

**Testimony before the California Assembly Committee on Labor and
Employment and Assembly Select Committee on Ports**

**"The Intermodal Transportation System Revisited: Exploring Solutions for
Port Drivers and Surrounding Communities – A Bay Area Perspective"**

October 16, 2007

**Testimony of
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Community Environmental Health & Justice Impacts of Port Trucking

Honorable Representatives, distinguished guests: Good morning and thank you for inviting me to discuss the community environmental health and justice impacts of the current port trucking system. My name is Swati Prakash and I am a program director and a senior research associate with the Pacific Institute, and Oakland-based think tank that studies and formulates workable solutions to issues at the intersection of the environment, economics, and equity.

Diesel Pollution and Community Health

We have been working since 1999 conducting research with community residents in West Oakland on neighborhood indicators of health, air quality, and overall community well-being. [Our 2002 study neighborhood indicators study “Neighborhood Knowledge for Change” helped document the disproportionate health burden borne by West Oakland residents, such as the fact that West Oakland children were seven times more likely in 1998 to be hospitalized for asthma than the average child in the state of California. The research that we conducted with community leaders led to an interest in documenting and better understanding the extent and impacts of heavy-duty truck traffic through residential neighborhoods in West Oakland, something that every resident we worked

with identified as a major concern.] In 2003 we conducted and released a report on diesel pollution in West Oakland. What we found was that:

- The levels of black carbon (a marker for diesel pollution) inside two West Oakland homes were five times higher than levels inside a home in another part of Oakland. This translates to an increased risk of cancer, on the order of one extra cancer per 1000 residents in West Oakland due to this diesel particulate exposure over a lifetime.
- Our estimate of diesel particulate matter emissions that were attributable to port truck traffic was 400 pounds per day, or 92.6 tons per year.
- We estimated overall diesel particulate matter emissions for West Oakland to be 90 times higher per square mile than diesel PM emissions for the rest of California, and 18 times higher than diesel PM emissions for the San Francisco Bay Area Air Basin.

Given the known links between diesel particulate matter and adverse health impacts, these numbers are sobering indeed. Diesel exhaust is associated with a long list of health problems. These include early death (from effects on the cardiopulmonary system, lung cancer, and infant mortality), respiratory problems (including asthma and bronchitis), heart attacks, and reduced birth weight and premature birth.ⁱ The California Air Resources Board estimates that each day pollution from goods movement, or freight transport, in California will cut short 6 lives, send 7 people to the hospital, keep 3000 children out of school, and force 986 adults to miss work. The biggest source of pollution contributing to these effects is without a doubt the heavy-duty port trucks that pick up or drop off each and every container that arrives or departs from California's seaports. [The Port of Oakland moved 2.4 million of these containers last year, which translates approximately 10,000 truck trips per day to and from the Port. This number is expected to double by the year 2020, according to the Port's estimated growth figures.]

Other health impacts of truck traffic in residential neighborhoods

The impacts of port trucking reach far wider and deeper than the air pollution alone. The Port of Oakland does not provide for any kind of truck support services on or near its property, such as truck parking, restaurants, repair facilities, and restrooms. This means that drivers are forced to drive through local streets in search of these services, and resort to parking overnight on local streets, increasing neighborhood blight, reducing pedestrian visibility and an overall sense of safety in a community. Heavy-duty truck traffic on streets designed for passenger car use also increases the risk of collisions with pedestrians, with bicyclists, and with other vehicles. [This is not to mention the wear and tear on these roads that causes wear and tear on private vehicles.] And anyone who has ever heard a truck rumbling along at low speeds can attest to how loud these vehicles can be.

The presence of trucks in West Oakland without a doubt discourages people from taking walks in their neighborhood or visiting their local parks – both important forms of exercise that help people maintain healthy body weights. [Recent studies validate the common-sense idea that residents of pedestrian-friendly neighborhoods are less likely to be overweight.ⁱⁱ] Various studies have cited the link between noise and increased risk of heart attacks;ⁱⁱⁱ increases in overall stress levels; and impacts on children’s mental health,^{iv} reading comprehension,^v and school performance.^{vi} [One study that found a link between sleep disturbance and noise specifically cites air, rail, and road traffic as a problem.]

The current port trucking system is just not working and is taking an unnecessary toll on the health and well-being of local West Oakland neighborhoods. **There are three main reasons why the current decentralized system is failing West Oakland residents.** The **first** is that without a central coordination and leadership role, which should ideally be played by the Port of Oakland, it is extremely challenging to enforce any regulations or standards related to keeping trucks off local streets, ensuring that engines meet state-of-the-art emission standards, or reducing wait time outside terminal gates. The **second** reason is that the current system of independent drivers who are paid by the load makes it

almost impossible to create viable incentives for them to clean up or trade in their old highly polluting trucks. As the Port's and the Air District's spotty experience with the Carl Moyer demonstrates, truck owners are living on such a thin economic margin that they cannot afford the loss of a few days income while their trucks are being upgraded, free of charge. The **third** reason that the current port trucking system is failing West Oakland residents is because truck drivers and trucking companies face such fierce competition from each other that they cannot command the **real price** that it should cost shipping lines to have a truck move a container to or from the Port. This real price would ideally reflect not only a living wage and decent benefits for drivers, but the costs to upgrade all trucks to current 2007 EPA standards, and to maintain trucks over the years to minimize deadly pollution. The real price should reflect the cost for trucking companies to provide for overnight parking, so that drivers need not park their rigs in front of their homes overnight and drive through residential areas on their way to and from work. The real price for hauling a container should reflect the cost for companies to rent land from the Port to provide for a full array of trucking support services on Port property, and not next to homes and schools.

Solutions & Recommendations

Pacific Institute and the community leaders from West Oakland detailed several solutions in our 2003 report, *Clearing the Air*, most of which are still relevant today. I submit a copy of this report with this testimony, [and just highlight a few of these recommendations here:

- 1) Create and enforce a truck route that does not travel through residential streets. We are proud to say that as a result of a West Oakland Truck Route working group that Pacific Institute and West Oakland EIP convened over the course of a year following the release of *Clearing the Air*, the City of Oakland passed an ordinance in the fall of 2005 creating a community-designed truck route in West Oakland. But the enforcement of this route remains an outstanding issue, and cannot be reasonably achieved until we also accomplish the next goal:
- 2) Provide truck services at the Port of Oakland

- 3) Limit idling within Port terminals to 30 minutes or less.
- 4) Provide electrified parking spaces to reduce unnecessary idling.]

We believe that a transition to a concession model would go a long way toward alleviating much of the current burden, by creating a uniform set of environmental and health impact standards, and more importantly, a level playing field that would allow all drivers and trucking companies to meet these standards without facing a competitive disadvantage. In order to truly alleviate the community and environmental impacts however, a concession model absolutely must be paired with aggressive environmental standards, otherwise the industry just gets restructured without any significant reduction in truck pollution and other impacts. Specifically, our recommendation is that all trucks older than model year 2003 doing business at the Port of Oakland should be required to meet EPA 2007 heavy-duty truck engine standards as of January 1, 2009, and all trucks doing business at the Port should meet these standards by January 1, 2010. In addition, the Port should require all trucking companies to provide overnight parking for their drivers, and to ensure that drivers comply with truck routes and state idling laws. Finally, the Port itself needs to work with its other tenants to develop an intelligent truck coordination system that will eliminate wait times outside terminal gates, and limit turn times inside the gates to 30 minutes.

In terms of implementation, monitoring and oversight, it is crucial that a wide range of community, environmental, labor and other relevant stakeholders have a meaningful role in monitoring and ensuring compliance by trucking companies with these standards. The Social Justice Committee that monitors the Project Labor Agreement is an excellent model for structuring such an oversight mechanisms into a port trucking concession model.

Finally I will close by noting that while we strongly believe that restructuring the Port trucking industry and pursuing a concession model will go a long way toward alleviating many of the problems created by Port trucking, a concession model alone is certainly not enough. A model that incorporates rigorous and aggressive environmental standards must

also be coupled with a move by the Port to take additional leadership to attack the root causes of the presence of trucks in West Oakland and other residential neighborhoods. This includes providing for trucking support services and parking on Port property, so that trucks don't need to drive through local streets in search of these services. We also believe that relying on trucking firms to internalize all the costs of meeting aggressive environmental standards and timelines is unrealistic and creates an destabilizing disadvantage for those smaller firms who may not have the up-front capital to finance truck replacement or conversions. An additional financing mechanism that would levy a direct (or more direct) charge on the only stakeholder who has yet to contribute to helping pay the tab for cleaning up the region's goods movement system -- the owners of the cargo themselves. Charging a fee directly on containers as they enter or leave the Port is a sensible way to generate the additional private sector funds that will be needed to clean up Port trucks and make the transition to a concession model rapid and smooth.

Thank you.

ⁱ United States Environmental Protection Agency, National Center for Environmental Assessment. "Health Assessment Document for Diesel Exhaust." EPA/600/8-90/057E, September 2002.

ⁱⁱ Frank LD, PO Engelke, and TL Schmid. *Health and Community Design: The impact of the built environment on physical activity*. Washington: Island Press, 2003.

ⁱⁱⁱ Willich SN, K Wegscheider, M Stallmann, and T Keil. "Noise burden and the risk of myocardial infarction." *European Heart Journal*, vol. 27, no. 3 (February 2006):276-82. e-pub November 24, 2005.

^{iv} Lercher P, GS Evans, M Meis, WW Kofler. "Ambient neighbourhood noise and children's mental health." *Occupational and Environmental Medicine*, vol. 59, no. 6 (June, 2002):380-6.

^v Clark C, R Martin, E van Kempen, T Alfred, J Head, HW Davies, MM Haines, I Lopez Barrio, M Matheson, and SA Stansfeld. "Exposure-effect relations between aircraft and road traffic noise exposure at school and reading comprehension: the RANCH project." *American Journal of Epidemiology*, vol.163, no. 1 (January 1, 2006):27-37.

^{vi} Stansfeld SA, B Berglund, C Clark, I Lopez-Barrio, P Fischer, E Ohrstrom, MM Haines, J Head, S Hygge, I van Kamp, BF Berry, and RANCH study team. "Aircraft and road traffic noise and children's cognition and health: a cross-national study." *Lancet*, vol. 365, no. 9475 (June 4-10, 2005):1942-9.