



**VIA ELECTRONIC MAIL**

August 13, 2025

Chair Vanessa Delgado and Members of the Mobile Source Committee  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765  
Email: [vdelgado@aqmd.gov](mailto:vdelgado@aqmd.gov)  
Clerk of the Board, [cob@aqmd.gov](mailto:cob@aqmd.gov)

**Re: Agenda Item #1- Need to Address Port Pollution through Rules, Not Cooperative Agreements with No Emission Reduction Commitments**

Dear Chair Delgado and Members of the Mobile Source Committee:

We have known for decades that port pollution is shortening life expectancy in the South Coast Air Basin and beyond. The particulate matter and ozone from port pollution leads to more emergency room visits and hospitalizations due to heart attacks, aggravated asthma, decreased lung function, restricted airways, and even premature death. Yet, last month, the SCAQMD Governing Board voted once again to delay progress to rulemaking aimed at addressing port pollution by pausing PR 2304 for 45 days.

This move threatens to replace rulemaking on a life-saving public health rule that was slated for final Governing Board review in October 2025 in favor of dealmaking on a “cooperative agreement” that has no enforceable emission reduction commitments and no record of outperforming sound regulation.

We are discouraged by the short notice given for this consequential vote, the last-minute cancellation of public meetings, and the sudden substantive shift in SCAQMD policy direction. The Ports’ latest proposed MOU was developed behind closed doors and released with zero public input or community engagement. To make matters worse, the vague language used in the (August 1, 2025) Agenda Item #24 such as “seek input” and “choose an option” did not clearly indicate that (1) SCAQMD would be voting to pause rulemaking on PR 2304 and (2) opening a

separate negotiation process with Los Angeles and Long Beach. This decision risks elevating port profits over public health.

Nothing erodes fragile public trust in this agency more than engaging impacted communities in lengthy rulemaking, only to pull the process away at the eleventh hour. As one resident and member of East Yard Communities for Environmental Justice put it:

*This sudden shift to an 'agreement' shows the Ports' true priorities. If a cooperative approach is truly what they're seeking, they would have no issue with a rule, a process that community groups and environmental advocates have consistently been showing up for. The MOU process has already failed twice and has only served to waste time and resources. Moving forward would signal to communities that SCAQMD is willing to risk our health in a process that erases transparency and accountability to the Air District.*

*- Paola Vargas, Resident of Carson*

In the absence of federal leadership during a period of unprecedented cargo volume and worsening air quality here in Southern California, a greater responsibility rests on local leaders and agencies to protect human health and the environment. Halting public health rulemaking to pursue a voluntary MOU developed and designed by the ports and industry only makes it harder for SCAQMD to do its job to clean the air and protect public health.<sup>1</sup>

Children, families, and port workers will not benefit from watered-down public health protections that reduce polluter accountability. We will only see clean air through enforceable, measurable regulations.

We have wasted years relying on promises and voluntary agreements that air quality will be addressed and the climate crisis will be solved. It is increasingly evident that enforceable public health rules are needed now more than ever. It only adds insult to injury that the Ports are seeking a ten-year prohibition on SCAQMD rules that clean the air, without a commitment to enforceable emission reduction targets. An attack on SCAQMD's ISR authority is an attack on all of us.

South Coast residents are counting on SCAQMD to not take the easier path, but the right one. If, as the Ports claim, their proposed measures will accelerate a transition to zero-emissions and offer emission reduction benefits, then they should be used to set quantifiable, enforceable emission reduction targets under a rule—the original plan for PR2304. We need SCAQMD to

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<sup>1</sup> Under state law, SCAQMD must provide indirect source controls in areas where there are high-level, localized pollutants or for new sources per Cal. Health & Saf. Code section 40440(b)(3).

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commit to creating regulations that protect current and future generations. Only regulations will hold industry accountable.

Sincerely,

Alison Hahm

*Staff Attorney*

**Natural Resources Defense Council**

Fernando Gaytan

*Senior Attorney*

**Earthjustice**

David Pettit

*Senior Attorney*

**Center for Biological Diversity**

Taylor Thomas

*Research & Policy Analyst/Co-Executive Director*

**East Yard Communities for Environmental Justice**

Gracyna Mohabir

*Clean Air & Energy Regulatory Advocate*

**EnviroVoters**

Sylvia Betancourt

*Program Manager*

**Long Beach Alliance for Children with Asthma**

Peter M. Warren

*Member*

**San Pedro & Peninsula Homeowners Coalition**

Theral Golden

*President*

**West Long Beach Association**

CC: Wayne Nastri, Executive Officer

Email: [wnastri@aqmd.gov](mailto:wnastri@aqmd.gov)

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Ian MacMillan, Assistant Deputy Executive Officer

Email: [imacmillan@aqmd.gov](mailto:imacmillan@aqmd.gov)

Dr. Sarah Rees, Deputy Executive Officer

Email: [SRees@aqmd.gov](mailto:SRees@aqmd.gov)

Dr. Elaine Shen, Manager, ISR Rules & Socioeconomic Analysis

Email: [eshen@aqmd.gov](mailto:eshen@aqmd.gov)