

October 10, 2007

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,

Friends of the Earth is writing to support the extensive comments made by environmental and public health organizations submitted October 4, 2007, on the proposed At-Berth (Shorepower) Ocean-Going Vessel Regulation. Please accept this letter in support of those comments as our official comments to the public record on this regulation and rulemaking process. (Letter is attached.)

As stated in the Oct. 4 letter submitted by the Coalition for Clean Air and other organizations, we are conditionally supportive of the regulation and the changes that you have incorporated during the public workshop process. However, we share a number of concerns related to the implementation of the rule that need to be rectified before we can offer our full support when the regulation goes to the Board for approval in December.

In particular, we believe that the ARB must set aggressive short-term and interim deadlines beginning in 2010 and 2012 to meet the goals specified in the Goods Movement Emission Reduction Plan (GMERP). These require that 20 percent of all ship visits to CA's port use shorepower by 2010. Further, ARB should include an additional interim goal by 2012 that 40 percent of all ship visits be required to use dockside power and, finally, 60 percent of vessel visits should be required to plug-in by 2014 and 80 percent by 2016.

To meet these goals, we believe that all technologies should be equally considered that have been proven to achieve the significant emissions reductions needed to prevent and reduce harm to human health and the environment from hoteling ships.

The ARB should consider specifically the successful demonstration project at the Port of Oakland using a shoreside generator operated on natural gas to power ship on-board electrically as a viable alternative. This technology should be built into the regulation as an option if proven to achieve significant verified emissions reductions.

Friends of the Earth was a strong supporter of the pilot project and the public funding from the Bay Area Air Quality Management District that was invested to complete the proof of concept.

We share the concerns of the providers of this technology that that the proposed regulation may create a multi-tiered playing field, favoring one emission reduction technology over another. The draft rule as written appears to disadvantage new emission reduction technology as to eliminate it from practical application and deny California the significant pollution reductions that could be realized now. We are worried that the regulation dramatically favors a solution only realized years into the future, while discouraging presently available new technologies.

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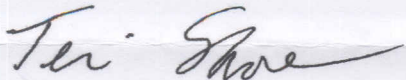
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All viable and proven technologies that reduce dockside emissions need to be considered and encouraged in the regulation in order to achieve immediate reductions. Early emission reductions are the perhaps the most important emission reductions given the extremely high levels of emissions from ships in ports.

The shore-side power regulation should encourage early action by ports, shipping companies and technology providers as soon as possible, rather than waiting for the state mandate to go into effect in 2014. The regulation should ultimately level the playing field between all emission reductions technologies, whether they are electrification by utility or non-utility generation or a new advancement in alternative control technology.

Thank you for considering these comments.

Sincerely yours,

A handwritten signature in black ink that reads "Teri Shore". The signature is written in a cursive, flowing style.

Teri Shore
Clean Vessels Campaign Director

Cc: Mary Nichols, Chair, Air Resources Board
Ms. Linda Adams, California Secretary for Environmental Protection

02-05-10