 we also have chromium 6 in the groundwater.

12 What was that movie, the -- Erin Brockovich or
13 something like that? That was all about chromium 6 as
14 well.

15 So what that does is: It reduces the actual or
16 potential exposure -- and this is right out of the law,
17 so I'm just going to read it -- "actual or potential
18 exposure to hazardous substances, pollutants, or
19 contaminants of nearby populations, animals and food
20 chains."

21 And it also -- it reduces "actual or potential
22 contamination of drinking water supplies or sensitive
23 ecosystems." And this is where -- this is mostly the
24 soil contamination here that's above our cleanup goals,
25 and this one more has to do with the chromium 6 where

1 the chromium 6 in the soil is contaminating groundwater.
2 And all groundwater at the Shipyard flows to San
3 Francisco Bay.

4 So we have had some previous Parcel D removal
5 actions. Back in 2001, we addressed some fuel lines
6 that ran through Parcel D, one section about 150 feet
7 long removed and contaminated soil removed around the
8 fuel line as necessary.

9 Steam lines as well. Some of the steam lines
10 had been used to remove waste oil from, I believe, the
11 dry dock areas. And so we removed some of those
12 contaminated steam lines.

13 We have done some underground storage tank
14 removals. This is just another acronym for an
15 underground storage tank, "UST."

16 We have done some exploratory excavations way
17 back in the mid and late '90s, and some of those removed
18 some contaminated soils in Parcel D.

19 Cleaned up some of the equipment at this Site 9
20 pickling and plating yard where they used to --
21 Pickling means the cleaning of the metal and then
22 plating. Mostly -- mostly the work out there was done,
23 I believe, with zinc chromate paint, which is standard
24 Navy primer for metal surfaces.

25 With that, I will turn it over to Mark with a

1 pointer, if you like. Mark's the project manager on
2 this.

3 MR. WALDEN: Okay. This is the area of
4 Parcel D. All these areas are the actual areas of the
5 excavation. These are the areas for the excavations.

6 The stockpiles actually are located along this
7 area here on the shoreline [indicating] and along
8 Parcel E shoreline.

9 To orient yourself with this, this section here
10 is right through in here [indicating], in this area.

11 Okay. We are proposing to remove, as Pat said,
12 13 stockpiles, and these stockpiles consist of debris
13 from previous actions, oils, asphalts, bits of wood,
14 just whatever is in there.

15 And these -- as I said earlier, the stockpiles
16 are located in this area through here. Some of the
17 larger ones are through here, and some fairly smaller
18 ones are through here.

19 Before the stockpiles can be removed from the
20 site and disposed, they will be characterized.
21 Characterization will consist of collecting samples from
22 each individual stockpile and chemically analyzing them
23 before they can be removed and disposed.

24 This is a listing of the 13 stockpiles that we
25 have proposed for removal. You see the approximate

1 volume ranges from about 1500 cubic yards all the way
2 down to 1 cubic yard. And the largest stockpile here
3 consists of basically soils, gravel, asphalt, and just
4 some other miscellaneous debris in there.

5 And this is a picture of one of the larger
6 stockpiles. This is approximately 1500 cubic yards.
7 And this is mostly soils and gravel and there's some
8 asphalt chunks in there and some smaller pieces of
9 asphalt. You can see some of it in here [indicating].
10 And this one is located right around this area
11 [indicating].

12 MR. BROOKS: This one's actually cemented
13 together with asphalt. It's kind of unusual. You can
14 walk up the top of it and not really sink in.

15 MS. LUTTON: Is it dusty?

16 MR. WALDEN: And you --

17 MS. LUTTON: Is it dusty? Is it . . . ?

18 MR. WALDEN: Actually, no, it's not, because of
19 the cementation on it. If you notice, there's very few
20 bushes or shrubs growing on here.

21 As compared to the next slide, which is another
22 stockpile about the same size. It consists mostly of --
23 of soil without the asphalt. It's hidden behind the
24 trees here. This one is located fairly close to the
25 other one, right around in here [indicating].

1 Now, the field procedures for the excavations
2 are: We will -- We are proposing to excavate the areas
3 to a required depth. And the required depth is based
4 upon some sampling that was done earlier.

5 If the sample shows a chemical beyond that's a
6 concentration above goals, then it will be excavated to
7 a predetermined depth. And that depth will be -- if the
8 sample was collected from surface to about half a foot,
9 we will excavate to 3 feet. If the sample was collected
10 from half a foot to 4 feet, we will excavate to 6 feet.
11 And anything beyond 4 feet we'll excavate to 10 feet.

12 The soil will be stockpiled close to the
13 excavation and covered with a plastic sheeting to
14 prevent any off-gassing or any erosion into the --
15 possibly into the bay.

16 When the excavation is completed, we will
17 co- -- we will take samples from the bottom of the
18 excavation to confirm that we have dug deep enough to
19 remove the contamination.

20 We will also take discrete samples from each
21 side wall of the excavation to make sure that we have
22 gone far enough laterally.

23 If any of these samples come up and they show
24 that through anal- -- through the analysis that it's --
25 we have not met the goals, we will continue another

1 2 feet deeper. If the bottom samples come up beyond
2 goals and if the side walls come up to -- to above
3 goals, we will go another 5 feet; and we will repeat the
4 process until we hit a maximum depth of 10 feet or until
5 that goal's reached.

6 Once we have -- The sites will be backfilled
7 with clean soil and restored to their original
8 conditions. And as I said earlier, each -- each new
9 stockpile that we generate and the existing stockpiles
10 will be sampled and characterized before disposal.

11 This is a -- an example of -- of a typical
12 excavation site. You see, this area here [indicating],
13 the square with a circle in it, that's the location of
14 the sample that contained the chemical above goals. And
15 this square around here is a proposed initial footprint.

16 We were -- We are proposing to go -- From
17 this sample, we'll be digging out 8 feet in either
18 direction and testing these side walls. And if they do
19 not meet the goals, we will just continue some more.

20 This particular one, sample was collected at --
21 is that 2 1/2? -- two and a quarter feet. So we will
22 dig down here 6 feet, take our confirmation samples.
23 And if they come back clean, we'll stop there and
24 backfill it. If they -- If it does not come back
25 clean, we'll go another 2 feet until we reach our goal.

1 Now, this -- this is a photo showing a previous
2 excavation. It's right through here. This was done, I
3 believe, in 2001. And this is just an example of how
4 we're going to put fencing around this excavation for
5 safety reasons.

6 The soil will be transported in the trucks. It
7 will be loaded -- The trucks will be loaded from each
8 stockpile area. And if -- if any dust -- If it seems
9 to be dusty, it will be controlled with water to keep
10 the dust down.

11 And prior to leaving the stockpile in any
12 transport on site and off site, all the trucks will be
13 covered -- properly covered. The soil in the back of
14 the trucks will be properly covered with a tarp or
15 another means before leaving the stockpiled area. At
16 that time also, any loose -- any dirt on the truck will
17 be knocked off and swept up and disposed of also.

18 And as the -- as the trucks leave the site,
19 they will be inspected at the gate to make sure that
20 there is no soil on the trucks. And if any does get
21 off -- get off onto the road, we will clean it up. It
22 will be swept up.

23 As Pat said earlier, the total volume is about
24 6500 cubic yards, or 325 trucks; and they will be
25 running over a course of about two or three months.

1 This transportation will occur at daylight hours only,
2 which typically are between 9:00 and 5:00, which also
3 depending on summertime, it may run a little bit later,
4 but they won't run after dark.

5 Here's an example of -- this was done, I
6 believe, in 2001 also. This is just an example of them
7 covering the soil at the back of the truck. And it's
8 another picture of -- not sure what he's doing, but I
9 think he's trying to secure it down or -- to secure the
10 tarp.

11 MR. BROOKS: Can we go back to the picture?

12 You notice that the pavement there is damp
13 there around the truck? So same kind of thing with dust
14 control being provided by moistening the soil and the
15 area around the work there.

16 MR. WALDEN: The Action Memorandum is scheduled
17 to go to the BRAC closure team and to the RAB on
18 February 9th of this year. The -- the removal action
19 memo and the work plan will also be reviewed by the RAB
20 and the BCT. We are -- We have a tentative date for a
21 public meeting to discuss this activity on February 24th
22 of this year.

23 Our next steps are to submit the action memo
24 and the work plan to both the BCT and the RAB on
25 February 9th, and the review period for the action memo

1 is to last 30 days, the work plan to last 45 days; and
2 that should be completed around March 11th. During this
3 time, the community provides feedback in the public
4 meeting that we have tentatively scheduled for
5 February 24th.

6 The actual fieldwork is planned to begin the
7 spring of this year and should run through the summer.

8 Thank you. Any questions?

9 MS. HARRISON: Yes.

10 MS. PENDERGRASS: All right. Let's start
11 with -- Mr. Campbell had his hand up first --

12 MS. HARRISON: Excuse me.

13 MS. PENDERGRASS: -- and second, third.

14 MS. HARRISON: Actually, I think I beat
15 everybody.

16 MS. PENDERGRASS: Well, you know what? Just --
17 So that we -- I don't -- I'm not accused of playing
18 favorites, let's start on the left-hand side of the
19 table and go around.

20 So anyone over here have a comment?

21 MS. HARRISON: Then that's playing favorites.

22 MR. CAMPBELL: I'll just ask a fast question.

23 You had some time-critical removal actions in
24 2000; and each of those time-critical removal actions,
25 if you go back to -- I believe the second page of your

1 presentation out -- outlined 13 areas. Were any of
2 those areas in your time-critical removal action? On --
3 I'm looking at this page here. I guess this is the one,
4 your map.

5 MS. HUNTER: Of the map?

6 MR. BROOKS: No. They weren't part of the
7 Phase I of the removal action in 2001.

8 MR. CAMPBELL: Oh, okay, because for some
9 reason, we thought DM 11 2 60 was.

10 MR. BROOKS: I don't --

11 MR. CAMPBELL: Well, well, you don't have --

12 MR. BROOKS: We -- we could double-check.

13 MR. CAMPBELL: Would you? Because if -- if
14 that is so, then why wasn't it resolved then by that
15 time-critical removal action instead of having another
16 time-critical removal action on it? That's the
17 question.

18 And then the other part of the question is: On
19 the time-critical removal actions, after it's done and
20 the standard changes, what happens?

21 MR. BROOKS: If the standard changes and we're
22 not to a final remedy, then we're held to the final
23 standard --

24 MR. CAMPBELL: Okay.

25 MR. BROOKS: -- the new standard.

1 MR. CAMPBELL: All right. Thank you.

2 MS. PENDERGRASS: Miss Asher?

3 MS. LOIZOS: Are we going around?

4 MS. PENDERGRASS: Yeah.

5 MS. ASHER: I have a question about the term
6 "time-critical removal action." Normally there isn't a
7 public process about this, but now there is. Is that
8 because we requested it?

9 MR. CAMPBELL: No. It's usually a emergency
10 removal action.

11 MS. ASHER: Emergency. Oh. So this is time
12 critical. I'm concerned about that.

13 MR. BROOKS: Yeah. I mean, the RAB has
14 requested more participation when we do removal actions.
15 And so this is one way that we're trying to be proactive
16 with the RAB.

17 MS. ASHER: Okay. Okay.

18 And how does this -- the timing on this relate
19 to the HRA?

20 MR. BROOKS: Well, the HRA is released -- they
21 really are not related. But the HRA will be released
22 27 February.

23 MS. ASHER: They are not related?

24 MR. BROOKS: No. These -- None of these are
25 radiological removal actions. These are all leads,

1 benzo-a-pyrene, PCBs, stuff like that, chromium 6.

2 MS. ASHER: And -- and just in the past -- and
3 then the oversight of the -- the trucks going back and
4 forth, who -- who did you say was in charge of that?

5 MR. BROOKS: Prime contractor will be I.T.S.I.

6 MS. ASHER: Because, you know, I've complained
7 a lot that it was so poorly done in the past that it put
8 people in the community and people on the Shipyard at
9 risk by a great deal of dust blowing around. And, you
10 know, I -- I have never seen it done properly.

11 And so I'm very concerned about this because --
12 I missed part of your presentation, but just the amount
13 of traffic that's going to be generated. And if it --
14 if there is not pro -- proper oversight, we are going to
15 have the same problem again.

16 MR. BROOKS: Well --

17 MS. ASHER: And so, like, if we see something
18 that isn't -- so we -- we have to deal with I.T.S.I.,
19 and who -- who's the person from I.T.S.I.?

20 MR. BROWN: The guy right here.

21 MR. ACHARYA: Right here.

22 MS. ASHER: Okay.

23 MR. BROOKS: Once -- once this starts up --
24 because a lot of people are concerned about dust, the
25 Navy probably at the top of that list, we -- during the

1 public meeting, perhaps, we can have telephone numbers
2 where people could be contacted if there's some
3 irregularity with the trucking or dust being created.

4 But it's our goal to send out clean trucks,
5 tarp trucks, and to maintain the excavation in the
6 stockpile area is dust free.

7 MS. ASHER: Okay. Well, I'm glad to hear
8 that's your goal, because it hasn't been true in the
9 past. Thank you.

10 MS. PENDERGRASS: Okay. We are going to go to
11 Miss Harrison, and we're going to go Lea and then back
12 and over here like that. I'm sorry.

13 MS. HARRISON: Thank you.

14 Two questions. First of all, I'm a little
15 confused. These time-critical things are happening and
16 removals in Parcel D, and you've already done
17 time-critical removals in Parcel D in 2001. Why didn't
18 you catch that in 2001 when you were sampling the soil?
19 How did you miss all those other spots?

20 MR. BROWN: Read your mind.

21 MS. PENDERGRASS: Stop.

22 MR. BROOKS: Well, we had to set priorities,
23 and so not everything could happen at once. There will
24 still be some areas to address at Parcel D probably when
25 we're finished with this removal action.

1 MS. HARRISON: What makes them time critical if
2 in 2001 --? I mean, was the --? I mean, this is 2004.

3 So if it was time critical in 2001 and so if
4 you did a removal in 2001 and here we are at 2004 and
5 now it's time critical again, I'm a little confused on
6 what makes one so time critical, but you can wait four
7 years, three years and do another time critical? I
8 mean, what changed? What happened? Explain that to me.

9 MR. BROOKS: Yeah, that is a little bit
10 confusing between -- there's several types of removal
11 actions.

12 For example, a non-time-critical removal action
13 is that it doesn't have to do with the level of
14 contamination or the criticality of the contamination,
15 but it has to do with the planning period and of the
16 type of removal you're going to do.

17 So if there's going to be a kind of a more
18 complicated removal action and one where there's maybe
19 different alternatives that really need to -- you need
20 to take time to evaluate -- okay, should we do fixation,
21 excavation and disposal? Is there some kind of
22 biological means that can take care of this
23 contamination? -- where you want to evaluate a number of
24 different options.

25 And then the non-time-critical you have a

1 longer planning period. That law allows you for a
2 longer planning period.

3 And the non -- or in the time-critical removal
4 action when things are -- you have a shorter planning
5 period. So things have to be a little more
6 straightforward and so -- with excavation and disposal
7 on some of these, like the stockpiles, for example, and
8 some of these excavations. Excavation and disposal, we
9 have a short planning period time, and so it's
10 classified as time critical.

11 MS. HARRISON: Okay. That actually doesn't get
12 me to where I need to be, but I'll let that go for right
13 now, because I really want to understand; when you
14 selected these sites -- and one particular site you
15 showed a little dot in the middle of this pile, and so
16 that meant that you were going to go -- it was, like,
17 2 feet down, so now you are going to go -- excavate down
18 6. Why not just go all the way down and take it all
19 out?

20 MR. BROOKS: It's a management of funding. We
21 try -- we try to get the biggest bang for our buck. So
22 if we can avoid the transport and disposal of
23 noncontaminated soil, then we do.

24 MS. HARRISON: Wouldn't it all be contaminated,
25 being that it -- it's a danger to the groundwater? I

1 mean, anything that's sitting in the middle of that and
2 rains and it soaks down and gets contaminated whatever
3 the devil it is that goes down into the groundwater, it
4 stands reason to me that whatever is soaking through the
5 soil is contaminating all of the soil as it goes down to
6 the water as well.

7 So are we going to next month or three months
8 from now or three years from now find that now you got
9 to go in and remove the groundwater because it's
10 contaminated from these sites because of the
11 time-critical removal?

12 Do you follow where I'm getting at? Because, I
13 mean, you're spending more money by not just going and
14 taking care of all of it right now.

15 MR. BROOKS: Yeah. All of the excavations
16 aren't the same. The -- the one where you're mentioning
17 with the groundwater contamination, you're right. That
18 contamination obviously goes down to the groundwater,
19 because we've got groundwater contamination. So the
20 soil contamination would be removed down to the maximum
21 depth.

22 In others where --

23 MS. HARRISON: This was one of the dangers of
24 contaminating the groundwater, or has it already
25 contaminated the groundwater?

1 MS. ATTENDEE: Yeah.

2 MR. BROOKS: At the -- at the site I'm thinking
3 of, Site 9, the pickling and plating yard, former
4 pickling and plating yard where chromium 6, that
5 chromium 6 has gone all the way from the surface of the
6 soil down to the groundwater.

7 So we know when we're planning, we are not
8 going to say, "Okay, we're going to dig down 2 feet and
9 sample; and then if our samples come back bad, we are
10 going to go down 2 more feet." We're not going to do
11 that because we know it already goes down to
12 groundwater.

13 But on some of them, some of them they -- it
14 doesn't appear that they go down that far. So we don't
15 want to dig all the way down to 10 feet because it's a
16 waste of money.

17 MS. HARRISON: I guess you're not -- you're
18 not -- somewhere along the line, we are not meeting each
19 other here in the middle, because I think it's more time
20 critical if it's time critical meaning that it must be
21 taken care of and it must be taken care of right now.
22 And the way you guys are going about it is like you're
23 making a arbitrary decision, "Oh, well, now we got
24 enough funds to go do -- we can do half of it."

25 Do it all and get it out of the way.

1 If something has already hit the groundwater
2 already in one area, I would bet you nickels to dimes
3 it's not going to be but another couple of years or
4 months before the rest of it gets down there. Maybe
5 it's not because of the cement on some of that. But
6 then take all of that crap out of there so you don't
7 have to worry about that --

8 Don't go 6 feet and then stop because of
9 nothing there. It has to. If it's contaminated in the
10 center, common sense and logic tells me that whatever
11 soaks down to the mill is going to bring it down to the
12 end anyway. Remove it.

13 MR. BROOKS: Each chemical behaves differently.
14 So without getting into a real scientific discussion on
15 how some stuff is more soluble than others and some
16 things are more mobile, I don't think I can really do
17 much to answer your question.

18 MS. PENDERGRASS: Okay. Lea is next and then
19 Ms. Lutton.

20 MS. LOIZOS: Oh. I actually forgot what my
21 question was. Oh, I know.

22 MR. BROWN: Senior moment.

23 MS. LOIZOS: I wrote it down.

24 When -- when did you take the sampling? You --
25 you obviously have results about -- you know, for these

1 sites. And when was that sampling done?

2 MR. BROOKS: I couldn't tell you when each of
3 those samples was collected. Something that, you know,
4 we could provide to you if you're interested.

5 MS. LOIZOS: I -- I'm assuming that will be in
6 the work plan.

7 MR. BROOKS: Do we have sample collection dates
8 in there? I don't recall. We could put it in there.

9 MS. LOIZOS: All right. Thanks.

10 MS. PENDERGRASS: Miss Lutton?

11 MS. LUTTON: On page 6, what I see here what
12 you describe was: You took a sample, and then you said
13 you were going out 8 feet? But you have a square around
14 there. Like, 8 feet is a -- is a radius around your
15 sample, or what's the story with the squares? Are you
16 really going to do a square?

17 MR. BROOKS: It's not going to be a perfect
18 square. Normally it will be a perfect circle, but we're
19 working with excavating equipment. We are working with
20 people who do this for a living.

21 And so we'll mark out to 8 feet around the
22 different sampling points, and it's going to be an
23 approximation because it's -- you know, the -- the
24 bucket might be 2 feet wide. And you've seen those
25 things work. They don't create cookie-cutter

1 excavations.

2 MS. LUTTON: Okay.

3 MS. PENDERGRASS: Mr. Campbell? And then I'm
4 sorry.

5 MR. CAMPBELL: Back -- back in 2- -- 2000, it
6 says none of the soil sam- -- samples contain
7 concentrations --

8 MS. ATTENDEE: (Interrupting.)

9 MR. CAMPBELL: -- chromium that exceeded
10 applicable cleanup goals. No excavations were completed
11 at the time-critical removal action site in IR-09, and
12 no further action is needed.

13 Would you tell us what site you're talking
14 about. IR what?

15 MR. BROOKS: Are we talking about IR-09?

16 MR. CAMPBELL: Yeah.

17 MR. BROOKS: That's the -- that's the site
18 where we had chromium.

19 MR. CAMPBELL: Okay. I need to make sure that
20 you have a copy of this [indicating], because in 2000 it
21 said no further action is needed.

22 MR. BROOKS: I believe -- I believe that the
23 stuff that you're reading there, that the chromium 6
24 levels in the soil were not -- were not below the
25 cleanup levels for human health in the industrial area.

1 However, this particular site has contaminated
2 groundwater; and it's our intention, unless we hear
3 vociferous opposition to such, to remove that
4 contamination that's a source of groundwater
5 contamination.

6 Now, everybody has a chance to comment on this
7 work plan on this action memo. And I know there's some
8 opposition to some of these sites, and I expect some of
9 these sites will drop off of the work plan and the
10 action memo.

11 So your comments are appreciated and they will
12 be incorporated.

13 MR. CAMPBELL: Well, I don't think we are
14 asking for it to be dropped off. I'm saying that we
15 have a document that says no further cleanup was
16 basically necessary on that location, and here we are.
17 And that's a concern I hear Marie Harrison raising, and
18 that's what we are trying to get clarification on.

19 So that's -- I'd like to -- you know, we
20 mentioned some site before, and we wanted an answer. So
21 I'd like to leave that as an action item.

22 MR. BROOKS: I believe I answered that, because
23 I think the -- the cleanup goals are referred to human
24 health cleanup goals given in the industrial reuse
25 scenario, which is where Site 9 is. It's in an

1 industrial reuse scenario.

2 And it doesn't really address the fact that the
3 soil has contaminated groundwater; and there may yet be
4 a potential source of chromium that continues to
5 contaminate groundwater, and the groundwater moves to
6 the base.

7 MR. CAMPBELL: So you're saying that there's a
8 very strong possibility that you'll find more locations
9 because of the groundwater in IR-09?

10 MR. BROOKS: What you just heard me say was
11 that there is a likely source or a potential source of
12 chromium 6 contamination in the soil that is causing
13 groundwater contamination.

14 MS. PENDERGRASS: Miss Laulu?

15 MS. LAULU: I just wanted to find out --

16 MS. PENDERGRASS: Go ahead.

17 MS. LAULU: -- where the dumping -- of where
18 the dumping is going to, you know --

19 MR. BROOKS: Where the soil --?

20 MS. LAULU: -- the chromium -- yeah, and
21 other -- and even the radiology type of stuff. Where
22 are they being transported to? Because I really feel
23 bad if it's going in from one contaminated place into
24 another contaminated environment and it causing a
25 problem with them.

1 Also, with this time critical, maybe the labor
2 of I.T.S.I., how many trucks do they have up there right
3 now and that that's working, because you said
4 325 truckloads through 2001 to right now.

5 You know, I guess I'm looking at labor issues
6 too. If it's time critical, how many trucks do they
7 have out there in transporting these things now? Is it
8 the same as 2001? Because then it would still be, you
9 know, that same -- within that same -- but if they
10 increased their labor, then there's going to be a
11 difference in transporting these chemicals.

12 But that's my main question is: Where are
13 these things being dumped?

14 MR. BROOKS: Okay. First of all, as Mark was
15 saying earlier, all of the soil gets characterized
16 chemically.

17 And then there's a number of different
18 landfills around the state and sometimes even out of
19 state where they have different requirements, you know.
20 They can accept contaminated soil up to this level
21 because that's how they are designed. Or if they are
22 designed more soundly or they have a stronger design,
23 then they can accept material that is even more
24 contaminated yet and still remain safe.

25 But it goes to a landfill. First it's

1 characterized according to the requirement for each
2 landfill. And then, let's say it's mostly just asphalt
3 or something and that would go to one kind of landfill;
4 or if it's lead of higher concentrations, and then they
5 go to another landfill.

6 And we are not -- This is not a removal to
7 address any kind of radiological contaminants. So --
8 There's -- That's not part of this removal action.

9 And then as far as I.T.S.I. and their trucks,
10 I.T.S.I. is the prime contractor. They will subcontract
11 out the trucking as needed, and that's kind of where the
12 possibility for business opportunities in the community
13 comes in, 'cause I know we have a number of trucking
14 firms around the community.

15 And over a span of two to three months, so 90
16 days, 325 trucks, that's more or less than three or four
17 trucks a day. Now, that's not weekends. So it's maybe
18 going to be five trucks a day, something like that. I
19 can't do the math in my head, but right around there.

20 MS. LAULU: So do you have that contact for
21 I.T.S.I. for --?

22 MR. BROOKS: Yeah. That would be Arvind
23 Acharya here.

24 MS. LAULU: Okay.

25 MR. BROOKS: And when we have a public meeting,

1 we could make sure everyone has everyone's contact
2 numbers. But, you know, maybe you'd like to get
3 Arvind's card before the meeting breaks up.

4 Or if anyone is interested, grab Arvind's card,
5 because he will be the project manager there.

6 MS. LAULU: So the Navy --? I mean, will the
7 Na- -- does the Navy have that access to give us that
8 information as to where these particular landfills are?

9 MR. BROOKS: Yeah, we do. And what we usually
10 do is: We don't usually do it up front; but what we
11 usually do in our close-out report, all the waste
12 manifests, that the truck leaves with 20 yards of soil
13 and goes to Kettleman Hills landfill.

14 Then there's -- there's required paper work by
15 law that needs to be filled out, and that's usually
16 included as an appendix in that report. So you can
17 pretty much see where every ounce of soil goes by
18 looking through the close-out report.

19 MS. PENDERGRASS: Miss Laulu, you have a
20 subcommittee chair with the Economic Committee that can
21 kind of give you some insight as to some of those
22 questions as well in terms of how to access that. Okay?
23 Those questions have been asked.

24 Yes, sir. We have two questions here. Miss
25 Franklin first and then you.

1 MS. FRANKLIN: I would like to say one thing.

2 I want to make -- oh. Excuse me.

3 As far as the excavation of trucks is
4 concerned, I just want to make sure that we have
5 reinforced the routes that the trucks take, because once
6 the drivers become pretty familiar with the areas, they
7 find that Ingalls Street will take them to the Shipyard
8 quicker, and people live. We have had that problem.

9 So we want to make sure that those are mandated
10 to not cut through our communities early in the morning
11 because some of us still see, and the dust flies. Okay.

12 MR. BROOKS: That's an excellent comment.

13 MS. FRANKLIN: Thank you.

14 MR. BROOKS:: Excellent comment. I will make
15 sure that happens and we have a route made out for the
16 trucks.

17 MS. FRANKLIN: Thank you very much.

18 MS. PENDERGRASS: All right. Mr. Brown?

19 MR. BROWN: And Building 606 -- I don't see it
20 there -- they have a PCB plume that's under there. And
21 you guys going to get it or let the police still stay on
22 top of it?

23 MR. BROOKS: No, you don't see 606. And that
24 really wasn't addressed as part of this removal action.
25 I mean, we could -- we could talk about 606 at another

1 time if you like.

2 MR. BROWN: But it -- but it -- So how do we
3 know that you guys going to have another time-critical
4 removal action with 606 involved? You know.

5 MR. BROOKS: Well --

6 MR. BROWN: Or do we?

7 MR. BROOKS: None are currently planned for
8 removing contamination from Building 606.

9 MS. BROWNELL: But there will be a chance --
10 This parcel still has to go through all the final
11 decisions, feasibility study and Record of Decision.
12 And when they do their feasibility study, that will be
13 the time when all previous sites will have to be
14 discussed, and everything has to be signed off that is
15 completely clean.

16 MR. BROOKS: 606 is in Parcel E, I think.

17 MS. BROWNELL: No. It's in "D."

18 MR. BROWN: It's in "D."

19 MR. BROOKS: Right.

20 MS. PENDERGRASS: Do we have any other
21 comments?

22 MS. SANTANA: Clarification. I know this is
23 for the TCRA in Parcel D; but it seems that the two
24 largest soil stockpiles, 9 and 13, from the pictures
25 would seem like they were Parcel E. I was just going to

1 clarify that.

2 MR. BROOKS: That's -- that's correct. I don't
3 think there's any clarification needed. The soil
4 excavations come from Parcel D, and the soil stockpiles
5 come from both Parcels D and E, the biggest being on
6 Parcel E.

7 MS. SANTANA: Okay, just because the title is
8 Parcel D; that's why I was confused at that.

9 MR. BROOKS: And for both stockpiles.

10 MR. BROWN: Do you know that the stockpile of
11 dirt that they have over there at 606 when Richard Mach
12 was here, but that came from BART, and he heard that it
13 had arsenic in it.

14 MR. BROOKS: All soil around here has arsenic
15 in it, and, yeah, so does the BART soil.

16 MR. BROWN: Yeah, but they just let that fly,
17 you know.

18 MR. BROOKS: It's -- We look at our ambient
19 level of arsenic in the soil and took samples from the
20 BART soil that we used for backfill; and yeah, it has --
21 it has arsenic in it, but it's consistent with the
22 arsenic that you have in your soil here in the area.

23 MR. BROWN: Richard Mach said it wasn't in
24 there.

25 MR. BROOKS: Well, it's there. It's just not

1 very, very high concentrations.

2 MR. BROWN: Okay. Okay.

3 MS. PENDERGRASS: All right. Thank you for
4 your presentation.

5 MR. BROOKS: Thank you. And thanks for your
6 great comments, and we look forward for more at the
7 public meeting and in the work plan action memo worked
8 out. Get some soil removed from the Shipyard.

9 MS. PENDERGRASS: All right. Thank you.

10 Before we adjourn tonight, we just -- we have
11 one kind of open business item that I even -- we didn't
12 close up earlier, and that is the next steps for the
13 motion that carried earlier about the document that's
14 being sponsored by the RAB.

15 Mr. Brown, would you add in the next steps to
16 that?

17 MR. BROWN: Yes. I like to make a motion that
18 we get a committee called the Land Use Committee to stay
19 in touch with what's going on out here.

20 MR. KEICHLINE: It'll be a subcommittee?

21 MR. BROWN: Yes. Thank you, Ron.

22 MS. RINES: And what exactly would the Land Use
23 Subcommittee do?

24 MR. BROWN: Land Use Subcommittee would be
25 looking at the use of what the developers are going to

1 put out there and what's -- and what is the contaminants
2 that are faced there.

3 MS. PENDERGRASS: And that would be the natural
4 kind of liaison between the Redevelopment Agency and
5 their plans.

6 We have a motion on the floor. I would suggest
7 a friendly amendment to add someone's name to that
8 subcommittee as chair.

9 Miss Franklin, are you volunteering for that?

10 MR. BROWN: I nominate her to be chair of that
11 committee.

12 MS. PENDERGRASS: Okay. So can you amend --
13 amend the motion, please?

14 MR. BROOKS: Could I --?

15 MS. PENDERGRASS: Just a moment. One moment.

16 MR. BROWN: Okay.

17 MS. PENDERGRASS: Amend the motion.

18 MR. BROWN: I like to amend the motion that
19 also we have the Land Use Committee, and Marie Franklin
20 will be head of that committee.

21 MS. PENDERGRASS: Chair.

22 MR. BROWN: Chair. Exactly.

23 MR. DA COSTA: I'd second that.

24 MS. PENDERGRASS: Okay. So we second that
25 amendment to that motion.

1 Mr. Brooks, did you have some discussion on
2 that?

3 MR. BROOKS: Yeah. I'm not the expert on the
4 RAB; and as you know, Keith is. But it sounds like we
5 are starting to get on the fringes of the Restoration
6 Advisory Board is supposed to offer advice for the
7 environmental restoration of the Shipyard. And so it's
8 kind of starting to get on the fringes of what the RAB
9 is supposed to do.

10 And so I would just -- I'd really like to hold
11 on until I speak to Keith and make sure that this is a
12 proper subcommittee for the RAB.

13 MR. BROWN: Okay.

14 MR. KEICHLINE: I was going to echo what
15 Mr. Brooks said. I think perhaps this is kind of on the
16 fringe of what the RAB has the authority to really
17 discuss, and I didn't know if it's a proper subcommittee
18 for the RAB honestly.

19 MR. BROOKS: Well, certainly, it's of great
20 interest, but I'm not sure it's --

21 MS. HARRISON: Excuse me. I think I'm --

22 MS. PENDERGRASS: Miss Harrison, Miss Asher,
23 and then Mr. Da Costa.

24 MS. HARRISON: Well, it would occur to me that
25 being that we have been sitting in this committee, on

1 this board, on this RAB for all these years; and our
2 mandate is to assure that two things happen: one, that
3 that Shipyard's cleaned up and cleaned up to the -- its
4 best as soon as possible; and two, that it is cleaned up
5 in a manner that would best protect the surrounding
6 community.

7 So I would wager you that we do have the
8 authority to have a land use committee, because what
9 happens on that land, if that land is contaminated and
10 we know this; we're sitting in the RAB and we know it's
11 there and we do not do something about it, then we are
12 basically morally responsible for whatever happens to
13 this community.

14 So I would wager you that we do have the right
15 to have this committee. And so I would like for us to
16 have this committee until somebody can put it in writing
17 and show us that we cannot, and then we'd like to
18 challenge that.

19 MS. PENDERGRASS: Well, I -- just a point of
20 clarification: I mean, the RAB is charged with the
21 cleanup and all of the things that have to do with the
22 cleanup of it.

23 However, the cleanup has to do with what the --
24 the -- the ultimate use will be. So it would make
25 sense.

1 Ms. Asher?

2 MS. ASHER: I -- I just want to speak in
3 support of Mr. Brown's motion. I think it's vitally
4 related, and it's a really good addition to the
5 subcommittees that we already have.

6 MS. PENDERGRASS: Mr. Da --

7 MR. DA COSTA: Yeah.

8 MS. PENDERGRASS: -- Costa and then Miss --

9 MR. DA COSTA: What I want to state here to
10 everybody is that on the 28th of this month, there's
11 a -- the City and County of San Francisco has
12 established a grand jury, and this grand jury will be
13 interviewing some of us.

14 So I would suggest to the Navy if it's possible
15 to have this committee, because the grand jury will be
16 interviewing me, and I will state to the grand jury that
17 the cronies of the former mayor, some of which are
18 present in this room, have neglected the concerns of the
19 community.

20 And an important element as part of the
21 deliberations to serve the community are the best users
22 of the land. And the processes have not been carried
23 out to the fullest, not only by the Navy, not only by
24 the federal agencies, not only by the state agencies,
25 but also by the City and County of San Francisco.

1 That's what I'm going to state to the grand jury.

2 MS. PENDERGRASS: Thank you, sir.

3 MS. LOIZOS: I was just going to say that I
4 understand the concern about getting too much involved
5 in discussions of redevelopment here on the RAB. But
6 I -- I did want to -- I mean, I do think there is some
7 relevance in that, you know, the Navy cleans up to the
8 standards -- cleanup standards are decided by the reuse.
9 They clean up to reuse.

10 So I think it could be useful to have somebody
11 on the Board who is kind of keeping in touch with, you
12 know, what the reuse plans are and making sure that we
13 are aware of that just so that, you know, we're making
14 sure that the cleanup is in -- both in line with the
15 reuse plan.

16 MS. PENDERGRASS: All right.

17 Yes. Miss Franklin?

18 MS. FRANKLIN: Yes. I want to say on behalf of
19 where we are now, this has evolved to this point, and
20 this is called progressive -- progression.

21 Back in 1995 when the EPA brought the TAG out
22 to Hunters Point, Shoreview Environmental were the first
23 ones to have possession of it, and we did research. We
24 work with other entities, found that that is a problem,
25 environmental injustice in this area. This is from the

1 federal EPA.

2 Anytime there is a federal -- federal money is
3 being utilized in a community or a low color or low
4 income or whatever, then the community members have
5 priorities. They must be included in all decisions that
6 are made pertaining to that particular area.

7 This is a -- a law of the federal -- it's
8 Title 6, Title 4, and it's also environmental justice
9 EPA; that I don't believe you going to find anywhere
10 that they can exclude or prohibit people that represent
11 the community from progressively looking out for
12 themselves as far as this environmental hazard is
13 concerned. This is a Superfund site, and you are all
14 affected by its pros and cons. Thank you.

15 MS. PENDERGRASS: Just point of clarification,
16 though. The motion on the floor at this point is around
17 having a new committee added to the RAB that covers --
18 that is -- that is chaired by Miss Franklin and that
19 covers land-use issues.

20 And so that's on the table. We have had a
21 second to that. We have had plenty of discussion. And
22 from the bylaws, I can't see there's any -- there's any
23 prohibition of this body being able to vote that
24 committee in. We don't have to wait for any
25 authorization to that.

1 So at this point, I'm going to call for the
2 question. All in favor of adding that committee with
3 Miss Franklin as chair, please say, "Aye."

4 THE BOARD: Aye.

5 MS. PENDERGRASS: Any opposed?

6 MS. RINES: Nay.

7 MS. PENDERGRASS: We have one opposed.

8 Any abstentions from that?

9 MS. FRANKLIN: Who opposed?

10 MS. PENDERGRASS: All right. Then the ayes do
11 carry that. We do have a new committee.

12 And Miss Franklin, will you be able to let --
13 or work with Mr. Brown so that Mr. Keichline can be
14 advised of the date of the first meeting?

15 MS. FRANKLIN: Yes. I will certainly start
16 working with him immediately.

17 MS. PENDERGRASS: Okay. Very good.

18 All right. With that, we are --

19 Oh. I need one more just announcement that the
20 next RAB meeting is February. That meeting I will not
21 be facilitating. Miss Jackie Wright will be
22 facilitating that meeting, and I won't be here. So I
23 look forward to seeing you all in March.

24 And we are adjourned.

25 (Off record at 7:51 p.m., 1/22/04.)

CERTIFICATE OF REPORTER

I, CHRISTINE M. NICCOLI, Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing meeting was reported by me stenographically to the best of my ability at the time and place aforementioned.

IN WITNESS WHEREOF I have hereunto set my hand this _____ day of _____, _____.

CHRISTINE M. NICCOLI, C.S.R. NO. 4569