

BOARD MEETING DATE: December 3, 2021

AGENDA NO. 24

REPORT: Marine Port Committee

SYNOPSIS: The Marine Port Committee held a hybrid meeting on Friday, November 19, 2021. The following is a summary of this meeting.

RECOMMENDED ACTION:
Receive and file.

Rex Richardson, Co-Chair
Marine Port Committee

IM:rb

Committee Members

Present: Vice Mayor Rex Richardson/Co-Chair
Supervisor Lisa Bartlett
Board Member Veronica Padilla-Campos
Mayor Pro Tem Larry McCallon

Absent: Council Member Joe Buscaino/Co-Chair
Senator (Ret.) Vanessa Delgado

Call to Order

Co-Chair Richardson called the meeting to order at 1:00 p.m. Before moving to the agenda, Co-Chair Richardson stated that while he does not have a financial interest in agenda item 1, he is required to disclose that he is the Vice-Mayor of the City of Long Beach, which is involved in that item.

INFORMATIONAL ITEM:

1. Update on Ports MOU Process

Public comment on this item was taken before the staff presentation.

Raj Dhillon, Breathe Southern California, referenced a comment letter submitted by his organization along with other entities advocating for an indirect source rule (ISR) for the Ports of Los Angeles and Long Beach (the Ports). He referenced the federal loans and funding that were recently made available to the Ports and asked whether a portion of the funding would be spent on the transition from diesel to clean fuel alternatives, including building up the needed infrastructure at the port complex.

Eli Lipmen, Move LA, commented that the interim steps of implementing the goals of the 2017 Clean Air Action Plan (CAAP) Update and an annual spending plan of available funding would need to be included in a potential memorandum of understanding (MOU).

Yassi Kevezade, Sierra Club, expressed support for a Ports ISR. The Port of Long Beach (POLB) decided to spend 90 percent of the anticipated revenue from Clean Truck Fee collection on low NOx natural gas vehicles. She stated that this decision would hamper greenhouse gas (GHG) emission reductions and continue to harm port communities with high cancer risks from exposure to toxic air pollutants.

Heather Tomley, POLB, commented that, in response to the committee's request to go beyond the CAAP measures in the ongoing MOU discussion, POLB staff shared newly proposed strategies to reduce or accelerate the reductions of emissions from drayage trucks, oceangoing vessels, cargo-handling equipment, and on-dock rail with South Coast AQMD staff a few weeks ago. Strategies include near-term investments on trucks and supporting zero-emission (ZE) infrastructure. Ms. Tomley stated POLB is ready to put this proposal in writing for inclusion in a potential MOU. She further stated that an ISR approach would make it more difficult for POLB to collaborate with industry and delay emission reductions.

Jesse Marquez, Coalition for a Safe Environment, echoed support for a Ports ISR. He stated that the need stemmed from the Ports' failure in considering public comments submitted for the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) documents for Ports projects.

Fernando Gaytan, Earth Justice, voiced support for a Ports ISR, citing the time already given to the MOU process and for the 2017 CAAP implementation, as well as port congestion and the resultant emission increases. He asked for a unified and coordinated plan to reduce port emissions with a clear timetable, metrics, and reportable outcomes. He referenced South Coast AQMD's authority to create a comprehensive plan to implement control measures for all local governments and regional agencies to bring the South Coast Air Basin into attainment.

Theral Golden, West Long Beach Association, commented that the current pace of CAAP implementation is unacceptable and that the Ports have not taken equity concerns

into the decision-making process. He stated that a regulatory approach is needed to ensure CAAP implementation in a timely manner to protect community health.

Harvey Eder, Public Solar Power Coalition, commented that clean air goals cannot be achieved with natural gas and fossil fuel. He referenced the solar new deal and urged accelerated solar conversion.

Mandeera Wijetunga, Pacific Environment, stated support for a regulatory approach. He advocated for investments in electrification and green infrastructure at the Ports from funding and revenue such as the recently adopted cargo dwell fees. He requested environmental impacts be analyzed from the newly proposed 24/7 port operations and that a potential MOU be aligned with climate goals.

Christopher Chavez, Coalition for Clean Air, expressed concerns about air pollution impacts due to port congestion and the potential turnover of drayage trucks to used diesel trucks. He suggested that the Ports were not negotiating in good faith by citing a recent Los Angeles Chamber of Commerce webinar attended by the executive directors of both ports. While supporting an ISR for both ports, Mr. Chavez suggested that the ports could be treated differently.

Christopher Cannon, Port of Los Angeles (POLA), referenced a letter sent to Board Members by POLA's executive director and stated that POLA staff is ready to work with South Coast AQMD staff for the completion of an MOU. POLA requested that, a potential MOU includes CAAP stakeholder process as part of the approval for new programs beyond CAAP and that an MOU is not carried out in parallel with ISR development. Mr. Cannon cited programs referenced in the POLA letter that are currently being pursued and stated that POLA staff are willing to work with South AQMD staff to quantify SIP credit for these measures and to reflect these programs in the MOU once they have gone through the CAAP process.

Elliot Gonzales commented on the community's knowledge of air pollution impacts and the corresponding solutions and asked Board Members to consider the community's concerns and their recommendation of a Ports ISR.

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, provided a status update on the Ports MOU progress since the previous committee meeting.

Co-Chair Richardson expressed appreciation for the updates on port congestion and supported efforts in building up green infrastructure at the Ports. He commented that POLB staff has brought forward emission reduction measures beyond the 2017 CAAP, while POLA staff have not done so yet. He inquired if the Ports staff sought

authorization from their respective Boards to pursue additional measures for the MOU discussion, as requested by this committee. Mr. MacMillan responded that POLB staff had discussed with their Board and communicated the proposed additional measures with South Coast AQMD verbally. He referenced the POLA letter submitted to Board Members and forwarded to staff the night before. He is not aware if POLA staff went to their Board to discuss the programs referenced in the letter.

Co-Chair Richardson asked when staff expects to receive the POLB proposal in writing. Mr. Wayne Nastri, Executive Officer, responded that a written proposal is anticipated from POLB on November 30; however, staff does not expect a more substantive proposal from POLA than what was included in the submitted letter.

Co-Chair Richardson asked if the written proposal is received by the end of November, would South Coast AQMD be on track for a fully executed MOU with POLB by the February 2022 deadline. He also asked about the parallel process for POLA. Mr. Nastri responded that once a formal POLB proposal is received, staff can then better evaluate its feasibility and effectiveness in reducing emissions, and whether additional opportunities may exist. He acknowledged that POLB's stated willingness to advance the Clean Truck Program (CTP) revenue to accelerate drayage truck turnover goes above and beyond the CAAP, as requested by the Committee. In comparison, the POLA letter offers a vague description of programs to be potentially included in an MOU. He further suggested that it is possible to bifurcate the approach for the two ports.

Co-Chair Richardson referenced the comment made by multiple speakers on POLB's proposed spending of 90 percent of anticipated CTP revenue on low NOx trucks. He stated that the proposed spending from the initial CTP revenue was for either ZE or low NOx trucks, and the actual allocation would depend on the market and truck availability. He also expressed a desire for the minimum level of ZE spending to be increased above 10 percent to get diesel trucks off the road as soon as possible while moving towards ZE.

Mayor Pro Tem McCallon commended POLB's proposal of additional measures and encouraged POLA to do the same. He supports bifurcating the efforts if POLA does not accelerate their efforts. He added that he would fully support the deployment of low NOx trucks if it better supports the goal of getting diesel trucks off the road as soon as possible.

Board Member Padilla-Campos referenced the remarks to potentially bifurcate efforts for the Ports. She asked whether a vote by the full Board would be needed for any potential change in the MOU deadline. Ms. Barbara Baird, Chief Deputy Counsel, indicated the answer is yes.

Supervisor Bartlett requested staff to attempt to get both ports to make progress. She recognized that a regulatory approach remains on the table and stated that forward movement and progress are needed from POLA. She encouraged POLA staff to accelerate the pace in MOU negotiation with South Coast AQMD staff. Co-Chair Richardson concurred.

OTHER MATTERS:

2. Other Business

There was no other business to report.

3. General Public Comment

There were no public comments to report.

4. Next Meeting Date

To be determined.

Adjournment

The meeting adjourned at 2:21 p.m.

Attachment

Attendance Record

ATTACHMENT 1

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
MARINE PORT COMMITTEE MEETING**

Attendance – November 19, 2021

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| Senator (Ret.) Vanessa Delgado..... | South Coast AQMD Board Member |
| Board Member Veronica Padilla-Campos..... | South Coast AQMD Board Member |
| Vice Mayor Rex Richardson | South Coast AQMD Board Member |
| Mayor Pro Tem Larry McCallon..... | South Coast AQMD Board Member |
| Council Member Lisa Bartlett..... | South Coast AQMD Board Member |
| Gideon Krakov..... | South Coast AQMD Board Member |
| | |
| Genevieve Amsalem Gale | Board Consultant (Kracov) |
| James Dinwiddie | Board Consultant (Bartlett) |
| Jacob Haik | Board consultant (Buscaino) |
| Matthew Hamlett..... | Board Consultant (Richardson) |
| Amy Wong | Board Consultant (Padilla-Campos) |
| Ross Zelen | Board Consultant (Kracov) |
| | |
| Mark Abramowitz | Enviropolicy |
| Angie Balderas | Sierra Club |
| Brett Barry | Clean Energy Fuels |
| Christopher Cannon..... | Port of Los Angeles |
| Morgan Caswell..... | Port of Long Beach |
| Chris Chavez | Coalition for Clean Air |
| Joy Crose | Port of Los Angeles |
| Fernando Gaytan | Earthjustice |
| Elliot Gonzales | Public Member |
| Yassamin Kavezade..... | Sierra Club |
| Sudhir Lay | City of Long Beach |
| Erick Martell..... | Port of Los Angeles |
| Dawn McIntosh | City of Long Beach |
| Jacqueline Moore..... | PMSA |
| T. Pisano | Port of Los Angeles |
| Leela Rao..... | Port of Long Beach |
| Max Reyes | City of Los Angeles |
| Heather Tomley | Port of Long Beach |
| Mandeera Wijetunga | Pacific Environment |
| Raj Dhillon | Breathe Southern California |
| Jesse Marquez..... | Coalition for a Safe Environment |
| Dan McGivney | SoCalGas |
| Jan Victor Andasan..... | East Yard Communities for Environmental Justice |
| Lorraine Lundquist | LAUSD Board of Education |
| Thomas Jelenic | Pacific Merchant Shipping Association |

Theral Golden..... West Long Beach Association
Harvey Eder..... Public Solar Power Coalition
Eli Lipmen..... Move LA
James Vernon..... Port of Long Beach
Michele Grubbs..... Pacific Merchant Shipping Association
Jenn Simmons..... Sierra Club

Barbara Baird..... South Coast AQMD Staff
Aaron Katzenstein..... South Coast AQMD Staff
Angela Kim..... South Coast AQMD Staff
Ian MacMillan..... South Coast AQMD Staff
Karin Manwaring..... South Coast AQMD Staff
Matt Miyasato..... South Coast AQMD Staff
Ron Moskowitz..... South Coast AQMD Staff
Wayne Nastri..... South Coast AQMD Staff
Sarah Rees..... South Coast AQMD Staff
Veera Tyagi..... South Coast AQMD Staff
Vicki White..... South Coast AQMD Staff
Jill Whynot..... South Coast AQMD Staff
Anissa Heard-Johnson..... South Coast AQMD Staff
Mark Henninger..... South Coast AQMD Staff
Rachel Ballon..... South Coast AQMD Staff
Debra Ashby..... South Coast AQMD Staff
Denise Peralta Gailey..... South Coast AQMD Staff