



**REGION 9**

SAN FRANCISCO, CA 94105

December 18, 2023

Port of Oakland  
Environmental Programs and Planning Division  
Attn: Ms. Khamly Chuop  
530 Water Street  
Oakland, California 94607

Subject: EPA comments on the Oakland Turning Basins Widening Draft Environmental Impact Report

Dear Khamly Choup:

The EPA has reviewed the Draft Environmental Impact Report prepared by the Port of Oakland to assess the environmental impacts of a proposal to widen the Oakland Harbor Turning Basins. While the document available for review was prepared to comply with California Environmental Quality Act requirements, the EPA notes that our agency previously reviewed and commented on the United States Army Corps of Engineers "Oakland Harbor Turning Basins Widening Navigation Study, Draft Integrated Feasibility Report/Environmental Assessment" prepared to comply with the National Environmental Policy Act. The EPA provided formal Draft EA comments to the USACE, and also submitted them to the Port of Oakland as scoping comments. The prior EPA Draft Environmental Assessment comments are attached and, to the extent the comments still apply, are included as EPA's comments to the Port of Oakland for the subject Draft EIR in addition to the comments provided below.

The EPA appreciates the commitment to the use of electric dredge during project construction in order to reduce potential adverse air quality impacts. We encourage Port of Oakland to consider our feedback provided below, and attached (as applicable), to further reduce potential environmental impacts as the Final EIR is being prepared. We understand the USACE is also currently considering the attached recommendations for preparation of the future National Environmental Policy Act Final Environmental Assessment and we appreciate the coordination between Port of Oakland and USACE in addressing the comments.

**Operational Impacts from Larger Vessels**

The Draft EIR concludes that there is a lack of influence from the proposed project on volume of cargo throughput or port operations and, therefore, the document does not analyze potential air quality impacts from changes to port operations that result from the project. Page ES-3 states, "*The Proposed Project is designed to improve both vessel transit efficiencies and navigational safety in the Oakland Harbor. The Proposed Project is not a development project that removes a barrier to growth, shifts*

*cargo from one port to another, or increases the Port's container handling capabilities. It is assumed that the economic variables that directly influence economic growth and subsequent demand for Port services remain constant under the Proposed Project and future conditions without the Proposed Project; therefore, the Port's total projected volume serviced would remain the same both with and without widening of the turning basins."* The Draft EIR did not provide various scenarios projecting how the widening of the turning basins and more efficient container movement efficiencies from larger vessels would influence the *timing, scope, and location* of landside port and freight throughput operations. Because no potential scenarios of operations impacts are projected, there is also no analysis of potential impacts or changes to local and regional air quality. Identifying all available construction and operational emissions reduction strategies and reducing emissions from the construction and widening activities, as well as from changes to port operations, is critical for protecting the health of the neighboring Oakland communities and the region. Further, we note that the San Francisco Bay Area Goods Movement Plan includes the following characterization of larger vessel calls:

- *A large vessel offloads in one day the same amount that a terminal typically once handled over the course of two to three days, which creates bottlenecks and operational issues that contribute to queues outside the terminal gates, increases in the amount of time it takes trucks to pick up or drop off a load and decreases efficiency in terminal operations.*
- *Terminal operators have not implemented adequate operational changes to address the cargo surges, such as more shifts or implementation of new technology to help manage the storage and retrieval of containers.*
- *Truckers do not have set schedules for picking up or delivering containers from the terminals...As a result, truck queuing regularly extends as far north as Maritime Street/Wake Avenue/Engineer Road and northwest on Burma Road, as far west as I-880 on 7th Street, and from the south to Adeline Street and I-880.<sup>1</sup>*

The project is intended to draw the largest available ocean-going container vessels, which will exacerbate the problems described above, yet the Draft EIR does not evaluate the impacts to the drayage fleet servicing the Port. If the facility is efficient and competitive, more containers may call at the Port of Oakland and the larger overall capacity of the new vessels may increase total TEU throughput. We commend the Port for noting on Page 3.3-35 that, "The Port adopted an amendment to its environmental ordinance in March 2023, requiring Port tenants that operate cargo-handling equipment to create a plan for converting cargo-handling equipment to zero emissions (Port of Oakland Administrative Code Chapter 9.01). Port tenants are required to submit their conversion plan by December 31, 2023." However, the timing of the implementation of zero emissions deployment is not discussed.

### **Recommendations:**

To improve disclosure, and support potential additional design and mitigation considerations, in the Final EIR, discuss cargo handling equipment and drayage fleets. Include a summary of the commitment to achieve zero emission cargo-handling in the Final EIR and disclose the horizon year that tenants are committing to achieve 100% cargo-handling equipment. Include any incentive programs, or other means the Port can adopt to insure rapid deployment, as well as any

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<sup>1</sup> San Francisco Bay Goods Movement Plan, February 2016, page 30 and 31.

monitoring and reporting the Port will implement to insure active progress towards meeting stated zero emission goals.

Page 3.3-32, Table 3.3-7 describes various West Oakland Community Action Plan Strategies and how the Proposed Project is aligned with them. In regards to the impacts anticipated from larger container vessels, the West Oakland Community Action Plan Strategy #43 states, “The Port of Oakland studies the effects on truck flow and congestion due to increasing visits from larger container vessels, the feasibility of an offterminal container yard that utilizes zero-emission trucks to move containers to and from the marine terminals, and the potential efficiency gains from increasing the number of trucks hauling loaded containers on each leg of a roundtrip to the Port.” In response, the Port identifies that, “The Proposed Project is expected to improve navigational efficiencies for larger vessels expected to call the Port in the future. The Port has undertaken a Long-Term Traffic and Circulation Study and a Truck Parking Study. Both will be part of the Port’s Master Plan, anticipated in 2024”.

**Recommendations:**

Describe potential impacts that may result to the timing, intensity, and location of port operations. Specifically, analyze and disclose the potential air quality impacts anticipated from the changes to landside port operations, altered drayage schedules and operations, and heavy-duty truck trips that may increase as a result in increased cargo throughput. EPA recommends that the Port include the Long-Term Traffic and Circulation Study, and Truck Parking Study (referenced as being included in the future 2024 Port Master Plan) in the Final EIR for the proposed project. Highlight any potential operations-related commitments to achieve earlier zero-emission truck deployment and long-term air quality improvement from landside operation impacts associated with larger vessel calls.

*Health Risk Assessment*

The Risk Assessment of Appendix C evaluates several alternatives and includes a dispersion analysis. The 1-hour maximum PM2.5 concentration calculated by the dispersion analysis exceeds the concentration of the 24-hour PM2.5 NAAQS, 35 µg/m<sup>3</sup> for the Diesel Dredging Alternative (Near Howard Terminal), 504.4 µg/m<sup>3</sup>, and Inner Harbor Only Alternative (Near Howard Terminal), 271.23 µg/m<sup>3</sup>, which includes electric dredging (see Table 21 of Appendix C).

**Recommendation:**

Include in the Final EIR an estimate of the maximum 24-hour PM2.5 concentration for both alternatives. *(Note: A federal project could move forward even if it creates a NAAQS exceedance, provided the project emissions are de minimis. Even so, potentially exceeding a NAAQS would be concerning. To note, California has an annual PM2.5 CAAQS, but no 24-hour PM2.5 standard.)*

*Community Engagement*

The EPA continues to recommend that the Port of Oakland and the USACE establish and maintain continued meaningful community engagement throughout the remainder of the CEQA and NEPA processes – to ensure ample time to incorporate community feedback into the project – and commit to robust outreach approaches to allow for active engagement, including community meetings designed to maximize community participation. Describe in the Final EIR how the Port of Oakland is addressing any community concerns identified following the release of the Draft EIR. Describe how the Port of Oakland is engaging with the West Oakland AB 617 Steering Committee given that the West Oakland AB617 group includes a diverse array of community representatives and other stakeholders who have

deep community knowledge and desire to address disproportionate air quality impacts in the community.

Thank you for the opportunity to review the Draft EIR. When the Final EIR and future NEPA compliance documentation is available for review, please send a notification to Connell Dunning at [dunning.connell@epa.gov](mailto:dunning.connell@epa.gov). Please contact me to discuss any questions regarding the recommendations provided, and to continue coordination on follow up NEPA analyses.

Sincerely,

For Jean Prijatel  
Manager  
Environmental Review Branch

ENCLOSURE

EPA February 14, 2022 Oakland Harbor Turning Basin Draft EA Comment Letter

cc: Eric Joliffe  
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