

Dear Senator

The Port of Long Beach recognizes and appreciates the considerable efforts undertaken by Assemblyman Lowenthal to improve air quality in and around the Port of Long Beach. We respect the concern he has shown on behalf of his constituents with regard to their health and welfare. It is in this context that we must regretfully express our opposition to Assembly Bill 2650. While well intended, we believe that AB 2650 will not provide the air quality benefits that it was designed to address and will ultimately impede and delay other efforts that will provide more comprehensive solutions.

The Port of Long Beach is a major gateway to the world for Southern California's 17 million residents and for consumers across the United States. Approximately \$95 billion in trade moved through the Port in 2001. Coupled with the Port's efforts to promote international trade is a commitment to the local community to minimize environmental impacts that often accompanies activities associated with the movement of goods. AB 2650 has generated a wide-ranging debate on truck emissions, information technology, and land use planning surrounding the viability of the future growth of international trade in California. That debate has been healthy and needs to continue. However, the solutions proposed by AB 2650 selectively address one element of the supply chain – and why AB 2650 won't succeed and impede the development of more comprehensive solutions.

Solutions for the problems highlighted by AB 2650 (air quality and traffic mitigation) requires the collective participation of the following: 1) marine terminals; 2) truckers; 3) cargo owners and receivers; 4) waterfront labor; 5) port authorities; 6) railroads; and 7) ocean carriers. All of these entities contribute and share responsibility for the problems highlighted by AB 2650. Singling out the marine terminal operators will not solve the problem – and it raises serious fundamental fairness issues for penalizing entities for the independent actions of third parties that they don't control. Lines of trucks can form from a wide variety of reasons, many of which are beyond the control the terminal operator. Unfortunately, AB 2650 doesn't recognize the responsibilities of all of the components of the supply chain.

Last year, the Port of Long Beach funded development of a trucker appointment system through the internet-based company eModal. We believe we were making progress in getting terminal companies to utilize the system, but now we fear that AB 2650 is inhibiting the use of an appointment system. This is because terminal companies will not jeopardize future legal challenges to AB 2650 by participating in a program that, it could be argued, exercises some control over the trucking industry.

The Port of Long Beach has a long history of supporting, encouraging, and facilitating programs that reduce air emissions. Use of alternative fuels, voluntary vessel speed reductions and intelligent transportation systems are some programs that we have played a major role in developing and implementing. The Port continues to take part in an effort by the West Coast Waterfront Coalition's (WCWC) pilot gate hours project to move cargo at off-peak hours. The difference between AB 2650 and the gate hours project is that the WCWC requires a commitment from importers and exporters, working in conjunction with others in the supply chain, to move cargo to off-peak hours.

Mr. Lowenthal is to be commended for his efforts and for initiating a serious debate – but AB 2650 does not accomplish his goal of cleaner air or reduced traffic congestion. We need to support more comprehensive and collaborative efforts. We urge your NO vote.

Sincerely,

Richard D. Steinke
Executive Director