

**JOHN BEERY ORGANIZATION**

2900 Main Street, Suite 100 Alameda, California 94501

510 521-2727 FAX 510 523-0391

**FAX COVER SHEET**DATE: Oct 29/1999TOTAL PAGES: 9TO: LARRY SETOFAX #: 337.9335FROM: JOHN BEERY

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JOHN at 510-521-2727.

THOUGHT YOU MIGHT WANT TO LOOK  
INTO WHY YOU WERE NOT SENT THE  
INFORMATION FROM THE CITY - FOR  
COMMENT

**JOHN BEERY ORGANIZATION**  
BUSINESS AND REAL ESTATE INVESTMENTS

Ms. Colette Meunier  
Planning Director, City of Alameda  
2263 Santa Clara Ave., Room 120  
Alameda, CA 94501

October 19, 1999

Re: Proposed Mitigated Negative Declaration (IS-99-6), (UP-99-17) for a recreational sports facility at 800 West Tower Ave. (Bldg. 40)

Dear Ms. Meunier:

We have reviewed the referenced use permit application and proposed negative declaration and have some serious concerns. As an established local business, we are supportive of the concept of interim use of the base facilities. However, we believe some potential major impacts are being overlooked which could result in needless loss of life and threaten the health of our children and older people. I showed Building 40 to one of our tenants in the Health and Fitness Business and they found the building unsuitable for recreational use due to the necessary retrofit.

Referring to items 6.-c and 6.-g in IS-99-6, your staff goes on record and indicates there is a "Less Than Significant Impact" in the potential risks from Seismic ground failure, including liquefaction and subsidence of the land. Your staff under 6.-g does acknowledge that "There may be some subsidence on bay fill," and goes on the waive-off the concern..."However, because the project does not involve new construction, there is no increase in risk." **Is there no consideration to the proposed intensification of the building use, to "assembly" occupancy?**

The building is located in an area that is designed by government authority as likely to experience an extremely high level of shaking amplitude in a proximate major earthquake. Please refer to the enclosed ABAG Hazard Map. The underlying geologic material is very similar to that under the Cypress Freeway, which collapsed 10 years ago this month.

We believe it would be very irresponsible and a potential liability for the City to approve this project without requiring that the building be brought up to the latest seismic code in light of the proposed change in use and the increase of occupation.

With respect to the environmental hazards on and about the project, we note that your staff waived-off concern in item 7:d about "Exposure of people to existing sources of potential health hazards." We also note that the Alameda County Health Department, as well as over 10 other agencies, were not routed in the project application referral circulated June 29, 1999. Our further concern relates to findings in a ERM-West report dated May 21, 1996 which cites that the environmental conditions at Parcel 195 (Building 40) should not pose a significant risk to those

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**General Partner / Management:**

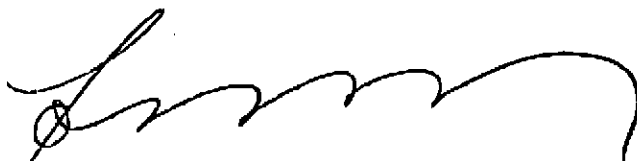
Alameda Financial, Inc. Alameda Gateway, Ltd. Carriage House Mariner Development Mariner Land Co. Mariner Square & Associates

participating in industrial activities at the site.

The proposed use (recreation) is not as "industrial activity." It is intended for frequent participation by children. As "little people," children are more susceptible to environmental effects. We believe it would be irresponsible for the city to approve this project without further environmental risk assessment.

In summary, we are supportive of the proposed project, but only if the seismic and environmental health risks are more thoroughly examined, and if necessary, mitigated as a condition of approval.

Sincerely,



John Beery  
JOHN BEERY ORGANIZATION



CC: Kevin Bryant (to distribute to Planning Board)

C:\meunier.ltr

City of Alameda  
Planning Department

RECEIVED

JUN 17 1999

PLANNING DEPARTMENT  
CITY OF ALAMEDA

PERMIT APPLICATION FORM

Project Address: Building 40  
800 West Tower Ave, Alameda CA 94501

Please check all applicable permits.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Variance              | <input type="checkbox"/> Sign Permit                           |
| <input type="checkbox"/> Zoning Text Amendment  | <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Subdivision                           |
| <input type="checkbox"/> Rezoning               | <input type="checkbox"/> Major Design Review   | <input type="checkbox"/> Historical Advisory Board             |
| <input type="checkbox"/> Planned Development    | <input type="checkbox"/> Minor Design Review   | <input checked="" type="checkbox"/> Other <u>Initial Study</u> |

\* Permit requires supplemental application.

Are the following items applicable to the project or its effects?  
Discuss below all items checked yes (attach additional sheets as necessary).

	Yes	No
A change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.	---	<u>X</u>
Site on filled land or on slope of 10 percent or more.	---	<u>X</u>
Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.	---	<u>X</u>
Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	---	<u>X</u>
Substantially increase fossil fuel consumption (Electricity, oil, natural gas, etc.).	---	<u>X</u>
Cause or have a relationship to a larger project or series of projects.	---	<u>X</u>

Environmental Setting

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.

The project consists of a 703,336-sf (net leasable) former airplane hangar (Building 40). The site area consists of 209,110-sf and is covered by concrete (tarmac). Building 40 has been designated as a historical building.

**PROPOSED MITIGATED NEGATIVE DECLARATION**

Circulation Date: October 1, 1999

APPLICATION: Proposed Mitigated Negative Declaration (IS-99-06) and Findings of No Significant Impact for Use Permit UP-99-17 for the conversion of a 102,336 square foot building, Hangar 40, Alameda Point, which would be used as a

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---------	--------------------------------	--	------------------------------	-----------

**6. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:**

a) Fault rupture?	3			X	
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There are no known fault ruptures within Alameda Point. The proposal involves the use of an existing structure in an area subject to seismic effects. No occupancy of the building will be permitted until an application for a Certificate of Occupancy is submitted to the Central Permits Office, the application is reviewed and approved, the building inspected and determined to be safe for the proposed occupancy, and a Certificate of Occupancy is issued by the Building Official.

b) Seismic ground shaking?				X	
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See 6a.

c) Seismic ground failure, including liquefaction?				X	
--	--	--	--	---	--

See 6a.

d) Seiche, tsunami, or volcanic hazard?	3			X	
---	---	--	--	---	--

The southern margin of Alameda Point may be inundated with water by a 100-year tsunami event. However, the building is existing and there are no changes proposed for the floor height, the exterior paving, and therefore the proposal would not increase the potential for impact.

e) Landslides or mudflows?					X
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The site is flat and no landslides or mudflows would occur.

f) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?					X
---	--	--	--	--	---

The existing site is flat, fully paved, and no grading is proposed as part of this project.

g) Subsidence of the land?	3			X	
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There may be some subsidence on bay fill. However, because the project does not involve new construction there is no increase in risk.

h) Expansive soils?	3				X
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There are no expansive soils on the site.

i) Unique geologic or physical features?					X
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There are no unique geological or physical features present at the site.

**Issues and Supporting Information Sources**

Sources

Potentially Significant Issues

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact

**2. AIR QUALITY. Would the proposal:**

a) Violate any air quality standard or contribute to an existing or projected air quality violation?					X
--	--	--	--	--	---

The proposed use will be fully enclosed and not generate any emissions.

b) Expose sensitive receptors to pollution?					X
---	--	--	--	--	---

See 3a.

c) Alter air movement, moisture, or temperature, or cause any change in climate?					X
--	--	--	--	--	---

See 3a.

d) Create objectionable odors?				X	
--------------------------------	--	--	--	---	--

The proposed use will not generate any odors, except minor odors from the preparation of food items in the snack bar.

**7. HAZARDS. Would the proposal involve:**

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?	4			X	
--	---	--	--	---	--

Phase 2A sampling that was conducted in Hangar 40 revealed low to non-detectable concentrations of total petroleum hydrocarbons. In a document titled "Parcel Evaluation Data Summary, Phase 2A Sampling, Zone 11: the Souther Hangar Zone," prepared by the IT Corporation for the Naval Facilities Engineering Command, dated November 1997, Phase 2B sampling was recommended for the paved area around Hangar 40. The proposed use does not involve any hazardous substances. The proposal includes utility trenching to replace and upgrade the fire sprinkler and electrical systems. All trenching will be properly braced during construction and the soil will be replaced and returned to its previous state upon completion of the trenching, consistent with the Conditions of Approval of the Interim Leasing Program. In addition, dust control measures shall be incorporated as a condition of the Use Permit if the soils are stockpiled.

b) Possible interference with an emergency response plan or emergency evacuation plan?					X
--	--	--	--	--	---

With the closure of the Naval Base, there is no longer a need to orient employees, vendors, or customers to military emergency response.

c) The creation of any health hazard or potential health hazard?					X
--	--	--	--	--	---

See 7a.

d) Exposure of people to existing sources of potential health hazards?					X
--	--	--	--	--	---

See 7a.

City of Alameda  
Inter-Department Memorandum

To: Kevin Bryant

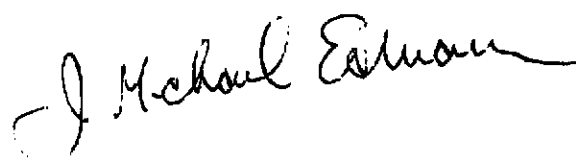
From: Captain J. Michael Edwards

Date: July 7, 1999

Re: PC99-072  
800 W Tower Ave.

This application describes an occupancy which will be classified as an A-2.1 (assembly use 300 or more occupants). 800 W. Tower Ave is building construction type V-N. The building code prohibits an occupancy A-2.1 in a building type V-N.

The Fire Department must disapprove this use based on the above information. Please feel free to contact me at (510) 749-5885 for further clarification.

A handwritten signature in black ink, reading "J. Michael Edwards". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

**FINAL****SITE-SPECIFIC ENVIRONMENTAL BASELINE SURVEY****FOR PARCEL 195 AT****NAVAL AIR STATION ALAMEDA**

Prepared by:

ERM-West, Inc.  
1777 Botelho Drive Suite 260  
Walnut Creek, CA 94596

and

PRC Environmental Management, Inc.  
10670 White Rock Road, Suite 100  
Rancho Cordova, CA 95670

May 21, 1996

**SECTION 4****CONCLUSIONS**

Although Parcel 195 is suitable for lease, a more extensive risk evaluation/screening may be necessary for a Finding of Suitability to Transfer (FOST). Concerns regarding underground AVGAS lines, the potential UST at Parcel 195, and potential contaminant migration still exist.

Based on the information presented in this site-specific EBS for Parcel 195, the area to be leased to the ARRA is classified as a BRAC Category 7. The BRAC Category 7 classification identifies areas that are unevaluated or require additional evaluation.

Based upon the findings of this site-specific EBS and the modeling performed in association with the risk evaluation, it can be concluded that the environmental conditions at Parcel 195 should not pose a significant risk to the health of persons participating in industrial activities on the subject property, and that the parcel can be leased for the intended industrial reuse, as long as the appropriate lease restrictions (i.e., administrative controls) are implemented.



City of Alameda  
Planning Department  
**PROJECT APPLICATION REFERRAL**

**DATE REFERRAL DISTRIBUTED:** 8/29/99

**DUE DATE FOR COMMENTS:** 7/13/99

**SUBJECT:** Project Application No.: UP-99-17/IS-99-6  
Project Address/Location: 800 W. Tower Ave. (Bldg. 40)  
General Plan: Federal Facilities Zoning: M-2/G

**APPLICANT:** Name: Bladium, Inc. Phone: 415-442-5062  
Mailing Address: 1050 3rd St., San Francisco, CA 94107

**PROJECT PLANNER:** Kevin Bryant

Phone: 748-4554 x2454

**APPROVAL AUTHORITY:** ( ) Planning Director (x) Planning Board ( ) City Council

**PROJECT DESCRIPTION:** *The proposal is to convert Hangar 40 into sport facility including 3 in-line hockey/soccer rinks, rock climbing wall, fitness center, basketball/volleyball court, food and beverage, retail and administrative office.*

**ATTACHMENTS:** X Project plans x Other Items: Use Permit Application  
Supplemental Information

**REFERRAL SENT TO:**

Community Development Department:

- ☐ Neighborhood Development  
☒ Economic Development  
☐ within BWIP ☐ within WECIP  
☒ within APIP

Public Works Department:

- ☒ Building Services Manager  
☐ Public Works Coordinator  
☐ Maintenance Services

- ☒ Engineering/Transportation

Staff Meeting: \_\_\_\_\_

☐ Bureau of Electricity

☐ City Attorney's Office

☐ Finance Department

- ☒ Fire Prevention Bureau

☒ Police Department (Crime Prevention)

- ☒ Recreation and Parks Department

- ☒ Alameda Reuse & Redevelopment Authority

- ☒ Navy Transition Office

- ☒ EFA West

- ☒ Others: Waste Management Division

Agencies:

- ☐ AC Transit  
☐ Alameda County Health Department  
☐ Alameda Unified School District  
☐ Bay Area Air Quality Control Board  
☐ Bay Conservation & Development Com.  
☐ Corps of Engineers  
☐ East Bay Regional Park District  
☐ Pacific Bell  
☐ Pacific Gas & Electric  
☐ State Department of Transportation  
☐ TCI (Cable Television)  
☐ Water Quality Control Board  
☐ Others: \_\_\_\_\_

Organizations:

- ☐ Chamber of Commerce  
☐ Greater Alameda Business Association  
☐ Park Street Business Association  
☐ West Alameda Business Association  
☒ Others: Alameda Association of Realtors

(turn over...)

# Navy admits sites contaminated

By Leslie Fulbright  
STAFF WRITER

ALAMEDA — The Navy has admitted violating health and safety regulations by failing to tell Alameda Naval Air Station firefighters that a work site was contaminated with PCBs, a highly carcinogenic chemical.

Because they were not advised, firefighters did not use the equipment they had available for work in contaminated areas and were not given safety instruction

or new equipment suitable for work there.

The firefighters first learned of the hazardous work conditions three years ago after one of them found a Jan. 9, 1990, letter from a commanding officer to the NAS fire chief that identified suspected contaminated sites and advised the chief to inform all workers of the potential hazard.

"We were gearing up to close the base when we found this memo," said Brook Beesley, the

firefighters union president at the time. "We had already spent our whole careers at this dumping site."

The former fire chief, David Martineau, could not be reached for comment.

In a letter dated last Sept. 7, the Navy said no personnel were exposed to harmful concentrations of the materials but admitted that firefighters should have been told that the carcinogen existed at the site.

The Navy began an investigation of potentially contaminated areas in the 1980s after regulations were passed by the Environmental Protection Agency. Officials at NAS Alameda were advised that all PCB transformer locations must be identified, marked and registered with fire department personnel.

In 1988, the California Department of Health Services issued a

Please see **Navy**, page 2

ALAMEDA TIMES STAR

WEDNESDAY, October 20, 1999

## Navy: Records show presence of PCBs, lead

Continued from page 1

Remedial Action Order to NAS Alameda requiring the facility to take cleanup action at the numerous hazardous waste sites at the base. The sites were known to contain PCBs (polychlorinated biphenyls), lead, pesticides, mercury and dioxins.

Navy records show that Site 15 was saturated with PCB-laden oil leaking from electrical transformers and lead leaking from batteries until 1974. Contaminated oil was also drained from transformers and sprayed as a weed killer saturating the soil.

Throughout the 1980s and 1990s, firefighters regularly used Site 15 for equipment storage. They also cleaned it up, pulling weeds and burning growth. It was often used as a training site.

The original letter from the commanding officer stated there

were 20 sites at NAS under investigation and all were either confirmed to be contaminated with hazardous wastes or were potentially contaminated.

He said all civilian and military personnel working near or at any of the sites should be aware of potential hazards that might be encountered.

After finding out about the letter, former NAS fire Lt. Marty Martinson filed a complaint with the Navy in 1997. But the Navy inspector's general investigation failed to substantiate the firefighter's claims. So Martinson requested assistance from the U.S. Office of Special Counsel, an independent federal investigative agency.

"It took three years, two Navy inspections and an outside inquiry before the Navy would acknowledge the sites were hazardous," Martinson said. "This

should be a big concern to local residents as well as those who worked on the base."

Beesley said he will demand that the Navy put all of the exposure documentation into firefighters' medical records.

"There are hundreds of people that this may impact down the line," he said. "We want every one's file to reflect this potential carcinogen so that if an inflection arises, it can be associated with that."

If the Navy does not guarantee this will happen, we will insist through legal action, Beesley added. "We need certainties," he said.

Site 15 is one of 25 that were investigated for chemicals of concern, including lead and PCBs, according to Navy spokeswoman Lisa Fasano. "But the contamination effects are based on long-term exposure," she said.

The Navy spent \$2 million cleaning the area in 1997.

"All those taxpayer dollars for a low exposure area," Martinson said. "That doesn't make sense."

Beesley said he is still hoping the special counsel will find the report is not sufficient and require the Navy to provide medical documentation, testing and monitoring to every firefighter.

"We will lobby Congress if we have to," he said. "The base closure issue needs to be looked at very carefully so we can learn about these hazardous areas."

The Navy doesn't want us finding out about all of the environmental issues at closed bases, Martinson said.

"That is the reason there is a Superfund site," he added. "The Navy minimizes and trivializes everything."