

# SAN PEDRO BAY PORTS CLEAN AIR ACTION PLAN

April 7, 2023

Dr. Steven Cliff, Executive Director  
California Air Resources Board  
1001 I Street, Sacramento, CA 95814

Submitted to docket:  
([https://www.arb.ca.gov/lispub/comm/iframe\\_bcsbform.php?listname=acf2022](https://www.arb.ca.gov/lispub/comm/iframe_bcsbform.php?listname=acf2022))

Dear Dr. Cliff:

**SUBJECT: PROPOSED 15-DAY CHANGES TO THE PROPOSED REGULATION ORDER FOR THE DRAYAGE TRUCKS REQUIREMENT**

Thank you for the opportunity to provide comments on the proposed changes to the California Air Resources Board (CARB) Advanced Clean Fleets (ACF) regulation drayage truck requirements. The Ports of Los Angeles and Long Beach (Ports) appreciate the work by CARB staff to address some of the Port-specific issues that were identified in our comment letter submitted in response to the initial release of the proposed regulatory language<sup>1</sup>. Specifically, we appreciate the removal of the exit data requirement and the time stamp requirement for truck entry data. These changes will reduce some of the burden of data collection at the marine terminals, however; the non-container terminals will still have to manually collect truck entry data, which may lead to long queues at the affected terminals.

The Ports remain committed to our shared goal of a zero emission (ZE) drayage fleet by 2035 as laid out in the 2017 Clean Air Action Plan Update and the Governor's Executive Order N-79-20. To this end, the Ports have implemented a Clean Truck Fund Rate, which has generated over \$80 million in its first year at both Ports combined to provide incentives for ZE trucks and infrastructure projects. Combined with other state and federal incentive programs, these funds will go a long way to support the transition to a ZE drayage fleet.

Despite these substantial investments, the Ports remain concerned over the impact of the rule's structure on the large number of small fleets that operate in drayage. These small fleets rely on public fueling infrastructure, which is not available to support battery electric or

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<sup>1</sup> October 11, 2022 San Pedro Bay Ports 45-day period comment letter on the "PROPOSED ADVANCED CLEAN FLEETS REGULATION REQUIREMENTS FOR DRAYAGE TRUCKS" <https://www.arb.ca.gov/lists/com-attach/93-acf2022-BmAFagdoVWdXPQIW.pdf>



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*The San Pedro Bay Ports Clean Air Action Plan was developed with the participation and cooperation of the staff of the US Environmental Protection Agency, California Air Resources Board and the South Coast Air Quality Management District.*

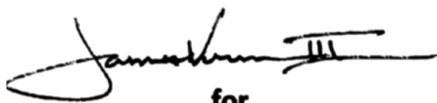
hydrogen fuel cell trucks today. The Ports will continue to support the development of this critical infrastructure and look forward to working with CARB, the California Energy Commission, and our regional partners to minimize the impact of this rule on goods movement through our Ports.

The Ports would also like to highlight the importance of the "CARB Online System," which will replace the former State Drayage Truck Registry (DTR). The new system will provide the necessary information to the marine terminal operators and the Ports to comply with CARB's proposed reporting requirements. Under the existing Drayage Regulation, CARB and the Ports have worked successfully to ensure that the State and Ports' DTRs communicated with each other, which is imperative as it allows marine terminals to confirm that trucks entering and exiting the terminals are in compliance with State requirements.

The Ports understand that development of the CARB Online System will commence upon Board approval, but are concerned that the system will not be completed in time to be integrated with the Ports' system by January 1, 2024. With over 26,000 truck moves per day at the Ports, automatically excluding non-compliant trucks by checking each truck against the CARB Online System is the only practical way to ensure compliance with the proposed rule. While the Ports and CARB have a long history of working together to make our respective systems communicate effectively and efficiently, the Ports require a minimum of three months, but ideally six months, to develop the integration and conduct sufficient testing to ensure that trucks will not be erroneously prevented from entering the terminals. Insufficient testing time can result in significant impacts to cargo movement. A recent example of unintended consequences due to insufficient testing occurred on January 1, 2023, when all trucks were turned away from the terminals for half a day due to incompatibility between the Ports' system and the Truck and Bus Regulation exemption spreadsheet provided to the Ports. Therefore, the Ports ask CARB to delay the recordkeeping requirement for noncompliant truck visits as proposed in §2014.1(7)(C) until such time as the CARB Online System is fully developed and tested with the Ports' system to ensure no disruption to terminal operations.

The Ports appreciate CARB staff's willingness to meet with port staff on these issues over the past few months and look forward to continuing our collaboration going forward. If you have any questions about our comments here, please contact Morgan Caswell via email at [morgan.caswell@polb.com](mailto:morgan.caswell@polb.com) or Teresa Pisano via email at [tpisano@portla.org](mailto:tpisano@portla.org).

Sincerely,



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