

## 10. SUMMARY AND KEY RECOMMENDATIONS

Despite considerable time and resource constraints, the Task Force has accomplished their mission to understand the scope of projected air emissions growth associated with Port activities, to evaluate appropriate control technologies that could be applied to Port emission sources, and, to assess potential financial and legal impacts associated with implementation of the NNI control measures. It is the Task Force's recommendation that the process should be moved forward and that appropriate near-term control measures as described in Section 6.1 be adopted and implemented as planned. In the meantime, financial, legal and technical concerns for selected control measures should be further studied and refined, and should be incorporated in the next iteration of the Plan in the near future.

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### **Stakeholder Comments Received:**

#### **South Coast Air Quality Management District and Natural Resources Defense Council**

*The Task Force urges that the Mayor approve the No Net Increase Plan (Plan) and forward it to the Board of Harbor Commissioners, with a recommendation to take the following action following public review and comment and compliance with CEQA:*

- 1. The Board should commit to set aside the funding required under the Plan for the control measures that require incentive programs, infrastructure, and demonstration projects, and to take action to insure that these measures are implemented according to the timeline set forth in the Plan and that the required infrastructure is created;*
- 2. The Board should adopt as port-wide requirements applicable to all port leases all control measures in the Plan for which an implementation option is through a port-wide policy, in order to insure the most equitable application of the measures;*
- 3. The Board should require for all proposed new terminals and expansions of existing terminals that all applicable control measures in the Plan be implemented at the expanded and existing terminal unless it is demonstrated as part of the review under the California Environmental Quality Act that the measure is technically infeasible for implementation during the lease period for the project*
- 4. To the extent feasible, approval of new terminals and expansions of existing terminals should not result in a net increase in emissions.*
- 5. If an approval under paragraph 4 would result in a net increase in emissions, the increase should be fully offset by other emissions reductions from other port-related sources.*

*In addition, the Task Force recommends that the Mayor, City of Los Angeles, and Board of Harbor Commissioners formally urge the Air Resources Board and Environmental Protection Agency to adopt and implement all measures assigned to those agencies in the Plan as "proposed" or "additional" measures at the highest level of emissions reductions that is feasible for those measures.*

*The Task Force also recommends that the Mayor, City of Los Angeles, and Board of Harbor Commissioners take a position in support of all legislation recommended as part of the Plan.*

*SCAQMD agrees with NRDC's recommendations. In addition, we recommend that if during implementation of the NNI Measures, it is found that any of them cannot be implemented in whole or in part due to preemption or other legal reasons, that the Port impose a mitigation fee upon the involved sources sufficient to attain equivalent emission reductions to that which the measure would attain.*

### **South Coast Air Quality Management District**

*Recommendations - Suggest to add the following:*

*The NNI Task Force recommends that the Mayor forward the NNI Plan to the Board of Harbor Commissioners for implementation. NNI control measures should be implemented based on a hierarchy established according to the following categorizations (i.e., short-term implementation and medium/long-term implementation). This hierarchy and implementation schedule excludes control measures that have already been adopted or proposed by the POLA and those measures that have been adopted by ARB or EPA, or are being proposed for adoption.*

#### **Short-Term Implementation**

*Priority should be given to control measures that the POLA could begin implementing without additional agency involvement or mandatory regulation such as through lease agreements, port tariffs or financial incentives or disincentives. The following list of measures should be considered for immediate implementation.*

*OGV6 – Reroute Cleaner Ships*

*OGV11 – Expanded Auxiliary Engine Fuel Improvement Program*

*OGV15 – Expanded VSR Program*

*OGV16 – Expanded AMP*

*HC9 – Repower Existing Harbor Craft*

*HC11 – AMP-Ready Staging Areas*

*CHE7 – Expanded Yard Tractor Modernization*

*CHE8 – Enhanced CHE Modernization*

*R6 – Ultra-Low Emission Switcher Locomotives*

*R9 – CARB Diesel Fuel for Class 1 Railroad Locomotives*

*R10 – Idling Control for Switcher and line-Haul Locomotives*

*HDV10 – Expanded Truck Modernization Program*

*HDV11 – California Heavy-Duty Diesel Vehicles Standards and Fleet Modernization for Mexican Trucks*

*HDV12 – Early ULSD Implementation*

*HDV13 – Retrofit Heavy-Duty Diesel Vehicles with Diesel Oxidation Catalysts (DOC)*

*HDV14 – Retrofit Heavy-Duty Diesel Vehicles with Diesel Particulate Traps (DPF)*

*HDV19 – Idling Reduction Measures*

#### **Demonstration Project Implementation**

*Several control measures in the NNI Plan require the POLA to initiate demonstration studies on emission reduction technologies, which if found feasible would be implemented following successful demonstration. These control measures' demonstration studies should be initiated as soon as possible and concurrent with the implementation of measures classified as priority. The following measures fall into this category.*

*OGV7 – Low-Emission Main Propulsion Engines*

*OGV9 – Main Engine Fuel Improvement Program*

*OGV12 – Early ULSD Implementation*

*OGV14 – Retrofit/Repower Requirement for Infrequent Callers*

*HC7 – Emulsified Fuels*

*R7 – Ultra-Low Emission Switcher and line-Haul Locomotives: Class 1*

#### **Medium and Long-Term Implementation**

*Several control measures require additional lead time for applicable technology to be developed in order for successful implementation of the control strategies. This category includes these measures as well as all the measures requiring demonstration studies in the previous category.*

*OGV7 – Low-Emission Main Propulsion Engines*

*OGV9 – Main Engine Fuel Improvement Program*

*OGV12 – Early ULSD Implementation*

*OGV14 – Retrofit/Repower Requirement for Infrequent Callers*

HC7 – Emulsified Fuels

HC10 – Retrofit Existing Harbor Craft

R7 – Ultra-Low Emission Switcher and line-Haul Locomotives: Class 1

### **Pacific Merchant Shipping Association**

#### *Summary and Key Recommendations*

1. *The Task Force recommends this report not be forwarded to the Mayor until it is completed and further reviewed by all members.*
2. *The NNI plan should be submitted for full CEQA review prior to any approval action.*
3. *The Port of Los Angeles (Port) should continue funding existing air quality programs approved by the Board of Harbor Commissioners (Board).*
4. *The Board should aggressively pursue the completion of all pending Environmental Impact Report's (EIR) to allow for further mitigation of emissions.*
5. *The Port should commit to updating the cargo forecast, and the emissions inventory at the earliest possible date and for each of the identified milestone years of 2005, 2008, 2010 and 2012.*
6. *The Port should commit to completing the monitoring program and health risk analysis at the earliest possible date.*
7. *The Port should work with regulatory agencies, scientific and academic organizations, engine manufacturers, emission control equipment manufactures and their customers and tenants to better define emissions from Port emission sources and the effectiveness and feasibility of emission control technologies.*
8. *The Port should work with marine fuel providers and their customer/tenants to identify sources and availability of clean marine fuels and support the use of those fuels in advance of regulations.*
9. *The Port should work closely and cooperatively with the regulatory agencies and their customer/tenants to develop appropriate regulations and incentive programs that will result in the most cost-effective emissions control at the earliest possible date.*

### **Dave Howekamp**

#### *(1) My suggestions for recommendations:*

1. *The NNI task force recommends that the NNI Plan, including all the control measures, be endorsed by the Mayor and transmitted to the Board of Harbor Commissioners for their adoption to achieve the Board's adopted policy for "no net increase of emissions."*
2. *With regard to the individual control measures, the NNI task force recommends that the Mayor instruct the Board to propose for public comment adoption of the measures identified for POLA implementation. If modified during the public process, the measures should achieve equivalent emission reductions to the original measure or be referred back to the NNI task force for reevaluation if the measure appears to be infeasible. For measures identified for Federal, state and local agency implementation, the NNI task force recommends that the Mayor and the Board of Harbor Commissioners formally request that the appropriate agencies and legislative bodies adopt and implement the measures and to establish formal POLA programs to lobby these bodies for successful implementation.*
3. *With regard to timing, the NNI task force recommends that the identified near term measures be scheduled for adoption and implementation according to the schedule laid out in the NNI Plan and that necessary work begin on the medium and long-term measures.*
4. *With regard to follow-up, the NNI task force recommends that the Mayor and Board of Harbor Commissioners establish a policy and program to monitor progress and revise the Plan in the future.*
5. *With regard to funding and staffing, the NNI task force recommends that the Mayor and the Board of Harbor Commissioners provide adequate funding for incentive measures identified for POLA implementation. Adequate POLA staffing should be provided to develop, support and monitor the implementation of all incentive and mandatory POLA measures. Adequate POLA staffing should also be provided to monitor overall Plan progress and to revise the Plan in the future, if needed.*

**Dave Howekamp**

*(2) Summary and Key Recommendations*

*Per the last Task Force meeting, I believe we agreed that recommendations would be added, hopefully by consensus, but if not, by majority with a minority objection or comment. In addition to the recommendations I submitted several weeks ago, I would request that the specific recommendations that were proposed by Gail at the Task Force meeting on June 7 be added:*

*-To the extent feasible, approval of new terminals and expansion of existing terminals should not result in a net increase of emissions.*

*- If an approval under the above paragraph should result in a net increase in emissions, the increase should be fully offset by other emission reductions from other port related sources.*

**Rail Industry**

*Summary and Key Recommendations*

*In light of our foregoing comments, we recommend an independent body review the process, assumptions, findings and recommendations to date, to make a recommendation as to what additional effort is appropriate on the local level. Comprehensive preemptive federal and state statutory frameworks are in place to continue the progress to reduce air-borne contaminants emitted by on-road vehicles, non-road vehicles and vessels and international, federal and state agencies entrusted with their implementation are actively engaged in achieving these goals. The Port and all citizens have input into the formal administrative processes in which air statutes and regulations are adopted. In light of the significant achievements occurring on the federal, state and international levels, Rail does not believe an additional layer of local regulation is either appropriate or necessary. Future efforts should be coordinated with the Governor's Goods Movement initiative, which has emerged during the no net increase analysis, to ensure uniform administration of state tidelands and harbors, held in trust for the benefit of the people of California. The economic impacts of future initiatives on a major industrial engine for not only Southern California but the entire State, needs to be fully and fairly evaluated. Finally, with respect to future no net increase efforts, in the event the additional layer of regulatory measures proposed in this report moves forward, we recommend immediate compliance with CEQA and the performance of an Initial Study to properly determine the scope of a full environmental impact report (EIR) and the prompt initiation of an open, transparent and scientific EIR.*

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