

Port of Oakland Maritime Air Quality Improvement Plan Co-chairs
Omar Benjamin, Port of Oakland
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January 28, 2008

Dear MAQIP Co-chairs,

We are writing as members of the Maritime Air Quality Improvement Plan Task Force. We have participated over the past year in hundreds of collective hours of meetings and preparation, in a good faith effort to help create an air plan that would reduce community health risk resulting from Port-related air pollution. As the scheduled meetings for our task force draws to an end, we are gravely concerned that we have not accomplished the goal we set out to accomplish last April. We believe that we can still reach this goal however, and present concrete suggestions below for how we can do so.

We feel that the following commitments are the minimum that is needed at this point for us to complete our participation in this process:

1. This task force needs to, at a minimum, see and have an opportunity to actively comment on a draft of the air plan before we disband. A smaller number of task force members should be invited to help write the air plan.
2. A commitment to a concrete, quantitative goal of 85% reduction in community health risk attributable to Port-related diesel pollution (as recommended by the California Air Resources Board¹ and the Mayor Dellums Port of Oakland Task Force²) to be codified in the Plan and, by corollary action, by the Port Commission prior to or upon their approval of the plan.
3. An air plan that meets the basic criteria laid out in the attached “Key Components Checklist,” including:
 - a. a concrete health risk reduction goal, and interim goals;
 - b. specific, clearly-defined measures for reaching that goal;
 - c. a plan to implement these measures, including enforcement mechanisms;
 - d. a timetable and monitoring plan for measuring progress on implementation of measures and on reaching interim and final goals; and
 - e. a funding plan providing a basic blueprint for financing the measures in the plan.

We are aware that whatever plan that emerges from the MAQIP process is likely to inform any applications that may be made to the California Air Resources Board for infrastructure bond (Proposition 1B) funding for Goods Movement Emission Reduction projects. **Without a clear and meaningful plan for reducing air pollution, we endanger taxpayer-financed funding from Proposition 1B.** We should learn from the false starts, missteps, delays, lack of public

¹ State of California Air Resources Board, Resolution 06-14, April 20, 2006.

² Mayor Dellums Port of Oakland Task Force Recommendations, Recommendation II, “Goods Movement and Air Quality.”

accountability and transparency and shifting administrative costs of the Vision 2000 program. The MAQIP process should not result in a repeat of these mistakes, but rather a clear, meaningful, and accountable plan.

At the present moment the air plan appears to comprise primarily of a list “intended to function as a suggestive or guiding instrument for actions that may be taken by the Port, its business partners, its agency partners, or other stakeholders.” We do not feel that such language is strong enough to result in meaningful, binding action. Nor does it provide an adequate structure to guide applications for Infrastructure Bond funding for goods movement emissions reduction projects. We need to see more concrete **commitments** in the air plan, for instance, commitments to funding cold-ironing (“ship to shore power”), language making truck emissions reductions mandatory, language committing the Port to include pollution reduction measures in any new leases signed with shippers, and language creating a fee structure to provide for a “match” for Infrastructure bond funds.

The minimum next steps that can be taken to put this MAQIP process back on track would be:

- scheduling an additional task force meeting for the month of February
- committing to complete the draft air plan by the end of March, or before the final meeting of the MAQIP task force, with input from a smaller group of task force members
- scheduling a final task force meeting in April to review and approve the draft plan
- working with the Port Commissioners to pass a resolution affirming the Port’s commitment to reducing its contribution to community health risk from diesel pollution by 85% by 2020.

In closing, we reiterate our interest in being a part of a process that results in a meaningful, collaborative plan. We will not accept a plan that that does not include any of the widely recognized elements of an air plan and that rejects the recommendations of Mayor Dellums Port of Oakland task force to adopt the state goal of an 85% reduction in Port-related diesel health risk. We are prepared to work with allies and partners to ensure consensus on a plan that delivers real achievements for business and for community health.

Sincerely,

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Cc: MAQIP Task Force members, including representatives of:

Mayor Ron Dellums
Assemblymember Sandre Swanson
Senator Don Perata
Congresswoman Barbara Lee

City Councilmember Nancy Nadel
County Supervisor Nate Miley
County Supervisor Keith Carson