11/21/2024
Item No. 6.2 (A)
CLF/pcm

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ("FINAL EIR") FOR THE AIRPORT TERMINAL MODERNIZATION AND DEVELOPMENT PROJECT ("PROPOSED PROJECT") AND ADOPTION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FINDINGS, MITIGATION MONITORING AND REPORTING PROGRAM, AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED PROJECT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 6.2 dated November 21, 2024, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Port announced in May 2021 that it would analyze the Airport Terminal Modernization and Development Project ("Proposed Project") through preparation of an Environmental Impact Report for the Proposed Project; and

WHEREAS, following more than three years of extensive public outreach, the Final EIR was released on October 17, 2024, and the Port's environmental determinations are further described in Exhibit A hereto; and

WHEREAS, that in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Sheet and in testimony received.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board hereby certifies that it has been presented with, and has reviewed and considered the information contained in, the Final EIR prior to taking action on the Proposed Project.

Section 2. The Board certifies that the Final EIR for the Proposed Project reflects the independent judgment of the Port.

Section 3. The Board hereby certifies that the Final EIR for the Proposed Project has been completed in compliance with CEQA.

Section 4. The Board hereby ratifies, adopts, and incorporates in this resolution, including the Board's CEQA Findings and Statement of Overriding Considerations Regarding the Proposed Project (Exhibit A) and the OAK MMRP (Exhibit B), all the analyses, explanation, findings, responses to comments, and conclusions of the Final EIR for the Proposed Project.

Section 5. The Board directs staff to file a Notice of Determination if the Proposed Project is approved by the Board.

Section 6. This resolution shall become effective immediately upon adoption by the Board.

Exhibit A- CEQA Findings and Statement of Overriding Considerations For the Airport Terminal Modernization and Development Project

Exhibit B- Mitigation Monitoring and Reporting Program

Exhibit A

CEQA Findings and Statement of Overriding Considerations For the Airport Terminal Modernization and Development Project

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

1 INTRODUCTION

In compliance with Public Resources Code Section 21081 and Section 15091 of the CEQA Guidelines, the Port of Oakland (Port) is required to identify significant impacts of the Proposed Project and make one or more findings for each impact in order to support or justify approval of the Proposed Project. According to CEQA Section 21081, "no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project were approved or carried out unless both of the following occur:

> (a) The public agency makes one or more of the following findings with respect to each significant effect:
>
> > (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
> >
> > (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
> >
> > (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
>
> (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."

Section 2 of this document describes environmental resource category impacts that were determined to be potentially significant prior to implementation of mitigation measures, but will be reduced to less-than-

significant with implementation of the mitigation measures identified in the EIR. This section makes the findings required by PRC section 21081(a)(1).

Section 2 of this document also describes three categories of significant impacts that, despite the implementation of mitigation measures, would remain significant and unavoidable.

Section 3 of this document describes the reasons the Board concludes that the Project Alternatives identified in the EIR are infeasible. This section makes the findings required by PRC section 21081(a)(3).

Section 4 of this document is the Statement of Overriding Considerations required by PRC section 21081(b).

In compliance with Section 21081.6 of the CEQA Guidelines, the Port has developed a Mitigation Monitoring and Reporting Plan (MMRP) to describe how and ensure mitigation measures identified in this EIR are implemented and assessed. The MMRP is included as Appendix R of the Final EIR and is reprinted as Attachment A to this document.

2 STATEMENT OF ENVIRONMENTAL EFFECTS AND REQUIRED FINDINGS

This section presents the description of potential effects, mitigation measures, and findings for each of the following environmental resource categories, which have been determined to have potentially significant and unavoidable impacts or less than significant impacts with mitigation incorporated:

- Air Quality
- Biological Resources
- Cultural and Tribal Resources
- Greenhouse Gas Emissions
- Noise
- Transportation

2.1 Air Quality

2.1.1 Significant and Unavoidable

2.1.1.1 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard

This EIR also analyzed daily operational emissions for future years 2028 and 2038, which includes aircraft, ground service equipment, ground access vehicles, and stationary sources. The net change in 2028 and 2038 operational emissions estimates from the 2019 operational emissions estimate were compared to BAAQMD Thresholds of Significance for each pollutant. The analysis concluded that the net changes in emissions, for both PM_{10} and $PM_{2.5}$ are below the daily and annual thresholds of significance for both 2028 and 2038, respectively. However, the net changes in emissions for both ROG and NO_X are above the daily and annual threshold of significant for both 2028 and 2038. Therefore, the Proposed Project would result in a significant impact for these two pollutants. The majority of ROG and NOX emissions result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area. However, this would not reduce impacts to less-than-significant levels, and the impact would be ***potentially significant and unavoidable***.

MITIGATION MEASURES

The majority of ROG and NOX emissions result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area. However, this would not reduce impacts to less-than-significant levels.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential air quality impacts discussed above:

> (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make

infeasible the mitigation measures or alternatives identified in the environmental impact report.

The Proposed Project is expected to have significant and unavoidable air quality impacts related to non-attainment criteria pollutants.

2.1.1.2 Expose sensitive receptors to substantial pollutant concentrations

Prolonged exposure or exposure of high concentrations of criteria air pollutants can lead to health-related concerns. As previously mentioned, the net change in 2028 and 2038 operational emissions estimates from the 2019 operational emissions estimate were compared to BAAQMD Thresholds of Significance for each pollutant. The analysis concluded that the net changes in emissions, for both PM10 and PM2.5 are below the daily and annual thresholds of significance for both 2028 and 2038, respectively. However, the net changes in emissions for both ROG and NOX are above the daily and annual threshold of significant for both 2028 and 2038.

The majority of ROG and NOX emissions result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area. However, this would not reduce impacts to less-than-significant levels and the impact would be ***potentially significant and unavoidable***.

MITIGATION MEASURES

The majority of 8-hour non-cancer and acute (1-hour) non-cancer human health hazard effects for on-Airport workers would result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area. However, this would not reduce impacts to less-than-significant levels.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential air quality impacts discussed above:

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The Proposed Project is expected to have significant and unavoidable air quality impacts related to sensitive receptors.

2.1.1.3 Toxic Air Contaminants

A human health risk assessment (HHRA) was conducted to assess incremental changes to health impacts for people exposed to toxic air contaminants (TACs) during construction and operation of the Proposed Project. The HHRA analyzed cancer risks, chronic (8-hour) non-cancer hazards, acute (1-hour) non-cancer hazards, and annual PM2.5 project contribution increments for on-Airport workers, off-Airport workers, and residents. The HHRA indicates that construction-related cancer risks and annual $PM_{2.5}$ contributions would be less than significant for off-Airport workers, residents, and school children. Chronic (8-hour) non-cancer and acute (1-hour) non-cancer health hazards would be less than significant for residents and off-Airport workers but significant for on-Airport worker locations during incremental operations of the Proposed Project.

The majority of chronic non-cancer and acute non-cancer human health hazard effects for on-Airport workers would result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area. However, this would not reduce impacts to less-than-significant levels, and the impact would be ***potentially significant and unavoidable***.

MITIGATION MEASURES

The majority of 8-hour non-cancer and acute (1-hour) non-cancer human health hazard effects for on-Airport workers would result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo

area. However, this would not reduce impacts to less-than-significant levels.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential air quality impacts discussed above:

> (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The Proposed Project is expected to have significant and unavoidable air quality impacts related to TACs.

2.1.2 References

Refer to **Section 3.3, Air Quality** of the EIR for a discussion of the Proposed Project's air quality impacts.

2.2 Biological Resources

2.2.1 Less Than Significant with Mitigation Incorporated

2.2.1.1 A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS

Construction of the Proposed Project has the potential to significantly affect one plant species (long-styled sand spurrey), two mammal species (salt marsh harvest mouse and salt marsh wandering shrew), and nesting habitat for nine bird species, including the following: Western burrowing owl, Northern harrier, white-tailed kite, American peregrine falcon, salt marsh common yellowthroat, Alameda song sparrow, California black rail, California Ridgway's rail, and black skimmer. However, the impacts to these species would be reduced to ***less than significant with mitigation incorporated*** with implementation of the following mitigation measures.

MITIGATION MEASURES

Worker Environmental Awareness Training

Prior to the start of construction, a California Department of Fish and Wildlife- (CDFW-)and U.S. Fish and Wildlife Service- (USFWS-) approved biologist (Biological Monitor) will provide a training session for all work personnel to identify any sensitive species that may be in the area, their basic habits, how they may be encountered in their work area, and procedures to follow when they are encountered. Any personnel joining the work crew later shall receive the same training before beginning work. Upon completion of the education program, employees shall sign a form stating they attended the program and understand all protection measures. The Port shall prepare and give to each person who completes the training program a pamphlet that contains images of sensitive species that may occur within the Proposed Project, identifies environmentally sensitive areas (ESAs) within the detailed study area, and notes key avoidance measures, as well as employee guidance. These forms shall be made available to the resource agencies upon request.

Mark Environmentally Sensitive Areas (ESAs)

Before construction begins, ESAs shall be clearly delineated using high visibility orange fencing, flagging, or similar marking to delineate sensitive habitats. The ESA marking shall remain in place throughout construction. It may be removed during the wet season (and subsequently re-installed) if needed to prevent materials from being washed away. Particular attention shall be focused on ESAs adjacent to or nearby Northern Coastal Salt Marsh or other tidally influenced wetlands that may provide potentially suitable habitat for the California Ridgway's rail and salt marsh harvest mouse. The final Proposed Project plans shall depict all locations where ESA markings shall be installed and how the markings would be installed. The bid solicitation package special provisions would clearly describe acceptable marking material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs. ESA markings shall be maintained in good repair throughout construction of the Proposed Project when there is potential for ESAs to be affected by nearby construction activities.

Preconstruction Surveys for Special-status Plan Species

Preconstruction surveys for the long-styled sand spurrey shall be conducted in accordance with CDFW (2018) protocols during the blooming season (February through May). If special-status plants are identified

during the surveys, and impacts to the species are considered significant in the context of the status of the special-status plant species and the number of populations and individuals known, the following actions shall be undertaken:

- Avoid Rare Plants. The construction area of a project component that could affect a rare plant shall be adjusted, if practicable, to completely or partially avoid affecting special-status plant species.

- Minimize Disturbance to Rare Plants. If complete or partial avoidance is not practicable, mitigation measures shall be implemented to reduce the severity of the impact to the special-status plant species. These actions could include one or a combination of the following: 1) collection of special-status plant seeds, bulbs, other propagules, or topsoil prior to construction for use in future onsite restoration or enhancement actions; 2) restoration or enhancement of suitable special-status plant habitat onsite; or 3) restoration or enhancement of suitable special-status plant habitat offsite.

Biological Monitoring

If special-status species plants are found during surveys, then a CDFW- and USFWS-approved Biological Monitor shall be on site during all vegetation removal and work within 100 feet of where the plants were found. The Biological Monitor shall have authority to stop work that may result in unauthorized take through communication with the Port. The USFWS and/or CDFW shall be notified by telephone and electronic mail within one working day if the Biological Monitor exercises this authority.

Work in Dry Weather Only When in Sensitive Habitat

Work in any bed, bank, channel, and any associated riparian habitat shall be conducted during periods of dry weather. Forecasted precipitation shall be monitored. When 0.25 inch or more of precipitation is forecasted to occur, work in sensitive habitats shall stop before precipitation commences. No construction activities shall be started if erosion control measures cannot be completed prior to the onset of precipitation. After any storm event, all sites currently under construction and all sites scheduled to begin construction within the

72 hours of the storm event shall be inspected for erosion and sediment problems and corrective action will be taken as needed; 72-hour weather forecasts from the National Weather Service shall be consulted and work shall not start back up until runoff ceases and there is less than a 50 percent forecast for precipitation for the following 24-hour period.

Construction Site Best Management Practices (BMPs)

The following site restrictions shall be implemented to avoid or minimize potential impacts on sensitive biological resources:

- Enforcing a speed limit of 15 miles per hour for construction and Port vehicles in unpaved portions of the site to reduce dust and excessive soil disturbance.

- Locating construction access, staging, storage, and parking areas outside of any designated ESA to the extent practicable. Access routes, staging and storage areas, and contractor parking shall be limited to the minimum necessary to construct the Proposed Project. Routes and boundaries of roadwork shall be clearly marked before initiating construction.

- Enclosing food and food-related trash items in sealed trash containers and removing them from the site at the end of each day.

- Prohibiting pets from entering the construction sites.

- Prohibiting firearms, except for those carried by authorized security personnel or local, state, or federal law enforcement officials.

Preconstruction Nesting Bird Surveys

If construction activities occur between February 1 and September 30, then a pre-construction survey(s) shall be conducted within 500 feet of the construction areas for nesting birds no more than 3 days before construction. If active nests are found, then an appropriate buffer shall be established, and the nest shall be monitored for compliance with the MBTA and Fish and Game Code (F.G.C.) Section 3503.

Active Nest Buffers

If an active bird nest is found during construction activities, then species-appropriate ESA buffers based on Pacific Gas & Electric Company's (2015) recommended nesting buffers shall be implemented to avoid affecting the young until they have fledged, or as otherwise determined by consultation with USFWS and CDFW regarding appropriate action to comply with the MBTA and F.G.C. Section 3503.

Western Burrowing Owl Pre-Construction Surveys

Pre-construction surveys shall be conducted where Western burrowing owl nesting habitat has potential to occur within 500 feet of work. The survey protocol shall be as follows:

a) Conduct four survey visits.

b) An initial visit must occur between February 15 and April 15.

c) A minimum of three subsequent surveys shall be conducted, each survey at least three weeks apart, and at least one visit occurring after June 15.

d) Conduct an additional take avoidance survey no less than 14 days prior to initiating ground-disturbing activities where work would occur.

Western Burrowing Owl Nest Avoidance

If a Western burrowing owl active nest is discovered during pre-construction surveys or biological monitoring, the following initial buffers will be implemented:

a) From April 1 through October 15, establish a 660-foot (200-meter) no-work buffer from the active nest site.

b) From October 16 through March 31, establish a 164-foot (50 meter) no-work buffer from the active nest site.

c) Buffers and minimization measures (e.g., blinds and screens) may be adjusted or implemented after coordination with CDFW.

California Ridgeway's Rail and California Black Rail Pre-Construction Survey

If California Ridgway's rail or California black rail suitable habitat is present within 700 feet of the immediate construction area and work would occur during the rail nesting season (February 1 through August 31), a pre-construction survey by a USFWS 10(a)1(A) permit holder for California Ridgway's rail will be conducted per the 2015 USFWS survey protocol to determine whether the species are present. If nesting California Ridgway's rail and/or California black rail are detected during pre-construction surveys, then construction activities shall not occur within 700 feet of an identified detection (or smaller distance if approved by USFWS and CDFW) during the rail nesting season. If rail activity is detected within the 700-foot buffer, immediate consultation with USFWS and CDFW is required.

California Ridgway's Rail and California Black Rail Monitoring

The following monitoring protocols for California Ridgway's rail and California black rail shall be implemented, where appropriate:

a) A USFWS- and CDFW-approved Biological Monitor will be present onsite to monitor for presence of California Ridgway's rail and California black rail during the operation of large equipment within 300 feet of salt marsh areas.

b) The Biological Monitor shall be onsite at the proposed North Field Lot employee parking area on Old Earhart Road during construction in that location and shall periodically inspect the site to verify that habitat protection measures remain effective.

Vegetation Removal by Hand

The contractor shall use non-motorized equipment to remove pickleweed, salt-grass, and other vegetation in the marked ESAs. Vegetation removal in the ESAs shall proceed away from the work areas and toward contiguous areas of suitable habitat, to allow any salt marsh harvest mice within the exclusion area to passively relocate into adjacent habitat.

Wildlife Exclusion Fencing

A Biological Monitor shall be available during the placement and removal of a wildlife exclusion fencing (WEF) or as determined by the Port. The WEF shall be installed prior to the start of construction and in areas where wildlife could enter a construction area from adjacent or nearby ESAs. WEF locations shall be identified during the design phase of the

Proposed Project, which shall include a description of the locations where WEF shall be installed, acceptable WEF material, and proper WEF installation and maintenance. The WEF shall remain in place throughout the duration of construction near ESAs while construction activities are ongoing and shall be regularly inspected for stranded animals. The WEF shall be removed following completion of construction activities or when construction is completed at that location at the discretion of the Biological Monitor.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential biological impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

The Proposed Project is expected to have less-than-significant biological resource impacts with mitigation incorporated relating to special status species.

2.2.1.2 A substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS

Construction of the Proposed Project would affect "other" waters of the U.S./ waters of the state through direct removal, filling, hydrological interruption, or other means; however, impacts to these non-wetland features would be offset by previously purchased wetland credits. Nonetheless, there is potential for the Proposed Project to cause indirect impacts to sensitive natural communities (i.e., other waters) due to water pollution and erosion from construction. However, these potential impacts would be avoided or minimized through the implementation of standard water pollution and erosion control BMPs as part of the SWPPP, the construction site BMPs identified above under Section 3.2.1.1 and the stormwater BMPs identified in **Section 3.9, Hydrology and Water Quality** of the EIR. In addition, the potentially significant impacts to sensitive natural communities would be reduced to ***less than significant with mitigation incorporated*** with the implementation the following mitigation measures.

MITIGATION MEASURES

Offsetting Project Impacts to Protected Natural Resources

Prior to affecting waters of the U.S./waters of the State, the Port shall compensate for the permanent impacts at an appropriate ratio determined in coordination with USACE and the RWQCB that may include any one or combination of the following approaches: offsite mitigation through purchase of credits at an approved conservation bank(s); onsite restoration; and/or development of a compensation plan that shall provide in-lieu funding to a nearby restoration program or restoration project that shall create, restore, or enhance resources adversely affected by the Proposed Project. Compensation for temporary impacts to protected natural resources shall be achieved through onsite in-kind habitat restoration to pre-disturbance conditions. In 2013, 2014, and 2015, the Port purchased credits from the San Francisco Wetland Mitigation Bank at Redwood City. The Port has sufficient credits and intends to use those credits, as needed, to offset the impacts resulting from the Proposed Project.

Compensation for temporary impacts to protected natural resources will be achieved through onsite in-kind habitat restoration to pre-disturbance conditions.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential biological impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

The Proposed Project is expected to have less-than-significant biological resource impacts with mitigation incorporated relating to riparian habitat and sensitive natural communities.

2.2.1.3 A substantial adverse effect on state or federally protected waters through direct removal, filling, hydrological interruption, or other means

There is potential for indirect impacts to occur from runoff during construction resulting in water pollution and erosion because of the

proximity of the work areas to the wetlands and other waters adjacent to the study area. However, these potential impacts would be minimized through the implementation of standard water pollution and erosion control BMPs as part of the SWPPP. Additionally, no significant indirect operational impacts are anticipated because the Port would continue to implement its current safety measures to avoid and minimize water pollution that could impact adjacent biological resource habitat areas. For these reasons, indirect impacts to wetlands would be considered ***less than significant with mitigation incorporated*** as identified in **Section 3.9, Hydrology and Water Quality** of the EIR and implementation of the construction site BMPs identified below.

MITIGATION MEASURES

Construction Site Best Management Practices (BMPs)

The following site restrictions shall be implemented to avoid or minimize potential impacts on sensitive biological resources:

- Enforcing a speed limit of 15 miles per hour for construction and Port vehicles in unpaved portions of the site to reduce dust and excessive soil disturbance.

- Locating construction access, staging, storage, and parking areas outside of any designated ESA to the extent practicable. Access routes, staging and storage areas, and contractor parking shall be limited to the minimum necessary to construct the Proposed Project. Routes and boundaries of roadwork shall be clearly marked before initiating construction.

- Enclosing food and food-related trash items in sealed trash containers and removing them from the site at the end of each day.

- Prohibiting pets from entering the construction sites.

- Prohibiting firearms, except for those carried by authorized security personnel or local, state, or federal law enforcement officials.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential biological impacts discussed above:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

The Proposed Project is expected to have less-than-significant biological resource impacts with mitigation incorporated relating to state or federally protected waters.

2.2.2 References

Refer to **Section 3.4, Biological Resources** of the EIR for a discussion of the Proposed Project's biological resource impacts.

2.3 Cultural and Tribal Resources

2.3.1 Significant and Unavoidable

2.3.1.1 Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5

The Proposed Project would demolish the mid-century modern Terminal 1 ticketing and baggage claim building (M101) designed by noted Oakland midcentury architecture firm Warnecke and Warnecke to be replaced with a modern ticketing area building. The State CEQA Guidelines (CCR Section 15064.5) state that a project that may cause a substantial adverse change in the significance of a historical resource (such as damaging or destroying the qualities that make it significant) and may have a significant effect on the environment. Implementation of mitigation measures *Historic American Building Survey (HABS) Report* and *Interpretive Exhibit in New Terminal 1* would offset the loss of features of Terminal 1 under the Proposed Project by retaining a record of the demolished resource and providing an interpretive opportunity to the public to learn about the resource. However, the mitigation would not effectively reduce the impact associated with loss of historical resources to a less-than-significant level under CEQA. Thus, the impact from implementation of the Proposed Project would be ***significant and unavoidable***.

MITIGATION MEASURES

Historic American Building Survey (HABS) Report

A HABS Report of Terminal 1 will be prepared by the Port prior to demolition. The HABS Report of Terminal 1 will focus on M101 and M102 as contributing features that would be affected by the Proposed Project and the report would be submitted to the Library of Congress and/or appropriate local repositories for access by the public. The report will be written in accordance with the current HABS standards established by the National Parks Service. Photography will be completed in a detailed format and may be completed in a high-resolution digital process if it will not be submitted to the Library of Congress but rather to local preservation entities such as the Landmarks Preservation Advisory Board (LPAB) or the Oakland History Center of the Oakland Public Library. The goal of this mitigation measure is to provide public access so one preservation entity (in addition to the Port) would provide digital copies of the HABS report (and photographs and other media appended to the report) online through their public website.

Interpretive Exhibit in New Terminal 1

Public interpretive materials will be developed that are commensurate with the significance themes for the resources affected by the Proposed Project. Mitigation will present plans including the types of public and scholarly interpretation that would be implemented during and following the construction phase of the Proposed Project. Interpretive products would include brochures, signage and panels, and other appropriate media for interpretation. The interpretation will outline the Airport's history and significance with a focus on Terminal 1 and the locations where such interpretation will be installed or will take place. Examples might include, but are not limited to, photographs of the historic Terminal 1 along with brief descriptions of the photographs, reuse of physical materials removed from Terminal 1 (M101) with an explanation of the architect and design themes that place the materials in context (for example, portions of the concrete scalloped roof could be incorporated into the new design either functionally or artistically), and digital media that uses smartphone/camera technology to juxtapose old views of Terminal 1 with current views.

Materials developed as a part of any interpretive exhibits will be digitized and provided to appropriate repositories (the LPAB, the Oakland History Center of the Oakland Public Library, etc.) in electronic format for curation and, if deemed necessary and appropriate, expansion later.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential cultural and tribal impacts discussed above:

> (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The Proposed Project is expected to have significant and unavoidable cultural or tribal impacts with mitigation incorporated relating to historical resources.

2.3.2 Less Than Significant with Mitigation Incorporated

2.3.2.1 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5

There is potential for the Proposed Project to affect a previously unrecorded archaeological resource through ground-disturbing activities associated with the construction of the Golf Couse Lot employee parking area located in a triangular field at Eden Road and Doolittle Drive. This may cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 and is considered to be a potentially significant impact. However, implementation of mitigation measure *Construction Monitoring and Treatment of Potential Finds* would reduce potential impacts on unrecorded archaeological resources. Therefore, the Proposed Project's impact on archaeological resources would be ***less than significant with mitigation incorporated***.

MITIGATION MEASURES

Archaeological Monitoring

All site preparation (pavement and vegetation removal) and subsurface ground-disturbing activities (e.g., grading, trenching) associated with the construction of the Golf Course Lot will be monitored by a qualified archaeological monitor under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology, and a Native American monitor identified

by the California Native American Heritage Commission as having an interest in the area within which the Proposed Project is located.

Inadvertent Discovery

If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be halted until a qualified archaeologist assesses the nature and significance of the find. Inadvertent discovery would be required to follow the protocols in the Port of Oakland's Emergency Response Plan for Discoveries of Unknown Historic or Archaeological Resources, which says that in the event that cultural resources are uncovered during dredging and excavation, crew and equipment operators must adhere to the procedures outlined below. The following measures apply when non-isolated finds are detected:

1. Dredging and excavation work, or any other activities at the locations and within 50 yards of the finds must halt.

2. The crew member(s) should immediately notify the Project Construction Manager and the Port Project Environmental Coordinator.

3. In the event that the Project Construction Manager is not available, the Port Project Environmental Coordinator and/or the Port Cultural Resources Specialist should be contacted directly.

4. Work can be shifted to other project areas to avoid loss of work time. However, work should only resume in the suspected area once the situation has been properly examined and assessed, and the Port has given notification that work may resume.

If there is ever any doubt or confusion upon discovery of cultural materials, or if no Port representatives can be located, the contractor supervisor and crew should temporarily halt work until the proper personnel can be notified and the situation clarified.

If resources are discovered that are considered potentially eligible for listing in the CRHR, then they must be addressed under the procedures set forth in CEQA Guidelines Section 15064.5. If significant resources are encountered and avoidance is infeasible, then data recovery through excavation will be conducted.

Inadvertent Discovery

If the cultural materials are of Native American origin, the Port will consult with the Native American monitor, and a data recovery plan will be prepared and implemented.

If human remains are discovered, Health and Safety Code Section 7050.5 requires that further disturbances and activities must cease in any nearby area suspected to overlie remains, and the County Coroner must be contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the coroner must notify the NAHC, who must then notify the Most Likely Descendent.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential cultural and tribal impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment

The Proposed Project is expected to have less-than-significant cultural or tribal impacts with mitigation incorporated relating to archaeological resources.

2.3.2.2 Cause a substantial adverse change in the significance of a tribal cultural resources

No known tribal cultural resources are present at the Airport. In the event that any tribal cultural resources are found during construction, work would be halted, and the Port's Emergency Response Plan for Discoveries of Unknown Historic or Archaeological Resources would be activated, which includes reporting procedures and procedures for the work crew. With implementation of following mitigation measure, the Proposed Project would not cause a substantial adverse change in the significance of a tribal cultural resources and the impact would be ***less than significant with mitigation incorporated***.

MITIGATION

Archaeological Monitoring

All site preparation (pavement and vegetation removal) and subsurface ground-disturbing activities (e.g., grading, trenching) associated with the construction of the Golf Course Lot will be monitored by a qualified archaeological monitor under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology, and a Native American monitor identified by the California Native American Heritage Commission as having an interest in the area within which the Proposed Project is located.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential cultural and tribal impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment

The Proposed Project is expected to have less-than-significant cultural or tribal impacts with mitigation incorporated relating to tribal resources.

2.3.3 References

Refer to **Section 3.5, Cultural and Tribal Resources** of the EIR for a discussion of the Proposed Project's cultural and tribal resource impacts.

2.4 Greenhouse Gas Emissions

2.4.1 Significant and Unavoidable

2.4.1.1 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (comparable to State CEQA Guidelines Section 15064.4(b)(1)-(2))

Construction emissions would occur only during construction work and would cease once work is completed. In addition, implementation of rules and initiatives that are designed to reduce air pollutant and GHG emissions, as previously described, is also expected to reduce incrementally the amount of GHGs generated by project construction. As required by the 2022 California Green Building Standards Code and in compliance with the Port's Materials Management Program (MMP), a minimum

of 65 percent of the solid waste generated during demolition and construction will be diverted through reuse or recycling. When considered in terms of a project's "fair share" of GHG emissions, Proposed Project impacts of construction GHG emissions would be less than significant.

The Proposed Project operational GHG emissions impacts have been evaluated as to whether or not the Proposed Project would contribute its "fair share" of what is needed to achieve the State's long term GHG reduction goals because there are no quantifiable CEQA thresholds relevant to GHG emissions. While the Port would make efforts to include the minimum project design elements identified by BAAQMD, because GHG emissions related to aircraft emissions are not under the control of the Port, in future years 2028 and 2038 related to aircraft emissions would be considered potentially significant. Although continued implementation of the existing initiatives could reduce the impact, the majority of the Proposed Project's GHG emission increases would result from market-based demand and related aircraft emissions, and the Port does not have the authority to mitigate air pollutant emissions associated with aircraft operations. Therefore, the impact would be ***significant and unavoidable***.

MITIGATION

Similar to Air Quality, the majority of the Proposed Project's GHG emission increases would result from market-based demand and related aircraft emissions and the Port does not have the authority to mitigate air pollutant emissions associated with aircraft operations.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential GHG emission impacts discussed above:

> (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The Proposed Project is expected to have significant and unavoidable impacts relating to GHG emissions.

2.4.2 References

Refer to **Section 3.7, Greenhouse Gas Emissions** of the EIR for a discussion of the Proposed Project's GHG emission impacts.

2.5 Noise and Vibration

2.5.1 Less Than Significant with Mitigation Incorporated

2.5.1.1 Noise from on-site construction activities that exceeds the exterior ambient noise level by 5 dBA or more at a noise-sensitive use, as measured at the property line of any sensitive use

Noise impacts from construction equipment expected to be used for the Proposed Project were evaluated by considering the different types of construction activities and calculating construction-related noise levels at nearby noise-sensitive receptor locations. According to the analysis, Proposed Project construction noise levels have the potential to exceed the City of Oakland's noise limits at some nearby noise-sensitive receptor locations off-Airport property. However, the impact of the Proposed Project would be ***less than significant with mitigation incorporated*** by adhering to the following mitigation measures: *Monitor Construction Noise*, *Construction Shielding*, and *Construction Equipment*.

Off-site construction noise is not anticipated to result in an increase of 5 dB or greater since project construction traffic would not result in a significant increase on area roadways.

MITIGATION

Monitor Construction Noise

Continuously monitor construction noise at closest noise sensitive receptor(s) to the active construction effort. Actual construction methods may not be as intrusive as currently assumed in this analysis, but if any measurement indicates an exceedance of the City's construction noise thresholds from Proposed Project construction, measures including but not limited to those described below will be used to ensure that the significance threshold is not exceeded.

Construction Scheduling

The timing and/or sequence of the noisiest onsite construction activities shall avoid noise-sensitive times of the day or week, as feasible (7:00 p.m. to 7:00 a.m. Monday–Friday; 8:00 p.m. to 9:00 a.m. on weekends and holidays).

Construction Equipment

Stationary source equipment that has a flexible location of use (such as generators and compressors) shall be located at the greatest distance practical from noise-sensitive land uses. "Quiet-design" air compressors and other quieter construction equipment shall be used when feasible and when such technology/equipment is commercially available.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential noise and vibration impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

The Proposed Project is expected to have less-than-significant construction noise impacts with mitigation incorporated.

2.5.2 References

Refer to **Section 3.11**, **Noise and Vibrations** of the EIR for a discussion of the Proposed Project's noise impacts.

2.6 Transportation

2.6.1 Less Than Significant with Mitigation Incorporated

2.6.1.1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities

The Proposed Project would remove a portion of the existing John Glenn Drive, which provides pedestrian and bicycle connections between OAK terminals and the surrounding transportation infrastructure. Removing this connection conflicts with both the bicycle and pedestrian master

plans for the City of Oakland and is considered a potentially significant impact. However, implementing the following mitigation measure would reduce the impact of the Proposed Project to ***less than significant with mitigation incorporated***: *Maintain Pedestrian and Bicycle Access*.

MITIGATION

Maintain Pedestrian and Bicycle Access

The Proposed Project will maintain pedestrian and bicycle access during construction and ensure that the pedestrian and bicycle connection between Ron Cowan Parkway and the Proposed Project are made upon project completion to replace the connection lost by the removal of part of John Glenn Drive.

FINDINGS

Pursuant to Section 21081 of the CPR, the following finding is made for the potential transportation impacts discussed above:

> (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

The potential impacts to transportation from implementation of the Proposed Project are found to be less than significant with mitigation incorporated.

The Proposed Project is expected to have less-than-significant transportation impacts with mitigation incorporated relating to any program, plan, ordinance, and policies addressing circulation systems.

2.6.2 References

Refer to **Section 3.13, Transportation** of the EIR for a discussion of the Proposed Project's transportation impacts.

3 FINDINGS RELATED TO ALTERNATIVES

The Final EIR evaluates and compares a reasonable range of alternatives to the Proposed Project as proposed in the Final EIR. The Board hereby finds that there are no feasible alternatives within its powers that

would substantially lessen or avoid any significant effect the Proposed Project would have on the environment because:

Alternative 1, No Project Alternative, which would consist of no new and modernized facilities at the Airport, including no expanded facilities beyond those that currently exist or are already under construction, is infeasible for four reasons. First, the Terminal 1 ticketing and baggage claim building (M101) would continue to not meet current seismic and fire protection requirements and would not be configured to accommodate new technologies and passenger airline operational needs. Second, without any development of a new terminal, the existing terminals, gates, and aprons could accommodate the market-based demand but not at the industry-standard levels of service. Third, congestion during times of peak activity would degrade the passenger level of service experienced within multiple terminal functions including the check-in halls, holdrooms, baggage screening, outbound and inbound baggage handling, baggage claims, and the international arrivals facilities. Fourth, gates and aprons would operate with increasing inefficiencies due to gate constraints and changes to fleet mix.

Alternative 2, Terminal Development Area A, which would include new facilities with an independent system of airside, terminal, and landside infrastructure within Terminal Development Area A, was screened from further consideration. While it would meet the project objectives, it is infeasible for four reasons. First, it would raise difficult permitting issues due to the extensive wetlands fill required and would lengthen the construction period. Second, it would involve high costs due to the filling of a large area of wetlands that are present in the Central Basin, the amount of fill and soil preparation required to construct in the area, the required mitigation for the impacts to the wetland, and the additional alignment that would be needed to connect to Bay Area Rapid Transit (BART) facilities. Third, it would raise operational issues resulting from having two separate and distinct terminal operations areas, requiring duplication of services and facilities and more complicated wayfinding for airline passengers, which could have the effect of lowering the level of service. Fourth, while it would have similar environmental air quality, GHG emissions, historic resources, and coastal resources impacts as that described for the Proposed Project, it would result in impacts to special-status species and wetlands that are of a greater magnitude than that of the Proposed Project.

Alternative 3, Terminal Development Area C, which would expand existing Terminal 2 to the south and/or east to provide additional gates and airside, terminal, and landside improvements, was screened from further consideration. While it would meet the project objectives, it is infeasible for three reasons. First, constructing within San Francisco Bay would have high costs due to an estimated 30 acres or more of new Bay fill required to prepare the site for development. Second, it is unlikely the Bay Conservation and Development Commission and the State Lands Commission would authorize Bay fill for this purpose, and if permission could be obtained, mitigation and construction costs would likely be prohibitive. Third, while it would have similar air quality, GHG emissions, and historic resources impacts as that described for the Proposed Project, it would result in impacts to special-status species, wetlands, and coastal resources that are of a greater magnitude than that of the Proposed Project.

Alternative 4, Retain Terminal 1 Ticketing and Baggage Claim Building (M101), which would maintain the historical integrity of Terminal 1 ticketing and baggage claim building (M101) while retrofitting it to meet current seismic and fire code standards, was screened from further review because, though it would avoid a potentially significant unavoidable adverse impact to historic resources, it is infeasible for four reasons. First, given that the market-based demand would occur at the Airport with or without construction of the Proposed Project, there is no potential avoidance alternative for air quality and greenhouse gas (GHG) operational emissions as the emissions are result of aircraft activity. Second, impacts to wetlands and other waters of the U.S. would still occur as the enabling project components would still occur to accommodate relocated parking and taxiway improvements. Third, it would not meet the project objectives because the shallow depth of the Terminal 1 ticketing and baggage claim building (M101) does not accommodate modern passenger and airline processing areas, including airline check-in operations and in-line baggage screening system, required to meet TSA standards. Fourth, because a retrofit and expansion cannot be accomplished in a manner that would both support operations and maintain its attributes as a historic resource, this alternative would not avoid a significant impact to historic resources and would have an adverse effect on the level of service provided to the traveling public and to operational functionality.

Alternative 5, Use of Hardstands With No New Terminal, which would accommodate the projected demand through the use of remote hardstands,

was screened from further consideration. While it would avoid historic resource impacts, it is infeasible for three reasons. First, the conditions for passengers would be congested and the operation would involve busing passengers to remote aircraft parking positions for some flights. This would increase passenger travel times and congestion in the terminals, and result in poor levels of service. Second, it would require ground loading of aircraft and would add travel time and inconvenience for passengers. Third, it would result in increased vehicular traffic on the apron for passenger buses and ground support equipment and would introduce additional complexities and inefficiencies to airline operations at the Airport. In sum, it would not provide new and modernized facilities that are sized to accommodate market-based passenger demand at industry-standard levels of service and would have an adverse effect on airfield operational functionality.

Alternative 6, Develop New Airport Site in the Region and Close OAK, which would develop a new airport at another location in the San Francisco Bay area and close OAK, was screened from further consideration. While it would meet the project objectives, it is infeasible for seven reasons. First, no location, or even the desire for such a location, has been identified by the FAA or the Association of Bay Area Governments (ABAG) / Metropolitan Transportation Commission (MTC). Second, there is insufficient land available within the Port's jurisdiction to develop a new airport that meets the market-based demand. Third, it would violate the conditions encumbered on the Port when accepting grant funding from the FAA for past Airport development. Fourth, while it is reasonable to assume that developing a new airport and closing OAK could meet the project objective of providing new and modernized facilities that are sized to accommodate some portion of Bay Area market-based passenger demand at industry-standard levels of service, it would be speculative to assume that the market-based passenger demand met by OAK would be met by a new airport. Fifth, the constructability issues and cost of this alternative would be prohibitive. Sixth, while this alternative would have similar air quality and GHG emissions impacts, without specific plans for accommodating the market-based passenger demand met by OAK, it is unknown as to whether impacts to special-status species, historic resources, wetlands, or coastal resources would be of greater magnitude than those described for the Proposed Project. Seventh, development of a new airport could have noise impacts in a community that does not currently experience aircraft overflights.

Alternative 7, Relocate Operations to an Existing Airport and Close OAK, which would relocate operations at OAK to other airports in the region, was screened from further consideration. While it would meet the project objectives, it is infeasible for six reasons. First, this alternative is hypothetical because the Port does not have the ability to dictate to an airline the airport at which it operates. Second, it would violate the conditions encumbered on the Port when accepting grant funding from the FAA for past Airport development. Third, because the identified airports' forecasts have not taken into account absorbing all of OAK's operations, it is unlikely that these airports would be able to accommodate OAK's market-based demand at the industry-standard level of service, which would result in this alternative not meeting the project objectives. Fourth, there would likely be an adverse effect on the level of service provided to the traveling public (Factor 2 Screening criteria). Fifth, regional studies have shown that air passenger activity in Northern California needs the support of all airports to accommodate long-term projections. Sixth, without specific plans for accommodating the market-based passenger demand met by OAK, it is unknown as to whether impacts to special-status species, historic resources, wetlands, or coastal resources would be of greater magnitude than those described for the Proposed Project.

With respect to additional alternatives suggested by commenters that were not added to the Final EIR, the Board hereby adopts and incorporates by reference the reasons set forth in the responses to comments contained in the Final EIR as its grounds for rejecting adoption of these alternatives.

4 STATEMENT OF OVERRIDING CONSIDERATIONS

Section 15093 of the State CEQA Guidelines provides that where the decision of a public agency allows the occurrence of significant effects which are identified in the EIR, the agency shall state in writing specific reasons to support its action based on the EIR and/or other information in the record. This statement is referred to as a "Statement of Overriding Considerations."

The Board hereby finds and determines that the potentially significant impacts of the Proposed Project will be reduced to less than significant levels by the mitigation measures adopted by the Board, except for the remaining significant impacts described above. In light of the overriding considerations set forth below, the Board further finds and determines

that the benefits of the Proposed Project outweigh these remaining significant impacts. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the Proposed Project outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval:

1. Implementation of the Proposed Project would modernize existing terminal facilities to optimize safety and security for passengers and workers.

2. Implementation of the Proposed Project would provide replacement and new terminal facilities that are sized to efficiently accommodate market-based passenger demand at industry standard levels of service.

3. Implementation of the Proposed Project would provide adequate aircraft gates, aircraft parking, and terminal facilities that are sized and configured to accommodate the larger-sized aircraft fleet forecast at the Airport.

4. Implementation of the Proposed Project would support the economic base of the Bay Area, the East Bay Area, and the City of Oakland.

5. Implementation of the Proposed Project would provide construction jobs that would benefit communities located in the greater Oakland metropolitan area. Construction activity associated with the Proposed Project would support the local economy over the multi-year construction period due to the number of construction workers who would work on the project, anticipated spending by these workers, and the supplies of goods and services needed to support construction.

Exhibit B
Mitigation Monitoring and Reporting Program

APPENDIX R
MITIGATION MONITORING AND REPORTING PROGRAM

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R.1 INTRODUCTION

This document describes the recommended mitigation monitoring and reporting program (MMRP) for implementation of the mitigation measures identified in the Port of Oakland's (Port's) San Francisco Bay Oakland International Airport (OAK) Terminal Modernization and Development Environmental Impact Report (EIR). Each of these measures was developed to reduce a potentially significant environmental effect of the Proposed Project to less-than-significant level or to minimize a potentially significant environmental effect to the extent feasible. This document also describes the timing of the implementation of each mitigation measure and identifies the entity responsible for monitoring the implementation of each mitigation measure.

R.2 CEQA REQUIREMENTS

Section 10591(d) of the CEQA Guidelines states the following:

> *When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.*

R.3 MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

Table R-1, the MMRP table, includes the following sections:

- **Mitigation Measure.** This column identifies the mitigation measure specified within the EIR that would reduce potentially significant environmental effects.
- **Mitigation Monitoring Timing.** This column specifies when the identified mitigation measure should and will be implemented.
- **Responsible Monitoring Entity.** This column specifies the entity responsible for monitoring the implementation of the mitigation measure.
- **Verification and Compliance Notes.** This section will allow for the signature of the responsible entity and date of when a mitigation measure monitoring milestone has been reached.

TABLE R-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
Aesthetics			
None warranted.			
Air Quality			
The majority of ROG and NOX emissions result from aircraft operations, which the Port does not have the authority to regulate. In addition, the majority of 8-hour non-cancer and acute (1-hour) non-cancer human health hazard effects for on-Airport workers would result from aircraft operations, which the Port does not have the authority to regulate. The Port has provided electrical infrastructure throughout the terminals and cargo areas for use by commercial and cargo airlines and would install this electrical infrastructure in the new terminal and relocated cargo area.	During construction During operation of the Proposed Project	Port	
The Port commits to providing environmental awareness training for on-Airport workers (Port employees) and making appropriate personal protective equipment (PPE) available upon request. For on-Airport workers who are not Port employees, the Port will collaborate with tenants and provide environmental awareness documentation and materials to conduct training for their own employees.	During construction During operation of the Proposed Project	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
Biological Resources			
Worker Environmental Awareness Training Prior to the start of construction, a California Department of Fish and Wildlife- (CDFW-)and U.S. Fish and Wildlife Service- (USFWS-) approved biologist (Biological Monitor) will provide a training session for all work personnel to identify any sensitive species that may be in the area, their basic habits, how they may be encountered in their work area, and procedures to follow when they are encountered. Any personnel joining the work crew later shall receive the same training before beginning work. Upon completion of the education program, employees shall sign a form stating they attended the program and understand all protection measures. The Port shall prepare and give to each person who completes the training program a pamphlet that contains images of sensitive species that may occur within the Proposed Project, identifies environmentally sensitive areas (ESAs) within the detailed study area, and notes key avoidance measures, as well as employee guidance. These forms shall be made available to the resource agencies upon request.	Prior to start of construction	Port	
Mark Environmentally Sensitive Areas (ESAs) Before construction begins, ESAs shall be clearly delineated using high visibility orange fencing, flagging, or similar marking to delineate sensitive	Prior to start of construction During construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
habitats. The ESA marking shall remain in place throughout construction. It may be removed during the wet season (and subsequently re-installed) if needed to prevent materials from being washed away. Particular attention shall be focused on ESAs adjacent to or nearby Northern Coastal Salt Marsh or other tidally influenced wetlands that may provide potentially suitable habitat for the California Ridgway's rail and salt marsh harvest mouse. The final Proposed Project plans shall depict all locations where ESA markings shall be installed and how the markings would be installed. The bid solicitation package special provisions would clearly describe acceptable marking material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs. ESA markings shall be maintained in good repair throughout construction of the Proposed Project when there is potential for ESAs to be affected by nearby construction activities.			
<u>Preconstruction Surveys for Special-status Plan Species</u> Preconstruction surveys for the long-styled sand spurrey shall be conducted in accordance with CDFW (2018) protocols during the blooming season (February through May). If special-status plants are identified during the surveys, and impacts to the species are considered significant in the context of	Prior to start of construction During construction, if required	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
the status of the special-status plant species and the number of populations and individuals known, the following actions shall be undertaken: • Avoid Rare Plants. The construction area of a project component that could affect a rare plant shall be adjusted, if practicable, to completely or partially avoid affecting special-status plant species. • Minimize Disturbance to Rare Plants. If complete or partial avoidance is not practicable, mitigation measures shall be implemented to reduce the severity of the impact to the special-status plant species. These actions could include one or a combination of the following: 1) collection of special-status plant seeds, bulbs, other propagules, or topsoil prior to construction for use in future onsite restoration or enhancement actions; 2) restoration or enhancement of suitable special-status plant habitat onsite; or 3) restoration or enhancement of suitable special-status plant habitat offsite.			
<u>Biological Monitoring</u> If special-status species plants are found during surveys, then a CDFW- and USFWS-approved Biological Monitor shall be on site during all vegetation removal and work within 100 feet of where the plants were found. The Biological Monitor shall have authority to stop work that may result in	During construction, if required	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
unauthorized take through communication with the Port. The USFWS and/or CDFW shall be notified by telephone and electronic mail within one working day if the Biological Monitor exercises this authority.			
Work in Dry Weather Only When in Sensitive Habitat Work in any bed, bank, channel, and any associated riparian habitat shall be conducted during periods of dry weather. Forecasted precipitation shall be monitored. When 0.25 inch or more of precipitation is forecasted to occur, work in sensitive habitats shall stop before precipitation commences. No construction activities shall be started if erosion control measures cannot be completed prior to the onset of precipitation. After any storm event, all sites currently under construction and all sites scheduled to begin construction within the 72 hours of the storm event shall be inspected for erosion and sediment problems and corrective action will be taken as needed; 72-hour weather forecasts from the National Weather Service shall be consulted and work shall not start back up until runoff ceases and there is less than a 50 percent forecast for precipitation for the following 24-hour period.	During construction	Port	
Construction Site Best Management Practices (BMPs) The following site restrictions shall be implemented to avoid or minimize potential impacts on sensitive biological resources:	During construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
• Enforcing a speed limit of 15 miles per hour for construction and Port vehicles in unpaved portions of the site to reduce dust and excessive soil disturbance. • Locating construction access, staging, storage, and parking areas outside of any designated ESA to the extent practicable. Access routes, staging and storage areas, and contractor parking shall be limited to the minimum necessary to construct the Proposed Project. Routes and boundaries of roadwork shall be clearly marked before initiating construction. • Enclosing food and food-related trash items in sealed trash containers and removing them from the site at the end of each day. • Prohibiting pets from entering the construction sites. • Prohibiting firearms, except for those carried by authorized security personnel or local, state, or federal law enforcement officials.			
<u>Stormwater BMPs as identified in the Stormwater Pollution Prevention Plan (SWPPP)</u> Under the National Pollutant Discharge Elimination System (NPDES) delegated to the state, construction activities that result in a land disturbance of one acre or more, including areas less than one acre if part of a larger common plan of development, are required to obtain coverage under the NPDES General Permit	During construction After construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, (CGP) identified as NPDES No. CAS000002. Permit requirements include preparation of a Storm Water Pollution Prevention Plan (SWPPP), by a certified Qualified SWPPP Developer, containing measures to prevent pollutants caused by land disturbance activities (e.g., erosion and sediment) and non-stormwater discharges or spills from affecting surface water quality. Provisions for monitoring, recordkeeping, and reporting are included in the permit as well. Stormwater treatment best management practices (BMPs) are employed at the Airport to improve water quality discharges to receiving waters as detailed in the SWPPP. These BMPs include: • Infiltration areas/basins • Retention basins • Vegetated swales • Media filters • Vegetated buffer strips • Bioretention			
<u>Preconstruction Nesting Bird Surveys</u> If construction activities occur between February 1 and September 30, then a pre-construction survey(s)	Prior to start of construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
shall be conducted within 500 feet of the construction areas for nesting birds no more than 3 days before construction. If active nests are found, then an appropriate buffer shall be established, and the nest shall be monitored for compliance with the MBTA and Fish and Game Code (F.G.C.) Section 3503.	During construction, if required		
Active Nest Buffers If an active bird nest is found during construction activities, then species-appropriate ESA buffers based on Pacific Gas & Electric Company's (2015) recommended nesting buffers shall be implemented to avoid affecting the young until they have fledged, or as otherwise determined by consultation with USFWS and CDFW regarding appropriate action to comply with the MBTA and F.G.C. Section 3503.	During construction, if required	Port	
Western Burrowing Owl Pre-Construction Surveys Pre-construction surveys shall be conducted where Western burrowing owl nesting habitat has potential to occur within 500 feet of work. The survey protocol shall be as follows: a) Conduct four survey visits. b) An initial visit must occur between February 15 and April 15. c) A minimum of three subsequent surveys shall be conducted, each survey at least three weeks apart, and at least one visit occurring after June 15.	Prior to start of construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
d) Conduct an additional take avoidance survey no less than 14 days prior to initiating ground-disturbing activities where work would occur.			
<u>Western Burrowing Owl Nest Avoidance</u> If a Western burrowing owl active nest is discovered during pre-construction surveys or biological monitoring, the following initial buffers will be implemented: a) From April 1 through October 15, establish a 660-foot (200-meter) no-work buffer from the active nest site. b) From October 16 through March 31, establish a 164-foot (50 meter) no-work buffer from the active nest site. c) Buffers and minimization measures (e.g., blinds and screens) may be adjusted or implemented after coordination with CDFW.	During construction, if required	Port	
<u>California Ridgeway's Rail and California Black Rail Pre-Construction Survey</u> If California Ridgway's rail or California black rail suitable habitat is present within 700 feet of the immediate construction area and work would occur during the rail nesting season (February 1 through August 31), a pre-construction survey by a USFWS 10(a)1(A) permit holder for California Ridgway's rail will be conducted per the 2015 USFWS survey protocol to determine whether the species are present. If nesting California Ridgway's rail and/or	Prior to start of construction	Port	

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Verification and Compliance Notes
California black rail are detected during pre-construction surveys, then construction activities shall not occur within 700 feet of an identified detection (or smaller distance if approved by USFWS and CDFW) during the rail nesting season. If rail activity is detected within the 700-foot buffer, immediate consultation with USFWS and CDFW is required.			
<u>California Ridgway's Rail and California Black Rail Monitoring</u> The following monitoring protocols for California Ridgway's rail and California black rail shall be implemented, where appropriate: a) A USFWS- and CDFW-approved Biological Monitor will be present onsite to monitor for presence of California Ridgway's rail and California black rail during the operation of large equipment within 300 feet of salt marsh areas. b) The Biological Monitor shall be onsite at the proposed North Field Lot employee parking area on Old Earhart Road during construction in that location and shall periodically inspect the site to verify that habitat protection measures remain effective.	During construction, if required	Port	