REGION 9
SAN FRANCISCO, CA 94105

October 16, 2023

Ms. Colleen Liang
Port of Oakland
Environmental Programs and Planning Division
530 Water Street
Oakland, California 94607

Subject: EPA comments on the Oakland Airport Draft Environmental Impact Report

Dear Colleen Liang:

The EPA has reviewed the Draft Environmental Impact Report prepared by the Port of Oakland to assess the environmental impacts of a proposal to construct and operate improvements to the Oakland International Airport, including the demolition of existing facilities and adding net 16 gates. While the document available for review was prepared to comply with California Environmental Quality Act requirements, the EPA is also providing our feedback and recommendations to the Federal Aviation Administration. The EPA encourages Port of Oakland to consider our feedback provided below when preparing the Final EIR and future National Environmental Policy Act compliance analyses. The EPA understands that there is no federal action at this time, and we understand FAA may prepare an Environmental Impact Statement or Environmental Assessment should the project proceed and should a federal action be proposed that requires NEPA compliance. These comments are also intended to contribute to early environmental review coordination to assist FAA as "*Information exchanged among the Sponsor, Consultants, and environmental specialists fosters effective, efficient airport planning. It also promotes completing the subsequent NEPA process in a timely, efficient manner*."[1]

Community Engagement
The Draft EIR describes the AB 617 effort that includes community air monitoring and community emissions reduction programs, including funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies, as well as grants to support community participation in the AB 617 process. The Draft EIR states that AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. The EPA appreciates that the Draft EIR acknowledges this effort to provide an opportunity to continue to enhance air quality planning efforts

[1] California Airports Best Practices Guide, https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/f0017458-californiabestpracticesguide-20080715.pdf

and better integrate community, regional, and state-level programs to provide clean air for all Californians.[2]

Recommendations:
Because the East Oakland community (including Oakland Airport within the defined footprint) was selected by BAAQMD in 2022 to develop a Community Emissions Reduction Plan, it would be helpful to include in the Final EIR information related to the East Oakland community input on the proposed Oakland Airport Expansion. Specifically, describe in the Final EIR what concerns have been identified by the East Oakland community and how the project design, construction schedule and phasing, and future operations been revised to be responsive to East Oakland community input. In the Final EIR, describe the Port of Oakland role as steering committee member of the AB 617 East Oakland Steering Committee and how that role has allowed for critical community input to shape the ultimate project design.

Revise the Analysis Build Year to Disclose Impacts Beyond 2038
The Draft EIR uses the planning horizon year 2038 for assessing and disclosing potential impacts. Given the length of time the intended project will be operational and given that the project construction is not estimated to be completed until year 2030, there are impacts beyond year 2038 that would be valuable to disclose for purposes of designing the project and mitigating impacts.

We note that Table 3.3-7, Proposed Construction Components Anticipated Start and End Times (pages 3.3-23 and 3.3-24) states that elements are still under construction in year 2028, including the New Terminal and expansion of a Central Utility Plant, and that Construction of Modernization of Existing Terminals 1 and 2, Demolition of Terminal 1 Ticketing and Baggage Claim, and Parking Lot Construction are not estimated to be under construction until 2029 and later. Further, there are multiple other components that will not be completed until year 2030. It would be beneficial for the public and decisionmakers to better understand the impacts to the environment and to communities well beyond a mid-construction milestone year of 2028, and beyond year 2038, which is just 8 years after construction is estimated to be finalized.

Recommendations: Revise the horizon year for estimates of potential environmental impacts to beyond 2038 for each resource area analyzed to inform design and disclosure of impacts. Provide additional analysis across all resource areas to fully understand what potential impacts across various resource areas may result beyond just looking 8 years after construction is complete. Extending the analysis horizon will also aide in any future use of the underlying EIR analyses to justify future NEPA compliance.

Revise the No Action to Reflect a More Reasonable Maximum Capacity
The objective criteria in the Draft EIR appear to identify current limits on passenger and aircraft capacity. Objective Criteria #2 explains that the current terminals were designed to handle 8 to 10 million annual passengers, but the airport handled more than 13 million in 2019. The Draft EIR then states that, consequently, the facilities do not meet industry standard levels of service for hold rooms,

[2] California Air Resources Board (CARB). (2023). Community Air Protection Program. Retrieved May 2023, from: https://ww2.arb.ca.gov/capp/about

baggage claim, ticketing, security screening, etc. Objective Criteria #3 states that terminal parking locations prohibit large aircraft from parking (onboarding/offboarding?) in adjacent terminals, because the terminals were designed with smaller aircraft in mind. Because of the airports current limitations, we recommend revising the Draft EIR assumption that, "the OAK aviation activity projected in these forecasts would occur regardless of whether the Proposed Project is implemented."

We acknowledge that some growth at the Oakland Airport will occur even if the facilities are not upgraded; however, that growth is not unlimited. It would be beneficial to understand the actual, on the ground constraints of the current airport designed to handle 8-10 million annual passengers, and how the existing facility is not capable of handling more than 24 million without additional infrastructure.

Recommendations:
We recommend the "No Action" be revised to reflect a "reasonable maximum capacity" of the existing facilities and evaluate the air quality (and other resource) impacts that occur from the expansion of the Airport beyond that "reasonable maximum capacity." In the Final EIR, compare the proposed expansion against this more reasonable maximum capacity in order to better and more clearly disclose to the public the full impacts from the expansion across all resource areas (Air Quality, Noise, Parking, Traffic, etc.).

San Francisco Bay Water Quality
There are currently water quality management efforts underway in the San Francisco Bay proximate to the Oakland Airport.[3,4] We note that San Francisco Bay is currently listed as impaired pursuant to Clean Water Act Section 303 for mercury and PCBs; the mercury Total Maximum Daily Load (TMDL) was adopted by the EPA in February 2008; and the PCBs TMDL was adopted by EPA in March 2010. The PCB TMDL implementation is led by the San Francisco Bay Regional Water Quality Control Board. Activities listed in the implementation plan for the PCB TMDL include:

- *Implement PCBs control measures (source control, stormwater treatment, and pollution prevention), so that PCBs loads are reduced by 3 kg/yr by June 30, 2020*
- *Evaluate whether PCBs are present in sealants used in storm drain or roadway infrastructure*
- *Implement programs for controlling PCBs when structures built 1950-1980 are demolished.*
- *Stormwater Permittees monitor for PCBs in surface water and sediments.*

Recommendations:
Include in the Final EIR the above-listed measures, where appropriate, to maximize monitoring and management of PCBs as a part of the project construction and operation. Update Section 3.9.2.2 to reflect PCBs and the information on page 3.8-21 regarding the commitment to prepare a soils Site Management Plan, to reflect the need to assess and manage for potential PCBs. Due to the high concentrations of PCBs in sediment in San Leandro Bay and focused research and water quality management in that area, the EPA recommends that the Port of Oakland commit to thorough soils testing for all site disturbance at the airport demolition and

[3] https://www.sfei.org/documents/priority-margin-unit-stormwater-monitoring-support-load-estimates-pcbs-san-leandro-bay-and;
[4] https://www.sfei.org/sites/default/files/biblio_files/PMU%20Stormwater%20Monitoring%20Report.pdf

construction sites to ensure that disturbed areas and any construction materials or buildings in the expansion project are tested for PCBs and disposed of properly if found to have high levels.

Air Quality and Greenhouse Gas Emissions

Section 3.7.3.1 of the Draft EIR explains that Oakland Airport is a part of the ACI Airport Carbon Accreditation (ACA) Program and has achieved Level 1 Accreditation: *Mapping* and explains that the Airport Carbon Accreditation is an international program that requires its airport members to commit to activities that reduce emissions and provide evidence of effective carbon management procedures. As part of Level 1 accreditation, the Port has developed and has signed a Carbon Reduction Statement. The Draft EIR further states that, "The Port is committed to achieving subsequent levels of accreditation, which would require the Port to track GHG emissions and demonstrate further emissions reductions." We note the October 9, 2023, news that the Airport has, since publication of the Draft EIR, achieved Level 2 Accreditation:

> *For Level Two certification, Oakland International Airport (OAK) was required to develop:*
>
> - *Carbon emission inventories for 2021 and 2022;*
> - *Reduce carbon emissions year-over-year;*
> - *Identify a non-binding carbon emission reduction target (to reduce by 50 percent by 2030); and*
> - *Develop a Carbon Management Plan.*
>
> *OAK met all requirements and now maintains Level Two status as of last week. There are a total of six levels of accreditation in the program and OAK is actively pursuing the next levels of accreditation.*
>
> *"The Port of Oakland is dedicated to its efforts to reduce emissions at Oakland International Airport, and OAK is proud to announce this milestone of achieving Level Two accreditation status," said Craig Simon, Interim Director of Aviation at the Port of Oakland. "While we still have much work ahead of us to achieve our long-term goal of zero emissions, we wish to recognize and applaud this important accomplishment by our Port environmental teams.*
>
> *Long term, the Port of Oakland plans to reach zero emissions operations at OAK by 2040. The United States and Canada have committed to achieving net zero emissions at airports by 2050".* [5]

In light of the major contribution to greenhouse gas emission from the aviation sector, it is encouraging that the Port of Oakland is committed to the goal of reducing its carbon footprint. It is critical for Port of Oakland to commit to all practicable measures to reduce impacts and the subject EIR provides a forum to disclose to the public and decisionmakers how specific commitments to achieve zero emissions at OAK can be realized by 2040, roughly the same timeframe of EIR.

[5] https://www.oaklandairport.com/oakland-airport-awarded-level-two-airport-carbon-accreditation/

Recommendations:
Clearly indicate in the Final EIR the above-referenced "non-binding carbon emission reduction target (to reduce by 50 percent by 2030)" and "plans to reach zero emissions operations at OAK by 2040". Identify what the exact commitments associated with Oakland Airport proposed renovations, and operations, are to achieve these goals.

Update the Carbon Management Plan included in the Draft EIR, and referenced above, to revise the currently described proposed actions. Rather than listing the actions in non-binding language, using terminology such as "may include", we recommend that Port of Oakland revise the measures to clearly indicate commitments as clear, auditable green building and renewable energy requirements.

To ensure green building requirements are prioritized and met, commit to building to LEED Platinum, or equivalent third-party green building certification for the proposed expansion, as Oakland Airport has done in the past (p. 3.7 -18) and as other airports have (i.e. San Francisco International Airport). Identify how the proposed construction and operation will meet the City of Oakland Municipal Code Green Building requirements that address the City's commitment to green building, specifically, the Green Building Ordinance for Civic Projects (No. 12658) that addresses requirements for non-residential new construction, and require compliance with LEED v4 checklist and CALGreen mandatory measures (p. 3.9-7)

Identify the zero-emission ground access vehicles and ground service equipment currently in the fleet and specify the additional ZE equipment that will be implemented by 2030 and by an extended horizon year beyond 2038.

Identify the specific energy saving measures Oakland Airport is currently committing to and state the specific energy saving project features that Port of Oakland and FAA will commit to as a part of the renovations proposed. This may include use of battery storage such as the Bloom Energy technologies at the Fedex facility at the OAK Airport and/or the amount of rooftop/other solar planned to be installed.

Require zero emission alternatives to back-up when feasible, otherwise require Tier 4 final generators.

Discuss the current and future use of alternative fuels, such as renewable diesel and sustainable aviation fuel, in the different fleets. Require all diesel fleets switch to renewable diesel by 2030 and have airline tenants set a 10% sustainable aviation fuel usage goal by 2030 (this is the current Southwest Airlines goal at OAK).

Air Quality and Stationary Sources
It is not clear why the Draft EIR, in describing the current setting for operation emissions in Section 3.3.2.4 assumed the presence of "two natural gas boilers, each rated at 250 boiler horsepower (BHP) " even though in the same section of the Draft EIR it is disclosed that "these two boilers were replaced in 2022 with five new natural gas boilers, each rated at 2.0 million British thermal units per hour (MMBtu/hr)". Also, it is unclear why Port of Oakland analyzed, in the section disclosing environmental impacts, that operational emissions into the future assumes "5 new natural gas-fired boilers" when

Section 3.3.3.2 clearly states that, "the Port plans to electrify all new boilers". Page 3.7-21 states that, "Stationary source emissions would be reduced in 2028 and 2038 as a result of boiler efficiency upgrades"; however, those upgrades have already occurred, in 2022, so the conclusion that the proposed renovations analyzed in the subject Draft EIR will produce these efficiencies is misleading.

The Draft EIR and future NEPA documentation is the appropriate forum to disclose to the public what is actually the current setting (now in 2023) and what changes will be committed to into the future to reduce emissions. While the Draft EIR states an intention to use a baseline of 2019 for the analysis, for cases where the existing setting is clearly different from 2019, it is appropriate to reflect the current setting.

Recommendations:
Update the Environmental Setting to accurately document the presence of the 5 natural gas boilers as the existing baseline setting before implementation of the project. Update the environmental impacts section accordingly to note no change in efficiency (because the 5 natural gas boilers are already present) in regards to the boilers.

If Port of Oakland intends to electrify stationary sources/backup generators that are currently natural gas boilers, then indicate this intention to electrify all new boilers, analyze the beneficial impacts associated with such a commitment (list the reductions to be achieved in Table 3.7-4 Estimated Change in Operational GHG Emissions From 2019 (MtC2E/Year), and clearly indicate a timeframe for implementing the commitment within the context of Port of Oakland intention to reach zero emissions operations at OAK by 2040, as stated above.

Air Quality Emissions Estimates
The Draft EIR does not appear to provide a vehicle and equipment inventory which makes it difficult to review and understand the potential sources of impacts to air quality. Appendix F- Air appears to just provide the CalEEMOD print. Further, there is additional information that would be helpful to further explain in the Final EIR.

Recommendations:
In the Final EIR, provide an inventory of vehicle and equipment anticipated to contribute to emissions so that the potential sources of emission impacts are disclosed.

Include the AEDT report and summary tables, for transparency, in the Final EIR. Correct the internal inconsistency regarding AEDT version referenced to provide impact analysis. Appendix F states that modeled aircraft emissions referenced AEDT Version 3d (previous version); however, the Draft EIR references Version 3e (current). Correct emissions numbers for the Final EIR and future NEPA documentation.

Reuse, Recycle, and Compost
Port of Oakland can reduce environmental impacts, along with waste management costs and disposal fees, through well-established and low-tech waste management best practices that drive waste reduction and diversion. These strategies, which include reuse, recycling, and composting of materials that would otherwise be sent to a landfill or combustion facility, are applicable to both municipal solid waste and construction and demolition debris categories covered by the goals of Executive Order

14057, signed by President Biden on December 8, 2021 to reestablish the federal government as a leader in sustainability. It directs agencies to prioritize products that can be reused, refurbished, or recycled; purchase products that contain recycled content, are biobased, or are energy and water efficient; and, to the maximum extent practicable, purchase sustainable products and services identified or recommended by the EPA. As the information presented in the Draft EIR may be referred to for future use by the FAA, it would be helpful for the Final EIR to address reuse, recycling, and composting.

EPA prioritizes reuse over recycling in our Materials Management Hierarchy because it reduces waste and greenhouse gas emissions that contribute to climate change by avoiding the production and transportation of new materials[6]. Further, the EPA encourages deconstruction and reuse of materials, if possible, rather than incineration or landfill disposal. Deconstruction reduces disposal site health impacts, reduces spread of toxics from demolition dust (lead, hidden asbestos), provides local jobs and job training, and provides low-cost rebuilding materials. In addition, these strategies reduce greenhouse gas emissions that contribute to climate change.

The EPA appreciates that Section 3.7.2.7 of the DEIR acknowledges the importance of reuse to reduce landfill methane: *"Solid Waste GHG emissions from landfill disposal occur primarily from CH4 produced when non-biogenic waste breaks down in a landfill. Materials diverted from the waste stream through reuse and recycling do not end up in the landfill or contribute to the GHG emissions total."* The Oakland 2030 Equitable Climate Action Plan also recognizes the importance of reuse and includes actions to *"Support the Reuse, Repair, Recovery, and Refurbishment Economy"* and *"Establish a Deconstruction Requirement*[7]**."** The Draft EIR proposes demolition of the following facilities, creating an opportunity to reuse materials from these facilities prior to recycling:

- D-1 Demolition of Catering Building
- D-3 Demolition of Terminal 1 Ticketing and Baggage Claim
- D-4 Demolition of Offices and Storage Buildings
- D-8 Demolition of Multi-Tenant Cargo / Support Building
- D-10 Demolition of Provisioning Building
- D-11 Demolition of OMC Hangar and Related Structures
- D-12 Demolition of Storage Building

However, the EPA notes that although the Draft EIR cites many policies requiring "reuse and recycling" diversion requirements, including the Alameda County Green Business Ordinance, 2022 California Green Building Standards Code, Alameda County Waste Reduction and Recycling Act of 1990, there is no commitment to include any specific plans to *reuse materials from the buildings designated for demolition* beyond a possible interpretive art exhibit incorporating reused building materials (3.5.3.1).

> **Recommendations:** To reduce Climate, Solid Waste and Historic Resource impacts, For questions about materials management through deconstruction and reuse, please contact

[6] EPA, Sustainable Materials Management: Non-Hazardous Materials and Waste Management Hierarchy Website, https://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy#Source_Reduction

[7] Oakland 2030 Equitable Climate Action Plan https://www.oaklandca.gov/projects/2030ecap

Timonie Hood, EPA Region 9's Zero Waste and Green Building Coordinator, at (415) 972-3282 or hood.timonie@epa.gov. the EPA recommends that the Port of Oakland commit to the following practices in the Final EIR:

- Require and track building materials reuse as a priority over demolition and recycling actions proposed and confirm that any construction and demolition plans follow the waste management hierarchy.
- Conduct a Deconstruction/Reuse Assessment to determine which materials could be reused/salvaged onsite to support the proposed expansion (preferred) or off-site through well-established Bay Area deconstruction and building materials facilities. A wide range of building materials reused including: brick, lumber, doors, windows, siding, steel, siding, lighting, furniture, fixtures and many others. Of course, any materials reused in the new construction should meet current building code requirements. The EPA recommends referring to the following example Deconstruction Survey by City of Palo Alto: https://www.cityofpaloalto.org/files/assets/public/v/1/zero-waste/deconstruction-construction-materials-management/deconstruction-residential-salvage-documentation-final.pdf
- Revise proposed plans to deconstruct (reuse first, then recycle), instead of demolish, buildings based on the Deconstruction/Reuse Assessment[8]
- Require the project design team to incorporate reused building materials identified in the assessment with specific material, dollar value and weight targets.
- Refer to the following resources to assist with identifying providers and maximizing reuse
    - Service Providers: https://www.stopwaste.org/faq/how-can-i-find-deconstruction-contractors
    - All for Reuse, https://www.allforreuse.org/
    - Build Reuse, https://www.buildreuse.org/
    - C40 Deconstruction Knowledge Hub, https://www.c40knowledgehub.org/s/article/How-to-start-deconstructing-and-stop-demolishing-your-citys-buildings?language=en_US
    - Bay Area Deconstruction Workgroup: https://www.stopwaste.org/DeconstructionWorkgroup

Design for Zero Waste Operations

To further reduce waste, the EPA recommends that Port of Oakland discuss the current zero waste plan for Oakland Airport and develop a new or revised comprehensive Zero Waste Plan and implementation schedule for the new facilities. We note that San Francisco International Airport and San Diego Airport have developed comprehensive Zero Waste Plans and programs and many of the following measures may already be included as potential commitments as a part of the Airports

[8] Consider "Design for Deconstruction" requirements in the procurement of design and construction services using specific language or green building rating system requirements: https://www.lifecyclebuilding.org/rating-systems.php; American Institute of Architects, Design for Adaptability, Deconstruction, and Reuse https://www.aia.org/resources/6282663-design-for-adaptability-deconstruction-and

Council International's Airport Carbon Accreditation program, as waste reduction can be linked to reducing the overall carbon footprint.

Recommendations:

- Designate indoor and outdoor space for reuse/reusable containers; food donation; fats, oils, and grease (FOG), recycling, composting and waste storage, compaction and collection bins (airport and tenant-owned space).
- Install water bottle refilling stations for passengers to limit single-use water bottles.
- Install dishwashing infrastructure for reusable foodware,
- Construct washing facilities for collection containers.
- Develop public and tenant Zero Waste messaging, signage and training.
- Plan for efficient Zero Waste tracking and data collection.
- Refer to the following resources to assist in the development of a Zero Waste Plan
  - https://www.flysfo.com/sites/default/files/media/sfo/community-environment/13259_Zero_Waste_Roadmap.pdf
  - https://www.zerowastedesign.org/

Renewable Energy

The Draft EIR includes guidance on solar energy and past projects but does not commit to electrification of the proposed project, nor does it propose any solar energy projects beyond evaluating additional on-site renewable energy production. To address climate priorities, and to demonstrate how Oakland Airport plans to achieve zero emissions, we recommend establishing clear, attainable, ambitious all-electric and renewable energy requirements. The Port of Oakland has a long history of solar energy leadership and the Final EIR can include commitments to advance and promote solar energy through the next renovations – both through solar energy commitments and airport educational exhibits and information.

Recommendations:

Revise the Final EIR to specifically commit to solar as a part of the proposed project, rather than the statement on page 3.7-18 that the port "would continue to explore opportunities to install additional solar power and onsite battery storage." Include in the Final EIR and future NEPA compliance document a commitment to incorporate solar/renewable energy as the primary airport power source to support not only the new construction, but overall operations.[9]

Confirm in the Final EIR how proposed project complies (not "transitions") with the City of Oakland's requirement prohibiting connections to natural gas and propane (Ordinance 13632).

Other Green Building Elements

Please consider updating green building commitments in the Final EIR to reflect true commitments, rather than suggested practices. For example, revise the terminology to state that Port of Oakland

[9] Refer to the Net Zero experience of other airports: https://www.flysfo.com/about/sustainability/reducing-carbon-emissions/zero-net-energy; https://www.flydenver.com/about/administration/energy_management

"shall" implement as many green building elements versus "may" incorporate best practices for sustainability.

- Eliminate chlorofluorocarbon-based refrigerants.
- Incorporate green/living or white roofs (high solar reflectance index materials) to combat heat island effect.
- Monitor and promote continued success of the airport concessions composting program and ban single-use plastics in the terminals.
- Install efficient fixtures and fittings within restroom facilities and consider purple pipe application, reducing the amount of potable water used in toilets and basins, with a corresponding reduction in wastewater.
- Provide, electric vehicle charging infrastructure to passengers, airport employees, tenants, and ground transportation providers.
- Add indoor air quality requirements, including high-efficiency indoor air quality HVAC systems and monitoring equipment as well as the procurement of no/low VOC building materials and furnishings.
- Add low embodied carbon construction materials procurement, targeting reused materials and lower embodied concrete, asphalt, steel, and glass.
- Refer to the following resources to assist with "green" commitments for the construction and operation of the proposed improvements
    - EPA Indoor Air Quality, https://www.epa.gov/indoor-air-quality-iaq
    - EPA Lower Embodied Carbon Construction Materials and Products, https://www.epa.gov/inflation-reduction-act/inflation-reduction-act-programs-fight-climate-change-reducing-embodied

Thank you for the opportunity to review the Draft EIR. When the Final EIR and future NEPA compliance documentation is available for review, please send a notification to Connell Dunning at dunning.connell@epa.gov. Please contact me to discuss any questions regarding the recommendations provided, and to continue early coordination prior to the initiation of follow up NEPA analyses.

Sincerely,

CONNELL DUNNING

Digitally signed by CONNELL DUNNING
Date: 2023.10.16 15:29:42 -07'00'

For Jean Prijatel
Manager
Environmental Review Branch

cc: Laurie Suttmeier, Federal Aviation Administration, San Francisco Airports District Office
Keith Lichten, San Francisco Regional Water Quality Control Board
Alison Kirk, Bay Area Air Quality Management District