

LOS ANGELES RESOLUTION NO.
LONG BEACH RESOLUTION NO. HD-

A JOINT RESOLUTION OF THE BOARD OF HARBOR
COMMISSIONERS OF THE CITY OF LOS ANGELES AND THE
BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG
BEACH ADOPTING THE 2017 SAN PEDRO BAY PORTS CLEAN AIR
ACTION PLAN UPDATE

FINDINGS

The Board of Harbor Commissioners of the City of Los Angeles (“LA Board”) and the Board of Harbor Commissioners of the City of Long Beach (“LB Board”) (each a “Board” and collectively “Boards”) find as follows:

Ports and Maritime Commerce

1. Each of the LA Board, for the Port of Los Angeles (“POLA”) and the LB Board, for the Port of Long Beach (“POLB”) (each a “Port” and collectively, the “Ports”) takes this planning action regarding the San Pedro Bay Ports Clean Air Action Plan (“CAAP”) under its respective authority under its City Charter to manage the granted State Tidelands and submerged lands, related assets and revenues at its own Port for purposes of maritime commerce, navigation, recreation and fisheries.

2. The Ports together handled 37.7% of U.S. waterborne containerized import twenty-foot equivalent units (“TEU”) through the San Pedro Bay in 2016. The dollar value of import and export waterborne cargo moving through the San Pedro Bay in 2016 was \$361.4 billion. The number of jobs in the region dependent on or related to the San Pedro Bay Ports is approximately 976,000. The number of jobs in the U.S. related to trade moving through the San Pedro Bay Ports is approximately 2.8 million.

3. Although the Port of Long Beach and Port of Los Angeles are geographically adjacent and together form the “San Pedro Bay Ports”, and the CAAP is a jointly developed high level plan guidance, each Board retains its individual discretion and authority to use the CAAP to make future decisions for each Port, as required by their position of Tidelands Trustees under the law.

4. The original 2006 CAAP was prompted by both Ports’ concerns in the early 2000s that their ability to develop additional marine terminal facilities to accommodate forecast trade growth depended upon their ability to address adverse environmental impacts, especially air impacts, which result from maritime goods movement emission sources. The 2017 CAAP Update assesses the effectiveness of the original CAAP strategies by evaluating progress to date and projecting future emissions from port activities, with and without CAAP measures and other emission reduction measures. The 2017 CAAP Update includes additional strategies and measures aimed at improving air quality in the vicinity of the Ports.

Clean Air Action Plan History and Results

1. The CAAP is a high-level policy guidance document jointly developed by the Ports to help the region achieve its clean air goals and to support the statewide vision for more sustainable freight movement.

2. By adopting the original CAAP in November 2006, the Ports took an unprecedented joint action to improve air quality and reduce health risks from maritime goods movement in the South Coast Air Basin, with a voluntary plan with comprehensive strategies for reductions from major emission sources: drayage trucks, locomotives, ships, cargo handling equipment and harbor craft. The CAAP was developed voluntarily and implemented through the collaborative partnership among the Ports, regulatory agencies, and industry partners, including shipping lines, terminal operators and the trucking industry.

3. The CAAP is a living document intended to establish a process to develop solutions, not a static document binding the Ports to particular future actions; it is regularly reviewed and updated as necessary. The 2010 CAAP Update built on the successes of the 2006 CAAP, set further voluntary plan goals and emission-reduction targets and new strategies for cleaner air in the vicinity of the Ports.

4. The Ports have a strong track record for using their leadership to help the maritime goods movement achieve their CAAP goals as evidenced in the 2016 Emissions Inventories: DPM reduced by 87%, NO_x reduced by 56%, and SO_x reduced by 97% - reflecting achievement of the 2014 targets and well on the way to achieving the 2023 targets.

5. Since the 2006 adoption of the CAAP, diesel particulate emissions from mobile sources in and around the Ports are down 87% reflecting a significant improvement to health risk indicators for Port communities. As a result of the CAAP and other goods movement-related initiatives, the communities around the Ports have seen a greater decline in air-related cancer risk than Southern California as a whole. According to the South Coast Air Quality Management District's MATES-IV (Multiple Air Toxics Exposure Study), between 2005 and 2012, cancer risk near the Ports dropped 66% compared to a 56% reduction for the rest of the region. (MATES IV Final Report, p. 4-11)

6. Despite this significant progress, the Ports recognize that more needs to be done. The Boards desire by this action to stimulate further emissions reductions by the freight industry through the latest CAAP update.

Clean Air Action Plan 2017 Update

7. The Final 2017 CAAP Update published on October 23, 2017 ("Final 2017 CAAP Update") is the result of an Ports' extensive public process and several iterative public drafts that were revised in direct response to stakeholder comments, and

regulatory agencies' collaboration and regulatory actions.

8. Over the past two years, the Ports have engaged in stakeholder outreach that has included multiple small focused meetings as well as three large public meetings that took place in October 2015, January 2017, and August 2017. Since the beginning of this process, the Ports have held more than 70 stakeholder meetings, conducted three public workshops drawing more than 375 people, and received more than 400 comment letters totaling nearly 1000 pages from industry, environmental, neighborhood, and regulatory organizations as well as technology providers. Comment letters are posted on the CAAP website at www.cleanairactionplan.org. Updates on CAAP progress and opportunities for community interaction were advertised through press releases, each Port's website, the CAAP website, Facebook, and Twitter.

9. On November 17, 2016 the Boards held a joint public meeting where the Ports presented a new CAAP 2017 Update Discussion Document ("Discussion Document"), posted on both Ports' and the CAAP website for public review and comment, initially through February 17, 2017 and then extended until the release of the draft final 2017 CAAP Update ("Draft Final") on July 19, 2017.

10. The Draft Final was released to the public and posted on the CAAP and each Port's website on July 19, 2017 with a public review period of 60 days ending on September 19, 2017.

11. Additionally, the development of the Final 2017 CAAP Update has been guided by the California Sustainable Freight Action Plan, the South Coast Air Quality Management District ("SCAQMD") 2016 Air Quality Management Plan ("AQMP"), approved by the SCAQMD Governing Board on March 3, 2017, and the California State Implementation Plan ("SIP"), amended by the California Air Resources Board ("CARB") Governing Board on March 23, 2017. The Ports participated in various collaboration meetings to discuss the CAAP, AQMP and SIP throughout this period with SCAQMD, CARB, and the Environmental Protection Agency.

12. On June 12, 2017, Mayor Eric Garcetti of the City of Los Angeles and Mayor Robert Garcia of the City of Long Beach issued a joint declaration for creating a zero-emissions goods movement future – with ultimate goals of zero emissions for cargo handling equipment by 2030 and zero emissions for on-road drayage trucks serving the ports by 2035. In the declaration, the mayors made a commitment to continue focusing on advancing clean technologies to reduce emissions and combat climate change, with suggestions regarding at-berth emission reductions, zero-emission drayage trucks, funding, a CAAP Implementation Stakeholder Advisory Group monitoring CAAP implementation progress and related energy projects, and a Green Ports Collaborative to advance similar goals along the West Coast and throughout the nation. These goals have been captured in this Final 2017 CAAP Update.

13. Further, following adoption of the Final CAAP 2017 Update, the Ports will continue to work with stakeholders throughout the development of specific programs and implementation of the strategies identified in the document. It is vital that all stakeholders continue to work together if we are going to be successful in achieving our shared vision of an economically competitive, efficient, and environmentally sustainable port complex.

14. Based on the input received throughout this process, the Ports have modified, refined, and clarified the CAAP air emissions reduction strategies as policy guidelines that are feasible and consistent with the Ports' jurisdiction to provide for the needs of commerce, navigation, recreation and fisheries in their respective Harbor Districts.

RESOLUTION

NOW, THEREFORE, based on the above findings, the contents of the Final 2017 CAAP Update, and the Initial Study, the Board of Harbor Commissioners of the City of Los Angeles and the Board of Harbor Commissioners of the City of Long Beach resolve as follows:

Section 1. The Final 2017 CAAP Update is an information collection and analysis activity, as described in 14 California Code of Regulations, Section 15306, and is categorically exempt from the California Environmental Quality Act.

Section 2. The Final 2017 CAAP Update is a feasibility and planning study, as described in 14 California Code of Regulations, Section 15262, and is statutorily exempt from the California Environmental Quality Act.

Section 3. The Final 2017 CAAP Update is a general policy guideline document, as described in 14 California Code of Regulations, Section 15378(b)(2), and is not a project for California Environmental Quality Act purposes.

Section 4. It can be seen with certainty that there is no possibility that the preparation and approval of the Final 2017 CAAP Update may have a significant adverse effect on the environment, as described in 14 California Code of Regulations, Section 15061(b)(3), and the Plan is therefore exempt from the California Environmental Quality Act.

Section 5. The Final 2017 CAAP Update is hereby adopted as a high level policy and planning document, as reflected in the record of the proceedings.

Section 6. Each Port's Board of Harbor Commissioners shall exercise its own discretion regarding implementation of the CAAP strategies at its respective Port through future Board approval of programs, contracts, tariff amendments, budget authorizations, or other actions, through a public process as required by applicable law.

Section 7. The Ports will establish a CAAP Implementation Advisory Group to (i) participate in periodic meetings to advise the Executive Directors and staff regarding the specific details of CAAP implementation, and (ii) oversee regular CAAP implementation status reports that shall be shared publicly and with the Mayors of Long Beach and Los Angeles.

Section 8. The Director of Environmental Management of the Los Angeles Harbor Department, whose office is located at 425 South Palos Verdes Street, San Pedro,

California 90731, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision of the Board of Harbor Commissioners of the City of Los Angeles is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Cal. Government Code Sec. 6250 et seq.). The Director of Environmental Planning of the Long Beach Harbor Department, whose office is located at 4801 Airport Plaza Drive, Long Beach, California 90815, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision of the Board of Harbor Commissioners of the City of Long Beach is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Cal. Government Code Sec. 6250 et seq.).

Section 9. The Director of Environmental Management for Los Angeles and the Director of Environmental Planning for Long Beach shall file notices of exemption with the County Clerk of the County of Los Angeles and with the state Office of Planning and Research.

Section 10. This resolution shall take effect immediately upon its adoption by the Board of Harbor Commissioners of the City of Los Angeles and the Board of Harbor Commissioners of the City of Long Beach. The Secretaries of the Boards shall certify to the vote adopting this resolution and shall cause certified copies of this resolution to be filed forthwith with the respective City Clerks of the City of Long Beach and City of Los Angeles. The City Clerks shall post the resolution in compliance with the requirements in each City.

ACTION BY LOS ANGELES BOARD OF HARBOR COMMISSIONERS

I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting of November 2, 2017 by the following vote:

Ayes: Commissioners: _____

Noes: Commissioners: _____
Absent: Commissioners: _____
Not Voting: Commissioners: _____

Secretary

APPROVAL AS TO FORM
CITY OF LOS ANGELES
MICHAEL N. FEUER, CITY ATTORNEY

By: _____, 2017
Janna B. Sidley,
General Counsel

ACTION BY LONG BEACH BOARD OF HARBOR COMMISSIONERS

I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of November 2, 2017 by the following vote:

Ayes: Commissioners: _____

Noes: Commissioners: _____

Absent: Commissioners: _____

Not Voting: Commissioners: _____

Secretary