



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
PUBLIC HEALTH DEPARTMENT

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Ms. Anne Whittington
Port of Oakland
530 Water St.
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RE: Comments on the draft Port of Oakland Maritime Air Quality Improvement Plan

Dear Ms. Whittington:

As Deputy Director of Planning, Policy, and Health Equity for the Alameda County Public Health Department, and as a member of the Maritime Air Quality Improvement Plan (MAQIP) Task Force, I commend your leadership in working with many stakeholders to put together a plan for reducing air pollution – and as a result improving health conditions – in the neighborhoods surrounding the Port of Oakland. However, the draft MAQIP leaves me concerned that this plan does not fully harnesses its pollution reduction potential, as it does not include clear measurable targets, a commitment to specific action steps, or appear to respond to previous concerns and recommendations articulated by MAQIP members and by CARB. In the interest of the health of those living and working around the Port of Oakland, I urge you to revise the current plan using the points laid out in this letter.

As a MAQIP Task Force member, in our meetings and in a letter sent to Mr. Richard Sinkoff and carbon copied to MAQIP Task Force members on February 4, 2008, I have highlighted the public health crisis confronting West Oakland: residents living in the shadow of the Port of Oakland can expect to die, on average, more than a decade before residents of the Oakland Hills and that, appallingly, this gap may be increasing. It is increasingly clear that one of the underlying causes of this disturbingly large health disparity is the extremely high rates of environmentally-linked disease in West Oakland. People living in West Oakland breathe in 3 times more diesel particles than other Bay Area residents. As a result of the exposure, West Oakland residents experience high rates of diseases such as cancer and asthma. As demonstrated in the West Oakland Health Risk Assessment, West Oakland residents experience 2.5 times greater lifetime risk of cancer than Bay Area residents in general and 80% of this excess cancer risk is attributed to diesel trucks. They have the highest rates of asthma hospitalization in the county – 2.3 times the average – and West Oakland children under five years of age have emergency department visits rates due to asthma nearly three times the county average.

The asthma rates among children are particularly alarming. Asthma is a chronic disease that can lead to irreversible changes in the architecture of the airways in the lungs. The irreversibility of these lung changes is one of the prime reasons that preventing asthma in children by reducing exposure to environmental triggers such as diesel is so critical to avoiding a life plagued by chronic disease. Additionally, asthma places a burden on the respiratory muscles and heart, therefore potentially

exacerbating heart disease, producing heart failure and ultimately increasing the likelihood of heart attacks, the number one killer of West Oakland residents.

The impact of the concentration of environmental hazards in West Oakland is particularly devastating to residents' health because of their social vulnerability. Due to high poverty levels and the prevalence of other psycho-social stressors, as well as a lack of access to healthcare, West Oakland residents are already at risk for poor health outcomes. Additionally, while the Port of Oakland is not the only source of air pollution in West Oakland, there is increasing recognition that multiple hazards interact and have a cumulative impact on residents. Port actions can either exacerbate or mediate these existing conditions. In order to confront these multiple assaults to West Oakland residents' health, we must maximize the health promoting potential of every decision impacting the community.

It is because of the extent and urgency of the health problems plaguing West Oakland that we urge you to consider our feedback on the draft MAQIP.

- By adopting as policy the goal of an 85% reduction from 2005 to 2020 in community health risk related to exposure to diesel particulate matter emissions from the Port's maritime operations, the Port of Oakland has acted a leader in the effort to improve health in West Oakland. However, the mounting evidence regarding the extreme health impacts of PM 2.5, such as CARB's recent study indicating that there is no scientific evidence that there is a safe level below which PM 2.5 has no health effect, necessitate a more aggressive timeframe and measures for achieving this goal. The draft MAQIP's interim goal for PM reduction (DPM Goal 1, listed on page 6-2) is 65% by 2012. In order to adequately protect health of the Port of Oakland's neighbors, we strongly urge you to a more aggressive timeline.
- In order to achieve the goal of an 85% reduction from 2005 to 2020 in community health risk related to exposure to diesel particulate matter emissions from the Port's maritime operations, the Port of Oakland needs an aggressive plan with clear action steps. The draft MAQIP relies heavily on CARB and other potential state and federal regulations to achieve its health risk reduction goal. However, the plan also states that a number of the regulations may not be implemented and that 100% compliance with regulations is improbable. To account for this discrepancy, the draft MAQIP should be adjusted as follows:
 - Analyze each current and future regulation not only for its current status, as you do in Table 5-2, but also indicate both your expectation regarding actual approval of the regulation and your ability to ensure compliance. Subsequently adjust your 2012 and 2020 emissions reductions forecasts to account for these realities.
 - Given these new forecasts, identify specific projects from the list of Air Quality Improvement Initiatives that the Port of Oakland will definitively commit to implementing. Demonstrate this commitment through a concrete timeline for these projects (not an estimated timeline, as currently included on page 9-12). Additionally, demonstrate that these additional projects will indeed achieve the health risk reduction goal by including a transparent analysis of the expected emissions reduction contribution of these projects. Translate the expected emission reduction impacts of these projects into long-term emission reduction goals for the project, as well as short-term interim goals.
 - Commitment to a realistic plan with a timeline, interim, and long-term health risk reduction goals is essential for monitoring of the final MAQIP's efficacy in reaching the 85% reduction by 2020 target. Furthermore, including these components in the final plan will increase transparency, a characteristic all government agencies should strive to embody, and facilitate community stakeholder partnership in not only identifying problems reaching the goals, but in identifying viable solutions.

- There is building consensus that a majority of the health risks confronting West Oakland residents can be attributed to trucking. However, there is dispute regarding whether the trucks are related to the Port of Oakland. It appears that CARB's West Oakland Health Risk Assessment and the draft MAQIP's emission inventory significantly underestimate the level of trucking activity attributable to the Port of Oakland, as well as trucking's total contribution to regional air pollution. To account of these underestimates, we recommend that the final MAQIP more explicitly discuss the impact of truck emissions, the uncertainties associated with the CARB study, and lay out a research plan, with details such as a timeline and objectives, for better understanding this issue and for identifying and committing to specific action steps. The Comprehensive Truck Management Program (CTMP) could be such a program, but the current uncertainty surrounding this program requires that in the final MAQIP do more than refer the issue to the CTMP for a resolution.
- The final MAQIP should identify a back-up plan, or at the very least a concrete plan for creating a back-up plan, that can be implemented in the event that the Port of Oakland is unable to meet the expected reduction targets.
- Regardless of the final specificity of the MAQIP, it could be rendered meaningless if it does not include an enforcement plan. The final MAQIP should clearly spell out how the Port of Oakland will address problems achieving the stated goals. The enforcement plan should include the following:
 - Lease-based approaches that will ensure compliance with all measures. This strategy will have the secondary benefit increasing the probability of early emission reduction.
 - A community engagement process for identifying and solving problems.

Before closing, there is one more important issue that merits your attention as you move forward. As discussed in the letter submitted to Mr. Sinkoff on February 4th, 2008 specifically regarding public participation, historical exclusion from decision-making venues has resulted in communities of color and low income communities that are disproportionately burdened by environmental hazards and the associated adverse health outcomes. Furthermore, the impacts of marginalization affect a community's sense of wellbeing and hopefulness for the future. We believe that decision makers can counter and begin to correct the ill health effects of systematic injustice by creating a truly empowering public process. The Port of Oakland has been responsive to community feedback, such as the extension for public comment on the draft MAQIP, granted due to the complexity of the analysis necessary for informed feedback. In addition to creating opportunities for public comment, we ask that as we move forward, you respond more explicitly to our comments. For instance, please indicate – through footnotes or utilizing another convenient tool – when and where content has been adjusted as a result of public comment. Additionally, we ask that you provide another opportunity for meaningful public participation before the MAQIP is finalized.

Thank you for your hard work on this plan and for your consideration of our comments. The extreme health threats facing the Port of Oakland's neighbors – neighbors already vulnerable to poor health outcomes and assaulted by many health hazards – are numerous and life threatening. As a result, we must all accept the weight of this public health crisis and use every measure available to ensure that our decisions reduce health risk to the fullest extent possible. We submit these comments, and strongly urge you to revise the draft MAQIP accordingly, to ensure that the final product demonstrates the Port of Oakland's strong commitment to reducing the health risks facing the surrounding community. Thank you again for the opportunity to comment and please contact us with any questions or concerns.

Sincerely,

Sandra Witt, MPH, PhD
Deputy Director of Planning, Policy and Health Equity
Alameda County Public Health Department

cc: MAQIP Task Force Members, including representatives of:
Mayor Ron Dellums
Assemblymember Sandre Swanson
