

PROPOSED RULE 2304

COMMERCIAL MARINE PORTS

(a) Purpose

This rule requires the Ports of Long Beach and Los Angeles each to develop a comprehensive plan for charging and fueling infrastructure for equipment, vehicles, and vessels attracted by or used in commercial marine port operations, and whose source of propulsion energy and/or other use of energy is not, or is not primarily, derived from combustion of conventional fuels. This action is necessary to facilitate emission reductions associated with commercial marine ports and from the mobile sources attracted by or used in port operations to meet state and federal air quality standards.

(b) Applicability

This rule applies to the Port of Long Beach and the Port of Los Angeles as defined in (c)(46) and (c)(47), respectively.

(c) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) ACTION LEVEL means, for the purpose of Charging and Fueling Infrastructure planning, a future target level, or target proportion, of a Port Source category population whose source of propulsion energy and/or other use of energy will not be primarily derived from combustion of Conventional Fuels.
- (2) ALTERNATIVE MARINE FUELS means marine fuels that are not residual oil, gas oil, nor distillate, and used by Ocean Going Vessels.
- (3) BASIN means the South Coast Air Basin, with its boundaries defined by 40 Code of Federal Regulations, Section 81.305.
- (4) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENT means any environmental document prepared by the applicable Lead Agency in accordance with the CEQA Statute and Guidelines as set forth in the Public Resources Code, Division 13 Section 21000 et seq. and in the California Code of Regulations, Title 14 Section 15000 et seq.
- (5) CAPACITY means the maximum amount of a specific Energy Type that can be dispensed over a set period of time.
- (6) CARGO means containerized or noncontainerized goods and merchandise that are transported by or transferred between Port Sources and may include empty containers and chassis.
- (7) CARGO HANDLING EQUIPMENT (CHE) means any self-propelled vehicle or equipment primarily used at a Port Facility, to lift or move Cargo that is carried to or from the Port Facility by other Port Sources.

- (8) CHARGING INFRASTRUCTURE means a connected system of local supply facilities (e.g., substations, microgrids), hardware (e.g., transformers, switches, electrical distribution or voltage panels, service conductors, conduits), and electric vehicle supply equipment that distributes and dispenses electricity to Port Sources and/or other Mobile Sources attracted by or used in operations of Commercial Marine Ports, as well as other electricity generation or storage systems (e.g., batteries) for Energy Supply Redundancy and Energy Supply Reliability purposes.
- (9) CITY means either the City of Long Beach or the City of Los Angeles.
- (10) COMMERCIAL MARINE PORT means a complex consisting of Port Facilities, wharves, piers, quays, landings, slips, docks, bulkhead structures, banks, moorings, waterways, roadways, streets, easements, rail tracks and crossings, and other similar premises and structures that are located On-Port and used primarily for the commercial operations of loading and unloading Cargo to and/or from Ocean Going Vessels or Harbor Craft. Commercial operations of marine ports may also include associated activities such as assembling, handling, transferring, transshipping, or temporarily storing Cargo at Port Facilities; transporting Cargo to and/or from Port Facilities; assisting with vessel maneuvering and berthing; charging, fueling, or bunkering of Port Sources; and embarking and disembarking of passengers to and/or from Ocean Going Vessels or Harbor Craft.
- (11) CONSTRUCTION means the phase in a Charging and Fueling Infrastructure Project when building of the necessary facilities, structures, appurtenances to house, place, attach, or secure the infrastructure equipment, system(s), and/or other components takes place.
- (12) CONTRACTUAL AGREEMENT means a legally enforceable agreement entered into by two or more parties to do, or refrain from doing, one or more things specified in a written contract, memorandum of understanding, or other binding agreement.
- (13) CONVENTIONAL FUELS means Energy Types used by Port Sources that are neither electricity, hydrogen, Hydrogen Carrier, nor Alternative Marine Fuels.
- (14) DESIGN means the phase in a Charging and Fueling Infrastructure Project when creation of detailed plan(s), drawing(s), and mapping(s) for the configuration, spatial positioning, and engineering of the infrastructure and its components takes place.
- (15) DRAYAGE TRUCK means any in-use on-road vehicle with a gross vehicle weight rating greater than 14,000 lbs. that is granted by either Port the right of access to their respective Port Facilities, and does not primarily operate at but travels to and/or from Port Facilities to engage in the commercial operations of transporting Cargo that originates from or is destined for Port Facilities.
- (16) ENERGY DEMAND means the total amount of a specific Energy Type that is required to support operation of Port Source(s) during a set period of time.

- (17) ENERGY SUPPLIER means an entity that provides an Energy Type by sourcing, distributing, and dispensing by way of Charging or Fueling Infrastructure. An Energy Supplier may, but does not necessarily, produce or generate the provided Energy Type. An Energy Supplier may, but does not necessarily, own or operate the Charging or Fueling Infrastructure or component(s) thereof.
- (18) ENERGY SUPPLY means the total amount of a specific Energy Type that can be provided by an Energy Supplier to support operation of Port Source(s) during a set period of time.
- (19) ENERGY SUPPLY REDUNDANCY means there is backup energy and Charging and Fueling Infrastructure to dispense backup energy to support operations in cases where Energy Supply Reliability is compromised.
- (20) ENERGY SUPPLY RELIABILITY means the ability of Charging and Fueling Infrastructure to consistently deliver energy to support operations at all times.
- (21) ENERGY THROUGHPUT means the actual amount of a specific Energy Type that is dispensed over a set period of time.
- (22) ENERGY TYPE means an energy carrier such as electricity, hydrogen, natural gas, propane, methanol, ammonia, diesel, ethanol, and gasoline, in all their forms regardless of the source(s) of feed stock, as applicable.
- (23) FUELING INFRASTRUCTURE means a connected system of means of transportation, local facilities, and dispensers and the related equipment and components (e.g., pipelines, tanks) that transport, store, and dispense an Energy Type other than electricity to Port Sources and/or other Mobile Sources attracted by or used in operations of Commercial Marine Ports, as well as other fuel generation or storage facilities for Energy Supply Redundancy and Energy Supply Reliability purposes.
- (24) HARBOR CRAFT means marine vessels that are not OGVs and are used in support of transporting waterborne Cargo but do not necessarily carry Cargo themselves, or are used to transport passengers in commercial operations, to and/or from a Port Facility.
- (25) HARBOR DISTRICT means either the Long Beach Harbor District as created and defined by and pursuant to provisions of the Charter of the City of Long Beach, or the Los Angeles Harbor District as created and defined by and pursuant to the Charter of the City of Los Angeles.
- (26) HYDROGEN CARRIER means any Energy Type containing hydrogen atoms, such as natural gas, methanol, ammonia, and ethanol, where the hydrogen extracted from the Energy Type is used in fuel cells or fuel cell systems integral or fitted onto vessels, vehicles, or equipment for the purpose of generating electrical power.
- (27) INFRASTRUCTURE PROJECT (PROJECT) means a planned series of activities conducted in a systematic order over a set period of time to build Operational

Charging and Fueling Infrastructure that dispenses an Energy Type at a designated site.

- (28) INITIAL DATE OF OPERATION means the date on which a given Charging or Fueling Infrastructure Project is, for the first time, Operational as intended.
- (29) INSTALLATION means the phase in a Charging and Fueling Infrastructure Project when placing and connecting various infrastructure components in the proper positions, including placement of and connection to the electric vehicle supply equipment or fuel dispenser at the designated site, take place.
- (30) INTERNATIONAL MARITIME ORGANIZATION (IMO) means the specialized agency of the United Nations which is responsible for measures to improve the safety and security of international shipping and to prevent pollution from ships.
- (31) LEAD AGENCY means a public agency that has the principal responsibility for carrying out or approving an Infrastructure Project.
- (32) LOCOMOTIVE means a self-propelled piece of on-track equipment, which itself is not designed or intended to carry Cargo, but is primarily used to move or propel Railcars that are designed to carry Cargo.
- (33) MARINE TERMINAL OPERATOR means an entity that enters into a Contractual Agreement with a Port to lease and/or operate a waterfront Port Facility and is typically referred to as a “tenant” or “assignee” in such an agreement, and any third-party entity who is subcontracted by the tenant or assignee to conduct part or all of the day-to-day operations at the waterfront Port Facility.
- (34) MILLION TONS OF OIL EQUIVALENT (Mtoe) means a standardized unit of measurement for the energy content of various Alternative Marine Fuels, which is used to compare to the energy content in one million metric tons of crude oil.
- (35) MILESTONE means an action or event to be completed by a set date that marks a critical step toward meeting the Planning Targets set forth in the Port Wide Charging and Fueling Infrastructure Plan.
- (36) MOBILE SOURCE means any on-road vehicles (e.g., cars, Drayage Trucks) or nonroad equipment, vehicles, and vessels (e.g., transportation refrigeration units, CHE, Harbor Craft, Locomotives, OGV) that operate at, and/or to or from, Port Facilities.
- (37) NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENT means any environmental document prepared by the applicable Lead Agency to comply with NEPA, as set forth in Title 42 United States Code section 4321 et seq.
- (38) OCEAN GOING VESSEL (OGV) means any marine vessel that is subject to IMO regulations enacted under the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI.
- (39) OFF-PORT means wholly outside of a Harbor District.
- (40) ON-PORT means wholly or partially located within a Harbor District.

- (41) ON-PORT SWITCHER means any Locomotive, or any other Railcar-moving equipment or vehicle, that is owned or operated by the Port or by any third party under Contractual Agreement with the Port, and used for the sole purposes of moving Railcars within a Port Facility or moving Railcars to and/or from Port Facilities.
- (42) OPERATIONAL means the condition of fully installed Charging Infrastructure being connected to an electric grid, electricity generation or storage system, or other independent electricity source and all components in working order per manufacturer's instructions in order to dispense electricity to a Port Source, or fully installed Fueling Infrastructure being connected to a fuel distribution or storage system and all components in working order per manufacturer's instructions in order to dispense fuel to a Port Source.
- (43) PLANNING TARGET means the total amount of On-Port Energy Supply across all Energy Types to fully support an Action Level by a Target Year.
- (44) PORT means either the Port of Long Beach or the Port of Los Angeles.
- (45) PORT FACILITY means a Port-owned On-Port property that is under the supervision, management, and/or control of the Port, including under Contractual Agreement(s) with one or more parties to operate the facility, and used primarily for loading, unloading, handling, and transfer of Cargo, or embarking and disembarking of passengers, to and/or from Mobile Sources, or for the temporary storage of Cargo on-site. Port Facility does not include the Intermodal Container Transfer Facility (ICTF) which is governed by the ICTF Joint Powers Authority.
- (46) PORT OF LONG BEACH means the Harbor Department of the City of Long Beach that supervises, manages, and controls, by and through the Board of Harbor Commissioners of the City of Long Beach, the tidelands and submerged lands granted by the State of California to and owned by the City of Long Beach and all areas, premises, facilities, and activities that are incident to or in connection with the maintenance, operation, and use of the Long Beach Harbor District.
- (47) PORT OF LOS ANGELES means the Harbor Department of the City of Los Angeles that supervises, manages and controls, by and through the Board of Harbor Commissioners of the City of Los Angeles, the tidelands and submerged lands granted by the State of California to and owned by the City of Los Angeles and all areas, premises, facilities, and activities that are incident to or in connection with the maintenance, operation, and use of the Los Angeles Harbor District.
- (48) PORT SOURCE means any equipment, vehicle, or vessel in the following categories of Mobile Sources: CHE, Drayage Trucks, On-Port Switchers, OGVs, or Harbor Craft, which operates at, and/or travels to or from, Port Facilities.
- (49) PRE-CONSTRUCTION means the phase in a Charging and Fueling Infrastructure Project encompassing all the activities to be conducted to plan and prepare for Construction, including but not limited to project initiation, site assessment,

environmental review, obtaining necessary permitting and approvals, and site preparation including grading, trenching, and environmental remediation.

- (50) PRIMARY PAYER means an entity who, as agreed upon by a Contractual Agreement, assumes the responsibility of ensuring the payment is made to and received by a service or goods provider.
- (51) PROCUREMENT means the phase in a Charging and Fueling Infrastructure Project when acquisition of the necessary property, materials, equipment, accessories, and services to complete the Project takes place.
- (52) RAILCAR means a rail-mounted equipment also known as a “car” designed to carry Cargo.
- (53) RESPONSIBLE OFFICIAL means an official appointed by the City’s Board of Harbor Commissioners, or the person’s delegate, who is responsible for acting on behalf of the Port to ensure compliance with this rule.
- (54) TARGET YEAR means the specific calendar year when an Action Level would be achieved.

(d) Requirements

- (1) No later than two years after rule adoption, each Port shall prepare and submit to the Executive Officer a Port Wide Charging and Fueling Infrastructure Plan (hereafter “Plan”) pursuant to (e).
 - (A) The Executive Officer will review the submitted Plan to determine whether it is complete and complies with the requirements of (e). The Executive Officer may request, and the Ports shall provide, missing and/or supplemental information during Plan review, including but not limited to responses to the most updated version of the South Coast AQMD environmental checklist related to the information submitted pursuant to (e)(2)(D). Within 90 calendar days from the request, the Port shall submit the requested information.
 - (B) Upon completion of Plan review, the Executive Officer will determine whether the Plan fully complies, partially complies, or does not comply with the requirements of (e) and either fully approve, partially approve, or disapprove the Plan accordingly. The Executive Officer will notify the Port, and if applicable, with reason(s) for partial approval or disapproval. Full approval, partial approval, or disapproval shall only be based on:
 - (i) Whether the Plan includes all elements and satisfies all requirements as specified in (e), including the following considerations;
 - (ii) The consistency of the required elements of the Plan specified in (e)(1) through (e)(3) with the supporting references and materials listed pursuant to (e)(4);

- (iii) Whether the assessment of the anticipated Energy Demand and Supply pursuant to (e)(2)(A) aligns with the set of Planning Targets specified in the Plan pursuant to (e)(1);
 - (iv) Whether the forecast of Capacity of On-Port Energy Supply pursuant to (e)(2)(A)(ii) and analysis of additional Capacity of On-Port Energy Supply pursuant to (e)(2)(A)(iii) align with the annual and peak On-Port Energy Demand forecasted pursuant to (e)(2)(A)(i);
 - (v) Whether the processes and timelines as required in (e)(3) aligns with the set of Planning Targets specified in the Plan pursuant to (e)(1);
 - (vi) Whether the workforce assessment as required in (e)(2)(C) aligns with the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii) and the processes and timelines pursuant to (e)(3);
 - (vii) Whether the appropriate environmental analysis as required in (e)(2)(D) has been conducted pursuant to NEPA and/or CEQA for the Plan; and
 - (viii) For any proposed Plan modification pursuant to (d)(2)(B) and (h), any previous or future mitigating actions or circumstances that address the impacts of the proposed Plan modification.
- (C) If the Plan is partially approved or disapproved, the Port shall prepare and submit a revised Plan within 90 calendar days from the date of notification of partial approval or disapproval of the Plan. The revised Plan shall include any information necessary to fully address deficiencies identified in the partial approval or disapproval notification.
- (2) Upon receiving full or partial approval of the Plan, the Port shall carry out its roles and responsibilities for each of the Infrastructure Project processes in accordance with the associated timelines pursuant to (e)(3), in order to complete the Milestones and meet the levels of Energy Supply by the corresponding Target Years consistent with the Planning Targets as specified in the fully approved Plan or the approved sections of a partially approved Plan.
 - (A) The Port may apply for a time extension pursuant to (g) to complete a Milestone.
 - (B) The Port may propose to modify the fully approved Plan pursuant to (h) to alter the Milestone(s) and/or Planning Target(s).
- (3) Each Port shall prepare and submit to the Executive Officer an Interim Report pursuant to (f)(1) no later than 12 months after rule adoption and every 12 months thereafter until the calendar year when the Plan is fully approved.
- (4) Each Port shall prepare and submit to the Executive Officer a Plan Implementation Progress Report pursuant to (f)(2), no later than 12 months following notification of full approval of the Plan and every 12 months thereafter until all Charging and Fueling Infrastructure specified in the fully approved Plan is Operational.

- (5) The Port shall submit the Plan, revised Plan, proposed modified Plan, reports, and time extension applications pursuant to this rule, in the manner specified by the Executive Officer.
 - (A) The Plan and reports shall be submitted in two formats, if the Plan or reports include confidential information, including an unredacted version that is marked confidential, and a 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. A supplementary report must be provided that provides justification for each redaction. Any due dates in this rule apply to both the redacted and unredacted versions of all reports.
 - (B) The revised Plan pursuant to (d)(1)(C) and the proposed modified Plan pursuant to (d)(2)(B) and (h) shall be submitted in the two formats described in (d)(5)(A). The Port shall also submit a markup version that clearly indicates all revisions to the initially submitted Plan or all proposed modifications to the fully approved Plan in the two formats described in (d)(5)(A).
 - (C) The Plan, revised Plan, proposed modified Plan, reports, and time extension applications shall be certified and signed by a Responsible Official, who can or is responsible for attesting to the truthfulness, accuracy, and completeness of each submitted document.
- (e) Port Wide Charging and Fueling Infrastructure Plan
 - Each Port shall include in the Plan, as required in (d)(1), the following elements:
 - (1) Infrastructure Planning Targets
 - The Plan shall specify a set of Planning Targets to guide the planning of Charging and Fueling Infrastructure that will be used by Port Sources to meet the Ports' own zero-emissions goals.
 - (A) Each Port may specify as many Planning Targets as it deems appropriate; however, at least one Planning Target shall be specified for each category of Port Sources to guide the planning of corresponding Infrastructure Project(s).
 - (B) Explanation(s) shall be provided, with supporting references and materials pursuant to (e)(4), as to how the Planning Target(s) are chosen for each category of Port Sources as well as the considerations in (e)(1)(C) through (e)(1)(E).
 - (C) When setting Planning Targets, each Port shall consider the following:
 - (i) The Basin's need to reduce emissions from Port Sources for regional attainment of the California Ambient Air Quality Standards and the National Ambient Air Quality Standards;

- (ii) The latest IMO emissions reduction strategies when setting the Planning Target(s) for OGVs; and
 - (iii) Goals put forth in the 2017 Update to the San Pedro Bay Ports Clean Air Action Plan and the 2017 Joint Declaration of the Mayors of the Cities of Los Angeles and Long Beach.
 - (D) When setting Planning Targets, each Port may consider any public or private sector initiatives, strategies, plans, and projects that pertain to the current or future use of Energy Types other than Conventional Fuels by Port Sources and other Mobile Sources operating at, and/or traveling to or from, Port Facilities.
 - (E) All Planning Targets specified in the Plan shall be consistent with all applicable federal, state, and local requirements, and the Charging and Fueling Infrastructure Project(s) specified in the most recent Interim Report.
- (2) Assessments

Each Port shall include in the Plan four types of assessments as described in (e)(2)(A) through (e)(2)(D), as pertaining to planning, developing, and/or operating Charging and Fueling Infrastructure.

 - (A) Energy Demand and Supply

Each Port shall include an assessment of the anticipated Energy Demand and Supply based on the Planning Targets required in (e)(1). The assessment shall consist of the following:

 - (i) Quantitative forecast of On-Port Energy Demand, from calendar year 2027 to the last Target Year of all Planning Targets, including the information specified in Table 1 – Information on Energy Demand, for each category of Port Sources and also aggregated over all Port Sources for each of the following Energy Types:
 - (A) Electricity;
 - (B) Hydrogen;
 - (C) Each type of Hydrogen Carriers; and
 - (D) Each type of Alternative Marine Fuels.
 - (ii) Quantitative forecast of On-Port Energy Supply, from calendar year 2027 to the last Target Year of all Planning Targets, including the information specified in Table 2 – Information on Energy Supply, for the same Energy Types as specified in (e)(2)(A)(i). The forecast shall be based on the following:
 - (A) Operational Charging and Fueling Infrastructure Project(s) that are specified in the most recent Interim Report;
 - (B) Charging and Fueling Infrastructure Project(s) that are specified in the most recent Interim Report as having funding allocated,

- and/or a certified CEQA or NEPA Document if applicable, but are not yet Operational; and
- (C) Any planned or projected retirement, decommissioning, or demolition of existing Charging and Fueling Infrastructure pursuant to (e)(2)(A)(iv).
 - (iii) Analysis of the additional Capacity of On-Port Energy Supply further needed to meet the annual and peak On-Port Energy Demand forecasted pursuant to (e)(2)(A)(i), which is beyond the Capacity of On-Port Energy Supply forecasted pursuant to (e)(2)(A)(ii). The analysis shall:
 - (A) Provide all information as specified in Table 3 – Information on Infrastructure Components to Build Out Capacity of On-Port Energy Supply.
 - (B) Include and specify any infrastructure component(s) designed to address potential Energy Supply Reliability concerns and Energy Supply Redundancy needs.
 - (iv) Description of any planned or projected retirement, decommissioning, or demolition of existing Charging or Fueling Infrastructure, including infrastructure that dispenses Conventional Fuels.
 - (A) A supplemental analysis shall be additionally provided if any such retirement, decommissioning, or demolition is deemed necessary to build out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii).
 - (B) Cost Estimates and Funding Sources

Each Port shall include an assessment of cost estimates and potential funding sources to build out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii). The assessment shall consist of the following:

 - (i) Estimated costs expected to be incurred by the Port, any third-party under Contractual Agreement to conduct On-Port operations including but not limited to Marine Terminal Operators, and/or any Energy Supplier. The cost estimation shall satisfy all criteria as specified in the following:
 - (A) Include all costs associated with implementing the applicable processes for each Charging or Fueling Infrastructure Project pursuant to (e)(2)(B)(i) and (e)(3) and exclude costs of operating and maintaining the Operational Charging or Fueling Infrastructure;
 - (B) Describe key methods and sources of information used;

- (C) Include the grand total for all Port Source categories, subtotals for each Port Source category and each of the associated Planning Target(s) if applicable, and breakdowns of each subtotal by cost category and Primary Payer;
 - (D) Specify the amount of overall estimated costs for each applicable set of Planning Targets specified in the Plan: 1) those associated with compliance with existing federal, state, local or other applicable laws, regulations, rules, ordinances, and orders, 2) those associated with implementing existing City or Port policies, and 3) other Planning Targets;
 - (E) Include an approximate schedule of when costs are expected to be incurred by year, from the first year of cost incurrence to the last Target Year of all Planning Targets specified in the Plan in accordance with the processes and timelines pursuant to (e)(3).
- (ii) An analysis of how the estimated costs pursuant to (e)(2)(B)(i) are expected to be funded, including the source of funding, the recipient of the funding in the case of any external funding source, the anticipated total funding amount per funding source and funding amounts per year in the case of multi-year funding disbursements or allocations, what the funding will be used for, any potential risks that may affect the anticipated funding and how that may change the amount or timing of funding, any liquidation deadlines or other timing constraints affecting funding from a specific source, and other funding considerations as appropriate. The funding analysis shall classify all anticipated funding sources under the types of funding source as described in (e)(2)(B)(ii)(A) through (e)(2)(B)(ii)(F):
- (A) Grants that have already been awarded;
 - (B) Grants that have been applied for, but have not yet been awarded;
 - (C) Upcoming grant opportunities;
 - (D) Funding made available through existing legislation;
 - (E) Existing Port and/or City fees or other revenue-generating programs;
 - (F) Potential new Port and/or City funding mechanisms; or
 - (G) Others.
- (C) Workforce
- Each Port shall include a workforce assessment, for which the Port may elect to prepare certain required element(s) jointly with the other Port as appropriate but must include all required elements in its Plan. The assessment shall consist of the following:

- (i) An analysis of the workforce needed to build out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii), including:
 - (A) Estimated workforce needs, expressed in total number of full-time equivalent jobs by year and job type, from calendar year 2027 to the last Target Year of all Planning Targets specified in the Plan;
 - (B) A description of existing workforce training programs the Port is involved in or aware of for the job types identified in (e)(2)(C)(i)(A); and
 - (C) An evaluation of expected availability of workers to fill the jobs estimated pursuant to (e)(2)(C)(i)(A), based on the existing workforce and the workforce training programs identified pursuant to (e)(2)(C)(i)(B).
 - (ii) An analysis of how the Charging and Fueling Infrastructure, once in operation, is expected to affect the On-Port workforce on an ongoing basis, including but not limited to any potential impacts on the currently human-operated port operations, such as any projected changes in occupational safety and operational configurations. The analysis shall additionally evaluate potential strategies to address such impacts.
- (D) Environmental
- Each Port shall include an assessment of potential environmental impacts from building out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii). The assessment shall consist of the following:
- (i) Any CEQA or NEPA Documents prepared for the Plan;
 - (ii) A list of all existing draft and/or final CEQA and/or NEPA Documents included or relied upon for any Infrastructure Projects as part of the Plan. This list shall include the Lead Agency for each CEQA and/or NEPA Document, where to obtain a copy of the document, a digital copy of the document, and the record of project approval;
 - (iii) A list of all upcoming or anticipated CEQA and/or NEPA Documents that could be potentially relied upon for any Infrastructure Projects as part of the Plan. This list shall include the Lead Agency for each upcoming or anticipated CEQA and/or NEPA Document; and
 - (iv) A description of the portions of the Plan which either have not been analyzed in a previous CEQA and/or NEPA Document described in (e)(2)(D)(ii) or are not identified in an upcoming or anticipated CEQA and/or NEPA Document described in (e)(2)(D)(iii).

(3) Processes and Timelines

The Port shall specify the key processes and timelines as pertaining to building out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii), from calendar year 2027 to the last Target Year of all Planning Targets specified in the Plan. For each Charging or Fueling Infrastructure Project identified and listed pursuant to (e)(2)(A)(iii), the Port shall include in the Plan the following information:

- (A) A description of each process required to complete the six phases in an Infrastructure Project as specified in (e)(3)(A)(i) through (e)(3)(A)(vi). These phases may overlap, and some phases may not necessarily occur in any specific chronological order:
 - (i) Pre-Construction,
 - (ii) Design,
 - (iii) Procurement,
 - (iv) Construction,
 - (v) Installation, and
 - (vi) Make Operational;
- (B) A chart showing the sequencing and estimated time duration for all processes pursuant to (e)(3)(A), as well as any planned or projected retirement, decommissioning, or demolition of existing Charging or Fueling Infrastructure pursuant to (e)(2)(A)(iv);
- (C) A description of all entities involved in each process pursuant to (e)(3)(A), and the role(s) and responsibility(s) for each entity;
- (D) A description of the Milestones, including but not limited to completion of each of the six phases identified in (e)(3)(A)(i) through (e)(3)(A)(vi), that the Port and other entities are primarily responsible for, respectively, based on the processes pursuant to (e)(3)(A), their timelines pursuant to (e)(3)(B), and each entity's role(s) and responsibility(s) pursuant to (e)(3)(C); and
- (E) Estimated completion date or date range for each Milestone.

(4) Supporting References and Materials

The Plan shall list all references and materials cited, used, or developed to support the preparation of the elements specified in (e)(1) through (e)(3), including identification of the element the reference or material is supporting, description of the supporting function of the reference or material for the preparation of the element, and a digital copy of the reference or material.

(f) Reports

(1) Interim Report

Each Port shall provide in the Interim Report information on Charging and Fueling Infrastructure Projects as described in the following:

- (A) Information as specified in Table 4 – Information on Operational Infrastructure, for all Infrastructure Projects that are already Operational prior to the adoption of this rule, or have become Operational since rule adoption or the submittal of the most recent Interim Report, whichever is later;
 - (B) Information as specified in Table 5 – Information on Not-Yet-Operational Infrastructure, for all Infrastructure Projects that have funding allocated, and/or a certified CEQA or NEPA Document if applicable, but have not yet become Operational prior to the adoption of this rule or since the most recent Interim Report, whichever is later, except for the Infrastructure Projects included in the approved sections of any partially approved Plan;
 - (C) Information as specified in Table 5 – Information on Not-Yet-Operational Infrastructure, for all Infrastructure Projects that are included in the approved sections of any partially approved Plan;
 - (D) Description of the progress towards completing each Charging or Fueling Infrastructure Project included pursuant to (f)(1)(B), and the progress towards each Milestone for each Charging or Fueling Infrastructure Project pursuant to (f)(1)(C), taking into account any time extension granted pursuant to (d)(2)(A) and (g);
 - (E) Description of any retirement, decommissioning, or demolition of existing Charging or Fueling Infrastructure, including infrastructure that dispenses Conventional Fuels, whether such action is necessary to complete any Charging or Fueling Infrastructure Project as described in (f)(1)(B) or (f)(1)(C), and any addition of new Fueling Infrastructure for Conventional Fuels; and
 - (F) List of all new draft and/or final CEQA and/or NEPA Documents for any Infrastructure Projects included pursuant to (f)(1)(B), (f)(1)(C), and (f)(1)(E), including the Lead Agency for each CEQA and/or NEPA Document, where to obtain a copy of the document, and a digital copy of the document.
- (2) Plan Implementation Progress Report
- Each Port shall provide in the Plan Implementation Progress Report information on the progress in implementing the Plan since its full approval or the submittal of the most recent Plan Implementation Progress Report, whichever is later, by reporting the following:
- (A) List of any Charging or Fueling Infrastructure Project specified pursuant to (e)(2)(A)(ii)(B) or (e)(2)(A)(iii) that has become Operational, and each Infrastructure Project's Initial Date of Operation, with a description of these Infrastructure Project(s) by providing the same information as specified in Table 4;

- (B) Description of the progress towards completing each Charging or Fueling Infrastructure Project included pursuant to (e)(2)(A)(ii)(B) that remains not yet Operational, and the progress towards each Milestone for each Charging or Fueling Infrastructure Project specified pursuant to (e)(2)(A)(iii) that remains not yet Operational, taking into account any time extension granted pursuant to (d)(2)(A) and (g);
- (C) A revised chart updating the original chart as required in (e)(3)(B), to visually demonstrate project completion pursuant to (f)(2)(A) and current status of processes pursuant to (f)(2)(B), and any changes to the sequencing and estimated time duration for one or more process(es), taking into account any time extension granted pursuant to (d)(2)(A) and (g) and/or any approved Plan modifications pursuant to (d)(2)(B) and (h);
- (D) Description of any retirement, decommissioning, or demolition of existing Charging or Fueling Infrastructure, including infrastructure that dispenses Conventional Fuels, whether such action is necessary to complete any Charging or Fueling Infrastructure Project pursuant to (e)(2)(A)(ii)(B) or (e)(2)(A)(iii), and any addition of new Fueling Infrastructure for Conventional Fuels; and
- (E) List of all new draft and/or final CEQA and/or NEPA Documents for any Infrastructure Projects that would build out the additional Capacity of On-Port Energy Supply analyzed pursuant to (e)(2)(A)(iii) and (e)(2)(A)(iv), including the Lead Agency for each CEQA and/or NEPA Document, where to obtain a copy of the document, and a digital copy of the document.

(g) Time Extension

The Port may submit an application to the Executive Officer for a time extension to complete a Milestone pursuant to (d)(2) and (e)(3)(D) due to a delay that is beyond the control of the Port, provided the requested time extension will not adversely affect the Plan's ability to meet the levels of Energy Supply by the corresponding Target Years consistent with the Planning Targets as specified therein.

- (1) The application for time extension for the affected Milestone shall be submitted to the Executive Officer in writing no later than 90 calendar days before the estimated Milestone completion date or the latest date in the estimated Milestone completion date range, whichever is applicable, as specified in the Plan pursuant to (e)(3)(E);
- (2) The application shall include the following information:
 - (A) Identification of the affected Milestone for which a time extension is needed;
 - (B) Reason(s) a time extension is needed, with supporting materials and records where applicable;
 - (C) The length of time extension requested, not to exceed 36 months, with a supplemental analysis demonstrating that the specified length is as short as

- practicable to ensure the affected Milestone will be completed as expeditiously as possible;
- (D) Progress made towards the affected Milestone since the most recent Plan Implementation Progress Report; and
 - (E) Description of any processes and timelines pursuant to (e)(3) that would be potentially impacted by the requested time extension.
- (3) The Executive Officer will approve or disapprove the time extension application and notify the Port. Approval or disapproval will be based on the following criteria:
- (A) The request for time extension includes all required elements as specified in (g)(2);
 - (B) The Port provides sufficient details that demonstrate to the Executive Officer that there are extenuating circumstances beyond the control of the Port that necessitate additional time to implement the affected Milestone; and
 - (C) The Port demonstrates continued progress, or continued effort to make progress, towards the affected Milestone for which a time extension is needed. Such demonstration may include but is not limited to ongoing consultation with other entities with roles and responsibilities in implementing the affected Milestone.
- (4) Within 30 calendar days of receipt of the time extension application, the Executive Officer will confirm receipt in writing, and if applicable, request any missing information as required in (g)(2), and/or additional materials and records to further demonstrate the nature of the delay or to further substantiate the need for time extension.
- (A) The Port shall provide the missing information and/or requested materials and records within 14 calendar days from the date of notification.
- (5) The Executive Officer will notify the Port if the time extension application is approved or disapproved within 45 calendar days of receiving all required information in (g)(2) and (g)(4).
- (h) Plan Modification
- The Port may propose to modify the fully approved Plan if either of the two types of events occurs as specified in (h)(1) and (h)(2), and the Port shall prepare and submit to the Executive Officer a proposed modified Plan if the type of event occurs as specified in (h)(3):
- (1) Either one or more of the Planning Targets or one or more of the Milestones, as specified in the Plan, become infeasible to implement due to factors beyond the control of the Port, provided that the following is met:
 - (A) The Port prepares and submits to the Executive Officer for approval the proposed modified Plan pursuant to the requirements specified in (d)(1)(A) through (d)(1)(C);

- (B) The Port includes in its Plan submittal pursuant to (h)(1)(A) a cover letter as specified in (h)(4); and
 - (C) The proposed modified Plan includes necessary modifications and updates to all the elements required in (e).
 - (2) The Port identifies and intends to pursue an alternative set of Milestone(s) to meet or exceed one or more of the Planning Targets as specified in the Plan, provided that the following is met:
 - (A) The Port prepares and submits to the Executive Officer for approval the proposed modified Plan pursuant to the requirements specified in (d)(1)(A) through (d)(1)(C);
 - (B) The Port includes in its Plan submittal pursuant to (h)(2)(A) a cover letter as specified in (h)(4);
 - (C) The proposed modified Plan includes necessary modifications and updates to all the elements required in (e); and
 - (D) The proposed modified Plan does not eliminate or modify existing Planning Targets, except that the proposed modified Plan may modify the Planning Target(s) as stated in the fully approved Plan with earlier Target Year(s) and/or higher Action Level(s). The proposed modified Plan may add additional Planning Target(s).
 - (3) Any Milestone or Planning Target specified in the Plan conflicts with any provision in an applicable state or federal regulation.
 - (A) Within 12 months from the effective date of the applicable state or federal regulation containing provisions that conflict with Milestone(s) and/or Planning Target(s) of the Plan, the Port shall prepare and submit to the Executive Officer for approval the proposed modified Plan pursuant to the requirements specified in (d)(1)(A) through (d)(1)(C);
 - (B) The Port includes in its Plan submittal pursuant to (h)(3)(A) a cover letter as specified in (h)(4); and
 - (C) The proposed modified Plan includes necessary modifications and updates to all elements required in (e) that fully resolves any conflict with the applicable state or federal regulation.
 - (4) Any cover letter for the submittal of proposed modified Plan pursuant to (h)(1)(B), (h)(2)(B), and/or (h)(3)(B) shall include the following information:
 - (A) Reason(s) for the proposed modifications; and
 - (B) List of specific section(s) of the fully approved Plan that are proposed to be modified and a brief description of proposed modification(s) in each of these section(s).
- (i) Cargo Throughput
- Nothing in this rule shall be construed to impose a limit on cargo throughput.

(j) Recordkeeping

Each Port shall keep the records and documentations that support the accuracy and validity of all information reported and submitted to the Executive Officer pursuant to (d) through (h), as applicable, for a minimum of seven (7) years from the date of submittal and make the records and documents available to the Executive Officer upon a written request.

(k) Severability

If any provision of this rule is held by judicial order to be invalid or inapplicable to any person or circumstance, such order shall not affect the validity of the remainder of this rule, or the validity or applicability of such provision to other persons or circumstances.

Table 1 – Information on Energy Demand

Information Description	
(A) Electricity	
(i)	Annual Energy Demand, expressed in megawatt-hours
(ii)	Peak (maximum) hourly Energy Demand in a given calendar year, expressed in megawatts
(B) Hydrogen or Hydrogen Carrier by Gaseous or Liquid State	
(i)	Annual Energy Demand, expressed in kilograms if in gaseous state, or in gallons if in liquid state
(ii)	Peak (maximum) 30-day rolling average Energy Demand in a given calendar year, expressed in kilograms if in gaseous state, or in gallons if in liquid state
(C) Alternative Marine Fuels by Specific Fuel	
(i)	Annual Energy Demand, expressed in Mtoe
(ii)	Peak (maximum) 30-day rolling average Energy Demand in a given calendar year, expressed in Mtoe

Table 2 – Information on Energy Supply

Information Description	
(A) Electricity	
(i)	Annual Capacity, expressed in megawatt-hours, and in kilovolt-ampere-hours if applicable
(ii)	Hourly Capacity in a given calendar year, expressed in megawatts, and in kilovolt-amperes if applicable
(B) Hydrogen or Hydrogen Carrier by Gaseous or Liquid State	
(i)	Annual Capacity, expressed in kilograms if in gaseous state, or in gallons if in liquid state
(ii)	Monthly Capacity in a given calendar year, expressed in kilograms if in gaseous state, or in gallons if in liquid state
(C) Alternative Marine Fuels by Specific Fuel	
(i)	Annual Capacity, expressed in Mtoe
(ii)	Monthly Capacity in a given calendar year, expressed in Mtoe

Table 3 – Information on Infrastructure Components to Build Out Capacity of On-Port Energy Supply

Information Description	
(i)	List and description of each Infrastructure Project that builds out Capacity, including specific Port Source(s) each Infrastructure Project will serve as well as the Capacity of each Infrastructure Project
(ii)	List of each Infrastructure Project’s components to build out Capacity for Energy Types other than Conventional Fuels, such as energy dispensers (stationary or mobile), fuel compressors, fuel transportation pipelines and related components, service lines, feeders, transformers, circuits, substations, as well as any On-Port or Off-Port energy generation and energy storage facilities or components
(iii)	Map and summary description of each Infrastructure Project showing all specific locations of Charging and Fueling Infrastructure
(iv)	Capacity to meet On-Port Energy Demand for electricity, hydrogen, Hydrogen Carrier(s), and/or Alternative Marine Fuel(s) at each location of Charging and Fueling Infrastructure and aggregated over all these locations
(v)	Demonstration of how the aggregated Capacity of On-Site Energy Supply, after taking into account the Infrastructure Projects described in (i) in this Table and in (e)(2)(A)(ii), will meet the forecasted On-Port Energy Demand pursuant to (e)(2)(A)(i)

Table 4 – Information on Operational Infrastructure

Information Description	
(i)	List of each Operational Charging and Fueling Infrastructure Project for all Energy Types including Conventional Fuels, and for all Port Sources and any other Mobile Sources that are not Port Sources
(ii)	A map showing each listed Infrastructure Project pursuant to (i) in this Table, with clear notation of different Energy Types
For each listed Infrastructure Project except for those dispensing Conventional Fuels:	
(iii)	Dispensing Energy Type
(iv)	Date of complete Installation (inclusive of any required inspection) for each project
(v)	Date of beginning operation for each project (if different than the date of completed Installation)
(vi)	Documentation from responsible party or parties certifying completion of Installation and making infrastructure Operational for each project
(vii)	Name(s) of Energy Supplier(s) and infrastructure operator(s), if different from Energy Supplier(s)
(viii)	Energy Throughput, expressed in time periods and units specified in Table 1, and a description of the calculation or data collection method
(ix)	Capacity, expressed in time periods and units specified in Table 2
(x)	The number and type(s) of Mobile Sources that can be fueled or charged simultaneously
(xi)	Summary of project components that may include but are not limited to: type, quantity, and key specification(s) of individual components of the project such as energy dispensers (stationary or mobile), fuel compressors, fuel transportation pipelines and related components, electric chargers, service lines, feeders, transformers, substations, and any On-Port or Off-Port energy generation and energy storage components

Table 5 – Information on Not-Yet-Operational Infrastructure

Information Description	
(i)	List of each Charging and Fueling Infrastructure Project that is not yet Operational, for all Energy Types including Conventional Fuels, and for all Port Sources and any other Mobile Sources that are not Port Sources
(ii)	A map showing each listed Infrastructure Project pursuant to (i) in this Table, with clear notation of different Energy Types
For each listed Infrastructure Project except for those dispensing Conventional Fuels:	
(iii)	Dispensing Energy Type
(iv)	Name(s) of responsible party or parties for the Pre-Construction, Design, Procurement, Construction, Installation, and making infrastructure Operational in each project
(v)	Anticipated dates of Installation Milestones for each project
(vi)	Documentation from the Port to the local electrical utility for any request to upgrade the electrical service, as well as the response(s) from the utility estimating the amount of time it will take to provide the upgrade, if applicable and has not been previously submitted to the Executive Officer
(vii)	Most updated documentation from responsible party or parties of agreement for each project with an estimated date or date range of complete Installation (inclusive of any required inspection) for Energy Types other than electricity, if applicable and has not been previously submitted to the Executive Officer
(viii)	Projected Energy Throughput, expressed in time periods and units specified in Table 1, and a description of the projection method
(ix)	Design Capacity, expressed in time periods and units specified in Table 2
(x)	The estimated number and type(s) of Mobile Sources that can be fueled or charged simultaneously
(xi)	Summary of project components that may include but are not limited to: type, quantity, and key specification(s) of individual components of the project such as energy dispensers (stationary or mobile), fuel compressors, fuel transportation pipelines and related components, electric chargers, service lines, feeders, transformers, substations, and any On-Port or Off-Port power generation and energy storage components