



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

April 12, 2018

Patricia McGowan
City of Oakland Environmental Coordinator
City of Oakland Planning and Building Department
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Subject: City/Prologis Operational Air Quality Plans for the Oakland Army Base

Dear Ms. McGowan:

Bay Area Air Quality Management District (Air District) staff has reviewed the two Operational Air Quality Plans (Plans) prepared for the Prologis portion of the Oakland Army Base (OAB). The Plans are intended to demonstrate compliance with the Standard Conditions of Approval (SCAs) and Mitigation Measures (MM) adopted by the Oakland City Council (City) and Port of Oakland (Port) to lessen the significant air quality impacts anticipated with buildout of the OAB. The West Oakland community is one of the most disproportionality impacted communities for Toxic Air Contaminants (TACs) and Particulate Matter (PM) in the Bay Area, and the focus of substantial efforts by the Air District and others to reduce public exposure to these emissions.

Unfortunately, the Plans submitted by the City and Prologis will only require future tenants to comply with existing regulations, and will fall short of mitigating or reducing the substantial TAC, PM and ozone precursor emissions identified in the DEIR for the OAB. The West Oakland community would therefore be subjected to a substantial increase in air pollution from activity at the OAB that will reverse years of work and millions of dollars invested in the Port and West Oakland community to reduce the public's exposure to TACs and PM.

Air District staff have participated in the public stakeholder process that was created by the City in 2013 to ensure the implementation of the SCAs and MMs to minimize air pollution from the OAB. The Air District has provided the City, Port and Prologis a detailed list of strategies that could be implemented to meet the emission reductions anticipated in the SCAs and MMs. Air District staff have also identified millions of dollars of incentive funding that could assist the City, Port and Prologis in minimizing air emissions in the West Oakland community from the OAB development. Virtually none of the strategies were made requirements in the Plans for future development.

Mitigation Measure 4.4-4 states that "The City and Port shall jointly create, maintain and fund on a fair share basis, a truck diesel emission reduction program." To address this mitigation measure, the Plans includes a number of

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measures in Section 4.1, and states that “the requirements below will reduce the diesel emissions including diesel particulate matter and nitrogen oxides produced during the operation of these warehouses.” In reality, the “requirements” listed in section 4.1 will do practically nothing to “reduce” emissions below what would have already occurred due to existing regulations. Tenants will be allowed to bring in trucks and equipment that are not the cleanest available and that only meet current regulations. To “mitigate” and achieve the emission reductions expected through MM 4.4-4, the Plan could have required all trucks entering the OAB property to meet 2010 diesel emission standards; all trucks with transport refrigeration units to be capable of plugging into power at loading docks and required to plug in when at the loading dock; all cargo handling and material handling equipment to be the lowest emission equipment available at the time of occupancy, not when the tenant decides to purchase new equipment; a dock management system to have been required at time of occupancy and not when idling limits are exceeded. These and other feasible measures consistent with the requirements in the Lease Disposition and Development Agreement (LDDA) can and should be included in the Plan that would have actually “reduced” TAC and PM emissions from future development on the West Oakland community.

Since the OAB was approved in 2012, more stringent health based ambient air quality standards have been promulgated by the U.S. EPA and therefore the air quality impacts resulting from development at the OAB will be more severe on public health than the impacts identified in the OAB DEIR. In addition, AB 617 was approved by the State Legislature in 2017 which established the Community Air Protection Program. The focus of AB 617 is to reduce TAC and PM emissions and exposure in communities most impacted by air pollution. Because of the disproportionate impacts occurring within the West Oakland community, they have been selected by the Air District for the first AB 617 Community Health Protection Action Plan in the Bay Area. It is more critical now than ever for the City to ensure that development at the OAB does not unnecessarily further degrade the air quality in the West Oakland community. Approving Plans that essentially only require compliance with existing regulations does nothing to lessen the adverse impacts that will occur from future development at the OAB.

On page 11 of the Operational Air Quality Plan, the City states that the Plan accomplishes goals consistent with the BAAQMD guidance of “Meeting the spirit and letter of the mitigation program; Providing measurable, quantifiable, results; Protecting health of nearby workers and residents.” As mentioned by Air District staff at the stakeholder meeting on March 15, 2018, these Plans will not achieve these goals. These Plans are not consistent with the letter or spirit of the “Bold Vision” adopted in 2010 for development at the OAB, or the SCAs and MMs adopted by the City Council. Please remove this statement from the Plan.

Air District staff continues to be willing and ready to work with the City, Port and developers to develop a Plan that will protect the health of the West Oakland community. If you have any questions or would like to discuss Air District recommendations further, please contact Dave Vintze, Air Quality Planning Manager, at 415-749-5179, or at dvintze@baaqmd.gov.

Sincerely,



Gregory Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Director Pauline Russo Cutter
BAAQMD Director Scott Haggerty
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BAAQMD Director Nate Miley
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