

PRESS ADVISORY

Released: December 19, 2024

Contact: Sarah Chen Small, Associate Attorney | scsmall@cbecal.org, (510) 671-1316

Community Files Environmental Justice Lawsuit Against the Port of Oakland for Insufficient Environmental Impact Report for OAK Airport Expansion

Oakland, CA – Communities for a Better Environment (CBE) filed a lawsuit against the Port of Oakland (the Port) to challenge the proposed OAK expansion and for violating the California Environmental Quality Act (CEQA). In its lawsuit, CBE asserts the environmental impact report understates the true impacts to air quality, noise, and traffic, and petitions the court to require the Port to redo its environmental analysis of the project and fully disclose and mitigate its environmental impacts. "As a community member, I am worried about the negative effects this will have on East Oakland. They (the Port) cannot say this is not going to cause any noise impacts. They need to be honest." Said Maria Vargas, long time East Oakland resident and CBE member.

OAK airport operates in East Oakland, a predominantly Black and Latine low-income community that due to racist zoning and planning policies has experienced decades of heavy pollution from aviation, industrial facilities, freeways, and more. These communities are already being exposed to toxic emissions and at risk of developing or worsening respiratory health, cardiovascular conditions, and cancer. "East Oakland communities want decision-makers to strengthen their efforts to address environmental injustices. They want government agencies to work with community to confront the climate crisis, not ignore their concerns." said Nyah Tisdell, East Oakland Community Organizer.

On November 21, 2024, the Port held a public hearing where it certified Final Environmental Impact Report (FEIR) for the OAK Terminal Modernization and Development Project. "I was at the hearing to urge the Port not to approve the Project," said Vargas. At the hearing, the Port decided to move forward with the project despite significant community concerns about the environmental impacts of the proposed expansion. "The Port wants to do this at all costs, even though they heard stories and testimony. It feels like we don't matter," said Vargas.

The proposed expansion would double air traffic at OAK, add up to 16 new gates, construct expanded international arrival facilities, construct a new terminal, relocate existing cargo and support facilities, and entail significant construction in the terminal area roadway, parking areas, and support facilities. The resulting increase in air pollution stands to increase resident and worker health impacts such as respiratory disease, cardiovascular disease, endocrine disease, cancer, poor birth outcomes, and neurologic effects. CBE, represented by the Law Office of Jonathan Weissglass, raised several issues in its complaint.

First, the Port stresses that the Project is a "modernization" of OAK and claims that aviation traffic will be the same with or without the Project. But the Project is much more than a "modernization" and amounts to a major expansion that will increase aviation traffic. The public does not have

COMMUNITIES
FOR A BETTER
ENVIRONMENT
established 1978

enough information to understand the environmental impacts, appropriate mitigation, and potential alternatives. It's time for the Port to own up to the true impacts of this project.

Second, the Port used flawed and inappropriate models and data to evaluate environmental impacts. The expansion will put more polluting airplanes in the air and polluting vehicles and equipment on the ground. The Port needs to fully account for and mitigate environmental impacts. "The Port's environmental impact report is legally insufficient and environmentally disastrous. This is not what a serious attempt to comply with the law looks like, much less a serious attempt to do right by the public they serve," said Sarah Chen Small, Associate Attorney with CBE.

The suit also raises a multitude of other environmental injustice issues including the Port's failure to adequately analyze the health impacts to East Oaklanders and associated air quality, greenhouse gas emissions, and noise impacts. "We are aware of the facts and we will not sit idle while the Port approves an environmental catastrophe. Our environment, health, and well-being are not for sale. We are bringing this lawsuit on behalf of East Oaklanders who are fed up and will no longer tolerate their callous disregard for the law and our well-being" said Adele Watts, long time Oakland resident and East Oakland Community Organizer with CBE.

"I want the whole community to know what is going on. They (the Port) won't see us defeated. We are powerful. We will not give up. We will keep fighting," said Vargas.

**

Communities for a Better Environment is one of the nation's preeminent environmental justice organizations. CBE's mission is to build people's power in California's low-income communities of color to achieve environmental health and justice by preventing and reducing pollution by building green, healthy, and sustainable communities and environments.

<http://www.cbecal.org/>
Instagram: @cbe_eastoak