# IN THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

#### OAKLAND BULK & OVERSIZED TERMINAL, LLC, Plaintiff-Appellee,

v.

CITY OF OAKLAND, *Defendant-Appellant*,

and

#### SIERRA CLUB; SAN FRANCISCO BAYKEEPER Intervenor-Defendants

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

# APPELLANTS' JOINT EXCERPTS OF RECORD VOLUME I OF IX

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