



## South Coast AQMD Public Meeting Potential Cooperative Agreement with

the Ports of Long Beach and Los Angeles

October 15, 2025 6:00 pm (PDT)

Long Beach City College
Liberal Arts Campus, Room T1200
4901 East Carson St.
Long Beach, CA 90808

Join Zoom Webinar Meeting - from PC or Laptop

https://scaqmd.zoom.us/j/91542075443

**Zoom Webinar ID:** 915 4207 5443

Teleconference Dial In: +1 669 900 6833

**Spanish Language Audience** 

**Zoom Meeting ID:** 923 1741 8056

**Teleconference Dial-In:** +1 (669) 900-6833

### Meeting Purpose and Background

## Agenda

Draft Cooperative Agreement Overview

Draft Cooperative Agreement Details – (Port Zero Emission Infrastructure Plans)

Looking Ahead

## WHO IS THE SOUTH COAST AQMD?

- Multi-County Air Pollution Control Agency
  - ➤ About 17 million people (>40% of CA)
- Monitor air quality and develop plans/measures to meet federal and state air quality standards
- Permit about 28,000 facilities
- Goods movement sources make up about half of emissions





One-third of all U.S. containerized cargo

## Meeting Purpose

- □ Describe Draft Cooperative Agreement between South Coast AQMD and Ports of Long Beach and Los Angeles
- □ Solicit Public Input
  - Focus on specific items in Draft Cooperative Agreement
- Discuss Next Steps

# Background on Recent South Coast AQMD Work Regarding Ports

- □ Proposed Rule 2304 in development since 2022
  - 25 public meetings between February 2022 June 2025
  - Based on stakeholder feedback, rule concept focused solely on charging and fueling infrastructure
  - Other measures to directly reduce emissions not included in PR 2304, and would be addressed in follow-up actions

Infrastructure is critical first step to deploying zero emissions vehicles

- □ Ports provided Draft Cooperative Agreement in July 2025
  - Included infrastructure planning and implementation, and additional measures
- □In August 2025, South Coast AQMD Board directed staff to negotiate with Ports

### Recent South Coast AQMD Board Direction

- September Mobile Source Committee direction to staff:
  - Not release the '75-day' Proposed Rule 2304 package
  - Present Updated Draft Cooperative Agreement on <u>ZE infrastructure</u> in November for Governing Board consideration
  - Hold a public meeting with the Ports and solicit public input prior to November Governing Board meeting
- October Governing Board direction to staff:
  - Continue to negotiate with Ports on <u>other CAAP+ measures</u>, and bring Amendments to Draft Cooperative Agreement for Board consideration in Spring 2026
  - Periodic updates to Mobile Source Committee on progress
  - Community meetings throughout process

# Draft Cooperative Agreement Overview

## Key Elements of Draft Cooperative Agreement

# Draft Agreement Core Requirements

- Recitals
- Agreements

## Draft Agreement Attachments

- ZE Infrastructure Planning & Implementation
- Glossary
- Other CAAP+ measures [to be negotiated]

## Draft Board Resolution

 Direction to staff regarding rulemaking and future updates to the Board on Cooperative Agreement

# Overview of Updated Draft Cooperative Agreement

- □ Focuses on infrastructure planning at the Ports to achieve the goals of PR 2304
- Most recent version of the Draft Cooperative Agreement released on October 10, 2025
  - Contains clean-up and other revisions
  - Glossary included in Attachment B

#### DRAFT PROPOSAL FOR BOARD CONSIDERATION (RELEASED OCTOBER 10, 2025)

### COOPERATIVE AGREEMENT AMONG THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT THE CITY OF LONG BEACH HARBOR DEPARTMENT AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT

This Cooperative Agreement ("Agreement") is dated for reference purposes as of \_\_\_\_\_, 20\_\_, between and among SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ("South Coast AQMD"), the CITY OF LONG BEACH, acting by and through the Long Beach Board of Harbor Commissioners ("Long Beach"), and the CITY OF LOS ANGELES, acting by and through the Los Angeles Board of Harbor Commissioners ("Los Angeles") (South Coast AQMD, Los Angeles, and Long Beach are each called a "Party" and collectively called "the Parties").

#### I. RECITALS

#### A. RECITALS BY SOUTH COAST AQMD.

- 1. South Coast AQMD. The South Coast AQMD is the regional air pollution control agency primarily responsible for reducing air pollution and attaining federal and state air quality standards for the South Coast Air Basin (Basin) and the Coachella Valley. The South Coast AQMD develops Air Quality Management Plans (AQMPs) that provide the blueprint for how the region will attain state and federal air quality standards and implements control measures included in AQMPs adopted by its Governing Board.
- 2. <u>Jurisdiction</u>. South Coast AQMD's jurisdiction consists of the County of Orange, and the non-desert portions of the Counties of Los Angeles, Riverside, and San Bernardino. The San Pedro Bay Ports, the nation's two largest commercial marine ports, are located within the Los Angeles County portion of the Basin. South Coast AQMD has primary authority over stationary sources and indirect sources, the latter of which include facilities that attract mobile sources of air pollution. The United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have authority in setting emissions standards and fleet standards for mobile sources. Commercial marine ports are natural harbors where maritime commerce is conducted, which involves operation of various mobile sources, including drayage trucks, cargo-handling

## Cooperative Agreement Core Requirements

- Cooperative Agreement is a <u>contract</u> between South Coast AQMD and the Ports of Long Beach and Los Angeles
- □ Recitals → Includes relevant background information
- □ Key Portions of Agreements
  - Establishes roles for each party
  - Includes dispute resolution processes
  - Sets enforcement provisions
  - Specifies Cooperative Agreement length and termination requirements
  - Requires ports to pay for South Coast AQMD staff to oversee implementation

# Comparison of Proposed Rule 2304 and Draft Cooperative Agreement

#### **Proposed Rule 2304**

#### **Draft Cooperative Agreement**

Scope

Covers on-port infrastructure for all port sources

Infrastructure
Plan Due Dates

Two years after rule adoption (limited time extensions under consideration)

**Implementation** 

Complete milestones within Ports' control and annually report on progress

**Enforcement** 

Enforceable under California Health and Safety Code, including statutory penalties for violations Similar

Phase 1 – December 31, 2027 (Earlier
Phase 2 – December 31, 2028 deadlines for
Phase 3 – December 31, 2029 draft Plans)

Similar

Enforceable under contract terms and conditions, including payments into a mitigation fund for violations

## Agreement Term and Draft Board Resolution

#### **Term of Agreement**



5-year term

Considers infrastructure plans to be developed and implementation to begin



90-day exit clause

Any party can exit Agreement early for any reason

#### Draft Governing Board Resolution will direct staff to:

- Pause Ports rulemaking during Term of Agreement unless terminated early
- Report back on progress to Board, including recommendation for next steps before end of Term of Agreement
  - Extend, amend, or create a new Agreement, or
  - Pursue rulemaking

Resolution not part of the Agreement

# Draft Cooperative Agreement Details

## ZE Infrastructure Plans Scope



### ZE Infrastructure Plans Content

## Baseline ZE infrastructure on Port-managed property:

Description of existing charging and fueling infrastructure at the Ports

#### Planning Targets for each port source:

- Set by each Port based on own policies
- Aggregate ZE infrastructure capacity and anticipated timeline

#### Project-level details:

- Costs, potential funding sources
- Roles for ports and project delivery entities
- Implementation milestones

#### **Analyses of planned infrastructure**:

- On-Port energy supply
- Construction workforce needs
- Disposition of conventional fueling infrastructure

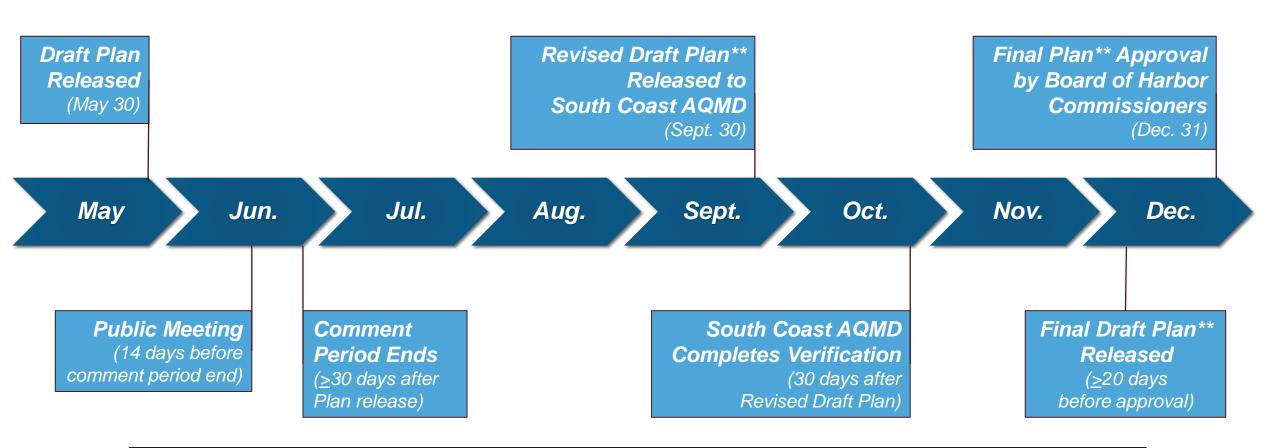
## Development and Approval of ZE Plans

| Phase   | Port Source Categories   | Due Dates for Approval<br>of Final ZE Plans<br>by Port Boards |
|---------|--|---|
| Phase 1 | <ul><li>Cargo handling for container terminals</li><li>Drayage Trucks</li></ul>                                      | Dec. 31, 2027   |
| Phase 2 | <ul><li>Cargo handling for non-container terminals</li><li>Local Switcher Locomotives</li><li>Harbor Craft</li></ul> | Dec. 31, 2028   |
| Phase 3 | Ocean-Going Vessels  | Dec. 31, 2029   |

#### Ports can request time extensions:

- Up to 90 days for reasons beyond Ports' control
- >90 days if more time needed for CEQA and/or Port Master Plan updates

# Example Process and Key Due Dates For Phase 1\* Plan Development in 2027



Ports can request limited time extensions for Plans for reasons beyond Ports' control

### Modification of ZE Infrastructure Plans

#### **Modifications to Final ZE Plans**

- Must be presented to Port's Board of Harbor Commissioners if:
  - New state or federal requirement make part of ZE Plan invalid; or
  - Planning Target is changed
- Prior notification to South Coast AQMD only if:
  - Change in Port's role toward a milestone; or
  - Change in timeline for project milestone

Other Plan Modifications to be described in annual reports

## Plan Implementation Requirements

Meet milestones within their role and responsibility established in Plans

Submit Annual Reports provided to South Coast AQMD on plan implementation progress beginning January 2029

South Coast AQMD releases Annual Report publicly and reports on implementation status to its Board every 12 months beginning no later than March 2028

## **Enforcement Provisions - Triggers**

- Triggers for enforcement defined in ZE Infrastructure Plans Attachment
- South Coast AQMD will notify Port if:
  - Failure to submit a complete Draft or Revised Draft ZE Plan on time
  - Failure to approve a Final ZE Plan on time
  - Fail to conduct specified public process for ZE Plan development
  - Approved Plan modified without following process in Agreement
  - Milestones within Port control not met during Plan implementation

## Enforcement Provisions – Financial Consequences

#### Payment Structure for Enforcement Triggers

| Tier     | \$ per Default |  |
|----------|----------------|--|
| Tier I   | \$25,000       |  |
| Tier II  | \$50,000       |  |
| Tier III | \$100,000      |  |

- Payments go to South Coast AQMD "Clean Air Mitigation Fund"
- Dollar (\$) amount corresponds to severity of default
  - Continue to miss deadline more than certain length of time
  - More than one default of same type

Dispute Resolution Processes also included (e.g., executive officer involvement, mediation, court injunction)

## Enforcement Example – Port Misses Deadline

#### Hypothetical Example: Port X misses Phase 1 Plan Deadline

## **Enforcement Trigger**

Phase 1 ZE Plan not approved by Port Board by 12/31/2027



#### **Notification**

- South Coast AQMD examines any approved time extension
- Time extension approved for Draft and Revised Draft Plans only
- South Coast AQMD notifies Port X of default



## Enforcement Determination Discussion

Port X can meet with South Coast AQMD and provide additional information

## Enforcement Example (continued)

#### Tier I\* Enforcement

If enforcement determination maintained following meeting, Port subject to \$25,000 payment for default

## Continued Default Past 45 Days

 After 45 days, Phase 1 Plan still has not been approved

#### Tier II Enforcement

Port subject to additional \$50,000 payment

## Continued Default Past 90 Days

 After 90 days, Phase 1 Plan still has not been approved

#### **Tier III Enforcement**

Port subject to additional \$100,000 payment

#### **Port Approves Plan in <45 Days**

No further enforcement action

## Clean Air Mitigation Fund



- Managed by South Coast AQMD
  - South Coast AQMD Board approves spending
- Public process for input on spending
- Recommendations by South Coast AQMD staff on spending should consider:
  - Public input
  - Tidelands Trust compliance (i.e. Tidelands nexus)
    - o Each Port to provide types of Pre-Approved Tidelands-compliant projects
  - Benefits to communities most impacted by port-related operations
  - Any legal concerns

## Looking Ahead

### Additional CAAP+ Measures

- Parties agree more time needed to address CAAP Plus Measures for specific port source categories
  - Focus of negotiations will be to look beyond existing commitments and regulations
  - More public process will be conducted to receive suggestions and input



## Next Steps



Ongoing: Weekly office hours available to discuss Cooperative Agreement



End of October: Release final version of Proposed Cooperative Agreement for Board approval



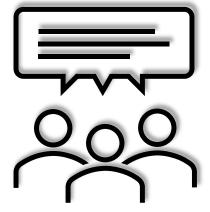
**November 7:** Public Hearing on Proposed Cooperative Agreement with the Ports



Now – Spring 2026: discussions with Ports on additional CAAP Plus Measures

- Periodic updates to Mobile Source Committee on progress
- Community meetings throughout process

## **Questions or Comments?**



## South Coast AQMD welcomes written comments on the Draft Cooperative Agreement

Request comments be submitted no later than October 22, 2025 to: ports\_comments@aqmd.gov

#### For more information, visit:

https://www.aqmd.gov/home/air-quality/air-quality-managementplans/air-quality-mgt-plan/facility-based-mobile-sourcemeasures/comm-ports-wkng-grp/potential-cooperative-agreement-withthe-ports-of-long-beach-and-los-angeles



### Discussion

- □ Requesting input on:
  - Clarity of Agreement terms and conditions
  - Public process and transparency during Agreement implementation
  - Elements of ZE Infrastructure Plans Measure

□ Comments also accepted on additional CAAP+ measures, but those will be addressed in public process after November