



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY

John J. Bauters
(Chair)
Juan Gonzalez
David Haubert
Nate Miley

CONTRA COSTA COUNTY

Ken Carlson
John Gioia
David Hudson
Mark Ross

MARIN COUNTY

Katie Rice

NAPA COUNTY

Joelle Gallagher

SAN FRANCISCO COUNTY

Tyrone Jue
(SF Mayor's Appointee)
Myrna Melgar
Shamann Walton

SAN MATEO COUNTY

Noelia Corzo
Davina Hurt
(Vice Chair)
Ray Mueller

SANTA CLARA COUNTY

Margaret Abe-Koga
Otto Lee
Sergio Lopez
Vicki Veenker

SOLANO COUNTY

Erin Hannigan
Steve Young

SONOMA COUNTY

Brian Barnacle
Lynda Hopkins
(Secretary)

Dr. Philip M. Fine
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



October 16, 2023

Colleen Liang
Acting Director of Environmental Programs and Planning
Port of Oakland
530 Water Street
Oakland, CA 94607

RE: Oakland International Airport Terminal Modernization and Development
Project Draft Environmental Impact Report (DEIR)

Dear Colleen Liang,

Bay Area Air Quality Management District (Air District) staff have reviewed the Draft Environmental Impact Report (DEIR) for the Oakland International Airport Terminal Modernization and Development Project (Project). The proposed Project would modernize existing Terminals 1 and 2, construct an expanded Customs and Border Protection (CBP) facility for international arrivals, reconfigure and relocate existing cargo and support facilities, improve the terminal area roadway, parking areas and support facilities, and construct a new terminal at the Oakland International Airport (Airport). To accommodate the construction of new facilities, some existing facilities would be demolished.

The Airport is a primary commercial service airport owned and operated by the Port of Oakland (Port). The Airport is located in the City of Oakland, about 6.5 miles southeast of downtown Oakland in Alameda County along San Francisco Bay.

The Air District raises concerns as the DEIR identifies significant impacts that would occur to air quality and the climate as a result of the Project's operational emissions. The Project is located in an Air District Overburdened Community¹ and a census tract the State of California has identified as disproportionately impacted, disadvantaged and low-income under Senate Bill (SB) 1000 (Leyva).

As described on page 3.3-3 of the DEIR, East Oakland was selected by the California Air Resources Board as a high priority community to develop and implement a Community Emissions Reductions Plan, or CERP, under Assembly Bill (AB) 617 (C. Garcia). In partnership with the Air District, the community-based steering committee is responsible for developing the CERP, which will serve as a blueprint for improving air quality in East Oakland. The CERP will include strategies and set

¹ Bay Area Air Quality Management District, Regulation 2: Permits, Rule 1: General Requirements, section 2-1-243 Overburdened Community: "An area located (i) within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or (ii) within 1,000 feet of any such census tract.

goals for reducing exposure to air pollution in the community. Increases in community exposure to air pollution would be inconsistent with the objectives of AB 617.

Community Engagement

The significant air quality and climate impacts identified by the DEIR present considerable concern. As referenced previously, the Project is located in an Air District-identified Overburdened Community, Disadvantaged Community as per SB 1000, and impacts the East Oakland community as identified by AB 617. Therefore, it is important to inform, consult with, or otherwise engage these communities in the environmental analysis and decision making.

The Air District commends the Port of Oakland for its participation as a member of the East Oakland AB 617 Community Steering Committee. To build upon this effort, the Air District recommends the following:

- Engage the East Oakland AB 617 Community Steering Committee to identify opportunities to mitigate impacts to reduce local risks and hazards below recommended thresholds. Further robust engagement would ensure alignment with the to-be-developed CERP, and may include integrating the development and design of the Project into the ongoing CERP process.
- Create a Community Benefits Agreement (CBA) in consultation with the East Oakland AB 617 Community Steering Committee, to develop an enforceable mitigation plan that includes benefits most important to community members. The goal is to ensure measurable and trackable improvements to local air quality and generate transformative benefits to impacted communities.
- Engage local Community Based Organizations (CBOs) to review public engagement for this CEQA process to ensure that meaningful opportunities for participation are provided to a wide and diverse range of residents, youth, seniors, tribal government representatives, persons with disabilities, linguistically isolated persons, and others. Overburdened communities are diverse, with varying issues and needs, which requires engaging local partners familiar with and trusted by the local community.

Environmental Justice

Given the significant air quality and climate impacts identified in the DEIR to surrounding communities the Air District strongly urges the Port review and implement best practices on centering environmental justice (EJ), health, and equity in the siting, design, and development of this Project as illustrated in chapter two (2) of the Air District's 2022 California Environmental Quality Act (CEQA) Guidelines.²

² Bay Area Air Quality Management District, 2022 California Environmental Quality Act (CEQA) Guidelines, Chapter 2, Best Practices for Centering Environmental Justice, Health, and Equity.

EJ relates to the relationship between social and economic factors and environmental impacts on people and their communities. Thus, consideration of race, demographics, social determinants of health, and land use history of a potentially impacted community is crucial to a proper, thorough, and sensitive environmental review.

The Air District recommends the following:

- Prepare a racial impact statement – an analysis of how a proposed action affects racial, ethnic, or national origin groups, also known as a *disparate impact analysis* – to ensure and demonstrate nondiscrimination under Title VI of the 1964 Civil Rights Act.
- Identify each census tract designated as a disadvantaged and low-income area under SB 1000, an AB 617 Community, or an Air District Overburdened Community within the General Study Area. For each identified census tract please show its location on a map. Further, specific information on each of these communities should be included in the Environmental Setting of the Air Quality section. This may include information on the community’s racial and ethnic composition, as well as sensitive population indicators (e.g., asthma, cardiovascular disease, infants with low birth weight) and socioeconomic factor indicators (e.g., educational attainment, housing-burdened low-income households, linguistic isolation, poverty, unemployment) included in CalEnviroScreen 4.0.
- On page 5 of the DEIR, it is stated that a separate environmental review document will be prepared to comply with the National Environmental Policy Act of 1969 (NEPA). When both NEPA and California Environmental Quality Act (CEQA) review is required for a project, it is typically considered best practice to prepare a joint document designed to meet the requirements of both federal and state law. Please clarify why this was not feasible for the Project.

Air Quality

The Air District is concerned with the Project’s air quality impacts, especially for:

Threshold and Emissions	Air Quality Impact	Cumulatively Considerable
Operational emissions of nitrogen oxides (NOx)	Significant and unavoidable	Yes
Operational emissions of reactive organic gases (ROG)	Significant and unavoidable	Yes
Chronic non-cancer human health hazards for on-Airport worker	Significant and unavoidable	Yes
Acute non-cancer human health hazards for on-Airport worker	Significant and unavoidable	Yes

As the DEIR notes, the majority of emissions are the result of aircraft operations, which the Port does not have the authority to regulate. Further, the DEIR evaluates Project alternatives, and in each alternative, including a ‘No Project Alternative’, air quality impacts remain as these emissions

(from aircraft operations) would occur with or without implementation of the Project due to market demand and growth. However, the Port should implement additional measures to reduce air quality impacts for the sources they control, including auxiliary power units (APU), ground support equipment (GSE) and ground access vehicles (GAV). The DEIR also indicates the Port would install electrical infrastructure in the new terminal and relocated cargo area to mitigate air quality impacts. The Port should require additional controls to mitigate air quality emissions as follows:

- Specify the locations of the Project's proposed electric infrastructure, and require zero-emission off-road equipment, where available; the Port should require commitments to zero-emission equipment in applicable bid documents, purchase orders, and contracts; successful contractors should demonstrate the ability to supply the compliant equipment.
- Provide electrical hook ups to the power grid for GSE's and GAV's. All new gates should be equipped with electrical hook ups to minimize the use of APU's.
- Install surplus electric vehicle (EV) supply equipment and/or 'EV Ready Spaces' to service light, medium and heavy-duty vehicles and on-site solar power systems or other zero-emission electric generating systems that provide electricity to power on-site equipment beyond the existing requirements.
- Commit to use carbon-free electricity provided by East Bay Community Energy.
- The Air District is also concerned with the increased consumption of leaded aviation fuel as a result of the proposed Project. The DEIR should include a discussion and analysis of impacts for lead emissions and exposure.

Accountability and Transparency

To promote accountability and transparency, please provide the data and inputs used in the environmental analysis for the Air Quality and Greenhouse Gases sections. Additional information is needed to help the Air District and the public determine if the environmental impacts have been adequately measured, and whether all possible mitigation measures have been included to reduce or eliminate adverse impacts on air quality, the climate, and community health.

Greenhouse Gases

The Air District is concerned with the Project's significant operational greenhouse gas (GHG) emissions and proposed mitigation measures to reduce the GHG impact. The Air District recommends that the Port implement additional onsite GHG reductions in the Project design to further mitigate climate impacts, including opportunities to electrify equipment (see "Air Quality" section). Should the Port explore carbon offsets, priority should be given to projects occurring in Alameda County followed by the Bay Area, California, and the U.S. The DEIR should specify that only projects from California Air Resources Board (CARB)-approved registries may be selected. Currently only six CARB-approved projects are available in the Bay Area – four in Sonoma County and one each in Napa and Solano counties. The lack of available offset projects in or near Alameda County increases the importance of maximizing on-site mitigations.

Permitted Equipment & Demolition Activities

Central Utility Plant

The Project includes expansion and upgrades to the existing central utility plant, which houses boilers, chillers, and supporting equipment. It is unclear from the description on page 2-24 of the DEIR if the expansion will include permitted equipment. Please clarify, in detail, whether the permitted equipment will be expanded. If so, please specify the type, quantity, and size in the DEIR.

Emergency Backup Generators

The Air District recommends evaluating 100 hours (non-testing and non-maintenance) per year for each generator when screening and modeling these sources, in addition to 50 hours of testing and maintenance hours per year. The DEIR does not specify whether these inputs were utilized. Please clarify if the non-testing and non-maintenance hours were included in the emission estimates and where these generators will be located.

Permits and Registrations

Certain boilers, steam generators and process heaters must be registered with the Air District and meet the emission limits outlined in Regulation 9, Rule 7.³ Please visit the Air District's website for instructions on how to apply for Air District Registration.⁴ In addition, any proposed storage tanks may need an Authority to Construct/Permit to Operate from the Air District. Instructions on applying for this permit may be found on the Air District's website.⁵ Questions on the registration or permit application process can be directed to the General Engineering Line at (415) 749-4990 or at permits@baaqmd.gov.

The Project also includes several demolition activities, and the Port should notify the Air District as per the Asbestos Demolition and Renovation Program.⁶

³ Bay Area Air Quality Management District, Regulation 9, Inorganic Gaseous Pollutants, Rule 7, Nitrogen Oxides And Carbon Monoxide from Industrial, Institutional, and Commercial Boilers, Steam Generators, And Process Heaters.

⁴ Bay Area Air Quality Management District. "Register Equipment: Boiler, Steam Generator, Process Heater."

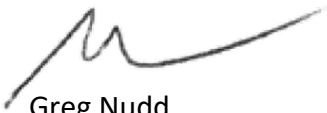
<https://www.baaqmd.gov/permits/register-equipment/boiler-steam-generator-process-heater>

⁵ Bay Area Air Quality Management District. "Apply for a Permit." <https://www.baaqmd.gov/permits/apply-for-a-permit>.

⁶ Bay Area Air Quality Management District, Regulation 11, Hazardous Pollutants, Rule 2, Asbestos Demolition, Renovation and Manufacturing.

Additionally, Air District Planning staff are available to assist the Port in addressing these comments. If you have any questions or would like to discuss Air District recommendations further, please contact Diana Perez-Domencich, Environmental Planner, dperez-domencich@baaqmd.gov and Mark Tang, Acting Assistant Manager, at mtang@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Executive Officer of Policy and Science

Cc: BAAQMD Board Chair John J. Bauters
BAAQMD Director Juan Gonzalez
BAAQMD Director David Haubert
BAAQMD Director Nate Miley