



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

June 3, 2024

Brandon Reed
Port of Oakland
530 Water Street
Oakland, CA 94607

RE: Supplemental Initial Study/Mitigated Negative Declaration for the Airport Perimeter Dike FEMA and Seismic Improvements Project

Dear Brandon Reed:

The Bay Area Air Quality Management District (Air District) reviewed the Supplemental Initial Study/Mitigated Negative Declaration (IS/MND) for the Airport Perimeter Dike Federal Emergency Management Agency (FEMA) and Seismic Improvements Project (Project), located at the Oakland International Airport (OAK) in Oakland, California. The proposed Project will construct the improvements necessary to protect the OAK Perimeter Dike (APD) from catastrophic damage during a major earthquake, with the primary objective to maintain the flood protection of the APD's system following a major earthquake in the San Francisco Bay Area. The Project area extends 4.5 miles and forms the boundary between OAK, its facilities, and the San Francisco Bay.

The Project is Phase 2 of a two-phase project. Project Phase 1 was completed in 2021 and included the construction of flood protection measures to meet standards required by FEMA and was reviewed under previous California Environmental Quality Act (CEQA) environmental documents. The Port of Oakland (Port) has proposed an alternative seismic improvement method and plans to incorporate reused excavated materials adjacent to the APD Project Site. These changes and additions are the subject of the Supplemental IS/MND and Phase 2.

Environmental Justice

The Project is located within the boundaries of an Overburdened Community, as defined by the Air District's [Regulation 2, Rule 1: General Requirements](#)¹ and within the boundary of the East Oakland AB 617 community. Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017) established the Community Health Protection Program, which works closely with Bay Area communities to plan, develop and implement innovative strategies to improve community health by reducing exposure to air pollutants in neighborhoods most impacted by air pollution.

¹ Bay Area Air Quality Management District. Regulation 2, Rule 1: General Requirements. https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021-amendments/documents/20211215_rg0201-pdf.pdf?rev=103cc60e706947d3ad1e4f5a090483c1&sc_lang=en

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Because of the potential impact to surrounding communities, the Air District strongly urges the Port to implement Environmental Justice principles as defined in Chapter 2 of the [Air District's California Environmental Quality Act \(CEQA\) Guidelines](#) entitled, "[Best Practices for Centering Environmental Justice \(EJ\), Health, and Equity](#)" to this Project.

Chapter 2 of the Air District's CEQA Guidelines state that EJ "refers to the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."² Consideration of race, demographics, and health outcomes of an impacted community are therefore crucial to a thorough and sensitive environmental review. The Port should include the overburdened and/or AB 617 communities in the analysis and describe the environmental setting of these communities. Additionally, the Port should complement this analysis with local knowledge about the location of polluting sources and sensitive receptors to inform the evaluation of cumulative impacts and alternatives analysis. Finally, the Port should consider preparing a racial impact statement as described in Chapter 2 of the Air District's CEQA Guidelines. Please contact Air District staff for additional resources and tools to help prepare a racial impact statement, as needed.

Air Quality and Mitigations

The Air District recommends the Project implement all feasible measures to reduce nitrogen oxides (NOx) emissions for construction, including:

- Requiring off-road construction equipment to be zero-emission equipment as the primary mitigation measure, and alternatively allowing construction vehicles and construction equipment to operate with Final Tier 4 engines using renewable diesel or zero-emission drivetrains, as commercially available when zero-emission equipment is not feasible.
- Require on-road haul trucks to have zero-emissions engines. If zero-emissions engines are not available, require haul trucks with engines that are no more than eight years old.
- Prohibiting trucks from idling for more than two minutes or prohibit idling altogether.
- Prohibiting portable diesel generators on the construction site where grid power is available or use alternatively-fueled generators such as propane or solar electrical power.
- Implementing a program that incentivizes construction workers to carpool, use electric vehicles (EV), or use public transit to commute to and from the site. The program may include the following features, as feasible: providing a shuttle service to and from the Bay Area Rapid Transit (BART); preferential parking to carpool vehicles, vanpool vehicles, and EVs; and scheduling work shifts to be compatible with the schedules of local transit services.

Additionally, certain aspects of the Project may require a permit from the Air District. Please contact Barry Young, Senior Advanced Projects Advisor at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements. Any applicable permit requirements should be discussed in the IS/MND.

² Bay Area Air Quality Management District. 2022 CEQA Guidelines, Chapter 2, Best Practices for Centering Environmental Justice, Health, and Equity. <https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-2-environmental-justicefinal-pdf.pdf?rev=724445e52f394fe1ab3d3b1636b6d023>

We encourage the Port 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 Mark Tang, Assistant Manager at (415) 749-4778 or mtang@baaqmd.gov.

Sincerely,



Philip M. Fine, Ph.D.
Executive Officer/Air Pollution Control Officer

cc: BAAQMD Director Juan González III
BAAQMD Director David Haubert
BAAQMD Director Nate Miley
BAAQMD Director Mark Salinas