State of California
AIR RESOURCES BOARD

Resolution 06-14

April 20, 2006

Agenda Item No: 06-4-3

WHEREAS, section 39003 of the Health and Safety Code charges the Air Resources Board (ARB or Board) with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles;

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Board to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, sections 39666 and 39667 of the Health and Safety Code authorize the Board to regulate emissions of toxic air contaminants from nonvehicular and vehicular sources;

WHEREAS, section 43013 of the Health and Safety Code authorizes the Board to adopt and implement regulations, which the Board has found to be necessary, cost-effective and technologically feasible, to control air pollution from motor vehicles and off-road or non-vehicle engine categories;

WHEREAS, section 43018 of the Health and Safety Code directs the Board to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources to attain state air quality standards by the earliest practicable date;

WHEREAS, the federal Clean Air Act requires the Board and local air districts to prepare State Implementation Plans (SIPs) demonstrating how each nonattainment region will attain the national 8-hour ozone and fine particle (PM2.5) standards, with ozone plans due in 2007 and PM2.5 plans due in 2008;

WHEREAS, the ships, harbor craft, trucks, locomotives, and equipment that move international and domestic goods throughout California are the dominant contributors to transportation emissions in the State, and these emissions are a public health concern at both regional and community levels;

WHEREAS, the Secretary for the California Environmental Protection Agency and the Secretary for the Business, Transportation and Housing Agency, with advice from stakeholder working groups, are developing a Goods Movement Action Plan, focused on ports and international goods movement, to lay out a statewide strategy for

infrastructure capacity expansion; public health, environmental, and community impact mitigation; and goods movement-related security and public safety enhancement;

WHEREAS, ARB staff has developed the Proposed Emission Reduction Plan for Ports and Goods Movement in California (proposed plan) to identify and initiate specific actions necessary to reduce air pollution from both international and domestic goods movement in order to reduce health risk in communities and attain air quality standards;

WHEREAS, the proposed plan quantifies current and future emissions (with growth) of four pollutants from goods movement sources – diesel particulate matter (diesel PM), nitrogen oxides (NOx), sulfur oxides (SOx), and reactive organic gases (ROG);

WHEREAS, ARB staff assessed the health impacts and quantified the cases of premature death, hospital admissions (for cardiovascular and respiratory causes), asthma and other lower respiratory symptoms, acute bronchitis, lost work days, minor restricted activity days, and school absences expected to result from international and domestic goods movement emissions in California;

WHEREAS, the proposed plan estimates that the emissions from international and domestic goods movement activities currently contribute to approximately 2,400 annual premature deaths throughout California, and that existing emission reduction programs in combination with the proposed plan will reduce that number by 1,500 per year by 2020, after accounting for projected growth;

WHEREAS, the proposed plan and staff presentation note that the health assessment is expected to be updated in late 2006 to incorporate additional studies and analyses, with input from a formal peer review process;

WHEREAS, the proposed plan establishes the following goals to protect public health: (1) reduce total statewide international and domestic goods movement emissions back to 2001 levels or below by year 2010; (2) reduce the statewide diesel PM health risk from goods movement 85 percent by year 2020; (3) reduce NOx emissions from international goods movement in the South Coast 30 percent from projected year 2015 levels, and 50 percent from projected year 2020 levels based on preliminary targets for attaining federal air quality standards; (4) apply plan strategies statewide to aid all regions in attaining air quality standards;

WHEREAS, in addition to the specific goals identified for 2010, 2015, and 2020, the proposed plan recognizes the need to continue to reduce air pollution related health risk in communities highly impacted by goods movement until the impacts are mitigated;

WHEREAS, the proposed plan describes potential strategies to reduce emissions from the five main sectors associated with ports and goods movement across California: ships, commercial harbor craft, cargo handling equipment at ports and intermodal rail yards, heavy diesel trucks, and locomotives;

WHEREAS, the proposed plan envisions a mix of implementation mechanisms, with state and federal regulatory actions as the fundamental framework, supplemented with other strategies including but not limited to incentive programs, lease agreements, and voluntary actions;

WHEREAS, California ports, shipping lines, railroads, air districts, and other local agencies are initiating or continuing their own programs to reduce goods-movement emissions and these programs are important to the success of the proposed plan, as is an ongoing partnership between all affected parties;

WHEREAS, the proposed plan estimates that full implementation of the strategies would reduce statewide emissions by 60-80 percent between years 2001 and 2020 (inclusive of growth), with similar levels of reductions in the South Coast, San Joaquin Valley, Bay Area, San Diego and Sacramento region;

WHEREAS, the proposed plan would meet the proposed air quality goals for goods movement, reducing statewide emissions 20-40 percent below 2001 levels by 2010, reducing the statewide health risk from diesel PM 85 percent by 2020, continuing to reduce localized risk, meeting the preliminary South Coast NOx targets, and applying the new strategies statewide to aid all regions in attaining air quality standards;

WHEREAS, the proposed plan estimates a cumulative cost to implement the strategies of $6-10 billion between 2006 and 2020, realizing three to eight dollars in economic benefits due to avoided health effects for every dollar invested in the plan's strategies; and

WHEREAS, in consideration of the Proposed Emission Reduction Plan for Ports and Goods Movement In California, as set forth in Attachment A, the staff presentation, and public testimony and comments, the Board finds that:

1. The air pollution emissions from ports and goods movement in California currently pose a substantial health risk to nearby communities and contribute to high regional pollution levels. Projected growth in international and domestic trade will exacerbate these problems unless new emission reduction strategies are implemented;

2. There is an urgent need to reduce existing and future levels of emissions and health risk from ports and goods movement to protect public health;

3. The plan strategies outline an ambitious course for ARB staff to pursue and develop the detailed regulatory concepts or other proposals through the full public process prescribed for rulemakings, incentive programs, and other actions;

4. The basic strategies described in the staff report are necessary to respond to the health risk in communities highly impacted by goods movement activities as well as to achieve attainment of air quality standards;

5. The proposed plan is a vital component of the environmental mitigation concepts in the Goods Movement Action Plan to achieve simultaneous and continuous improvement, but ARB's emission reduction plan goes farther than that to also achieve attainment of federal air quality standards;

6. ARB staff will incorporate the emission reduction strategy in the proposed plan, as appropriate, into regional SIPs, subject to public comment and Board adoption of each SIP; and

7. Successful implementation of the proposed plan will depend upon partnerships with all levels of government, the private sector, and communities highly impacted by ports or goods movement operations.

NOW, THEREFORE BE IT RESOLVED that the Board approves these plan goals to protect public health from the impacts of ports and goods movement operations:

1. Reduce total statewide international and domestic goods movement emissions to the greatest extent possible and at least back to 2001 levels by year 2010.
2. Reduce the statewide diesel PM health risk from international and domestic goods movement 85 percent by year 2020.
3. Reduce NOx emissions from international goods movement in the South Coast 30 percent from projected year 2015 levels, and 50 percent from projected year 2020 levels based on preliminary targets for attaining federal air quality standards.
4. Apply the emission reduction strategies for ports and goods movement statewide to aid all regions in attaining air quality standards.
5. Make every feasible effort to reduce localized risk in communities adjacent to goods movement facilities as expeditiously as possible.

BE IT FURTHER RESOLVED that the Board approves the overall strategy described in the proposed plan to reduce emissions and health risk from ports and goods movement, with the expectation that the specific details of each action will be worked out in a public process.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to pursue without delay the emission reduction strategies included in the proposed plan.

BE IT FURTHER RESOLVED that the Board directs staff, concurrent with plan implementation, to initiate a public process to identify additional strategies to further reduce localized health risks from goods movement;

BE IT FURTHER RESOLVED that the Board approves the near-term actions identified in the staff presentation and directs the Executive Officer to initiate in 2006 and to bring to the Board in 2007 and 2008 effective regulations or equivalent emission reduction strategies for:

1. Port trucks.
2. Privately-owned truck fleets.
3. Low sulfur marine propulsion engine fuel.
4. Shore power for ships and harbor craft (or the equivalent).
5. Harbor craft fleets.
6. New harbor craft engine standards.
7. Upgrading of switcher/yard locomotives.

BE IT FURTHER RESOLVED that the Board instructs the Executive Officer to work with all interested parties – public and private – casting the widest possible net for public and stakeholder input and innovations while working to meet the goals.

BE IT FURTHER RESOLVED that enforceable, cost-effective regulatory mechanisms should be vigorously pursued to implement the plan strategies, subject to ARB authority.

BE IT FURTHER RESOLVED that cost-effective and enforceable non-regulatory strategies should be considered as possible implementation mechanisms to achieve air quality benefits not practicable or possible through regulation.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to ensure that any proposed voluntary agreements to which ARB is party are developed with input from all interested parties, making certain that public meetings are held, and that any and all actions related to entering into a Memorandum of Understanding be conducted in strict accordance with the guidelines set forth in Board Resolution 05-40.

BE IT FURTHER RESOLVED that the Board instructs the Executive Officer to report back in late 2006, and every six months thereafter, on progress made in implementing the Emission Reduction Plan for Ports and Goods Movement in California. The first report shall also include updates on the health impacts assessment including the most current sulfate analysis and the status of funding mechanisms.

BE IT FURTHER RESOLVED that the Board directs staff to develop a strategy for bringing cleaner ships to California, with special emphasis on frequent visitors.

I hereby certify that the above is a true and correct copy of Resolution 06-14, as adopted by the Air Resources Board.

for Lori Andreoni, Clerk of the Board