

December 18, 2024

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Sent via email

Dear Corey Alvin:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Master Operational Air Quality Plan Prologis Oakland Global Logistics Centers (Master Plan) located in the City of Oakland (City). The proposed Master Plan will serve as the operational plan for all subsequent tenants moving into Prologis facilities in the former Oakland Army Base (OAB). The City has previously released operational air quality plans for individual industrial facilities as they are proposed within the OAB as required under the 2013 approved Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP) prepared for the 2012 OAB Redevelopment Initial Study Addendum (IS/Addendum).<sup>1</sup> The SCA/MMRP was adopted by the City to mitigate the significant health and air quality impacts in the West Oakland Community and the impacts to regional air quality resulting from the redevelopment of the former OAB.

CARB is concerned the proposed Master Plan, which would expire on July 30, 2034, would allow future Prologis facilities to sidestep some of the mitigation measures listed in the Master Plan, would eliminate public and stakeholder ability to provide comments on future development, and would not provide enough meaningful mitigation measures to reduce air quality and public health impacts to the neighboring West Oakland community. The West Oakland community experiences some of the highest rates of asthma, poverty, and unemployment in the region and has been designated as a disadvantaged community under Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017).<sup>2</sup> The West Oakland Community was selected for the development of a Community Emissions Reduction Plan due to its high cumulative exposure burden, the presence of a significant

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<sup>1</sup> City of Oakland. Standard Conditions of Approval and Mitigation Monitoring and Reporting Program for the 2012 Oakland Army Base Project. July 16, 2013. Accessible at: <https://cao-94612.s3.us-west-2.amazonaws.com/documents/2012-OARB-Project-SCAMMRP-REVISED-7-16-13.pdf>

<sup>2</sup> Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

number of sensitive populations (children, elderly, and individuals with pre-existing conditions), and the socioeconomic challenges experienced by its residents. To fully mitigate air quality and public health impacts associated with the operation of future Prologis industrial facilities development in the OAB, CARB urges the City to implement all feasible mitigation measures provided in this letter.

## **It is Unclear if the Measures in the Master Plan would be Implemented in future Prologis Industrial Facilities in the OAB**

It is unclear how the City would ensure the implementation of the mitigation measures provided in the Master Plan for each of the subsequent Prologis industrial facilities in the OAB. The Master Plan states, “[b]ecause this is a master document, not every measure listed [in the Master Plan] will be applicable to each future tenant, dependent on their proposed operations.”<sup>3</sup> Since the Master Plan does not specify which measures would be implemented in each subsequent facility, it leaves it up to the City to determine which measures apply to each project without any oversight.

The Master Plan requires future Prologis tenants to prepare a checklist (Table 2 of the Master Plan) showing compliance with each mitigation measure listed in the Master Plan. According to the Master Plan, the checklist would be submitted to the City for approval before tenant operation. To ensure that the mitigation measures listed in the Master Plan are correctly assigned to each industrial facility, the checklist must be posted on the City website for the public and stakeholders to review. The City must also share the compliance checklists during community meetings.

The Master Plan states that, if an amendment or exception is made to the Master Plan, the City will determine if stakeholder notification is required.<sup>4</sup> To keep the public and stakeholders informed of changes to future amendments or exceptions to the Master Plan, the City must define in the Master Plan what would be considered a substantial change requiring an amendment or exception. If the Master Plan is amended, or includes any exceptions to mitigation measures, the Master Plan should be recirculated for public review.

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<sup>3</sup> City of Oakland. Master Operational Air Quality Plan Prologis Oakland Global Logistics Center. November 21, 2024. Page 13. Accessible at [https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN\\_Public-Review-Draft.pdf](https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN_Public-Review-Draft.pdf)

<sup>4</sup> City of Oakland. Master Operational Air Quality Plan Prologis Oakland Global Logistics Center. November 21, 2024. Page 5. Accessible at [https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN\\_Public-Review-Draft.pdf](https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN_Public-Review-Draft.pdf)

## **The City Must Provide Community and Stakeholders a Chance to Provide Feedback on the Future Industrial Projects**

The Master Plan states that the tenant will hold an informational community meeting before the City approves an industrial facility in the OAB. However, the City does not specify in the Master Plan what information about future industrial facilities would be shared during the information meetings. To keep the public and stakeholders fully informed about all future industrial facilities proposed within the OAB through the Master Plan, the City and tenant must share the operational characteristics of the proposed industrial facility such as the use and size of the facility, number of heavy-duty truck trips, number and type of onsite equipment and the number of worker trips. The informational meeting should include a list of mitigation measures that will reduce the facility's air quality impacts and a summary of the air quality and health risk impacts that may result from the operation of the proposed facility. The air quality analysis and health risk impacts should be modeled under an unmitigated and mitigated scenario to show the public and stakeholders the effectiveness of the mitigation measures applied to the facility.

After sharing all critical operational information and air quality analyses for the proposed industrial facility in the informational meeting, the City and tenant must accept questions and comments from the public and stakeholders. The City and tenant must respond to the questions and comments either verbally during the informational meeting or in writing after the informal meeting.

The Master Plan states that the date and time of the informational meeting will be announced 10 days in advance. To provide the public and stakeholders enough time to review and understand the potential air quality and public health impacts associated with the proposed industrial facility, CARB urges the City and tenant to release a notification of the informational meeting 20 days in advance. The notification must include the project's location, a list of mitigation measures, a summary of the facilities operation, and the air pollutant and health risk impacts for the proposed facility.

## **The City Must Provide More Meaningful Mitigation Measures to Reduce Operational Air Quality and Public Health Impacts**

The City included 20 mitigation measures in the Master Plan to reduce air quality impacts from future Prologis industrial facilities in the OAB. Six of the 20 mitigation measures require future Prologis tenants to comply with existing rules and regulations. The remaining mitigation measures include installing charging infrastructure for trucks and trailers with transportation refrigeration units (TRUs), restricting truck idling to two minutes, use of zero- to near zero-offroad equipment, requiring compliance with a truck management plan, participating in emissions reduction demonstration projects, and using a technology review program.

Many of the mitigation measures provided in the Master Plan focus on reducing air pollutant emissions generated from onsite equipment and stationary sources. The Master Plan does not include many mitigation measures to reduce air quality impacts associated with the operation of heavy-duty trucks serving future Prologis industrial facilities. Although the future use is unknown, the operation of these facilities will increase the number of heavy-duty trucks idling within the OAB and traveling along roadways within the West Oakland communities, which will expose residences and other sensitive receptors to diesel PM emissions that would pose a health risk impact. To mitigate the air quality impacts associated with heavy-duty trucks, CARB urges the City to include a measure in the Master Plan requiring all heavy-duty trucks serving future Prologis industrial facilities within the OAB to be zero-emission and to require the installation of infrastructure to charge zero-emission trucks. A list of commercially available zero-emission trucks can be obtained from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).<sup>5</sup> The HVIP is a part of California Climate Investments to incentivize the purchase of zero-emission trucks. Based on CARB's review of the zero-emission trucks listed in the HVIP, there are commercially available electric trucks that can meet the cargo transportation needs of individual industrial uses proposed in the OAB today.

Since the future Prologis industrial facilities covered under the Master Plan could be used for cold storage, there is a possibility that trucks and trailers visiting these industrial facilities would be equipped with TRUs.<sup>6</sup> Residents near the OAB and along truck rounds where TRUs could be operating would be exposed to diesel PM emissions that would result in a significant cancer risk impact. Although the Master Plan includes a measure that would require the installation of infrastructure to charge trucks and trailers equipped with electric TRUs, the measure does not fully mitigate air quality impacts associated with diesel-powered TRUs visiting future Prologis industrial facilities. To fully mitigate the potential air quality impacts associated with future cold storage development in the OAB, CARB urges the City to include one of the following design measures in the Master Plan:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating diesel-powered TRUs within the Project site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of diesel-powered TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

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<sup>5</sup> Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>

<sup>6</sup> TRUs are refrigeration systems, these systems may be powered by integral diesel engines; TRUs protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

## **The Master Plan Must Fully Commit Future Prologis Tenants to Participate in Emission Reduction Demonstration Projects and the Technology Review Program**

The Master Plan does not fully commit future Prologis tenants to participate in emission reduction demonstration projects and the technology review program as required under the SCA/MMRP. The Master Plan states that future Prologis tenants will “evaluate emission reduction demonstration projects that promote technological advances in improving air quality” and “use clean technology over time as it becomes readily available, practical, and economically feasible.”<sup>7</sup> However, the City does not specify, in the Master Plan, how future Prologis tenants will participate in emission reduction demonstration projects or how the City will determine whether new technologies are readily available, practical, and economically feasible. By leaving the language vague in the Master Plan, the City is allowing future Prologis tenants a way out of participating in demonstration projects and the technology review program.

To fully commit future Prologis tenants to participate in emission reduction demonstration projects and the technology review program, the Master Plan must specify how future tenants will participate in emission reduction demonstration projects, how the City will track future tenants’ involvement in demonstration projects, and how the City will quantify new technologies to be readily available, practical and economically feasible.

## **Conclusion**

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NOx emissions, as well as the greenhouse gas emissions that contribute to climate change. CARB encourages the City to implement the recommendations listed in this comment letter to ensure public participation, and to reduce operational air quality and public health impacts associated with future Prologis industrial development within the OAB.

CARB also urges the City to extend the 17-day review and comment period for this and future air quality plans within the OAB to at least 45 days. An extension of the review and comment period will allow stakeholders and members of the community more time to review the plans submitted by the City.

Given the breadth and scope of projects subject to review under the California Environmental Quality Action (CEQA) throughout California that have air quality and

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<sup>7</sup> City of Oakland. Master Operational Air Quality Plan Prologis Oakland Global Logistics Center. November 21, 2024. Page 19. Accessible at [https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN\\_Public-Review-Draft.pdf](https://cao-94612.s3.us-west-2.amazonaws.com/documents/Prologis-MASTER-OPS-AQ-PLAN_Public-Review-Draft.pdf)

greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it agrees with the lead agency's findings and conclusions on any issues on which CARB does not submit comments.

CARB appreciates the opportunity to comment on the Master Plan and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at [stanley.armstrong@arb.ca.gov](mailto:stanley.armstrong@arb.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew O'Donnell".

Matthew O'Donnell, Chief, Risk Reduction Branch

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