



VIA ELECTRONIC MAIL

February 5, 2025

Chair Vanessa Delgado and Members of the Governing Board
South Coast Air Quality Management District
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Clerk of the Board, clerkofboard@aqmd.gov

Re: Item #22; The Urgent Need to Advance the Port Indirect Source Rule (PR 2304)

Dear Chair Delgado and Members of the Governing Board,

We write with urgency. Despite years of pleading for a concrete and comprehensive Indirect Source Rule (ISR) for the ports, efforts have repeatedly stalled, and communities have continued to suffer. The health burdens caused by port-related emissions—primarily borne by low-income communities and communities of color—have been well-documented. Yet our region still lacks a comprehensive and effective approach to addressing port pollution. Now more than ever, with a vacuum in national leadership on environmental policy and growing challenges at the state level, we need our local leaders to stay the course and uphold California’s commitment to protecting public health and the environment. South Coast Air Quality Management District (SCAQMD) must not waver in its duty to deliver a strong and enforceable ISR that ensures real reductions in harmful emissions.

For nearly 20 years, discussions around a facility-based measure for the San Pedro Bay Ports have taken place, yet no binding rule has materialized. Instead, the industry has successfully stalled rulemaking to entertain voluntary commitments—even as voluntary measures have proven ineffective. In the meantime, pollution from port-related operations continues to bring devastating health consequences for surrounding communities. A frequently cited statistic underscores this reality: life expectancy for residents in some port-adjacent communities is, on average, eight years shorter than in other parts of the county. This disparity is unacceptable.

The ports have had more than enough time to implement their own plans, and while they have set

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goals and drafted plans, their progress has not matched the urgency of the crisis at hand. **Only a strong, enforceable rule will ensure the transformative change needed to protect public health.** The Board must resist yet another industry-driven push to stall this rulemaking in favor of the status quo and time wasted discussing voluntary measures.

The need for a strong regulatory framework has only grown in urgency. With the recent withdrawal of the Advanced Clean Fleets Rule and the In-Use Locomotive Rule at the state level, and weakened federal oversight, there is now a dangerous void in emissions regulation.

SCAQMD must step up to fulfill its commitment to rulemaking and accelerated emission reductions to ensure that port pollution is not allowed to worsen unchecked.

Southern California communities rely on this agency to protect public health. This responsibility cannot be deferred, diluted, or dismissed. It is more critical than ever that SCAQMD fulfills its mandate by ensuring that PR 2304 is enacted as a robust and enforceable rule that delivers tangible emission reductions- not just planning for a shift to zero-emissions.

We fully recognize the need for infrastructure investments and coordination to support this transition. In fact, we strongly believe that having the port and industry invest in zero-emissions infrastructure is vital to ensuring that the entire port complex is set up for success. However, it is critical to acknowledge that SCAQMD is not an infrastructure builder—it is an air quality agency, tasked with reducing harmful emissions. PR 2304-Port ISR must, therefore, center on real, **enforceable reductions in emissions.**

This agency has the authority, the responsibility, and the moral obligation to protect public health by adopting PR 2304 as a **strong and enforceable rule.** The time for voluntary measures is long past. Communities cannot afford another year—let alone another two decades—of inaction. We urge this Board to move forward decisively, ensuring that the Port ISR delivers **measurable, enforceable emission reductions** and holds polluting industries accountable.

Thank you for your time and consideration.

Sincerely,

Fernando Gaytan, Senior Attorney, **Earthjustice**

Gracyna Mohabir, Clean Air & Regulatory Advocate, **California Environmental Voters**

Marven E. Norman, Policy Coordinator, **Center for Community Action and Environmental Justice**

[Additional Signatories on the next page]

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