

Port of Oakland Maritime Air Quality Improvement Plan task force  
Port of Oakland Board of Commissioners

October 31, 2008

Dear MAQIP task force and the Port of Oakland Board of Commissioners,

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 we approach the completion of this process and view the final MAQIP, we would like to commend the Board of Commissioners for codifying a concrete commitment by the Port of Oakland to an 85% reduction in community health risk from air pollution related to Port activities, in your March 2008 Board resolution. We thank the staff at the Port of Oakland who worked tirelessly to address many of the comments on the draft MAQIP put forth by us and others in June and July of this year, and all the members of the MAQIP task force who participated in this process in the spirit of true collaboration.

We remain deeply concerned that there is insufficient commitment and detail about specified actions that the Port will take to reduce air pollution in this final MAQIP. We understand that the Port has defined the MAQIP as a "vision" document or a "master plan," and consequently believes this document does not need commitment to specific actions. We further understand that the Port's commitments to specific actions are to be developed at the "program" or "project" levels instead. Yet the absence of a substantive "backstop," (a mechanism that says "if the MAQIP and our efforts to reduce air pollution are not working, this is what we are going to do to correct that situation,") combined with serious deficiencies in current and previous Port air pollution reduction programs raises grave doubts about the effectiveness of the MAQIP. There is no mechanism offered in the MAQIP to correct this dysfunctional situation, creating an accountability gap between the master plan level and the program level that must be bridged.

Along these lines, we remain concerned that there is no real timeline specifying what will be done by when and by whom, and that there is no funding plan outlined in the MAQIP. Further, this final version does not reflect the strong Oct 2<sup>nd</sup> recommendation by Dr. Anthony Iton, Director of ACDPH, that the Port consult with the Interagency Workgroup of the MAQIP Task Force to develop concrete commitments and actions for inclusion that would be included in the MAQIP, *prior* to the final task force meeting.

While we understand that the Port considers the MAQIP to be a master planning vision rather than a specific program, **we believe that it is possible to make a time-specified commitment to more substantial concrete actions, and to have a reasonable "backstop" mechanism in a master plan.** We appreciate the emission reduction strategies that are described in section 8, but the emission benefits from these strategies is not quantified on a short-term or medium-term basis, and there is no "plan B" or backstop in case these strategies don't achieve their goal. Reconvening a MAQIP stakeholder or other advisory group is not a sufficient backstop.

Given the growing health crisis related to trucking operations at the Port of Oakland, we are deeply disappointed that, after these many hours of collective meeting time and many opportunities to incorporate concrete actions, the Port has chosen to keep this document at the level of goals and

vision, rather than to specify strategies and actions, even as the most important emission reduction program (the Comprehensive Truck Management Program) referenced in the MAQIP remains stalled and ineffective.

We believe that an Air Quality Improvement Plan that has no commitment to action, and no backstop plan describing what happens if emission reduction strategies are not working, is not worth passage by the Board of Commissioners.

In his letter to Mayor Ron Dellums on October 2nd, Dr. Iton urged the Mayor to direct the Port to meet in a substantive “working session” with the Interagency Workgroup to identify concrete actions and commitments to include in the MAQIP as a way to demonstrate actual progress towards meeting the goals of the plan. The Port declined to engage in such a session, although they did recently seek to convene a short (90 minute) meeting of this Interagency workgroup rather than the suggested longer working session.

***Consequently, we are asking the Board of Commissioners not to approve the MAQIP until Port of Oakland staff have completed, in close consultation with the Interagency Workgroup, and the Task Force has reviewed, a “cover letter” specifying concrete actions that will be taken in the short-term and medium-term.*** This cover letter should be developed in collaboration with the Interagency Workgroup to provide assurance that actual emissions reductions are going to take place as a result of the MAQIP.

We understand that the Port’s definition of the MAQIP is an important step for addressing the health crisis in West Oakland that is exacerbated by toxic air contaminant emissions from Port-related air pollution. With air cancer risk rates three times the SF Bay Area average, and alarming asthma hospitalization rates, neither the 20,000 West Oakland residents, nor the Port of Oakland’s nearly 10,000 workers, can afford to withstand any delays in defining and implementing effective programs to reduce hazardous emissions quickly and comprehensively.

Sincerely,  
*(list in progress)*

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