

GOODS MOVEMENT ACTION PLAN

PUBLIC HEALTH AND ENVIRONMENTAL IMPACT MITIGATION WORK GROUP

Summary of Meeting

Wednesday, November 16, 2005

9:00 a.m. – 12:30 p.m.

Caltrans Building, Los Angeles CA

- I. Welcome
Meeting was chaired by T.L. Garrett, Vice President, Pacific Merchant Shipping Association and Julie Masters, Senior Attorney, Natural Resources Defense Council. Co-chair T.L. Garrett opened the meeting with some housekeeping items and generally welcomed the attendees.
- II. Self Introductions
The co-chairs, Agency and Administration representatives, and all attendees introduced themselves. List of participants will be made available on the website?
- III. Overview of November 3-4 Integrating Work Group Meeting
Cindy Tuck gave a brief summary of the integrating work group meeting. T.L. Garrett introduced the draft integrating work group principles and told the attendees that the draft principles were available and comments were being accepted through Friday, November 18.
- IV. Goals for Public Health and Environmental Impact Mitigation Actions
Co-chair Julie Masters introduced the item by stating the Governor's goal of reducing pollution levels to 2001 levels by no later than 2010 and reaching attainment with state and federal standards as quickly as possible. Similar to the first meeting, there was a discussion that the 2010 goal may not be appropriate for all regions of California and the lack of 2001 baseline for most regions will make monitoring the attainment of this goal difficult at best. Appropriate milestones and the ability to evaluate those milestones requires further consideration. Comments from the public included:
 - There must be risk-based goals, in addition to clean air goals. Risk-based goals should be similar to standards set for stationary sources set by SCAQMD. 85% reduction in diesel emissions (as stated in the Phase I plan) is not enough, as the levels from goods movement sources would

still be well over one or ten in a million. Goals should be based on acceptable risks, not just emission reductions.

- There was general agreement among participants that the state needs to be as aggressive as possible in reaching stated goals.
- Its important to have aggressive interim goals, as well as the overall goal of attainment, so that we can monitor progress.
- Goals must be enforceable and mandatory, not just policy. Need accountability. (Example was raised that Mayor Hahn decreed NNI for POLA in 2001, but the port has increased pollution by 60% since then). While these increases had been stated it was also pointed out that the Ports of Los Angeles and Long Beach were updating their emission inventories and that it was premature to judge the actual change in emissions until those inventories are completed.
- We need to have an overall plan for meeting air pollution and public health goals (similar to the state implementation plan with short, mid and long term measures). It was stated that a plan must be in place and implemented before the state approves or moves forward with infrastructure projects. Compliance with the plan must be continually monitored and future infrastructure projects should not be approved unless the goals are being met. This gives effect to “simultaneous” improvement.
- Concern was expressed by some that we need to meet the goals in heavily impacted communities, not just on a regional basis. We need to compile a list of the most impacted communities, not just corridors.
- Must mitigate port and off-port impacts, including impacts from distribution centers in Riverside and elsewhere. Need to also consider airports.
- A representative from Riverside expressed frustration with the focus solely on LA – need to also focus on inland empire.
- Quality of life includes mobility as well as air quality.
- If the state doesn’t mitigate the community will figure out how to make it do so through litigation.

V. Criteria for Selection of Public Health and Environmental Mitigation Actions
Co-chair Julie Masters introduced this item by suggesting that each new project must adopt BACT (similar to that required under the NSR rules for stationary sources), and that even this would not be enough. Innovative, new technologies are needed to meet the goals. A summary of the comments received follows:

- Several participants noted that the measures outlined in the No Net Increase plan for the Port of Los Angeles should serve as a base for a state-wide emission reduction plan. This is a catalog of what’s available and what’s necessary. We need to go beyond and adopt BACT and innovative technologies.
- We cannot externalize health and environmental costs (including the estimated 2200 premature deaths and \$20 billion in health costs over the next 20 years from the port of LA alone); we must add the costs of

mitigation projects to the total costs of an infrastructure project and then seek funding for the entire amount as a package, or not at all. Along these lines, it was requested that the state come up with a dollar health cost estimate related to impacts from goods movement now and in the future.

- Several participants expressed that if improving public health really is our goal, we need to resist cost-effectiveness as a criterion. Another participant stated that we need to look at cost-effectiveness because ports have limited money.
- There was a discussion of the pros and cons of a user fee on goods coming through the ports.
- On the con side, it was expressed that container fees were not equitable since the value of the goods within the containers varied greatly and a one-size-fits all approach would penalize agriculture. Further, the majority of goods movement in California does not include the use of a container and making only one element of the goods movement system responsible for funding all the infrastructure and environmental mitigation would be unfair burden.
- On the pro side, it was expressed that the polluters should be the ones to pay and that public health and environmental costs should be part of the cost of doing business. (One participant submitted a list of net profits from shipping companies and retailers to make this point).
- We “can’t build our way out” of the public health and environmental problem. New infrastructure creates new emissions.
- There was a discussion of the pros and cons of a trading program. It was stated that market based strategies have a history of providing environmental mitigation far more cost effectively than traditional command and control strategies. While the concern of that market based trading programs raise environmental justice concerns a well designed program can address those concerns. Environmental and community representatives made clear that trading of air quality reductions and health impacts is unacceptable and raises environmental justice concerns.
- Need to consider that switching to rail means that railyards in Riverside would expand; will need to eliminate those impacts as well.
- A ship carrier representative made the point that the reason goods come to California is driven primarily by the consumers in California.

VI. Metrics for Evaluation of Public Health and Environmental Impact Mitigation Actions after Implementation. Public comments included:

- There is a need to continually monitor compliance with the environmental and public health goals to ensure they are being met on time; if not, we should not approve future infrastructure projects.
- Before we move to mid-range infrastructure projects, should evaluate environmental and public health performance on short-range; before we move to long-range, evaluate performance on mid-range.
- To evaluate our progress, we need to look beyond ARB studies at academic studies, such as those done by USC and UCLA.

- We need to infuse into any metrics the idea that we need reductions on the local level, not just regionally.

VII. Discussion of Potential Public Health and Environmental Mitigation Actions (List from 11/4/05 Integrating Work Group Meeting) and Additions.

Comments addressed:

- A criticism that the list was inadequate and that the NNI measures should be the starting point for an emissions reduction plan, plus BACT and out-of-the box innovative technologies.
- Many of the measures on the list are already being done; need significantly more.
- Instead of having as a principle instilling a “sense of urgency” to increase infrastructure, should invest money in a public health campaign to show people that consumerism is harmful to public health.
- U.S. will not adopt MARPOL anytime soon; state should require use of cleaner fuel in propulsion engines.
- It is not enough to “evaluate” or “study” measures, need to “implement.”
- The list of actions that came out of the 710 Tier II committee must be on the list.
- Must define what is meant by “clean” trucks and fuel; should be the cleanest.
- Need public health education, starting in elementary school and in local clinics.

VIII. Criteria for Selection of Infrastructure Actions. Comments included:

- Need to pursue innovative infrastructure that with less impacts, including creatively maximizing on-dock rail, deploying more cargo to rail and investing in the Alameda Corridor East projects.
- Need to compile a list of the most impacted communities in order to better focus mitigation.
- Need to reduce the need for infrastructure expansion by increasing reliance on public transit.
- Need to look at discretionary cargo and determine whether the costs of importing through California outweigh the benefits. There was a general expression of “if you build it [infrastructure], they will come,” and the reason we have these environmental and public health problems is because we are a gateway to the country.
- Add criteria of quality of life, public health, and environment to selection of infrastructure projects.
- Monitoring is needed.
- The principles need to include the premise that improvements to goods movement system should not result in impacts on other portions of the system.

IX. Metrics for Evaluation of Infrastructure Actions after Implementation

There was no discussion on this item.

X. Next Steps

Co-chair T.L. Garrett summarized next steps by relaying the schedule for the next integrating committee meeting and the next meeting of this committee. The next meeting of the Public Health and Environmental Mitigation Workgroup will be in Sacramento and will focus on the CARB Emission Mitigation Plan for Goods Movement.

XI. Adjournment

The meeting was adjourned at 12:30.