

ATTACHMENT F

RESPONSES TO COMMENTS

This attachment includes responses to comments received since August 1, 2025, when the South Coast AQMD Governing Board directed staff to pause PR 2304 rulemaking and shift to negotiations with the Ports of Long Beach and Los Angeles (hereinafter “Ports”) on a potential Cooperative Agreement. The comments were either submitted in writing or expressed verbally during the Public Meetings held on August 28, 2025 and October 15, 2025, and at the first four weekly virtual office hour sessions held between October 8, 2025 and October 29, 2025. The majority of responses below are provided by South Coast AQMD staff; however, for questions and comments addressed to the Ports, the responses are provided by Ports staff and noted as such.

MAIN RESPONSES

1. Comment: The pause on rulemaking to focus on negotiations over a potential Cooperative Agreement occurred too quickly to provide adequate opportunity for public input.

Main Response 1: Since adoption of the 2016 AQMP, the South Coast AQMD Governing Board has directed staff to explore and pursue various options consistent with the control measure related to commercial marine ports included in that plan (MOB-01). Potential approaches that have been explored include initial discussions on a potential MOU focused on the Ports’ Clean Truck Program (May 2018 – February 2022), a potential indirect source rule that would have included emission reduction requirements (February 2022 – October 2024), a potential indirect source rule (Proposed Rule (PR) 2304) focused only on zero-emission charging and fueling infrastructure planning and implementation (November 2024 – July 2025), and most recently a cooperative agreement with the same scope as PR 2304 (August 2025 to present).

The initial work on various concepts for a potential rule on emission reduction requirements was explored through an extensive public process including:

- 2 Governing Board Meetings
- 3 Mobile Source Committee Meetings
- 9 Working Group Meetings
- 3 Community Meetings
- 3 AB 617 Community Steering Committee Meetings (CSC) for Wilmington / Carson / West Long Beach

During that public process staff received extensive feedback. This feedback clearly indicated the need to focus on zero-emission charging and fueling infrastructure as a critical first step to support the transition to the next generation of cleaner port technologies. This resulted in development of the rule concept for PR 2304 through its own public process, including:

- 2 Governing Board Meetings
- 2 Mobile Source Committee Meetings

- 4 Working Group Meetings
- 1 AB 617 CSC Meeting for Wilmington / Carson / West Long Beach
- Release of two drafts of rule language for PR 2304 and one draft of a companion fee rule (PR 316.1)

On July 18, 2025, staff received a proposed draft Cooperative Agreement from the Ports as a potential substitute for PR 2304. As a result, South Coast AQMD staff sought direction at the next South Coast AQMD Governing Board meeting on August 1, 2025. The South Coast AQMD Governing Board directed staff to pause the rulemaking process until September 18, 2025, to focus on negotiating with the Ports to see if a mutually agreed upon Cooperative Agreement could be developed, and to conduct additional public process. Following that initial negotiation period, staff released an updated draft of the Cooperative Agreement on September 16. A second draft was released on October 10, and a third draft was released on October 29. All three of these drafts that were jointly agreed to by the negotiating teams from the Ports, their respective cities, and South Coast AQMD included significant changes from the Ports' July 18 proposal – based largely on public feedback received since July (see Main Response 3 for details). The public outreach process since August 2025 included:

- 2 Governing Board Meetings
- 2 Mobile Source Committee Meetings
- 2 Community Meetings (evening)
- 5 Virtual Office Hour Sessions (evening and daytime)
- 1 AB 617 CSC Meeting for Wilmington / Carson / West Long Beach

The development of the proposed Cooperative Agreement has reflected a continual evolution of this control measure over many years. This development has included substantial public process including 41 public meetings hosted by South Coast AQMD since February 2022. The date, time, and format/venue for each meeting were announced with a minimum two-week notice. Further, materials were typically made available to the public for all of these meetings at least three days in advance of a meeting in order to provide the public an opportunity to prepare beforehand. Staff has also made themselves available for hundreds of individual stakeholder meetings and discussions outside of these public meetings.

2. Comment: South Coast AQMD is forgoing enforceability, and cannot hold the Ports accountable with the proposed Cooperative Agreement in comparison to Proposed Rule 2304.

Main Response 2: The proposed Cooperative Agreement includes stringent enforceability provisions and clear accountability. It is based on key concepts from PR 2304, mirroring its scope and requirements for the Ports to develop charging and fueling infrastructure plans and subsequently implement these plans. The enforcement provisions within the proposed agreement follow a similar model as PR 2304, focusing on holding the Ports accountable for actions within their control, including: plan development and approval processes, meaningful public outreach during plan development, and completion of milestones on time during plan implementation.

South Coast AQMD has a specific role in the Cooperative Agreement to verify that the Ports are meeting their obligations under the contract. To facilitate this oversight, the Ports are required to

submit draft Plans for South Coast AQMD to verify that they meet the terms of the agreement. The Ports must also submit Annual Reports documenting their implementation of the approved plans. These reports will be made available publicly and the South Coast AQMD Governing Board will be provided annual updates on progress made with this Cooperative Agreement. If South Coast AQMD identifies that any of the Ports triggers a contract default (i.e., an enforcement trigger) specified in the agreement, the Port is subject to pre-determined financial consequences. Financial consequences vary from \$50,000 to \$200,000 per default, with higher payments associated with repeated or more severe contract defaults. These payments are paid into a South Coast AQMD-managed Clean Air Mitigation Fund. South Coast AQMD will seek public input before allocating any of these funds to specific projects.

In addition, the Cooperative Agreement includes a 45-day walk-away provision that allows the South Coast AQMD to exit the agreement for any reason. By entering into this Cooperative Agreement, South Coast AQMD is indicating its commitment to ensure that it is successful. However, if at a future time the South Coast AQMD Governing Board determines that the Cooperative Agreement is not successful, they may vote to exit the agreement. In addition, at that time the South Coast AQMD Governing Board could provide updated guidance to staff to pursue rulemaking.

3. Comment: The public process has not provided a way to meaningfully solicit public input that can inform the proposed Cooperative Agreement.

Main Response 3: The Cooperative Agreement is substantially similar to PR 2304, which was developed over the last three years with input from stakeholders and the community (see Main Response 1). Public input has also played a significant role in shaping the proposed Cooperative Agreement. The table below shows specific examples of public feedback received since July 2025, and how it was incorporated into the proposed Cooperative Agreement.

Concern Identified During Public Process	How Concern Addressed in Proposed Cooperative Agreement
Cooperative Agreement must be enforceable and ports must be accountable for their plans	The proposed Cooperative Agreement was revised to include enforceable triggers with specific financial consequences. In addition, new public disclosure provisions ensure that information about plan development and implementation is transparent and made available to the public. (See Main Response 2.)
10-year prohibition on rulemaking inappropriately contracts away South Coast AQMD authority	Three key changes were made. First, the authority to direct staff on what they should work on is pulled out of the contract (the Cooperative Agreement) and instead contained only within the draft Board Resolution. This constitutes direction from the South Coast AQMD Governing Board that can be changed at the South Coast AQMD Governing Board's discretion. Second, the pause on rulemaking was cut in half to five years. Third, the ability for South Coast AQMD to exit the contract

	was cut in half from 90 days to 45 days. Taken together, these provisions signal South Coast AQMD's intent to make this agreement work, while retaining the Board's discretion to change direction through future South Coast AQMD Governing Board action. (See Main Response 6.)
'CAAP Plus' Measures are inadequate	In order to allow time for more negotiation and public input, potential additional measures beyond infrastructure were separated from the current Cooperative Agreement and will be pursued immediately if it is approved. (See Main Response 5)
South Coast AQMD must have a role and not just be an observer	The Cooperative Agreement and draft Board Resolution were revised to now clearly include three primary roles. • Oversight of agreement implementation with enforcement authority, • Information sharing to the public • Evaluation of potential emission benefits from infrastructure use
More opportunities for public input into Cooperative Agreement should be provided	In response to these comments, staff held two evening public meetings (one online, one hybrid format in the community), and held weekly office hours (See Main Response 1)
Information should be shared about what kind of emission reductions can be achieved with infrastructure included in plans	The draft Board Resolution was revised to direct staff to calculate potential emissions benefits of using the infrastructure included in plans.
Existing conventionally-fueled infrastructure should be decommissioned once zero-emissions infrastructure is in place	A new provision was added requiring port plans to describe the ultimate disposition of existing conventional fuel infrastructure, including decommissioning.
Community needs a role in infrastructure plan development	New public processes that provide opportunity for public comment in writing and at meetings were included in the Cooperative Agreement. Responses to comments are also required to provide transparency into the decision-making for the Ports' proposed plans.
Payments for defaulting on contract provisions should be higher	The payments for contract defaults were doubled from the September 16 draft, now ranging from \$50,000 to \$200,000 per default.

4. Comment: The proposed Cooperative Agreement does not require the Ports to act beyond existing, voluntary commitments.

Main Response 4: The Ports' July 18 proposal included 6 different measures, labelled Clean Air Action Plan (CAAP) Plus measures. Many of the measures included in that proposal are based on existing programs and grants that the Ports are already implementing. The proposed Cooperative Agreement that the South Coast AQMD Governing Board is considering on November 7 has narrowed the focus to charging and fueling infrastructure needed for the next generation zero-emissions vehicles and cleaner ships, consistent with the requirements of PR 2304. The Ports have already begun infrastructure planning efforts in a piecemeal fashion through port source category specific assessments and studies, applying for grant and incentive programs for on-port infrastructure projects, and other self-initiated projects and programs. However, comprehensive plans that evaluate and specify the zero-emission charging and fueling infrastructure to be built have not been developed, nor are they required by any existing rule, regulation, or statute. The CAAP Plus Measure of Port Zero-Emission Infrastructure Plans covering on-port charging and fueling infrastructure for all port source categories is a significant new commitment.

As for the other five CAAP Plus Measures included in the initial July version of the draft agreement provided by the Ports, staff will continue negotiating additional measures to address specific port source categories for potential incorporation into the Cooperative Agreement as an amendment by Spring 2026. The focus for these measures will be to identify actions that go beyond existing regulatory or voluntary commitments – with a focus on near-term intermediate steps on emission reduction measures and facilitating actions that can lead to longer-term, more significant emission reductions.

5. Comment: The proposed Cooperative Agreement should include specific emission reduction measures and targets.

Main Response 5: A key conclusion from the extensive public process associated with PR 2304 (see Main Response 1) is that installing port zero-emission infrastructure is the critical first step to facilitate the long-term emission reductions needed from widespread cleaner technology deployment at the ports. Zero-emission equipment cannot be successfully deployed if the needed fuels are not available. This is the reason that the concept for PR 2304 evolved to an incremental approach, only covering charging and fueling infrastructure planning and implementation, without any specific emission reduction requirements. Similarly, the proposed Cooperative Agreement is also taking an incremental approach, focusing on the necessary first step of infrastructure. Given the scale of infrastructure needed, this planning and implementation effort is expected to take a number of years to complete. The exact timing of its installation will have a substantial influence on when zero-emission vehicles and equipment can be deployed.

Staff is appreciative of the comments received on potential specific additional measures that focus more on emission reductions. These comments will be considered, and more input solicited, during a subsequent public process after the South Coast AQMD Governing Board consideration of the current proposed Cooperative Agreement in November. See Main Response 4 pertaining to the planned focus of negotiations over additional measures.

6. Comment: Signing on to the proposed Cooperative Agreement, South Coast AQMD will “contract away” its rulemaking authority.

Main Response 6: The initial draft Cooperative Agreement submitted by the Ports to South Coast AQMD included a provision for a 10-year rulemaking prohibition. However, that language has since been removed from the agreement. Instead, the issue of the direction of future staff work is now addressed by the draft Board Resolution accompanying the Cooperative Agreement. The draft Board Resolution will direct staff to take the following actions:

- Pause rulemaking for five years, which is the length of the term of the agreement;
- Report to the South Coast AQMD Governing Board on the agreement's implementation progress; and
- Before the end of the Agreement's term, decide whether to create a new, extended, or amended Agreement, or to pursue rulemaking.

By keeping this provision in the Board Resolution and not in the Cooperative Agreement, the authority to direct staff's efforts – on rulemaking or otherwise – rests solely with the South Coast AQMD Governing Board. Furthermore, the Ports have indicated that their primary consideration with a pause in rulemaking is that they need significant cooperation from industry to prepare and implement the plans, and the timelines allowed by this language will facilitate that cooperation. As long as the Ports fulfill their obligations under the Cooperative Agreement, staff will continue to work together with the Ports to achieve the outcomes laid out in the agreement. Additionally, the South Coast AQMD Governing Board retains the discretion to terminate the Cooperative Agreement for any reason with 45-day notice and can direct staff to initiate rulemaking as part of that consideration or at any time. Given these provisions, the proposed Cooperative Agreement that the South Coast AQMD Governing Board will consider on November 7 does not contract away its rulemaking authority.

7. Comment: The Board Resolution on the pause on rulemaking will not allow South Coast AQMD to pursue any rulemaking for the MOB-01 control measure for five years.

Main Response 7: The past extensive process of pursuing options to implement MOB-01, guided by significant public input, has informed staff that multiple incremental steps would need to be considered to build toward long-term port emission reductions.

The current Cooperative Agreement is a critical first step that South Coast AQMD and the Ports can implement to facilitate needed emission reductions in the future. In addition, staff will continue negotiating additional measures for potential incorporation into the Cooperative Agreement as an amendment by Spring 2026. The focus for these measures will be to identify actions that focus on near-term intermediate steps on emission reduction measures and facilitating actions that can lead to longer-term, more significant emission reductions. These additional measures will be designed to further the objectives of control measure MOB-01.

Further, as discussed in Main Response 6, the Board Resolution and 45-day walkaway provision in the Cooperative Agreement allow for the South Coast AQMD Governing Board to evaluate

progress at any time in the next five years, and provide updated direction to staff on rulemaking – for example if sufficient progress isn't being made at the Ports.

Finally, the totality of emission reductions needed to ultimately achieve state and federal air quality standards must include substantial federal and state actions. This is due to the limitations on regulatory authority that South Coast AQMD has for these sources.

8. Comment: If the scope of the proposed Cooperative Agreement is the same as PR 2304, why change the mechanism from a rule to an agreement.

Main Response 8: As a matter of policy, South Coast AQMD is amenable to nonregulatory approaches if such approaches attain substantially the same goals as a regulation. During the PR 2304 development process the Ports indicated that successful development and implementation of infrastructure plans would require significant cooperation from industry. The Ports have further indicated that a contractual approach would likely better facilitate that cooperation over regulation. South Coast AQMD staff recognize the importance of cooperation by terminal operators and other industry stakeholders in developing infrastructure plans. Therefore, given that the Cooperative Agreement largely accomplishes the infrastructure planning requirements of PR 2304, staff is recommending that the Cooperative Agreement be adopted in lieu of PR 2304.

Written Comments

Proposed Cooperative Agreement Written Comment Index

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	Community Action and Environmental Justice, San Pedro Peninsula Homeowners Coalition, California Communities Against Toxics, Natural Resources Defense Council, Pacific Environment, California Environmental Voters, MoveLA <i>(Note: Some also signed as member of the Wilmington, Carson and West Long Beach AB 617 Community Steering Committee or the San Bernardino/Muscoy AB 617 Community Steering Committee)</i>		
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Written Comment #1 from Earthjustice et al.



VIA ELECTRONIC MAIL

August 13, 2025

Chair Vanessa Delgado and Members of the Mobile Source Committee
South Coast Air Quality Management District
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Diamond Bar, CA 91765
Email: vdelgado@aqmd.gov
Clerk of the Board, 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.¹

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

¹ 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).

August 13, 2025
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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
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Ian MacMillan, Assistant Deputy Executive Officer
Email: imacmillan@aqmd.gov

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

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

Staff Response to Written Comment #1:

Please see Main Response 1 regarding the pause on rulemaking to focus on the Cooperative Agreement negotiations. Please see Main Response 2 regarding enforceability of the proposed Cooperative Agreement. Please see Main Response 5 regarding emission reductions. Please see Main Response 6 regarding the 10-year rulemaking prohibition. Please see Main Response 8 regarding the use of regulatory *versus* non-regulatory mechanism.



August 20, 2025

Mario Cordero
Chief Executive Officer
Port of Long Beach

Wayne Nastri
Executive Officer
South Coast Air Quality Management District

Gene Seroka
Executive Director
Port of Los Angeles

Dear Messrs. Cordero, Nastri, and Seroka:

I write regarding the negotiations between the Port of Long Beach, the Port of Los Angeles, and the South Coast Air Quality Management District on a cooperative agreement for continued clean port leadership. The two San Pedro Bay ports and the South Coast AQMD have been leaders in environmental stewardship for decades, and I am pleased but not at all surprised to see that your commitment to environmental leadership continues.

As you pursue a discussion about a Clean Air Action Plan Plus (CAAP Plus) cooperative agreement, let me suggest the benefit from third-party convening, evaluation, and monitoring. As you know, the METRANS Transportation Consortium conducted some of the earliest academic studies of the first Clean Air Action Plan (CAAP).¹ Looking forward to a CAAP Plus, the region would benefit from a third-party research program that includes the following:

- Structured stakeholder engagement to identify how to best track progress toward goals: What do the different stakeholders desire from a CAAP Plus, and how can progress toward those goals be measured?
- Rigorous cost-effectiveness analyses of different pathways: As one example, there are many combustion technologies (e.g., low-emission liquid fuels, battery electric, hydrogen fuel cell.) This research would include careful cost-effectiveness analyses of these different technologies, identifying which approaches will give the largest benefit for expenditure, identifying infrastructure needs, and modeling the uncertainties inherent in both the technology and policy environment. This cannot be a one-dimensional analysis, because there are multiple pollutants and impacts. Hence a step like this would follow a careful canvassing of stakeholder goals.

¹ See, e.g., Giuliano, G. and A. Linder (2014) Impacts of the Clean Air Action Plan on the port trade industry. *International Journal of Shipping and Transport Logistics*, 6(2), 172 – 188; Genevieve Giuliano and Alison Linder (2013), Motivations for self-regulation: The clean air action plan. *Energy Policy*, 59, 513-522.



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- Evaluation and monitoring toward progress: This could include developing and updating dashboard tools that provide transparency. Such a dashboard or similar tools would communicate key performance indicators, metrics, and results in ways that allow stakeholders to track progress and clarify tradeoffs.

I know that your discussions are still in early stages, and questions of monitoring, evaluation, and policy analysis may not yet be the top priority. As your discussions continue, please reach out if METRANS or our university teams can be helpful.

Sincerely,

Marlon G. Boarnet

Professor and Director, METRANS Transportation Consortium
Sol Price School of Public Policy, University of Southern California



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Staff Response to Written Comment #2:

Staff will take the suggestions into consideration as we continue with negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026, as well as implementation of the current proposed Cooperative Agreement should it go into effect.

Written Comment #3 from Earthjustice et al.



VIA ELECTRONIC MAIL

August 27, 2025

Chair Delgado and Members of the Governing Board
South Coast Air Quality Management District
2865 Copley Drive
Diamond Bar, CA
Email: COB@aqmd.gov

Re: Comments on Inadequate Proposal from San Pedro Bay Ports

Dear Chair Delgado and Members of the Governing Board:

We write regarding the private negotiations the South Coast Air Quality Management District (Air District) is currently having with the Ports of Los Angeles and Long Beach (Ports). The undersigned community, environmental, and health organizations remain alarmed about the deeply flawed “cooperative” agreement that the agencies are using to strike a deal. It is our understanding that the agencies are working from the proposal that the Ports submitted to the Air District in July. While the July proposal from the Ports includes many words, the document largely repackages existing plans and obligations that the Ports already plan to do. Simply stated, even if the agreement is never signed, the Ports plan to do the vast majority of the agreement’s terms. In exchange for this document committing to very few new or specific commitments, it asks that the Air District grant amnesty to the Ports from regulation for a decade. While our organizations have been crystal clear that the better policy is to adopt a regulation with enforceable commitments, we feel compelled to comment on this deeply problematic proposal put forward by the Ports.

Including Amnesty from Regulation for a Decade Is Bad Policy

The most egregious provision of this draft agreement is a poison pill that would prevent the Air District from regulating for a decade. Beyond the public health consequences of providing a free

Comment
3-1

pass to the largest fixed sources of pollution in the region, this creates a slippery slope where other large polluters will seek this same deal. This approach also makes no sense. Even if the Air District decides an agreement is the path forward like they have done for airports, these other MOUs have not included this provision for the Air District to sign away its police powers. Any agreement that limits the Air District's regulatory authority to regulate should be rejected.

Comment
3-1, Cont'd

The Proposal Lets Down some of the Most Overburdened Communities in the State, Including AB 617 Communities

Communities most burdened by the region's worst air pollution continue to be let down as the years pass and the Air District continually gives in to port and industry stall tactics, delaying tangible action to regulate pollution. While we have seen a sharp decline in port emissions when compared to a twenty-year baseline, the Ports remain the largest fixed source of nitrogen oxides (NOx) in the region—a primary precursor to smog and a driver of respiratory illnesses and premature deaths. Progress on emission reductions has largely leveled out due to the reliance on voluntary measures. These facts make clear that incremental progress through voluntary measures is no substitute for the urgent need for enforceable commitments to further reduce emissions and protect public health today.

Comment
3-2

The Proposed Cooperative Agreement is Inadequate

The draft "Cooperative Agreement" the Ports have proposed is structurally incapable of delivering the reductions our region needs. It largely repackages measures that are already underway or previously committed to, without adding new, enforceable emissions caps that would accelerate progress on further reducing emissions on a specific timetable. Even when there is a commitment strategy, it is so vague as to be absurd.¹ While this letter will not go through every bald commitment of strategy, we will provide examples.

Comment
3-3

For example, the agreement commits to "Update per call incentive amount to encourage calls by vessels that meet highest ESI score, vessels with Tier III engines, and/or use cleaner marine fuels."² However, the agreement provides no further details on the proposed increase in incentives or any type of assurances that updates to this program will result in cleaner ships calling at the Ports. This vague language provides the Ports leeway to add a nominal amount, or even worse, reduce the incentive amounts. Allowing unfettered discretion to the Ports is problematic precisely because of the admissions they make in the document. The Port of Los

¹ As illustrated on the table in Appendix A, the current draft agreement derives from the existing Clean Air Action Plan 2017 Update and other ongoing requirements the ports have committed to.

² Draft Cooperative Agreement between SCAQMD and the Ports of Los Angeles and Long Beach (July 18, 2025), p. 18.

Angeles notes it has spent \$6 million over eight years for this program. That is a paltry amount given the immense harm ships impose on public health.

The Clean Truck proposal also includes nothing more than what the Ports have already committed to. CAAP Plus Measure No. 2 would not even require the Ports to develop a plan to show how it will meet the self-imposed 2035 goal for 100% zero-emission trucks. For years, the undersigned organizations have asked that the Ports develop interim targets to demonstrate progress towards this 2035 goal and to increase the Clean Truck Fund Rate. The current draft agreement contains no commitment to explore any of these recommendations and is devoid of any explanation of how the low \$10/TEU fee will raise sufficient funds to support the 2035 100% ZE Truck goals.

On emission reductions, the draft “Cooperative Agreement” drags the Air District back to 2021, when negotiations with the Ports collapsed. It expressly disclaims any obligation to adopt backstops, stating the Ports “shall have no obligation(s)...to implement any substitute measures” to cover shortfalls if CAAP-Plus underperforms.³ In other words, the Ports refuse enforceable emission-reduction targets or automatic contingency measures if projections are missed. This is indefensible given the Ports’ regular practice of quantifying emission reductions for infrastructure projects and incentive applications. The same rigor can and should be applied to CAAP-Plus, with binding targets and automatic backstop measures to ensure that impacted communities get needed relief.

At first glance, the CAAP-Plus infrastructure plans might seem laudable to some, but in context, state law already requires this kind of coordination and project-level planning to address air pollution. As the Harbors & Navigation Code makes clear, “The port...shall consult with the South Coast Air Quality Management District on projects that reduce pollution associated with the movement of cargo”⁴—and in doing so, identify project lists (e.g., CAAP measures), funding sources, and timelines for implementation. Simply put, what the Ports offer is not new.

By comparison, CAAP Plus Measure 6 primarily schedules zero-emission infrastructure plans rather than adding enforceable duties, and the draft Cooperative Agreement further states that the Ports will not commit to implementing any substitute measures if reductions fall short. In essence, the Ports are committing to several components that are arguably already required when developing projects addressing air pollution. To ensure infrastructure planning is meaningful, it should be pegged to clear, projected emission-reduction targets that maximize reductions to meet the region’s needs.

Comment
3-3, Cont’d

³ *Draft Cooperative Agreement between SCAQMD and the Ports of Los Angeles and Long Beach* (July 18, 2025), p. 7.

⁴ Cal. Harb. & Nav. Code §§ 1750(c), 1769(c) (requiring consultation with South Coast AQMD and identification of projects, funding sources, and timelines).

Because the draft Cooperative Agreement offers very little that is new, does not go far enough, and largely repackages duties the Ports already owe, the “cooperative” approach being pushed by some will only serve to set us back without delivering meaningful gains. Impacted communities deserve better.

Comment
3-3, Cont’d

Setbacks in rulemaking have serious consequences

These setbacks will have dire consequences for the region and the state. Without a binding and enforceable indirect source rule, there will be no framework to set clear, enforceable targets and metrics for reducing port-related emissions, no infrastructure mandates to support the transition to zero-emission operations, and no accountability to ensure timely progress—even as the Olympic Games and other major events approach. We urge you to return to the original Port ISR concept and work with the Air District staff and other stakeholders to complete a comprehensive rule. This rule should incorporate the measures the Ports have already acknowledged are feasible and use projected reductions from such measures to set enforceable targets, as a start. The rule must hold all parties accountable through transparent public reporting, enforceable deadlines, and consequences for non-compliance.

Comment
3-4

Frontline communities must be at the center of any solution to port-derived air pollution, as co-designers of this framework. Success should be measured not by commercial throughput protected but by the number of lives saved, public health resources preserved, and lifespans extended as pollution levels decline.

Conclusion

This is a pivotal moment in our politics, as environmental justice and environmental protections are largely being abandoned at the national level. The people of this region cannot wait another decade for clean air while political expediency shields the largest polluters from accountability for their deadly emissions. The Ports of Los Angeles and Long Beach, this Air District, and our city leaders must act now to adopt an enforceable Port ISR that delivers measurable public health gains—not empty promises on paper. We need you to act with the urgency this moment demands.

Sincerely,

Fernando Gaytan
Senior Attorney
Earthjustice

[Additional Signatories on Next Page]

August 27, 2025
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Marven E. Norman
Environmental Policy Analyst
Center for Community Action and Environmental Justice

Taylor Thomas
Research & Policy Analyst/Co-Executive Director
East Yard Communities for Environmental Justice

Alison Hahm
Staff Attorney
Natural Resources Defense Council

Cristhian Tapia-Delgado
Climate Campaigner, Southern California
Pacific Environment

Peter M. Warren
Member
San Pedro & Peninsula Homeowners Coalition

Jennifer Maria Cardenas
Campaign Organizer
Sierra Club

Theral Golden
President
West Long Beach Association

Cc: Mayor of Los Angeles - email: mayor.karenbass@lacity.org
Mayor of Long Beach - email: mayor@longbeach.gov
Harbor Commission President POLA - email: commissioners@portla.org
Harbor Commission President POLB - email: bhc@polb.com
Wayne Nastri, Executive Officer - email: wnastri@aqmd.gov
Ian MacMillan, Assistant Deputy Executive Officer - email: imacmillan@aqmd.gov

August 27, 2025

Page 6 of 7

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

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

August 27, 2025

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Appendix A

CAAP Plus Measure	Prior Port Commitment
Measure No. 1 Clean Ship Program Enhancements (Clean Ship incentives, Additional shore power, enhanced vessel speed reduction, green shipping corridor)	POLA ESI Incentive program (since 2012); POLB Green Ship Incentive Program; CARB At-Berth Rule Compliance (since 2023); Green Shipping Corridor (Since 2023); CAAP Vessel Speed Reduction Program (Since 2001)
Measure No. 2 ZE Drayage Equipment and Infrastructure Funding (Clean Truck Fund Spending Plan; Incentives; grant “stacking”)	San Pedro Bay Ports Clean Truck Fund (since 2022);
Measure No. 3 ZE Equipment and Infrastructure funding (Zero-Emissions Equipment and Infrastructure Funding)	2017 CAAP Update- transition terminal equipment to 100% Zero Emissions by 2030 through reporting on procurement schedules, grant funding, and feasibility assessments; CAAP Technology Advancement Program.
Measure No. 4 ZE Locomotive Demonstration Program (to facilitate operators in seeking grant funding for zero emissions locomotives for operation at ports)	2017 CAAP- set goal of accommodating 35% cargo by rail with commitment to work with operators to demonstrate zero-emissions technology.
Measure No. 5 ZE Equipment and Infrastructure Workforce Development	Existing Joint Port of Los Angeles and Port of Long Beach Goods Movement Training Facility Project with \$110 million in state funding. Completion by 2030; POLB Education & Workforce Programs-Green Port Policy (since 2005).

Staff Responses to Written Comment #3:

Response to Comment 3-1

Please see Main Response 4 regarding whether the proposed Cooperative Agreement goes beyond the Ports' existing, voluntary commitments. Please see Main Response 6 regarding the now-removed 10-year rulemaking prohibition that was included in the July 18 Ports' proposal.

Response to Comment 3-2

Please see Main Response 1 regarding the shift from the proposed rule to an agreement. Please see Main Response 2 regarding enforceability of the proposed Cooperative Agreement. Please see Main Response 5 regarding emission reductions.

Response to Comment 3-3

Please see Main Response 4 regarding the agreement not going beyond Ports' existing commitments, Main Response 5 regarding emission reductions, and Main Response 2 regarding enforceability of the proposed Cooperative Agreement. The comment regarding the Ports having "no obligation(s)... to implement any substitute measures" in case of any State Implementation Plan (SIP) commitment shortfall is no longer relevant because the proposed Cooperative Agreement will not be submitted for SIP inclusion by South Coast AQMD and all provisions related to SIP creditable emission reductions in the Ports' July 18 proposal have since been removed. Nevertheless, for informational purposes, the draft Board Resolution will now direct staff to calculate potential emissions benefits of using the infrastructure included in the ZE infrastructure plans.

Response to Comment 3-4

Please see Main Response 2 regarding enforceability and accountability through the agreement, Main Response 5 regarding emission reductions, and Main Response 8 for the mechanism to require zero-emission port infrastructure planning and implementation. Even though the proposed Cooperative Agreement represents a non-regulatory mechanism, it includes public processes during plan development and implementation that provide opportunity for public comment in writing and at meetings, with responses to comments being required to provide transparency into the decision-making for the Ports' proposed plans. The proposed agreement additionally requires annual reporting, has enforceable deadlines for plan development and implementation milestones, as well as financial consequences for contract defaults (i.e., non-compliance), all of which mirror closely PR 2304 rule concept and enforcement model.

Written Comment #4 from Coalition for Clean Air



September 16th, 2025

Chair Delgado and Members of the Governing Board
South Coast Air Quality Management District (South Coast AQMD)
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Comments Relating To Pivot to MOU

Dear South Coast Air Quality Management (South Coast AQMD) Staff and Governing Board,

In a period of just two weeks, the San Pedro Bay ports derailed a multi-year public rulemaking process by submitting a self-serving proposal packed with pre-existing contract obligations disguised as new commitments. In their proposal, they promise to do what they are already committed to do and demand that you get in line and cheer them on. This maneuver abruptly shifted the process from a transparent public engagement to an opaque, closed-door negotiation. As a result, we now risk losing the first-ever enforceable regulation holding the ports accountable under the district's authority to control indirect sources of air pollution. This reversal undermines the integrity of the district's decision-making. It sets a bad precedent, both in terms of substance as well as process.

It is important to note that community members, public health experts and environmental and environmental justice advocates have participated in both the indirect source review (ISR) rule and, to the greatest extent possible, closed-door memorandum of understanding (MOU) processes. Over the years, our organizations have provided suggestions and constructive feedback to South Coast AQMD through extensive written and verbal testimony. We have participated in nearly every public hearing, working group meeting and community outreach session related to the ports. This is despite many of these meetings taking place during working hours and many of our allied organizations representing low-income and monolingual residents.

We have been consistent and clear in our desire for enforceable emission reductions and accountability to portside communities. History has shown that a significant portion of the emission reductions the ports take credit for can be attributed to statewide [CARB rules and enforcement](#) rather than voluntary efforts. Yet, we have also been willing to accept compromise and incrementalism, such as South Coast AQMD's "infrastructure first" ISR proposal. This stands in sharp contrast to rule opponents, who have moved goal posts, sprung last minute demands and counter proposals and sought statewide legislation to undermine South Coast AQMD's ability to reduce air pollution.

That the ports recently threatened to leave negotiations with the district if it does not completely capitulate and drop any regulatory framework should be alarming to the AQMD board. The district should not acquiesce to the ports' ultimatum by abandoning the Indirect Source Rule. The ports and

Comment
4-1

AQMD have gone through two previous unsuccessful MOU processes; with the most recent having failed in part due to the ports' insistence on punitive language aimed at the district and restrictions on AQMD's ability to ensure emission reductions beyond partial implementation of the San Pedro Bay Ports 2017 Clean Air Action Plan.

Comment
4-1, Cont'd

The ports' July 18th 2025 MOU proposal (the most recent publicly available proposal) presents major substantive problems. First and foremost is that the "cooperative agreement" would strip South Coast AQMD of its rulemaking authority for 10 years. Instead, the ports would follow a plan of their own design and have complete control over how, when or even *if* it is implemented. In other words, all "commitments" in the proposed MOU are voluntary, which is completely unacceptable considering that the ports are the region's largest emitter of NOx in the smoggiest air basin in the country. While the ports tout their significant emission reductions since 2005, the vast majority of those reductions took place over a decade ago.

Comment
4-2

Further, the proposed MOU explicitly shields the ports from any accountability to communities, as well as provides no details on how South Coast AQMD would be able to enforce it. Under this proposal, South Coast AQMD would merely be an observer and the people who must contend with the impacts of air pollution would have no ability to compel compliance with the agreement. Lastly, the MOU proposal also does not address how either it or its port projects will comply with the California Environmental Quality Act (CEQA) and the district's obligation to implement "all feasible measures" as required by state law.

Comment
4-3

Additionally, the proposed MOU's process is fundamentally flawed. It cannot be forgotten that the current MOU proposal essentially hijacked the ISR rulemaking process. How can impacted communities and the broader public participate when negotiations between the district and the ports are behind closed-doors? That a polluter can upend a multi-year public rulemaking process with a last-minute MOU offer is worrying both in terms of protecting public health as well as basic good governance.

Comment
4-4

While the proposed Indirect Source Review Rule is focused on infrastructure, it would at least ensure some level of accountability. Moreover, should the ISR become a [State Implementation Plan \(SIP\)](#) requirement in the future, it will also become publicly enforceable. Including emissions reduction measures as a part of this plan would make it even more robust. The proposed rule takes an incremental approach and would only require an infrastructure plan, which both ports already have underway as demonstrated by the EPRI 2023 Technical Assessment for Zero-Emission Planning and Grid Assessment for the Port of Los Angeles, the ENGIE Impact Assessing Reliability and Resilience of Power Systems Study at the Port of Long Beach and a ZE Infrastructure Master Plan for Terminal Equipment mentioned in the March 2024 CAAP update for both ports. Rule opponents have failed to demonstrate how putting together a plan would cause economic and job losses.

Comment
4-5

Let us not scuttle the Indirect Source Review Rule in favor of closed door deals. Whatever the district decides on will establish a precedent - will AQMD craft a modest, incremental rule or will you go with the self-policing scheme the ports sprung at the last moment? SCAQMD must fulfill its responsibility to provide public accountability, transparency, and most importantly, to reduce air pollution.

Sincerely,

Dori Chandler
Policy Advocate, Coalition for Clean Air

Chris Chavez
Deputy Policy Director, Coalition for Clean Air

Cc:
Members of the South Coast AQMD Governing Board
Wayne Natri, Executive Officer, South Coast Air Quality Management District
Sarah Rees, Deputy Executive Officer
Ian MacMilan, Assistant Deputy Executive Officer

Staff Responses to Written Comment #4:

Response to Comment 4-1

Staff appreciates participation by community and environmental groups in the public process and for numerous meetings with staff. Please see Main Responses 1 and 2 regarding the shift from rulemaking to focus on developing an agreement with the Ports and a comparison between the two with respect to accountability. Please also see Main Response 5 regarding emission reductions.

Response to Comment 4-2

Please see Main Response 6 regarding the 10-year rulemaking prohibition. Please see Main Response 2 regarding the enforceability of the proposed agreement, and Main Response 4 regarding the agreement not going beyond Ports' existing, voluntary commitments.

Response to Comment 4-3

Please see Main Response 2 regarding enforceability and accountability including South Coast AQMD role for these in the agreement.

For the CEQA analysis for the Cooperative Agreement, please see the Board Letter and Attachments G and H to the Board Letter. Regarding the CEQA analysis of the scope of the infrastructure plans required by the Cooperative Agreement, the Ports of Long Beach and Los Angeles will be required to plan for, and implement projects to develop charging and fueling infrastructure under specific schedules and the plans will need to take into account both current and future projects, as well as projects in the pipeline under various stages. The evaluation of environmental impacts in accordance with CEQA and/or National Environmental Policy Act (NEPA) requirements, if applicable, of these current and future projects are and will be handled on a project-level basis. For future projects, each plan will need to identify the lead agency as defined by CEQA and describe the level of environmental analysis that will be required. For example, for current or ongoing projects, the plan will need to identify the environmental documents that have been or are anticipated to be prepared. The development timeline for the Ports' plans incorporates any necessary requests for time extensions to ensure compliance with CEQA and/or NEPA requirements. In addition, when the ports propose specific charging and fueling infrastructure projects with future defined actions (e.g., locations, equipment details, and timelines, etc.), the Ports will need to evaluate the potential environmental impacts of these future defined actions and determine whether a new or modified CEQA and/or NEPA document is needed. The Ports may conduct new environmental analyses or elect to rely on the environmental analyses previously evaluated by South Coast AQMD in the Final Program EIRs for the 2022 AQMP and 2016 AQMP. It is important to note that if the plans indicate that additional CEQA and/or NEPA documentation is needed, the plan development schedules may be delayed at that time.

The development of the proposed Cooperative Agreement has reflected a continual evolution of control measure MOB-01 over many years. While staff initially explored potential emission reduction requirements during the PR 2304 development, extensive public feedback clearly indicated the need to focus on zero-emission charging and fueling infrastructure as a critical first step to support the transition to the next generation of cleaner port technologies. As a result, PR 2304 narrowed its scope to infrastructure plans. The proposed Cooperative Agreement is

substantially similar to PR 2304 in its scope and objectives, albeit using a non-regulatory mechanism. Therefore, South Coast AQMD is fulfilling its obligation to implement “all feasible measures” as required by the Health and Safety Code. In addition, staff will continue negotiating additional measures for potential incorporation into the Cooperative Agreement as an amendment by Spring 2026. These additional measures will be designed to further the objectives of control measure MOB-01.

Response to Comment 4-4

Please see Main Responses 1 and 3 on the public process including incorporation of public input during the agreement development process.

Response to Comment 4-5

Please see Main Response 2 regarding enforceability and accountability through the agreement, Main Response 5 regarding emission reductions, Main Response 4 to address the infrastructure approach being an effort by the Ports already underway, Main Responses 1 and 3 regarding public process and how public input has informed the proposed agreement, and Main Response 8 regarding regulatory *versus* non-regulatory mechanism.

Written Comment #5 from Clean Energy

From: Todd R. Campbell <[REDACTED]>
Sent: Wednesday, September 17, 2025 8:34 AM
To: Ian MacMillan <[REDACTED]>; Sarah Rees <[REDACTED]>; Aaron Katzenstein <[REDACTED]>
Cc: Greg Roche <[REDACTED]>
Subject: [EXTERNAL] FW: **Document Available** Updated Ports Draft Cooperative Agreement

Good morning, Ian, Sarah, and Aaron:

I hope this e-mail finds you well. I took a quick read through the draft cooperative agreement and was actually surprised not to see any requirements for Omnibus-compliant trucks or even a plan to eliminate gate fees for said trucks. As you know, the federal actions not only have temporarily (and possibly permanently) removed both the Omnibus and CARB's 2010 standards for combustion engines. Remember, the 2010 standards were rescinded by CARB when the Omnibus was adopted. I am sure you share my concern that if the federal actions on the waivers hold, we will continue to see dirty engine purchases through 2026 and potentially through 2031 if EPA decides to roll back the 2027 standards for five additional years. If there are no financial or non-financial incentives to encourage fleets to purchase the cleanest ICEs, why would fleets purchase them and why would manufacturers make them?

Would you be open to meet with us before the workshop to discuss a possible plan to encourage clean combustion at the Ports. Specifically, would you be willing to explore a plan that encourages the ports to provide incentives for drayage fleets who buy engines that meet or exceed the Omnibus standard? I don't see how we ever reach attainment if we cannot encourage fleets that operate in the basin to make the right purchase decisions. I am including a list of actions that I provided to Lauren Sanchez and Steve Cliff earlier this month with the intent of finding ways to create more certainty for clean engine purchases. I think it would be really helpful to hold similar conversations with you to make sure we are getting every reduction possible from mobile source pollution.

Can we set up a time to discuss?

Thank you,

Todd

PS: I'm sure you have seen the attached UC Riverside/CE-Cert study, presentations, and further analysis by Energy Vision (<https://energyvision.substack.com/p/uc-riverside-study-forecasts-most>), but I am attaching them just in case.

Staff Response to Written Comment #5:

Staff will take into consideration the comment when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.



Los Angeles/Orange Counties Building and Construction Trades Council

Affiliated with the Building & Construction Trades Dept., AFL-CIO

September 18, 2025

To the esteemed Governing Board of the South Coast Air Quality Management District:

As Executive Secretary for the Los Angeles & Orange Counties Building & Construction Trades Council I write to respectfully request that South Coast Air Quality Management District (AQMD) not release the 75-day package for Proposed Rule 2304 Commercial Marine Ports in order to allow the Ports of Los Angeles and Long Beach and South Coast AQMD to finalize a cooperative agreement.

The cities, ports, and South Coast AQMD have reached mutual consensus on all of the agreement terms related to zero emission infrastructure planning, providing an alternative to Proposed Rule 2304. This agreement includes meaningful provisions on enforcement, transparency, and strategies to reduce emissions. The Ports are committed to bringing the agreement to our respective governing bodies as soon as practicable. This meets the standard in the motion approved at the August 1, 2025, meeting, and should serve as the basis to not release the rule package.

Over almost 45 days, representatives from the cities and ports convened more than 15 meetings with South Coast AQMD staff, totalling over 40 hours of joint discussion, and spent significant hours between meetings reviewing and responding to comments and preparing documents, demonstrating their shared commitment to reaching a meaningful and enforceable outcome.

We firmly believe that a Cooperative Agreement presents the most effective and collaborative path to achieving our shared clean air goals. The Ports are public agencies, which serve to support millions of jobs across the nation, and in our communities, and have led the way toward achieving historic emissions reductions. They will continue to do in collaboration with South Coast AQMD through a transparent public process, if given the chance to finalize this agreement.

Thank you for your consideration. We again, respectfully urge you to direct AQMD staff to not release the 75-day package for Proposed Rule 2304 Commercial Marine Ports and focus their work on the Cooperative Agreement as negotiated by the parties.

Faternally,

A handwritten signature in black ink, appearing to read "Ernesto Medrano".

Ernesto Medrano
Executive Secretary

EM: ag/OPEIU#537/afl-cio

Staff Response to Written Comment #6:

As directed by the South Coast AQMD Governing Board, staff did not release the 75-day package for PR 2304 and has developed a proposed Cooperative Agreement with the Ports for South Coast AQMD Governing Board approval.

Written Comment #7 from African American Farmers of California et al.



September 18, 2025

Vanessa Delgado
Governing Board Members
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

RE: California Business Community Supports Cooperative Ports Plan for Jobs and Growth

Dear Chair Delgado and Governing Board Members:

Southern California's economy is anchored by a trade and logistics network that supports nearly two million jobs and generates hundreds of billions in economic output. **To protect this vital system while advancing clean air goals, representatives of businesses large and small across the region voice their support of a cooperative agreement with the Cities and Ports of Los Angeles and Long Beach, on a plan to achieve clean-air goals.** A strategy built on collaboration will help protect Californians from higher prices, preserve thousands of well-paying jobs, and sustain the economic health of communities that depend on trade and logistics.

This effort comes at a time of significant supply chain challenges, including tariffs, infrastructure fee increases, and ongoing cost-of-living pressures for consumers. A rigid new mandate was unnecessary given the progress already being made under the Ports' Clean Air Action Plan. By choosing a cooperative approach, the Board is helping ensure that clean-air progress continues without destabilizing a supply chain that is critical to the region.

Southern California relies on strong ports and resilient supply chains to drive growth and opportunity. The ports are the backbone of a logistics network that supports nearly two million jobs across the region, including over 900,000 directly employed workers. This sector generates nearly half a trillion dollars in economic output annually and contributes over \$93 billion in tax revenues that fund essential local services, from public safety to schools and infrastructure. These figures represent livelihoods, small business stability, and the fiscal foundation of our communities.

These jobs are also high-quality jobs. The average annual wage in the trade and logistics sector is over \$90,000, more than 26 percent higher than the regional average across all industries. For many Southern California residents, especially in historically disadvantaged communities, these careers offer a pathway to the middle class.

The proposed ISR, if implemented, would have added new fees and regulatory mandates at a time when Southern California's trade and logistics businesses already face heightened competition from Gulf and East Coast ports, rising and uncertain tariffs on goods, infrastructure strain, and persistent workforce shortages. These businesses have invested heavily to comply with ambitious state and regional clean-air goals. The ports' cooperative plan avoids these risks while still moving forward with measures to improve air quality.

We urge the Board to move quickly to finalize and adopt this cooperative plan, ensuring that Southern California's economy remains strong while achieving continued improvements in air quality.

Thank you for your time and consideration.

Sincerely,

African American Farmers of California
Almond Alliance
The American Waterways Operators
APM Terminals
Building Owners and Managers Association of California
California Automotive Wholesalers' Association
California Building Industry Association
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Cotton Ginners and Growers Association
California Manufacturers & Technology Association
California Retailers Association
Californians for Affordable and Reliable Energy
Central Valley Business Federation
Dairy Institute of California
El Dorado Almonds
Enzo Olive Oil Company, Inc.
Everport Terminal Services
Garden Grove Chamber of Commerce
Gemini Shippers Association
Greater Coachella Valley Chamber of Commerce

Staff Response to Written Comment #7:

Please see Staff Response to Written Comment #6.



September 18, 2025

The Honorable Vanessa Delgado
Chair, South Coast AQMD Governing Board
21865 Copley Drive
Diamond Bar, CA 91765
Email: vdelgado@aqmd.gov

**Re: Request that South Coast AQMD not release the 75-day package
for Proposed Rule 2304 - Commercial Marine Ports**

Dear Chair Delgado and South Coast AQMD Mobile Source Committee Members,

On behalf of NAIOP SoCal and our over 1,200 Members deeply involved in Southern California's commercial real estate industry and goods movement sector, I write to respectfully request that the South Coast Air Quality Management District (AQMD) refrain from releasing the 75-day package for Proposed Rule 2304 - Commercial Marine Ports, in order to allow the Ports of Los Angeles and Long Beach and South Coast AQMD to finalize a cooperative agreement.

The cities, Ports and South Coast AQMD have reached mutual consensus on all of the agreement terms related to zero-emission infrastructure planning, providing an alternative to Proposed Rule 2304. This agreement includes meaningful provisions on enforcement, transparency and strategies to reduce emissions. The Ports are committed to bringing the agreement to each respective governing body as soon as practicable. This meets the standard in the motion approved at the August 1, 2025 South Coast AQMD Governing Board meeting, and should serve as the basis to not release the rule package.

Spanning nearly 45 days, representatives from the cities and Ports convened over 15 meetings with South Coast AQMD staff, totaling more than 40 hours of joint discussion. The parties spent significant hours between meetings reviewing and responding to comments and preparing documents, demonstrating their shared commitment to reaching a meaningful and enforceable outcome.

NAIOP SoCal firmly believes that a Cooperative Agreement presents the most effective and collaborative path to reach our shared clean air goals. The Ports are public agencies, which serve to support millions of jobs across the nation – and especially in our Southern California communities – and have led the way towards achieving historic emissions reductions. They will continue to do so in collaboration with South Coast AQMD through a transparent public process, if given the chance to finalize this agreement.

**NAIOP 2025 OFFICERS AND
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Jay Todisco, Ware Malcomb

David Wensley, Cox, Castle & Nicholson

Courtney Wing, Newcastle Partners

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Mihran Toumajan, Government Relations Manager

Becky Ezell, Director of Administration

Andrew Tallian, Director of Operations

Shelby Donine, Marketing & Communications Mgr.

Dianna Xochitlotzi, Coord., Programs and Events

Thank you for your serious consideration of this request. Again, NAIOP SoCal respectfully urges you to direct South Coast AQMD staff to refrain from releasing the 75-day package for Proposed Rule 2304 - Commercial Marine Ports, and focus their work on the Cooperative Agreement as negotiated by the parties.

Sincerely,

Mihran Toumajan

Mihran Toumajan
Manager of Government Relations
NAIOP SoCal

CC: Hon. Holly J. Mitchell, South Coast AQMD Mobile Source Committee Vice Chair
Hon. Larry McCallon, South Coast AQMD Mobile Source Committee Member
Hon. V. Manuel Perez, South Coast AQMD Mobile Source Committee Member
Hon. Nithya Raman, South Coast AQMD Mobile Source Committee Member
Hon. Carlos Rodriguez, South Coast AQMD Mobile Source Committee Member
Faye Thomas, South Coast AQMD Clerk of the Boards
Wayne Nastri, South Coast AQMD Executive Officer
Sarah Rees, Ph.D., South Coast AQMD Deputy Executive Officer
Ian MacMillan, South Coast AQMD Assistant Deputy Executive Officer
Elaine Shen, South Coast AQMD Planning and Rules Manager
Charlene Nguyen, South Coast AQMD Program Supervisor
David Libatique, Deputy Executive Director, Port of Los Angeles
Dr. Noel Hacegaba, Chief Operating Officer, Port of Long Beach

Staff Response to Written Comment #8:

Please see Staff Response to Written Comment #6.



VIA ELECTRONIC MAIL

October 1, 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- Concerns with Draft Cooperative Agreement Between AQMD and Ports of Los Angeles and Long Beach

Dear Chair Delgado and Members of the Governing Board:

The undersigned environmental justice, environmental, public health, and community organizations write to express deep alarm at the South Coast Air Quality Management District's (Air District) current course, which appears poised to abandon meaningful emission-reduction commitments for the next five years. Currently, the proposal is to sign an agreement for infrastructure planning, which includes a commitment from the Air District to not pursue regulations to clean the air for five years. This is the wrong place to start, especially since the only substantive item covered in the draft is exclusively on infrastructure and nothing else.

By giving away the thing the ports want – amnesty from regulation for five years on the front end – the Air District will be forsaking its commitment to the communities currently suffering from toxic port pollution, functionally asking them to hold their breath for five years. This deal is not fully baked, and the Governing Board should instruct staff to fully negotiate, conclude negotiations, and finalize the draft terms before presenting them to the Board for its consideration. It's worth noting that the Air District holds an important legal obligation to adopt and implement all feasible measures to come into compliance with state ambient air quality

Comment
9-1

standards.¹ The Air District should not rule out the prospect of the original ISR concept for PR 2304. The Board should be allowed to make the appropriate comparison to determine which path offers a better outcome for the air basin.

While we will have comments on the broader agreement during and before the community meeting on October 15, 2025, we ask the Air District Governing Board not to relinquish its commitment to the community. There are things the ports can and should do in the next five years to clean up deadly port pollution. Even though this agency has decided to pursue a voluntary approach for these entities, this does not mean the Governing Board should accept any agreement that comes to the agency.

Importantly, the ports themselves inserted the concept of including CAAP Plus measures in their July draft agreement. While these measures were woefully insufficient, the ports appeared poised to provide more commitments than just infrastructure planning. We do not understand why this agency is unwilling to negotiate for measures to clean up pollution in the next five years when it has a duty to protect communities like the Wilmington/Carson/Long Beach AB 617 community.

We recognize the ports and potentially South Coast AQMD staff may argue that they will negotiate these measures down the road, so it is fine to preemptively surrender your regulatory rights. But, this is irresponsible and may be an improper bargaining away of SCAQMD's police powers.

In addition, the Ports will have zero incentive to actually commit to more serious ways of reducing pollution and providing relief in the near term. The contractual mechanisms in the current agreement provide insufficient leverage to get the ports to make actual, meaningful commitments on the CAAP Plus Measures.

I. An Incomplete Agreement is Bad for the Public.

We want to be clear: staff is presenting an agreement that is only partially complete, surrenders rulemaking authority, drafted to focus narrowly on infrastructure planning, and the District is rushing this flawed agreement forward without sufficient community input. While a single community meeting is being scheduled and written comments are technically being accepted through the end of the month. These gestures cannot credibly be designed to actually ensure the private agreement is improved.

Comment
9-1,
Cont'd

Comment
9-2

¹ 17 CCR § 70600(b)(5)(A).

II. The Agreement Should Not Create Amnesty from Implementing MOB-01.

The 2022 AQMP could not have been clearer: meeting federal ozone standards requires deep, basin-wide NOx reductions through a comprehensive control strategy.² MOB-01 was designed to achieve this by addressing the full range of port-related sources—ocean-going vessels, locomotives, harbor craft, cargo handling equipment, and off-road heavy-duty vehicles—through an enforceable indirect source rule supported by incentives.³ The current version of the agreement would have the Air District not pursue any part of the broadly worded MOB-01 for a period of five years.

Comment
9-3

Ignoring emission reductions for five years is a gamble the region cannot afford to take. By last count, the region still needs to reduce NOx emissions—the key pollutant in ozone—by 67 percent over baseline levels by 2037, and about 83 percent below current levels just to meet the decade-old 2015 federal standard.³ In addition, the five-year period will coincide with the attainment date for the 2008 8-hour ozone standard. The District cannot tie its hands if it expects to meet its obligations.

III. This Agreement Prematurely Surrenders Rulemaking Authority and Abandons Impacted Communities.

The Revised Draft Cooperative Agreement leaves crucial elements undefined—including what constitutes “charging infrastructure,” “port sources,” and even “zero emissions.” It also defers the core actions needed to address port-related emissions to some unspecified future negotiation. An agreement with this many empty placeholders cannot credibly be described as meeting the objectives of MOB-01.

Worse still, the accompanying resolution directs staff not to pursue any rulemaking to fulfill AQMP Control Measure MOB-01 for five years. By relinquishing its rulemaking authority before terms are even defined, the District strips itself of all leverage to secure enforceable measures from the Ports before the infrastructure planning is fully complete. This approach not only undermines the AQMP’s commitments but also jeopardizes the attainment of federal standards and the health of the communities that continue to bear the heaviest pollution burdens.

Comment
9-4

IV. Demand a Complete Strategy for the Reduction of Emissions at the Ports before you are asked to vote.

We urge you not to accept an agreement that forecloses the prospect of reducing emissions for another five years. The cost of such a decision is clear—the loss of enforceable measures that

Comment
9-5

² South Coast Air Quality Management District, *South Coast AQMD Finalizes Most Ambitious Strategy to Cut Pollution: Comprehensive Zero-Emission Plan to Reduce Emissions Almost 70% by 2037*, Press Release, December 2, 2022; <https://www.aqmd.gov/docs/default-source/news-archive/2022/aqmp-adopted-dec2-2022.pdf>

³ SCAQMD, 2022 AQMP, p. 4-25.

October 1, 2025

Page 4 of 5

could catalyze a transition to zero-emissions technologies, set measurable reduction targets, and establish milestones with accountability and course-correction if measures fall short.

We urge you to reject this draft agreement and to keep rulemaking on the table as the central mechanism for achieving the AQMP's objectives.

Comment
9-5, Cont'd

Sincerely,

Fernando Gaytan

Senior Attorney

Earthjustice

David Pettit

Senior Attorney

Center for Biological Diversity

Lindsey Escamilla

Policy Organizer

Center for Community Action and Environmental Justice

Dori Chandler, MUP

Policy Advocate

Coalition for Clean Air (CCA)

Taylor Thomas

Research & Policy Analyst/Co-Executive Director

East Yard Communities for Environmental Justice

Sylvia Betancourt

Program Manager

Long Beach Alliance for Children with Asthma

Alison Hahm

Staff Attorney

Natural Resources Defense Council

Cristhian Tapia-Delgado

Climate Campaigner; Southern California

Pacific Environment

[Additional Signatories on Next Page]

October 1, 2025

Page 5 of 5

Peter M. Warren

Member

San Pedro & Peninsula Homeowners Coalition

Jennifer M Cardenas

Campaign Organizer

Sierra Club

Theral Golden

President

West Long Beach Association

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

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

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

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

Sincerely,

Dori Chandler
Policy Advocate, Coalition for Clean Air

Chris Chavez
Deputy Policy Director, Coalition for Clean Air

Cc:
Members of the South Coast AQMD Governing Board
Wayne Nastri, Executive Officer, South Coast Air Quality Management District
Sarah Rees, Deputy Executive Officer
Ian MacMillan, Assistant Deputy Executive Officer

Staff Responses to Written Comment #9:

Response to Comment 9-1

Please see Main Responses 6 and 7 regarding South Coast AQMD regulatory authority and the 5-year pause on rulemaking, Main Response 8 regarding regulatory *versus* non-regulatory mechanism, and Main Response 4 regarding additional CAAP Plus measures.

Response to Comment 9-2

Please see Main Response 3 on the public process including incorporation of public input during the agreement development process. Please see Main Responses 6 and 7 regarding South Coast AQMD regulatory authority and the 5-year pause on rulemaking.

Response to Comment 9-3

Please see Main Response 7 regarding the 5-year pause on rulemaking for MOB-01.

Response to Comment 9-4

Definition of terms used in the agreement, including “charging infrastructure,” “port sources,” and “zero-emission,” can be found in Attachment B of the proposed Cooperative Agreement.

Please see Main Response 7 regarding the 5-year pause on rulemaking for MOB-01.

Response to Comment 9-5

Please see Main Response 5 regarding emission reductions.

Written Comment #10 from Harbor Association of Industry & Commerce



October 13, 2025

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

RE: Support for Cooperative Agreement with Ports of Long Beach and Los Angeles

Dear South Coast AQMD Governing Board Members:

The Harbor Association of Industry & Commerce (HAIC) supports the draft Cooperative Agreement between South Coast AQMD and the Ports of Long Beach and Los Angeles. We urge the District to complete this agreement and pause work on Proposed Rule 2304.

The cooperative agreement provides a better path forward than direct regulation. The ports have demonstrated results through voluntary clean air programs. Since 2005, port operations reduced diesel particulate matter by 91%, nitrogen oxides by 72%, and sulfur oxides by 98%. This track record shows the ports deliver emission reductions without regulatory mandates.

The agreement addresses legitimate air quality concerns while recognizing operational realities. Zero-emission infrastructure requires massive investment in electrical systems, charging stations, and fueling facilities. This work must proceed carefully to avoid disrupting cargo operations that support regional jobs and economic activity.

The updated draft agreement released September 16, 2025 includes meaningful enforcement provisions and transparency requirements. The ports commit to detailed infrastructure plans across three phases through 2029. Annual reports will track progress. Financial penalties apply if ports miss deadlines. These provisions ensure accountability.

A cooperative approach allows flexibility that rigid rules cannot provide. Technology markets for zero-emission port equipment remain immature. Equipment costs remain high. Infrastructure requirements vary across different terminal operations. The agreement framework can adapt as technology advances and operational experience grows.

Direct regulation would impose one-size-fits-all requirements on diverse operations. Container terminals differ fundamentally from bulk cargo facilities. Drayage truck operations differ from cargo-handling equipment needs. The cooperative agreement allows tailored solutions for different operations while maintaining clear emission reduction goals.

Harbor Association of Industry and Commerce
6475 E. Pacific Coast Hwy. #400 Long Beach, CA 90803
www.harborassn.com

Harbor businesses support clean air objectives. Our member companies employ thousands of workers who live in communities surrounding the ports. We share the goal of reducing emissions that affect public health. The question is how best to achieve those reductions.

The cooperative agreement creates a framework for ports, tenants, and equipment operators to work together on infrastructure development. This collaborative approach will produce better results than adversarial compliance with prescriptive rules.

We request that South Coast AQMD:

Complete negotiations on the cooperative agreement Adopt the agreement at the earliest opportunity

Pause work on Proposed Rule 2304 for the five-year agreement term Report annually to the Governing Board on agreement implementation

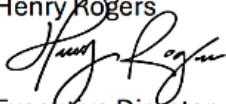
The August 1, 2025 Board motion established a standard for pausing rule development. The updated draft agreement meets that standard. Meaningful progress on enforcement and transparency provisions removes barriers to finalizing the agreement.

We appreciate the extensive work by District staff and port leadership to develop this framework. The cooperative agreement represents the best path forward for air quality improvement and economic vitality in the San Pedro Bay.

The HAIC will participate in the October 15, 2025 public meeting and welcomes continued dialogue on implementation. We stand ready to support our port partners and District staff in making this agreement successful.

Respectfully submitted,

Henry Rogers



Executive Director

Harbor Association of Industry & Commerce

cc: Port of Long Beach, Board of Harbor Commissioners
Port of Los Angeles, Board of Harbor Commissioners
HAIC Board of Directors

Staff Response to Written Comment #10:

As directed by the South Coast AQMD Governing Board, staff has developed a proposed Cooperative Agreement with the Ports. If approved by the South Coast AQMD Governing Board, the draft Board Resolution will direct staff to pause new rulemaking on port sources for the five-year term of the agreement, unless a future South Coast AQMD Governing Board determines and directs staff to pursue another direction. The draft Board Resolution will also direct staff to report annually to the South Coast AQMD Governing Board on the agreement implementation status.

Written Comment #11 from South Bay Association of Chambers of Commerce



October 13, 2025

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

RE: Support for Cooperative Agreement with Ports of Long Beach and Los Angeles

Dear South Coast AQMD Governing Board Members:

The South Bay Association of Chambers of Commerce (SBACC) supports the draft Cooperative Agreement between South Coast AQMD and the Ports of Long Beach and Los Angeles. We urge the District to complete this agreement and pause work on Proposed Rule 2304.

SBACC represents the 15 chambers of commerce across the South Bay region whose member businesses depend on efficient port operations for their economic vitality. Our chambers serve diverse business sectors—from manufacturing and logistics to retail, hospitality, and professional services. The ports are not just harbor facilities. They are economic engines that support regional supply chains, employment networks, and business growth across our entire community.

Proven Track Record of Results

The cooperative agreement provides a better path forward than direct regulation. The ports have demonstrated extraordinary results through voluntary clean air programs. Since 2005, port operations reduced diesel particulate matter by 91%, nitrogen oxides by 72%, and sulfur oxides by 98%. This track record shows the ports deliver meaningful emission reductions without regulatory mandates.

Our member businesses recognize and appreciate this progress. Many of our members operate in communities near the ports. They understand firsthand how air quality improvements benefit workers, residents, and families throughout the South Bay. The voluntary programs have worked. The cooperative agreement builds on that success.

Balancing Environmental Goals with Economic Realities

The agreement addresses legitimate air quality concerns while recognizing operational realities that affect the broader regional economy. Zero-emission infrastructure requires massive investment in electrical systems, charging stations, and fueling facilities. This transition must

South Bay Association of Chambers of Commerce
390 W 7th St, San Pedro, CA 90731
www.sbacc.com

proceed carefully to avoid disrupting cargo operations that support thousands of regional jobs and billions of dollars in economic activity.

South Bay businesses depend on reliable port operations. Importers need predictable cargo flow. Exporters need efficient shipping access. Logistics companies need functional infrastructure. Retailers need steady inventory movement. Service providers need stable commercial activity. The cooperative agreement protects these interests while advancing environmental goals.

Accountability Without Rigidity

The updated draft agreement released September 16, 2025 includes meaningful enforcement provisions and transparency requirements. The ports commit to detailed infrastructure plans across three phases through 2029. Annual reports will track progress. Financial penalties apply if ports miss deadlines. These provisions ensure accountability without the inflexibility of prescriptive regulation.

A cooperative approach allows adaptation that rigid rules cannot provide. Technology markets for zero-emission port equipment remain immature. Equipment costs remain high. Infrastructure requirements vary across different terminal operations. The agreement framework can adapt as technology advances and operational experience grows. This flexibility protects both environmental progress and economic stability.

Direct regulation would impose one-size-fits-all requirements on diverse operations. Container terminals differ fundamentally from bulk cargo facilities. Drayage truck operations differ from cargo-handling equipment needs. The cooperative agreement allows tailored solutions for different operations while maintaining clear emission reduction goals.

Regional Economic Impact

The South Bay's economic vitality depends on port efficiency. Our region hosts businesses across every sector of the supply chain. Manufacturers source materials through the ports. Distributors move goods through port-adjacent warehouses. Transportation companies serve port-related logistics. Professional service firms support port commerce. Small businesses throughout the region benefit from the economic activity ports generate.

Disruption to port operations creates ripple effects throughout our regional economy. Delayed cargo affects inventory management. Infrastructure problems affect delivery schedules. Regulatory uncertainty affects business planning. The cooperative agreement provides the stability and predictability our diverse business community needs while ensuring continued progress on air quality.

Our member chambers represent employers who provide thousands of jobs to South Bay residents. Many of these jobs connect directly or indirectly to port operations. The cooperative agreement protects this employment base while advancing environmental objectives that benefit the same workers and their families.

Collaborative Problem-Solving

The cooperative agreement creates a framework for ports, tenants, equipment operators, and regulators to work together on infrastructure development. This collaborative approach will produce better results than adversarial compliance with prescriptive rules. Our business community values this partnership model.

South Bay businesses support clean air objectives. We recognize the importance of environmental stewardship to public health and quality of life in our communities. The question is not whether to reduce emissions, but how best to achieve those reductions. The cooperative agreement answers that question with a practical, accountable, and flexible approach.

Our Request

We request that South Coast AQMD:

- Complete negotiations on the cooperative agreement
- Adopt the agreement at the earliest opportunity
- Pause work on Proposed Rule 2304 for the five-year agreement term
- Report annually to the Governing Board on agreement implementation

The August 1, 2025 Board motion established a standard for pausing rule development. The updated draft agreement meets that standard. Meaningful progress on enforcement and transparency provisions removes barriers to finalizing the agreement.

Moving Forward Together

We appreciate the extensive work by District staff and port leadership to develop this framework. The cooperative agreement represents the best path forward for air quality improvement and economic vitality in the South Bay region.

SBACC will participate in the October 15, 2025 public meeting and welcomes continued dialogue on implementation. We stand ready to support our port partners and District staff in making this agreement successful. Our member chambers are committed to clean air, economic prosperity, and collaborative solutions that serve the entire South Bay community.

Respectfully submitted,

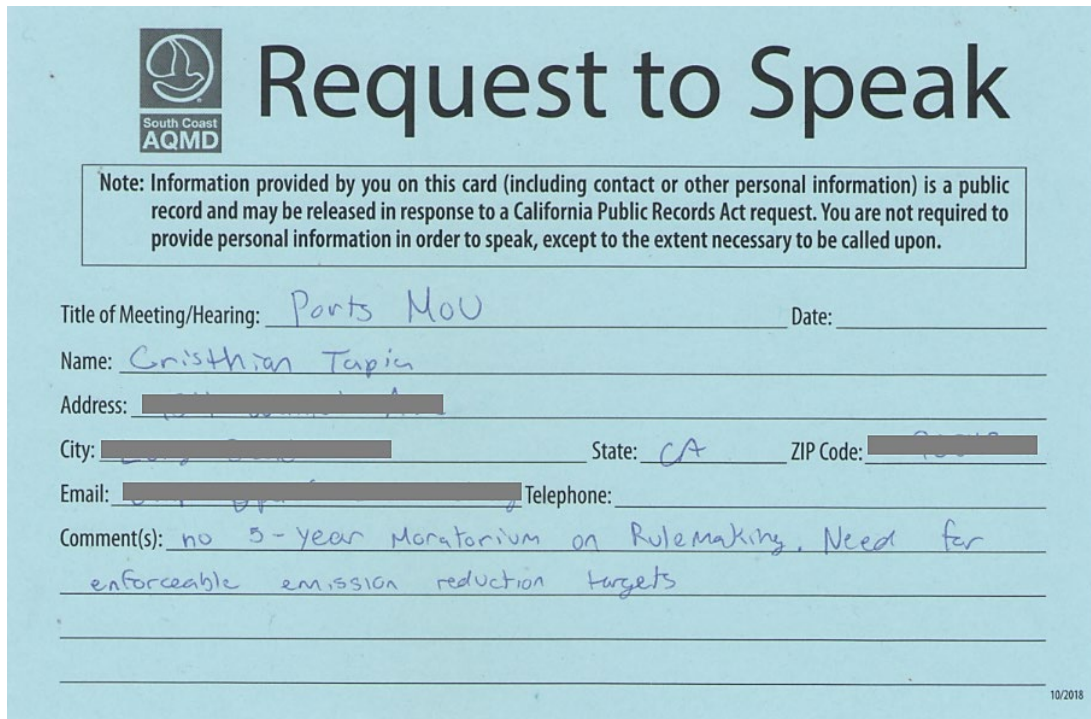


Kimberly Caceres
SBACC Board Chair

Staff Response to Written Comment #11:

Please see Staff Response to Written Comment #10.

Written Comment #12 from Cristhian Tapia, Pacific Environment



The image shows a "Request to Speak" form from the South Coast Air Quality Management District (AQMD). The form is light blue with a white header area. In the top left corner is the AQMD logo, which consists of a stylized 'A' inside a circle, with the text "South Coast AQMD" below it. To the right of the logo, the title "Request to Speak" is written in a large, bold, black font. Below the title, there is a note in a black-bordered box: "Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon." Below the note, there are several lines for handwritten information. The first line is "Title of Meeting/Hearing: Ports MOU" followed by "Date:". The second line is "Name: Cristhian Tapia". The third line is "Address:" followed by a redacted address. The fourth line is "City:" followed by a redacted city, "State: CA", and "ZIP Code:" followed by a redacted ZIP code. The fifth line is "Email:" followed by a redacted email address, and "Telephone:". The sixth line is "Comment(s): no 5-year moratorium on Rulemaking. Need for enforceable emission reduction targets". The form is dated "10/2018" in the bottom right corner.

Request to Speak

Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon.

Title of Meeting/Hearing: Ports MOU Date: _____

Name: Cristhian Tapia

Address: [REDACTED]

City: [REDACTED] State: CA ZIP Code: [REDACTED]

Email: [REDACTED] Telephone: _____

Comment(s): no 5-year moratorium on Rulemaking. Need for
enforceable emission reduction targets

10/2018

Staff Response to Written Comment #12:

Please see Main Response 5 regarding emission reduction targets. Please see Main Responses 6 and 7 related to the 5-year pause on rulemaking.

Written Comment #13 from Syreeta Clark, Long Beach Alliance for Children with Asthma

 **Request to Speak**

Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon.

Title of Meeting/Hearing: AQMD (Potential Cooperative Agreement) Date: 10/15/2025

Name: Syreeta Clark

Address: [REDACTED]

City: [REDACTED] State: CA ZIP Code: [REDACTED]

Email: [REDACTED] Telephone: [REDACTED]

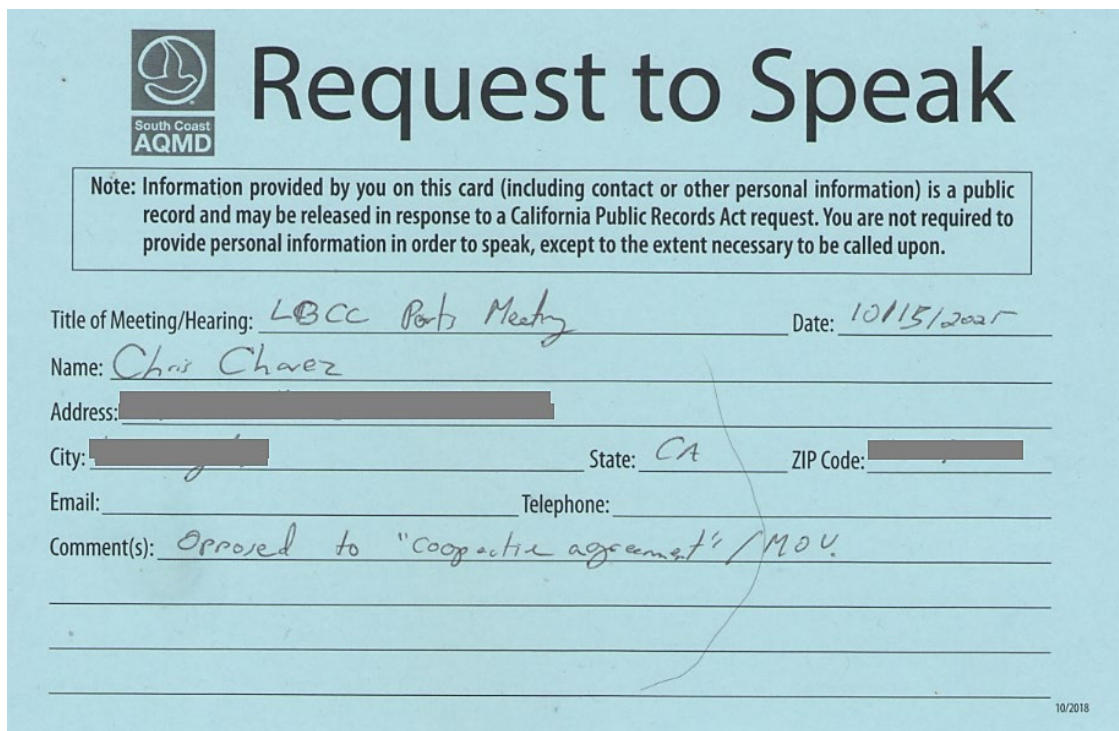
Comment(s):
Does AQMD understand the health risks of
allowing companies to work or function without
restrictions for any amount of years.

10/2018

Staff Response to Written Comment #13:

Please see Main Response 1 for the process of staff pausing rulemaking to focus on a potential cooperative agreement. Staff understands that port emissions impact air quality and public health. The proposed action is a critical first step to put infrastructure in place in order to facilitate the use of zero-emissions and other cleaner technologies to reduce emissions and improve public health.

Written Comment #14 from Chris Chavez, Coalition for Clean Air



The image shows a "Request to Speak" form from the South Coast Air Quality Management District (AQMD). The form is light blue with a dark blue header. The header includes the AQMD logo (a stylized 'A' inside a circle) and the text "South Coast AQMD". The main title "Request to Speak" is in large, bold, black font. Below the title is a note in a white box with a black border: "Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon." The form contains several fields for personal information, each with a horizontal line for writing. The fields are: "Title of Meeting/Hearing:", "Date:", "Name:", "Address:", "City:", "State:", "ZIP Code:", "Email:", and "Telephone:". The "Comment(s):" field is larger and has multiple lines. The form is filled out with handwritten text in black ink. The "Title of Meeting/Hearing:" field contains "LBCC Port Meeting". The "Date:" field contains "10/15/2025". The "Name:" field contains "Chris Chavez". The "Address:", "City:", and "ZIP Code:" fields are redacted with black boxes. The "State:" field contains "CA". The "Email:" and "Telephone:" fields are empty. The "Comment(s):" field contains "Opposed to 'cooperative agreement' / MOV." The bottom right corner of the form has the date "10/2018".

South Coast
AQMD

Request to Speak

Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon.

Title of Meeting/Hearing: LBCC Port Meeting Date: 10/15/2025

Name: Chris Chavez

Address: [REDACTED]

City: [REDACTED] State: CA ZIP Code: [REDACTED]

Email: _____ Telephone: _____

Comment(s): Opposed to "cooperative agreement" / MOV.

10/2018

Staff Response to Written Comment #14:

Please see the Main Responses which address key concerns identified with the proposed Cooperative Agreement.

Written Comment #15 from Theral Golden, West Long Beach Association

 **Request to Speak**

Note: Information provided by you on this card (including contact or other personal information) is a public record and may be released in response to a California Public Records Act request. You are not required to provide personal information in order to speak, except to the extent necessary to be called upon.

Title of Meeting/Hearing: PUBLIC MEETING Date: 10-15-2025
Name: Theral Golden
Address: [REDACTED]
City: [REDACTED] State: CA ZIP Code: [REDACTED]
Email: _____ Telephone: _____
Comment(s): Would The Contract be Extended beyond
Five Years for any reason, with your Reply be in
The Contract,
How Would The public know of any Infraction?
Does

10/2018

Staff Response to Written Comment #15:

Any extension of the Cooperative Agreement is under the decision-making authority of the South Coast AQMD Governing Board. The draft Board Resolution directs staff to return to the South Coast AQMD Governing Board prior to the end of the Cooperative Agreement and recommend whether to either extend, amend, or create a new Cooperative Agreement, or to pursue rulemaking

As part of the Board Resolution directing staff to report to the South Coast AQMD Governing Board on the implementation status of the agreement, staff will include any contract defaults as well as the resulting financial consequences rendered and any other outcomes that occurred in their report.

Written Comment #16 from International Longshore and Warehouse Union Locals 13, 63 and 94



630 S. Centre Street
San Pedro, CA 90731
(310) 830-1130 • Fax (310) 830-3489
www.ilwu13.com



350 W. 5th Street, Suite 200
San Pedro, CA 90731
(310) 521-6363 • Fax (310) 521-6343
www.ilwu63.net



180 E. Ocean Blvd, Suite 1020
Long Beach, CA 90802
(310) 832-1109 • Fax (310) 832-2142
www.ilwulocal94.org

October 21, 2025

Sent via Email to ports_comments@aqmd.gov

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Re: ILWU Locals 13, 63, and 94 Feedback- Draft Cooperative Agreement Between the South Coast Air Quality Management District, the City of Long Beach Harbor Department, and the City of Los Angeles Harbor Department

Dear South Coast Air Quality Management District,

International Longshore and Warehouse Union (“ILWU”), Locals 13, 63, and 94 write to provide feedback on the recent Draft Cooperative Agreement between the South Coast Air Quality Management District, the City of Long Beach Harbor Department, and the City of Los Angeles Harbor Department (“Draft Cooperative Agreement”).

As you know, ILWU Locals 13, 63, and 94 represents over 15,000 longshore workers, marine clerks, and foremen at the Ports of Los Angeles and Long Beach (“Ports”) as well as the foremen at the Ports of San Diego and Hueneme. No other group stands to gain more from cleaner port operations than our members, as we are the workforce with “boots on the ground” at the Ports and are intertwined with the Ports’ surrounding communities with 53% of our members residing within 5 miles of the Ports, and 74% of our members residing within 10 miles of the Ports.

The tremendous economic impact of the Ports within the South Coast Air Basin and beyond cannot be overstated. Our members have middle-class sustaining jobs with healthcare and retirement benefits that allow them to support their approximately 60,000 family members, as well as the local communities within the South Coast Air Basin and beyond. In addition, the Ports are responsible for over one million jobs in the counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, and nearly three million jobs nationwide. The Ports’ economic activity generated \$2.78 billion in state and local taxes, plus an additional \$4.73 billion in federal taxes, in 2022.

Based on this immense economic impact, the most glaring omission in the Draft Cooperative Agreement is its silence on the use of public funds to automate workers out of a job. For nearly a decade, legislation has prohibited the use of public funds or grants to require, incentivize, encourage, or otherwise promote the use of automated, remotely controlled, or remotely operated cargo handling equipment, or infrastructure to support such equipment.

This prohibition on misuse of public funds is not anti-innovation, rather, it is basic fiscal responsibility. As the ILWU has consistently argued: taxpayer money should not be used to put taxpayers out of work for the benefit of foreign-owned ocean carriers and their subsidiaries. If terminal operators seek to invest in expensive automation that eliminates California jobs, sound governance and responsible economic policy mandate that they do so with private capital, not public subsidies.

As such, we respectfully request that language be inserted into Section II(A)(1) of the Draft Cooperative Agreement reflecting the parties commitment to not “use public funds or grants, whether municipal, county, state, or federal funds or grants, to require, incentivize, encourage, or otherwise promote the use of automated, remotely controlled, or remotely operated equipment, or infrastructure to support automated, remotely controlled, or remotely operated equipment.”

Such a provision is a rational, balanced policy that protects middle-class union jobs, prevents taxpayer dollars from being used to automate those jobs away, and ensures continued environmental progress without destabilizing California's economic foundation.

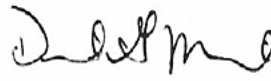
Sincerely,



Gary Herrera
President
ILWU Local 13



Danny Vilicich
President
ILWU Local 63



Daniel G. Miranda
President
ILWU Local 94

Ports Response to Written Comment #16:

The Ports acknowledge that Federal and State law restricts use of certain sources of funding to projects using human-operated equipment. Funds awarded under 42 US Code 7433 for the purchase or installation of zero-emission port equipment or technology are for “human-operated equipment or human-maintained technology”. Funds awarded under California Streets and Highway Code Section 2192(c)(3) “shall not be allocated to a project that includes the purchase of fully automated cargo handling equipment”, which means “...equipment that is remotely operated or remotely monitored, with or without the exercise of human intervention or control.” Funds can be used for “...the purchase of human-operated zero-emission equipment, human-operated near-zero-emission equipment, and infrastructure supporting that human-operated equipment...” and/or “...the purchase of devices that support that human-operated equipment, including equipment to evaluate the utilization and environmental benefits of that human-operated equipment.”

Written Comment #17 from Wilmington Chamber of Commerce



October 21, 2025

Wayne Nastri
Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Re: Support for the Proposed Cooperative Agreement between South Coast AQMD, the Port of Los Angeles, and the Port of Long Beach

Dear Mr. Nastri:

On behalf of the Wilmington Chamber of Commerce, representing hundreds of businesses across the Los Angeles Harbor area, I write to express our support for the Proposed Cooperative Agreement between the South Coast Air Quality Management District (AQMD) and the Ports of Los Angeles and Long Beach.

The Chamber recognizes the significance of this agreement as a practical, collaborative alternative to direct rulemaking under Proposed Rule 2304. Our members, many of whom operate within the Port complex or depend on port-related commerce, view this cooperative approach as a positive step toward achieving shared air quality and sustainability goals without compromising the region's economic vitality.

The 2025 Wilmington Chamber Policy Platform emphasizes three key priorities directly advanced by this agreement:

1. Accountable Enforcement:

The cooperative framework promotes consistency and transparency by defining clear milestones, monitoring procedures, and financial accountability for noncompliance. This aligns with the Chamber's call for balanced, predictable enforcement that provides businesses with clarity and fairness in how environmental standards are applied.

2. Infrastructure Investment and Innovation:

The Agreement's focus on Zero-Emission Infrastructure Plans (ZE Plans) reflects the Chamber's long-standing advocacy for strategic infrastructure upgrades that support both environmental progress and local economic opportunity. The transition to zero-emission cargo-handling and trucking infrastructure, when implemented collaboratively, creates new pathways for local contractors, workforce training, and green job development.

3. Collaborative Governance:

The Chamber supports the continued partnership between the Ports, AQMD, and local stakeholders. Establishing clear public engagement mechanisms—such as open virtual office hours and annual reporting—advances our Platform's commitment to inclusive, data-driven decision-making that reflects community and business perspectives.

We encourage AQMD and the Ports to maintain flexibility as implementation proceeds. Ongoing engagement with local business stakeholders will be essential to ensure that regulatory objectives are met in a way that sustains competitiveness, promotes job stability, and accelerates investment in zero-emission infrastructure.

The Wilmington Chamber of Commerce appreciates the opportunity to participate in this process and supports the Cooperative Agreement as an effective, results-oriented model for addressing air quality challenges through partnership rather than prescriptive regulation.

Sincerely,



Monica Garcia-Diaz
Chief Executive Officer
Wilmington Chamber of Commerce

Staff Response to Written Comment #17:

South Coast AQMD's mission is to clean the air and protect the health of all residents in the South Coast Air District through practical and innovative strategies. The strategies and control measures may be implemented in both regulatory and non-regulatory mechanisms. As demonstrated in the 2022 AQMP Figure 1-4, the region continues to experience economic and jobs growth despite the implementation of clean air control measures and strategies over the past decades.

Written Comment #18 from Coalition for Clean Air



October 21st, 2025

Chair Delgado and Members of the Governing Board
South Coast Air Quality Management District (South Coast AQMD)
21865 Copley Drive
Diamond Bar, CA 91765

Email: vdelgado@aqmd.gov
Clerk of the Board: cob@aqmd.gov

SUBJECT: Port and AQMD Negotiation Concerns and Feedback

Dear South Coast Air Quality Management District Governing Board and Staff,

We are writing to follow up regarding the ongoing negotiations between the Port and AQMD, on a contract between the two entities. A regulatory framework, such as an Indirect Source Review Rule, is the most proven, effective, and straightforward way to achieve AQMD's stated goals of reducing air emissions in the region. Strong rules send a signal to both those that are regulated and to the broader marketplace to help accelerate changes in behavior. The warehouse indirect source rule, CARB At-Berth regulations, Commercial Harbor Craft rule, and Ocean-Going Vessel Fuel Regulation, for example, have delivered significant public health benefits, reduction in emissions, and needed modifications to behavior. Conversely, the withdrawal of the Advanced Clean Fleet regulations have slowed down ZEV adoption, as some fleet owners no longer have motivation to invest in clean equipment.

Given the South Coast AQMD's lack of will to pass a rule, however, we believe that the proposed voluntary agreement with the ports can be made better in several ways. Since actions speak louder than words, we would like to see these incorporated into the agreement:

1. The end goal of either a rule or voluntary measures must be the reduction in emissions from the ports. These reductions must be permanent, enforceable, quantifiable, and surplus. Voluntary measures on their own have rarely achieved the emission reductions necessary to clean our air. For example, it is not clear that the airport memoranda of understanding (MOU) has achieved significant emission reductions from the five major airports. The ports' recent emission inventories, which showed that port emissions increased over the past year, underscore the limits of voluntary measures like the CAAP.
 - a. *Please incorporate into the agreement estimated emissions reductions from each infrastructure project planned. This can be from the estimated number of pieces of equipment decommissioned or another measure.*

Comment
18-1

b. <i>Please describe if there are increases of emissions forecasted due to more TEUs, how will the ports and terminal operators prevent emissions increases from these?</i> c. <i>Please include target setting measures on the percent utilization of infrastructure projects developed as part of this agreement in the implementation section (uptime of infrastructure used). This should include how the ports will achieve this through mechanisms such as green laning, green appointment times, percent TEU moves by ZEVs, etc.</i>	Comment 18-1, Cont'd
2. The ports have listed the following as potential for delays and offramps: a. If grants are not allocated as planned: i. <i>If the grants are for planning, the ports should provide us with the data on how much the ports think this infrastructure planning will cost. Can the ports provide sufficient funds to have the plan expenses covered without relying on grants?</i> ii. <i>If these grants are for implementation and they are repealed due to unforeseen circumstances (ex federal government) then the ports must provide data on who is responsible for the grant commitments being nullified and any actions they are taking to remedy these.</i> b. If there are delays with the infrastructure that utility providers can provide. Utility providers already have infrastructure plans in place and say they can provide the ports with adequate supply (they articulated as such at the Mobile Source Committee Meeting 10-17-25). i. <i>We would like to know what the timeline is for construction, who the entity is that is responsible for permitting and licensing, and what is being done to expedite these processes and for this data to be made available to the public.</i>	Comment 18-2 Comment 18-3
3. How is SCAQMD going to get the commitments of SCE and LADWP in this process? i. <i>What is the role of CEC and CPUC in this process?</i> ii. <i>What measures are being put into place to expedite permitting and licensing?</i> iii. <i>What can local governments and agencies do to expedite timelines on their end.</i> iv. <i>This plan should also determine how terminal operators will plan to have redundancy and back-up built into their power systems that are not heavily polluting (ex, installation of renewable energy or micro-grids).</i>	Comment 18-4
4. Public Process and Public Input. Similar to how the Offshore wind roundtables have worked at POLB there should be periodic (bimonthly or quarterly) meetings with stakeholders to update community members on what progress is being made on the plans and to have accountability integrated in. These roundtable discussions should be a safe space to provide community input, troubleshoot issues, and provide updates. These can be mirrored on how the AQMD process worked for PR 2304 with different groups invited to attend depending on the area of focus (fleet operators, harbor craft, pilots, etc). The following stakeholders should be invited to be at the table and this process should be paid for by the ports and facilitated by AQMD: i. <i>Community Organizations - public health and environmental, etc.</i> ii. <i>Community representatives under AB617, including Community Steering Committees as well as the South Coast AQMD's EJ Advisory Group</i> iii. <i>OEMs that are providing equipment</i> iv. <i>Terminal operators</i> v. <i>AQMD staff (including AB 617 staff as well as team that worked on this agreement)</i> vi. <i>POLB and POLA Staff</i> vii. <i>Utility Providers</i> viii. <i>Labor Groups</i>	Comment 18-5

ix. <i>Consultants: those conducting the emissions inventory and those writing the Infrastructure plans</i>	Comment 18-5, Cont'd
5. It is unclear where current revenue from violations will be spent. It seems that the tidelands trust gets a primary decision-making directive (and the port commissioners will approve where it can go). Only after \$100,000 does public notice get triggered. This is antithetical to a violation amount where the violator gets to designate where the monies are spent. a. <i>The monies need to be spent on reducing port emissions and the public should have a say in this.</i> b. <i>Violation amounts should be higher starting at \$50,000 for Tier 1, \$100,000 Tier 2, and \$150,000 for Tier 3.</i>	Comment 18-6
6. Public health support and data. a. <i>There needs to be a parallel Public Health Study funded such as the CASPER study and survey, that looks to monitor and assess the health impact of communities on a continuous basis. This should cover impacts to Wilmington, San Pedro, West Long Beach, and can strengthen ongoing efforts at air quality health impact monitoring.</i>	Comment 18-7
7. Efficiency Measures Inclusion a. <i>Efficiency measures such as Universal Appointment Terminal System systems with green appointment systems need to be made a part of the infrastructure planning process. There needs to be an expedited effort to complete these software modifications in line with Phase 1 ZE plan for drayage.</i>	Comment 18-8
8. A backstop measure to all of this must be the implementation of immediate rule-making without delay. The Governing Board relinquishing regulatory authority is antithetical to this effort. a. <i>The resolution should be modified to remove a regulatory pause on ALL-rulemaking for five years and instead focus on an infrastructure ONLY-regulatory pause.</i> b. <i>The other five CAAP+ measures should not be beholden to a pause since they are not yet negotiated.</i>	Comment 18-9
While we acknowledge that no process is perfect, the current proposal and process can be made much better in order to ensure success, reduce pollution, and encourage public participation. These five years cannot be yet another delay in needed emission reductions. This is part of AQMD's mandate and the responsibility of all appointed and elected officials in our region. This frankly, is your most fundamental responsibility. With no major emissions reductions made during the last year and up to 10 tons/day of reduced emissions off the table from the failure of Rules 1111 and 1121 to pass, it is time to do something meaningful and impactful. We hope you will address each of our suggestions and incorporate them into your final agreement and future CAAP+ measures negotiations.	

Sincerely,



Dori Chandler

Policy Advocate, Coalition for Clean Air

Cc:

South Coast Governing Board Members

Wayne Nastri, Executive Officer, SCAQMD

Ian MacMillian, Assistant Deputy Executive Officer, SCAQMD

Sarah Rees, Deputy Executive Officer, SCAQMD

Susan Nakamura, Chief Operating Officer, SCAQMD

Responses to Written Comment #18:

Staff Response to Comment 18-1

Please see Main Response 5 for a discussion on the scope of the Cooperative Agreement in relation to emission reductions. Information regarding the annual progress reports on the implementation of the Airport MOUs, including emissions, can be found here:

<https://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan/facility-based-mobile-source-measures/commercial-airports-mous/mou-progress-reports>.

Further, the draft Board Resolution has been updated to now include direction to staff to analyze potential emissions benefits of using the infrastructure included in the port zero-emission infrastructure plans.

As for ports and terminal operators addressing emission increases due to increases in cargo throughput, this suggestion is outside of the scope of the current proposed agreement.

Regarding any target setting measures related to infrastructure and cleaner technology usage, staff will take your suggestions into consideration when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Ports Response to Comment 18-2

The Ports will evaluate and pursue funding for eligible plans and projects as they deem appropriate. Further, project cost estimates and funding sources for implementation are among the data provided in the Plans.

Staff Response to Comment 18-3

Utilities may be a Project or Energy Delivery Entity specified in the Ports' infrastructure plans and may be consulted with by the Ports for development of the plans. If a utility is specified as either entity for project(s) identified in a plan, the plan must have information on project scheduling for construction of the utility work, entity(s) that are responsible for related permitting and licensing, and any considerations for utility work processes that minimize disruption to port operations while maintaining timely progress toward project completion. Staff will share with the public the infrastructure plans and the subsequent annual reports containing implementation progress of the plans, which are required to give information on whether project milestones were met and the reason(s), entity(s) involved, and mitigative steps taken if there is any delay in meeting a milestone.

Staff Response to Comment 18-4 (questions i. through iii.)

SCE and LADWP do not have roles in this agreement; however, they may be a Project / Energy Delivery Entity specified in the ZE Plans, and may be consulted by the Ports to prepare the On-Port Energy Supply Capacity Analysis in the Plans. CEC and CPUC also do not have roles in this agreement and are not anticipated to be a project delivery entity identified in the infrastructure plans. CEC is the agency overseeing energy policy and planning for the state, while CPUC is the regulating agency for privately owned utilities, such as SCE. The work to develop and implement the ZE plans can inform what CEC and CPUC could potentially do toward energy planning for the state. Staff is engaged with these entities and is kept apprised of their latest efforts toward zero-emissions charging and fueling infrastructure for the state and this region. Utility providers and other related planning agencies discussed their recent efforts at the South

Coast AQMD Governing Board's Mobile Source Committee meeting on October 17, 2025:
<https://www.aqmd.gov/home/news-events/webcast/live-webcast?ms=DWz32JPEd9k>.

Permitting and licensing requirements as well as timelines will be detailed in the ZE Plans for each project included. By developing the ZE infrastructure plans required through this agreement, this provides a way for all the necessary information and steps by required entities, including the Ports, to deliver the infrastructure projects (e.g. energy delivery to project site by utilities, licensing to operate charging and/or fueling stations from local governments, issuing of required permits from agencies including to begin construction, etc.). Coordinating this effort into comprehensive plans will help to ensure projects proceed as expeditiously as possible.

Ports Response to Comment 18-4 (question iv.)

Redundancy and back-up power systems are not specifically required as Plan elements, but may be addressed either within and/or outside of the Plans, as appropriate.

Ports Response to Comment 18-5

The Cooperative Agreement contains a robust public process to ensure significant public input from all stakeholders is received as plans are developed. The specific approach that each port will take for updating all stakeholders will be determined as work under the Cooperative Agreement advances. It is anticipated that updates on progress will be shared in Annual Reports prepared pursuant to the Cooperative Agreement, at CAAP Stakeholder Advisory Group meetings, and in various public forums established by each port to guide its plan development and implementation.

Staff Response to Comment 18-5

South Coast AQMD staff will also continue to provide regular updates to the existing AB 617 Community Steering Committees on the agreement implementation status including information received on the Ports' infrastructure plans and their annual reports.

Ports Response to Comment 18-6

Port funds are subject to Tidelands Trust provisions, even if transferred to a third party. As stated in section L. 1., the Clean Air Fund is managed by South Coast AQMD, and the procedures in section L.4 are structured to comply with Tidelands Trust requirements. To streamline the Tidelands Trust compliance process, the Ports will seek approval by Boards of Harbor Commissioners of a pre-approved list of potential mitigation project types, which South Coast AQMD shall publish with their request for projects. If new projects are selected outside the scope of the pre-approved list, the Ports may consult with California State Lands Commission (CSLC) staff and seek Port Board approval if CSLC staff opines it is dissimilar to the Port Board-approved list or may be inconsistent with the Tidelands Trust requirements.

For further clarification on the scope and variety of potential projects that may be considered eligible, the following project types have been deemed Tidelands-compliant by CSLC under the Port of Long Beach Community Grants Program:

- Doors and/or windows replacement
- Air filters and HVAC
- Buffer parks and open space

- Trees and landscaping
- Health programs (related to respiratory/ cardiopulmonary conditions)
- Energy efficiency upgrades (such as LED lighting)
- Renewable energy projects (solar)
- Zero-emission fleet vehicles and chargers
- Bicycling infrastructure
- Pedestrian infrastructure
- Traffic-calming measures
- Sound insulation
- Noise barriers – soundwalls, noise berms
- Multi-benefit regional projects
- Stormwater infiltration or retention
- Stormwater capture or reuse
- Stormwater treatment

Staff Response to Comment 18-6

Staff's intent for spending the funds from the Clean Air Mitigation Fund is to benefit communities most impacted by port pollution, including potential port emission reduction projects, which is consistent with the Tideland Trust requirements. The proposed Cooperative Agreement was updated to now indicate that prior to spending any of the mitigation funds, the South Coast AQMD will conduct a public meeting and allow for written public comments to get public input on how monies should be spent.

Regarding financial consequences due to defaults, the payment amounts were revised to \$50,000 for Tier I, \$100,000 for Tier II, and \$200,000 for Tier III.

Staff Response to Comment 18-7

The suggested study is outside the scope of this current version of the Cooperative Agreement. However, Ports and South Coast AQMD staff will take this suggestion into consideration when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Staff Response to Comment 18-8

Thank you for the suggestions. South Coast AQMD staff will take these into consideration when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Staff Response to Comment 18-9

See Main Responses 6 and 7.



VIA ELECTRONIC MAIL

October 22, 2025

Ian MacMillan
Deputy Executive Officer
South Coast Air Quality Management District
Email: imacmillan@aqmd.gov; ports_comments@aqmd.gov

Re: Comments on Proposed Draft Cooperative Agreement with Ports of Long Beach and Los Angeles Released October 10, 2025

Dear Mr. MacMillan:

We submit these comments on the Draft Cooperative Agreement with Ports of Long Beach and Los Angeles released October 10, 2025 (Draft Agreement). Our position has always been clear: rulemaking remains the strongest approach for reducing emissions and protecting public health. It offers transparency, enforceability, and accountability—values that are still lacking from the proposal. The process that produced this Draft Agreement has underscored exactly why. Closed-door discussions have yielded a document still missing critical elements, yet it is being rushed for a vote alongside a resolution asking the Board to effectively bar rulemaking for five years. We urge you to choose a different path.

This proposal focuses solely on infrastructure planning. If this limited-scope agreement is being proposed, the accompanying resolution should be similarly limited in scope. A resolution that severely halts **any** rulemaking on additional port-specific measures, contravenes the 2022 Air Quality Management Plan (AQMP) and the District's duty to protect the public. If there is any hope of gaining public trust in this agency, this reckless waiver of the agency's authority should be reconsidered.

This letter also addresses concerns regarding the structure of the agreement, identifies missing essential elements, and offers suggestions for enhancing transparency and community engagement. Since this Draft Agreement focuses solely on one aspect—zero-emission infrastructure planning—we reserve our comments on the additional, yet undeveloped measures for future discussions.

Comment
19-1

I. The Five-Year Embargo On Rulemaking is Ill-Advised, Premature, and Undermines the District’s Mandate to Improve Air Quality and Protect Public Health

The Draft Agreement includes an unprecedented provision that would prohibit South Coast AQMD from pursuing **any** rulemaking related to port sources for a period of five years. This limitation is both premature and unsound, particularly given that the agreement itself remains incomplete and lacks many of the substantive elements necessary to achieve its stated objectives.

In the Recitals, the Parties state that “it is the intent of the Parties that this Agreement generally meets the objective of the rulemaking elements under AQMP MOB-01, for sources at Ports of Long Beach and Los Angeles.” It further specifies that “[a]bsent further agreement...or further direction by the Governing Board of South Coast AQMD, this agreement is intended to serve as an alternative to any South Coast AQMD-developed **indirect source rule** ...”¹ Yet Section II.D of the Draft Agreement explicitly leaves placeholders for several source categories including ocean going vessels, drayage trucks, cargo-handling equipment, harbor craft, and on-port locomotives— each of which is essential to any comprehensive indirect source rule. These categories remain entirely undefined, with no framework, commitment, or schedules for emission reduction.

Adopting a five-year moratorium on rulemaking under these circumstances would effectively lock in an incomplete agreement that lacks the necessary terms to fulfill its own stated intent. The District would be forgoing its primary regulatory authority without any assurance that the agreement covers the full range of emission sources contemplated by AQMP MOB-01.

Despite statements from some Board members, staff, and agency leadership in recent presentations asserting that the District will retain its rulemaking authority, it is undeniable that such an unequivocal instruction to staff will, in practice, thwart opportunities to go beyond measures the Ports have already conceived. Pre-signing away regulatory power in this way undermines the AQMP, the District’s negotiating leverage, and the agency’s core public health obligations.

The much-discussed “90-day walk-away” clause is inadequate as a safeguard. The issue is not whether the Parties can exit a defective agreement, but whether the District can retain enforceable checkpoints, measurable milestones, and clear backstops that rules can provide if expectations are not met. The clause is far from a “clean exit.” It requires an extensive meet-and-confer process and the prospect of private mediation which can further mire progress through expensive procedural delay for months, if not years. Rather than serving as an “escape valve,” it

Comment
19-2

¹ Proposed South Coast AQMD-POLB-POLA Cooperative Agreement, released October 10, 2025, p.5, § C.1.

risks perpetuating the status quo while constraining the District's ability to pivot to stronger measures.

To more accurately describe the scope of what is currently before the Board, the Recital should be revised to: "*the purpose of this Agreement is to meet objectives of AQMP MOB-15, relating specifically to zero-emission infrastructure planning at the Ports.*" This would align the document with its true, limited focus. A resolution by the Board, if this Draft Agreement is adopted, should similarly be limited in scope. A five-year embargo on rulemaking across all port sources—particularly when critical components remain undeveloped—is ill-advised, inconsistent with AQMP mandates for enforceable emission reductions, and contrary to the public health mission of the District.

Comment 19-2,
Cont'd

II. Infrastructure Planning Must Be Anchored to Emission-Reduction Targets

Port leadership has publicly stated that their proposed measures will deliver "quantifiable emission benefits."² For those assurances to have any meaning, measures on infrastructure planning must explicitly link infrastructure planning to measurable air pollution reduction outcomes.

As the District considers which path to take for zero-emission infrastructure planning alone, it is essential that these measures be structured around clear, measurable emission-reduction targets. Infrastructure investment is not an end in itself; it is a means of achieving quantifiable emissions reduction benefits.

Comment
19-3

Zero-emission infrastructure planning measures that the District adopts, and the substantial investments it makes, cannot be treated merely as construction projects or equipment pilot programs—they must be explicitly tied to the air quality and public health outcomes the air basin must achieve, as identified in the 2022 AQMP. The Ports have already demonstrated an ability to produce emission-reduction projections and set targets. For example, their earlier clean-air initiatives in the Clean Air Action Plan 2017 Update established reduction benchmarks for NO_x, SO_x, and diesel particulate matter relative to 2005 levels.³ Those experiences show that the Ports are capable of quantifying predictable emission reductions and tracking performance when required to do so.

Accordingly, any measure the District adopts on zero-emissions infrastructure planning should require that each plan submitted by the Ports:

² Gene Seroka & Mario Cordero, *A Path Forward to Cleaner Air at the Ports*, ORANGE COUNTY REGISTER (July 31, 2025), <https://www.ocregister.com/2025/07/31/gene-seroka-and-mario-cordero-a-path-forward-to-cleaner-air-at-the-ports/>

³ Letter from Wayne Natri, Exec. Officer S. Coast Air Quality Management Dist., to Gene Seroka, Exec. Dir., Port of L.A., & Mario Cordero, Exec. Dir., Port of Long Beach (September 18, 2017).

- **Quantify planned emission reductions** (criteria pollutants and GHGs) enabled by the proposed infrastructure; identifying the relevant equipment categories, deployment volumes supported, and timelines;
- Include a **scoring or evaluation mechanism** assessing projects for their projected emission-reduction potential and deployment feasibility;
- Establish **interim milestones and target years** consistent with the AQMP and regional attainment deadlines;
- **Prioritize investments** that yield the most significant near-term reductions and accelerate zero-emission technology deployment; and
- Establish **clear guidelines and criteria** for establishing targets and reporting outcomes.

By tying infrastructure planning to specific emission-reduction targets, the District can ensure that investments and plan development remain purpose-driven, transparent, and accountable. Anything less risks transforming infrastructure measures into process steps divorced from performance outcomes that matter to the air basin. Any infrastructure planning measure the District adopts must make clear that success will be judged by actual emission reductions and community health improvements, not by the number of chargers or projects planned.

To ensure these infrastructure measures deliver on their promise, they must also include robust monitoring, evaluation, and course-correction mechanisms. Establishing targets is only meaningful if the District retains the authority and data to determine whether the most relevant outcome, improved air quality, is being achieved. The measures adopted should therefore require regular progress reports, independent verification, and defined checkpoints at which the District can reassess performance and, if necessary, pursue further rulemaking or other enforceable actions. Infrastructure planning must remain a dynamic, adaptive process that responds to real-world results and keeps the Basin on track towards clean air.

III. Reporting, Public Health Baselines, and Community Participation Should Be Integrated into Infrastructure Planning Measures.

To ensure accountability, transparency, and measurable health benefits, any measure the District adopts must include strong provisions for reporting, community participation, and public health evaluation. These components are crucial for tracking real progress toward the emission-reduction and health-equity goals that the Parties acknowledge are essential. These goals are not just relevant to the harbor area, but also impact residents living throughout the South Coast Air Basin. For this reason, the District must insist on more robust reporting and data sharing where available—especially with respect to reported outcomes.

A. Public Health Baseline and Measurement of Progress.

A credible reporting and evaluation process begins with a baseline assessment of community health conditions. The measure that the District adopts should require that a health-impact

Comment
19-3,
Cont'd

Comment
19-4

baseline be established at the outset of implementation, beginning with the submission of the first infrastructure-planning materials. This baseline must capture respiratory and cardiovascular indicators, cancer-risk levels, and exposure data for residents living near ports, associated rail facilities, and freight corridors.

There is strong precedent for this approach. Under the California Air Resources Board's 2005 Statewide Railyard Agreement with railroad companies, the parties agreed to prepare railyard emissions inventories in addition to health risk assessments for 17 major railyards statewide, which CARB reviewed and used to produce health risk assessments between 2007-2009. That agreement explicitly contemplated uniform criteria to assess toxic air contaminants at railyards, serving as an initial health baseline to track progress and guide mitigation.⁴

Ports and industry stakeholders who stand to gain from the deployment of zero-emission infrastructure should help fund and participate in this process, regardless of which path the District adopts. Establishing a baseline ensures progress can be measured over time, that emission-reduction claims are grounded in real-world outcomes, and that the District can verify whether adopted measures will deliver on its obligation to protect public health.

B. Reporting and Transparency

Any adopted measure must require regular and transparent reporting that allows the public and policymakers to track performance over time. Reporting should:

- Be targeted with completion of phased infrastructure planning, with interim updates during early implementation phases;
- Quantify emission reductions relative to established baselines;
- Include metrics on technology deployment, infrastructure utilization, public health impacts, and associated pollution reductions; and
- Be published online in a publicly accessible format with archived data for independent review.

Importantly, the current proposal delays the first annual report until **2029** —a year before the Ports' own 2030 deadlines for achieving 100% zero-emissions in certain categories. That timing is far too late to provide meaningful accountability or allow the District to course correct. Instead, annual reporting should begin with the first phase for infrastructure planning, following a staggered schedule aligned with each planning phase. A Phase I Annual Report should be submitted the year following the initial plan approval to assess the pace of implementation and verify early results.

⁴ California Air Resource Board, *Railyard Health Risk Assessments and Mitigation Measures*, Available at: <https://ww2.arb.ca.gov/resources/documents/railyard-health-risk-assessments-and-mitigation-measures>, last visited October 21, 2025.

Comment
19-4,
Cont'd

Comment
19-5

As part of that first phase, commercial harbor craft should be explicitly included in planning requirements. During the 2024 working group process, several harbor craft operators indicated they were ready to transition to zero-emission technology but required terminal cooperation to ensure adequate charging capacity. Elevating this category into Phase I would align with both readiness and opportunity for early emission reductions.

Comment
19-5, Cont'd

C. Community Access and Participation

Accountability also depends on direct involvement from impacted communities in evaluating outcomes. Any measure the District adopts should establish a Community and Public Health Advisory Panel, composed of representatives from AB 617 communities from throughout the basin, local public health advocates, and residents most affected by freight and port pollution. This panel should:

- Play a role in evaluating initial plans submitted and revisions as well as review periodic progress reports and provide recommendations directly to AQMD staff and the Governing Board;
- Participate in public evaluation sessions where updated data and milestones are presented; and
- Help prioritize mitigation and infrastructure investments that facilitate more equitable distribution of benefits and considerations.

Comment
19-6

To ensure meaningful public participation, the process for developing and reviewing draft plans must be substantially strengthened. The current proposal for brief review windows is insufficient and should be bolstered. AQMD and the Ports must engage community stakeholders early and often, before plans are finalized, and allow time for substantive input during development. Once draft plans are released, the public review period should extend well beyond 14 days prior to a vote. At a minimum, a 90-day public comment period should be provided for any proposed revision or plan update. More robust engagement with communities ensures transparency, informed participation, and builds trust in the process.

Such a framework also ensures that evaluation of progress is informed by both scientific expertise and lived experience, and reinforces the principle that environmental justice communities must not only be consulted but have continuing and meaningful roles in oversight, decision-making, and co-design of measures to improve conditions for their communities.

D. Checkpoints and Course Correction

Any measure ultimately adopted should include clear checkpoints and triggers to evaluate whether emission-reduction and public health milestones are being met. Where progress lags, the District must retain full authority to pivot to stronger actions, including new rules and

Comment
19-7

enforcement measures. This ensures flexibility, accountability, and alignment with the AQMP's objectives.

Regular, phase-based reporting—beginning early in implementation—will also allow the District to identify and address hurdles, recalibrate priorities, and accelerate policy requirements and investments in underperforming areas. This structure provides both the transparency and responsiveness necessary to ensure that adopted measures deliver real, timely, and measurable pollution reduction benefits to the basin's most impacted communities.

Comment
19-7, Cont'd

IV. Definitions, Need for Clarification, and Drafting Concerns

In addition to the previously identified concerns regarding the drafting of the recitals and objectives of the proposed agreement, particularly the need to align them more closely with the limited, infrastructure-only provisions currently before the Board, there remain significant clarity and drafting issues that must be addressed. These issues relate to both the key definitions and to provisions that would improperly constrain the District's authority.

A. Mitigation Funding and Ill-Defined Tidelands Trust Nexus Requirement

The Draft Agreement's proposed mitigation fund structure raises substantial legal and practical concerns. As drafted, it would arbitrarily subject the South Coast AQMD to the Tidelands Trust Doctrine, despite the District not being a trust grantee and having no specific jurisdictional nexus. Subjecting a regional air quality agency to a legal framework intended to advance commerce, navigation, and other waterway preservation issues, rather than public health and air pollution control, is both inappropriate and illogical.

The proposed structure would limit the District's discretion to direct mitigation funding toward needed projects flowing from air quality and community health priorities identified in this process and instead tether those decisions to the largely economic and recreational purposes of the Tidelands Trust. The effect would be to shift control over mitigation resources away from the regulatory agency charged with protecting the basin's air and back toward the very agencies whose actions necessitated the mitigation in the first place.

Comment
19-8

Compounding this problem, the projects that will be subject to the Tidelands Trust Doctrine have yet to be specifically identified. The Board is effectively being asked to approve an incomplete framework and only later learn from the Harbor Commissions which projects, funds, or facilities will be covered by these restrictions. This is yet another instance demonstrating how the agreement expected to go to a vote remains unfinished and undefined. The District should not forego its authority to administer mitigation funds—presumably derived from defaults or violations of the agreement, only to have their use dictated by the same Parties responsible for those breaches.

It would be absurd for the District, whose jurisdiction encompasses 17 million residents across four counties, to voluntarily subject itself to a tidelands doctrine designed primarily to protect commerce, navigation, and land use rather than public health. To enter a binding agreement now, without even knowing which projects are subject to the Tidelands Doctrine or what limitations that will entail, and do so while simultaneously waiving the District's future regulatory authority, is indefensible.

The District should instead retain full administrative control over any mitigation funds it collects and establish a Community Health Impact Advisory Council, inclusive of impacted-community representatives, to guide and prioritize the use of those resources in alignment with the District's own statutory mission. If the District needs to understand which port-managed properties are subject to the doctrine for other reasons, then said properties should be explicitly identified in the Agreement and explained avoid any jurisdictional confusion.

B. Definition of Key Terms

The Draft Agreement also lacks clarity in its operative definitions, further demonstrating how the document is incomplete and in need of revision before Board consideration.

- **Definition of "Zero Emissions"**: The reference to "zero-emission fuel type" should be deleted. The definition of "Zero Emissions" sufficiently focuses on the outcome: the absence of criteria pollutants and greenhouse-gas emissions at the point of operation. The definition for "Fuel Type" proposed in PR 2304 more appropriately keeps these two concepts separate. The version in the Draft Agreement confusingly conflates the two.
- **Definition of "Milestone"**: The Draft Agreement should clearly define milestones as **specific, measurable progress markers** tied to emission-reduction outcomes, reporting obligations, and evaluation checkpoints. This will ensure accountability and enable course correction by the District when goals are not being met.
- **Definition of "Financial Infeasibility"**: The term must be narrowly and objectively defined. The inability to secure a grant, the loss of a single funding opportunity, or aversion to a grant requirement cannot, alone, constitute financial infeasibility. Before invoking infeasibility, the Ports must demonstrate that all other funding avenues, including the prospect of using their own reserves and reinvestment opportunities, have been exhausted. Otherwise, this term becomes a loophole allowing the Parties to avoid commitments whenever external funding proves inconvenient.

Finally, it is unclear why other functional definitions from the last draft of PR 2304 were not included. These basic terms, including what is meant by *construction*, *design*, and *energy demand*, in addition to *harbor craft*, *drayage truck*, *cargo handling equipment*, *ocean-going vessel*, *locomotive*, and *switcher*, all seem fundamental to a clear understanding of what the Draft Agreement is proposing and what commitments will be made.

Comment
19-8,
Cont'd

Comment
19-9

V. Conclusion

To close, we urge the District to take the time needed to get this right. We strongly favor rulemaking. The measures ultimately adopted must be enforceable, transparent, and centered on public health with clear targets, early reporting, community oversight, and full accountability for results. We stand ready to continue working with staff to develop strong, durable measures that deliver real emission reductions in the end and ensure that community voices are heard throughout the process. This work must begin by preserving the District's ability to use all tools at its disposal, including rulemaking, as measures to implement the AQMP are being created.

Comment
19-9, Cont'd

Thank you for considering our comments.

Sincerely,

Fernando Gaytan
Senior Attorney
Earthjustice

Jennifer M. Cardenas
Campaign Organizer
Sierra Club

Alison Hahm
Staff Attorney
Natural Resources Defense Counsel

Cristhian Tapia-Delgado
Climate Campaigner
Pacific Environment

Marven E. Norman
Environmental Policy Analyst
Center for Community Action and Environmental Justice

Theral Golden
Organizer
West Long Beach Association

Paola Vargas
Long Beach Organizer
East Yard Communities for Environmental Justice

Peter M. Warren
Spokesperson
San Pedro & Peninsula Homeowners Coalition

MacMillan, SCAQMD

10 of 10

October 22, 2025

CC: Elaine Shen, Planning & Rules Manager

Email: eshen@aqmd.gov

Dr. Sarah Rees, Deputy Executive Officer

Email: SRees@aqmd.gov

Responses to Written Comment #19:

Staff Response to Comment 19-1

Please see Main Responses 1 and 3 regarding the shift from rulemaking to development of a Cooperative Agreement and the public process during this development. Please see Main Response 5 regarding emission reductions. Please see Main Response 6 regarding the pause on rulemaking.

Staff Response to Comment 19-2

Please see Main Responses 6 and 7 regarding the pause on rulemaking and addressing MOB-01.

The objective of the Cooperative Agreement is to implement the new CAAP measures in Section II.D. and Attachment A to directly reduce emissions and/or facilitate future quantifiable emission reductions from port-related operations. Installing port ZE infrastructure is the critical first step to facilitate the long-term emission reductions from the ports, which is the intent of Attachment A. The additional CAAP Plus measures in Section II.D. are subject to future negotiations, to be pursued immediately if the current agreement is approved, with the opportunity for public input to define the framework, commitments, and schedules of the port-source categories. Negotiation on the additional measures requires additional time and this segmented approach allows an expeditious pathway to address the critical first step of infrastructure development. Regarding the 90-day exit clause, based on stakeholder feedback, the ability for South Coast AQMD to exit the contract was reduced from 90 days to 45 days in order to maintain the ability to quickly pivot through future South Coast AQMD Governing Board action if conditions change. Regarding private mediation, this is an option and not a mandatory step per language in the proposed Cooperative Agreement (“Any dispute not resolved in the normal course of business may be submitted for mediation by the Parties [...]”).

Staff Response to Comment 19-3

Please see Main Response 5 on emission reduction targets. In addition, the draft Board Resolution was revised to direct staff to calculate potential emissions benefits of using the infrastructure included in plans.

For interim milestones and target years, the Ports are required to set planning targets for port zero-emission infrastructure as specified in Section A.2.b. of Attachment A of the Cooperative Agreement as well as Port milestones and their anticipated timelines for each identified infrastructure project as specified in Sections A.2.e.i. and A.2.e.ii. of Attachment A. Ports can establish as many planning targets and milestones as the plans and identified projects call for based on their own policies and goals as well as other considerations. When the Ports’ draft/revised draft plans are received by South Coast AQMD or their draft plans released to the public for review, both South Coast AQMD and the public can weigh in on the milestones and infrastructure planning targets set in the plans as it relates to air quality policies and attainment goals.

The proposed agreement requires regular progress reporting of plan implementation following approval on an annual basis, verification of the infrastructure plans by South Coast AQMD, and regular reports to the South Coast AQMD Governing Board on the implementation status of the agreement.

Ports Response to Comment 19-3

Each project will be developed in conjunction with the individual operators and applicable users. Considerations include emission-reduction potential, deployment feasibility, operational impacts, and cost feasibility. Although there will not be a quantitative scoring or evaluation mechanism, the Ports and operators strive to plan for cost-effective projects.

Staff Response to Comment 19-4

A health impact assessment and/or health risk assessment are outside of the scope of this proposed agreement, which solely focuses on infrastructure planning and implementation. However, staff appreciates the suggestion and will take this into consideration when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Staff Response to Comment 19-5

Annual reporting, milestones updates, and making plans publicly accessible are required in the proposed agreement. The draft Board Resolution will direct staff to calculate potential emissions benefits of using the infrastructure included in the plans, which would require use of baselines. Metrics on technology deployment, infrastructure utilization, public health impacts, and associated pollution reductions are the next phase following infrastructure development, which is the focus of the current proposed agreement. However, staff will consider this suggestion when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026. As for the first annual report required from the Ports to be due in 2029, this is approximately 13 months (about one year, as suggested in the comment) following the approval of the first Phase 1 Plan, which is no later than December 31, 2027. Staff agrees that the annual reporting should align with timeline as each plan is developed; thus, a one-year timeframe to report on the plan implementation is appropriate to allow for significant progress to be demonstrated on the delivery of the infrastructure projects, and the first annual report is due approximately one year following the Phase 1 Plan approval.

Ports Response to Comment 19-5 (regarding harbor craft)

The Ports are currently working on a number of initiatives related to harbor craft infrastructure planning. The Ports are funding several new Technology Advancement Program projects for zero-emission harbor craft, and the Port of Long Beach is overseeing an incentive program to accelerate the deployment of zero-emission harbor craft. These early deployments will provide critical information for a comprehensive harbor craft infrastructure plan, but the Ports need time for these projects to proceed to learn from them. The Ports will continue to work on harbor craft infrastructure efforts – including installation of necessary charging infrastructure – even as they develop the infrastructure plan pursuant to this Cooperative Agreement.

Staff Response to Comment 19-6

Please see Ports Response to Comment 18-5.

Figure 1 below shows the plan development process and multiple periods for public participation. The public process is designed to balance the need for public input as well as the time needed to prepare plans and expeditiously move to implementation.

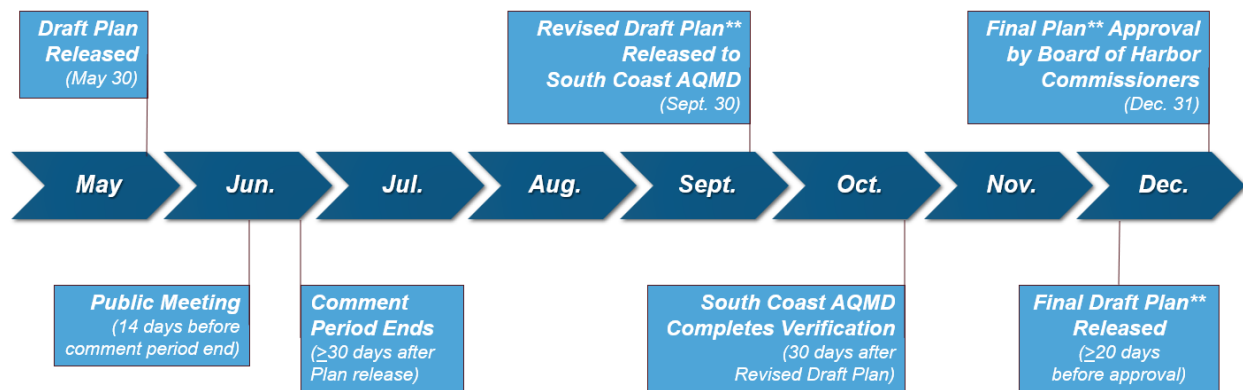


Figure 1. Development Process and Key Due Dates for Each Phase Plan

Staff Response to Comment 19-7

The proposed Cooperative Agreement and Board Resolution include the checkpoints, flexibility, and accountability described in the comment. Staff will regularly report to the South Coast AQMD Governing Board and the public on the progress being made for each phase of plan implementation. The ports will also be conducting their own public processes in parallel as they develop their infrastructure plans.

Staff Response to Comment 19-8

Please see Response to Comment 18-6.

Staff Response to Comment 19-9

For the purposes of this proposed agreement, it is appropriate to have definitions for “Zero-Emission” and “Zero-Emission Energy Type” as the first describes the type of technology to be charged or fueled by the planned infrastructure, and the second describes the type of energy to be supplied by the planned infrastructure. This distinction is needed as they each refer to different concepts.

Sections A.2.e.i. and A.2.e.ii. of Attachment A designate milestones as role(s), whether primary or secondary, that the Port has in an infrastructure project and the anticipated timeline that the Port is expected to complete this role. Staff believes that milestones are clearly defined in these sections and appropriately demonstrate specific, measurable progress toward completion of a project toward a planning target as specified in the plan.

Construction and design are expected to be phases in the proposed project schedules to be provided in the plans. However, definitions of specific phases are project-dependent, and thus, it is more appropriate that they be described in the infrastructure plans rather than as a definition in the agreement. Energy demand is not a term included in the proposed agreement, so it was not included in Attachment B.

As for the definitions for each port emission source category to be included in the ZE Plans (i.e., cargo-handling equipment, drayage trucks, local switcher locomotives, harbor craft, and ocean-going vessels), the types of equipment, vehicles, or vessels in each category will be consistent with how the Ports have classified them in their annual emissions inventory reports since 2005. For local switcher locomotives, they refer to the locomotives used for on-port switching

operations in the emissions inventory reports. For drayage trucks, they are referred to in the emissions inventory reports as heavy duty vehicles servicing the Ports' terminals, most of which are also registered in the Ports' Drayage Truck Registry. For more details, please see: <https://www.portoflosangeles.org/environment/air-quality/air-emissions-inventory> (for the Port of Los Angeles) and <https://polb.com/environment/air/#emissions-inventory> (for the Port of Long Beach).

Ports Response to Comment 19-9

The Ports' Boards of Harbor Commissioners are required to prioritize their budgeting and expenditures to operate, and make capital improvements to operate, their respective Ports, as required by their City Charters and Tidelands Trust requirements. As the Ports' budgets have limitations and are affected by changes in available grant opportunities and business circumstances beyond their control, such as international trade and tariff policies and resultant fluctuating cargo volumes, it is possible for necessary operational priorities to reduce the available budget for zero-emissions expenditures. If adjustments due to financial infeasibility affect timelines for meeting interim milestones, South Coast AQMD will be notified and updates will be identified in Annual Reports. If any adjustment due to financial infeasibility will result in modifications to achieving Planning Targets, those modifications will be considered through a public process including requiring action by the Ports' Board of Harbor Commissioners.

Written Comment #20 from Pacific Merchant Shipping Association



Ian MacMillian
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Heather Tomley
Port of Long Beach
415 West Ocean Boulevard
Long Beach, California 90802

David Libatique
Port of Los Angeles
425 South Palos Verdes
San Pedro, California 90731

Delivered via e-mail: ports_comments@aqmd.gov

Subject: Comments on Proposed Cooperative Agreement between South Coast Air Quality Management District and the Ports of Long Beach and Los Angeles

Dear Mr. MacMillian:

Thank you for the opportunity to provide comments on the proposed Cooperative Agreement between the South Coast Air Quality Management District (SCAQMD) and the Ports of Long Beach and Los Angeles. On behalf of its members serving the Ports of Long Beach and Los Angeles, the Pacific Merchant Shipping Association (PMSA) wishes to express its support for the Cooperative Agreement.

The proposed Cooperative Agreement exemplifies the collaborative approach that has successfully reduced diesel emissions in and beyond the San Pedro Bay port complex by 90%. The Cooperative Agreement will plan and implement a zero-emissions infrastructure plan faster and with less uncertainty than what would have been possible through a regulatory approach. In addition, given the recent changes in regulation and policy at a national level and the subsequent follow-on effects in California, a collaborative approach is more sustainable, will engender high levels of participation, and is more likely to succeed at reducing more emissions faster and with less potential disruption.

While PMSA supports the Cooperative Agreement, there are a number of technical issues that should be addressed within the agreement.

Comment
20-1

Protect Business Confidential Information

Marine Terminal Operators and Ocean Carriers compete on a number of bases; this includes environmental performance. PMSA's members have been working on reducing emissions, improving efficiency, managing costs, and facilitating economically feasible decarbonization for over 20 years. To that end, every decarbonization strategy that has been implemented in San Pedro Bay has been unique. This reflects the innovation and competitiveness that the maritime industry brings to finding solutions for complex operational problems. And, decarbonization continues to be among the most challenging and most capital-intensive problems facing the industry today.

As a result of these concerns, and especially because there exists the potential for business winners and losers with respect to the nature, location, timing, and scale of the implementation of port-related infrastructure, the processes embodied by the Cooperative Agreement must protect the confidential business information that is part and parcel of developing a decarbonization strategy.

PMSA strongly recommends that the Cooperative Agreement explicitly protect Business Confidential information. Moreover, whenever any specific private terminal or carrier information is utilized, we request that the Cooperative Agreement direct that a method similar to data collection for the ports' annual emissions inventory be used: engage a third party that to collect data, protect that data through non-disclosure agreements, and submit aggregated, anonymized data through tenant's respective ports. This will ensure that confidential data is protected and provide terminal operators and ocean carriers with the confidence to participate in data collection efforts.

Comment
20-2

Schedules Must Accommodate Any Need to Modify Leases

One outcome of infrastructure planning and development for zero-emissions infrastructure will likely be the need to modify existing leases within the harbor complex, as zero-emissions infrastructure will ultimately require significant investments on the part of both the ports and their tenants. These financial commitments will require a long-term horizon in order to make such investments viable.

The Cooperative Agreement contains an accelerated schedule to develop and begin implementing an infrastructure plan. However, it is unclear how the development of that plan will interact with any future lease modifications that may be required or if the plans themselves would incorporate the impact of future lease negotiations on schedule. Alternatively, it is unclear if the plans intend to avoid addressing lease negotiation timeline considerations by limiting plan scope to areas outside leased premises. Either way, PMSA urges SCAQMD and the ports to address the interplay of the Cooperative Agreement and leases upfront in their infrastructure plans by allowing for schedules to accommodate any needed lease modifications.

Comment
20-3

Addressing Uncertain Technology Pathways and Planning for Demonstration Setbacks

The ultimate zero-emission technologies that will be used throughout San Pedro Bay remain uncertain. One of the outcomes of this technology uncertainty is encountering inevitable technology dead ends.

Comment
20-4

Whether it is operational constraints, range limitations, financial constraints, or other equipment parameters, some of the demonstrations will not be successful. This will result in new deployments starting anew with an upgraded technology platform. While some will view this as a failure, it is, in fact, a feature of technology development. This process is already ongoing in San Pedro Bay and needs to be reflected in any infrastructure planning. For example, several significant zero-emission deployments have already been rendered obsolete and will need to be wholly replaced. However, it is unclear how the Cooperative Agreement or subsequent infrastructure plans will accommodate this process. PMSA encourages SCAQMD and the ports to be explicit in how this normal, natural, and good faith technology development process will be accommodated throughout the term of the agreement.

The recent changes in the regulatory framework nationally and, as a result, in California serve only to increase this uncertainty and, possibly, delay equipment deployments. For example, with respect to cargo-handling equipment, both electrification and hydrogen remain contenders, including a possible mix of technologies. Until terminal operators understand which technologies will meet their operational needs, and which decarbonization pathways may be favorably or unfavorably viewed by regulators and utilities, the infrastructure plans envisioned under the Cooperative Agreement need to be sufficiently adaptable to allow both technologies to be supported.

Similarly, from a vessel perspective, alternative maritime fuels are the most likely candidate to further decarbonization. Approximately 80% of new, large containership orders are natural gas- or methanol-capable. However, their use in San Pedro Bay will be contingent on the availability of alternative fuels in San Pedro Bay. Yet, natural gas or methanol may not be the vessel fuel endpoint, with possibilities such as hydrogen and ammonia among future possible contenders. Again, infrastructure plans must be sufficiently adaptable to allow for this shifting landscape. PMSA requests that the Cooperative Agreement reflect this uncertainty and encourage future infrastructure planning to support the current dual fuel fleets and remain fuel agnostic.

Maintain Flexibility for Changing Circumstances

Over the past five years, the port complex has seen a pandemic, a significant cargo decline, a significant cargo surge, and multiple rounds of tariffs, among the backdrop of all the other issues facing the maritime industry and Southern California. The Cooperative Agreement is a more flexible vehicle to deal with changing economic conditions than a regulatory approach could ever be. That flexibility should be emphasized. Ultimately, an economically successful port is necessary for an environmentally successful port. The transition to zero-emissions will be long and expensive. The only way to ensure the resources are available to fund this transition is by ensuring that this port complex can attract the cargo that will generate the necessary revenue. If the plan is not flexible it will risk cargo diversion. With cargo diversion, Southern California will lose twice. First, the ports and their tenants will lose the resources necessary to fund the transition. Second, it will divert cargo to less environmentally sustainable ports that will further slow decarbonization.

Comment
20-4,
Cont'd

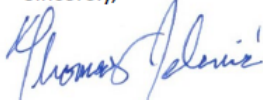
Comment
20-5

Conclusion

PMSA supports the Cooperative Agreement. The transition to zero emissions in San Pedro Bay will be difficult and expensive. This agreement represents the best chance to complete that transition successfully. PMSA encourages SCAQMD and the Ports of Long Beach and Los Angeles to consider the comments presented here that will strengthen the agreement, create agreement resiliency, feasibility, and flexibility, and ensure that the Ports and their customers will be capable of meeting the challenges of future circumstances without damaging our economic competitiveness.

PMSA looks forward to working with the staff of SCAQMD, Port of Long Beach, and Port of Los Angeles through the implementation of the Cooperative Agreement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas Jelenić".

Thomas Jelenić
Vice President

Comment
20-6

Responses to Written Comment #20:

Staff Response to Comment 20-1

Staff acknowledges the significant emission reductions from port sources compared to the 2005 levels. State, federal, and international regulations are important driving forces behind these reductions, which are also facilitated by numerous local efforts including grants and incentives, port and industry initiatives, and community advocacy for actions.

Staff Response to Comment 20-2

In order to fulfill its role of reviewing and verifying plans as specified in the agreement, South Coast AQMD will need terminal level information as it pertains to the content required for the ZE infrastructure plans. South Coast AQMD routinely handles and protects business confidential information for many of the 28,000+ facilities that we regulate, including withholding trade secret information from the public and other facilities, consistent with South Coast AQMD's Guidelines for Implementing the California Public Records Act. (available at:

<https://www.aqmd.gov/docs/default-source/default-document-library/Guidelines/praguidelines.pdf>).

Ports Response to Comments 20-2

If the Ports believe confidential information is included within a plan, annual report, or draft plan modification, the Ports will submit these in two formats. One version shall be unredacted and marked confidential (i.e., trade secret or confidential business information), and another version that has redacted all information that the Port believes should be kept confidential consistent with South Coast AQMD's Guidelines for Implementing the California Public Records Act.

Staff Response to Comment 20-3

The proposed agreement anticipates that in developing their infrastructure plans the Ports may need to work with their tenants to seek negotiations on potential amendments to leases and/or operating agreement if such amendment(s) are deemed necessary by the Port as to its own tenants (see Section I.C.6. of the proposed Cooperative Agreement and Section D.2.a.v. in Attachment A of the agreement). The infrastructure plan development takes into consideration port and tenant operations including any lease negotiations necessary to proceed with zero-emission infrastructure projects on tenant premises (see Section A.3. ZE Plan Considerations in Attachment A). If additional time is needed beyond the draft, revised draft, or proposed final ZE plans to allow the Ports and their tenants to work out any details going into the plan related to any necessary potential lease negotiations, the Ports can request for time extensions to these plan deadlines. If lease negotiation timeline(s) impact the anticipated project delivery timeline(s) and potentially a planning target set in a final approved plan must change, the Ports can prepare a plan modification to accommodate this change.

Staff Response to Comment 20-4

In developing the infrastructure plans, the Ports will need to consider the state of the technology and industry market as well as feasibility for each source category, as provided in Section B.3.j. in Attachment A, and the agreement anticipates that there may be changes in technology pathways as more information becomes known, technologies are tested and/or advanced, and investment decisions change. The agreement has built in processes to accommodate this concern by allowing for plan modifications.

Staff Response to Comment 20-5

Staff recognizes the changing circumstances at the ports as it relates to cargo and the expressed need for flexibility. As stated in Section I.C.3 of the proposed agreement, the proposed agreement is not intended to limit cargo volume. There are processes built into the agreement to allow for flexibility, which include:

- Ability to modify a plan if the original plan is not feasible and the modification(s) is more appropriate;
- A force majeure clause (Section II.J.);
- A walk-away provision stating that at any point during the term of the proposed agreement any party may choose to withdraw from the agreement, provided a 45-day notice; and
- Board Resolution language where the South Coast AQMD Governing Board will direct staff to recommend to the South Coast AQMD Governing Board, before the end of the term of the agreement, to amend or create a new agreement.

Staff Response to Comment 20-6

Please see responses above.



October 22nd, 2025
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Delivered electronically: ports_comments@aqmd.gov

RE: Comments on Potential Cooperative Agreement with the Ports of Long Beach and Los Angeles; Protecting the Health of Inland Empire Communities

Dear SCAQMD staff,

We, the undersigned organizations serving and representing Inland Empire communities, stand in firm opposition to the proposed Cooperative Agreement in its current form. While collaboration toward clean air goals is essential, this agreement, as written, fails to protect the health of millions of Southern California residents and undermines urgently needed accountability measures. We urge the South Coast Air Quality Management District (SCAQMD) staff to adopt changes that address concerns about the deliverability and lack of accountability that this measure presents.

For decades, communities across the Inland Empire have lived with the consequences of unchecked port pollution. Nearly 40% of the nation's imported goods move through the Ports of Los Angeles and Long Beach¹, traveling east along the I-10, 60, and 215 corridors into our neighborhoods. The result of this high volume goods movement is some of the worst air quality in the country, with children in Riverside and San Bernardino counties suffering some of the highest asthma rates in California², and frontline communities experiencing increasing risk of heart and lung disease, cancer, and premature death.

Our region bears the brunt of the state's goods movement economy, yet we are often left out of decisions made at the ports that shape our air, our health, and our climate future.

¹ https://www.portoflosangeles.org/references/news_091721_speedcargo

² <https://www.lung.org/research/sota/city-rankings/states/california>

Comment
21-1

The proposed Cooperative Agreement and Board resolution would halt new clean air rulemaking for five years without any binding guarantees that meaningful progress will occur during that time. This pause would come at the expense of the most overburdened communities in Southern California, including those of us in the Inland Empire who live with daily freight traffic and diesel exhaust from the port's supply chain.

Comment
21-1,
Cont'd

We cannot afford five more years of delay.

We urge the Ports and SCAQMD to adopt the following amendments before approving this MOU:

Comment
21-2

1. Include a failsafe accountability clause: If either the agreement is nullified before its intended termination date or the Ports consistently fail to meet agreed-upon actions, SCAQMD should automatically restart the PR 2304 rulemaking paused by the Resolution to ensure emission reductions are achieved.
2. Establish mandatory milestones and progress reporting: The agreement should require transparent, public benchmarks for achieving the Clean Air Action Plan (CAAP) 1-5 goals, including regular quantification of emission reductions, technology adoption rates, and community engagement updates. This measure is necessary for SCAQMD, stakeholders, and community to gauge if and how progress is being made compared to agreed-upon actions from the Ports.
3. Set clear emissions targets and independent monitoring: Define measurable air quality outcomes with independent verification to ensure the Ports are truly reducing pollution and not simply shifting emissions elsewhere. Emissions data is also integral to gauging potential health benefits to residents of the air basin.

Comment
21-3

Without these amendments, this Cooperative Agreement risks becoming a shield for inaction, allowing continued harm to the Inland Empire and the broader Southern California region.

Our communities deserve a living agreement, one that drives measurable progress, centers environmental justice, and prioritizes health over convenience. We urge the Ports and the SCAQMD Board to strengthen this MOU before adoption and ensure it reflects real accountability to the residents most affected by port pollution.

Comment
21-4

As SCAQMD considers this and future agreements, a fair, transparent, and inclusive public process must be foundational to ensure that communities most impacted by port-related pollution have a meaningful voice in shaping the decisions and implementation plans that affect their health and quality of life.

Clean air cannot wait another five years.

Sincerely,

Ashley Jackson

Inland Empire Regional Organizer
California Environmental Voters

Jen Larratt-Smith
Chair
Riverside Neighbors Opposing Warehouses (R-NOW)

Ana Gonzalez
Executive Director
Center for Community Action and Environmental Justice (CCA EJ)

Jenna LeComte-Hinely
Chief Executive Officer
HARC, Inc. (Health Assessment and Research for Communities)

Jocelyn Joz Sida
Chapter Director
Sierra Club San Geronimo

Staff Responses to Written Comment #21:

Response to Comment 21-1

Please see Main Response 2 regarding enforceability and accountability in the agreement. Please see Main Response 3 regarding the public process conducted in developing this agreement. Please see Main Responses 6 and 7 regarding the five-year pause on rulemaking.

Response to Comment 21-2

The South Coast AQMD Governing Board has sole decision-making authority on directing staff's priorities. Thus, the agreement cannot include terms regarding current or future South Coast AQMD Governing Board decisions. Due to the South Coast AQMD Board having this sole authority, staff will report to the South Coast AQMD Governing Board on the implementation status of the agreement and recommend to the South Coast AQMD Governing Board, before the end of the term of the agreement, to either extend, amend, or create a new agreement, or to pursue rulemaking. If a future South Coast AQMD Governing Board decision finds that another path, like rulemaking, should be pursued, then the South Coast AQMD Governing Board at that time can direct staff to restart rulemaking.

Response to Comment 21-3

The current proposed Cooperative Agreement focuses on infrastructure planning and implementation, and thus, has mandatory milestones and progress reporting with respect to implementation of the infrastructure plans. Staff will take your suggestions into consideration when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Response to Comment 21-4

See Main Response 5 on emission reductions. Regarding clear emissions targets and independent monitoring related to air quality outcomes, staff will take your suggestions into consideration

when we begin negotiations on potential additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

-87-



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Public Records Coordinator
Public Records Unit

October 16, 2025

Mr. Harvey Eder

Re: Inquiry on Obtaining Copies of Past-Provided Records

Dear Mr. Eder:

We understand you recently inquired with a member of South Coast AQMD staff about obtaining new copies of certain past-provided records. Specifically, we understand you inquired about copies of the results of prior public records requests that have been fulfilled to you in the last ten years, plus copies of certain documents that you submitted to South Coast AQMD in 2019.

Your inquiry was forwarded to the Public Records Unit for handling in the event you would confirm that you are making a new request for records under the California Public Records Act. To help fulfill and close this as a public records request, however, we would require your coordination and/or advance payment under one or more of the following options:

1. Provide an email address and we can send you a link to the assembled records in digital form.
2. If you do not have or wish to provide an email address, we can enable an in-person inspection of the assembled records at a dedicated computer terminal at South Coast AQMD at no cost to you.
3. We can provide copies of the records on multiple thumb drives at a cost of \$10 per thumb drive. For this option, based on the estimated files sizes, we believe at least eight thumb drives are needed. We would therefore await receipt of a pre-payment of \$80 for eight thumb drives, plus your commitment to pay any follow-on invoices if we identify that more thumb drives are needed.
4. We can also provide copies of the records on an external hard drive of at least 1 TB that you would physically provide to our office at your own cost. Copies of the records would be placed on the external hard drive for physical pick-up or paid mailing to your preferred address.
5. Last, although we could provide you with paper copies of the assembled records, this would be costly considering the voluminousness of the records and require an advance payment at the cost of 15 cents per page. Presently, the estimated cost for printing is \$3,724.50. For this option, we would need to receive your pre-payment of

that amount, plus your commitment to pay any supplemental bill to cover the full printing. We estimate the records would fill multiple bankers boxes, so you could arrange for your own pick-up of the records or we would require your payment for shipment.

Absent a response that selects one of the above options by November 7, 2025, we intend to consider your inquiry a closed matter, and it will not be logged or processed as a public records request based on non-response. If you would confirm that you are making a public records request, but under any option that requires pre-payment or the delivery of the external hard drive, we will await action by you for an additional three weeks, or any public records request will also be closed.

To exercise one of the options provided here, please respond and please include mailed payment and/or an external hard drive, as applicable, to:

South Coast AQMD
Public Records Coord./Public Records Unit
21865 Copley Dr.
Diamond Bar, CA 91765

You may also call the Public Records Unit at 909.396.3700 (Attn: Supervisor Stacey Walkowiak)

[Handwritten notes and signatures]
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Oct 22 2021

Staff Response to Written Comment #22:

Due to illegibility of the comment, staff is unable to provide a response.



Kevin Barker
Senior Manager
Energy and Environmental Policy
555 West 5th Street
Los Angeles, CA 90013
Tel: (916) 492-4252
KBarker@socalgas.com

October 23, 2025

The Honorable Vanessa Delgado, Chair
and Governing Board Members
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Subject: Revised Support for the Proposed Cooperative Agreement with the Ports of Long Beach and Los Angeles

Dear Chair and Members of the Governing Board,

Southern California Gas Company (SoCalGas) appreciates the opportunity to express support for the Proposed Cooperative Agreement among the South Coast Air Quality Management District (South Coast AQMD), the City of Los Angeles Harbor Department, and the City of Long Beach Harbor Department. This forward-looking partnership represents a critical step toward achieving the Clean Air Action Plan (CAAP) and the Air Quality Management Plan (AQMP) goals to reduce emissions from the Ports (Ports of Long Beach and Los Angeles), which are two of the busiest ports in the nation.

The Cooperative Agreement provides a practical and collaborative framework to develop Zero-Emission Infrastructure Plans (ZE Plans) that will enable the transition of drayage trucks, cargo-handling equipment, harbor craft, and vessels to cleaner technologies. SoCalGas strongly supports this effort and believes that Angeles Link, currently envisioned as a 450-mile open-access clean renewable hydrogen utility-operated pipeline system, can play a foundational role in realizing the Agreement's vision. By coordinating the development of Angeles Link with the Ports' ZE Plans, South Coast AQMD and the harbor departments can further accelerate the shift to zero-emission operations. This collaboration could help enable the achievement of State Implementation Plan creditable emissions reductions to advance federal air quality attainment milestones.

Angeles Link's Support for Port Operations

Angeles Link is envisioned as a non-discriminatory, open access pipeline system dedicated to public use that could transport clean renewable hydrogen from regional third-party production and

storage sites to end users across Central and Southern California, including in the Los Angeles Basin and the Ports. End-use sectors include hard-to-electrify industries, such as medium- and heavy-duty transportation and industrial operations at the Ports.¹ By transporting a reliable, at-scale clean renewable hydrogen supply, Angeles Link could enable deployment of fuel cell drayage trucks, hydrogen-powered cargo-handling equipment, and hydrogen-derived fuels for maritime and rail applications.

Key benefits Angeles Link could enable include:

- Scalable, zero-emission fueling capacity – Angeles Link could potentially deliver enough clean renewable hydrogen to displace up to 850,000 gallons of diesel per day in the transportation sector, significantly reducing nitrogen oxide (NO_x) and particulate emissions from port operations.²
- Support for 24/7 operations – Hydrogen refueling takes minutes, rather than the hours required for electric vehicle charging, making it well suited for high-utilization fleets and around-the-clock port activity.³
- Infrastructure efficiency – A dedicated pipeline system minimizes truck transport of hydrogen and supports long-term reliability and cost-effectiveness for ZE infrastructure.
- Regional air quality benefits – Angeles Link could support significant air quality and decarbonization benefits, including the potential reduction of approximately 5,200 tons per year of NO_x emissions by 2045, while eliminating diesel particulate matter from heavy-duty port applications, thereby furthering South Coast AQMD's Air Quality Management Plan goals.⁴
- Support for necessary emissions reductions – As highlighted in the cooperative agreement “absent further federal actions including federal waivers and authorizations for applicable CARB regulations, state and local actions are limited in achieving substantial yet necessary emission reductions from port-related mobile sources.”⁵ In 2045, Angeles Link could

¹ SoCalGas. *Angeles Link Overview*. <https://www.socalgas.com/sustainability/innovation-center/angeles-link>.

² Southern California Gas Company. (2024, December). *Angeles Link Phase 1 Nitrogen Oxides and Other Air Emissions Assessment Final Report* [PDF]. [https://www.socalgas.com/sites/default/files/alproject/Angeles-Link-Phase-1-Final-Nitrogen-Oxides-\(NOx\)-and-Other-Air-Emissions-Assessment.pdf](https://www.socalgas.com/sites/default/files/alproject/Angeles-Link-Phase-1-Final-Nitrogen-Oxides-(NOx)-and-Other-Air-Emissions-Assessment.pdf). Calculations based on Appendix D.2: Mobility. Total hydrogen market potential savings are about 3 million gallons of diesel per day.

³ Port of Los Angeles. (2023, March 16). California Regional Clean Hydrogen Hubs: Proposed project presentation [PDF]. https://kentico.portoflosangeles.org/getmedia/e80ffc81-44e2-42df-9bec-dffb9c841185/item-h2_hydrogen-hub-presentation

⁴ Southern California Gas Company. (2024, December). Testimony Chapter 2: Angeles Link and Summary of Phase 1 Studies (p. 12) [PDF]. https://www.socalgas.com/sites/default/files/alproject/phase2/A.24-12-XXX_TestimonyCh.2-AngelesLinkandSummaryofPhase1Studies_N.Navin_PDFA.pdf

⁵ South Coast Air Quality Management District. (2025, October 10). Proposed 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 (p. 6).

supply about 25% of the hydrogen demand, aiding in the significant reduction of NOx emissions from port-related sources.⁶

Alignment with the Cooperative Agreement's Goals

The Cooperative Agreement calls for a phased, data-driven approach to zero-emission infrastructure planning at the Ports, emphasizing flexibility, accountability, and collaboration among the Ports, South Coast AQMD, and stakeholders. Angeles Link could directly support these objectives by:

- Providing fuel diversity that complements electrification and supports resilience against grid constraints.
- Enabling scalable infrastructure deployment that aligns with ZE Plan milestones in the long term, beyond 2030.
- Supporting a quantifiable emissions reduction pathway through metered hydrogen delivery and transparent reporting.

Conclusion

SoCalGas commends the South Coast AQMD Governing Board for its leadership in advancing this Cooperative Agreement. Angeles Link represents an unprecedented opportunity to deliver clean renewable hydrogen at the scale needed to improve air quality and public health across Southern California, decarbonize the Ports, and strengthen regional energy infrastructure.

We look forward to continued collaboration with South Coast AQMD, the Ports of Los Angeles and Long Beach, and other partners to support the successful implementation of this Agreement and to help achieve the shared vision of a zero-emission future for the Ports.

Respectfully,

/s/ Kevin Barker

Kevin Barker
Senior Manager
Energy and Environmental Policy

https://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/proposed-ca_101025_agreement_clean.pdf?sfvrsn=3ed16c7e_2

⁶ Southern California Gas Company. (2024, December). Angeles Link Phase 1 Final Nitrogen Oxides (NOx) and Other Air Emissions Assessment (p. 11.2) [PDF]. [https://www.socalgas.com/sites/default/files/alproject/Angeles-Link-Phase-1-Final-Nitrogen-Oxides-\(NOx\)-and-Other-Air-Emissions-Assessment.pdf](https://www.socalgas.com/sites/default/files/alproject/Angeles-Link-Phase-1-Final-Nitrogen-Oxides-(NOx)-and-Other-Air-Emissions-Assessment.pdf)

Staff Response to Written Comment #23:

Staff appreciates the information provided on the Angeles Link clean renewable hydrogen pipeline system. If the proposed Cooperative Agreement is approved, the Ports and South Coast AQMD staff will take this information into consideration when implementation of the agreement begins as well as in future discussions when beginning negotiations on the additional measures beyond infrastructure for incorporation into the agreement in Spring 2026.

Written Comments #24 from Coalition for Clean Air et al.



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

Comment
24-1

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

Comment
24-1,
Cont'd

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.”

Comment
24-1,
Cont’d

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.

Comment
24-2

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

EMERGE

Wilmington, Carson and West Long Beach AB 617 CSC

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

Alison Hahn

NRDC

Cristhan Tapia-Delgado

Pacific Environment

Ashley Jackson

California Environmental Voters

Eli Lipman

MoveLA

Cc:

Members of the South Coast AQMD Governing Board

Wayne Nastri, Executive Officer, South Coast AQMD

Susan Nakamura, Chief Operating Officer

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

Ian MacMillan, Assistant Deputy Executive Officer, Planning, Rule Development and Implementation, South Coast AQMD

Asnissa Heard-Johnson, Ed. D, Deputy Executive Officer/ Community Engagement and Air Programs, South Coast AQMD

Staff Responses to Written Comments #24:

Response to Comment 24-1

Staff thanks you for your comments and appreciates the signatories and their organizations engagement and dedication over many years on this and other air quality issues. Regarding public process, please refer to Main Responses 1 and 3. The Ports of Long Beach and Los Angeles are within the AB 617 community of Wilmington Carson West Long Beach (WCWLB). Negotiations for the draft Cooperative Agreement were limited to the Ports of Long Beach and

Los Angeles, the Cities of Long Beach and Los Angeles and South Coast AQMD. During the 45-day negotiation process, South Coast AQMD hosted a community meeting to provide an interim update on the status of negotiations. At that time there were many issues not resolved, but this provided an opportunity for the public to provide comments during the negotiation process. After the parties reached consensus, staff conducted smaller meetings with environmental and community groups, office hours, another community meeting, and a presentation to the WCWLB Community Steering Committee. Staff also presented to the WCWLB CSC four other times during rule development for PR 2304, including on the pivot to an infrastructure-focused rule concept, whose scope was the same as the proposed Cooperative Agreement.

Response to Comment 24-2

The development of any requirements for the Ports of Long Beach and Los Angeles has been very challenging. For several decades, South Coast AQMD has tried various approaches starting with a Backstop rule, moving to a Memorandum of Understanding, then back to rulemaking, and now the draft Cooperative Agreement. Through this process, the scope for PR 2304 evolved from a port-wide regulatory approach to infrastructure planning and implementation. This evolution was based on extensive stakeholder feedback during the rule development process of PR 2304 that infrastructure planning and implementation were a fundamental first step in facilitating the transformation to zero-emissions technology and cleaner vehicles, equipment, and vessels.

Local air agencies have limited regulatory authority over mobile sources, which largely belongs to the federal and state government. While the South Coast AQMD has indirect source authority, leveraging that authority in the form of an Indirect Source Rule requires careful consideration, as opponents may still seek to challenge the legality of such rules, as occurred in the warehouse rule (Rule 2305) litigation. Staff understands the urgency to move forward, and after years of work, the draft Cooperative Agreement will be the first step forward to establish requirements for the Ports of Long Beach and Los Angeles. The draft Cooperative Agreement incorporates the key elements in PR 2304 for zero-emission infrastructure planning and implementation. Staff understands based on this comment letter and comments from CSC members during the development of the WCWLB CERP that CSC members and the commentors strongly believe that the Ports should be subject to an Indirect Source Rule instead of a MOU. It should be clear that the draft Cooperative Agreement will require the Ports to submit a Zero-Emission Infrastructure Plan for all port sources and to implement that Plan. The draft Cooperative Agreement is an enforceable agreement that stipulates the enforcement triggers and an escalation of financial consequences up to \$200,000 per default for the most severe payment and has provisions where the South Coast AQMD can exit at any time, provided there is a 45-day notice. Staff understands that the commentors strongly prefer a regulatory approach, but regardless of the instrument the draft Cooperative Agreement will achieve the same objectives as PR 2304. South Coast AQMD staff disagrees that there is a lack of commitment to AB 617. It is largely because of AB 617 and the voices of the AB 617 WCWLB community that staff has been persistent in working through the challenges with establishing requirements for marine ports. It is because of the voices of the WCWLB community that staff negotiated to incorporate specific opportunities for the public to participate in the development of infrastructure plans. Recent revisions to the draft Cooperative Agreement are a direct result of comments received from the community including from WCWLB CSC members for items such as decommissioning existing conventional fuel infrastructure, reducing the noticing time from 90 to 45 days to exit the Agreement, and doubling payment amounts for financial consequences. The WCWLB has been

included on the distribution list to receive all invitations for community meetings, office hours, release of proposed rules, and drafts of the Cooperative Agreement. In addition, the WCWLB CSC has been briefed on the draft Cooperative Agreement. In short, the Cooperative Agreement provides the same benefits and results that had been contemplated by PR 2304. While an incremental step, it is a fundamental one that will facilitate the zero-emission transformation required to achieve substantial emission reductions at the ports.

Written Comments #25 - #551 from Multiple Individuals (Received 10/21/2025 – 10/27/2025)

From: [REDACTED]
Sent: Tuesday, October 21, 2025 9:47 AM
To: Ports Comments <ports_comments@aqmd.gov>
Subject: [EXTERNAL] Clean air in SoCal can't wait five years!

Dear Board South Coast AQMD,

As a Californian and someone who believes that clean air is essential, I urge you to protect the health of millions of Southern California residents by fixing the proposed Cooperative Agreement.

Our communities deserve an agreement that drives measurable progress, centers climate justice, and prioritizes public health. Before adopting this Cooperative Agreement, the SCAQMD Board needs to strengthen it to reflect real accountability and concrete emissions targets.

Clean air across Southern California needs to be a priority to protect our communities that live with some of the worst air in the nation. I urge the SCAQMD to fix this Cooperative Agreement and protect the air we breathe.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

This comment letter, or a variation of this comment letter, was submitted by:

Emily Montero	Joanne Britton	Nancy Glassberg	Janet Heinle
Genevieve K Guzman	Silas Andrews	Marjory Keenan	Tim Enloe
Christophe Xavier ayizoa meke	Joan Hebert	Shereen Hawkins	Samantha Cuff
Dudley and Candace Campbell	Ettie Councilman	Tracy Shortle	Larry Steen
Gale McNeeley	Terri Mann	Ryan Davis	Teresa Murguia
Jeff Greif	Danielle Miele	Marilyn Levine	Rachel Wolf
Joanne Tenney	Gerald Kelly	Penelope Ward	Karen Lull
Nancee Noel	David Moore	Anne Munitz	Martin Horwitz
Lisa Marvin	Justin Chernow	Cassie A. Murphy	Pam Brown
James Ring	Jean Nunamaker	John Harter	Jerid Anderson
John Carroll	Leanne Abbott	Kenneth Nahigian	Ree Whitford
BETH HERNDOBLER	Jessica Dardarian	Rohana McLaughlin	Kenneth Lapointe
Karynn Merkel	Inger Acking	Rebecca Martin	Robert Reed
Florence Silverstein	Bill Wood	Tim Barrington	Dierdre Geraci
Naomi Foss-Alfke	Marianna Mejia	Tia TRIPLETT	Kevin Slauson
Colin Epstein	Rosalba Cofer	Lydia Tinder	Kaylah Sterling
Dave Dimond	Sylvia Vairo	Irene Sriboonwong	JL Angell
John Ferrante	Marcus Maloney	Tracy Gilbert	Adam Bernstein
Kermit Cuff	Aerie Youn	Anthony Totaro	Kenneth Althiser
Jerry Schneider	Deborah Santone	Anthony Gahr	kent morris
Richard Yasuda	Stephen LaDochy	Frank Simmons	Neal Steiner

Susan Lea	Lily Leung	Esther Mooncrest	Andrew Mueckenberger
Carol Patton	Jessica Krakow	Natalie Mar	Michael Brown
Clark Shetter	katharine Kehr	Twyla M Meyer	T. Cassidy
Mark Weinberger	Nathan Vogel	Lauren Beebe	Ana Herold
Carol Kuelper	Nancy Treffry	Dale Riehart	Lynette Coffey
Prudence Moore	David Harris	Nina Berry	Jim Haley
Steven Hoelke	Terri Wright	Linda Weiner	David Prina
James Quinn	gerrit woudstra	BARBARA MESNEY	Dena Schwimmer
Joel Davidson	DG Sifuentes	Barbara Armstrong-Magwood	Bridgett Heinly
Carol Schaffer	James Roe	Carol Kinser	Terri Wiley
Heather Knight	Jason Allison	Michael Fanning	Wayne Steffes
Christine Borje	Rus Postel	Elizabeth Darovic	Marc Silverman
Paul Katz	David Howard	Joe Glaston	James Patton
Tim Guisinger	diana horowitz	Francine Kubrin	Noah Levin
Friend Friend	Judy Kukuruza	Erh-yen To	James Eversole
James Dawson	James Harris	Marsha Jarvis	Rebecca Lee
Soraya Barabi	Laurie Barre	Ron Fransz	Mark Lolli
Valerie Carrick	Darcy Skarada	Nancy Hartman	Mariano Svidler
Louis Priven	Tobey Wiebe	Chuck Rocco	Donna Crane
Brett O'Sullivan	Vic Bostock	Susan P. Walp	Andrew Okun
Camille Gilbert	Stephanie Hagiwara	Deborah Cosentino	Lisa Gherardi
Erich Rex	Sandy Williams	Carmen Klucor	Caephren McKenna
Du Ng	BARBARA MASON	Maria Nesheim	Edwin Aiken
Connor Chesus	Donald Holcomb	Dana May	Lois Chappell
Greg D	Nicholas Esser	Barbara Harper	Michael Hogan
Sally Allen	Elise Beliak	Alexa Pallas	Robert Blackey
Derek Okada	Christopher Ware	Myra Schegloff	Felena Puentes
Candi Ausman	Michael Denton	William Pevec	Bruce Richman
Natalie Beebe	Michele Sanderson	Greg Thomson	William Kwok
Krister Olsson	Glenda Dugan	Phoenix Giffen	Marilyn Shepherd
Richard Gallo	Eric Thein	Claude Duss	Dale Haas
Natalia Spornik	Charles B.	Jean Crossley	Edward Sullivan
Susan Hathaway	Suzie Saso	Sarah Hawkinson	Jose Rodriguez
Donna Fung	Patricia Kerner	Ken Bruer	Henry Schlinger
Janet Bieber	Jessica Likens	Rick Edmondson	John Everett
Michael McMahan	Jim Lieberman	Trish Webb	Bret Polish
Cody Capella	Harlan Lebo	Dalia Salgado	Pam Montroy
Geneva Foster	Nina Skyeras	Evangeline Obrero	Patricia Blackwell-Marchant
peter reimer	Susan Reid	Hillary Ostrow	Tony Veg
Darrell Clarke	Ruth Sheldon	Warren M. Gold	Scott Jung
janice yudell	Sharon Paltin	Ellen Wade	F. R. Eguren

Richard Kornfeld	Penelope LePome	Karin Schmidt	Brenda Lee
Robin Tung	Jan Jones	Jake Gutman	Lisa Perry
Rolf Johnson	Chris Swenning	Megan Pruiett	Anne Lakota
Mark Gallegos	Darlene Ross	William Crist	Jomay Skeoch
Deimile Mockus	Sherry Vatter	Karla Mortimer	Jay Lefkowitz
Dee Sifuentes	Michele Munde	MaryAnne Glazar	Grace Silva
Alessia Cowee	George Munoz	charles myers	Winston Williams
Beth Stein	Madeleine Wulffson	jason nolasco	Barb Endicott
Todd Struthers	casee maxfield	Marla Flores-Jauregui	Janice Baxter
Barry Lovinger	Jane Spini	Patricia Law	michael gertz
Mark Salamon	Sonia Noemi Cross	Sean Hall	Gail Tinsley
Scott Barlow	Celeste Hong	Andrew Philpot	Theresa Corrigan
Jessica Heiden	Noah Mabon	Carlos Nunez	Ronald Bridge
Caleb Ellis	Ken Coker	Nancy Pichiotino	Alena Jorgensen
Perry Gx	Sara Fogan	Ron Nieberding	Chip Goldstein
Russell Burke	Cristina sheppard	Claudia Previn Stasny	Nicole Fountain
Joe LeBlanc	Jeffrey Jenkins	Gary Goetz	Blake Wu
Lynn Ryan	Susan Allen	Marilyn Eng	Keith Christy
Winke Self	barb linc	Vanessa Quintero	AJ cho
PENNY LUCE	Steven Chasen	Justin Truong	Linc Conard
Jimmie Lunsford	edith wander	Conrad Taylor	lynn hoang
Sue Hall	Luci Ungar	Huguette Moran	Dana Trick
Steven Foss	Max Kaehn	Pamela Saulter	Joanna Tang
Murray Kaufman	Carolina Felix	Christopher Rice	Mark Stannard
Yazmin Gonzalez	Aimee Morein	Carson Saporta	Raquel Narvios
Indee Brooke	Marilyn Price	Jamie Green	Rebecca Dailey
Geoff Regalado	Andrea Frankel	Wendy Pearson	Connie Perez Moreno
Therese DeBing	Michael Curtis	Shelley Aanerud	Todd Snyder
Seth Picker	Lea Park	Sharon Nicodemus	Maryellen Redish
david bezanson	Maryfrances Careccia	Paige Ziehler-Martin	Patricia Goodson
Tem Narvios	Diane Lamont	Joan Murray	Kathleen Powell
Nancy Swearngen	Ann Dorsey	Robert McDonnell	Mark Escajeda
Eric Nichandros	Mary Finch	Lesly Derbyshire	Lynda Marin
Julie Smith	Lauren Mortenson	Sandy Templin	STACIE CHARLEBOIS
Anita Liao	Patrick Reid	Valerie Shideler	Melissa Waters
Jessica Johnson	Russell Weisz	Dan Kletter	Maggie Hughes
Steven Standard	Susan Randerson	Rosemary Graham-Gardner	David Peterson
Alison Denning	Patrice Wallace	Kelly Andrada	Romona Czichos-Slaughter
Charles Tribbey	Marguerite Wilhelm-Safian	Melodi Gulsen	Ked Garden

Irene Julian	Joe Salazar	Martin Marcus	Carlos Arnold
Shawn Jones	Querido Galdo	Tim Humphreys	sharon bambridge
Victoria Wu	Christina Roe	M Dean Griswold Jr	Terri Gedo
F. Carlene Reuscher	Gary Pischke	Allan Campbell	Barbara Ginsberg
Jennifer Febo	Sarada Cleary	Lynnette Simon	Lacey Levitt
Abbie Bernstein	Kevin Hearle	Harold Mann	Soraya Dosaj
Laurel Brewer	Nancy Freedland	Craig Nelson	Richard Bejarano
Catherine Simonton	Jared Leavitt	Shaun Snyder	Nelson Molina
kim Nero	Pamela Hamilton	George Brewer	Susan Abby
J. Barry Gurdin	N Cook	Carolyn Pettis	judy dutil
Barbara Ballenger	melvin taylor	Julie Adelson	Alison Buist
Janice Burstin	John Wrobel	Daniel Heffernan	Ellen Little
Kim Halizak	Karla Devine	Laura Overmann	Susan Alpern
Rev.Robert Bartlett	Marc Azar	Laurek Blossom	Jonathan Chu
Vera Georgieff	Sandra Christopher	Shea santillanes	Janice Goldberg
Gina Ness	Erin Moilanen	Ester Deel	Sue GRAHAM
Hope Nelson	Nancy Arbuckle	Linda Elyad	Julie Kanoff
Vanessa abel	Michael House	Karen Wood	Judith Smith
Licita Fernandez	Mariana Mellor	Lanelle Lovelace	D Brenum
Janet M. Thompson	Evan Jane Kriss	Paul Glassner	Deborah Temple
Zina Josephs	jeanette King	Amanda Hoehler	J. TURRIGIANO
Rachael Denny	Gary and Seraphina Landgrebe	A.J. Averett	Felix Wang
David Dutton	Shellee Davis	Rosalie Preston	Ellen Franzen
Anastasia Nicole	Sam Butler	Betty Kissilove	Linda Kade
Nicole Padron	Margaret Alreck-Anthony	Davin Peterson	Tiana Lee
Kalpana Pot	Anh Nguyen	Tom Nulty Jr	Karen McCaw
Robert Sharp	Rhea Kuhlman	Jonathon Schumacher	Jessica Robbins
Lynn Pique	Cathy Holden	Linda Howie	Patricia Pigman
Emma Wallerstein	Lara Ingraham	Tarun Bishop	Susan King
Julie Osborn	Vicki Bingo	Lisa Paynemiller	Jonathan Sampson
Bruce Burns	Pol Hermes	Sandra Rhoades	

Staff Response to Written Comments #25 through #551

Please see Main Response 2 regarding enforceability of the proposed Cooperative Agreement and Main Response 5 regarding emission reductions.

Unanswered Verbal Questions Raised at Public Meetings and Office Hours That Are Not Addressed in Main Responses or in Responses to Written Comments

Comment P-1 from Cristhian Tapia, Pacific Environment

How will South Coast AQMD ensure all comments are meaningfully heard and integrated into the Cooperative Agreement if the agreement will be brought to the South Coast AQMD Governing Board for approval on November 7, 2025?

Staff Response to Comment P-1

Please see Main Response 3 for a discussion on public participation and community input. Staff has actively listened and noted stakeholder comments and input throughout the process. Many stakeholder suggestions have been incorporated into the current proposed Cooperative Agreement and staff continues to bring input and suggestions from the public to the Ports to negotiate potential inclusion in the agreement.

Comment P-2 from Ranji George, Retired South Coast AQMD Program Supervisor

What is the role of hydrogen in the Plans?

Ports Response to Comment P-2

Hydrogen fueling is one energy source that may be included in the Plans.

Comment P-3 from Alex Moutoux and Alex Spataru, The Adept Group

What is the role of utilities in Plan development, and what about microgrids for resiliency purposes?

Ports Response to Comment P-3

Utilities are not parties to the Cooperative Agreement, but may be a Project / Energy Delivery Entity specified in the Plans, and may be consulted by the Ports to prepare the On-Port Energy Supply Capacity Analysis in the Plans. Resiliency and use of microgrids are not specifically required as Plan elements, but may be addressed either within and/or outside of the Plans, as appropriate.

Comment P-4 from Anonymous

The “Zero-Emissions Infrastructure Plans” for 2030 list Harbor Craft, even though they have the highest Tier engines installed, and even though there is no shore connection or carbon capture technology for Articulated Tug Barges. Can you provide more reasoning/explanation as to why/how this will be achieved, given this limitation?

Staff Response to Comment P-4

In developing the infrastructure plans, the Ports will consider the state of the technology and industry market as well as feasibility for each of the source categories, as provided in Section B.3.j. in Attachment A. Within each source category, including but not limited to harbor craft, technology feasibility and market readiness may vary by duty cycle and market segment. Due to the current understanding of the state of harbor craft technology, the agreement has been revised to designate the infrastructure plans for harbor craft to be included in the Phase 2 Plan, which is to be finalized no later than December 31, 2028. During plan development, the Ports are

expected to work with harbor craft operators, technology providers, energy providers, and other relevant industry partners to determine projects that should go into the infrastructure plan.

Comment P-5 from Cristhian Tapia, Pacific Environment

What do fines look like if emissions increase even if infrastructure plans are on track?

Staff Response to Comment P-5

Please see Main Response 5 for a discussion on emission reduction commitments. Emission reduction requirements are outside of the scope of this current agreement, which solely focuses on infrastructure planning and implementation.

Comment P-6 from Antonio Torres, Student at University of California, Riverside

How can the Cooperative Agreement guarantee accountability if there is a 90-day exit clause?

Staff Response to Comment P-6

The proposed Cooperative Agreement includes enforcement provisions, with financial consequences for contract defaults, and dispute resolution processes such as executive officer involvement, mediation, and court injunction to hold the Ports accountable. Under Section II.L.3 of the proposed Cooperative Agreement, where payment for contract default is specified, the contract provision II.L.3.a. specifically states that “[u]nsatisfied obligations for payment will survive the termination of this Agreement.” In other words, the Ports will continue to be held accountable for their contract obligations, including incurring financial consequences for defaulting on contract obligation due before the Agreement is terminated. Moreover, as discussed in Main Response 6, the 45-day early exit clause also maintains the ability for South Coast AQMD through future South Coast AQMD Governing Board action to quickly withdraw from the agreement and pivot to pursue other mechanisms, such as rulemaking.

Comment P-7 from Anonymous

Has there been any discussion of backstop or contingency measures if promises in the agreement do not deliver?

Staff Response to Comment P-7

Enforcement provisions, which include financial consequences for contract defaults and dispute resolution processes, are incorporated into the agreement to ensure Port accountability to the agreement terms and conditions. If the South Coast AQMD Governing Board finds that the Ports are not meeting the terms and conditions of the agreement, even after enforcement provisions are utilized, the agreement provides for the ability for any party to exit early from the agreement. As stated in Main Response 6, the South Coast AQMD Governing Board retains the discretion to direct staff to initiate rulemaking as part of the early-exit consideration or at any time.

Comment P-8 from Chris Chavez, Coalition for Clean Air

Could staff quantify how much of the Ports' emission reductions came from California Air Resources Board (CARB) regulations rather than their own good intentions?

Staff Response to Comment P-8

The Ports' CAAP actions include several facilitating actions for the implementation of CARB regulations. Examples of such actions include early land-side shore power installations ahead of CARB's At-Berth Regulation compliance schedule, and the initial introduction of the Clean Truck Program in 2008 to encourage early action by fleet owner/operator to comply with CARB's Drayage Truck Regulation. Even though early actions do not result in surplus emission reductions in later years when the regulation is fully implemented, they nevertheless complement CARB regulations by accelerating the pace of emission reductions and helping realize emission reduction benefits earlier than intended by the regulations. Other actions such as the Ports' Vessel Speed Reduction (VSR) program has been documented to have a high participation rate, thereby reducing fuel consumption from slow steaming vessels and leading to quantifiable emission reductions for pollutants that are emitted proportionally to fuel consumption.

While CARB's regulations have been the primary action that have mandated emission reductions, there are many other facilitating actions that have occurred to contribute to those same reductions. In the example of diesel particulate matter reductions, this required technology development efforts on diesel particulate traps, updating diesel fuel requirements and supplies to remove sulfur so that diesel particulate traps can function without being damaged by higher sulfur fuels, and significant incentive funding to help retrofit and replace diesel engines. Staff is unaware of a quantification analysis that separates which emission reductions are specifically attributable to each action.