



AGENDA REPORT

PROPOSED ACTION: **Resolution:** Approve and Authorize the Executive Director to Execute a Cooperative Service Agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services to Provide Personnel to Perform Wildlife Management Services at Oakland Airport for a Five-Year Term, Through Federal Fiscal Year 2030 for a Maximum Compensation Not to Exceed \$1,650,000; Waive Formal Competitive Procurement Procedures; and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. (Aviation)

Submitted By: Craig Simon, Director of Aviation; Kristi McKenney, Executive Director

Parties Involved: United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (Sacramento/CA)

Amount: \$1,650,000 – total not to exceed (Operating Expense)

EXECUTIVE SUMMARY: The Port of Oakland (Port) utilizes the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (USDA APHIS-WS) to conduct wildlife management activities to reduce and minimize threats posed by wildlife to aircraft and human health safety at Oakland Airport (OAK). The current agreement will expire September 30, 2025.

BACKGROUND & ANALYSIS

OAK is committed to ensuring the safety of aircraft operations, passengers, and airport personnel by mitigating wildlife hazards in accordance with Title 14 Code of Federal Regulations (CFR), Part 139.337 (Wildlife Hazard Management) and industry best practices. This regulation requires airports to assess and mitigate wildlife hazards that pose a risk to aviation safety, including conducting Wildlife Hazard Assessments and implementing Wildlife Hazard Management Plans.

Wildlife strikes present a significant risk to aviation operations, with the potential to cause substantial damage to aircraft and endanger human lives. The Port has a long-standing partnership with USDA APHIS-WS to provide specialized expertise in managing and reducing wildlife hazards at OAK.

The proposed cooperative service agreement with USDA APHIS-WS will allow for the continuation of critical wildlife hazard management activities at OAK for a period of five years, with a maximum compensation of \$1,650,000. Under this agreement, USDA APHIS-WS will provide technical expertise, monitoring, and mitigation strategies to manage wildlife populations in and around the airport environment.

Key components of the agreement include:

- Wildlife Hazard Assessments & Monitoring – conducting surveys and data analysis to identify wildlife activity patterns and potential risks to aircraft.
- Hazard Mitigation & Control Measures – Implementing proactive and responsive strategies to deter hazardous wildlife, including habitat modification, exclusion techniques, and dispersal efforts.
- Regulatory Compliance & Reporting – Ensuring adherence to 14 CFR Part 139 requirements and supporting documentation for wildlife strike reporting and risk assessments.
- Emergency Response Support – Providing immediate response capabilities in the event of heightened wildlife threats or strike incidents.

Port of Oakland Administrative Code section 5.12.070.B authorizes the Port to waive formal competitive procurement procedures upon the Board's finding and determination that: (1) such procedures would be "impracticable, unavailing, or impossible;" (2) "it is in the best interest of the Port;" or (3) the Board adopts an alternative competitive procurement procedure that is in the best interest of the Port considering the complexity, value, and time line as well as other factors of the contract. USDA APHIS-WS is uniquely qualified to provide these services due to its specialized knowledge, regulatory authority, relationships with other federal and state wildlife agencies, and established presence at OAK. The cooperative agreement structure ensures cost-effective management while maintaining compliance with federal guidelines. For these reasons, Port Staff requests the Board find and determine that it is in the best interests of the Port to waive formal competitive procurement procedures.

Approval of this agreement will allow OAK to maintain a proactive approach to wildlife hazard management, reducing risks to aircraft and safeguarding the traveling public.

OTHER FINDINGS AND PROVISIONS

ENVIRONMENTAL REVIEW

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

- ☐ Categorically exempt under the following CEQA Guidelines Section:

Choose an item.

- ☐ "Common Sense" exemption under CEQA Guidelines Section 15061(b)(3).
- ☒ Other/Notes: Statutorily Exemption under CEQA Guidelines Section 15261 – Ongoing Project. The activities of this program have been part of the airport's on-going operations (Bird Hazard Reduction) since the late 1960s and were put in place prior to the adoption of CEQA in 1970. Therefore, renewing the existing contract for wildlife management services is statutorily exempt pursuant to CEQA Guidelines Section 15261, Ongoing Project.

BUDGET

- ☐ Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR
- ☒ Operating ☐ Non-Operating ☐ Capital

Analysis: The ongoing support of USDA APHIS-WS is accounted for in Aviation's FY 2026 Operating Expense Budget and will continue to be included in future budgets under Airside Operations. Additionally, these costs are recoverable through airline rates and charges.

STAFFING

- ☒ No Anticipated Staffing Impact.
- ☐ Anticipated Change to Budgeted Headcount.
- Reason:
- ☐ Other Anticipated Staffing Impact (e.g., Temp Help).
- Reason:

MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA):

Applies? No (Not Aviation or Maritime CIP Project) – proposed action is not covered work on Port's Capital Improvement Program in Aviation or Maritime areas above the threshold cost.

- ☐ Additional Notes:

LIVING WAGE (City Charter § 728):

Applies?

No (Not Covered Entity) – proposed action involves entity not covered by Living Wage requirements because it is not a covered service provider or tenant, does not employ at least 21 employees, or receive from or pay to Port at least \$50,000.

	<input type="checkbox"/> <u>Additional Notes:</u>
<p><u>SUSTAINABLE OPPORTUNITIES:</u></p> <p><u>Applies?</u> No.</p> <p><u>Reason:</u> There are no sustainability opportunities related to this proposed action because it does not involve a development project, purchasing of equipment, or operations that presents sustainability opportunities.</p>	<p><u>GENERAL PLAN</u> (City Charter § 727):</p> <p><u>Conformity Determination:</u></p> <p>No Project – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.</p>
<p><u>STRATEGIC PLAN.</u> The proposed action would help the Port achieve the following goal(s) in the Port's Strategic Plan:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Capture Our Market and Grow the Economic Base <input type="checkbox"/> Modernize and Upgrade Infrastructure <input type="checkbox"/> Transition to Zero-Emissions and Build Climate Resilience <input checked="" type="checkbox"/> Maximize Land Use Value and Revenues <input type="checkbox"/> Workforce Training and Jobs Development <input type="checkbox"/> Create Opportunities for Local Businesses and Community Economic Development 	