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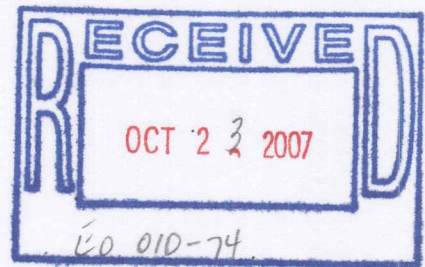
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(Secretary)

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

October 10, 2007

Mike Waugh
Manager, Program Assistance Section
Stationary Source Division
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812-2815



Re: Draft Regulation on At-Berth Ocean-going Vessels

Dear Mr. Waugh:

Bay Area Air Quality Management District staff has reviewed the California Air Resources Board's (CARB) draft air toxic control measure to require the reduction in emissions from ocean going vessels while at at-berth at major ports in California. The regulation targets container and refrigerated ships, and passenger cruise ships. Our comments below are based on a review of the September 24, 2007 draft regulation and the discussion at the September 27, 2007 workshop in Oakland, California.

We would like to thank CARB staff for continuing its efforts to craft a workable regulation to benefit residents living near the State's maritime ports, as well as reducing regional pollutants. The Air District has been working hard with the Ports of Oakland and San Francisco to lay the groundwork for eventual compliance with this regulation, with an emphasis on having a significant number of vessels using some form of shore power prior to the deadlines provided in the regulation. Our actions include a \$1.9 million grant to the Port of San Francisco to install connections for a grid-power system for cruise ships and joint funding with the Port of Oakland for the demonstration of providing electrical power to container vessels from low-emission dockside generators.

While we continue to see positive improvements in the most recent draft of the regulation, especially in the accommodation of alternatives to grid-power, we are concerned that the compliance schedule for grid-power systems is too relaxed. We are also very concerned about the dropping of early compliance incentives from the most recent draft of the regulation.

We encourage CARB staff to propose a single, aggressive compliance schedule for vessel fleets that call twenty-five or more times per year to any of the ports in

Spare the Air

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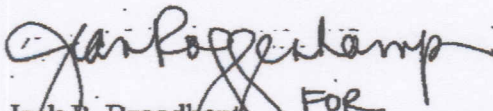
California. We support the schedule that CARB staff provided verbally at the public workshop in Oakland, California on September 27, 2007:

- By January 1, 2010, 20% of ship visits by fleets with 25 or more ships
- By January 1, 2012, 40% of ship visits by fleets with 25 or more ships
- By January 1, 2014, 60% of ship visits by fleets with 25 or more ships
- By January 1, 2016, 80% of ship visits by fleets with 25 or more ships

This schedule, while proposed by staff only for alternative compliance methods, is superior to waiting until 2014 to see any benefits from this regulation. Shipping fleets should be allowed to comply with the mix of technologies that best suits their operational needs. Additionally, shipping lines that achieve early emission reductions by any acceptable method should receive additional time in reaching the end goal of the regulation. An earlier draft of the regulation recognized the benefits of a regulatory incentive to achieve early reductions and we strongly request that that concept be added back in to the final version presented to the ARB Board. Without incentives for early compliance, we believe very little actual reductions will occur before 2014, at least in our region.

We appreciate this opportunity to provide these comments. We look forward to working with CARB in the successful adoption and implementation of shoreside power at Bay Area ports. Please contact Mr. Michael Murphy at 415/749-4644 or mmurphy@baaqmd.gov if you would like to discuss our comments in further detail.

Sincerely,


Jack P. Broadbent FOR
Executive Officer/APCO

cc: Supervisor Jerry Hill, Member, BAAQMD and CARB Boards of Directors
Omar Benjamin, Executive Director, Port of Oakland
Monique Moyer, Executive Director, Port of San Francisco