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February 14, 2022

Mr. Eric Jolliffe
Environmental Manager
US Army Corps of Engineers
450 Golden Gate Ave 4th Floor
San Francisco, 94102

RE: Oakland Harbor Turning Basins Widening Navigation Study Project Draft Integrated Feasibility Report and Environmental Assessment

Dear Mr. Jolliffe:

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Integrated Feasibility Report and Environmental Assessment (Feasibility Report) for the Oakland Harbor Turning Basins Widening Navigation Study Project (Project). The United States Army Corps of Engineers (USACE) is the federal sponsor, and the Port of Oakland (Port) is the local sponsor of the Project. The stated purpose of the Feasibility Report is to determine if there is a technically feasible, economically justifiable, and environmentally acceptable recommendation for federal participation in an improvement project to the existing federal navigation channels of Oakland Harbor.

The Project proposes to expand the Outer Harbor Channel and Outer Harbor Turning Basin (OHTB) and the Inner Harbor Channel and Inner Harbor Turning Basin (IHTB). The OHTB is south of the San Francisco-Oakland Bay Bridge and is maintained to a depth of -50 feet mean lower low water (MLLW). The OHTB serves the existing TraPac and Ben E. Nutter terminals. The OHTB expansion would widen the existing turning basin from 1,650 to 1,965 feet, which would be dredged to a depth of -50 feet MLLW. The IHTB is approximately 2.5 miles from the Inner Harbor entrance and is maintained to -50 feet MLLW. The IHTB serves the existing Oakland International Container, Matson, and Schnitzer Steel terminals. The IHTB expansion would widen the existing turning basin from 1,500 feet to 1,834 feet, which would be dredged to a depth of -50 feet MLLW. In addition to in-water work to widen the IHTB, land at Schnitzer Steel, Howard Terminal, and private property located along the Alameda shoreline would be impacted.

The community of West Oakland is located east and northeast of the Outer Harbor Channel and Inner Harbor Channel, respectively, and the Feasibility Report identifies the West Clawson neighborhood of West Oakland as an Environmental Justice (EJ) community within one mile of the Project. The Air District and the West Oakland Environmental Indicators Project (WOEIP) worked with a community Steering Committee to develop the West Oakland Community Action Plan (WOCAP), adopted by the Air District Board of

Directors and the California Air Resources Board (CARB) in 2019. The WOCAP sets goals and targets for reducing exposure to fine particulate matter (PM2.5), diesel emissions and cancer risk from toxic air contaminants (TACs). Any increases in local PM2.5, diesel emissions or cancer risk would be inconsistent with the WOCAP and would hinder progress toward the agreed upon targets set by the West Oakland Steering Committee, the Air District and CARB.

The Air District commends the USACE and Port for selecting a project alternative that will employ electric-powered barge-mounted excavator dredging equipment. However, Air District staff remain concerned that the Feasibility Report and General Conformity criteria fail to accurately characterize the extent of the Project's air quality impacts. The Feasibility Report determines the Project would have no impact based solely on an evaluation of construction related emissions using the General Conformity criteria of not exceeding, in any calendar year during construction, the ozone precursors and fine particulate matter (PM2.5) *de minimis* threshold of 100 tons per year. Air District staff does not support the use of General Conformity de minimis levels as appropriate thresholds for identifying potentially significant local and regional air quality impacts. The Feasibility Report does not provide substantial evidence that Project-related emissions will not increase concentrations of PM2.5, diesel emissions, or cancer risk in local communities, including the (federally determined) EJ community of West Clawson. In addition, the Feasibility Report includes no information to support the conclusion that the Project would not result in an increase in criteria pollutants, TACs, or greenhouse gases due to the increased capacity at the Port.

Air District staff recommends that the USACE and the Port evaluate the Project's potential air quality impacts to local communities in a detailed and publicly accessible environmental analysis prepared pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA). We recommend the CEQA analysis rely on the Air District's current CEQA Air Quality Guidelines to establish thresholds, and fully evaluate the regional criteria pollutants, local risks and hazards, and greenhouse gases of the Project.

Comments on the Feasibility Report

The Feasibility Report should provide evidence to support the following aspects of the analysis:

(1) Additional information should be provided on the number and type of haul trucks that will be used during construction to substantiate the analysis. Disposal of excavated landside material, piles and debris from warehouse demolition would require approximately 31,310 truck trips during Project construction, likely adding new truck trips and associated emissions to already overburden communities.

(2) Evidence should be provided to support the statement of no change in operational emissions at the Port, including documentation to support the claim that increased navigational efficiency will not result in an increase in the number of ship calls or

throughput at the Port. Even if the number of ship calls were to remain unchanged, the Project would allow larger vessels – with different emissions profiles – to access the Port. The environmental analysis should clearly discuss the types of vessels (and the associated emissions) that could visit the Port as a result of the Project.

(3) Evidence should be provided to support the statement that increased navigational efficiency would result in a decrease in emissions from ship idling and turning maneuvers, and documentation should be provided to confirm which EJ communities could benefit from these decreased emissions.

(4) The Feasibility Report cites Appendix A-4 for documentation of the Port's Health Risk Assessment (HRA). However, Appendix A-4 only documents construction criteria pollutant emissions. To support the finding of no impact to nearby EJ communities, an HRA or similar localized health analysis must evaluate the potential increase in local risks and hazards from PM 2.5, diesel emissions, and TACs from the Project. Without this analysis, the Feasibility Report's finding of no impact cannot be substantiated.

Further Recommendations for completion of an EIS/EIR

A joint EIS/EIR should be prepared and provide evidence to support all findings, including a full evaluation of regional criteria pollutants, local risks and hazards, and greenhouse gases, and commit to all mitigations to address impacts and protect health, including but not limited to the recommendations below:

(1) Analyze construction phase emissions from all equipment, including tugboats and other marine vessels, on-road and off-road trucks, and other equipment.

(2) Analyze all potential operational phase emissions, including any changes in emissions due to changes in vessel activity during ship calls, changes in types of vessels calling at the Port, increased ship calls, and any increased use of off-road equipment and on-road truck trips.

(3) Complete an HRA to evaluate the potential increase in local emissions and exposure to PM2.5 and TACs from construction and operational phases of the Project in federally identified EJ communities, the entire community of West Oakland as described in the WOCAP, and any additional overburdened communities that may be impacted by travel to and from the Project site, such as Martinez, Bay Point, and Pittsburg.

(4) Complete an analysis of air quality impacts of the Project's operational phase, including a cumulative analysis that considers all reasonability foreseeable projects with the potential to further burden West Oakland with exposure to emissions, such as the Eagle Rock Aggregate Project and the Oakland Waterfront Ballpark District Project.

(5) Implement mitigation measures and/or Project alternatives to reduce emissions and local community health risk from the construction and operational phases, including selecting and enforcing truck routes, requiring use of zero-emission on-road trucks and off-road construction equipment, and implementing other strategies to reduce exposure consistent with the WOCAP.

(6) Demonstrate the Project is consistent with the WOCAP per the California Environmental Quality Act (CEQA) Guidelines, Appendix G, https://opr.ca.gov/ceqa/guidelines/. The analysis should discuss how the Project supports the WOCAP goals and targets; identify which WOCAP strategies are incorporated into the Project, and justify the reasons, supported by substantial evidence, any strategies are not incorporated; and demonstrate that the Project would not cause disruption, delay, or otherwise hinder implementation of any WOCAP strategies.

Air District staff is available to assist the USACE and Port in addressing these comments and to assist during the EIS/EIR development process. If you have questions or would like to discuss Air District recommendations, please contact Alison Kirk, Assistant Manager, at akirk@baaqmd.gov.

Sincerely,

Greg Nudd
Deputy Air Pollution Control Officer

Cc: BAAQMD Director John J. Bauters
BAAQMD Director Pauline Russo Cutter
BAAQMD Director David Haubert
BAAQMD Director Nate Miley
Stanley Armstrong, California Air Resources Board
Brian Beveridge, West Oakland Environmental Indicators Project
Connell Dunning, U.S. EPA Region 9
Ms. Margaret Gordon, West Oakland Environmental Indicators Project
Danny Wan, Port of Oakland