



Alameda Labor Council AFL-CIO

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July 15, 2008

Anne Whittington
Port of Oakland
530 Water St.
Oakland, CA 94607

Via Email

Re: Draft Maritime Air Quality Improvement Plan

Dear Ms. Whittington,

The Alameda Labor Council, AFL-CIO represents 125 local unions with 100,000 members in Alameda County. We support the Port's potential to develop a comprehensive and rigorous Maritime Air Quality Improvement Plan but believe the current draft misses the mark.

Our members both work and live in West Oakland and along the impact corridor. We pay the price of poor air quality and poor health as workers, as residents, and as taxpayers.

I participated in MAQIP planning sessions and raised concerns verbally throughout the process. We join allied organizations in the Coalition for Clean and Safe Ports in urging the Port to set a stronger pace and reach higher for higher goals – with a means to meet them.

In its March 18 Policy Statement, the Commission set clear health risk reduction goals. MAQIP needs to extend this "can-do" attitude, not backpedal. The draft MAQIP lacks key components of an air quality improvement plan, as defined by planners. The Plan does fail to present clearly defined strategies for meeting the goal; a description of how strategies will be implemented, tracked, monitored and/or enforced; and a budget.

MAQIP should focus on what the Port can do, not what it can't. The Port of Los Angeles and even the Port of Long Beach have taken more aggressive steps to reduce emissions. Just as "public-private partnerships" represent outreach to beneficial external resources, regulatory agencies should be considered partners in pooling or leveraging authority to deliver real results.


MAQIP should start with a baseline of state regulations and build forward from there. The current draft neither affirms nor extends state requirements. We concur with the conclusion reached by analysts at the Pacific Institute:

Even though the projected emission reductions described in the plan, and the strategies for attaining plan goals rely heavily on the assumption that State regulations will be implemented and complied with in a timely fashion, the draft plan expresses a deep and contradictory pessimism about the "feasibility" of these regulations being implemented. In fact, Section 6.3, the detailed description of the many challenges faced by the Port's air quality improvement goals, goes so far in describing the challenges facing the timely implementation of CARB regulations as to have the effect of severely undermining the regulatory efforts of this State agency. "(N)ew emission reduction regulations adopted and proposed by CARB. . . are extremely aggressive. . . Technological, economic, or legal factors may result in suspension or postponement of certain requirements or deadlines," and "experience tells us that 100% compliance is rarely achieved." There is also no clear statement that the Port will cooperate with or coordinate in any way the implementation of state regulations.

We understand and respect the many challenges currently faced by the Port of Oakland. Improving air quality is an issue with significant and long-term impacts, deserving of a stronger effort more consistent with the Port's commitment to excellence.

Thank you for your consideration and your work on this important process.

Sincerely,



Sharon Cornu
Executive Secretary-Treasurer

Cc: Hon. Ronald V. Dellums
Hon. Sandré Swanson, Loni Hancock, Mary Hayashi, Alberto Torrico

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