



**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

**June 3, 2016**

**Darin Ranelletti  
City of Oakland  
Bureau of Planning  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612**

**ALAMEDA COUNTY**  
Tom Bates  
Scott Haggerty  
Rebecca Kaplan  
Nate Miley

**Subject: Northeast Gateway Construction Management Plan**

**Dear Mr. Ranelletti,**

**CONTRA COSTA COUNTY**  
John Gioia  
David Hudson  
(Secretary)  
Karen Mitchoff  
Mark Ross

Bay Area Air Quality Management District (Air District) staff appreciates the opportunity to review the Northeast Gateway Construction Management Plan (Plan) submitted to the City of Oakland (City) by Prologis for construction of a 256,000 square foot warehouse (Project) within a portion of the Oakland Army Base. As part of the former Oakland Army Base, the site and therefore this Project is subject to eight air quality mitigation measures described in the Oakland Army Base Project (OAB) 2002 Final Environmental Impact Report, the 2012 Initial Study/Addendum, the Mitigation Monitoring and Reporting Program, and the Lease Disposition and Development Agreement (LDDA). Air District staff understands that approval of the Plan by the City Administrator will allow construction to proceed without any further discretionary approvals from the City.

**MARIN COUNTY**  
Katie Rice

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
John Avalos  
Edwin M. Lee  
Eric Mar  
(Chair)

Air District staff is concerned that the Plan submitted by the developer, Prologis, only addresses air quality impacts associated with construction activity and does not address long term operational emissions associated with the Project. The Plan for this Project does not implement six of the eight air quality mitigation measures that future development is required to implement within the OAB. It should be noted that the eight air quality mitigation measures, which include the City's Standard Conditions of Approval, and which were approved by the Oakland City Council, were expected to be applied to future development within the OAB to lessen significant air quality impacts identified in the environmental documents for the OAB. Approval of the Northeast Gateway Construction Management Plan in its current form would preclude this Project from being required to implement legally binding mitigation measures promised to the surrounding community and approved by the Oakland City Council.

**SAN MATEO COUNTY**  
David J. Canepa  
Carole Groom  
Warren Slocum

**SANTA CLARA COUNTY**  
Cindy Chavez  
Liz Kniss  
(Vice-Chair)  
Jan Pepper  
Rod G. Sinks

**SOLANO COUNTY**  
James Spering  
Osby Davis

**SONOMA COUNTY**  
Teresa Barrett  
Shirlee Zane

Jack P. Broadbent  
**EXECUTIVE OFFICER/APCO**

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In the Attachment to this letter, Air District staff has provided specific comments on the proposed strategies in the Plan to ensure that construction related

emissions are reduced to the extent feasible. In addition, Air District staff is also recommending that the Plan be amended to include the other adopted air quality mitigation measures identified in the previous environmental documents to reduce the significant air quality impacts anticipated to occur in the West Oakland community, including impacts from Project operations. Air District staff believes that full implementation of all previously adopted mitigation measures is needed for the Project as proposed to assure that West Oakland air quality is not adversely affected. This was the promise of *A Bold Vision: Redeveloping the Former Oakland Army Base*, which was approved by the Oakland City Council.

Air District staff is available to assist the City in addressing these comments. If you have any questions, please contact Alison Kirk, Senior Environmental Planner at (415) 749-5169 or [akirk@baaqmd.gov](mailto:akirk@baaqmd.gov).

Sincerely,



Jean Roggenkamp  
Deputy Executive Officer

Cc: Director Tom Bates  
Director Scott Haggerty  
Director Rebecca Kaplan  
Director Nate Miley  
Oakland Mayor Libby Schaaf  
Heather Arias, California Air Resources Board

Attachment

## Attachment

The comments provided below are in response to the Northeast Gateway Construction Management Plan (Plan) recently submitted to the City of Oakland by Prologis; and in relation to the California Environmental Quality Act (CEQA) mitigation requirements adopted by the City of Oakland to lessen the impacts from operational activities associated with development within the Oakland Army Base. As identified in the comments below, the Plan only addresses the CEQA mitigation requirements related to construction activity and does not address the mitigation requirements for operational activities at the Oakland Army Base.

**SCA-AIR-1 and SCA-AIR-2**

SCA-AIR-1 requires the project applicant to submit a construction management plan that “identifies the conditions of approval and mitigation measures to construction impacts of the project and explains how the project applicant will comply.” SCA-AIR-2 provides the list of conditions of approval and mitigation measures that projects are required to implement to lessen significant air quality impacts related to construction and operation.

The Northeast Gateway Construction Management Plan submitted to comply with SCA-AIR-1 includes all the construction related mitigation measures listed in SCA-AIR-2, but does not provide the specificity needed to “explain how the project applicant will comply”. There are a number of measures that provide an “option” for compliance; in these instances, Air District staff recommends that the applicant identify the criteria for choosing one option over another and identify the process for making that decision. For example, measure (a) requires the Project to increase dust control watering when wind speeds exceed 15 miles per hour; and measure (k) requires soil moisture to be maintained at a minimum of 12 percent; and measure (l) requires all excavation, grading, and demolition activities to be suspended when wind speeds exceed 20 miles per hour. The Plan should identify specifically how wind speeds and soil moisture will be monitored and who is required to maintain compliance logs.

Measure (u) requires all equipment used on the construction site and subject to Title 13, Section 2449 of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) to meet emissions requirements one year in advance of any fleet deadlines. To comply, the proposed Plan indicates that “The project applicant shall provide written documentation that fleet requirements have been met.” It is not clear who the written documentation will be submitted to and who will ensure that the appropriate equipment is used at the construction site. Air District staff recommends that this and all projects at the Oakland Army Base submit off-road registration documents approved by the Air Resources Board to determine a fleet’s compliance with this requirement. In addition, Air District staff also recommends that only Tier 4 off-road engines be used at the OAB, and if Tier 4 off-road engines are not available for a particular use, then Tier 3 off-road engines be used.

Measure (v) requires the use of low VOC “coatings beyond local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).” Air District staff recommends that the Plan identify what the current regulations require and demonstrate how the Project will reduce VOC emissions beyond these requirements.

**SCA-AIR-3**

SCA-AIR-3 is not currently proposed to be implemented by the Project. This measure addresses public exposure to toxic air contaminants (TACs) and requires measures be implemented by new development to reduce indoor and outdoor concentrations to TACs. The Air District recommends that the Plan be amended to include the requirements of SCA AIR-3.

**Mitigation 4.4-3**

Mitigation 4.4-3 is not currently proposed to be implemented by the Project. This measure requires the Port of Oakland to implement a criteria pollutant reduction program aimed at reducing or off-setting Port-related emissions in West Oakland from its maritime and rail operations to less than significant levels *prior to the start of operations*. Since this Project will facilitate operations at the Port of Oakland, the Air District recommends that the Project include measures within the Plan to comply with this requirement. These measures could include electrification of the 55 loading docks within the Project, and requiring the Port of Oakland to use only the lowest emitting off-road cargo handling equipment to load trucks using the Project site.

**Mitigation 4.4-4**

Mitigation 4.4-4 is not currently proposed to be implemented by the Project. This measure requires the City of Oakland and the Port of Oakland to jointly create, maintain, and fund on a fair share basis a truck diesel emission reduction program *prior to the start of operations*. The program shall be sufficiently funded to strive to “reduce redevelopment related contributions to local West Oakland diesel emissions to less than significant levels”. This Project will have 55 truck loading docks and 78 trailer parking stalls. Diesel particulate matter emissions, a known toxic air contaminant, will substantially increase in the West Oakland community. The environmental documents identified significant air quality impacts from exactly this type of development. Air District staff recommends that the Plan be amended to include the development of an off-site mitigation program such that there is no net increase in emissions from this Project within the West Oakland community.

**Mitigation 4.4-5**

Mitigation 4.4-5 is not currently proposed to be implemented by this project. This measure requires major developers to fund feasible Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations. Air District staff recommends that the Plan be amended to include this mitigation measure and specifically identify this Project’s share of funding for the TCMs listed below

- Provide incentives to encourage workers to carpool or use public transportation (TCM 4)
- Provide shuttles to and from the West Oakland BART station, and mid-day shuttles to food service establishments/commercial areas (TCM 5 and 8)
- Provide preferential parking for carpool and vanpool vehicles (TCM 9)
- Charge parking fees for single occupancy vehicle commuters (TCM 10)
- Install weather-protected bicycle parking for employees (TCM 11)
- Provide safe, direct access for bicycles to adjacent bicycle routes (TCM 12)

- Provide showers and lockers for employees bicycling or walking to work (TCM 13)
- Provide direct, safe, attractive pedestrian access from the project to transit stops and adjacent developments (TCM 14).

**Mitigation 4.4-6**

Mitigation 4.4-6 3 is not currently proposed to be implemented by this Project. This measure requires the City of Oakland and the Port of Oakland to implement sustainable development policies and strategies related to new development design and construction. Air District staff recommends that the Plan include this mitigation measure and explain how the construction practices at the Project are consistent with this measure. In addition, Air District staff recommends that the Plan include measures to address sustainable development, such as installation of on-site renewable energy generation, use of ground source space heating, and thermal hot water heating.

**Mitigation 5.4-1**

Mitigation 5.4.-1 3 is not currently proposed to be implemented by this project. This measure requires the City of Oakland and the Port of Oakland to encourage, lobby, and potentially participate in emission reduction demonstration projects that promote technological advances in improving air quality. Air District staff recommends that the Project identify potential new technological advances that could be demonstrated at this Project.