



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY

John J. Bauters
Pauline Russo Cutter
Scott Haggerty
Nate Miley

CONTRA COSTA COUNTY

John Gioia
David Hudson
Karen Mitchoff
(Secretary)
Mark Ross

MARIN COUNTY

Katie Rice

NAPA COUNTY

Brad Wagenknecht

SAN FRANCISCO COUNTY

VACANT
Shamann Walton
Tyron Jue
(SF Mayor's Appointee)

SAN MATEO COUNTY

David J. Canepa
Carole Groom
Davina Hurt

SANTA CLARA COUNTY

Margaret Abe-Koga
Cindy Chavez
(Vice Chair)
Liz Kniss
Rod G. Sinks
(Chair)

SOLANO COUNTY

James Spering
Lori Wilson

SONOMA COUNTY

Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



February 10, 2020

Dave Navecky

Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: Docket No. FD 36312, Oakland Global Rail Enterprise – Authority to Operate a Rail Line in Oakland, California

Dear Mr. Navecky,

Bay Area Air Quality Management District (Air District) staff has reviewed the Surface Transportation Board's January 9, 2020 letter, regarding the Oakland Global Rail Enterprise's proposed rail operations (the Project) environmental review under the National Environmental Policy Act (NEPA). The Project would authorize Oakland Global Rail Enterprise (OGRE) to operate a rail line over sections of existing railroad tracks in Oakland between south of the Bay Bridge toll plaza, west of Interstate 880, north of 7th Street, and east of Maritime Street. OGRE states that the bulk commodities that could be transported as part of the Project include proteins, resins, iron ore, copper concentrate, coal, soda ash, and agricultural products.

The Air District is deeply concerned about any increases in emissions in the community of West Oakland. To that end, in October 2019, the Air District Board of Directors adopted the *West Oakland Community Action Plan* (Plan), a 5-year plan to reduce emissions and exposure in West Oakland. The Plan is a result of the Air District's partnership with the West Oakland Environmental Indicators Project, community members, the City of Oakland, and others. The goal of the Plan is to protect and improve community health by eliminating disparities in exposure to local air pollution. To ensure that the Project does not increase exposure to local air pollution, Air District staff recommends that the Project's environmental review include the following information and analysis:

- **The environmental review should estimate and evaluate the potential health risk to existing and future sensitive populations near the Project from toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) as a result of the Project's construction and operation.** West Oakland is adjacent to the Project and is already burdened by cumulative air pollution impacts, due to its proximity to existing sources of TACs and PM_{2.5}. These

existing sources include industrial uses, goods movement, including marine, rail and heavy-duty truck traffic, and passenger vehicle traffic along Interstate 880 and Interstate 580. The Air District encourages the Surface Transportation Board to support mitigation of any additional emissions of TACs and PM_{2.5} in the community, including emissions from temporary construction activities.

The Air District helped fund OGRE's purchase of a Tier 4 locomotive and supports the use of the cleanest engines available for goods movement. However, it is important that the environmental review consider any unintended consequences as a result of the Project's operation. Thus, the Air District recommends that the environmental review include a study of any air pollution that would result from the movement of goods associated with or enabled by this project, such as dust from the transportation of coal or other products, in addition to air pollution from use of diesel engines to move goods.

- **The environmental review should evaluate the Project's consistency with relevant adopted plans.** The Air District recommends that the environmental analysis include a review the Project's consistency with the *West Oakland Community Action Plan* (2019), the Port of Oakland's *Seaport Air Quality 2020 and Beyond Plan* (2019), the Air District's *2017 Clean Air Plan*, and the City of Oakland's *West Oakland Specific Plan* (2014). For example, both the *West Oakland Community Action Plan* and the *Seaport Air Quality 2020 and Beyond Plan* have the expectation that any new diesel sources include the cleanest available engines. The Air District encourages the Surface Transportation Board to support mitigation of any engines that are not the cleanest available engines. In addition, both the *West Oakland Community Action Plan* and the *Seaport Air Quality 2020 and Beyond Plan* include emissions estimates from the Project that may be helpful to the Surface Transportation Board during the environmental review.
- **The environmental review should include an analysis of any greenhouse gases from the Project and evaluate the Project's consistency with the most recent draft of the California Air Resources Board's AB 32 Scoping Plan and with the State's 2030 and 2050 climate goals.**
- **The Air District encourages the Surface Transportation Board to coordinate with any local or state agency responsible for environmental decision making for the Project.** For example, if the Project requires review under the California Environmental Quality Act (CEQA), the Surface Transportation Board should work with the CEQA lead agency to share data, methodology, and review potential mitigation measures.
- **Certain aspects of the Project may require a permit from the Air District and should be discussed in the environmental review (for example, back-up diesel generators, conveyors, and stockpiles).** Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements. In addition, any stationary sources of air pollution that are part of the Project should be described in the environmental review.

We encourage the Surface Transportation Board to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments, please contact Alison Kirk, Principal Environmental Planner, at 415-749-5169 or akirk@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

Cc: BAAQMD Director John J. Bauters
BAAQMD Director Pauline Russo Cutter
BAAQMD Director Scott Haggerty
BAAQMD Director Nate Miley