

Talking Points for LA City Council Meeting *THE Impact Project*

Background: Strong Indirect Source Rule for Ports are needed to rectify historical environmental injustice in the LA County region. The federal Clean Air Act defines an indirect source as “a facility, building, structure, installation, real property, road, or highway which attracts or may attract, mobile sources of pollution.” Think of indirect sources as magnets for fossil-fuel emissions. The Ports ISR would require these facilities that attract sources of mobile pollution to implement regulations that will reduce emissions facility wide— regardless of the mobile source — and push the industry to accelerate zero-emissions technology deployment.

Mayor Bass campaigned on a 100% zero-emission Port of Los Angeles by 2030 and to work with all levels of government, including SCAQMD, to get there. With less than 6 years away from her ZE port goal, it is imperative that Mayor Bass play a public role in support of the upcoming Ports ISR. As a longtime champion of bringing parties together to advance the public good, Mayor Bass can play an instrumental role in garnering support for the timely passage of the life-saving rule.

The Port’s Clean Truck Fund Rate, set at \$10 per twenty-foot equivalent unit (TEU), has encouraged some early adoption of cleaner vehicles without deterring cargo traffic, but the current fee is not enough. With the projected growth in throughput, the concomitant emissions cannot go unabated. **Mayor Bass, by calling on the Harbor Commission, can support the community’s call for an Alternative Truck Rate that applies to all container types and increase the current rate from \$10 to \$70 per container.**

Problem: Instead of being responsible parties committed to eliminating their deadly emissions, the industry is doing everything they can to stall and undermine SCAQMD’s vital rulemaking efforts so they can continue externalizing costs on communities for as long as possible.

Solution: The Air District must develop and pass strong and enforceable Ports Indirect Source Rule that require ports reduce their toxic emissions starting in 2025.

Call to Action: We are calling on Los Angeles Mayor Karen Bass and members of the Los Angeles City Council to publicly support the South Coast Air Quality Management District’s adoption of strong Port Indirect Source Rule.

THE Impact Project coalition Talking Points in support of a Strong Port Indirect Source Rule: General public comment (1 minute)

All public comments should include a call to action: “Mayor Karen Bass and Los Angeles City Council has the power to prioritize public health by urging the South Coast AQMD to adopt and enforce strong Indirect Source Rules that will drastically improve the health of communities, wildlife, and the environment.”

- 1. LOS ANGELES MUST LEAD THE TRANSITION TO A SUSTAINABLE AND HEALTHY FUTURE FOR ANGELENOS**

- a. We are deeply grateful to LA City leaders who have listened to frontline residents and worked to advance justice, public health, and equity.
- b. We are concerned that recent industry attempts to block the South Coast AQMD's Ports ISR rulemaking process threaten to delay achieving clean air and environmental justice for our communities.
- c. The Los Angeles City Council has an opportunity to publicly support the South Coast AQMD's Ports Indirect Source Rules and reverse decades of environmental racism, improving public health, and achieving climate justice.
- d. Regulations are the only enforceable measures. ISRs are the only pathway to concrete emission reductions that hold the logistics industry accountable and protect us from further harm.
- e. Only rules that mandate industry compliance will make the type of progress needed to reduce emissions in a way that will protect our health and help us meet attainment targets.

2. THE SOUTH COAST AQMD MUST REACH ATTAINMENT OF FEDERAL AIR QUALITY STANDARDS AND PROTECT PUBLIC HEALTH IN THE SOUTH COAST AIR BASIN

- a. The South Coast is in extreme nonattainment, which means that it fails to meet safe air quality levels set by the federal government. This means that the Air District has a duty to adopt regulations, like Indirect Source Rules to reduce pollution from ports. Letting these important rules languish or be weakened leaves emission reductions on the table—at a time when the region can least afford it.
- b. The Air District has full legal authority and moral obligation to adopt rules requiring the region's largest polluters to take concrete actions to reduce emissions and hold them accountable through mandatory rules.
- c. The Warehouse ISR, passed in 2021, is already delivering significant changes by prompting warehouse owners and operators to deploy zero-emissions to shipping, including the building out of charging infrastructure installation of solar panels and battery storage. However, these benefits are undermined by leaving the Port ISR unfinished.
- d. In August, The Rail Yard ISR was passed unanimously by the South Coast board, but rail operations at ports are not covered. We need a Port ISR that will coordinate and reduce emissions from all movement of goods.
- e. As the months and years slide without implementing strong Port ISR, Los Angeles county residents continue to pay for this delay with their lives.
- f. The effects of port pollution reaches communities all the way in the Inland Empire.
- g. Failure to meet clean air standards puts Southern California at risk for federal sanctions, such as limiting port operations, withholding of federal highway funding and loss of local control over air quality policy.

3. REDUCE CUMULATIVE IMPACTS IN PORT COMMUNITIES

- a. We have known for decades that the region's port operations are gravely harming frontline communities. ***[If you live in an impacted community-describe your experience dealing with the impact of air pollution from ports.]***
- b. The same diesel-powered equipment used for freight movement at ports and railyards is responsible for about half of the South Coast Air Basin air pollution.
- c. Meanwhile, fossil-fueled ships are the largest, fastest-growing, and most unregulated sector of fossil fuel pollution at the San Pedro Bay ports.

- d. The particulate matter and ozone that these emissions sources contribute to are known to lead to more emergency room visits, more hospitalizations due to heart attacks, aggravated asthma, decreased lung function, restricted airways, and even premature death.
- e. Port-adjacent communities in Los Angeles County experience up to 8 years shorter life expectancy than the Los Angeles County average.
- f. The fossil-fueled San Pedro Bay port complex causes 1,200 premature deaths every year.
- g. The Port ISR was significantly stalled for months by flawed MOU negotiations for voluntary measures that accomplished nothing.
- h. While industry continues to externalize costs on communities in the form of health care costs and long-lasting health impacts for residents, it continues boosting corporate profits.

COMMON QUESTIONS THAT MAY ARISE

- **“Indirect Source Rules will cost the City too much money.”**
 - The Port of LA has adequate funding to meet this imperative and must spend its funds. The Port of Los Angeles is sitting on about \$1.3 Billion in cash reserves when their board policy is to only hold 2 times the debt service, which is very low (ranging from \$40-80 million depending on the year).
 - The cost of inaction and delayed ISRs means shortened life expectancy for Los Angeles residents, missed days of work, and impaired public health. If the City of LA truly cares about public health and the economy—these “public health costs” should outweigh any potential industry-paid costs associated with ISR compliance.
 - The Port of Los Angeles received about \$1 billion dollars in federal funds to support clean technology deployment that will reduce impacts. There is an unprecedented amount of federal funds available, and the time is now for ports to channel these federal funds to zero-emission projects and create a coordinated plan to reduce emissions and improve quality of life in environmental justice communities.
- **“Indirect Source Rules will cut jobs and negatively impact LA's economy.”**
 - People should not be forced to choose between jobs, financial stability, and health. We must advance an economy that prioritizes high quality jobs, sustainable energy production and consumption, and above all public health for all regardless of zip code.
 - Indirect Source Rules also introduce high quality job-creating opportunities associated with renewable energy projects and maintenance/operation of zero-emission vehicles/equipment that do not harm workers' health.
 - Indirect Source Rules are an opportunity for LA Mayor Karen Bass and Los Angeles City Council to join with frontline residents and labor to maximize community and workforce benefits by increase equitable access to safe and healthy jobs.
- **“SCAQMD does not have authority to regulate port operations.”**
 - By using the federal Clean Air Act's indirect source review provisions and state statutes, regions can limit emissions from activities attracted to a facility by enacting indirect source rules (ISR) – i.e., ISRs can cap pollution from trucks and equipment that service warehouses, railyards, and ports. EEJC staff, with support from other divisions, are working to advance a southern California ISR that will

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reduce toxic pollution from vessels, vehicles, and equipment that congregate at ports.

- o The Air District has the legal authority and moral obligation to adopt rules that mandate that the region's biggest polluters curb their life-threatening emissions so that our air quality is finally safe enough to meet federal standards.