



# Q & A



## San Pedro Bay Clean Air Action Plan Frequently Asked Questions

### 1. What is the San Pedro Bay Clean Air Action Plan?

The San Pedro Bay Clean Air Action Plan (CAAP) has been developed jointly by the Ports of Long Beach and Los Angeles, in cooperation with the U.S. Environmental Protection Agency (EPA), California Air Resources Board (CARB) and South Coast Air Quality Management District (SCAQMD), to define implementation strategies to meet shared air quality improvement goals. The plan includes measures for achieving emission reductions from various port operations over the next five years.

The Ports recognize that their ability to accommodate the projected growth in trade will depend upon their ability to address adverse environmental impacts (and, in particular, air quality impacts) that results from such trade. The San Pedro Bay Ports are committed to expeditiously and constantly reduce the public health risk associated with port-related mobile sources, and implement a program within five years that will achieve this goal.

### 2. What is the goal of the CAAP?

The Clean Air Plan is designed to develop and implement mitigation measures and incentive programs necessary to reduce air emissions and health risks associated with port operations, while allowing port development to continue.

### 3. Did the CAAP include input from the Public, Stakeholders, Medical and Scientific experts?

The Ports have provided for significant public/stakeholder involvement in the development of the CAAP. In addition, this plan was built upon earlier work, including the public efforts of the No Net Increase Task Force. The public was invited to a series of four public meetings that were attended by representatives from each Port as well as representatives from EPA, CARB and SCAQMD. This panel listened to extensive public comment and addressed specific questions from the public that were submitted in writing at each meeting. These public comment meetings were recorded and/or transcribed by court recorder for the record, which is available for public review upon request. Written summaries of each meeting were developed by Port staff and these meeting summaries were compiled into this comments response document, formalizing the Ports' response to the comments received.

In addition to the oral comments and questions received at the public meetings, the Ports accepted written comment submittals for staff consideration over a sixty day period. Each port established an e-mail address to facilitate the submittal of written comments. A separate response document similar to this was prepared to address written public comments. In addition, follow-up meetings were conducted by Port staff upon stakeholder request as appropriate.

The Ports sought input from stakeholders through the public meetings and extended comment period from an initial thirty days to sixty days, after the release of the draft plan. The changes in the revised draft plan reflect many of these comments that the Ports have received. In addition, the revised Plan, along with the Ports responses to oral and public comments were released for stakeholder review prior to the Harbor Commissioners meeting to consider adoption of the plan.

As noted in the CAAP, periodic updates to the plan will be issued, at a minimum, on an annual basis, to adjust the standards, goals and measures based on implementation progress and stakeholders review and comments. These updates will include annual updates to the Ports' emissions inventory, the best measure of the CAAP's effectiveness. All of these actions will be taken with public disclosure.

4. How is the CAAP different from other plans like the City of Los Angeles' No Net Increase Task Force (NNI) and the State's Goods Movement Action Plan (GMP)?

The CAAP differs from NNI and the GMP in that it was developed jointly by both Ports, with the participation and cooperation of SCAQMD, CARB, and EPA, to serve as an implementation strategy for the port facilities on both sides of San Pedro Bay. The CAAP anticipates putting into action many of the measures laid out in the other plans through use of stringent requirements negotiated into new and amended leases, significant funding commitments, and the use of tariffs.

5. How do the emission reductions in the CAAP compare to No Net Increase (NNI) and the Goods Movement Action Plan (GMP)?

The CAAP achieves significant emission reductions over the initial five-year period of the plan. Through implementation of the CAAP, before 2010 it is estimated that emissions will be reduced below 2001 levels of emissions for NOx and DPM. In addition, it is important to note that the CAAP and the GMP are complimentary approaches, however the CAAP will achieve greater emission reductions over the first five year period. These emission reduction estimates include the effect of growth by using the growth rate assumptions from the CARB's Goods Movement Plan, which are consistent with the growth estimates used for vessels in NNI.

6. What emission sources are covered in the CAAP?

The CAAP includes strategies to reduce emissions from port-related heavy-duty trucks, ocean-going vessels, cargo handling equipment, harbor craft and railroad locomotives. The CAAP includes strategies to reduce emissions from trucks, locomotives, harbor craft, and cargo handling equipment through modernizing the fleets, retrofitting with exhaust after-treatment controls, and using cleaner fuels. The CAAP also includes strategies to reduce emissions from ships through participation in the Vessel Speed Reduction program, lower sulfur fuels, shore power, and cleaner engine technologies.

7. Will the CAAP achieve measurable emission reductions?

All of the measures, by source category, included in the plan, are designed to achieve the maximum possible emissions reductions given the status of various emissions control strategies and the Ports' authority to require the implementation of those measures. Thus the goals for the reduction in criteria pollutants are tied to unit-based replacements or conversion to better technology. As identified in Section 6 of the Technical Report, using the growth assumptions from CARB's GMP and the CAAP assumptions for unit-based improvements, by the fifth year (2011), targeted emissions reductions due to implementation are at least 47%

reduction in DPM, 45% reduction in NOx, and 52% reduction in SOx from OGV, CHE, and HDV source categories. Currently, there are no health risk standards defined by agencies such as USEPA, CARB or SCAQMD. The Ports have started discussions with the agency Technical Working Group (TWG) to define San Pedro Bay-wide health risk standards as identified in the expanded discussion in Section 2.2. The Clean Air Action Plan contains a milestone for the Ports to develop a San Pedro Bay wide health risk standard with cumulative health risks goals by Spring 2007.

8. Are there interim goals to provide a clear indicator of progress and provide feedback if a change in strategy is necessary?

The measures in the CAAP are focused on unit-based goals that define achievable emission reductions from each source category. The overall benefits of the CAAP will be quantified and reflected each year as part of the Ports' CAAP performance tracking and reporting and each Port's Emissions Inventory. Individual measures will be tracked and publicly reported on more frequently.

9. How will the CAAP be implemented?

The ports are proposing aggressive emissions reduction requirements that in most cases accelerate regulatory requirements. It relies primarily on leases. However, the Plan also proposes other implementation mechanisms such as tariffs, fees and other strategies to accelerate emission reductions. The Ports believe this plan represents their most aggressive approach available for addressing emission reductions.

10. How will the Ports define "fair share" and the San Pedro Bay Standard?

The Ports and the agencies anticipate building upon modeled 2007 AQMP estimates for developing overall San Pedro Bay emissions targets for NOx, SOx and PM, with targets and milestones for 2014 and 2020. These targets will establish the San Pedro Bay Ports' "fair share" of regional emissions reductions. These targets will be a valuable tool for long-term air quality planning, aiding the Ports and the agencies with evaluating the long-term cumulative effects of future projects.

Discussions between the Ports and the regulatory agencies to better define both a toxics health risk standard and the criteria emissions reduction standard ("fair share") for the San Pedro Bay have already begun. The goal of these discussions is to develop and present the agreed upon San Pedro Bay Standards to the Ports' Boards for their approval by Spring 2007. Due to the critical nature of these standards, the Ports and regulatory agencies will work together expeditiously to deliver sound proposals for these standards to the Boards as soon as possible in order that they may be considered in the CEQA documents for a number of upcoming development projects.

11. What is the time frame covered by the CAAP?

The CAAP is a rolling five-year plan. This initial plan covers the time period from 2006 through 2011. Each year the plan will be reviewed and updated to cover the next five year period.

12. How will the CAAP be funded?

The Ports are proposing to provide over \$400 million over the next five years to support truck fleet modernization, the Technology Advancement Program, vessel speed reduction incentives, cold-ironing infrastructure and LNG fueling infrastructure development. In addition to the Port's money, the CAAP will be supplemented with financial support from SCAQMD. In

addition, the Port's will seek state bond money and other sources of grant funding to expand its mitigation efforts.

At present, significant portions of the Clean Air Action Plan remain underfunded. As a result, the Ports are exploring various mechanisms to achieve the goals outlined in the Clean Air Action Plan. One mechanism that could alleviate the funding shortfall is the application of impact fees associated with the movement of cargo or sources (i.e., trucks, locomotives, vessels, etc.). Staff is committed to evaluate the use of fees to accelerate emission reductions from all source categories.

### 13. Will polluters pay their fair share?

Through the implementation strategies, this Plan shifts a large portion of the cost of emissions reductions to the goods movement industry. Through leases, tariff changes, and fees, the Ports expect that terminal operators, shippers, and beneficial cargo owners will need to expend significant funds to achieve the goals of the Plan. The Ports themselves will also be contributing substantial funds particularly related to on-road heavy duty trucks and shore-side electrical power infrastructure.

### 14. What commitment will the ports make to developing new, clean technologies for use in port operations?

A major focus of the CAAP is the Technology Advancement Program, as detailed in Section 5.7 of the Technical Report. It is envisioned that the Technology Advancement Program would be the catalyst for identifying, evaluating, and demonstrating/piloting new and emerging emissions reduction technologies/strategies that could then be utilized in future updates to the Clean Air Action Plan as new control measures, alternatives to existing strategies, or as additional mitigation options for new projects that will ultimately result in significant reductions of DPM, NO<sub>x</sub>, and other criteria pollutants.

An additional component of the Technology Advancement Program is development of "Green Container" Transport Solutions. The Ports will be investing in hybrid, alternative-fueled, and electrical trucks for moving containers from the Ports. Once proven, the technologies will be moved forward as future mitigation measures. The two Ports have already released a joint RFP for advanced cargo transportation technology evaluation and comparison with regards to container transport to near dock rail facilities. Advanced technologies that will be evaluated include: linear induction motor systems, electric container conveyor systems including "maglev," freight shuttle systems, aerospace freight options, etc. As part of this effort, the Ports will undertake design and construction of prototype systems of promising technologies.

The Ports have committed a minimum of \$15 million to this program over the next five years.

### 15. Will requirements be implemented on a case-by-case basis or will uniform requirements based on fixed percentages be established (for any of the measures)?

When measures are implemented through leases, each lease will be negotiated on a case-by-case basis. Every port facility has unique operations, and this approach allows for the greatest flexibility to negotiate strict emission reductions requirements for achieving the goals of the CAAP. Setting fixed percentages for uniform application will not always achieve the greatest emissions reductions. For example, requiring a fixed percentage of calls to cold-iron does not necessarily target the appropriate vessels to achieve the greatest emission reductions and can even work against the goals of the CAAP. Where uniform application of a measure is appropriate, tariffs are being considered.

16. Is there a long-term vision for this Plan?

The primary purpose of the Plan is to address the near-term needs to provide immediate emissions reductions. The Plan evaluates all potentially feasible measures available in the immediate term, and has a program (Technology Advancement Program) to address emerging technologies as they are developed that can be integrated into the Plan as it is updated annually.

In addition, the Ports have a longer term vision. As defined in the CAAP, through the San Pedro Bay Standard, the long-term vision is to reduce criteria pollutant emissions to levels that will assure that port-related sources decrease their "fair share" of regional emissions to enable the SoCAB to attain state and federal ambient air quality standards and to reduce public health risk from toxic air contaminants associated with port-related sources to acceptable levels.

17. Will Green House Gases be addressed in the CAAP?

In addition to the focus on DPM, oxides of nitrogen (NO<sub>x</sub>), and oxides of sulfur (SO<sub>x</sub>), greenhouse gases (such as carbon dioxide, methane, etc.) are also an important consideration when evaluating emissions from mobile sources, since they potentially have a global effect. While the immediate purpose of this Clean Air Action Plan is to address emissions that affect public health risk on a local basis, it is important to note that none of the emissions mitigations measures proposed in this plan will cause an increase in greenhouse gas (GHG) and that some, in fact, will reduce GHGs. Further, state-wide greenhouse gas emission reductions are expected to be achieved through the recently enacted California Global Warming Solutions Act of 2006 (AB 32), which requires CARB to develop regulations and market mechanisms to implement a cap on greenhouse gas emissions from stationary sources that will reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, the Port of Los Angeles has become a member of the California Climate Action Registry which requires the Port to report Green House Gas Emissions from port operations.

18. Are the Ports working cooperatively with the all of the regulatory and oversight agencies?

The Ports agree and are working closely with representatives of the Environmental Protection Agency (EPA-Region-9), California Air Resources Board (CARB), and the South Coast Air Quality Management District (SCAQMD) to develop the scope and the breadth of the San Pedro Bay Clean Air Action Plan. The CAAP document is the prime example of cooperation between regulatory agencies and the regulated community where, for the first time, these three government agencies and the two Ports have worked so closely together, to develop a joint plan of action to reduce Port related emissions.

19. Is the CAAP consistent with other state, regional, or local emission reduction plans and rules?

The Ports are working closely with representatives of the Environmental Protection Agency, California Air Resources Board, and the South Coast Air Quality Management District to ensure that the CAAP will not conflict with state, regional or federal rules. However, specific CAAP measures may go beyond the requirements within those other plans and rules. The Ports also expect that the Clean Air Action Plan will be the basis of control measures incorporated into the State Implementation Plan through the SCAQMD's AQMP. Due to the close coordination with SCAQMD and CARB, the Clean Air Action Plan will, it is hoped, represent the joint approach for reducing the "fair share" of emissions associated with port-related operations. It is expected that CARB's Good Movement Plan and SCAQMD's 2007 AQMP will complement the CAAP.

