

NORTHWEST SAN PEDRO NEIGHBORHOOD COUNCIL



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TELEPHONE: (310) 732-4522
WEBSITE: NWSanPedro.org
E-MAIL: BOARD@NWSanPedro.org

NW San Pedro Neighborhood Council
638 S. Beacon Street, Box 688
San Pedro, CA 90731

FINAL BOARD APPROVED CAAP LETTER

September 18, 2017

Harbor Commissioners
Port of Long Beach
4801 Airport Plaza Dr.
Long Beach, CA 90815

Harbor Commissioners
Port of Los Angeles
425 South Palos Verdes St.
San Pedro, CA 90731

Honorable Harbor Commissioners:

The **Northwest San Pedro Neighborhood Council (NWSPNC)** appreciates Mayor Eric Garcetti, Port of Los Angeles (POLA) Executive Director Gene Seroka, Long Beach Mayor Robert Garcia and interim Port of Long Beach Chief Executive Duane L. Kenagy for updating and extending the Clean Air Action Plan (CAAP). We believe that the goals and ideals of the CAAP are necessary to reduce the high levels of air pollution due to port operations.

The **Northwest San Pedro Neighborhood Council** supports many of the goals related to various emission sources, and the proposed measures to meeting those goals, in the Ports' revised CAAP. We believe an effective CAAP should focus on the ultimate goal of reducing emissions and making the air safe to breathe for those of us who work, live and play in communities surrounding the ports, and all those residing in the Los Angeles Basin. Seeking out and implementing new technologies – designed to improve air quality in and around the ports and in freight movement that are operationally effective and for which there is a viable business case – are important to our stakeholders.

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We ask that the revised CAAP include:

A No-Net Increase Clause

The CAAP currently does not include a goal to ensure there will be no net increase in emissions from any future project (container terminal, liquid bulk, etc.), existing expansion projects, and container throughput growth at existing terminals under existing lease agreements. Without the inclusion of a no-net increase requirement, the Ports can reduce emissions from specific equipment but still experience increased emissions due to Port growth.

Performance Measurements and Auditing

Create a methodology of audits and measure “real” performance against emission reduction expectations. It should include actions that will be taken if goals are not being met.

Include a 3-Year Implementation Plan and Emission Targets for each Port Facility, starting with container terminals, as part of future lease agreements and future environmental impact reports. The first **3-year** plan would commence starting at the end of Year Two.

Use GAO’s Technology Readiness Level (TRL) Metrics to evaluate these technologies in operationally appropriate settings with production ready vehicles and yard equipment that meet pre-established performance requirements.

Advance Zero-Emission Technologies through the expedited implementation of existing ZE technologies, prioritizing investments in developing ZE technologies, ensuring incentive funds only go to ZE technologies, and by setting interim milestones.

There is currently Zero Emission and Near Zero Emission cargo handling equipment in over 75 of all equipment categories outlined in the CAAP. Zero Emission cargo handling equipment may be feasible five years earlier than the proposed 2030 date in the CAAP.

Where Zero-Emission Technologies Do Not Yet Exist for Ships and Rail, Advance the Cleanest Technologies Available by establishing ambitious emission reduction goals designed to support a long-term transformation to zero-emissions.

We Note the Revised CAAP:

Fails to comply with the state At-Berth Rule Compliance Schedule mandating that 70% of all ships visiting the ports must use electric shore power or an emissions capture technology by January 1, 2017. The Ports did not meet the 50-ship compliance requirement beginning January 1, 2014.

The CAAP baseline year needs to comply with AB32 which specifies that by the year 2020, GHG emissions within the state must be at 1990 levels.

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Update and Include Emissions and Health Risk Reduction Goals.

CAAP's 2010 San Pedro Bay-wide Health Risk Assessment (HRA) has not provided evidence of significant reduction in public health impacts or improvement in public health. Only a Health Impact Assessment (HIA) based on a public health survey can provide a Public Health Baseline. A Public Health Baseline is needed to estimate public health improvements.

The CAAP's proposal to reduce residential cancer risk from port-related diesel PM emission by 85% requires periodic reporting that provides updated information on the types of cancers associated with exposure to diesel PM emissions. Based on a Public Health Baseline, provide detailed information on port sponsored public health research on the types, categories and number of residents afflicted with cancer. Maintain these records in order to develop a long term report whose findings support this CAAP proposal.

Solicit and Respond to Community Input via a Robust Engagement Process

Provide a mechanism for periodic community outreach to communicate progress on meeting CAAP goals and incorporate stakeholder feedback at each **3-year** assessment.

Create a community task force (similar to the task force created in 2007) comprised of business, labor, health, legal and community group representatives, to receive relevant reports and provide feedback during each assessment & plan implementation cycle.

Address the Misclassification of Truck Drivers

Include a review process that periodically reports the extent to which trucking companies serving the ports are in compliance with state and federal labor laws.

Funding CAAP Requirements

Evaluate the use of a Container Tariff and Bulk Product Metric Ton Tariff as part of a program to meet annual emission reduction requirements and the assessment of environmental and public health impacts.

We look forward to your response.

Sincerely,



Ray Regalado, NWSPNC President
On behalf of the NW San Pedro Neighborhood Council
CC:

- Chris Cannon, Chief Sustainability Officer, Director of Environmental Management, Port of Los Angeles

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- Heather Tomley, Director of Environmental Planning, Port of Long Beach, 4801 Airport Plaza Drive Long Beach, CA 90815
- Los Angeles Councilman Joe Buscaino, 200 N. Spring St. Room 410 Los Angeles, CA 90012
- Los Angeles Mayor Eric Garcetti, 200 N. Spring St. Room 303 Los Angeles, CA 90012
- SCAQMD, Wayne Nastro, Executive Officer , SCAQMD Marine Port Committee and the Governing Board Members, 21865 Copley Dr., Diamond Bar, CA 91765
- Janice Hahn, Supervisor, 4th District, LA County Board of Supervisors, 505 S. Centre, San Pedro, CA 90731
- Governor Jerry Brown, State Capitol, Suite 1173 Sacramento, CA 95814
- Central San Pedro Neighborhood Council, 1840 S. Gaffey Street, Box 212, San Pedro, CA 90731
- Coastal San Pedro Neighborhood Council, 1840 S. Gaffey Street, Box 34, San Pedro, CA 90731
- Wilmington Neighborhood Council, 544 N Avalon Blvd, Wilmington, CA 90744
- Melissa Lin Perrella. Senior Attorney, NRDC, 1314 2nd Street, San Monica, CA 90401