

Message to Board Members for 8/1 Meeting

- We urge you to pause the rulemaking and direct AQMD staff to negotiate with the Cities and Ports on a cooperative agreement that could be delivered to the Harbor Commissions and AQMD Boards by October.
- The Ports support millions of jobs, generating hundreds of billions in economic activity, and this issue is too important to risk on a speculative approach that both industry and organized labor oppose.
- The ports have put forward a serious offer with major advantages over the proposed rule that deserves to be explored with the full energy of all parties and without divided attentions.

Reason to Pause the Rule

- The last time this Board directed staff to negotiate an ISR, attaching a six-month timetable proved to be a poison pill that doomed negotiations.
- Let's give these negotiations a serious shot and allow the Ports and AQMD to negotiate in good faith before bringing recommendations back to this Board, without the threat of a rule undermining those conversations.
- We are committed to meeting quickly over the next 30 days to finalize this approach and if there is no path forward, AQMD staff can explore other alternatives.

General TPs on Cooperative Agreement

Greater Emissions Reductions, Faster

The Cooperative Agreement will lead to actual emission reductions through proven strategies, creating the only pathway on the table for SCAQMD to meet its Clean Air Act obligations.

- The CAAP+ Measures go above and beyond Proposed Rule 2304, including proposed actions to reduce to most significant sources and commitments for hundreds of millions in clean air investments.
- In comparison, the infrastructure planning in Proposed Rule 2304 will result in no quantifiable emission reductions. As SCAQMD staff has publicly stated they do not intend to seek SIP credit for PR2304, only the cooperative agreement will help the region achieve attainment and avoid a Federal Implementation Plan and a potential loss of transportation funding.

Collaborative Approach is a Proven Model Supported by Ports, Industry and Labor

The Cooperative Agreement builds upon the proven approach of the Clean Air Action Plan (CAAP) combined with enhanced cooperation between the Ports and the SCAQMD, all without risking millions of jobs and hundreds of billions in annual economic activity the ports support.

- According to the EPA, the Clean Air Action Plan is a national model for achieving emission reductions at ports. In collaboration with industry and state and local regulations, it has reduced emissions of NOx by 72 percent since 2005 and 34 percent since the most recent update in 2017.

- Additionally, the agreement is modeled on the successful approaches pursued by SCAQMD in its agreement with regional airports and the San Diego Pollution Control District's recent agreement with the Port of San Diego.
- The Port's proposed agreement is supported by a broad coalition including the Mayors of Los Angeles and Long Beach and impacted stakeholders including industry, labor, and community groups.
- In contrast, the proposed rule is opposed by major stakeholders and risks delaying realization of emissions reductions by stifling cooperation with key industry partners necessary for implantation of the plan.

Enhanced Accountability and Transparency

The Cooperative Agreement includes robust accountability and transparency provisions, ensuring that CAAP measures and emission reduction projects are implemented on aggressive timelines.

- The agreement bridges port infrastructure planning, grant funded projects, and work plans to a comprehensive program of enhanced reporting, disclosure, and accountability measures that include the active participation of SCAQMD, CARB and the EPA.
- All actions to implement the agreement will be approved in an open, transparent process by the public governing bodies of the appropriate entities in public meetings, not at the sole discretion of a single executive at the South Coast Air Quality Management District.