



CITY OF OAKLAND

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2019 FEB 27 PM 4: 31

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** William A. Gilchrist  
Director, PBD

**SUBJECT:** Air Quality Plan for Operations  
of ConGlobal Container Depot and  
Repair Facility at Former Oakland  
Army Base

**DATE:** February 11, 2019

City Administrator Approval

Date:

2/26/19

## RECOMMENDATION

**Staff Recommends That The City Council Receive An Informational Report On The Air Quality Plan Approved By The City Administrator For Operations Of The ConGlobal Container Depot And Repair Facility Located At 11 Burma Road In The New Central Gateway Area Of The Oakland Army Base Redevelopment Project.**

## EXECUTIVE SUMMARY

Prologis, one of the developers of the Oakland Army Base Redevelopment Project, in association with the ConGlobal Container Depot and Repair Facility prepared an Air Quality Plan (Plan) to reduce air quality impacts during operation of the ConGlobal Container Depot and Repair Facility located at 11 Burma Road in the New Central Gateway parcel, referred to as CC-1 of the former Oakland Army Base (OAB). Mitigation measure PO-1 for the OAB Project requires City Administrator approval of this Plan. The City Administrator approved this Plan on December 17, 2018. Mitigation measure PO-1 also requires that an informational report be submitted to the City Council following the City Administrator's approval.

The City Administrator's approval is attached to this report (**Attachment A**) and contains the draft Air Quality Plan (**Attachment B**), public comment letters (**Attachment C**), the final / approved Air Quality Plan (**Attachment D**) and City response to public comment letters (**Attachment E**).

## BACKGROUND / LEGISLATIVE HISTORY

The Standard Conditions of Approval / Mitigation Monitoring and Reporting Program ("SCA/MMRP") approved on July 16, 2013, by the City Council for the OAB Redevelopment Project contains requirements for reducing the potential environmental impacts of the Project, including requirements to reduce impacts related to air quality and trucking.

Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans) requires

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- (1) the City to conduct a public process in the development and review of the air quality and trucking components of these plans to comply with the requirements of the SCA/MMRP, and
- (2) City Administrator approval of these plans.

The City Administrator previously approved plans (in 2013, 2016 and 2017) to comply with air quality mitigation measures for construction of new roads, rail lines, utilities and other infrastructure at the OAB, and for construction of new buildings/facilities on three of the parcels at the OAB which are/will be developed by Prologis. This Plan relates to operations of a business, not construction, and is the second such air quality plan for operations of a business at the OAB that the City Administrator has approved, the first being the PODS Facility at 55-75 Admiral Robert Toney Way.

### **ANALYSIS AND POLICY ALTERNATIVES**

The process to develop and approve this Air Quality Plan followed the requirements specified by the City Council in Mitigation Measure PO-1 of the SCA/MMRP, which requires a public outreach / review and comment period, as further described below under the "Public Outreach / Interest" section of this report. The comments received from the public related to the ConGlobal Container Depot and Repair Facility focused on requiring all off-road equipment to be electric or alternative fuel; reducing idling time of trucks and equipment; ensuring compliance with all the components of the Plan; and requiring trucks serving this facility to have stricter engine requirements than the statewide trucking regulations which were established by the California Air Resources Board (CARB). These items are further discussed below. Also, refer to the response to public comment letters prepared by City staff (**Attachment E**) which contain a detailed response to specific comments.

- **Off-Road Equipment:** To reduce emissions from off-road equipment such as forklifts, the Plan requires the use of zero and near-zero emission equipment, which includes Tier 4 or Tier 4 interim diesel engines, electric equipment, unleaded gasoline and alternative-fuel equipment. Equipment lists to demonstrate compliance with this requirement must be submitted and compliance with all applicable CARB regulations and monitoring of such equipment is required.
- **Idling Reduced for Trucks and Off-Road Equipment:** Trucks delivering to/from this facility are prohibited from idling for more than two minutes. The statewide regulation is a five-minute maximum idle time, so this Plan requires an idling time which is 60 percent more restrictive than the statewide regulation. Additionally, if any off-road equipment uses a diesel engine, then the two-minute idling time also applies.
- **Compliance:** Section 1.1.2 of the Air Quality Plan states that the Plan will become a component of lease documents between Prologis and ConGlobal, which ties the requirements of the Plan to the tenant's lease. Section 4.1.1 states that compliance with all applicable state and regional air quality regulations is required, and Section 5 states that ConGlobal shall submit documentation of compliance with each element of the Plan to the City.

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- Additional Diesel Emission Reduction: An additional recommendation in the comment letters is to restrict the age of the trucks serving this facility to trucks with engines 2010 or newer. Trucks are regulated at a statewide level by CARB under the official "Truck and Bus Rule." This Rule requires that trucks must meet 2010 diesel emissions standards starting in January 2020 with a phase-in until 2023. In lieu of regulating the engine year of the trucks differently from statewide regulations, the Air Quality Plan requires the tenant to quantify the diesel emissions from the trucks which will serve this warehouse use. If the emissions exceed the thresholds of significance stated in the 2012 Initial Study/Addendum when added together with other permanent/long term operations at the OAB, then tenants generating truck diesel emissions at the City's portion of the OAB will be subject to an apportionment and offset program, or other mechanism, if necessary, to be determined in conjunction with the City. The City will work in good faith to determine the apportionment calculation and offset program, if relevant, by the end of 2019.

ConGlobal will be served by approximately 125 truck trips per day (which is a round-trip truck movement). The CARB statewide Drayage Rule will apply to all the heavy-duty trucks which deliver/remove containers from this facility per Sections 4.1.1 and 4.1.6 of the Plan. ConGlobal will service all trucks, including light-duty trucks subject only to the Truck and Bus Rule and not subject to the Drayage Rule. ConGlobal has stated it would surpass the State compliance by requiring all trucks picking up or dropping off containers meet the CARB statewide Drayage Rule.

### **FISCAL IMPACT**

The City Administrator has already approved the Air Quality Plan for the ConGlobal Container Depot and Repair Facility so there is no fiscal impact of the City Council's action to receive this informational report. Furthermore, there are no fiscal impacts of implementing the Air Quality Plan, since the Plan will be implemented and funded by Prologis and their tenant ConGlobal.

### **PUBLIC OUTREACH / INTEREST**

Regarding public outreach about this informational report, an email notification was sent to the stakeholders who have requested to be informed about air quality plans for the City's portion of the OAB.

Regarding public outreach during the review of the draft Air Quality Plan, the process outlined in Mitigation Measure PO-1 of the SCA/MMRP was adhered to, and is summarized as follows:

On February 2, 2018, Prologis submitted a draft of this Air Quality Plan to the City. On February 5, 2018, the City released a 45-day Notice of Preparation of the draft Air Quality Plan to the official stakeholder list per Mitigation Measure PO-1. The intent of this Notice of Preparation is to provide advance notice before the Plan is released for an official 17-day public review period.

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On March 15, 2018, the City held a quarterly meeting attended by air quality stakeholders, including community-based organizations, community residents, and interested government air quality agencies. Prologis and ConGlobal made a presentation about the components of the Air Quality Plan (February 2, 2018 version), and described how such components were based on the list of emission reduction actions developed by the staff of the Bay Area Air Quality Management District (BAAQMD) to the extent applicable. The specific diesel emission reduction actions contained in the draft Plan were presented and discussed, so as to provide information and input prior to release of the Plan for the official 17-day public review period.

Prologis revised the draft Plan following input from the Stakeholder meeting and submitted the revised Plan on March 26, 2018 (**Attachment B**).

On March 27, 2018, the Plan shown in **Attachment B** was released to stakeholders for the official 17-day public review period as required by Mitigation Measure PO-1. The City received comments from the Alameda County Public Health Department, the BAAQMD and CARB (**Attachment C**).

Following the end of the public-review period, City staff met with Prologis to discuss enhancements to the Plan to address the written comments from the air quality agencies and comments stated at the quarterly stakeholder meeting. In response to these comments, Prologis submitted a revised Plan dated December 6, 2018.

The final Air Quality Plan for operations of the ConGlobal Container Depot and Repair Facility, dated December 6, 2018, and approved by City Administrator on December 17, 2018, is attached (**Attachment D**) along with City staff responses to the public comments received based on the final version of the plan (**Attachment E**).

## **COORDINATION**

The preparation of this report and the approved Air Quality Plan involved coordination between the Planning and Building Department and Army Base Project staff through the City Administrator's Office.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The Air Quality Plan for operations of the ConGlobal Container Depot and Repair Facility will facilitate implementation of the Army Base project. In addition to the construction and operation jobs typically associated with new development, the Army Base Project includes a Community Benefits Program with beneficial contracting and job requirements including funding for local jobs programs and labor requirements.

**Environmental:** This Air Quality Plan will facilitate implementation of the Army Base Project, which the City Council determined to have beneficial environmental effects including the remediation of site contamination and increased access to open space. Adherence to the Air Quality Plan will reduce potential air-quality impacts related to the ConGlobal Container Depot

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Sabrina B. Landreth, City Administrator

Subject: Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility at  
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and Repair Facility. The potential adverse environmental impacts of the Project have also been analyzed under the California Environmental Quality Act (CEQA) as discussed below.

**Social Equity:** This Air Quality Plan will facilitate implementation of the Army Base Project, which includes the Community Benefits Program and environmental benefits discussed above, and the Air Quality Plan itself will reduce potential air quality impacts during operation of this building/facility on residents of West Oakland.

### **CEQA**

An Environmental Impact Report was certified in 2002 when the Oakland Army Base Area Redevelopment Plan was adopted. An Initial Study/Addendum was prepared in 2012 when the City Council approved the master plan for the Project and the Lease Disposition and Development Agreement with Prologis CCIG Oakland Global, LLC, the master developer of the former Army Base. The action of the City Administrator to approve this Air Quality Plan implements the environmental requirements imposed by the SCA/MMRP.

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**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Receive An Informational Report On The Air Quality Plan Approved By The City Administrator For Operations Of The ConGlobal Container Storage And Repair Facility At 11 Burma Road, The New Central Gateway Area Of The Oakland Army Base Redevelopment Project.

For questions regarding this report, please contact Corey Alvin, Planner IV, at (510) 238-6316.

Respectfully submitted,



WILLIAM A. GILCHRIST

Director, Department of Planning and Building

Prepared by:  
Corey Alvin, Planner IV  
Bureau of Planning

*Attachments (5):*

- A. *City Administrator's December 17, 2018 Approval of Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Facility for site CC-1 at the former Oakland Army Base.*
- B. *Draft Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility, prepared by Prologis, dated March 26, 2018.*
- C. *Public Comment Letters Received in Response to Draft Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility (commenting on the version dated March 26, 2018).*
- D. *Final / Approved Air Quality Plan for Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Facility at CC-1 (final / approved version is dated December 17, 2018).*
- E. *City response to public comment letters dated December 10, 2018.*

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## **Attachment A**

**City Administrator's December 17, 2018 Approval of Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Facility at the former Oakland Army Base**



## INTER OFFICE MEMORANDUM

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** William Gilchrist  
Director, Planning & Building

**SUBJECT:** Air Quality Plan for Operations  
of ConGlobal Container Depot  
and Repair Facility, 11 Burma Road  
at the former Oakland Army Base

**DATE:** December 11, 2018

City Administrator  
Approval

Date

12/17/18

### RECOMMENDATION

Approve the operation-related Air Quality Plan ("Air Quality Plan" or "Plan"), version dated December 6, 2018, for the ConGlobal Container Depot and Repair facility to be located at 11 Burma Road in the New Central Gateway area of the former Oakland Army Base (OAB).

### EXECUTIVE SUMMARY

Prologis, one of the developers of the Oakland Army Base redevelopment project, in association with ConGlobal has prepared an Air Quality Plan to reduce air quality impacts during operation of the container depot and repair facility that will be located at 11 Burma Road on the New Central Gateway parcel of the former Oakland Army Base. The mitigation measures for the Oakland Army Base Project require City Administrator approval of the Air Quality Plan.

### BACKGROUND

The Standard Conditions of Approval/Mitigation Monitoring and Reporting Program ("SCA/MMRP") for the Oakland Army Base Project (Project) contains mitigation measures for reducing the potential environmental impacts of the Project, including requirements for the preparation and implementation of the following plans and strategies to reduce impacts related to air quality and trucking:

- Construction Management Plan (SCA AIR-1)
- Construction-Related Air Pollution Controls (SCA AIR-2)
- Truck Management Plan (Mitigation 4.3-7)
- Maritime and Rail-Related Emissions Reduction Plan (Mitigation 4.4-3b)
- Truck Diesel Emission Reduction Plan (Mitigation 4.4-4)
- Transportation Control Measures (Mitigation 4.4-5)



- Energy-Conserving Fixtures and Designs (Mitigation 4.4-6)
- Demonstration Projects (Mitigation 5.4-1)
- Parking and Transportation Demand Management (SCA TRANS-1)
- Construction Traffic and Parking (SCA TRANS-2)
- Traffic Control Plan – Hazardous Materials (Mitigation 4.3-13)

Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans) requires the City to conduct a public process in the development and review of the air quality and trucking components of these mitigation measures and requires City Administrator approval of these plans.

In 2013, 2016 and 2017 the City Administrator approved plans to comply with air quality mitigation measures for construction of the public infrastructure and for construction of various private improvements at the OAB, including construction of the Conglobal site. The subject of this memorandum and of the submitted Air Quality Plan is the Conglobal operations rather than construction.

The Air Quality Plan for ConGlobal is the second operational plan that has been submitted for the new development at the OAB. In May 2018, the City Administrator approved an air quality plan for operations of the first new warehouse at the OAB, located at 55 Admiral Toney Way, occupied by the company called PODS (personal storage on demand). This Plan pertains to the operations of a 16-acre facility for the storage of empty shipping containers with limited repair and repainting to be operated by ConGlobal. ConGlobal is currently operating such a facility at the Port of Oakland at 555 Maritime Street. ConGlobal will move a portion of their existing operations to a 16-acre site on the City's portion of the former Oakland Army Base at 11 Burma Road approximately one mile north of their current operation.

#### **CONTENT OF THIS AIR QUALITY PLAN AND SUMMARY OF PUBLIC INPUT PROCESS**

ConGlobal will operate a storage depot where empty shipping containers are stacked and stored on a short-term basis. ConGlobal will also operate a repair facility which will consist of an 8,650-square foot maintenance building for paint touch up and minor repairs to the containers and an outdoor container wash area adjacent to the maintenance building. The wash area will use a system of recycled gray water that will store and filter the water for re-use. Also outdoors and adjacent to the maintenance building will be an area for repair, maintenance and temperature setting of empty refrigerated containers. Electrical outlets be provided so that diesel engines in the refrigerated containers are not turned on for the temperature setting repair. Empty chassis, which are the trailers upon which containers are placed, will also be stacked and stored on-site.

A location map as well as a more detailed description of the operations is included in the Air Quality Plan.

On February 2, 2018 Prologis submitted a draft of this Plan to the City. On February 5, 2018, the City released a 45-day Notice of Preparation of the draft Air Quality Plan to the official

stakeholder list per Mitigation Measure PO-1. The intent of this Notice of Preparation is to provide advance notice before the Plan is released for an official 17-day public review period.

On March 15, 2018, the City held a quarterly meeting attended by air quality stakeholders, including community-based organizations, community residents, and interested government air quality agencies. Prologis and ConGlobal made a presentation about the components of the Air Quality Plan (February 2, 2018 version) and described how such components were based on the list of emission reduction actions developed by the staff of the Bay Area Air Quality Management District (BAAQMD) to the extent applicable. The specific diesel emission reduction actions contained in the draft Plan were presented and discussed, so as to provide information and input prior to release of the Plan for the official 17-day public review period.

Prologis revised the draft Plan following input from the Stakeholder meeting and submitted the revised Plan on March 26, 2018 (see *Attachment A*).

On March 27, 2018, the Plan shown in Attachment A was released to stakeholders for the official 17-day public review period public as required by Mitigation Measure PO-1. The City received comments from the Alameda County Public Health Department, the Bay Area Air Quality Management District and California Air Resources Board (see *Attachment B*). The comments are summarized and discussed in the "Key Issues" section below.

Following the end of the public-review period, City staff met with Prologis to discuss enhancements to the Plan to address the written comments from the air quality agencies and comments stated at the quarterly stakeholder meeting. In response to these comments, Prologis revised the Plan. The latest version of the Air Quality Plan, dated December 6, 2018, is attached (see *Attachment C*) along with City staff responses to the public comments on the previous version of the Plan (see *Attachment D*).

### **KEY ISSUES**

The purpose of this Air Quality Plan is to reduce diesel emissions during operations of the ConGlobal container depot and repair facility. Emissions during these operations are generated from diesel trucks transporting empty shipping containers to and from the site for storage and/or repair and from the fork lifts and other off-road equipment used to move the containers on site.

Public comments received on the draft Air Quality Plan focused on the following subjects: requiring all off-road equipment to be electric or alternative fuel; requiring that only electric trucks be allowed to move the containers between the ConGlobal site and the Port; requiring trucks delivering and removing these containers to exceed engine requirements established by the California Air Resources Board (CARB) which apply statewide; requiring technology review in the future and quantifying the expected diesel emission reduction anticipated from implementation of this Plan. These items and other measures in the Plan are further discussed below. Also, refer to the responses to public comment letters prepared by City staff (see *Attachment D*) which contain detailed response to the public comments.

- Off-road equipment for moving containers: The Plan requires the use of zero and near-zero emission equipment to reduce emissions from off-road equipment (meaning forklifts and side pick lifts which move the empty containers to and from trucks and stack the containers). Zero and near-zero includes electric equipment, Tier 4 or Tier 4 interim diesel equipment, propane and alternative fuel equipment. The Plan also requires compliance and proof of compliance with all applicable CARB regulations for off-road equipment. ConGlobal has submitted an equipment list which shows compliance with this requirement. See Section 4.1.7 and Appendix B of the Plan.
- Participation in demonstration projects for electric trucks and equipment: The Plan requires participation as feasible in emission reduction demonstration projects. ConGlobal applied to participate in a demonstration project to purchase and use an electric yard hostler to move containers on this site. ConGlobal successfully secured a voucher to cover a portion of the cost of an electric yard hostler truck, and will deploy it for use on the 11 Burma Road site. See Section 4.2 and Exhibit A of the Plan.
- Technology review program: The Plan states that ConGlobal shall use cleaner technology over time and requires review of new technology every three years and with equipment turnover to facilitate the use of zero-emission equipment. See Section 4.3 of the Plan.
- Requiring that only electric trucks be allowed to move the containers between the ConGlobal site and the Port: The Plan only covers on site operations. Public streets are governed by Federal, State and local law. However, City staff is researching the regulations that apply to the use of electric yard hostlers on city streets because such electric vehicles are currently classified as off-road equipment, not for use on streets.
- Idling reduced for trucks and off-road equipment: The Plan requires that idling will be limited to less than two minutes for the trucks and the off-road equipment used on-site. The statewide CARB regulation is a five-minute maximum idle time, so this Air Quality Plan requires an idling time which is 60% more restrictive than the statewide regulation. Idling limits will be enforced by ConGlobal per Section 4.1.4 of the Plan.
- Compliance with requirements of the Plan: Sections 1.1.1 and 1.1.2 of the Plan state that the Plan will become a component of the lease documents between Prologis and ConGlobal and that the requirements of the Plan are applicable throughout the duration of the lease.
- Restricting the age of trucks transporting containers to and from this site: The Plan does not require ConGlobal to in turn require independent truck owners as well as fleet owners to upgrade their trucks four years in advance of a statewide regulation so that they can deliver empty containers to/from the ConGlobal facility. An additional recommendation from the public was to restrict the age of the trucks which transport containers to/from the ConGlobal facility to trucks which have a 2010 or newer engine. Trucks are regulated at a statewide level by CARB under what is officially called the "Drayage Rule". This Rule

requires 2007 engine years for trucks moving containers to/from the Port, with a requirement that 2010 engine years must be in use by January 1, 2023. Therefore, within four years, 2010 engine years will be required for heavy-weight trucks transporting cargo to/from the Port. Imposing a requirement different from this statewide regulation for trucks delivering to/from the ConGlobal facility was not found to be practically feasible based on the complexity of trucking operations. The CARB statewide Drayage Rule will apply to all the heavy-duty trucks which deliver/remove containers from this facility per Sections 4.1.1 and 4.1.6 of the Plan.

- Quantification of emissions resulting from operations at the OAB: The ConGlobal operations that are being relocated one mile to this site were part of the baseline operations on the Port area that were in place at the time of the OAB 2012 Initial Study/Addendum analysis. However, the City is in the process of working with a consultant to quantify the emissions that will result from operations of the new and future facilities at the OAB in order to compare the emissions resulting from measures in this Plan, and similar measures applied to other OAB operations, to the emission estimates contained in the 2012 Initial Study/Addendum. As this information becomes available, the city staff will provide it to the public and the Stakeholders and will comply with the process outlined in MM PO-1.

## CONCLUSION

The stakeholder review requirements for the proposed Air Quality Plan have been satisfied and the Air Quality Plan has been revised in response to comments received from the City, the public and agencies. Staff recommends that the City Administrator approve the Plan.

Pursuant to Mitigation Measure PO-1 (Stakeholder Review of Air Quality and Trucking Plans), following the City Administrator's approval of the Air Quality Plan staff will prepare an informational presentation to the City Council about the Air Quality Plan.

Please contact Corey Alvin, Environmental Coordinator for the OAB at (510) 238-6316 if you have any questions.



WILLIAM GILCHRIST  
Director, Planning and Building Department

Reviewed by:  
Ed Manasse  
Interim Deputy Director, Bureau of Planning

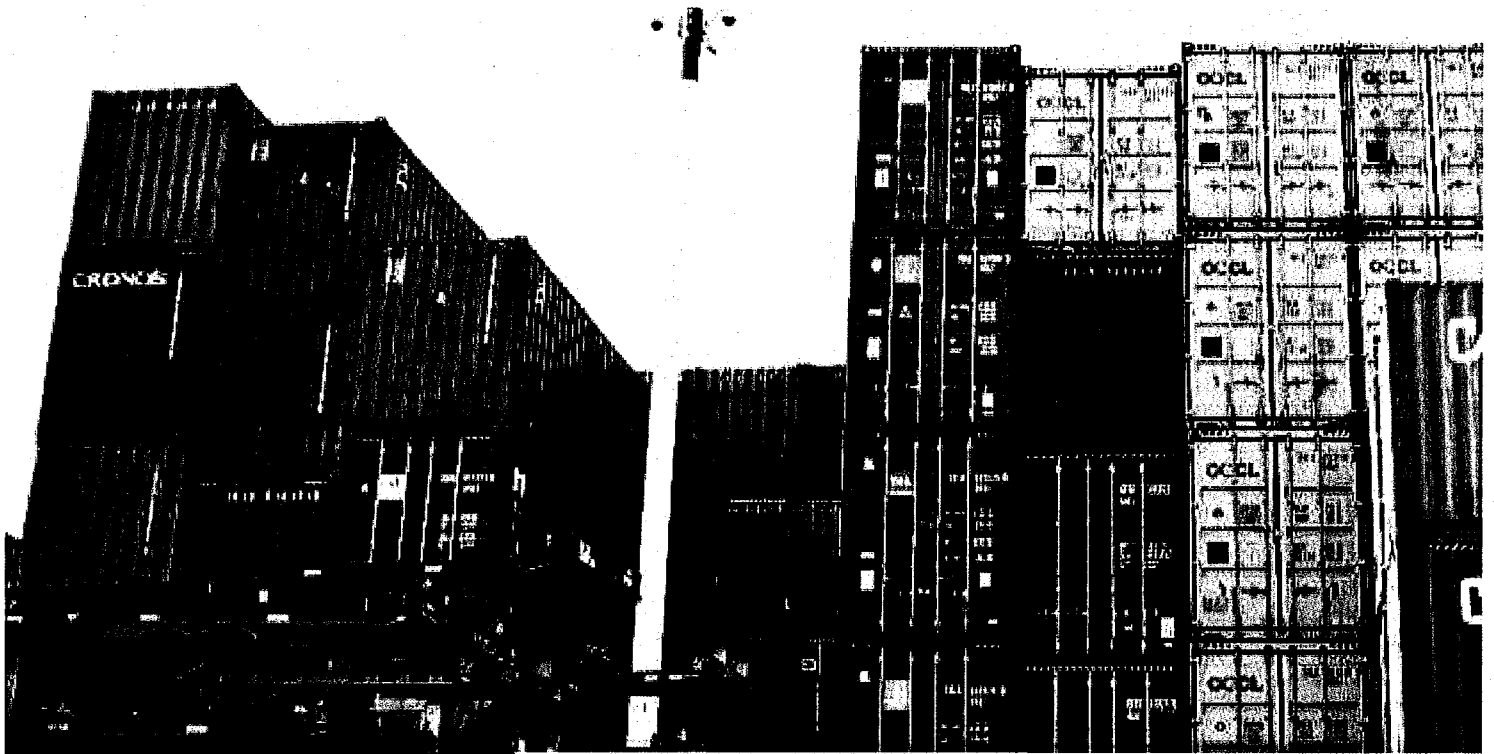
Prepared by:  
Corey Alvin and Patricia McGowan  
Bureau of Planning

**Attachments**

- A. Draft Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility, prepared by Prologis, dated March 26, 2018.*
- B. Public Comment Letters Received in Response to Draft Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility (commenting on the version dated March 26, 2018).*
- C. Air Quality Plan Operations of ConGlobal Container Depot and Repair Facility (version dated December 6, 2018)*
- D. City response to public comment letters, dated December 10, 2018.*

**Attachment B**

**Draft Operational Air Quality Plan for ConGlobal Container Depot and Repair Facility  
(dated March 26, 2018)**



**Prologis  
Oakland Global  
Logistics  
Center**

*Prepared For:*

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**(DRAFT for Public Review)**  
**Diesel Emission  
Reduction and Air  
Quality Plan for  
Operations of the  
ConGlobal  
Container Depot  
and Repair Site**

Address: 11 Burma Rd, Oakland, CA  
Site Ref: CC-1, New Central Gateway Parcel

*Submitted on:*

v.0 - Jul. 20, 2017  
v.1 - Feb. 2, 2018  
v.2 - Mar. 7, 2018  
v.3 - Mar. 26, 2018



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# 1. INTRODUCTION

Prologis is the leading global owner, operator, and developer of logistics real estate. We serve manufacturers, retailers, e-commerce businesses, transportation companies, and logistics providers with the facilities that support local, regional and global trade. Our buildings are located close to transportation infrastructure such as railways, seaports, highways, and airports. We provide our customers with best-in-class facilities and have a long history of industry-leading corporate governance and transparency.

As the ground lessee of 58 acres of the City's former Oakland Army Base site (OAB) property for the next 66 years, we intend to be good stewards of the land, and recognize the concerns of the West Oakland community we and our tenants will operate in. Prologis is also committed to the success of our business and the success of our customer's businesses who occupy our sites. In order to achieve the goals that improve air quality, coordination and collaboration from all stakeholders will be required - to plan and implement initiatives that are impactful, but also practical and feasible.

## 1.1 Purpose of this Diesel Emission Reduction and Operational Air Quality Plan for the Operations of the ConGlobal Container Depot Site

The purpose of the Operational Air Quality (AQ) Plan is multifaceted:

- To provide clarity and determine applicability of Project Standard Conditions of Approval and Mitigation Measures (SCA/MMs) related to air quality and diesel emission reduction.
- To provide guidelines and set expectations for our Project tenant(s); serve as a road map that tenants must use as programmatic-level design and operations parameters.
- To provide a documented path of compliance for the SCA/MMs relating to air quality and MM PO-1, which involves public outreach to various stakeholders.

The Oakland Army Base Redevelopment (OARB) project was approved in 2002, and then refined with an Initial Study/Addendum in 2012. In both of these documents, the goals and mitigations were very broad, attempting to cast a wide net over a master plan level development that was still in the conceptual stage. One of the objectives of this Diesel Emission Reduction and Operational Air Quality Plan (Plan) is to clarify and distill which requirements apply to this particular Project, and clarify any vagueness in the applicable SCA/MMs.

This document provides programmatic-level requirements, design, and operating parameters for ConGlobal regarding reducing diesel emissions, improving air quality and promoting energy conservation. ConGlobal will be required to demonstrate how compliance is achieved on the specific user level.

Compliance with the Operational AQ Plan will be deemed compliance with the Project SCA/MMRPs. The City of Oakland, as lead agency, will be the approving body determining compliance.

## 2. PROJECT DESCRIPTION

Prologis' Oakland Global Logistics Center consists of three sites totaling 58 acres within the City's portion of the former Oakland Army Base. The subject of this Diesel Emission Reduction and Operational Air Quality Plan is the 16.5-acre ConGlobal Oakland depot site situated on a portion of the former Oakland Army Base referred to as the **New Central Gateway**. Prologis will sublease 16.5 acres of the New Central Gateway to ConGlobal for the Project described herein. The ConGlobal Project is expected to commence construction in Q1 2018 and be under operation in Q3/Q4 of 2018. See Figure 1 for site plan.

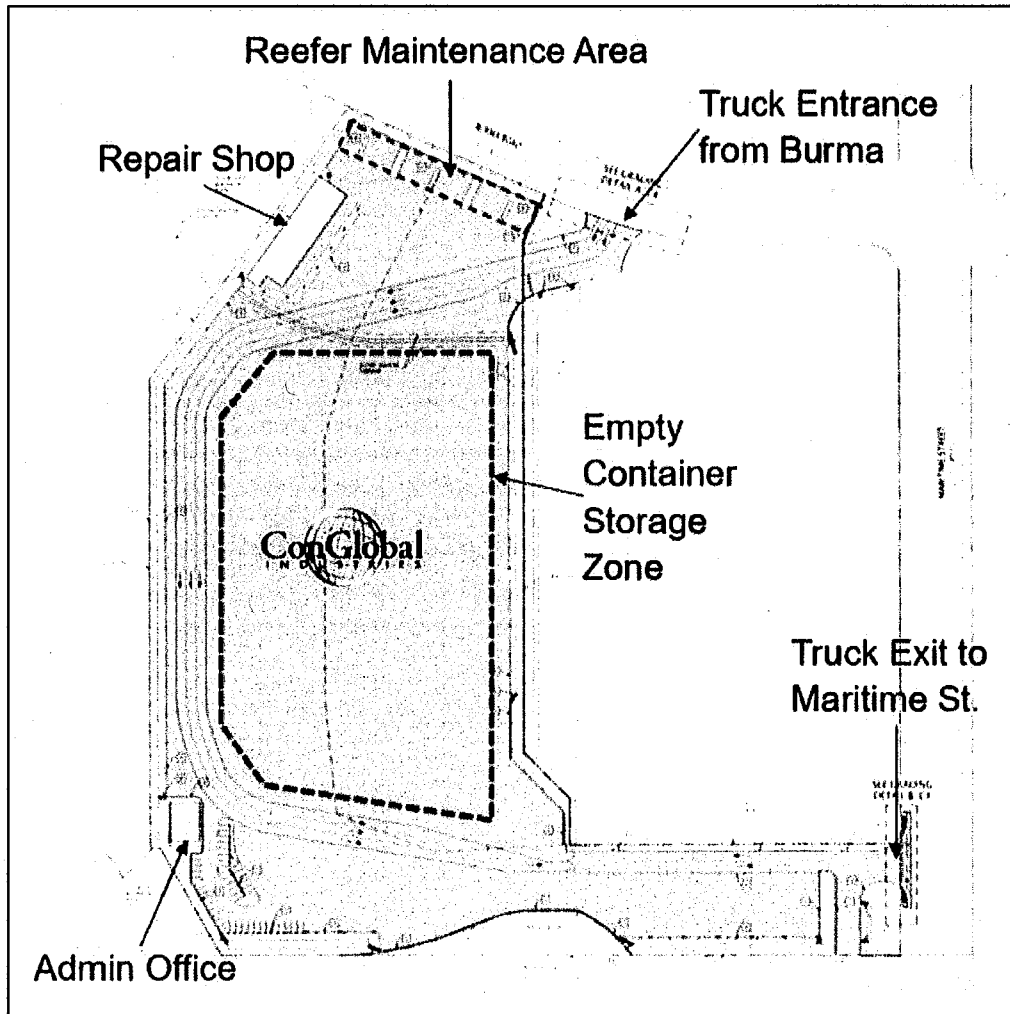


Figure 1: Site Plan - ConGlobal on New Central Gateway

## 2.1 Description of Operations

ConGlobal - Oakland is a container depot provider serving the shipping, trucking, logistics, and other transport-intermodal related industries. ConGlobal is currently a tenant within the Port of Oakland, located on a 27 acre facility at 555A Maritime St (near 7<sup>th</sup> St). The Port is downsizing ConGlobal's current lease area and ConGlobal plans to relocate approximately 60% of their operations to Prologis' New Central Gateway site at 11 Burma Rd.

This 16.5-acre site will essentially be a large paved parking lot, and will be used to store empty containers, stacked up to 6-high (approximately 55 feet in total height), as well as undertake minor repairs and touch up painting to containers, as needed. There will be a small administrative office (+/- 2,500 sf) to manage and oversee the container storage operations, and a metal shed-type "shop" building (+/-8,650 sf), where container repair and touch-up painting will be performed. Adjacent to the shop building, containers are washed with potable water from EBMUD in combination with a recycled ("gray") water system that stores and filters the recycled water for re-use.

ConGlobal's day to day operation at this site will primarily consist of accommodating trucks that are dropping off or picking up empty shipping containers. When trucks enter the site from the dual-lane driveway on Burma Rd, they drive to the administrative building, which is placed deep into the site to allow for ample on-site queuing if needed (3 lanes, approximately 700 ft per lane). At the administrative building, with the truck engine turned off and not idling, the driver goes through a 5 minute check-in process where he /she is assigned a specific location on-site to drop off or receive their container load. At the Administrative office, CARB certification is verified by accessing the CARB database. Trucks are not allowed to enter if the database search determines the truck is not certified with CARB or does not meet the Drayage standards at the Port. The site plan shown in Figure 1 has been intentionally designed so that the drop off and pick-up area is located in one portion of the site, which is more efficient than ConGlobal's current operations at their other Port location, where trucks must go to various areas within the site. ConGlobal's cargo handling equipment (CHE) operators then transport the empty container to or from the truck/chassis using side handling equipment. After the empty container is fully secured or removed, the driver then proceeds to exit the site via a driveway onto Maritime Street and the cargo handling equipment is then used to drop or pick the next load.

The following additional activities will be performed inside the maintenance shop building:

- Container repairs and custom modifications.
- Touch up and minor painting of containers. This will be done with rollers and waterborne paint using low VOC products. All paint and painting operations shall be per an active Bay Area Air Quality Management District (BAAQMD) "permit to operate." See Appendix A for an example of ConGlobal's 2017 permit from the BAAQMD.

The following additional activities are performed outdoors on the site:

- Container washing will be performed at the site. ConGlobal uses a system whereby water used in washing is re-used several times until such time as no longer effective in washing containers.
- Maintenance, repair and temperature setting for refrigerated containers (reefers). This will occur outdoors, adjacent to the maintenance shop, in the portion of the parking area shown on the site plan (See Figure 1)
- Chassis storage, repairs and Federal Motor Carrier Association (FMCSA) service. This will occur outdoors.

## **2.2 Equipment List**

ConGlobal will use the following off-road equipment to operate this container storage and maintenance facility:

- four (4) cargo handling equipment (side-pick handlers)
- two (2) forklifts
- one (1) yard hostler

See Figure 2 for photos of the equipment being used at their existing Port of Oakland operations.

The four cargo handlers and two fork lifts will be relocated from their current site at 555A Maritime Street, at the Port of Oakland.

The four cargo handlers are equipped with 2014 to 2016 model year engines –All are Tier 4i or Tier 4 final (this is a rating for off-road diesel engines; tier 4 is the highest current standard).

The two forklifts will be propane or Tier 4 or Tier 4i diesel. Electric forklifts for this operation are encouraged when economically feasible and practical.

The yard hostler/yard truck is equipped with a 2016 model year engine and is Tier 4. ConGlobal has also applied for a voucher to purchase and locate an all-electric “Orange EV” yard hostler on the 11 Burma Rd site. ConGlobal will deploy this all-electric yard truck onsite as soon as available.

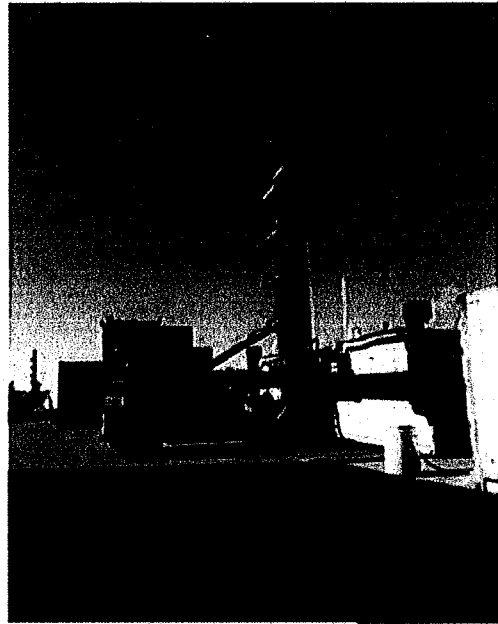
All equipment is and will remain registered with the California Air Resources Board.

See Appendix B for a more detailed information about this Equipment List.

ConGlobal has recently applied for a voucher from BAAQMD for an electric yard hostler, which if granted, would be deployed at this site.



Truck queue



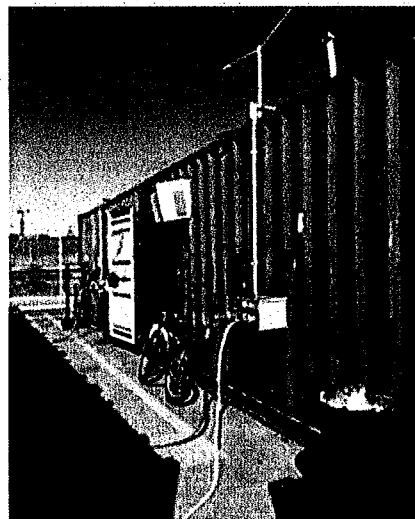
CHE in operation



Container pick up/drop off



Elevated reefer cleaning pads



Reefer plug ins



Chassis storage and movement

Figure 2 - Photos of Existing ConGlobal Operation at 555A Maritime St.

### 3. SCA/MMRP REQUIREMENTS

The California Environmental Quality Act (CEQA) review process for the OARB project at master plan level resulted in the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCA/MMRP), which was based on the Initial Study/Addendum (IS/A) prepared for the 2012 OARB Project. The revised and final version of the SCA/MMRP was approved by the City Council on July 16, 2013 and supersedes the previous version (dated October 15, 2012).

This Diesel Emission Reduction and Operational AQ Plan will address conditions of approval and mitigation measures identified to be part of the stakeholder engagement process detailed in mitigation measure public outreach one (MM PO-1). See Appendix A for full text from the applicable pages in the 2013 SCA/MMRP.

Table 1 below lists the air quality related SCA/MMs from MM PO-1. Under direction from the City, Prologis bifurcated these SCA/MMs into construction vs. operational requirements. Prior to approving the sitework and building permits for the Project, the City will approve the Construction Management Plan, which addresses the construction related air quality SCA/MMs. This document focuses on the items below with the response method labeled with "Ops Plan."

**Table 1: Summary of Response to MM PO-1 Stakeholder Items**

SCA/MM #	Description	Response Method
AIR-1	Construction Management Plan	Construction Mgmt Plan
AIR-2	Construction Related Air Pollution Controls	Construction Mgmt Plan
TRANS-2	Construction Traffic & Parking	Construction Mgmt Plan
MM 4.3-13	Traffic Control Plan – Hazmat	Construction Mgmt Plan
MM 4.4-6	Energy Conserving Fixtures/Design	Ops Plan
MM 4.3-7	Truck Management Plan	Fair Share Plan
MM 4.4-4	Truck Diesel Emissions Reduction Plan	Ops Plan/Fair Share Plan
MM 4.4-5	Transportation Control Measures	Ops Plan/Fair Share Plan
TRANS-1	Parking and Transportation Demand Mgmt	CMP/Ops Plan/Fair Share Plan
MM 5.4-1	Demonstration Projects	Ops Plan
MM 4.4-3b	Maritime/Rail Related Emissions	NOT APPLICABLE*

\*MM4.4-3b applies only to West Gateway and Railroad ROW; Prologis is not a party to these areas.

## 4. DIESEL EMISSION REDUCTION AND AIR QUALITY PLAN

There are five components of the Operational Air Quality Plan where ConGlobal will demonstrate compliance (parenthetical indicates which SCA/MM each element addresses):

- 4.1) Truck and Equipment Diesel Emission Reduction Program (MM 4.4-4)
- 4.2) Sustainable Design and Construction (SCA TRANS-1, MM 4.4-6)
- 4.3) Transportation Control Measures and Parking/Transportation Demand Management (SCA TRANS-1, MM 4.4-5)
- 4.4) Encourage, Lobby, and Participate in Emission Reduction Demonstration Projects (MM 5.4-1)
- 4.5) Technology Review Program

### 4.1 Truck and Equipment Diesel Emission Reduction Program

The requirements listed below will reduce the diesel emissions including diesel particulate matter and nitrogen oxides produced during the operation of this container depot and repair facility.

**4.1.1) Drayage Trucks<sup>1</sup>** – If a truck entering ConGlobal is transporting a container directly to or from the Port of Oakland or an intermodal rail yard, the trucks doing so must comply with the Drayage Truck Regulation (DTR) administered by the California Air Resources Board (CARB). See California Air Resource Board's Drayage Truck Regulation for more details, including truck engine year requirements and truck registry requirements.

**4.1.2) On-Road Trucks** - Trucks entering the ConGlobal's facility which are not transporting containers directly to or from the Port of Oakland or an intermodal rail yard must comply with the Truck and Bus Regulation administered by CARB.

**4.1.3) Cargo Handling Equipment (CHE)**- All CHE (eg. side handlers/yard hostlers/exterior forklifts) shall meet Tier 4 or Tier 4i standards, be propane or electric. See attached Appendix B for equipment list. Such equipment is also allowed to be powered by alternative fuels.

**4.1.4) Material Handling Equipment (MHE)** - ConGlobal currently does not plan to operate any MHE at this site. In the event that changes in the future, all MHE (eg. forklifts/reach trucks) shall be electric with capability to charge from building power.

**4.1.5) Idling Rules** - All trucks and cargo handling equipment shall be prohibited from idling more than two (2) minutes when loading and unloading, staging, or when not in active use for extended periods of time. Trucks shall be required to be shut off while any driver is accessing the Administrative Building. Signage similar to Appendix C, No Idling Signage, shall be posted in several locations along the entry drive.

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<sup>1</sup> Drayage trucks are defined by CARB as diesel-fueled Class 7 or Class 8 Trucks with gross vehicle weight rating 26,001 lbs. or more that transport cargo, containers, or chassis to or from a port or intermodal rail yard in CA.

**4.1.6) Truck Appointments** – If idling times become longer than two minutes while trucks are waiting to check-in at the Administration Building, then ConGlobal shall create and utilize an appointment system so that queuing and truck idling times are minimized and reduced to two minutes maximum.

**4.1.7) CARB Compliance** - Compliance with applicable air quality regulations is required for all heavy duty-diesel trucks accessing the Site including the California Air Resources Board's (CARB) Tractor-Trailer Greenhouse Gas Reduction Regulation, Period Smoke Inspection Program, Drayage Regulation or Truck and Bus Regulation. Fleets shall provide proof of compliance through CARB certificates of compliance and copies of annual smoke test results.

Additionally, compliance with all applicable CARB regulations for off-road equipment used on the site is required.

**4.1.8) Maintenance of off-road equipment** All off-road equipment shall be properly serviced such that the Tier 4 or Tier 4i emission standards are maintained throughout the life of the equipment.

## **4.2 Sustainable Design and Construction**

Sustainable design has a beneficial impact on long term emissions and air quality, and is required per Mitigation Measure 4.4-6. ConGlobal will comply with the following:

**4.2.1) Title 24 Compliance** - New proposed administration building shall meet Title 24 (Building Energy Efficiency Program) of the International Building Code (IBC)/California Code of Regulations (CCR) to satisfy Mitigation Measure 4-4.6. This will be incorporated into the design of the administration building and verified by the City of Oakland as part of the building permit application.

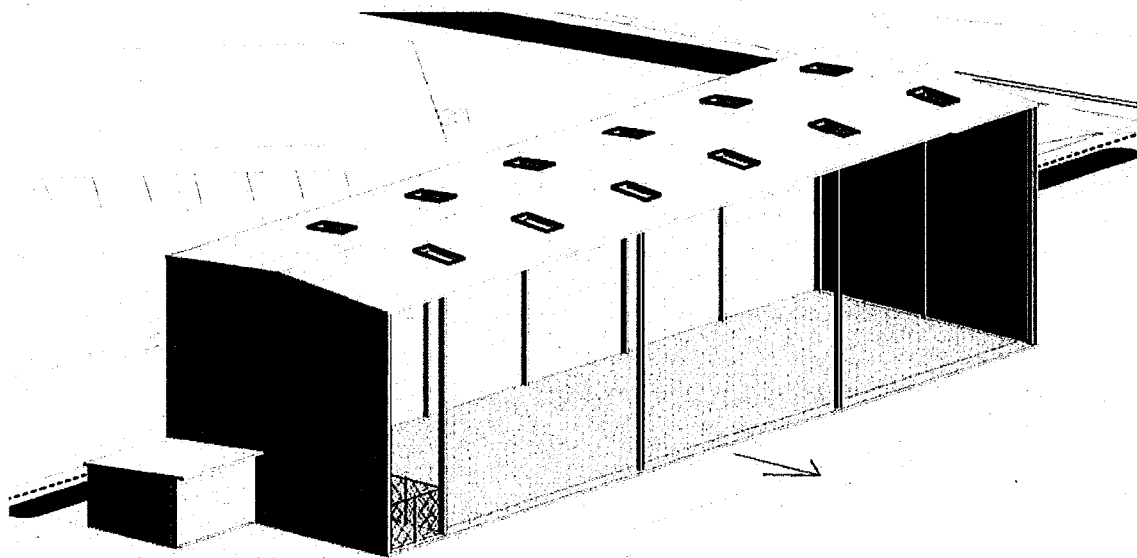
The proposed maintenance shop will be an open-sided structure, with a roof, three walls and an open façade on the east side of the building. Since it is an open structure, per the IBC and CCR, Title 24 is not applicable. Even though Title 24 is not applicable, several energy efficient measures will be undertaken: The roof will be equipped with sky lights to reduce the need for lighting. All lighting that is installed will be LED. Ventilation will be natural, not mechanical, with openings on the west façade to allow natural air flow and ventilation.

See Figures 3 and 4 for “draft conceptual” designs of these structures.





Figure 3 – Proposed Administration Building, approx. 2,500 sf



CONTAINER REPAIR SHOP ISOMETRIC VIEW

5

Figure 4 - Container Maintenance Shop Building, approx. 8,650 sf

**4.2.2) Electrical infrastructure for charging electric equipment** - Ample power is planned for the site to accommodate the future potential for electrical charging of equipment. As ConGlobal is an outdoor equipment user, power is taken to above ground switch gear with enough excess capacity to easily add future equipment charging capabilities.

**4.2.3) Electrical Power for Servicing and Repairing Refrigerated Containers** - In the area of the site where repair and servicing of refrigerated containers will take place, electrical power connections will be installed so that these containers can be plugged into the electrical grid during testing and repair. Since these containers are stored here empty, they only need to be plugged in during service and repair. Adequate plug in locations will be provided. All refrigerated containers or their refrigeration equipment will be plugged into electrical power during servicing; no diesel engines shall be allowed to run.

**4.2.4) BAAQMD Permit for painting** – ConGlobal shall continue to renew their existing BAAQMD permit for their paint operations. All paint will be low VOC and applied with rollers. Existing permit attached as Appendix A.

### **4.3 Transportation Control Measures & Parking/Transportation Demand Management**

BAAQMD has identified Transportation Control Measures (TCMs) in MM 4.4-5 that could be initiated and implemented by the City and the Port for the OARB project as part of a fair share program with the Port and other developers.

#### **4.3.1) Transportation Control Measures**

Separate from a fair share program, the Project will implement BAAQMD TCMs 9, 11, and 13 per MM 4.4-5:

9 - Preferential parking for carpool and vanpool vehicles are provided.

11 – Secure, weather protected bicycle parking is provided via bike lockers.

13 – Showers and lockers will be part of the Administration building per the LEED Addendum detailed in Appendix B.

**4.3.2) Fair Share Participation** – In addition, ConGlobal may be required to contribute to fair share funded TCM programs, as described in MM 4.4-5. City shall take lead on establishing Fair Share Plan, and implementing a fair and equitable allocation amongst projects.

**4.3.3) Parking and Transportation Demand Management** – ConGlobal shall prepare and implement a Parking and Transportation Demand Management Plan per SCA TRANS-1, consistent with the number of onsite employees, with the goal of reducing drive-alone commute trips during the peak traffic periods. Approximately 25 employees will work at this site during a typical workday shift.

### **4.4 Participation in Emissions Reduction Demonstration Projects**

In order to prioritize the potential for further emissions reductions resulting from operations, ConGlobal shall demonstrate active involvement in evaluating newer technologies and participation in demonstration projects.

ConGlobal shall consider, evaluate, and potentially participate in emission reduction demonstration projects that promote technological advances in improving air quality. Examples of some demonstration projects include: hybrid electric yard hostlers, biodiesel powered yard equipment, CNG/LNG technology implementation, energy generation via mechanical systems using truck weight to generate electricity.

ConGlobal is encouraged to suggest innovative and cleaner technology from operations in other locations where ConGlobal may work in.

ConGlobal has recently applied for and has been approved for a voucher from State of California for an electric yard hostler to be deployed at this site. The purchase is awaiting final Internal Board Approval at ConGlobal. The infrastructure necessary to support this electric equipment is planned and approved to be installed as part of the improvements done per permits approved by City of Oakland.

#### **4.5 Technology Review Program**

ConGlobal shall use cleaner technologies over time as it becomes available, practical and economically feasible. To accomplish this, ConGlobal shall review new technology every three years and with equipment turnover (prior to the lease or acquisition of additional or replacement off-road equipment) for zero or near-zero equipment that is economically feasible and practical. If the technology review demonstrates that new technology/equipment will be effective in substantially reducing emissions and ConGlobal determines that use of this technology or equipment is feasible, then ConGlobal shall implement such technology.

## **5. CONCLUSION**

This Operational Air Quality 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

Prologis and ConGlobal look forward to working with the City and other stakeholders to meet the Project compliance and mitigation goals.

# Appendix A - BAAQMD Paint Permit

07/06/15  
**HAY AREA AIR QUALITY  
 MANAGEMENT DISTRICT**  
 4000 W. 15th Street  
 Oakland, CA 94607

Plant# 20921

08231

**PERMIT  
 TO OPERATE**

Expires: **JUL 1, 2015**

Location: 555A Marilee Street  
 Oakland, CA 94607

Conductal Industries  
 555A Marilee Street  
 Oakland, CA 94607

#	DESCRIPTION	(Scheduled)	DATE
1	Roller Coater, 40.8 gal/Yr solvent, 42 gal/Yr clean-up	[E]	4/5

I Permitted Source  
 \*\*\* See attached Permit Conditions \*\*\*

**THE OPERATOR SHALL MAINTAIN RECORDS OF THE USE OF SOLVENTS AND OTHER MATERIALS FOR THE PERMIT PERIOD. THESE RECORDS SHALL BE MADE AVAILABLE TO THE DISTRICT UPON REQUEST.**

07/06/15  
**HAY AREA AIR QUALITY  
 MANAGEMENT DISTRICT**  
 4000 W. 15th Street  
 Oakland, CA 94607

Plant# 20921

08231

**PERMIT  
 TO OPERATE**

Expires: **JUL 1, 2015**

The Applicant shall be responsible for the cost of any additional monitoring or other fees.

\*\*\* PERMIT CONDITIONS \*\*\*

\*\*\* SEE ATTACHED PERMIT CONDITIONS \*\*\*

07/06/15  
**HAY AREA AIR QUALITY  
 MANAGEMENT DISTRICT**  
 4000 W. 15th Street  
 Oakland, CA 94607

Plant# 20921

08231

**PERMIT  
 TO OPERATE**

Expires: **JUL 1, 2015**

COND# 23102 applied to 53.1

\*\*\* PERMIT CONDITIONS \*\*\*

- The owner/operator shall not exceed the following usage period for the following materials:
    - 155 PZ Black Mud Preventative 44 Gallons Shevlin-Isabel Non-Active Treatment
  - The owner/operator may use alternative coatings than specified in Part 1, provided that the owner/operator can demonstrate that all of the following are satisfied:
    - Total VOC emissions from 5-1 do not exceed 221 pounds in any consecutive twelve month period; and
    - The use of these materials does not increase toxic trigger level of Table 2.5-1 in Population 2-5 (Tables: Cumulative Increase; Toxics)
  - To demonstrate compliance with the above parts, the owner/operator shall maintain the following records and provide all of the data necessary to demonstrate compliance with the above parts, including the following information:
    - Quantities of each type of coating used at this source on a monthly basis
    - If a material other than that specified in Part 1 is used, the VOC and toxic component content of each material and the quantity used on a monthly basis
    - Monthly usage and/or emission calculations shall be totaled for each consecutive two-month period.
- All records shall be retained for two years, and made available to the District upon request. These recordkeeping requirements shall not replace the District Population Tables Cumulative Increase, Toxics

HAY Area Air Quality Management District

\*\*\* SOURCE EMISSIONS \*\*\*

#	Source Description	PAH Annual Average 1lb/day CO	PLANT 20921
1	Roller Coater	1.64	JUL 6, 2015
TOTAL		1.64	

**PORT OF OAKLAND**

**Appendix B – Equipment List**

Equipment Type	#	Chassis Make & Model	Chassis Year	Engine Model (Tier)	Engine Retire/Repower? (Tier)	Engine Model (Tier)	Year and Date (Service Start)	Gasoline (G), Diesel (D) or Propane	Engine Rated HP	Hours of Use In 2017	Cumulative Hours on Engine (Estimated Life)
Exempt:	2		2006		Y (Tier 3)		2006	D	250	1800 hours/year	28,800 (140,000)
Fork lift		TAYLOR	2007	4	T-3	D	2007	D	200	500 hours/year	11,315 (20K)
Fork lift		TAYLOR	2010	4	T-3	D	2010	D	205	500 hours/year	6,823 (20K)
Fork lift		HUSKER	2015	4	F	D	2015	D	180	1200 year	1,578 (20K)
Fork lift		HUSKER	2016			D	2016	Propane	59	1800 year	1195 (20K)
Fork lift		HUSKER	2016			D	2016	Propane	59	1800 year	1465 (20K)
5.0L Pick		TAYLOR	2008	4	T-3	D	2008	D	205	1200 year	11,440 (20K)
5.0L Pick		HUSKER	2014	4	T-3	D	2014	D	200	1200 year	13,947 (20K)
5.0L Pick		HUSKER	2014	4		D	2013	D	220	1800 year	6,927 (20K)
5.0L Pick		HUSKER	2014	4		D	2014	D	220	1800 year	5,697 (20K)
5.0L Pick		HUSKER	2014	4		D	2014	D	225	1800 year	2,452 (20K)
5.0L Pick		HUSKER	2016	4	F	D	2016	D	200	500 year	717 (20K)
5.0L Pick		HUSKER	2008			D	2008	Propane	55	750 year	1477 (20K)

\* Especially important if the engine is newer than the equipment  
 \*\* Please identify what equipment is leased, not owned  
 \*\*\* Add rows to the table as necessary

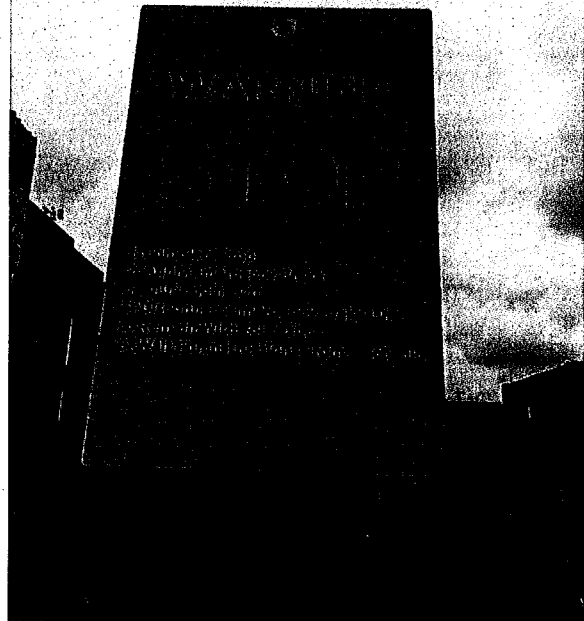
Fuel Usage  
 Red-dye off-road diesel for yard trucks (average gal/month): 2300 gal  
 Red-dye off-road diesel for other equipment (average gal/month): 200 gal

Additional comments:  
 Please submit survey information to Diane Heinze

N/Emp/Plan/Air quality/2017 Emissions Inventory/CHE Survey

Note: Equipment shown in boxes will be brought over to the OAB New Central Gateway site. No tier 3 equipment shall be brought over.

# Appendix C – No Idling Signage



## **Attachment C**

### **Public Comment Letters**

**Received in Response to Draft Operational Air Quality Plan for ConGlobal Container Depot  
and Repair Facility (commenting on the version dated March 26, 2018)**

April 18, 2018

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

Dear Ms. McGowan:

The California Air Resources Board (CARB) staff has reviewed the Diesel Emission Reduction and Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Site and the Prologis Operational Air Quality Plan for three warehouse buildings, CE-1, CE-2, and CC-1 (collectively referred to as Plans), prepared by the City of Oakland (City). The proposed ConGlobal and Prologis facilities are located within the footprint of the former Oakland Army Base (OAB). The Plans are required as part of the 2013 approved Standards and Conditions of Approval/Mitigation and the Monitoring Report Program (SCA/MMRP) prepared for the 2012 OAB Redevelopment Initial Study Addendum (IS/Addendum). The SCA/MMRP was adopted by the City to mitigate the significant health and air quality impacts expected to occur in the West Oakland community, and the impacts to regional air quality resulting from the redevelopment of the former OAB.

As discussed at the March 21, 2018 stakeholder meeting, CARB staff finds that these Plans fail to include critical mitigation that will reduce harmful diesel particulate matter, and do not quantify the expected operational emissions and the reductions expected from implementing the proposed mitigation measures. Furthermore, the Plans do not include sufficient mitigations beyond what is already required by current regulations. CARB staff believes the City can and must do more to ensure the West Oakland community, already disproportionately impacted by freight operations, are not further exposed to harmful diesel particulate emissions. To achieve this, CARB staff strongly recommends that the City include all feasible mitigation measures necessary to reduce operational air quality and health impacts. This includes requiring that future tenants incorporate zero and near-zero emission technologies that are available now at the start of operations. This helps ensure that operations at the Prologis and ConGlobal facilities lessen the significant and unavoidable impact to air quality, as identified in the



Ms. Patricia McGowan  
April 18, 2018  
Page 2

2002 OAB Final Environmental Impact Report and 2012 IS/Addendum, by requiring all feasible<sup>1</sup> mitigation measures be incorporated (see Cal. Pub. Resources Code § 21081; 14 CCR § 15126.2(b)).

The State of California has recently placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those near the proposed Project. The West Oakland community is located in a designated disadvantaged community, as defined by the California Environmental Protection Agency. To that end, we urge you to ensure that the community is not adversely impacted by the operations of the Prologis and ConGlobal facilities. The latest health science tells us that we must be even more vigilant to protect children, who experience higher doses and are more sensitive to air pollution than previously understood.

### **Project Description**

Prologis is the ground lessee of 58 acres of the City-owned, former OAB property for the next 66 years. Prologis is constructing three warehouse buildings, totaling 676,921 square feet, to lease as logistics and distribution operations. The remaining 16 acres will be leased to ConGlobal for operations of a container storage and repair facility. ConGlobal is moving its existing operations currently occupying a Port of Oakland site and relocating it to the Prologis site. The ConGlobal repair facility operations will consist of minor container repairs and paint touch-ups, a 2,500 square foot administration building, and a container wash area. The wash area will use a recycled water (gray water) system that will store and filter the water for re-use. There will also be an area for refrigerated container repair, maintenance, and temperature setting with associated container electrical plugs.

### **Recommended Revisions**

CARB staff recommends the following revisions (applicable to both Plans) to further strengthen the proposed mitigation measures.

- 1) The City should incorporate the zero-emission technologies and implement other reduction strategies to reduce emissions and exposure, as detailed in our attached comments on the proposed Duke Warehouse Project in Perris,

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<sup>1</sup>For the purposes of CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. (California Code of Regulations, title 14, section 15364.)

California (Elizabeth Yura to Nathan Perez, February 24, 2017, see sections titled "Project Design Features and Mitigation Measures" and "Other Recommendations").

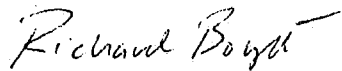
- 2) The City should quantify the expected diesel particulate emissions expected for each source (diesel trucks, equipment, etc.) and the expected reductions from each mitigation measure as compared to the 2012 IS/Addendum baseline assumptions.
- 3) The City should require that any Class 8 trucks or yard trucks operating within the City-owned properties that operate solely between the Port and Prologis sites be zero emission.
- 4) The City should require that all cargo handling equipment (CHE) used on City-owned property be zero emission given that they are currently commercially available. Furthermore, the City should remove reference to CHE as part of CARB's DOORs program, as this is a regulatory requirement for off-road equipment only, not CHE.
- 5) To ensure future operational activities do not change at either facility, the City should issue a conditional use permit that restricts operational activities to only these proposed operations as outlined in each Plan. This will help ensure that no new air quality impacts will occur. Should new operational activities occur, the City should require additional environmental review as part of a conditional use permit.
- 6) Both Plans include a Technology Review Program. ConGlobal's Plan indicates that they will conduct a technology review every three years, and, if feasible, the technology will be implemented. The Prologis Plan requires each tenant to conduct a technology review every three years. The technology review will then be implemented within 12 months, if found to be available, practical, and economically feasible. Given the advancement in technology, the City should require that these technology reviews occur every two years and be submitted to the City for evaluation and approval, in consultation with the Bay Area Air Quality Management District.

CARB staff believes our recommended changes to the Plans, will further reduce harmful diesel emissions from the long-term operations of these facilities and reduce impacts to the nearby communities. We are available to provide assistance to you in identifying zero and near-zero technologies.

Ms. Patricia McGowan  
April 18, 2018  
Page 4

If you have questions, please contact Robbie Morris, Air Pollution Specialist,  
Exposure Reduction Section at (916) 327-0006 or via email at  
[robbie.morris@arb.ca.gov](mailto:robbie.morris@arb.ca.gov). You may also contact me at (916) 322-8285 or via email at  
[richard.boyd@arb.ca.gov](mailto:richard.boyd@arb.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Richard Boyd".

Richard Boyd, Chief  
Risk Reduction Branch  
Transportation and Toxics Division

Attachment

cc: See next page.

Ms. Patricia McGowan

April 18, 2018

Page 5

cc: **Morgan Capilla**  
**NEPA Reviewer**  
**Ports, Housing Development, and Transportation**  
**United States Environmental Protection Agency**  
**Enforcement Division, Region 9**  
**75 Hawthorne Street (ENF-4-2)**  
**San Francisco, California 94105**

**Miss Margaret Gordon and**  
**Brian Beveridge**  
**Co-Directors**  
**West Oakland Environmental Indicators Project**  
**349 Mandela Parkway**  
**Oakland, California 94607**

**Richard Grow, Lead**  
**Environmental Justice Workgroup**  
**United States Environmental Protection Agency**  
**Region 9**  
**75 Hawthorne Street, ENF-4-2**  
**San Francisco, California 94105**

**Anna Lee**  
**Work Group Coordinator**  
**Alameda County Public Health Department**  
**1000 Broadway, Suite 500**  
**Oakland, California 94607**

**Dave Vintze**  
**Air Quality Planning Manager**  
**Bay Area Air Quality Management District**  
**375 Beale Street, Suite 600**  
**San Francisco, California 94105**

**Elizabeth Yura, Director**  
**Community Protection Office**  
**Bay Area Air Quality Management District**  
**375 Beale Street, Suite 600**  
**San Francisco, California 94105**

ATTACHMENT



# Air Resources Board



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

**Mary D. Nichols, Chair**  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)

**Edmund G. Brown Jr.**  
Governor

February 24, 2017

Mr. Nathan Perez  
Associate Planner  
Planning Division  
135 North "D" Street  
Perris, California 92570

Dear Mr. Perez:

Thank you for providing the Air Resources Board (ARB) the opportunity to comment on the Notice of Preparation (NOP) for the Duke Warehouse at Southwest Corner of Indian Avenue and Markham Street (Project) Draft Environmental Impact Report (DEIR). The proposed Project consists of constructing a 668,681 square foot warehouse building and associated infrastructure on a 31-acre site.

The Project site is currently vacant land, surrounded by primarily, mixed use, commercial and industrial businesses, undeveloped agricultural land and public roads. The NOP indicates that the proposed Project is being constructed as speculative, meaning the developer will find an operator for the warehouse after the Project is entitled. Features of the proposed Project include 271 employee/visitor parking stalls, 162 truck stalls, and 104 truck docks.

Should the results of the DEIR analysis find an increase in health risk in the immediate area, the proposed Project should utilize all existing and emerging zero-emission technology and implement land use decisions that minimize diesel particulate matter (PM) exposure to the neighboring community. The final Project conditions should provide for the use of those technologies now and in the future. This will serve to better protect the health of nearby residents from the harmful effects of fine particle pollution, including diesel PM, and help achieve emission reductions required to attain air quality standards for all pollutants and reduce greenhouse gases.

Additionally, a full health risk assessment should be conducted and the air quality and health risk assessment should use both the existing conditions baseline and a future conditions baseline.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

Printed on Recycled Paper

Furthermore, the DEIR should include an analysis of the significant cumulative impacts of the proposed Project for both operational and construction air quality impacts (California Environmental Quality Act (CEQA) Guidelines, Section 15130). Cumulative impact is referred to as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355).

### **Project Design Features and Mitigation Measures**

If the results of the DEIR analysis find an increase in health risk, the majority of the potential localized cancer risk for the proposed Project will likely be attributable to an increase in diesel PM from the construction and long-term operation of the facility. Consequently, ARB staff recommends actions to support the deployment of zero and near-zero emission technology to reduce localized health risk and regional emissions. If the analysis shows significant health or air quality impacts, the following project design features should be included and/or further developed as a mitigation measure:

- 1) Incorporate zero and near-zero emission technologies that are commercially available now and in the future. Support the deployment of zero emission technologies including zero emission (such as battery electric or fuel cell electric) forklifts, battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. These technologies are commercially available today. Additional advancements, especially for on-road trucks, are expected in the next three to five years. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at <http://www.arb.ca.gov/msprog/tech/tech.htm>.
- 2) Implement, and plan accordingly for, the necessary infrastructure to support the zero emission and near-zero emission technology vehicles and equipment that will be operating onsite. This includes physical (e.g. needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
- 3) Given that the future tenant is unknown, implement and plan accordingly to provide sufficient plug-in capabilities for transport refrigeration units (TRUs) to eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate at the Project site. Use of zero emission all-electric plug-in transport refrigeration systems, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration is encouraged.

ARB's Technology Assessment for Transport Refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at [https://www.arb.ca.gov/msprog/tech/techreport/tru\\_07292015.pdf](https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf).

- 4) Ensure the cleanest possible construction practices and equipment is utilized. For off-road construction equipment, utilize those that meet Tier 4 emission standards where possible and Tier 3, at a minimum. Other practices include eliminating idling of diesel-powered equipment, requiring the use of zero and near-zero emission equipment and tools, and providing the necessary infrastructure (e.g. electric hookups), to support that equipment. In addition, require that all construction fleets be in compliance with all current air quality regulations. ARB staff is available to provide assistance in implementing this recommendation.
- 5) Require that all medium-heavy and heavy-heavy duty trucks, including any alternative fuel vehicles, meet or exceed the 2010 emission standards. Support the deployment of zero and near-zero technologies including utilizing zero emission (such as battery electric or fuel cell electric) forklifts and battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at <http://www.arb.ca.gov/msprog/tech/tech.htm>.
- 6) Consider including contractual language in tenant lease agreements that includes tenants be in and monitor compliance with all current air quality regulations for on-road trucks including ARB's Heavy-Duty Greenhouse Gas Regulation, Periodic Smoke Inspection Program, and the Statewide Truck and Bus Regulation. ARB staff is available to provide assistance in implementing this recommendation.
- 7) Consider including contractual language in tenant lease agreements that require future tenants use cleaner technologies over time as they become available and feasible. This can be accomplished by requiring tenants to develop an annual Technology Review Program to identify any new emissions-reduction technologies that may reduce emissions at warehouse distribution centers, including the feasibility of zero and near-zero emissions technologies for heavy-duty trucks, yard equipment, forklift, and pallet jacks. If the technology review demonstrates the new technology will be effective in reducing emissions and the City of Perris (City) determines that installation or use of the technology



is feasible, the tenant shall implement such technology within 12 months of the City's determination.

### **Air Quality Analysis and Health Risk Assessment**

A health risk assessment (HRA), dated January 2017, is currently available for public review. This HRA should be revised to include the following:

- 1) Evaluate proposed Project criteria air pollutant and greenhouse gas emissions using the California Emission Estimator Model (CalEEMod). The most recent version of CalEEMod is available at [www.caleemod.com](http://www.caleemod.com).
- 2) The health risk assessment should utilize the most current Office of Environmental Health Hazard Assessment guidance for that assessment, which is presently the 2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments available at [http://oehha.ca.gov/air/hot\\_spots/hotspots2015.html](http://oehha.ca.gov/air/hot_spots/hotspots2015.html).
- 3) Include a health risk and air quality analysis utilizing both the existing conditions baseline (current conditions) and a future conditions baseline (full build out year, without the Project). This analysis will be useful to the public in understanding the full impacts of the Project. It is important to ensure that the public has a complete understanding of the environmental impacts of the proposed Project, as compared to both existing conditions and future conditions.
- 4) Table 3 in the HRA used an average daily truck traffic (ADT) rate for the proposed Project of 230 ADTs. ARB concurs with the South Coast Air Quality Management District (SCAQMD) that the ADT should be based on daily vehicle trips of 1.68 and 0.64 daily truck trips per 1,000 square feet of warehouse space. Therefore, revise Table 3 utilizing this formula.

### **Other Recommendations**

- 1) Although the proposed Project includes use of a truck route approved under the 2012 Perris Valley Commerce Center Specific Plan, ARB recommends additional coordination with the existing local community while considering truck traffic impacts and circulation that will result from the proposed Project.
- 2) Develop and consider a project design that incorporates applicable guiding principles, as well as potential criteria in evaluating projects proposed by State or local agencies, as outlined in the California Sustainable Freight Action Plan

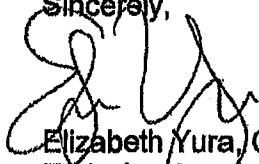
Mr. Nathan Perez  
February 24, 2017  
Page 5

(Action Plan). The Action Plan can be found at <http://www.dot.ca.gov/casustainablefreight/theplan.html>. ARB staff is available to assist in implementing this recommendation.

ARB staff appreciates the opportunity to comment on the NOP for the proposed Project and is able to provide assistance for successful implementation and deployment of a state-of-the-art facility that serves the region's distribution and air quality needs, while protecting public health.

Please include ARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Robbie Morris, Air Pollution Specialist, at (916) 322-0006 or via email at [Robbie.Morris@arb.ca.gov](mailto:Robbie.Morris@arb.ca.gov).

Sincerely,



Elizabeth Yura, Chief  
Emission Assessment Branch  
Transportation and Toxics Division

cc: See next page.

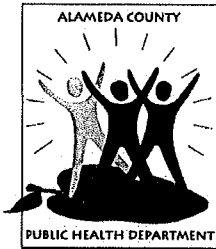
Mr. Nathian Perez  
February 24, 2017  
Page 6

cc: State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

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Planning and Rules Manager  
South Coast Air Quality Management District  
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Diamond Bar, California 91765

Connell Dunning  
Transportation Team Supervisor  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street, ENF-4-2  
San Francisco, California 94105

Development Review/ CEQA Compliance  
California Department of Transportation, District 8  
464 West Fourth Street  
San Bernardino, California 92401-1400



**Alameda County Health Care Services Agency  
Public Health Department**

Colleen Chawla, Director  
Dr. Muntu Davis, Director & Health Officer

---

**Health Equity Policy and Planning Unit**

1000 Broadway Suite 500  
Oakland, CA 94607

**Sandi Galvez  
Director  
510-268-4021**

---

April 12, 2018

Patricia McGowan  
Environmental Coordinator  
City of Oakland  
Bureau of Planning  
250 Frank H. Ogawa, Suite 3315  
Oakland, CA 94612  
Via Email: [PMcGowan@oaklandnet.com](mailto:PMcGowan@oaklandnet.com)

Re: Comments on Prologis and ConGlobal Air Quality Operations Plans

Thank you for the opportunity to comment. The Alameda County Public Health Department is invested in addressing the health impacts from current and future Port operations to reduce longtime disparities in the West Oakland community. The City of Oakland has an opportunity to show bold leadership on sustainable development at the Oakland Army Base, while promoting health and safety. The terms of the leases with the tenants are potentially decades long, so it's important to take the opportunity now to set up strong measures in writing for our future. After reviewing the Air Quality Operations Plans for Prologis and ConGlobal, the City can do more to provide much needed relief to the West Oakland community that has been disproportionately burdened by poor air quality for decades. By using best practices and electric trucks and equipment to reduce air pollution in West Oakland, this cleans the air for all Oaklanders, particularly West Oakland residents.

#### Prologis Air Quality Operations Plan

Over the course of various meetings, Prologis has taken steps forward to respond to the recommendations from the Air Quality and Health Agencies, but more can be done. First, to help ensure successful implementation of the Operations Plan, the City should consider requiring Prologis to include all of these requirements into tenant lease agreements.

Regarding indoor air quality and sustainability, the building will be certified LEED Gold, which includes many health-supportive features, including a cool roof, LED lighting, encouraging reduced emissions from commutes, low VOC paints, waste reduction, reused materials, natural lighting, high efficiency air filtration, larger electric boxes and preparing for potential solar energy at the site. The Plan should include a stronger written commitment to finding tenants who will comply with the solar energy program in their operations.

Air filtration at MERV-13 rating is sufficient to filter out diesel particulates, which supports cleaner air quality for building tenants and workers, but the effectiveness is in the maintenance of the filters. The Plan should include language that requires a specific time frame and responsible party for frequent and regular replacement of the filters so that they do not become clogged and ineffective.

The Plan includes stronger diesel emissions reduction requirements for smaller equipment than diesel trucks. The Plan would be strengthened with a commitment to identifying tenants that will participate in ongoing, proactive discussions with CARB and BAAQMD to promote demonstration projects and opportunities for incentive funding for electric trucks. The following are additional points of clarification and recommendations for strengthening the requirements for diesel trucks and equipment:

- Compliance - Specify how the developer and tenants will ensure compliance with the diesel trucks and equipment requirements.
- Fuels - Encourage the use of bio-fuels by developer and tenants, when feasible.
- Transport Refrigeration Units - Include a requirement that TRUs are required to plug into dock power when the capability exists and encourage the use of TRUs that have plug-in capability.
- Regarding truck routes and idling, Prologis reduced their maximum idling limit down to 2 minutes, which is more health-protective than 3 minutes. Although the City is still developing the Truck Management Plan, the Plan should state that the developer and tenants shall comply with the Truck Management Plan and commit to complying with and supporting traffic and enforcement requirements and programs developed by the City.

#### ConGlobal Air Quality Operations Plan

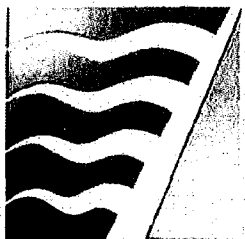
ConGlobal was successful at securing all Tier 4 cargo handling equipment, forklifts that will be propane or Tier 4 diesel powered and a yard truck that is Tier 4 and is in the process of buying an electric cargo handling equipment with grant funding from BAAQMD, which is strong mitigation for air quality. However, as the lease is at least 15 years long, the Plan would be stronger if it included a commitment to participate in ongoing, proactive discussions with CARB and BAAQMD to further promote demonstration projects and opportunities for incentive funding for electrification. Furthermore, the Plan should include a commitment to comply with and support traffic and enforcement requirements and programs developed by the City.

Regarding the administrative office building on-site, the Plan would be strengthened if it included opportunities for the building to get LEED certified or incorporate more green building standards like solar capability, like the Prologis site.

Please feel free to let me know if you have any questions.

Sincerely,

Anna Lee  
Place Matters, HEPP  
anna.lee@acgov.org



**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

**ALAMEDA COUNTY**  
Pauline Russo Cutter  
Scott Haggerty  
Rebecca Kaplan  
Nate Milley

**CONTRA COSTA COUNTY**  
John Gioia  
David Hudson  
(Chair)  
Karen Mitchoff  
Mark Ross

**MARIN COUNTY**  
Katie Rice  
(Vice Chair)

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
Hillary Ronen  
Tyronne Jue  
(SF Mayor's Appointee)

**SAN MATEO COUNTY**  
David Canepa  
Carole Groom  
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**SANTA CLARA COUNTY**  
Margaret Abe-Koga  
Cindy Chavez  
Liz Kniss  
Rod G. Sinks  
(Secretary)

**SOLANO COUNTY**  
Pete Sanchez  
James Spering

**SONOMA COUNTY**  
Teresa Barrett  
Shirlee Zane

Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

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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](mailto:dvintze@baaqmd.gov).

Sincerely,



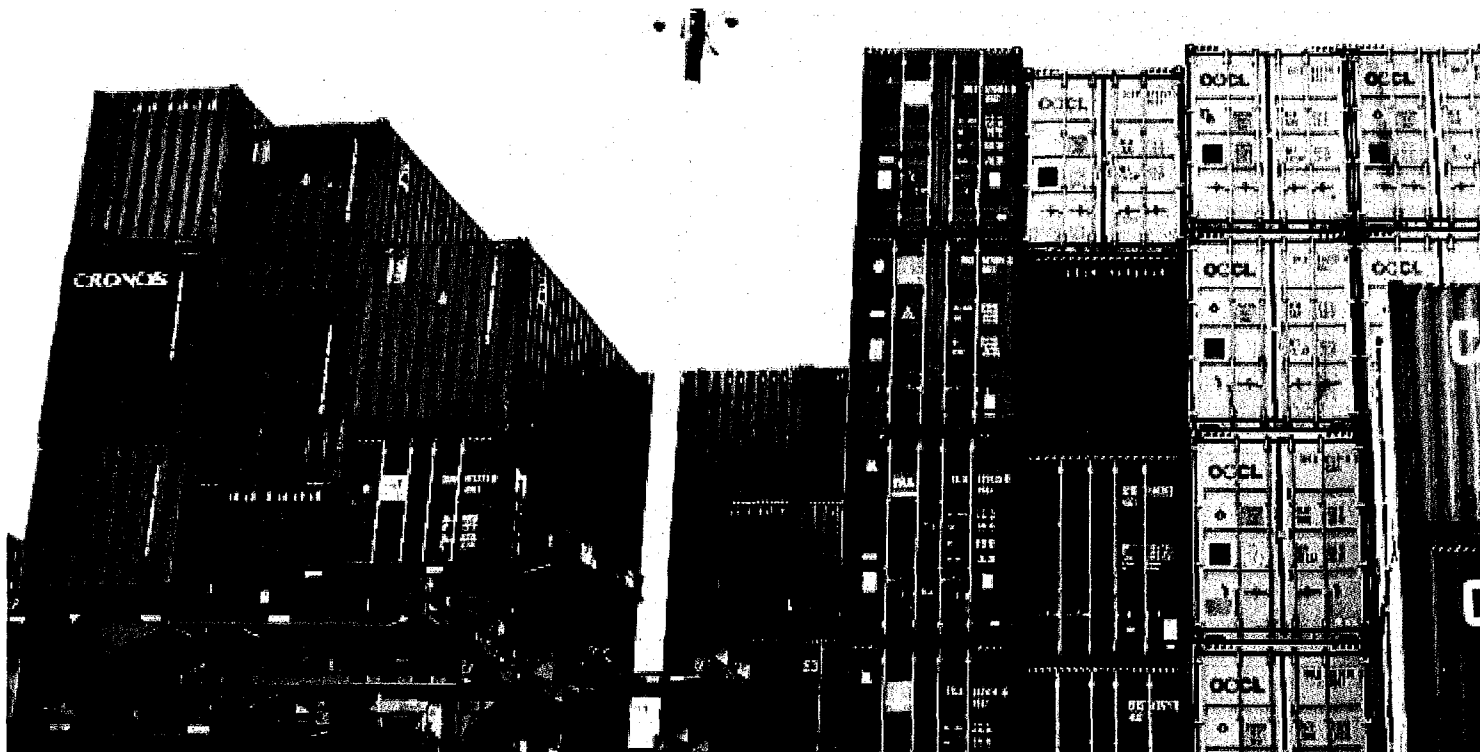
**Gregory Nudd**  
**Deputy Air Pollution Control Officer**

cc: **BAAQMD Director Pauline Russo Cutter**  
**BAAQMD Director Scott Haggerty**  
**BAAQMD Director John J. Bauters**  
**BAAQMD Director Nate Miley**  
**Libby Schaff, Mayor, City of Oakland**  
**Muntu Davis, ACPHD, Director and County Health Officer**  
**Cynthia Marvin, California Air Resources Board**  
**Richard Grow, U.S. EPA**  
**Ryan Fitzpatrick, U.S. DOT**  
**Ericka Farrell, U.S. EPA**  
**Darin Ranelletti, Deputy Director of Planning & Building, City of Oakland**  
**Chris Lytle, Executive Director, Port of Oakland**  
**William Gilchrest, Director of Planning & Building, City of Oakland**  
**Elizabeth Lake, Assistant City Administrator**  
**Ms. Margaret Gordon, West Oakland Indicators Project**  
**Brian Beveridge, West Oakland Indicators Project**



## **Attachment D**

**Final / Approved Air Quality Plan for Operations  
of the ConGlobal Container Depot and Repair Facility  
(final / approved version is dated December 17, 2018)**



# Prologis Oakland Global Logistics Center

*Prepared For:*

City of Oakland  
Planning & Building Dept.  
250 Frank Ogawa Plaza  
Oakland, CA 94612

*Prepared By:*

Prologis  
3353 Gateway Blvd.  
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+1 510 656 1900 Phone  
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[www.prologis.com](http://www.prologis.com)

## Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Facility

APPROVED by the  
City Administrator,  
December 17, 2018

Address: 11 Burma Rd, Oakland, CA  
Site Ref: CC-1, New Central Gateway Parcel

*Submitted on:*

v.4 - Dec. 6, 2018

 **ITS ConGlobal**  
INTEGRATING INTERMODAL

 **PROLOGIS**

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## **1. INTRODUCTION**

Prologis is the leading global owner, operator, and developer of logistics real estate. We serve manufacturers, retailers, e-commerce businesses, transportation companies, and logistics providers with the facilities that support local, regional and global trade. Our buildings are located close to transportation infrastructure such as railways, seaports, highways, and airports. We provide our customers with best-in-class facilities and have a long history of industry-leading corporate governance and transparency.

As the ground lessee of 58 acres of the City's former Oakland Army Base site (OAB) property for the next 66 years, we intend to be good stewards of the land, and recognize the concerns of the West Oakland community we and our tenants will operate in. Prologis is also committed to the success of our business and the success of our customer's businesses who occupy our sites at the OAB.

Working towards the goals for improved air quality will require coordination and collaboration from all tenants to plan and implement emission reduction actions that are impactful, practical, and feasible.

### **1.1 Purpose of this Air Quality Plan for the Operations of the ConGlobal Container Depot and Repair Facility**

The purpose of this Air Quality Plan for Operations of the ConGlobal Container Depot & Repair Facility (Air Quality Plan) is to:

- Provide clear direction for the tenant regarding operational air quality and energy conservation requirements for their on-going operations throughout the duration of their lease as well as for their tenant improvements.
- Provide a documented path of compliance for the Standard Conditions of Approval/Mitigation Monitoring and Report Program (SCA/MMRP) relating to air quality and public outreach as outlined in Mitigation Measure PO-1, which involves public outreach to Oakland Army Base stakeholders.

The Oakland Army Base Redevelopment project was approved in 2002; the project was then refined with an Initial Study/Addendum in 2012 (OAB Project). In both documents, the goals and mitigations were very broad, attempting to cast a wide net over a master plan development that was still in the conceptual stage. One of the objectives of this diesel emission reduction and operational air quality plan for the ConGlobal Container Depot & Repair facility is to clarify and distill which requirements apply to operations of this facility, to clarify any vagueness in the applicable elements of the SCA/MMRP, and to comply with applicable mitigation measures.

**1.1.1:** This document applies to the tenant referred to as ConGlobal. ConGlobal is under lease with Prologis to occupy 16.5 acres, a portion of the site commonly referred to as New Central Gateway (CC-1)

and addressed: 11 Burma Road, Oakland, CA. The requirements of this Air Quality Plan apply to ConGlobal operations and are applicable throughout the duration of their lease.

**1.1.2:** This Plan will become a component of Tenant Lease documents.

**1.1.3:** The tenant will be required to demonstrate how compliance with the specific elements of this Plan is achieved on the specific user level.

**1.1.4:** The tenant is required to comply with all applicable state and regional air quality regulations and are required to implement the components of this document.

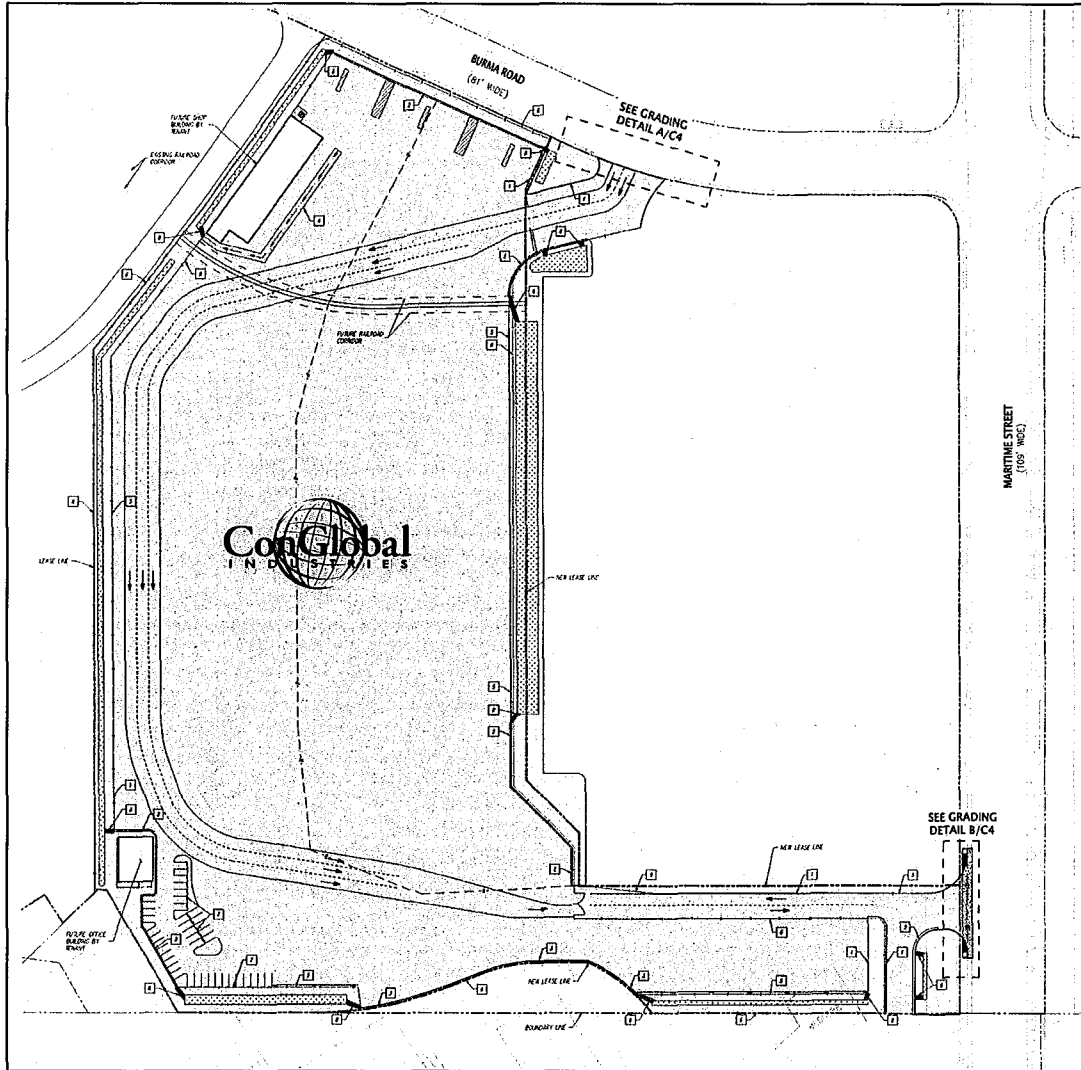
**1.1.5:** The City of Oakland (City), as the lead agency under the California Environmental Quality Act (CEQA), will determine compliance with the applicable mitigation measures and will determine compliance with this Plan.

## **2. TENANT SUBJECT TO THIS PLAN**

**2.1** This Plan applies to the tenant known as ConGlobal. ConGlobal has a lease with Prologis to occupy a 16.5 acre portion of the site known as CC-1 with an address of 11 Burma Road, Oakland, CA. See Figure 1 for site plan

**2.2** Upon termination of the ConGlobal lease, or if there are significant changes in ConGlobal operations from that described in section 2.1, a different air quality plan or an addendum to this Plan may be required as determined by the City.

**2.3** If an amendment or exception to this Plan is requested or determined to be necessary, the City will evaluate the scope of the amendment/exception and shall determine the necessary process for undertaking such an amendment/exception. Stakeholder notification will be provided for amendments or exceptions which the City determines to be substantive.



**Figure 1: Site Plan - ConGlobal Facility at 11 Burma Road**

## **2.4 Description of Operations Subject to this Plan**

ConGlobal – Oakland, a key part of the supply chain, is a container depot provider serving the shipping, trucking, logistics, and other transport-intermodal related industries. ConGlobal’s business is designed to reduce truck queuing and alleviate congestion at Marine terminals across the USA. They do this by handling trucks outside of the maritime terminal to efficiently pick up and return empty containers used in shipping through the Port. ConGlobal is currently a tenant within the Port of Oakland, located on a 27-acre facility at 555A Maritime St (near 7<sup>th</sup> St). The Port is downsizing ConGlobal’s current lease area and ConGlobal plans to relocate approximately 60% of their operations to Prologis’ New Central Gateway site at 11 Burma Rd.

This 16.5-acre site is a build to suit that will essentially be a large paved parking lot, and will be used to store empty containers, stacked up to 6-high (approximately 55 feet in total height), as well as undertake minor repairs and touch up painting to containers, as needed. There will be a metal shed-type "shop" building (+/-8,650 sf), where container repair and touch-up painting will be performed. ConGlobal is maintaining flexibility to place a small administrative office (+/-2,500 sf) to manage and oversee the container storage operations, however, initially, they will use the shop building to house any administrative personnel necessary for running the operation. ConGlobal, as part of a technology review process, is looking into automating the truck check in and drayage standard air quality compliance through cameras and computer software. Adjacent to the shop building, containers are washed with potable water from EBMUD in combination with a recycled ("gray") water system that stores and filters the recycled water for re-use.

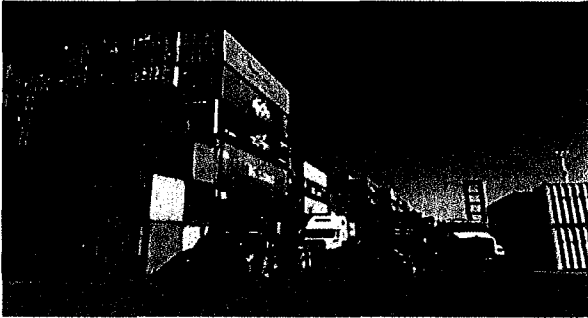
ConGlobal's day to day operation at this site will primarily consist of accommodating trucks that are dropping off or picking up empty shipping containers. ConGlobal shall be using the current Port Drayage standards for trucks entering the site. When trucks enter the site from the dual-lane driveway on Burma Rd, they drive to a point inside the site to confirm compliance with the Port Drayage standards, which is placed deep into the site to allow for ample on-site queuing if needed (3 lanes, approximately 700 ft per lane). With the truck engine turned off and not idling, the driver goes through a 5 minute check-in process where he /she is assigned a specific location on-site to drop off or receive their container load. CARB certification is verified by accessing the CARB database or the STEP sticker program to determine the vehicle meets the current Port Drayage Standards. Trucks are turned away if the database search determines the truck is not certified with CARB or does not meet the Drayage standards of the Port. As stated above, ConGlobal is looking to implement an automated system where the license plate of the truck is captured by video and CARB database check is done automatically. The site plan shown in Figure 1 is a build to suit intentionally designed to be more efficient than ConGlobal's current operations at their other Port location. ConGlobal's cargo handling equipment (CHE) operators then transport the empty container to or from the truck/chassis using side handling equipment. After the empty container is fully secured or removed, the driver then proceeds to exit the site via a driveway onto Maritime Street and the cargo handling equipment is then used to drop or pick the next load.

The following additional activities will be performed inside the maintenance shop building:

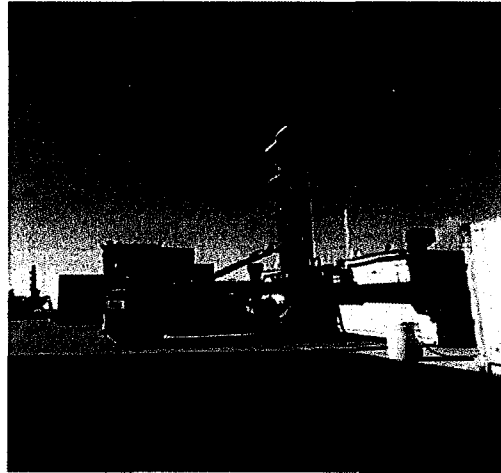
- Container repairs and custom modifications.
- Touch up and minor painting of containers. This will be done with rollers and waterborne paint using low VOC products. All paint and painting operations shall be per an active Bay Area Air Quality Management District (BAAQMD) "permit to operate." See Appendix A for an example of ConGlobal's 2017 permit from the BAAQMD.

The following additional activities are performed outdoors on the site:

- Container washing will be performed at the site. ConGlobal uses a system whereby water used in washing is re-used several times until such time as no longer effective in washing containers.
- Maintenance, repair and temperature setting for refrigerated containers (reefers). This will occur outdoors, adjacent to the maintenance shop, in the portion of the parking area shown on the site plan (See Figure 1)
- Chassis storage, repairs and Federal Motor Carrier Association (FMCSA) service. This will occur outdoors.



**Truck queue**



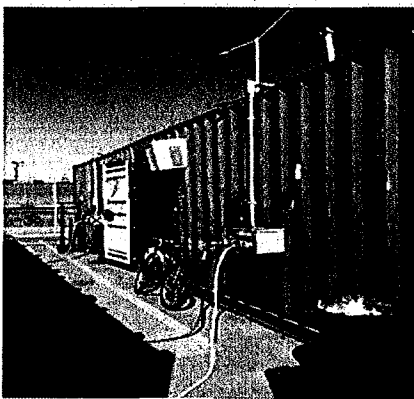
**CHE in operation**



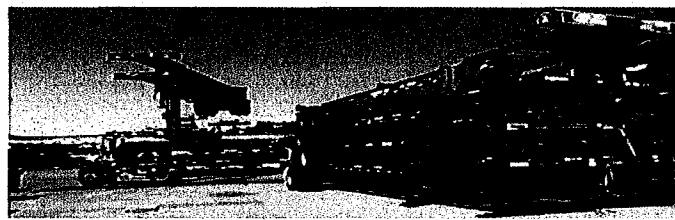
**Container pick up/drop off**



**Elevated reefer cleaning pads**



**Reefer plug ins**



**Chassis storage and movement**

**Photos of Existing ConGlobal Operation at 555A Maritime St.**



### 3. SCA/MMRP REQUIREMENTS

The City of Oakland prepared a Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP) for the OAB Project which was approved by the Oakland City Council on July 16, 2013 superseding a previous version dated October 15, 2012.

This Plan will focus on the air quality Conditions of Approval and Mitigation Measures (together “MM’s”) identified in the SCA/MMRP. The entirety of the SCA/MMRP is available on the City of Oakland website.

Table 1 below lists the air quality related MMs applicable to this tenant/building. Under direction from the City, Prologis bifurcated these MMs related to air quality into construction vs. operational requirements. Prior to receiving the building shell and sitework permits for construction of vertical improvements, Prologis prepared (and the City approved) the Construction Management Plan, which addressed the construction related air quality MMs. The table below shows how the applicable air quality MMs are addressed. Additionally, it should be noted that SCA Air-3 applies only to buildings which will contain sensitive receptors (e.g., hospitals, schools, etc.) and MM4.4-3b applies only to maritime uses at the West Gateway. ConGlobal is not categorized as containing sensitive receptors and it is located inland, therefore SCA Air-3 and MM 4.4-3b do not apply.

**Table 1: Summary of Air Quality Standard Conditions of Approval and Mitigation Measures, and the Response Method which addresses each one**

SCA/MM #	Description	Response Method
AIR-1	Construction Management Plan	Construction Mgmt Plan
AIR-2	Construction Related Air Pollution Controls	Construction Mgmt Plan
TRANS-2	Construction Traffic & Parking	Construction Mgmt Plan
MM 4.3-13	Traffic Control Plan – Hazmat	Construction Mgmt Plan
MM 4.4-6	Energy Conserving Fixtures/Design	Air Quality Operational Plan
MM 4.4-4	Truck Diesel Emissions Reduction Plan	Air Quality Operational Plan
MM 4.4-5	Transportation Control Measures	Air Quality Operational Plan
TRANS-1	Parking and Transportation Demand Mgmt	Air Quality Operational Plan
MM 5.4-1	Demonstration Projects	Air Quality Operational Plan

## **4. Elements of this Air Quality Plan for Operations of the ConGlobal Container Storage & Repair Facility**

This Plan contains the following components:

- 4.1) Truck and Equipment Diesel Emission Reduction (MM 4.4-4)
- 4.2) Participate in Emission Reduction Demonstration Projects (MM 5.4-1)
- 4.3) Technology Review Program (MM 4.4-4)
- 4.4) Sustainable Design and Construction (SCA TRANS-1, MM 4.4-6)
- 4.5) Transportation Control Measures and Parking/Transportation Demand Management (SCA TRANS-1, MM 4.4-5)
- 4.6) Quantification of Diesel Emissions (MM 4.4-4)

### **4.1 Truck and Equipment Diesel Emission Reduction**

The requirements listed below will reduce the diesel emissions including diesel particulate matter and nitrogen oxides produced during the operation of this warehouse.

#### **Trucks**

**4.1.1) Trucks** – All trucks delivering or picking up containers at this site will meet the Drayage Truck Rule adopted by the California Air Resources Board (CARB). See California Air Resource Board's Drayage Truck Regulation for more details, including truck engine year requirements and truck registry requirements.

**4.1.2) Transport refrigeration units (TRUs)** – The only TRU's at this site arrive and are stored empty. Minor repairs to the TRUs will occur on site and the TRU's will be plugged into on-site electricity during the repair process, if needed.

**4.1.3) Idling Rules for diesel trucks** - All trucks shall be prohibited from idling more than 2 minutes when on the ConGlobal site. See CARB regulation for diesel trucks for description of what is considered idling. The idling rules shall be posted in easily-visible locations on-site and shall be enforced by ConGlobal.

**4.1.4) Management of Container Delivery and Pick-up** - To ensure that truck idling times do not exceed two minutes when the trucks are on site, ConGlobal shall be responsible to manage ConGlobal operations to ensure compliance with the two minute idling requirement.

**4.1.5) Compliance with Truck Routes and with the West Oakland Truck Management Plan** – All trucks serving the ConGlobal Container Depot and Repair Facility are required to use designated truck routes to arrive and depart from this facility and throughout circulation in the city of Oakland. Additionally, such

trucks shall comply with the West Oakland Truck Management Plan, upon its approval, or with other City-approved truck regulations in effect at the time of operation of the truck serving this tenancy.

**4.1.6) CARB Compliance for Trucks –**

a. Compliance with applicable air quality regulations for medium and heavy duty-diesel trucks is required including, but not limited to, the CARB Drayage Rule, the CARB Tractor-Trailer Greenhouse Gas Reduction Regulation, and the Periodic Smoke Inspection Program.

b. All trucks entering the ConGlobal site shall provide proof of compliance with all applicable CARB regulations including, but not limited to, certificates of compliance and copies of annual smoke test results. ConGlobal shall confirm with CARB database or the STEP sticker program that the individual trucks meet all applicable CARB regulations and the Drayage Truck Regulation.

**Off-Road Equipment used in the ConGlobal operation**

**4.1.7) Off-Road Equipment**

a. Off-road equipment over 25 horsepower, including but not limited to yard equipment, exterior forklifts, cargo handling, yard hostler/truck and side picks shall be near-zero or zero emission equipment. This includes Tier 4i or Tier 4 diesel equipment (or equivalent if Tier system is not applicable to a particular piece of equipment); such equipment can also be electric, propane, bio-diesel, unleaded gasoline and alternative-fueled equipment.

b. ConGlobal is encouraged to use electric or alternative-fueled off-road equipment and to participate in pilot programs, grant funding and vouchers from the BAAQMD for electric and alternative fuel trucks, yard hostlers and off-road equipment.

c. ConGlobal has secured, as of October 2018, and will be deploying an electric yard hostler at this site.

d. ConGlobal shall submit an equipment list of all off-road equipment to be used at this site to demonstrate that zero and near-zero emission (including Tier 4 or 4i diesel equipment or equivalent) equipment, or electric, propane, bio-diesel, unleaded gasoline or alternative-fueled equipment will be used during operations. The list of equipment proposed for use on this site, as of November 2018, is shown as Exhibit A.

e. All off-road equipment shall be properly serviced and maintained throughout the life of the equipment.

f. Compliance with all applicable CARB regulations for off-road diesel equipment used at this site is required, including but not limited to the Diesel Off-Road Online Reporting System (DOORS) and the Equipment Identification Number (EIN).

g. Also see Section 4.3 of this Plan related to the Technology Review Program.

**4.1.8) Idling Rules for off-road equipment** - Diesel off-road equipment shall be prohibited from idling more than 2 minutes when loading and unloading, staging, or when not in active use. See CARB regulation for in-use off-road diesel vehicles for clarification of what is considered idling. The idling rules shall be posted in easily-visible locations on-site.

## **4.2 Participation in Emissions Reduction Demonstration Projects**

**4.2.1)** ConGlobal shall evaluate and participate, as feasible, in emission reduction demonstration projects that promote technological advances in improving air quality. Examples of some demonstration projects include but are not limited to: hybrid or electric yard hostlers and fork lifts, biodiesel powered yard equipment, CNG/LNG technology implementation, energy generation via mechanical systems using truck weight to generate electricity.

**4.2.2):** ConGlobal is encouraged to utilize innovative and cleaner technology/equipment from operations in other ConGlobal locations.

**4.2.3)** ConGlobal will provide contact information to CARB and BAAQMD for receipt of information regarding grants, vouchers and other funding opportunities for demonstration opportunities.

**4.2.4)** ConGlobal will report on the demonstration projects they have considered per the Technology Review Program (see Section 4.3 of this Plan).

## **4.3. Technology Review Program**

**4.3.1)** ConGlobal shall use cleaner technology over time as it becomes more readily available, practical and economically feasible. To accomplish this, ConGlobal shall review new technology every three years and with equipment turnover (prior to acquisition of, or lease of) additional or replacement off-road equipment to see if zero or near-zero equipment is economically feasible and practical.

**4.3.2)** ConGlobal shall investigate and make part of such analysis, any grant, voucher or other type of program that would help offset cost and/or otherwise make such equipment available, practical and economically feasible. ConGlobal shall submit such technology review to the City.

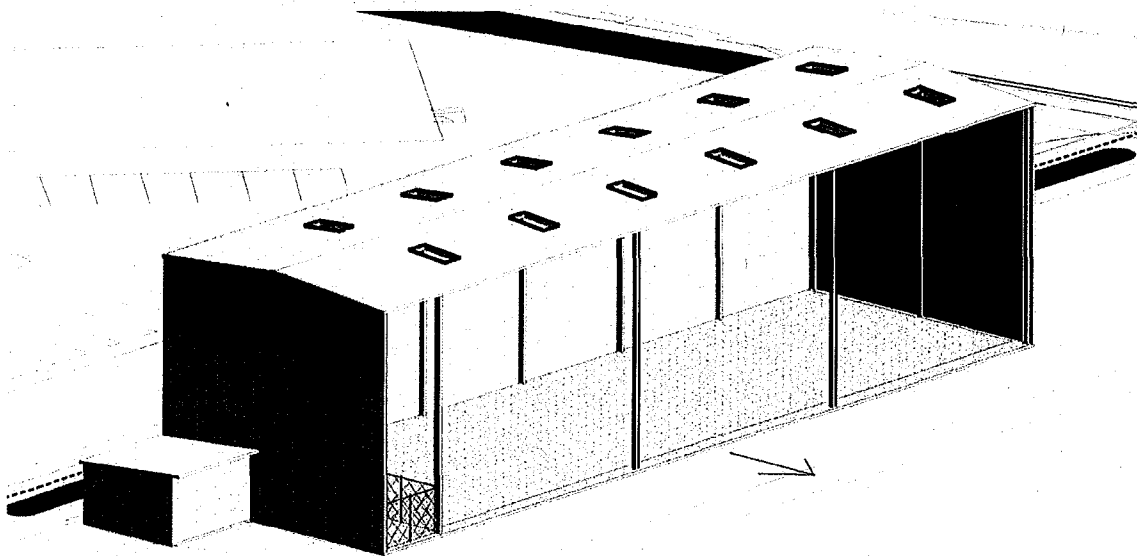
**4.3.3)** If the technology review demonstrates that new technology/equipment will be effective in substantially reducing emissions, is available, practical and economically feasible as determined by ConGlobal, then ConGlobal shall implement such technology within 12 months.

#### **4.4 Sustainable Design and Construction**

Sustainable design has a beneficial impact on long-term emissions reduction, improved air quality and reduced energy consumption. Tenants are required to comply with all applicable state and local building/zoning codes related to sustainable design, and are required to implement the following:

**4.4.1) Title 24 Compliance** - If ConGlobal decides to build the administration building, the building shall meet Title 24 (Building Energy Efficiency Program) of the International Building Code (IBC)/California Code of Regulations (CCR) to satisfy Mitigation Measure 4-4.6. This will be incorporated into the design of the administration building and verified by the City of Oakland as part of the building permit application.

The proposed maintenance shop will be an open-sided structure, with a roof, three walls and an open façade on the east side of the building. Since it is an open structure, per the IBC and CCR, Title 24 is not applicable. Even though Title 24 is not applicable, several energy efficient measures will be undertaken: The roof will be equipped with sky lights to reduce the need for lighting. All lighting that is installed will be LED. Ventilation will be natural, not mechanical, with openings on the west façade to allow natural air flow and ventilation. See Figure 2.



CONTAINER REPAIR SHOP ISOMETRIC VIEW

5

Figure 2 – Container Maintenance Shop Building, approximately 8,650 sf

**4.4.2) Electrical infrastructure for charging electric equipment** - Ample power is planned for the site to accommodate the current and future potential for electrical charging of off-road equipment and trucks. As ConGlobal is an outdoor equipment user, power is taken to an above ground switch gear with enough excess capacity to easily add future equipment charging capabilities.

**4.4.3) Electrical Power for Servicing and Repairing Refrigerated Containers** - In the area of the site where repair and servicing of TRU (Transport Refrigerated Unit) will take place, electrical power connections will be installed so that these containers can be plugged into the electrical grid during testing and repair. Since these containers are empty during the time they are stored on site, they only need to be plugged in during service and repair. Adequate plug in locations will be provided.

**4.4.4) BAAQMD Permit for painting** – ConGlobal shall continue to renew their existing BAAQMD permit for their paint operations and shall secure BAAQMD permits for the painting activities at the 11 Burma Road site, if required. All paint will be low VOC and applied with rollers. An example of the existing permit is attached as Appendix A

#### **4.5 Transportation Control Measures & Parking/Transportation Demand Management**

Transportation Control Measures (TCMs) in MM4.4-5 are intended to provide alternative ways for employees to commute to work at this facility. Some of these TCM's could be initiated and implemented by the City and the Port for the OAB project as part of a fair share program and others will be implemented directly by the tenant.

**4.5.1) Transportation Control Measures** - Separate from a fair share program, ConGlobal is required to implement TCMs 9, 11, and 13 per MM 4.4-5:

9 – Provide preferential parking for carpool and vanpool vehicles per City of Oakland and LEED standards.

11 – Secure, weather protected bicycle parking shall be provided on-site, such as through bike lockers or indoor bike rack in the maintenance shed.

Additionally, electrical vehicle charging stations for cars will be installed in the parking lot of this facility and as well as necessary infrastructure in place for future truck charging stations.

**4.5.2) Fair Share Participation** – In addition to 4.5.1, this tenant may be required to contribute to fair share funded TCM programs, as described in MM 4.4-5. City shall take lead on establishing Fair Share Plan, and implementing a fair and equitable allocation amongst projects.

**4.5.3) Parking and Transportation Demand Management** – ConGlobal shall prepare and implement a Parking and Transportation Demand Management Plan per SCA TRANS-1, consistent with the number of on-site employees, with the goal of reducing drive-alone commute trips during the peak traffic periods.

## 4.6 Quantification of Diesel Emissions

The 2012 Initial Study/Addendum analyzed whether the OAB Project (as defined in Chapter 2 of the Initial Study/Addendum) would result in total OAB Project emissions which exceed Thresholds of Significance as specified in the 2012 Addendum. Such Thresholds are established for reactive organic gases, nitrogen oxides (NOx), particulate matter (PM) 10. The applicable Threshold for each of these pollutants as clarified on pages 132 and 133 of the Initial Study/Addendum was 15 tons per year; a Threshold for PM2.5 was not established at that time. Table 3.3-8 on page 150 of the Initial Study/Addendum shows that OAB Project emissions of NOx exceed the Threshold of Significance, while also showing that the other pollutants do not exceed the Threshold of Significance.

Operations of all uses at the OAB shall, as stated in Mitigation Measure 4.4-4, “strive to reduce contributions to West Oakland diesel emissions to less than significant levels”, using the thresholds of significance identified in the 2012 Initial Study / Addendum. Reducing diesel emissions will have two benefits: reducing NOx, and reducing diesel particulate matter which is a toxic air contaminant.

**4.6.1** ConGlobal has been a tenant at the Port since 2009 and is relocating a portion of their operations to the site at 11 Burma Road which is the subject of this Plan. So the emissions associated with this business are not new emissions they are simply being relocated from a site at the Port (555 Maritime Street) to a site at the OAB. Since ConGlobal was already operational at 555 Maritime Street in 2012, at the time the emissions from the OAB project were quantified in the Initial Study/Addendum, there is no increase in emissions in the general area as a result of this move. See Appendix D. Notwithstanding, the emissions from the operations at this facility have, as stated in MM 4.4-4, “strived to reduce contributions to West Oakland diesel emissions to less than significant levels” by requiring all trucks to comply with the CARB Drayage Rule; by requiring all off-road equipment such as fork lifts and side picks to be Tier 4, Tier 4i, electric or alternative fuel; by restricting truck and equipment idling to 2 minutes and by the use of an electric yard hostler to move empty containers around on the ConGlobal site .

## 5. PLAN IMPLEMENTATION

ConGlobal shall submit to the City's Environmental Review Officer documentation of compliance with each element of this Plan per Table 2 below. The City will be responsible for reviewing and approving the compliance.

Such compliance shall be subject to audit at City's discretion, not more than one per year, other than the Technology Review which is to be submitted to the City every three years. The City shall give 30-day notice prior to audit. The results of the compliance audit shall be available upon request and posted to the City's website.

**Table 2 – Operational AQ Plan Compliance Summary Table Example**

ID	Description of Plan Element	Compliance Method/Description	Required Date of Compliance
<b>4.1</b>	<b>Truck /Equipment Diesel Emission Reduction</b>		
	4.1.1 –Trucks	[provide proof that truck or truck fleet compliance certificates were checked by ConGlobal for all trucks delivering and removing containers from this site]	Continuous
	4.1.2- Trucks with TRU's	N.A.	N.A.
	4.1.3 – Idling Rules for trucks	[provide idling policy signage]	Prior to occupancy
	4.1.4 – Delivery / Pick up Management	[Conglobal is responsible for implementing 2-minute idle policy]	Continuous
	4.1.5 – Compliance with Truck Routes and Truck Management Plan	Provide information to truck drivers who serve this facility	Continuous
	4.1.6 – CARB Compliance	[provide fleet info]	Continuous
	4.1.7 – Off Road Equipment	[provide off-road equipment fleet info; participate in CARB DOORS program]	Prior to occupancy and upon audit.
	4.1.8 – Idling Rules for off-road equipment	[provide idling policy signage]	Prior to occupancy
<b>4.2</b>	<b>Demonstration Projects</b>		
	4.2-.4 – Demo Projects Participation	[provide any demonstration projects]	On-going with documentation upon audit
<b>4.3</b>	<b>Technology Review</b>		
	4.3.1-3 – Technology Review Program	[provide technology review every three years]	Every three years continuously
<b>4.4</b>	<b>Sustainable Design</b>		



4.4.1 – Title 24 Compliance	[show on building permit plans for administration building, if such building moves forward.]	With building permit
4.4.2,3 – Renewable Energy	[show on building permit plans]	With building permit
<b>4.5</b>	<b>Transportation Control Measures</b>	
4.5.1 – Transp. Control measures	[show on building permit plans]	Prior to issuance of the permanent certificate of occupancy
4.5.2 – Fund Fair Share Programs	[City to assess fair share once program is finalized]	Prior to issuance of the permanent certificate of occupancy or upon finalization of Fair Share program by the City
4.5.3 – Parking/TDM Program	[provide a plan to reduce employee single-driver traffic]	Prior to issuance of permanent certificate of occupancy, if applicable.
<b>4.6</b>	<b>Quantifications of Diesel Emissions</b>	
4.6.1: Quantification of emissions	[N/A]	N/A

## Exhibit A


ConGlobal will use the following off-road equipment to operate this container storage and maintenance facility:

- four (4) cargo handling equipment (side-pick handlers)
- two (2) forklifts
- one (1) yard hostler

See Figure 2 for photos of the equipment being used at their existing Port of Oakland operations.

1. The four cargo handlers and two fork lifts will be relocated from their current site at 555A Maritime Street, at the Port of Oakland.
2. The four cargo handlers are equipped with 2013 to 2016 model year engines –All are Tier 4i or Tier 4 final (this is a rating for off-road diesel engines;).
3. The two forklifts will be propane or Tier 4 or Tier 4i diesel. Electric forklifts for this operation are encouraged when economically feasible and practical.
4. The yard hostler/yard truck is equipped with a 2016 model year engine and is Tier 4.
5. All equipment is and will remain registered with the California Air Resources Board.
6. See Appendix B for a more detailed information about this Equipment List.
7. ConGlobal has secured for a voucher from BAAQMD for an electric yard hostler and is being deployed at this site.

## Appendix A – BAAQMD Paint Permit for ConGlobal site at 555A Maritime St.



**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**  
1000 K STREET  
SAN FRANCISCO, CALIFORNIA 94133  
(415) 776-6000

**PERMIT  
TO OPERATE**

E0821

Plant# 20821 Page 1 Expires JUL 1, 2017

This document does not permit the holder to violate any District regulation or other law.

ConGlobal Industries  
555A Maritime Street  
Oakland, CA 94607


Location: 555A Maritime Street  
Oakland, CA 94607

SN	DESCRIPTION	[Schedule]	PAID
1	Roller coater, 40.8 gal/yr solvent, 42 gal/yr clean-up Roller Coater	[B]	445

1 Permitted Source

\*\*\* See attached Permit Conditions \*\*\*

The permitting parameters described above are based on information supplied by permit holder and may differ from the limits set forth in the attached conditions of the permit to operate. Any limits of operation in the permit conditions are not to be exceeded. Licensee bears the burden of compliance with all permit conditions subject to subsequent review.



**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**  
1000 K STREET  
SAN FRANCISCO, CALIFORNIA 94133  
(415) 776-6000

**PERMIT  
TO OPERATE**

E0821

Plant# 20821 Page 2 Expires JUL 1, 2017


This document does not permit the holder to violate any District regulation or other law.

\*\*\* PERMIT CONDITIONS \*\*\*

COND# 25102 applies to SN 1

- The owner/operator shall not exceed the following usage limits for S-1 during any consecutive twelve-month period:  
Tectyl 155 FF Black Rust Preventative 45 Gallons Sherwin-Williams Pro-Cryl Acrylic Primer 48 Gallons  
(Basis: Cumulative Increase)
- The owner/operator may use alternative coatings than that specified in Part 1 and/or usage in excess of that specified in Part 1, provided that the owner/operator can demonstrate that all of the following are satisfied:
  - Total VOC emissions from S-1 do not exceed 221 pounds in any consecutive twelve month period; and
  - The use of these materials does not increase toxic emissions above any chronic annual risk screening trigger level of Table 2-5-1 in Regulation 2-5 (Basis: Cumulative Increase; Toxics)
- To determine compliance with the above parts, the owner/operator shall maintain the following records and provide all of the data necessary to evaluate compliance with the above parts, including the following information:
  - Quantities of each type of coating used at this source on a monthly basis;
  - If a material other than that specified in Part 1 is used, VOC/NVOC and toxic component contents of each material used; and mass emission calculations to demonstrate compliance with Part 2, on a monthly basis;
  - Monthly usage and/or emission calculations shall be totaled for each consecutive twelve-month period.

All records shall be retained on-site for two years, from the date of entry, and made available for inspection by District staff upon request. These recordkeeping requirements shall not replace the recordkeeping requirements contained in any applicable District Regulations. (Basis: Cumulative Increase, Toxics)



**BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT**  
1000 K STREET  
SAN FRANCISCO, CALIFORNIA 94133  
(415) 776-6000

**PERMIT  
TO OPERATE**

E0821

Plant# 20821 Page 3 Expires JUL 1, 2017

This document does not permit the holder to violate any District regulation or other law.

\*\*\* PERMIT CONDITIONS \*\*\*

-----

END OF CONDITIONS

Bay Area Air Quality Management District      \*\* SOURCE EMISSIONS \*\*      PLANT #20821 Jul 6, 2016

SN	Source Description	Annual Average lbs/day			
		PART	ORG	NOX	SO2 CO
1	Roller Coater	-	1.64	-	-
<b>TOTALS</b>			1.64		

**PORT OF OAKLAND**

**Appendix B – Equipment List**

**Equipment**

Type	#	Chassis Make & Model	Chassis Model Year	Engine Model (Tier)	Engine Retrofit/ Repower? (Tier)	Engine Model Year and (Service Start Date *)	Gasoline (G) Diesel (D) LNG, CNG or Propane	Engine Rated HP	Hours of Use In 2017	Cumulative Hours on Engine (Estimated Life)
Example: RTG Crane	2		2006		Y (Tier 3)	2006	D	250	1800 hours/year	28,800 (40,000)
FORK LIFT		TAYLOR	2007		Y T-3	2007	D	200	500 hours/year	11,315 (20K)
FORK LIFT		TAYLOR	2010		Y T-3	2010	D	205	500 hours/year	6,823 (20K)
FORK LIFT	1	HYSTER	2015	4F		2015	D	160	1700 YEAR	1,574 (20K)
FORK LIFT	1	HYSTER	2016			2016	PROPANE	59	1800 YEAR	1,195 (20K)
FORK LIFT	1	HYSTER	2016			2016	PROPANE	59	1800 YEAR	1,404 (20K)
SIDE PICK	1	TAYLOR	2010		Y T-3	2010	D	205	1200 YEAR	11,440 (20K)
SIDE PICK	1	TAYLOR	2008		Y T-3	2010	D	200	1200 YEAR	13,942 (20K)
SIDE PICK	1	HYSTER	2014	4		2013	D	220	1400 YEAR	6,927 (20K)
SIDE PICK	1	HYSTER	2014	4		2013	D	220	1800 YEAR	5,697 (20K)
SIDE PICK	1	HYSTER	2014	4		2014	D	220	1800 YEAR	5,691 (20K)
SIDE PICK	1	HYSTER	2016	4F		2016	D	225	1800 YEAR	2,452 (20K)
YARD TRUCK	1	CAPACITY	2016	4F		2016	D	200	500 YEAR	717 (20K)
FORK LIFT		TOYOTA	2006			2006	PROPANE	53	750 YEAR	7,477 (20,000)

- \* Especially important if the engine is newer than the equipment
- \*\* Please identify what equipment is leased, not owned
- \*\*\* Add rows to the table as necessary.

**Fuel Usage**

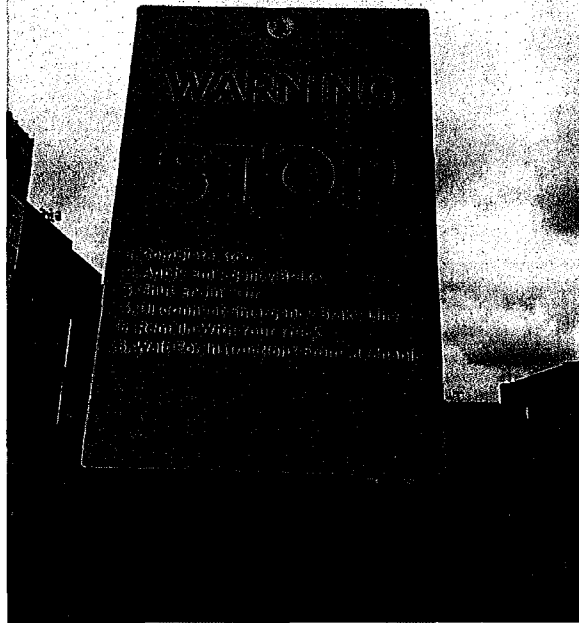
Red-dye off-road diesel for yard trucks (average gal/month): 2300 gal  
 Red-dye off-road diesel for other equipment (average gal/month): 200 gal

**Additional comments:**

Please submit survey information to Diane Heinze

Note: Equipment shown in boxes will be brought over to the OAB New Central Gateway site. No tier 3 equipment shall be brought over.

## Appendix C – No Idling Signage



**APPENDIX D – AQ CONSULTANT LETTER DETERMINATION ON EMISSIONS**

# Mitchell Air Quality Consulting

December 5, 2018

Jeff Major  
Prologis  
3353 Gateway Blvd.  
Fremont, CA 94538

**Subject: ConGlobal Industries Relocation Project Air Quality Assessment in Oakland, California**

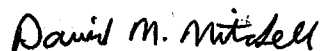
Dear Mr. Major:

Per your request, Mitchell Air Quality Consulting (MAQC) conducted an assessment of potential air quality impacts of the relocation of the ConGlobal Industries facility from its current location at 555A Maritime Street in the Port of Oakland to a new location in the Central Gateway Area (CC1). The site move will provide improved access to the facility and no net increase in truck trips compared to its current location. The new location is expected to provide a decrease in onsite truck travel emissions because the new site is closer to freeway access points than the existing facility. Regional emissions from offsite truck travel would remain the same.

CEQA requires that existing uses be considered as part of the environmental baseline when determining project impacts. New impacts are the result in increased activity allowed by project approval. In this case there is no increase in activity at the OARB project site since the use was existing at the time the environmental document was prepared. Furthermore, the 2012 IS/MND included development at the Central Gateway site with similar uses to the ConGlobal Industries facility, so the effects on sensitive receptors of having development at that particular location were addressed in the 2012 IS/MND health risk assessment. Therefore, no air quality impacts not previously addressed would occur as a result the relocation.

If you have any questions regarding this analysis, please call me at (559) 246-3732, or via email at [dmitchell@mitchellaq.com](mailto:dmitchell@mitchellaq.com)

Sincerely,



David M. Mitchell, Owner  
Mitchell Air Quality Consulting  
1164 E. Decatur Avenue  
Fresno, CA 93720

**Attachment E**

**City response to public comment letters**



**CALIFORNIA**  
AIR RESOURCES BOARD

Mary D. Nichols, Chair  
Matthew Rodriguez, CalEPA Secretary  
Edmund G. Brown Jr., Governor

City of Oakland Response  
to recommendations from California Air Resources Board on the  
Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Facility  
11 Burma Road  
December 10, 2018

April 18, 2018

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

Dear Ms. McGowan:

The California Air Resources Board (CARB) staff has reviewed the Diesel Emission Reduction and Air Quality Plan for Operations of the ConGlobal Container Depot and Repair Site and the Prologis Operational Air Quality Plan for three warehouse buildings, CE-1, CE-2, and CC-1 (collectively referred to as Plans), prepared by the City of Oakland (City). The proposed ConGlobal and Prologis facilities are located within the footprint of the former Oakland Army Base (OAB). The Plans are required as part of the 2013 approved Standards and Conditions of Approval/Mitigation and the Monitoring Report Program (SCNMMRP) prepared for the 2012 OAB Redevelopment Initial Study Addendum (IS/Addendum). The SCA/MMRP was adopted by the City to mitigate the significant health and air quality impacts expected to occur in the West Oakland community, and the impacts to regional air quality resulting from the redevelopment of the former OAB.

As discussed at the March 21, 2018 stakeholder meeting, CARB staff finds that these Plans fail to include critical mitigation that will reduce harmful diesel particulate matter, and do not quantify the expected operational emissions and the reductions expected from implementing the proposed mitigation measures.

Furthermore, the Plans do not include sufficient mitigations beyond what is already required by current regulations. CARB staff believes the City can and must do more to ensure the West Oakland community, already disproportionately impacted by freight operations, are not further exposed to harmful diesel particulate emissions. To achieve this, CARB staff strongly recommends that the City include all feasible mitigation measures necessary to reduce operational air quality and health impacts. This includes requiring that future tenants incorporate zero and near-zero emission technologies that are available now at the start of operations. This helps ensure that operations

Ms. Patricia McGowan  
April 18, 2018  
Page 2

at the Prologis and ConGlobal facilities lessen the significant and unavoidable impact to air quality, as identified in the 2002 OAB Final Environmental Impact Report and 2012 IS/Addendum, by requiring all feasible<sup>1</sup> mitigation measures be incorporated (see Cal. Pub. Resources Code § 21081; 14 CCR § 15126.2(b)).

The State of California has recently placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those near the proposed Project. The West Oakland community is located in a designated disadvantaged community, as defined by the California Environmental Protection Agency. To that end, we urge you to ensure that the community is not adversely impacted by the operations of the Prologis and ConGlobal facilities. The latest health science tells us that we must be even more vigilant to protect children, who experience higher doses and are more sensitive to air pollution than previously understood.

### **Project Description**

Prologis is the ground lessee of 58 acres of the City-owned, former OAB property for the next 66 years. Prologis is constructing three warehouse buildings, totaling 676,921 square feet, to lease as logistics and distribution operations. The remaining 16 acres will be leased to ConGlobal for operations of a container storage and repair facility. ConGlobal is moving its existing operations currently occupying a Port of Oakland site and relocating it to the Prologis site. The ConGlobal repair facility operations will consist of minor container repairs and paint touch-ups, a 2,500 square foot administration building, and a container wash area. The wash area will use a recycled water (gray water) system that will store and filter the water for re-use. There will also be an area for refrigerated container repair, maintenance, and temperature setting with associated container electrical plugs.

### **Recommended Revisions**

CARB staff recommends the following revisions (applicable to both Plans) to further strengthen the proposed mitigation measures.

- 1) The City should incorporate the zero-emission technologies and implement other reduction strategies to reduce emissions and exposure, as detailed in our attached comments on the proposed Duke Warehouse Project in Perris,

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<sup>1</sup>For the purposes of CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. (California Code of Regulations, title 14, section 15364.)

California (Elizabeth Yura to Nathan Perez, February 24, 2017, see sections titled "Project Design Features and Mitigation Measures" and "Other Recommendations").

*Agreed, see Section 4.1.7 of the Plan. See also annotations in the attachment below, which shows how the recommendations contained in the CARB letter for the Duke Warehouse Project were integrated as relevant.*

- 2) **The City should quantify the expected diesel particulate emissions expected for each source (diesel trucks, equipment, etc.) and the expected reductions from each mitigation measure as compared to the 2012 IS/Addendum baseline assumptions.**

*Agreed. The City is working with a consultant to quantify the diesel emissions expected from operations at the OAB including reductions from the measures in this Plan and similar plans for other facilities at the OAB as compared to the 2012 IS/Addendum emission estimates. The City will work with stakeholders as this information becomes available.*

- 3) **The City should require that any Class 8 trucks or yard trucks operating within the City-owned properties that operate solely between the Port and Prologis sites be zero emission.**

*The Plan only covers on site operations. On-site ConGlobal will use a zero-emission yard hostler. Off-site, public roads are governed by federal, state and local laws and such electric vehicles are currently classified as off-road equipment, not for use on streets.*

- 4) **The City should require that all cargo handling equipment (CHE) used on City-owned property be zero emission given that they are currently commercially available. Furthermore, the City should remove reference to CHE as part of CARB's DOORs program, as this is a regulatory requirement for off-road equipment only, not CHE.**

*Section 4.1.7 of the Plan requires off-road equipment such as forklifts to be zero or near-zero emission equipment. This means that if diesel equipment is used it must be Tier 4 or Tier 4 interim equipment. This requirement is more restrictive than the CARB statewide regulations for such equipment. The Plan has been revised to remove reference to cargo handling equipment and instead use the term "off-road equipment" for forklifts and other similar equipment which will move the containers.*

- 5) **To ensure future operational activities do not change at either facility, the City should issue a conditional use permit that restricts operational activities to only these proposed operations as outlined in each Plan. This will help ensure that no new air quality impacts will occur. Should new operational activities occur, the City should require additional environmental review as part of a conditional use permit.**

*Zoning regulations for the OAB were adopted by the City Council in 2014 specifying what type of uses require conditional use permits (CUP). A CUP is not required for the ConGlobal facility. However, to address this concern, the Plan is revised to add a requirement in Section 2 of the Plan that if significant changes in operation occur, then a different air quality plan or an addendum to this Plan may be required. Further, compliance with this Plan is a condition of the lease per Section 1.1.2 of the Plan.*

- 6) Both Plans include a Technology Review Program. ConGlobal's Plan indicates that they will conduct a technology review every three years, and, if feasible, the technology will be implemented. The Prologis Plan requires each tenant to conduct a technology review every three years. The technology review will then be implemented within 12 months, if found to be available, practical, and economically feasible. Given the advancement in technology, the City should require that these technology reviews occur every two years and be submitted to the City for evaluation and approval, in consultation with the Bay Area Air Quality Management District.

*Section 4.3 of the Plan requires ConGlobal to review new technology every three years and with equipment turnover, meaning prior to acquisition of, or lease of, new equipment. We believe this is appropriate and does not need to be reduced to every two years. The Plan has been revised to add that the technology will be implemented within 12 months, if found to be available, practical, and economically feasible. Additionally, Section 4.2.3, was revised to require that the ConGlobal provide its contact information to the Bay Area Air Quality Management District so that it may directly receive, evaluate and participate in, as feasible, demonstration projects including applying for grants, vouchers and other funding to offset the cost increase of electric and alternative-fuel equipment, in consultation with the Bay Area Air Quality Management District.*

**CARB staff believes our recommended changes to the Plans, will further reduce harmful diesel emissions from the long-term operations of these facilities and reduce impacts to the nearby communities. We are available to provide assistance to you in identifying zero and near-zero technologies.**

Ms. Patricia McGowan  
April 18, 2018  
Page4

If you have questions, please contact Robbie Morris, Air Pollution Specialist,  
Exposure Reduction Section at (916) 327-0006 or via email at  
[robbie.morris@arb.ca.gov](mailto:robbie.morris@arb.ca.gov). You may also contact me at (916) 322-8285 or via email at  
[richard.boyd@arb.ca.gov](mailto:richard.boyd@arb.ca.gov).

Sincerely,

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Richard Boyd, Chief  
Risk Reduction  
Branch  
Transportation and Toxics Division

Attachment

cc: See next page.

Ms. Patricia McGowan  
April 18, 2018  
Page 5

cc: Morgan Capilla  
NEPA Reviewer  
Ports, Housing Development, and Transportation  
United States Environmental Protection Agency  
Enforcement Division, Region 9  
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Brian Beveridge  
Co-Directors  
West Oakland Environmental Indicators Project  
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Richard Grow, Lead  
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Work Group Coordinator  
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San Francisco, California 94105

Elizabeth Yura, Director  
Community Protection Office  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, California 94105

ATTACHMENT



# Air Resources Board

Matthew Rodriguez  
Secretary for  
Environmental Protection

Mary D. Nichols, Chair  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.  
Governor

## CONTINUED

City of Oakland Response  
to recommendations from California Air Resources Board on the  
Air Quality Plan for Operations of the ConGlobal Depot and Repair Facility  
at 11 Burma Road  
December 10, 2018

February 24, 2017

Mr. Nathan Perez  
Associate Planner  
Division 135 North "D" Street  
Perris, California 92570

Dear Mr. Perez:

Thank you for providing the Air Resources Board (ARB) the opportunity to comment on the Notice of Preparation (NOP) for the Duke Warehouse at Southwest Corner of Indian Avenue and Markham Street (Project) Draft Environmental Impact Report (DEIR). The proposed Project consists of constructing a 668,681 square foot warehouse building and associated infrastructure on a 31-acre site.

The Project site is currently vacant land, surrounded by primarily, mixed use, commercial and industrial businesses, undeveloped agricultural land and public roads. The NOP indicates that the proposed Project is being constructed as speculative, meaning the developer will find an operator for the warehouse after the Project is entitled. Features of the proposed Project include 271 employee/visitor parking stalls, 162 truck stalls, and 104 truck docks.

Should the results of the DEIR analysis find an increase in health risk in the immediate area, the proposed Project should utilize all existing and emerging zero-emission technology and implement land use decisions that minimize diesel particulate matter (PM) exposure to the neighboring community. The final Project conditions should provide for the use of those technologies now and in the future. This will serve to better protect the health of nearby residents from the harmful effects of fine particle pollution, including diesel PM, and help achieve emission reductions required to attain air quality standards for all pollutants and reduce greenhouse gases.

Additionally, a full health risk assessment should be conducted and the air quality and health risk assessment should use both the existing conditions baseline and a future conditions baseline.



Furthermore, the DEIR should include an analysis of the significant cumulative impacts of the proposed Project for both operational and construction air quality impacts (California Environmental Quality Act (CEQA) Guidelines, Section 15130). Cumulative impact is referred to as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355).

### **Project Design Features and Mitigation Measures**

If the results of the DEIR analysis find an increase in health risk, the majority of the potential localized cancer risk for the proposed Project will likely be attributable to an increase in diesel PM from the construction and long-term operation of the facility. Consequently, ARB staff recommends actions to support the deployment of zero and near-zero emission technology to reduce localized health risk and regional emissions. If the analysis shows significant health or air quality impacts, the following project design features should be included and/or further developed as a mitigation measure:

- 1) Incorporate zero and near-zero emission technologies that are commercially available now and in the future. Support the deployment of zero emission technologies including zero emission (such as battery electric or fuel cell electric) forklifts, battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. These technologies are commercially available today. Additional advancements, especially for on-road trucks, are expected in the next three to five years. ARB's Technology and Fuels Assessments provide information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at <http://www.arb.ca.gov/msprog/tech/tech.htm>. *The Plan is revised to incorporate the requirement to utilize zero and near-zero emission technologies, including a technology review and implementation of feasible technologies (see also response 5 above).*

Implement, and plan accordingly for, the necessary Infrastructure to support the zero emission and near-zero emission technology vehicles and equipment that will be operating onsite. This includes physical (e.g. needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.

*Section 4.4.2 of the Plan has stated that Prologis/ConGlobal will provide the necessary infrastructure to accommodate electrical vehicles operating on site.*

Given that the future tenant is unknown, implement and plan accordingly to provide sufficient plug-in capabilities for transport refrigeration units (TRUs) to

eliminate the amount of time that a transport refrigeration system powered by a fossil-fueled internal combustion engine can operate at the Project site.

Use of

zero emission all-electric plug-in transport refrigeration systems, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration is encouraged. ARB's Technology Assessment for Transport Refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at [https://www.arb.ca.gov/msprog/tech/techreport/tru\\_O7292015.pdf](https://www.arb.ca.gov/msprog/tech/techreport/tru_O7292015.pdf).

*See Section 4.4.3 of the Plan. Electric plug-ins will be installed for use during temperature setting operations of the TRU's and electric facilities will be installed for charging electric equipment and the electric yard trucks.*

- 2) Ensure the cleanest possible construction practices and equipment is utilized. For off-road construction equipment, utilize those that meet Tier 4 emission standards where possible and Tier 3, at a minimum. Other practices include eliminating idling of diesel-powered equipment, requiring the use of zero and near-zero emission equipment and tools, and providing the necessary infrastructure (e.g. electric hookups), to support that equipment. In addition, require that all construction fleets be in compliance with all current air quality regulations. ARB staff is available to provide assistance in implementing this recommendation.  
*Not applicable; this Plan relates to operations only.*
- 3) Require that all medium-heavy and heavy-heavy duty trucks, including any alternative fuel vehicles, meet or exceed the 2010 emission standards. Support the deployment of zero and near-zero technologies including utilizing zero emission (such as battery electric or fuel cell electric) forklifts and battery electric and hybrid electric medium-duty trucks to the fullest extent feasible. ARB's Technology and Fuels Assessments provide Information on the current and projected development of mobile source technologies and fuels, including current and anticipated costs at widespread deployment. The assessments can be found at <http://www.arb.ca.gov/msprog/tech/tech.htm>.  
*See response 2 in letter above and refer to Section 4.1 of the Plan.*
- 4) Consider including contractual language in tenant lease agreements that includes tenants be in and monitor compliance with all current air quality regulations for on-road trucks including ARB's Heavy-Duty Greenhouse Gas Regulation, Periodic Smoke Inspection Program, and the Statewide Truck and Bus Regulation. ARB staff is available to provide assistance in implementing this recommendation.  
*The Plan incorporates this measure. See response 5 in letter above and refer to Section 1.1.2 of the Plan.*

- 5) Consider including contractual language in tenant lease agreements that require future tenants use cleaner technologies over time as they become available and feasible. This can be accomplished by requiring tenants to develop an annual Technology Review Program to identify any new emissions-reduction technologies that may reduce emissions at warehouse distribution centers, including the feasibility of zero and near-zero emissions technologies for heavy-duty trucks, yard equipment, forklift, and pallet jacks. If the technology review demonstrates the new technology will be effective in reducing emissions and the City of Perris (City) determines that installation or use of the technology is feasible, the tenant shall implement such technology within 12 months of the City's determination.

*The Plan incorporates this measure. Refer to Section 4.3 of the Plan.*

#### **Air Quality Analysis and Health Risk Assessment**

*Not Applicable. The HRA completed for the OAB Project is provided in the 2012 CEQA addendum for HRA.*

A health risk assessment (HRA), dated January 2017, is currently available for public review. *(This HRA dated January 2017 is for the Duke Warehouse project, not the Oakland Army Base project.)* This HRA should be revised to include the following:

- 1) Evaluate proposed Project criteria air pollutant and greenhouse gas emissions using the California Emission Estimator Model (CalEEMod). The most recent version of CalEEMod is available at [www.caleemod.com](http://www.caleemod.com).
- 2) The health risk assessment should utilize the most current Office of Environmental Health Hazard Assessment guidance for that assessment, which is presently the 2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments available at [http://oehha.ca.gov/alr/hot\\_spots/hotspots2015.html](http://oehha.ca.gov/alr/hot_spots/hotspots2015.html).
- 3) Include a health risk and air quality analysis utilizing both the existing conditions baseline (current conditions) and a future conditions baseline (full build out year, without the Project). This analysis will be useful to the public in understanding the full impacts of the Project. It is important to ensure that the public has a complete understanding of the environmental impacts of the proposed Project, as compared to both existing conditions and future conditions.

- 4) Table 3 in the HRA used an average daily truck traffic (ADT) rate for the proposed Project of 230 ADTs. ARB concurs with the South Coast Air Quality Management District (SCAQMD) that the ADT should be based on daily vehicle trips of 1.68 and 0.64 daily truck trips per 1,000 square feet of warehouse space. Therefore, revise Table 3 utilizing this formula.

#### **Other Recommendations**

- 1) Although the proposed Project includes use of a truck route approved under the 2012 Perris Valley Commerce Center Specific Plan, ARB recommends additional coordination with the existing local community while considering truck traffic impacts and circulation that will result from the proposed Project.  
*A separate Truck Management Plan is under development; the Plan requires adherence to the truck routes, see Section 4.1.5 of the Plan.*
- 2) Develop and consider a project design that incorporates applicable guiding principles, as well as potential criteria in evaluating projects proposed by State or local agencies, as outlined in the California Sustainable Freight Action Plan

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Mr. Nathan Perez  
February 24, 2017  
Page 6

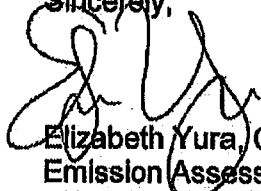
Action Plan). The Action Plan can be found at <http://www.dot.ca.gov/casustainablefreight/theplan.html>. ARB staff is available to assist in implementing this recommendation.

*The Plan incorporates equipment handling measures from the Action Plan; the technology review process also furthers the objectives of the State's Action Plan.*

ARB staff appreciates the opportunity to comment on the NOP for the proposed Project and is able to provide assistance for successful implementation and deployment of a state-of-the-art facility that serves the region's distribution and air quality needs, while protecting public health.

Please include ARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Robbie Morris, Air Pollution Specialist, at (916) 322-0006 or via email at [Robbie.Morris@arb.ca.gov](mailto:Robbie.Morris@arb.ca.gov).

Sincerely,



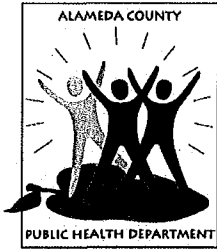
Elizabeth Yura, Chief  
Emission Assessment Branch  
Transportation and Toxics Division

cc: State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

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Transportation Team Supervisor  
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San Francisco, California 94105

Development Review/ CEQA Compliance California  
Department of Transportation, District 8 464 West  
Fourth Street  
San Bernardino, California 92401-1400



**Alameda County Health Care Services Agency  
Public Health Department**

Colleen Chawla, Director  
Dr. Muntu Davis, Director & Health Officer

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**Health Equity Policy and Planning Unit**

**Sandi Galvez  
Director  
510-268-4021**

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**1000 Broadway Suite 500  
Oakland, CA 94607**

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City of Oakland Response  
to recommendations from Alameda Co. Public Health Dept. on the  
**Air Quality Plan for Operations of ConGlobal Container Depot and Repair Facility**  
11 Burma Road  
December 10, 2018

April 12, 2018

Patricia McGowan  
Environmental Coordinator  
City of Oakland  
Bureau of Planning  
250 Frank H. Ogawa, Suite 3315  
Oakland, CA 94612  
Via Email: [PMcGowan@oaklandnet.com](mailto:PMcGowan@oaklandnet.com)

**Re: Comments on Prologis and ConGlobal Air Quality Operations Plans**

Thank you for the opportunity to comment. The Alameda County Public Health Department is invested in addressing the health impacts from current and future Port operations to reduce longtime disparities in the West Oakland community. The City of Oakland has an opportunity to show bold leadership on sustainable development at the Oakland Army Base, while promoting health and safety. The terms of the leases with the tenants are potentially decades long, so it's important to take the opportunity now to set up strong measures in writing for our future. After reviewing the Air Quality Operations Plans for Prologis and ConGlobal, the City can do more to provide much needed relief to the West Oakland community that has been disproportionately burdened by poor air quality for decades. By using best practices and electric trucks and equipment to reduce air pollution in West Oakland, this cleans the air for all Oaklanders, particularly West Oakland residents.

*Prologis Air Quality Operations Plan – This comment letter pertains to two projects: the proposed Prologis warehouses at the OAB and the ConGlobal operations at the OAB. Comments regarding operations of the Prologis warehouses have been considered separately (PODS Air Quality Plan, May 15, 2018) and will be considered in the future for the other proposed Prologis warehouses at the OAB.*

*Responses herein are associated only with the ConGlobal Air Quality Operations Plan.*

Over the course of various meetings, Prologis has taken steps forward to respond to the recommendations from the Air Quality and Health Agencies, but more can be done. First, to help ensure successful implementation of the Operations Plan, the City should consider requiring Prologis to include all of these requirements into tenant lease agreements.

*While this comment is about the Prologis warehouses, the Air Quality Operations Plan will become a requirement of the tenant lease. Agreed; see Section 1.1.2 of the ConGlobal Plan.*

Regarding indoor air quality and sustainability, the building will be certified LEED Gold, which includes many health-supportive features, including a cool roof, LED lighting, encouraging reduced emissions from commutes, low VOC paints, waste reduction, reused materials, natural lighting, high efficiency air filtration, larger electric boxes and preparing for potential solar energy at the site. The Plan should include a stronger written commitment to finding tenants who will comply with the solar energy program in their operations.

*Agreed in concept for several of these items; see Section 4.4 of the ConGlobal Plan. While this comment is about the Prologis warehouses, the intent is to have reduced energy consumption during on-site operations. The ConGlobal facility will include only an open-sided maintenance building of approximately 8,650 square feet, not a large warehouse like the Prologis sites. Natural light and LED lighting has been incorporated into the design of the maintenance shed, and low VOC paints will be the only paints used when repairing shipping containers. An open-air structure would not qualify for LEED certification as a stand-alone project and solar is not currently proposed for the roof of the maintenance building.*

Air filtration at MERV-13 rating is sufficient to filter out diesel particulates, which supports cleaner air quality for building tenants and workers, but the effectiveness is in the maintenance of the filters. The Plan should include language that requires a specific time frame and responsible party for frequent and regular replacement of the filters so that they do not become clogged and ineffective.

*Not applicable to ConGlobal because the maintenance shed will be open-sided and such building is not required to include mechanical air filtration.*

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The Plan includes stronger diesel emissions reduction requirements for smaller equipment than diesel trucks. The Plan would be strengthened with a commitment to identifying tenants that will participate in ongoing, proactive discussions with CARB and BAAQMD to promote demonstration projects and opportunities for incentive funding for electric trucks.

*Agreed. Section 4.2 (Participation in Emission Reduction Demonstration Projects) requires ConGlobal to participate in discussions with CARB and BAAQMD to promote demonstration projects.*

The following are additional points of clarification and recommendations for strengthening the requirements for diesel trucks and equipment:

- Compliance - Specify how the developer and tenants will ensure compliance with the diesel trucks and equipment requirements.  
*Agreed, see Section 4.1.6 of the ConGlobal Plan. While this comment is about the Prologis warehouses, the intent has been incorporated into the ConGlobal Plan.*
- Fuels - Encourage the use of bio-fuels by developer and tenants, when feasible.  
*Agreed, see Section 4.1.7b of the ConGlobal Plan. While this comment is about the Prologis warehouses, the intent has been incorporated into the ConGlobal Plan.*
- Transport Refrigeration Units - Include a requirement that TRUs are required to plug into dock power when the capability exists and encourage the use of TRUs that have plug-in capability.  
*Agreed, see Section 4.4.3 of the ConGlobal Plan. While this comment is about the Prologis warehouses, the intent has been incorporated into the ConGlobal Plan.*
- Regarding truck routes and idling, Prologis reduced their maximum idling limit down to 2 minutes, which is more health-protective than 3 minutes. Although the City is still developing the Truck Management Plan, the Plan should state that the developer and tenants shall comply with the Truck Management Plan and commit to complying with and supporting traffic and enforcement requirements and programs developed by the City.  
*Agreed, see Section 4.1.5 of the ConGlobal Plan. While this comment is about the Prologis warehouses, the intent has been incorporated into the ConGlobal Plan.*

#### ConGlobal Air Quality Operations Plan

ConGlobal was successful at securing all Tier 4 cargo handling equipment, forklifts that will be propane or Tier 4 diesel powered and a yard truck that is Tier 4 and is in the process of buying an electric cargo handling equipment with grant funding from BAAQMD, which is strong mitigation for air quality. However, as the lease is at least 15 years long, the Plan would be stronger if it included a commitment to participate in ongoing, proactive discussions with CARB and BAAQMD to further promote demonstration projects and opportunities for incentive funding for electrification. Furthermore, the Plan should include a commitment to comply with and support traffic and enforcement requirements and programs developed by the City.

*Agreed. Section 4.2 (Participation in Emission Reduction Demonstration Projects) and Section 4.3 (Technology Review Program) have been revised and are designed to work together to facilitate ConGlobal to participate in discussions with CARB and BAAQMD to promote demonstration projects and to encourage that the lowest emission equipment be used at this site; the technology review requires implementation of new technologies as feasible. Additionally, Section 4.1.5 requires compliance with the West Oakland Truck Management Plan which address the comment to "include a commitment to comply with the traffic and enforcement requirement developed by the City."*

Regarding the administrative office building on-site, the Plan would be strengthened if it included



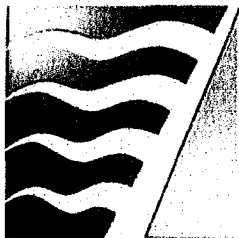
opportunities for the building to get LEED certified or incorporate more green building standards like solar capability, like the Prologis site.

*The ConGlobal site as currently proposed will include only a maintenance shed structure open on one side. A series of skylights are included in the roof to provide natural light to the facility. An open air structure would not qualify for LEED certification as a stand-alone project and solar is not currently proposed for the roof of the maintenance building.*

Please feel free to let me know if you have any questions.

Sincerely,

Anna Lee  
Place Matters, HEPP  
anna.lee@acgov.org



City of Oakland Response to BAAQMD comments about the  
Air Quality Plan for Operations of the ConGlobal Container Depot  
and Repair Facility at 11 Burma Road

December 10, 2018

April 12, 2018

**BAYAREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

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

**ALAMEDA COUNTY**  
Pauline Russo Cutter  
Scott Haggerty  
Rebecca Kaplan  
Nate Miley

**CONTRA COSTA COUNTY**  
John Gioia  
David Hudson  
(Chair)  
Karen Mitchoff  
Mark Ross

**MARIN COUNTY**  
Katie Rice  
(Vice Chair)

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
Hillary Ronen  
Tyrone Jue  
(SF Mayor's Appointee)

**SAN MATEO COUNTY**  
David Canepa  
Carole Groom  
Doug Kim

**SANTA CLARA COUNTY**  
Margaret Abe-Koga  
Cindy Chavez  
Liz Kniss  
Rod G. Sinks  
(Secretary)

**SOLANO COUNTY**  
Pete Sanchez  
James Spering

**SONOMA COUNTY**  
Teresa Barrett  
Shirlee Zane

Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

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Bay Area Air District:

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;

*As stated in Section 4.1.1 of the Plan, trucks serving the ConGlobal facility will be required to comply with the official statewide regulations established by the California Air Resources Board (CARB) for medium and heavy-duty trucks referred to as the Drayage Rule. The statewide Drayage Rule requires that trucks meet 2010 diesel emissions standards by January 2023. Section 4.1.6 requires ConGlobal to verify compliance within this statewide regulation for individual trucks that transport empty containers to or from this facility. ConGlobal does not own any of the trucks that transport empty containers to and from the site, all trucks are operated by independent operators or third party trucking companies. ConGlobal is relocating a portion of its existing business with existing customers and setting a standard apart from statewide regulations for this site was found to be infeasible whereas verifying compliance with the CARB regulation is included in the Plan and required of ConGlobal.*

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;

*Agreed, see Section 4.4.3 of the Plan. In the area of the site where repair and servicing of TRU's (Transport Refrigerated Units) will take place, electrical power connections will be installed so that these containers can be plugged into the electrical grid during testing and repair. Since these containers are empty during the time they are stored on site, they only need to be plugged in during service and repair. Adequate plug in locations will be provided.*

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;

*Section 4.1.7 of the Plan requires off-road equipment such as forklifts to be zero and near-zero emission equipment which includes electric, alternative-fueled, propane, Tier 4 or Tier 4 interim diesel equipment. Section 4.2 (Participation in Emission Reduction Demonstration Projects) and Section 4.3 (Technology Review Program) all work together to get the lowest emission equipment in use at this site. ConGlobal has submitted an equipment list per Section 5 of the Plan which show off-road equipment will be Tier 4 or Propane. See Exhibit A and Appendix B of the Plan.*

A dock management system to have been required at time of occupancy and not when idling limits are exceeded.

*Agreed in concept, see Section 4.1.4 of the Plan. There are no docks in the operations, but ConGlobal is responsible for managing the operation to ensure compliance with a maximum idling time of two minutes.*

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.

*The City is committed to ensuring compliance with the SCA/MMRP, including reducing emissions; see responses above for specific revisions.*

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.

*The City is committed to ensuring compliance with the SCA/MMRP, including reducing emissions; see responses above for specific revisions.*

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](mailto:dvintze@baaqmd.gov).

Sincerely,

  
Gregory Nudd  
Deputy Air Pollution Control Officer

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