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Chief Executive Officer
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RE: Potential Cooperative Agreement

Dear Executive Director Nastri, Executive Director Seroka, and Chief Executive Officer Cordero,

Thank you for your continued efforts to reduce air pollution in the San Pedro Bay Port Complex and the ongoing work to further advance these initiatives through the proposed cooperative agreement. While the updated proposal is an improvement over previous drafts, it is still in need of input from frontline communities and improvements to establish a path that will meaningfully reduce air pollution, protect unions jobs, and guarantee transparency throughout the duration of the agreement. Therefore, I urge the South Coast Air Quality Management District (AQMD), Port of Los Angeles (POLA), and Port of Long Beach (POLB) to commit to the following before signing a potential cooperative agreement:

- I. Provide in-person public engagement opportunities in the frontline communities of Wilmington and West Long Beach and revise the proposal to require quarterly, in-person public engagement opportunities in frontline communities throughout the duration of the agreement to provide transparent updates on progress and challenges.**

Since August, when the AQMD Governing Board voted to pause the rulemaking process and pursue a potential cooperative agreement with POLA and POLB, the three parties have not held a single meeting in the frontline communities most impacted by port pollution. Only one in-person meeting was held during this time. This lack of public engagement needs to be corrected before this process moves forward.

Additionally, if an agreement is eventually signed by the parties, it must include regularly scheduled meetings with opportunities for the public to participate, ask questions, and receive updates.

- II. Revise the proposal to include language that would prevent POLA, POLB, or AQMD from using public funds to promote the use of automated, remotely controlled, or remotely operated equipment, or infrastructure used to support such equipment.**

Automated equipment is currently used at multiple marine container terminals across the San Pedro Bay Port Complex and there are few protections in place to curb further automation in the future. The need to

reduce air pollution through zero emission equipment and infrastructure does not require automation, but it does require a commitment to protect good-paying, local jobs to ensure the advancement of both environmental and economic justice. The EPA Clean Ports Program, which is based on legislation I introduced titled the *Climate Smart Ports Act*, contains similar language to prohibit specific federal funding from being awarded to automate port equipment and infrastructure.

III. Revise the proposal to establish benchmarks with quantifiable emissions reductions and specific action items needed to help reach the 2030 and 2035 zero emission goals of the San Pedro Bay Port Complex Clean Air Action Plan.

Zero-emission infrastructure planning needs to include clear emission reduction targets and interim milestones to ensure progress. POLA and POLB have proven their ability to successfully achieve emissions reductions through initiatives in the Clean Air Action Plan, which established reduction benchmarks for nitrogen oxide, sulfur oxides, and diesel particulate matter relative to 2005 levels.

Additionally, the current proposal has vague action items and describes limited roles, such as applying for grant funding for zero-emission infrastructure planning in the port complex. POLA, POLB, and AQMD have received well over \$1 billion combined in federal and state funding in the past few years for zero emissions equipment and infrastructure. Additional federal investments are unlikely to continue under the Trump administration, and the state is navigating a significant budget deficit. The roles within the proposal need to be refined with practical action items to achieve the zero emission goals, including greater private investment from the operators of the marine container terminals and others who directly benefit from port-related operations.

IV. Revise the proposal's framework on mitigation funds to ensure the funds collected are only awarded to projects that guarantee quantifiable emissions reductions from port-related operations, have documented community support, and are decided by a new, independent body.

The current proposal requires the mitigation funds to be awarded to projects that have a nexus to the Tidelands Trust, which funds maritime navigation, water-based recreation, and other activities that are generally unrelated to port pollution or zero emission infrastructure. Additionally, the proposal allows the two Harbor Commissions to determine which types of projects within the Tidelands Trust doctrine will be eligible. The Tidelands Trust nexus should be removed from the proposal and replaced with language that ensures the mitigation fund will go toward zero emission infrastructure or equipment.

Additionally, the parties should collaborate to establish a new, independent authority that will evaluate and approve the uses of mitigation funds. The AB617 Community Steering Committee (CSC) for Wilmington, Carson, and West Long Beach should have a role in establishing this independent body. For example, the CSC could recommend potential residents to serve on the body, and AQMD, POLA, and POLB could have joint authority to approve their recommendations.

Thank you for your attention to these issues and recommendations that are critical to the transparency, impact, and overall success of a potential cooperative agreement. I look forward to your responses and our continued collaboration on efforts to reduce port pollution, protect good-paying jobs, and improve public health.

Sincerely,



Nanette Barragán
Member of Congress