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**PACIFIC
ENVIRONMENT**

VIA ELECTRONIC MAIL

November 5, 2025

Chair Vanessa Delgado and Members of the Governing Board
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
Email: vdelgado@aqmd.gov
Clerk of the Board, cob@aqmd.gov

Re: Agenda Item No. 30- Opposition to Incomplete Ports Measure—A Call For A More Comprehensive Strategy through Stakeholder Engagement

Dear Chair Delgado and Members of the Governing Board:

As representatives of environmental justice, environmental, and public health advocates, we come together with different perspectives but with a shared conviction: more must be done to control pollution at our ports and ensure our communities can thrive.

Each of our groups has provided concrete recommendations to improve conditions for residents and workers alike—recommendations that have yet to be meaningfully incorporated. The Draft Cooperative Agreement now before the Board, though presented as the product of deep negotiations and public engagement, is by its own terms incomplete. Previously, the draft agreement contemplated Clean Air Action Plan (CAAP) Plus measures for several key source categories. The current proposal is to punt those measures for future discussion.

I. A Stronger, More Comprehensive Strategy for Port Pollution is Needed.

We need to see what the now tabled measures entail before the agency takes a path that might miss an opportunity to address important environmental justice, environmental, and public health concerns related to the San Pedro Bay Ports. With so many missing policy provisions, the Governing Board **should not consider this proposal for a vote.**

We urge the Board to reject this proposal in its current form and instruct staff to continue developing comprehensive measures with the ports and in collaboration with all stakeholders—including impacted communities, public health advocates, environmental justice and environmental groups, and labor.

We further urge the Board to instruct staff to form inclusive stakeholder advisory groups that bring labor and community voices into the development of these measures and to direct staff to return with a more complete and equitable strategy by May 1, 2026 and preserve all of the agency’s tools while doing so.

II. Infrastructure Planning Alone is No Substitute for Enforceable Emission Reductions-CEQA analysis required.

The South Coast Air Quality Management District (Air District) must fully analyze the air quality impacts of approving this undeveloped Cooperative Agreement under the California Environmental Quality Act (CEQA). The agreement before the Board does not fulfill the full scope or intent of Measure MOB-01 in the 2022 Air Quality Management Plan (AQMP), despite being presented as advancing its objectives. The latest AQMP lists MOB-01 focused on rulemaking for an Indirect Source Rule (ISR) to reduce NO_x, VOC, and PM emissions from on-road heavy-duty vehicles, ocean-going vessels, cargo handling equipment, locomotives, and harbor craft traveling to and from the ports—reductions glaringly missing from the current proposal.

A. No Emission Reduction Targets in the Current Proposal

Instead of pursuing this regulatory pathway, which has been under development for years with extensive community input, the District now appears poised to adopt a voluntary framework that **only addresses infrastructure planning** and lacks the enforceable emission reduction commitments needed. Yet, the staff report asserts that no CEQA analysis is required because the proposed agreement falls within the scope of prior programmatic EIRs for the 2016 and 2022 AQMPs. However, those analyses contemplated a host of measures directly targeting emissions, such as a binding ISR, rather than just a voluntary infrastructure planning arrangement with no nexus to actual emission reductions.

Importantly, even the 2017 AQMP version of MOB-01 contemplated emission reductions that could become SIP creditable but only if they contained an enforceable commitment and offered emission reductions that were “real and surplus”. No such commitment exists in voluntary infrastructure planning alone. The current proposal therefore represents a fundamentally different action with potentially greater air quality impacts that have not been analyzed. Although there are placeholders for future negotiations, their details are currently unknown, making it impossible for this Board or staff to determine if they adequately fulfill the scope of the previous programmatic EIR.

B. The Current Draft Agreement is Incomplete and Does Not Count as Subsequent Activity within the Scope of a prior Programmatic EIR

CEQA Guidelines § 15168 governs when a subsequent activity is within the scope of a prior programmatic EIR. It sets out a number of factors and requirements to be considered. None of the elements outlined in §15168 of the CEQA Guidelines have been met.

Later activities need to be examined in light of the program EIR to determine whether additional environmental documents must be prepared and if a later activity has effects that were not examined, a new initial study would need to be prepared.¹ This analysis is still lacking. First, the voluntary cooperative agreement focused only on infrastructure plans will have effects not considered in the 2022 and 2017 EIRs because the agreement is neither an indirect source rule nor a measure based on SIP compliance as previously contemplated.

Second, the administrative record lacks substantive evidence to demonstrate that the voluntary agreement falls within the scope of the previous programmatic EIRs. This is largely because the theories and operational methods of the proposed voluntary infrastructure planning measure were not addressed as being a singular measure to fulfill MOB-01 in earlier programmatic EIRs. Furthermore, the record clearly indicates that without the measurable emission reductions that the ISR would have provided, air pollution is unlikely to improve and may worsen given the Ports projected growth through 2040.

For these reasons, we respectfully urge you to **vote no** on the proposal as currently proposed.

Sincerely,

David Pettit
Senior Attorney
Center for Biological Diversity

Peter M. Warren
San Pedro and Peninsula
Homeowners Association

Fernando Gaytan
Senior Attorney
Earthjustice

Jennifer Cardenas
Campaign Organizer
Sierra Club

Alison Hahm
Staff Attorney
Natural Resources Defense Council

Theral Golden
President
West Long Beach Association

Cristhian Tapia-Delgado
Climate Campaigner
Pacific Environment

CC: Wayne Nastri, Executive Officer
Email: wnastri@aqmd.gov

Dr. Sarah Rees, Deputy Executive
Officer
Email: SRees@aqmd.gov

Ian MacMillan, Assistant Deputy
Executive Officer
Email: imacmillan@aqmd.gov

Dr. Elaine Shen, Manager, ISR Rules
& Socioeconomic Analysis
Email: eshen@aqmd.gov

¹ CEQA Guidelines §15168(c).