Dear Phil,

I was extremely disappointed to once again hear Jerry Bridges mention the possibility of shipping coal into Oakland at the Oakland Dialogue breakfast. Stop it immediately. You have been awarded the privilege and opportunity of a lifetime to develop this unique piece of land. You must respect the owner and public's decree that we will not have coal shipped through our city. I cannot believe this restriction will ruin the viability of your project. Please declare definitively that you will respect the policy of the City of Oakland and you will not allow coal to come through Oakland. If you don't do that soon, we will all have to expend time and energy in a public battle that no one needs and will distract us all from the important work at hand of moving Oakland towards a brighter future.

Best,

Libby
RE: stop all mention of coal now
1 message

Phil Tagami <tagami@californiagroup.com>  
To: Libby Schaaf <libbyforoakland@gmail.com>  
Cc: Tomiqua Moss <tmoss@oaklandnet.com>, Mark McClure <mmcclure@californiagroup.com>

Mon, May 11, 2015 at 8:24 PM

Libby

Thank you for taking the time to share your views on TLS’ activity and the OBOT facility.

Mark and I would like to schedule a time to meet with you to discuss where we are with the project.

This week is pretty tight with a protest scheduled for this Thursday, several groups in town representing the; rail roads, lenders/underwriters, and prospective customers...

How does next week look?

Respectfully yours,

Tagami
Phil Tagami
CEO & President
CALIFORNIA CAPITAL & INVESTMENT GROUP
Office 510.463.6343
tagami@californiagroup.com

THIS COMMUNICATION MAY BE PRIVILEGED AND CONFIDENTIAL.
This e-mail, including any attachments hereto, is intended for use solely by the addressee(s) named herein. If you are not a named addressee of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail and of any attachments hereto is strictly prohibited. If this e-mail has been transmitted to you in error, please immediately notify us by telephone at (510) 266-8500 or via e-mail at tagami@californiagroup.com, and permanently delete the original and any copy of this e-mail and destroy any printout thereof. Thank you for your cooperation.

From: Libby Schaaf [mailto:libbyforoakland@gmail.com]
Sent: Monday, May 11, 2015 8:25 AM
To: Phil Tagami
Cc: Tomiquia Moss
Subject: stop all mention of coal now

Dear Phil,

I was extremely disappointed to once again hear Jerry Bridges mention the possibility of shipping coal into Oakland at the Oakland Dialogue breakfast. Stop it immediately. You have been awarded the privilege and opportunity of a lifetime to develop this unique piece of land. You must respect the owner and public's decree that we will not have coal shipped through our city. I cannot believe this restriction will ruin the viability of your project. Please declare definitively that you will respect the policy of the City of Oakland and you will not allow coal to come through Oakland. If you don't do that soon, we will all have to expend time and energy in a public battle that no one needs and will distract us all from the important work at hand of moving Oakland towards a brighter future.

Best,

Libby
Libby Schaaf <libbyforoakland@gmail.com>  
Wed, May 13, 2015 at 6:29 PM

Sent from my iPhone

Begin forwarded message:

From: Phil Tagami <tagami@californiagroup.com>
Date: May 11, 2015 at 8:24:34 PM PDT
To: Libby Schaaf <libbyforoakland@gmail.com>
Cc: Tomiquia Moss <tmoss@oaklandnet.com>, Mark McClure <mmcclure@californiagroup.com>
Subject: RE: stop all mention of coal now

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Thank you for taking the time to share your views on TLS’ activity and the OBOT facility.

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This week is pretty tight with a protest scheduled for this Thursday, several groups in town representing the; rail roads, lenders/underwriters, and prospective customers...

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CALIFORNIA CAPITAL & INVESTMENT GROUP
Office 510.463.6343
tagami@californiagroup.com

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Best,
Libby
Re: Tomorrow's protest

1 message

Whent, Sean <SWhent@oaklandnet.com>       Wed, May 13, 2015 at 6:30 PM
To: Libby Schaaf <libbyforoakland@gmail.com>

We are aware but this has gotten no traction so unless it's all under the radar it shouldn't be much

Sean Whent
Chief of Police
Oakland Police Department
(510) 238-3365
@OPDTopCop

On May 13, 2015, at 18:24, Libby Schaaf <libbyforoakland@gmail.com> wrote:

Phil called me very concerned about possible action and damage to the Rotunda building tomorrow. Rumor is that protesters will try to take over bike to work day.

Sent from my iPhone

Begin forwarded message:

From: Phil Tagami <tagami@californiagroup.com>
Date: May 13, 2015 at 3:37:40 PM PDT
To: Libby Schaaf <libbyforoakland@gmail.com>, Mark McClure <mmclure@californiagroup.com>
Subject: Fwd: Tomorrow's protest

Requesting OPD support based on proposed protest and sit in at rotunda building

Tagami - Sent from my iPhone

Begin forwarded message:

From: Molly Duong <mduong@californiagroup.com>
Date: May 13, 2015 at 3:00:44 PM PDT
To: "Lenatcci@aol.com" <Lenatcci@aol.com>, Phil Tagami <tagami@californiagroup.com>
Subject: FW: Tomorrow's protest

Please see below email from John Harrigan's with Boxer Gerson about tomorrow protest.

CCIG-Signature-Reply Molly Duong
From: John M. Harrigan [mailto:jharrigan@boxerlaw.com]
Sent: Wednesday, May 13, 2015 2:20 PM
To: Molly Duong
Subject: FW: Tomorrow’s protest

see below which I misaddressed

From: John M. Harrigan
Sent: Wednesday, May 13, 2015 2:17 PM
To: 'mduong@californiagroup.com'
Cc: Wai-Ming Damian
Subject: Tomorrow’s protest

Molly -

Wai-Ming has forwarded your emails re a head’s up for tomorrow morning. I am somewhat
surprised to see your statement that this is part of a general protest on several issues in the plaza.
If one visits the Occupy Oakland website - which I assume you have done - it is clear that tomorrow’s
action is directed at Phil and the alleged coal operation at the former Oakland Army Base. I have
absolutely no
knowledge as to what that may involve but it's clear what tomorrow is about.

Because they plan on starting at 8 am - a bit early for some of these nightcrawlers - I assume they want
to
either prevent normal ingress to our building by tenants and/or they want to fill our beautiful lobby.
I assume that in addition to a few rental cops at the doors that OPD has been notified and might actually
take some
proactive action as needed rather than "watch the cars burn".

Please keep us apprised of what you learn so I can advise our some 45 employees as to what they might expect/encounter tomorrow.

John Harrigan
Managing Partner
Boxer & Gerson LLP
Suite 500

<image001.gif>
Requesting OPD support based on proposed protest and sit in at rotunda building

Tagami - Sent from my iPhone

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From: Molly Duong <mduong@californiagroup.com>
Date: May 13, 2015 at 3:00:44 PM PDT
To: "Lenatcci@aol.com" <Lenatcci@aol.com>, Phil Tagami <tagami@californiagroup.com>
Subject: FW: Tomorrow's protest

Please see below email from John Harrigan’s with Boxer Gerson about tomorrow protest.

Molly Duong
Property Management

CCIG-Signature-Reply CALIFORNIA CAPITAL & INVESTMENT GROUP
MDuong@californiagroup.com
510.463.6337

From: John M. Harrigan [mailto:jharrigan@boxerlaw.com]
Sent: Wednesday, May 13, 2015 2:20 PM
To: Molly Duong
Subject: FW: Tomorrow's protest

see below which I misaddressed
From: John M. Harrigan  
Sent: Wednesday, May 13, 2015 2:17 PM  
To: mduong@californiagroup.com  
Cc: Wai-Ming Damian  
Subject: Tomorrow's protest  

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Please keep us apprised of what you learn so I can advise our some 45 employees as to what they might expect/encounter tomorrow.

John Harrigan  
Managing Partner  
Boxer & Gerson LLP  
Suite 500
Fwd: [D3DTownLake] OAKLAND SAYS “NO!” TO COAL SHIPMENTS AT THE PORT OF OAKLAND

1 message

Moss, Tomiquia <TMoss@oaklandnet.com>
To: "Schaaf, Libby" <libbyforoakland@gmail.com>

Sat, May 9, 2015 at 4:23 PM

Sent from my iPhone

Begin forwarded message:

From: Matthew Davis <mdavis@portoakland.com>
Date: May 9, 2015 at 10:01:40 AM PDT
To: Tomiquia Moss <tmoss@oaklandnet.com>
Subject: Fwd: [D3DTownLake] OAKLAND SAYS “NO!” TO COAL SHIPMENTS AT THE PORT OF OAKLAND

FYI

Begin forwarded message:

From: Matthew Davis <mdavis@portoakland.com>
Date: May 9, 2015 at 9:38:26 AM PDT
To: "Wald, Zachary" <ZWald@oaklandnet.com>
Cc: "Farmer, Casey" <CFarmer@oaklandnet.com>, Joanne Karchmer <jkarchmer@portoakland.com>
Subject: Re: [D3DTownLake] OAKLAND SAYS “NO!” TO COAL SHIPMENTS AT THE PORT OF OAKLAND

Zac,

Thanks for the note. As I had referenced in my message to you, this community advisory is both surprising and perplexing since it gives a mostly uninformed community audience the impression that the Port of Oakland is now contemplating a coal export terminal on its property and under its control, which as we have explained is not the case.

Is there an intention to send some kind of a clarifying message to D3 residents? At the end of the day this coal proposal was initiated by the City’s private developer under exclusive license by the City to develop the City’s land under the City’s jurisdiction and control. However, I don’t see CCIG or OBOT referenced at all in this message, whereas the “Port of Oakland” is prominent in the headline.

Also, as to your proposed media release, it would be best to connect on Monday as we have our communications folks that can opine after the weekend - we will still ultimately be referring any media inquiries back to you as this is not a project under our control, but I appreciate the opportunity to provide some further input into your release if you decide to pursue that.
Finally, and significantly, on a policy level about the substance of what is driving all of this with your developer, have you spoken with anyone on the 3rd floor? I believe there may have been a different approach that was suggested. You may want to check in with them.

I'm also available via cell this weekend if you want to connect. Thanks again for your response.

Matt

On May 9, 2015, at 8:24 AM, Wald, Zachary <ZWald@oaklandnet.com> wrote:

Matt -

I see what your issue is, and I am sorry about the wording.

We will be sending out the actual press release on Monday, and I would welcome your edits.

Thank you,

Zac

Zac Wald
Chief of Staff
Oakland City Council President
Lynette Gibson McElhaney
(510) 238-7032

On Fri, May 8, 2015 at 8:48 PM -0700, "Matthew Davis" <mdavis@portoakland.com> wrote:

Really? Port of Oakland?

From: "Cook, Brigitte" bcook@oaklandnet.com [D3OaklandDowntownLake] <D3OaklandDowntownLake-noreply@yahoogroups.com>
To: "d3westoakland@yahoogroups.com" <d3westoakland@yahoogroups.com>,
"d3oaklanddtownlake@yahoogroups.com" <d3oaklanddtownlake@yahoogroups.com>
Sent: May 8, 2015 7:17 PM
Subject: [D3DTownLake] OAKLAND SAYS "NO!" TO COAL SHIPMENTS AT THE PORT OF OAKLAND

FOR IMMEDIATE RELEASE

OAKLAND SAYS "NO!" TO COAL SHIPMENTS AT THE PORT OF OAKLAND

May 8, 2015 – Last week’s news headline “Unlikely Partners: Utah Investing $53 Million to Export Coal Through Oakland Port,” came as a shock to Oakland’s political leaders, who have consistently
opposed the export of hazardous fossil fuels due to safety and environmental concerns.

City Council President Lynette Gibson McElhaney says that she plans to bring a formal resolution to the City Council to consider the health and safety impacts of a possible deal to bring thousands of coal-filled rail cars from Utah, to be shipped out of the Port of Oakland.

The resolution from the Council President will call for a public hearing in front of the City Council, to discuss the health and safety impacts to West Oakland and to Port workers from transporting and processing coal at the Army Base. The planned public hearing will be a chance for the City Council to hear from the public and from experts, on the health and safety effects of having a coal export terminal operating at the Port.

Says McElhaney, "Since coal export was not contemplated when the Army Base Development project was approved, the community has not yet had the chance to make their voices heard on this subject."

The Oakland City Council, and the Port Board of Commissioners have already taken stances against coal exports, specifically:

In February of 2014, the Board of Port Commissions rejected a proposal to ship coal from one of their terminals.

In June of 2014, Councilmember McElhaney and her colleagues passed a resolution opposing the transport of coal, oil, pet coke (a byproduct of the oil refining process) and other hazardous materials by railways and waterways within the City. That resolution was advisory only, since the City does not have jurisdiction over the railways.

The decision to ship coal out of the Port of Oakland has implications beyond the health of local residents who may be affected by coal dust or potentially hazardous spills.

According to Jess Dervin-Ackerman of the Bay Area Sierra Club, "Utah and other coal producers are so eager to ship their product out of the country, because the domestic market has dried up, as the United States adopts cleaner forms of energy. West coast ports are rejecting new coal-shipment terminals because coal - even if its burned somewhere far away - is a dirty fuel that has global impacts in terms of climate change."

Councilmember Gibson McElhaney will introduce her resolution for scheduling at the Oakland City Council Rules Committee Hearing on May 14th, in the City Council Chambers.

###

Brigitte Cook, Community Liaison
Oakland District 3 - Council President Lynette McElhaney
1 Frank Ogawa Plaza s 2nd Floor, City Council Office s Oakland, CA 94612
Office (510)238-7245

Connect with us: Twitter: @LynetteGM Facebook/Lynette2012

---

Posted by: "Cook, Brigitte" <BCook@oaklandnet.com>


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Unlikely partners: Utah investing $53 million to export coal through Oakland port

By Doug Oakley doakley@bayareanewsgroup.com

Over 320,000 square feet of warehouses have been demolished and crews continue to level and grade the grounds to prepare to build new warehouses on the old Oakland Army Base property as part of a new rail yard that may receive Utah coal shipments in Oakland, Calif., Friday, Feb. 11, 2015. (Laura A. Oda)
OAKLAND -- Faced with rapidly diminishing demand for coal in the U.S., Utah has approved a $53 million investment in an Oakland shipping terminal nearing construction with the hopes of exporting it to less environmentally stringent markets overseas.

The move has enraged environmental groups.

Earlier this month, Utah's Community Impact Fund Board approved the investment in Oakland's Terminal Logistics Solutions on behalf of four counties, three of which produce all the coal in the state.

Terminal Logistics will start building the $250 million Oakland Bulk and Oversized Terminal at the Oakland Global Trade & Logistics Center later this year and hopes to finish the 35 acre project in 2017.

"We know Oakland doesn't want coal coming through the city," said Jess Dervin-Ackerman, conservation manager for the San Francisco Bay Chapter of the Sierra Club. "We're ramping down the use of coal in the U.S. because we recognize it's a horrible source of pollution, and it contributes to climate change. This is city-owned land, and to us, it's the responsibility of the city to not let coal be exported."

But Phil Tagami, the city designated developer of the project, said his seven years of approvals and environmental entitlements secured to develop the former Oakland Army Base allows him to lease the space to a private company who can export just about anything except "nuclear waste, illegal immigrants, weapons and drugs."

"It's not for me to determine," Tagami said. "We are entitled to have a bulk commodities terminal and beyond that it's up to the market to determine what we export."

Tagami said environmentalists opposed to coal exports are focusing on the wrong thing.

"If people took a hard look at the household products they have under their sinks, they would freak out if they saw things like ammonia and chlorine in 55 gallon drums or in a rail tank car," he said.
Oakland Mayor Libby Schaaf said she opposes the export of coal from Oakland. While on the City Council last May, she voted in favor of a resolution opposing the transportation of coal and crude oil through the city.

"Obviously, we're going to work with our business partners to try and reach a mutually acceptable way of moving forward," Schaaf said. "This is a very important project for the city of Oakland, and this policy resolution is important also."

Jeremy Nichols, climate and energy program director for WildEarth Guardians, which is fighting expansion of coal mining rights on federal land in Utah, called the state's investment in the Oakland export terminal a "misguided last ditch effort to keep their industry alive."

Over 320,000 square feet of warehouses have been demolished and crews continue to level and grade the grounds to prepare to build new warehouses on the old Oakland Army Base property as part of a new rail yard that may receive Utah coal shipments in Oakland, Calif., Friday, Feb. 11, 2015. (Laura A. Oda)

"If we are serious about cutting carbon emissions, we have to do more than cap carbon at the smoke stack," Nichols said. "We can't just ship it to someone else's back yard. That doesn't solve our climate problem. You factor in the carbon impact of shipping it by rail and then boating it oversees and that's extremely energy intensive. It's the last thing we should be doing."

In return for Utah's investment in Oakland, Utah will get a guaranteed share of the annual tons of goods going through the bulk shipping terminal. In addition to coal, Utah could also use it to export potash, limestone, salt and hay cubes.

Utah is the country's 14th largest coal producer in the United States with about 16 million tons each year. Mines in three of the four counties awarded the money to invest in the Oakland facility; Carbon, Emery and Sevier produce all the coal in the state.

Coal mines in Utah are facing extinction if they don't find international markets for it, as domestic power plants switch over to natural gas or close due to upcoming federal regulations.
"We're seeing power plants switching over to natural gas or closing because pollution control for coal fired plants is too expensive," said Dave Tabet, energy and program manager for the Utah Geological Survey. "It was always a hope there would be a market in Asia because there is tremendous demand over there."

Of the 16 million tons of coal produced in Utah each year, only about 1 million tons is currently exported internationally, Tabet said. Those exports currently go through the Port of Stockton, a privately-owned port in Richmond called Levin-Richmond Terminal Corporation and through the Port of Long Beach, he said.

The Levin-Richmond Terminal in Richmond currently exports 1.2 million tons of coal a year from Colorado and Utah, a spokeswoman said.

In Utah, the Community Impact Fund Board, under the state's Department of Housing and Community Development, approved the investment with no written reports or studies, just the oral testimony of officials in the four counties requesting the money. County representatives told the board the money needed to be approved quickly with a June deadline to sign agreements with Terminal Logistics Solutions.

Casey Hopes, an elected commissioner from Carbon County which produces seven million tons of coal a year, said exporting coal to international markets would help keep rural communities alive.

"I'm really excited about the possibilities of working with the city of Oakland to help solidify our jobs in our communities," Hopes said. "And that's what it boils down to: the people we're trying to keep employed. It's important we help rural communities stay alive."

He said he is angry the federal government is "regulating the coal industry out of business," and that power plants would do a more efficient job at regulating emissions if the government let it alone.

Jerry Bridges, president of Terminal Logistics Solutions, said the deal with Utah is still being negotiated. He said any product moved into the facility will be covered, so if it's coal there won't be coal dust blowing around from Utah to Oakland in open railroad cars.

"None of it will ever see the light of day," Bridges said. "I'm not in the business of defending coal, I'm just saying if coal is a commodity that we allow through this facility, it's the cleanest coal available in the world marketplace. We want to make this terminal the most efficient, the most environmentally friendly one there is, so we don't get sideways with the environmental community. We want to make money, but we want to minimize the impacts on the environment."
Asked about the outcry from environmentalists Bridges said: "That's not my ax to grind. My deal is just to move it from Point A to Point B."

Gordon Walker, the chair of the Community Impacts Fund Board in Utah and director of the state Housing and Community Development Department who is in favor of exporting Utah coal overseas, said he would not want to deny people in foreign countries a source for producing energy.

"Of course I'm concerned about climate change," Walker said. "I love to go hiking, but I also know what it means to live with power and what it means to live without power. It's hard for me that one group wants to deny someone else something we already have. I struggle with that."

Contact reporter Doug Oakley at 925-234-1699. Follow him on Twitter at www.twitter.com/douglas oakley

Erica Terry Derryck | Director of Communications | Office of Mayor Libby Schaaf | City of Oakland | One Frank H. Ogawa Plaza | 3rd Floor | Oakland, CA 94612 | Office: 510-238-7072 | Cell: 510-435-4345 | Email: ederryck@oaklandnet.com