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October 26, 2007

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Mr. Mike Waugh  
Manager  
California Air Resources Board  
Stationary Source Division  
P. O. Box 2815  
Sacramento, CA 95812

**Re: Comment on Proposed At-Berth (Shorepower) Ocean-Going Vessel Regulation**

Dear Mr. Waugh:

On behalf of BREATHE California of Los Angeles County (BREATHE LA), I am writing to express BREATHE LA's concurrence with the October 4<sup>th</sup>, 2007 comments submitted jointly to CARB by The Coalition for Clean Air and other concerned environmental and public health organizations regarding the proposed At-Berth (Shorepower) Ocean-Going Vessel Regulation. (Letter attached). Please accept this letter in support of the Coalition for Clean Air et al. correspondence as BREATHE LA's official comments to the public record on this regulation and rulemaking process.

BREATHE LA joins with the environmental community in commending CARB for pursuing this important regulation to cold-iron ships at California's major commercial ports. Recognizing the urgency of reducing emissions at our ports, BREATHE LA further calls upon CARB to move forward at an advanced pace, as it adheres to the goals it has set in its Diesel Risk Reduction and Goods Movement Emission Reduction (GMERP) plans, as well as to continue its efforts to achieve state and federal air quality goals through the implementation of AB32 early action measures.

BREATHE is pleased to see that the draft regulation has been strengthened throughout the public workshop phase. We urge CARB to continue strengthening the regulation by including language that will incorporate shorter term deadlines for emission reductions by 2010. Near term requirements are essential to curbing emissions and providing relief to port communities that are currently suffering from the impacts ship emissions.

Specifically BREATHE LA urges CARB to adopt language requiring that 20 percent of all ship visits to California's ports use shorepower by 2010 and 40 percent by 2012. We support additional timelines requiring 60 percent of vessel visits plug-in by 2014 and 80 percent by 2016.

Early emission reductions are the most important emission reductions. To this end, BREATHE supports the inclusion of firm financial incentives in the regulatory language to encourage shipping lines into action now, rather than waiting for a state mandate to go into effect in six years. In addition, CARB should work with the ports to determine any

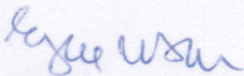
additional incentives that can be provided to shipping lines that adopt early compliance of the regulation before the first 2010 compliance deadline.

BREATHE encourages CARB to support proven and viable pathways to immediate emissions reductions through the use of alternative technologies such as low-emission dockside generators which have shown to deliver comparable and immediate emissions reductions benefits to grid-based power. Use of existing proven and viable alternative technologies coupled with incentives for early compliance will result in air quality relief TODAY for the state's port communities.

BREATHE LA agrees with the Coalition for Clean Air and other environmental organizations that alternative controls through the regulation's Emission Reduction Option provision must be limited to viable strategies, guarantee equivalent emission reductions and be subject to public review. We too are deeply concerned that this provision, as written, may create a significant loophole. The suggested use of statewide fleet averages is specifically troubling as an alternative control strategy given the difficulty to enforce them and the likelihood for disproportionate emission impacts on local communities. BREATHE LA encourages CARB to remove the proposal for the use of statewide fleet averages under the plan's Emission Reduction Option. We also encourage CARB to exclude operational controls (e.g. shorter ship visits, lower auxiliary engine loads while at dock, etc.) from meeting the requirements of the Emissions Reduction Option. BREATHE strongly agrees that only measures that are verifiable, reproducible, and enforceable should be permitted to satisfy this provision.

Thank you for considering the comments and recommendations provided to you in this letter and that of the Coalition for Clean Air et al. letter of October 4, 2007. I look forward to working with CARB as we continue to protect the breath of life for residents of Los Angeles County.

Sincerely,



Enrique Chiock  
President & CEO

EC:NJS

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