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California State Senate

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SENATOR DON PERATA
PRESIDENT PRO TEMPORE



November 30, 2007

Mary Nichols, Chair
California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

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

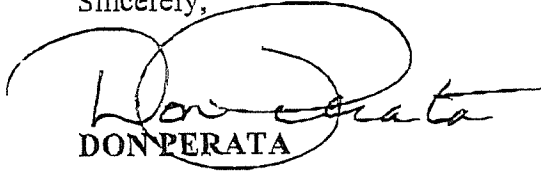
I write to respectfully request a delay in the adoption of the above-referenced proposed regulation until such time as it can be revised to address several issues, including the availability of quantifiable early-compliance incentives.

As you may know, a broad, diverse and rare coalition of environmental justice groups, the Port of Oakland, the Bay Area Air Quality Management District (BAAQMD), and local businesses, support the use of mobile, distributed-generation technologies to provide shore-side power to ocean-going vessels at the Port of Oakland, thereby reducing diesel emissions from a vessel's auxiliary engines (the largest source of diesel emissions at the port). A primary benefit of this emission-reduction strategy is its potential to be deployed quickly, achieving important emission reductions sooner than could be achieved if the port and its tenants simply wait for grid power to be available to shippers calling on the port (a five-to-six year, \$90 million undertaking according to the Port of Oakland).

As currently drafted, the proposed regulation has a different schedule and a different emission standard, depending on which technology (grid power vs. distributed generation) is used to deliver power to vessels. This approach could favor the use of grid power over that from alternative technologies at the expense of earlier emission reductions and irrespective of which source of power is the cleanest. Moreover, the proposed regulation provides no quantifiable incentive for ports or marine terminal operators to take aggressive steps to achieve emission reductions sooner than 2014. I share the expressed concern that this regulatory approach could impede the more rapid deployment of alternative technologies capable of producing quantifiable emission reductions as soon as 2010. I respectfully request that you consider these concerns and revise the pending regulation accordingly so that needed emission reductions can be achieved in the earliest possible timeframe.

I appreciate your consideration of this request, and I look forward to working with you to accomplish our shared objective: improving the air quality in and around California's ports.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Perata". The signature is fluid and cursive, with a large loop at the beginning. Below the signature, the name "DONPERATA" is printed in a bold, sans-serif font.

DONPERATA