



Cliffs at Crown Beach

Irene Dieter

More than six inches of rain-fall pummeled Alameda on Oct. 24, making it the wettest October day ever. The storm washed away tons of sand along Crown Memorial State Beach and Alameda Beach, leaving cliffs at the edge of the vegetated sand dunes.

"The most significant damage of our shoreline parks was at Crown Beach," said Jim O'Connor, Assistant General Manager of Park Operations for the East Bay Regional Park District. "A lot of rain came at one time and there was significant erosion," which "may be an effect of climate change."

The so-called atmospheric river washed away nearly all the sand placed there almost eight years ago to the day, exposing the original yellow sand some of us remember from before.

Starting on Oct. 26, 2013, about 82,600 cubic yards of sand from offshore barges was distributed on Alameda's shoreline and was completed by the end of that year. At a cost of nearly \$5.7 million, the project sought to restore the beach and dune system to its 1987 footprint and was projected to last 20 years.

The sand itself came from a commercial dredging operation near Angel Island.



Photo Irene Dieter

Beach erosion caused by the Oct. 24 rainstorm. A fence for protecting sand dune habitat has lost its footing, and beach access walkway has become unsafe.

"That sand was much coarser than the original sand was," said frequent beachgoer Ani Dimusheva. "I bet that gravely sand, which was harder on the bare feet than the light-colored, finer sand that it covered, didn't compress as nicely and was easier to wash away."

The resulting sand cliffs range from two to seven feet tall. The board-sport concessionaire's outdoor shower tower was undermined, leaving its cement foundation suspended over a cliff.

Sandbags have been placed nearby to hold the picnic area in place. Fences to preserve the dune habitat along the beach are suspended in air too. One walkway is closed because the elevation drops four feet where the access trail mat enters the beach.

The East Bay Regional Park District, which manages the beach, is evaluating the situation and studying its options on how to remedy the situation.

EROSION: Page 10

Residents, FAA Agree to Reduce Airport Noise

Dennis Evanosky

Prevailing winds frequently require jets flying out of Oakland International Airport to take to the air on Runway 30 in the South Field. The flight path takes the planes directly over Bay Farm Island and often over the Main Island.

On Oct. 17, Alameda's Citizens League for Airport Safety and Serenity (CLASS) announced that the Federal Aviation Administration (FAA) had agreed to move daytime departure flight patterns an estimated 5 to 10 degrees to the west of the present pattern. This would take the planes using Runway 30 out over San Francisco Bay and lessen the noise these aircraft bring to Bay Farm and the Main Island.

The language spelling out the agreement states that the airport wishes to amend the initial head-

ing on departures from Runway 30 to the west "to the maximum practicable extent without negatively impacting the ability to utilize this departure throughout the day." The airport stated it was doing this "in an effort to mitigate noise impacts to areas adjacent to the departure end of Runway 30.

According to CLASS, the agreement came "five years after filing a letter urging the FAA to take a closer look at flight patterns over Alameda" and "after four years of negotiation and consistent push." CLASS called the agreement "a huge win." The change will not be an immediate one, however. It will take effect sometime between mid-October 2022 and April 2023. This change would help reduce noise and air pollution over Bay Farm and Alameda's Main Island, CLASS stated in its press release.

CLASS was hoping for a shift

greater than 5 to 10 degrees and pointed out that FAA's decision only affects daytime departures on Runway 30 and has no effect on any activity after sunset or at North Field. "We'll not stop working and negotiating with FAA to address the nighttime departure procedures and other safety and noise abatement measures," CLASS stated.

The Port of Oakland owns and operates Oakland International Airport. The Port manages the Airport Noise Office to handle environmental noise matters related to airport operations. In addition, the Airport Noise Management Forum is available to provide a way to discuss, analyze and make recommendations to the Port's Executive Director about noise-related issues at Oakland International Airport.

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AYC 2021 Halloween Treat Bag Giveaway



Photo Juan Aguilar

Allegra Buczaczer, Kara Tam, and Ian Evans

The Alameda Recreation and Parks Department (ARPD) Alameda Youth Committee's (AYC) annual Haunted House was cancelled this year due to COVID-19. Instead, the group decided to make 1,000 Halloween treat bags for various organizations in Alameda to distribute to their students, clients, and participants.

Each treat bag contained candy, toys, trinkets and more. AYC members worked together to stuff the bags during the week before Halloween and delivered them to organizations late last week. The goal of the project was simple—to spread the Halloween spirit in Alameda!

AYC is a volunteer leadership youth group for 6th to 12th graders, currently with more than 40

members. AYC would like to give a special thank you to the sponsors who made this community project possible—Alameda Friends of the Parks Foundation, Alameda County Industries, and ARPD. AYC hopes you had a spooktacular Halloween! If you would like more information about AYC, please contact ARPD Recreation Supervisor, Shawn Smith at sdsmsmith@alamedaca.gov.

Business Owners Fight ADA Suits

Ekene Ikeme

Two Alameda businessowners are in a legal fight against a serial lawsuit filer who is taking advantage of a legal loophole.

Michael Lee, owner of Sandwich Board at 2412 Webb Ave., and Mark Rodgers, owner of Lola's Chicken Shack at 1417 Park St., are two out of dozens of businessowners along Park Street served an American with Disabilities Act (ADA) lawsuit by Orlando Garcia. Garcia has a disability and uses a wheelchair. Unlike most of the other businesses served a lawsuit by Garcia, Lee and Rodgers are not willing to settle.

"It's extortion," said Rodgers. "I don't think anybody who wrote the law intended for this to happen."

Both men were served their lawsuits in July. In the complaint, Garcia's accused Lola's Chicken Shack's slope entrance of being too high and not offering an ADA-compliant table outside. The Sandwich Board was accused of having restrictive access to its restaurant due to a table and two chairs in the front and the payment counter being too high. Both men made the appropriate renovations to remedy these complaints. They also hired a California Access Specialist to ensure they met all ADA regulations. Even though both businesses are now ADA compliant, the suits against them are still pending.

"It because they don't care. They're a bunch of crooks," said Lee. "I think this is how his lawyer makes his money."

Rodgers said that a lawsuit was unnecessary and had he been told he wasn't ADA compliant he would have made the appropriate changes.

Dennis Price, Garcia's ADA attorney, said without serial litigation, there would be no way of ensuring businesses are compliant. Price said tester plaintiffs has been around since the 1960s and it is no different than black plaintiffs suing for civil rights violations.

"ADA has been around for 30 years," said Price, an attorney for



Photo Adam Gillitt

Sandwich Board owner Michael Lee.

San Diego-based Potter Handy, LLP. "Every business had 30 years to be compliant."

The ADA was signed into law in 1990. Like the 1964 Civil Rights Act, which prohibits discrimination based on race color, religion, sex, or national origin; the ADA prohibits discrimination against people with disabilities. More specifically, the law is designed to guarantee that people with disabilities have the same opportunities as everyone else to participate and enjoy employment opportunities, to purchase goods and services and to participate in state and local government programs and services.

Price calls Garcia an "active ADA tester." Garcia, a Santa Monica resident, travels to businesses throughout the state searching for ADA compliance violations. He has filed more than 700 ADA lawsuits in Federal Court, including more than 100 lawsuits this year. He has filed lawsuits in San Francisco, Oakland and Berkeley.

ADA defense attorney Catherine Corfee, Esq. believes Garcia's lawsuit should be thrown because did not show he wanted to purchase any goods or services.

LAWSUITS: Page 9

Planning Dept. Drafts Plan To Add 5,353 Housing Units by 2031

Karin K. Jensen

At its Oct. 25th meeting, the Planning Board held a public workshop on the Draft Housing Element of the City's General Plan. Once finalized, the Element will comply with the State of California's Regional Housing Needs Allocation (RHNA) process for 2023-2031. The RHNA seeks to ensure that cities and counties are planning enough housing to accommodate all economic segments of the community.

Allocation and Zoning

The state issued an allocation of 441,176 new housing units for the Bay Area. Alameda's share is 5,353 housing units. Alameda has enough land to accommodate this number. However, City Council will need to revise zoning regulations that prevent building new housing in certain areas.

For instance, Alameda has five shopping centers which provide the opportunity to construct 1,000 units during the 2023-2031 period. However, due to zoning constraints, no housing has been built on these properties in the last 50 years.

The draft Housing Element proposes to accommodate the RHNA as shown in the following box:

Approved Projects	1,400
Alameda Point	1,282
Encinal Terminals	589
Shopping Center Districts	1,000
Residential Districts	500
Accessory Dwelling Units	480
Park St. and Webster St.	200
Total	5,451
RHNA	5,353

Goals

The goals of the Housing Element are to:

- Provide ample housing supply to meet existing and projected housing needs to support a diverse, inclusive, and equitable community.
- Ensure housing stability for households of all income levels and preserve and enhance Alameda's aging and vulnerable housing stock.
- Create racially and socially inclusive neighborhoods that correct historical racial, ethnic, and social discrimination.
- End homelessness.

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FALL BACK
Daylight Saving Time Starts
Turn Your Clocks Back One Hour
2 a.m. Sunday Morning & Check Your Smoke Detector Batteries!



Photo W.T. Larkins colorized by Adam Gillitt

A Fairchild 24R comes in for a landing at San Francisco Aerodrome, once located at the site of the College of Alameda. Learn more about this aerodrome and the four other airports that made Alameda into the "Airport City" of the East Bay at Dennis Evanosky's Saturday, Nov. 13 tour. Meet at 10 a.m. in front of the Albert H. Dewitt O Club on West Redline Avenue at Alameda Point.

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