San Francisco Bay Conservation and Development Commission
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Agenda Item #10

December 7, 2023

Application Summary Addendum

Oakland Turning Basins Widening Project

(For Commission consideration on December 7, 2023)
BCDC Consistency Determination Number: C2023.003.00

The Commission Staff, in conjunction with the US Army Corps of Engineers, San Francisco District (USACE) and the Port of Oakland (Port) wish to provide the Commission with the following addendum with additional details on the project, as well as corrections to information provided in the Staff Summary. The Port of Oakland provided additional information to the Commission. This is a summary of that information; the full request is included as a matter of record in the Commission's files.

Historic Wharves and Commission Jurisdiction. The California Attorney General has opined that continued use, including routine repair and maintenance, of wharves and piers in place prior to the establishment of the Commission in 1965 should be treated as shoreline band jurisdiction. (However, repairs and maintenance may reach a point of "redevelopment" where it would be justifiable to consider continued allowance of the structures as new structures within Bay jurisdiction). This guidance from the Attorney General informs staff's treatment of the Alameda Landing site as pre-BCDC fill.

Use of the Term "Historic." The staff summary includes the use of the term "historic." The use of this term in this context is the common usage, meaning – belonging to the past, not the regulatory context of an item belonging in a historic registry under state or federal law.

Background, Port of Oakland (Page 2). The state granted to the City of Oakland (City), in trust, publicly owned tide and submerged lands within the City's boundaries. In 1927, the City Charter gave the Port of Oakland the exclusive authority to hold, manage, and administer the Port Area (which includes "the Seaport").

The Seaport is the only deep draft container port in Northern California, servicing 99 percent of the containerized goods. The Oakland Harbor waterways are deep draft navigation channels that support commercial vessel access to the Seaport. The Oakland Harbor was improved to provide a water depth of 50 feet below the mean lower low water (MLLW) and turning basins widened to their existing width though the USACE -50 Foot Deepening Project. It was designed to accommodate Post-Panamax Generation I (PPX1) vessel class and smaller vessels, with a

maximum overall length of 1,139 feet and a carrying capacity of 6,500 TEUs. Since that time, new generations of ships, including PPX2, PPX3, and PPX4, come to call at the Port, requiring wider turning basins and other Port efficiencies. These vessels generally have between 15,000 and 19,000 TEUs capacity.

Project Purpose and Need. The primary limitation of the existing turning basins is the diameter, which limits the length of a vessel that can use, or efficiently use it. Safety and design criteria for the width of a turning basin includes the vessel's length, space requirements for assist tugs working around the vessel, water movement, and interactions between environmental conditions (currents, waves, and wind) and a vessel. For this reason, the industry standard for turning basins is to provide a minimum of 20 percent of the vessel's length on either side (bow and stern) as a buffer. The width of the existing turning basins cannot accommodate the minimum 20 percent industry standard for larger vessels, and specific restrictions are in place for all vessels that are longer than 1,115 feet transiting the Oakland Harbor, including PPX 2, PPX3, and PPX4 vessel classes. Restrictions reduce the efficiencies of ships using the Harbor, and result in scheduling transits around specific tide, current, and wind conditions, limiting transiting to daylight hours, an additional pilot, and using a required number of vessel-assist tugs in accordance with specific horsepower requirements. Waiting until these are met can delay vessels from transiting. In addition, vessels in the Inner Harbor turning basin have the added difficulty of counteracting the effects of a narrow turning basin, including the drift caused by the channel's natural current.

Additionally, vessels longer than 1,210 berthing at Inner Harbor are not permitted to use the turning basin for turning due to their length and are restricted to docking portside only with their bow [front] pointed east. This restriction could impact the ability for a vessel to use shore power (the primary compliance option to reduce emissions at berth) and decrease a vessel's ability to depart in an emergency because they are required to be towed out of the Inner Harbor Channel stern end (back of the vessel) first, before turning and departing.

These restrictions and the resultant inefficiencies and delays associated with larger vessels can range from an additional one to two hours while in transit to several days waiting for an arrival or departure window, which can lead to further cascading delays for other vessels calling the Seaport, thereby increasing both transportation costs to, and air pollutant emissions from, all impacted vessels. Further, the limited width of the turning basin increases the potential of groundings or allisions (contact with a structure) during the turning of larger vessels, which are inherently more difficult to maneuver against the external forces applied by winds, waves, and currents, and could result in safety and environmental risks, such as oil spills.

Alameda Terminal (Alameda Landing). In the staff summary, this location was incorrectly identified as a terminal. According to the City of Alameda, the correct name of this site is Alameda Landing. Further, it is located within the Alameda Landing Master Plan area. The Alameda Landing Master Plan envisioned a large mixed-use development at this site that includes housing, shopping, and jobs. Much of greater Alameda Landing is already constructed and occupied.

Alameda Landing Warehouses and Master Plan. Within Alameda Landing, there are two existing warehouses on the wharf area that would be partially demolished to widen the Inner Harbor turning basin. The City of Alameda has noted that the site is currently planned for redevelopment as offices, research and development, or maritime use in the Master Plan. The total area of the warehouses and wharf is approximately 18 acres, 6 acres of which is proposed to be demolished for the proposed turning basin.

The Alameda Landing Master Plan states that if the warehouses are removed in the future, then the existing Alameda Landing waterfront park (named Bohol Circle Immigrant Park) should be extended to the west. To do otherwise would require an amendment to the Alameda Landing Master Plan.

Dredged Sediment Beneficial Reuse and Disposal. The Staff Summary described dredged sediment as going to a beneficial reuse site and/or a landfill. The USACE and the Port are committed to beneficially reusing all dredged sediment that is suitable for this use. The Commission staff described the potential for both beneficial reuse and disposal at a landfill because the recently deposited sediment has not been characterized, so the final resting place of all sediment is not yet known.

Dredging Equipment. Staff notes that the consistency determination did include the use of a mechanical clamshell dredge in the project description. However, the staff summary described the equipment as undefined due to the early stage of the project development and to provide flexibility to the USACE. The USACE noted that the clamshell equipment is confirmed and considered a minimization measure that reduces impacts of the project.

CEQA Review. Staff notes and reiterates that due to the legal framework of the Coastal Zone Management Act, CEQA documents are not required as part of the "permitting" process for federal consistency determinations. Further, due to the lack of integration of the NEPA and CEQA documents, timing of the release, and because the CEQA document was not submitted as part of the consistency determination request, it was not considered at this stage of the project review. However, it will be included in the review of the future Port permitting process for the project.

Schedule and Cost. The Port provided additional details that are not generally included in this section of a staff summary. This information is noted and appreciated but not included here. It did emphasize that this project, as described is from the construction aspect of the project and that associated impacts would be temporary and variable over the project construction, which is approximately three years.

Errata Items:

1. Page 1, Location, the correct spelling of Mitchell includes two l's.
2. In the project description on page 1, first sentence, the existing Outer Harbor Turning Basin is 1650 acres, not 1660 acres.
3. Howard Terminal is approximately 53 acres, not 50 acres.

4. In the project description on page 2, the existing Outer Harbor Turning Basin description should include an upgrade to existing electrical infrastructure near berth 26.
5. In the Inner Harbor Turning Basin project description on page 2 item a, it should state that only a portion of the two warehouses would be demolished.
6. In the Inner Harbor Turning Basin project description, page 2, item b, should include installation of electrical switchgear rather a substation.
7. Page 3, Background, Port of Oakland, fifth line should state that the Port has four container terminals, not three.
8. Page 4, line 3, replace Board with District for the Bay Area Air Quality Management District
9. Page 4, item 2, note that the quay wall is within Howard Terminal, not behind it.
10. Page 6, line 8 (last line of paragraph), estimated cargo capacity is between 15,000 and 19,000 TEUs
11. Page 9, first line, electrical infrastructure would be upgraded at Berth 26, rather than a new switchgear installed.
12. Page 9, fourth line, the debris from the electrical upgrade would not be taken to Berth 10 for rehandling, rather would be recycled, reused, or disposed of.
13. Page 9, Inner Harbor Turning Basin, only a portion of the two wharves would be demolished.
14. Page 15, Item 3, second paragraph, fifth line, insert “recently deposited” in front of sediments for clarity.
15. Page 19, Community Engagement Section, line 6, the Port held six additional meetings, not five.
16. Page 20, second paragraph, third line, correct the name of the California Air Resources Board
17. Page 21, second line, limiting pile driving to between 7 am and 7 pm, not 10 pm.
18. Page 21, Schedule and Cost, line 4, change 10 pm to 7 pm.
19. Page 22, NEPA Review, note that the USACE released the initial draft Integrated Feasibility Report/Environmental Assessment in 2021.
20. Page 22, CEQA Review, note that the Port released its draft Environmental Impact Report on October 2, 2023.