



October 24, 2025

Board Member Veronica Padilla-Campos

Chair, Environmental Justice Advisory Group

South Coast Air Quality Management District (South Coast AQMD)

21865 Copley Drive

Diamond Bar, CA 91765

RE: Recent South Coast AQMD actions regarding the San Pedro Bay Ports and Environmental Justice

Dear Board Member Padilla-Campos,

We are writing to express our deep frustration with and strong opposition to the South Coast AQMD's recent actions relating to the San Pedro Bay Ports and the proposed "cooperative agreement" (hereafter referred to as "MOU.") In just a matter of four months, South Coast AQMD has elected to abandon a years-long public rulemaking process in favor of a closed-door deal negotiated with the ports – the largest single source of NOx emissions in the region. The communities impacted by port pollution were not afforded a seat at the table, and there was zero consultation with South Coast AQMD's environmental justice bodies prior to the district making the decision. It is worth

noting that the pivot back towards negotiating an MOU with the ports coincides with the recent revelation that port emissions have increased over the past year.

AB 617 (C. Garcia, 2017) charged the California Air Resources Board and the local air districts with developing an emissions reduction plan for environmentally burdened communities. Port emissions and the associated goods movement operations throughout the region harm every South Coast AB 617 community. The ports were one of the highest priorities in the Wilmington, Carson and West Long Beach (WCWLB) Community Emissions Reduction Plan (CERP). Additionally, many of the community participants across multiple Community Steering Committees (CSCs) voiced strong support for a ports rule and opposition to merely voluntary measures, as noted in the written and verbal comments provided during the CERP development process.

Despite this community support, however, the district has long been reluctant to regulate the ports. In 2019, South Coast AQMD used the WCWLB CERP to endorse voluntary agreements with the ports over the objections of community stakeholders. Though the COVID Pandemic interrupted the first port MOU negotiations, progress had already stalled by that time. Throughout 2021-2022, South Coast AQMD wasted a year trying to salvage the second MOU effort, despite the ports' unwillingness to compromise with the district. And most recently from 2022-2025, prior to the pivot to the current MOU, South Coast AQMD repeatedly delayed and pared back the scope of Proposed Rule 2304 by sacrificing all emission reduction requirements in a futile attempt to satisfy rule opponents. This was despite the district's commitment to adopting an emissions-focused port regulation by 2023.

Given this history, we do not find it surprising that South Coast AQMD abandoned rulemaking. It is, however, extremely disappointing and more importantly, deeply corrosive of the trust communities put into South Coast AQMD. Community, environmental, environmental justice and public health advocates worked in good faith, accepted compromises and half measures and mobilized repeatedly for the rule over the years. We provided forthright and realistic comments and suggestions and made tremendous efforts to uplift the voices of vulnerable, disenfranchised communities. Yet, despite this, the district instead chose to abandon us in favor of a last-minute offer to cut a deal with the ports and cities.

Compounding our frustration is that the district made its decision without even consulting the AB 617 CSCs and the Environmental Justice Advisory Group (EJAG). South Coast AQMD staff only informed the members of the WCWLB CSC the week after the district chose to abandon the rule. Outside of WCWLB, no other AB 617 CSC has discussed the district's actions. South Coast AQMD staff have indicated the other CSCs would not discuss the MOU since their CERPs do not include the ports, even though members of multiple CSCs have express interest in port pollution. Further, the

MOU was not agendized for either the August or October EJAG meetings, depriving that body of having any meaningful discussion or comment about it. While staff have cited the Brown Act as preventing such discussion, at least one other South Coast AQMD advisory group has within the past year not only agendized discussion on but also voted to oppose proposed rules. At best, this represents an unequal enforcement of the law. Clearly, instead of working with impacted communities, South Coast AQMD has fallen back on the path of “decide, announce and defend.”

Unfortunately, this action only underscores South Coast AQMD’s increasing lack of commitment to AB 617 and those members of the public who live, work, and play in our most polluted communities. Though AB 617 was influential in multiple rulemaking processes early on, it has since largely devolved into little more than quarterly updates on the district’s activities. Also notable is the South Coast AQMD Board’s lack of discussion or concern for AB 617 and environmental justice in general. Despite community advocates repeatedly bringing up AB 617 in the ports and other policy-making processes, Board Members rarely, if ever, discuss AB 617. At this point, it appears South Coast AQMD sees AB 617 as a source of state funding rather than an actual commitment to environmental justice communities.

Moreover, by abandoning Rule 2304, the South Coast AQMD Governing Board has now voted twice to renege on its 2022 Air Quality Management Plan commitments. By rejecting Rules 1111 and 1121, which would have regulated furnaces and water heaters, the board chose to forgo up to 10 tons per day of NOx emission reductions. Now, the district is abandoning its commitment to implement a ports indirect source rule and is instead relying on a voluntary infrastructure plan and a promise to eventually flesh out the details of the ports’ previous commitments. With just these two actions, the district has eliminated any possibility of being able to attain national and state air quality standards. Additionally, the district has also chosen to ignore requirements in state law to adopt and implement “all feasible measures as expeditiously as practicable” to meet state ambient air quality standards. (17 CCR § 70600(b)(5)(A)). These failures will disproportionately affect AB 617 communities, which already suffer from some of the dirtiest air in the nation.

We are currently faced with an incredibly challenging moment for environmental justice. Yet, when we needed leadership and resolve from our agencies, South Coast AQMD has instead chosen acquiescence to polluters. While moving forward with the ports’ proposed agreement may have been politically expedient, it fails to meet the bare minimum of what should be considered environmental justice or even basic good governance.

The health and lives of more than 17 million depend on the district fulfilling its mission. South Coast AQMD can and must do better.

Sincerely,

Chris Chavez

Coalition for Clean Air

Wilmington, Carson and West Long Beach AB 617 CSC

Theral Golden

West Long Beach Association

Wilmington, Carson and West Long Beach AB 617 CSC

Alicia Rivera

Communities for a Better Environment

Wilmington, Carson and West Long Beach AB 617 CSC

Magali Sanchez-Hall

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Mary Valdamar

The Mother Earth Co-Op at ChICCCAA

San Bernardino/Muscoy AB 617 CSC

Marven Norman

Center for Community Action and Environmental Justice

Peter Warren

San Pedro Peninsula Homeowners Coalition

Jane Williams

California Communities Against Toxics

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Pacific Environment

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California Environmental Voters

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Cc:

Members of the South Coast AQMD Governing Board

Wayne Nastri, Executive Officer, South Coast AQMD

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Sarah Rees, Ph. D. Deputy Executive Officer, Planning, Rule Development and Implementation, South Coast AQMD

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