

**Date:** December 19, 2007

**To:** Attendees, December 14, 2007 Port of Oakland Maritime Air Quality Improvement Plan Task Force Meeting

**From:** Scott McCreary, Rebecca Bryson, and Anna Rossinoff, CONCUR, Inc.

**Re:** Key Outcomes Memorandum – December 14, 2007 Port of Oakland Maritime Air Quality Improvement Plan Task Force Meeting

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Below is a summary of the December 14, 2007, MAQIP Task Force Meeting. This summary provides a listing of the primary issues raised during the discussion. It is not intended to serve as a meeting transcript.

**BACKGROUND:**

This fifth meeting of the MAQIP Task Force was convened at the Waterfront Plaza Hotel in Oakland in the Regatta Room. Over 45 Task Force members and their alternates attended the meeting, as well as Port and Bay Area Air Quality Management District staff, Port technical consultants, and interested members of the public. The meeting was facilitated by CONCUR, Inc.

All meeting materials and handouts referenced in this document are available on both the CONCUR and Port of Oakland websites:

- CONCUR website: <http://www.concurinc.com/portofoakland/>
- Port of Oakland website: [http://www.portofoakland.com/environm/prog\\_04c.asp](http://www.portofoakland.com/environm/prog_04c.asp)

**BRIEFINGS AND UPDATES:**

The facilitation team briefly presented some of the key points from the memo authored and distributed by several Task Force members at the Nov 5<sup>th</sup> meeting and a subsequent memo received on December 12. The facilitation team noted that between Nov 5<sup>th</sup> and Dec 14<sup>th</sup>, the Port and Co-Chairs had discussed many of the topics at length and that the Port and agencies will be presenting on several of the topics specifically.

CARB then reported on both the status of the Health Risk Assessment and the findings of the preliminary analysis for the truck apportionment in terms of contributions to emissions loads. A draft of the HRA is slated to be released in late February. In terms of truck apportionment, the preliminary analysis found that of the 91 tons per year of diesel particulate matter released by trucks in West Oakland, 53 tons are attributable to heaviest of heavy-duty trucks. The findings indicate that the quantity of emissions attributable to Port-related trucks driving from the terminal to freeway entrance is 4.9 tons per year. The quantity amount of tons emitted from Port-related trucks traveling from the freeway to the West Oakland boundary is 2.8 tons for a total of 7.7 tons per year from Port-related trucks. This estimate may be a lower bound minimum because it does not include local community truck traffic.

*Key questions and follow-up items:*

- Task Force members posed questions to clarify the boundaries of the study. There were some clarifications about what the boundaries of the study were, whether ranges of emission would be determined, how volumes of street level traffic were calculated, and what types of trucks the 85% reduction target from CARB regulations will impact. CARB confirmed that their working assumptions will be included in the HRA.
- When asked what CARB would propose the Port/Task Force do with the draft truck survey they have, CARB staff replied that more detailed information could be derived if the Port would conduct an origin-destination survey. Such analysis would be conducted on a regional basis to better understand what fraction of the trucks is leaving via the freeway and what their destinations are.
- CARB staff confirmed that there may be some drayage truck emissions included in Part III of the analysis. Port staff confirmed that idling emissions are included in Part I.

## **INDUSTRY PRESENTATION**

In response to requests at the September 27th meeting, Rick Schart from JCPenney gave the final industry presentation on behalf of the Beneficial Cargo Owners (BCO). He explained how JCPenney has supported environmental initiatives in the past, how they have expanded in their current operations, and what types of activities they view as potential future win-wins that could contribute to the MAQIP.

*Key questions and follow-up items:*

- There was a question about whether JCPenney containers now use GPS as this information could help inform the movement of containers. Rick reported that there are legislative proposals underway, which may include Homeland Security. The company is tracking these efforts, and may adopt GPS in the near future.
- A Task Force member asked for more information on the timelines for implementing some of the ideas under the win-win scenario. Rick gave some estimated timeframes and Andy Garcia from GSG logistics explained that several steps are already being taken.
- Another Task Force member asked about the Lathrop facility and whether it was a green facility. Rick replied that it was a “take over” facility -- not built by JCPenney, so it is not green, but the company employs green practices there such as recycling and retrofitting of lighting.
- A community member noted that it would be useful to better understand how each of the proposed win-win actions could reduce air pollution in the community, and that such an analysis would be useful to have in the future.

## **KEY DELIBERATION ITEMS:**

### **Proposed Emissions Reductions Goals for MAQIP (Port)**

Omar Benjamin first introduced a new key Port staff member who will be active in the process, Richard Sinkoff. Richard is currently acting as director of the Environmental Management department, and it is anticipated that he will assume the position officially very soon. He explained that both Bernida Reagan and Roberta Reinstein left the Port last month and that the Port is creating an environmental division and combining resources under Richard's leadership.

Richard gave a brief introduction, explained the value the Port sees in developing a Master Plan and how that plan (the MAQIP) provides the guidance and foundation to move on to the next phase of plan refinement and implementation.

Delphine Prévost presented the Port's estimates for the proposed emissions reductions goals for the MAQIP. She explained the basis and context for the goals as well as the general standards used by the Port as guidance in establishing the goals. She noted that the primary focus for determining goals is health risk (and proximity to people), as well as regulatory drivers, and therefore the key focus is on PM, NO<sub>x</sub>, and SO<sub>x</sub>.

With this introduction, she then presented the goals for both 2012 and 2020 for on/near shore sources as well as off shores sources where available for a variety of pollutants. She noted that the Port anticipates establishing estimates for ROG and CO within a year and more work needs to be done on evaluating the feasibility of setting an off-shore goal for NO<sub>x</sub>. She then presented various projects that the Port is either currently or will be engaged in to achieve these goals and what type of collaboration/support/actions the Port will need from others to achieve these goals.

*Key questions and follow-up items:*

- A Task Force member asked about how the goals will be used in the overall Plan and suggested that the Dredging Long-term Management Strategy might be a good analog to consider in setting targets and commitments. She also asked if the goals presented meet the criteria for I-Bond funding. Delphine replied that the feedback from those responsible for allocating the I-Bond funding is positive.
- Another Task Force member asked whether it would be possible to have some goals for PM and SO<sub>x</sub> looking specifically at West Oakland exposures, organized by geographic zone, as CARB had done. He also asked whether it would be possible to accelerate achievement of the goals now set for 2012 by finding incentives/funding to accelerate implementation of the 2020 regulations. Delphine responded that the goals/targets proposed for 2012 already assume that incentives/voluntary actions will be required to achieve them. Jean Roggenkamp provided some examples of funding sources to be used.
- Another Task Force member asked for clarification on the terms "goal" versus "projection". Port staff explained that each of the goals presented go above and beyond the projected reductions that would result from existing/pending regulations.
- There was a question about what the yearly TEU increase would be under the medium growth scenario. Delphine reported that the air quality projections are based not only on annual throughput but also on how the growth is accommodated (i.e. do the additional containers get transported via rail, truck?)
- A community member noted that reducing health risk is one component but reducing exposure (as distinct from health risk) is also important. She suggested that a technical review team be formed to determine what the projected decrease in exposure rates for West Oakland community members would be based on a medium growth scenario.
- Another Task Force member stressed that the more the Port can clarify how MAQIP goes above and beyond regulations, the more useful and effective the Plan will be. He also reiterated the usefulness of having a technical team to address certain issues. For example, studies are beginning to show that it is the number of PM particles as opposed to the mass of the PM that affects health risk.
- It was also stressed that the Port and its business partners can only compete for funds if they go above and beyond the law, acting faster and therefore we should focus on those options. On a related note, Carolyn Suer noted that CARB is ramping up with enforcement staff and the writing of regulations to ensure that its goals are met.

### **MAQIP Implementation, Monitoring, and Reporting**

Delphine Prévost then presented the Port's revised plan for MAQIP implementation, monitoring and reporting. Refer to slides entitled on the website. She reiterated that the two primary functions of the MAQIP are:

- (1) Compliance with regulations expected to bring significant emission/risk reductions, and
- (2) Developing potential additional initiatives and strategies to achieve emissions or risk reductions that go beyond regulatory requirements.

She then described how actions under each of the categories will be implemented through the Port's 4-part program. She then discussed monitoring and reporting as well as the role that the stakeholder group and on-going interagency group will play in this capacity. Finally, she ended with an explanation of compliance and enforcement and how these may vary depending on the implementation mechanism.

### **Questions and Discussion about Implementation, Monitoring and Enforcement**

- One Task Force member asked how the goals link with the monitoring component. She also suggested that if the ultimate goal is about improving the health status of the community, then there should be monitoring specifically related to that health status. She noted that the local public health department could contribute to this monitoring and should be incorporated into the process and that the interagency group should try to address this question as well.
- There was a question about the significance of lease agreements and what types of requirements would be written into lease agreements that go above and beyond CARB regulations. The Port responded that the specific actions are yet to be determined but would be actions which both the tenant and Port agree upon because the leases are negotiated.
- There was a question about accelerating the availability/use of shoreside power. Delphine explained the terminal operators have two choices according to recently-enacted regulations – either plug into the grid no later than 2014, or if you want to use alternative power that is off the grid, you have to begin using it no later than 2010.
- A longshoreman representative underscored the importance of including workers in the development of the plan. For example, truckers can work with the railroads and longshoremen need to work with the trucking industry because there are sometimes safety concerns (i.e. new truckers get out and walk around at terminals creating confusion and safety concern.)
- Andy Garcia reported that the industry representatives had recently held a teleconference and talked about how difficult it will be just to meet CARB regulations. He suggested that instead of the implementation plan focusing so much on additional actions, it might be more realistic to focus on accelerating/exceeding the implementation of existing regulations by promoting actions such as trading in an older tractor for an '07 model rather than taking the interim step of retrofitting it first. Both meet the regulations but one is much more aggressive. The Port's presentation addressed this issue.
- An agency member noted that there is still a question about what it means to "go above and beyond existing regulations." She recommended that the agencies prepare at their next meeting a more detailed chart which outlines the specific regulations in place and what types of actions would be eligible for incentive funding and when. She emphasized that 2008 is when the I-Bond funding will be available and that the Task Force members should identify specific actions it wants to support. Jean Roggenkamp noted that CARB

will be releasing guidelines for the I-Bond money in next week or so and thus the timing would be good for a focused discussion on this topic in January.

- Finally, there was a question about how reductions in emissions are translated into predicted reductions in health risks. CARB staff explained how the agency calculated the reductions and Sandra Witt also talked about how they calculate risks using epidemiological studies. It was noted however that it is not necessarily possible to discern health risks from Port-specific air emissions versus other air emissions in and adjacent to the community.

**Review, Discussion, and Adoption of Work Team Results (CONCUR and Work Team):**

Rebecca Bryson presented on the original charge and composition of the Work Team. She then explained how the Round One and Round Two screening processes worked. Work team members Darcy Wheeles and Michael Murphy reflected on their experiences as to what types of challenges and questions they faced in evaluating the proposed initiatives. The Task Force then reviewed the List of Primary and Secondary Interest Initiatives produced by the Work Team as well as the Preliminary Statement that will precede this list in the MAQIP. CONCUR then opened a discussion as to what the next steps should be to accept, approve, or refine the list, and outlined several potential options.

*Key questions and follow-up items:*

- Carolyn Suer noted that CARB staff reviewed the list of Proposed Primary and Secondary Interest initiatives. They have found a few places where there may have been a misunderstanding of CARB rules and a few duplicates. Delphine requested that CARB submit their comments in writing.
- Bill Aboudi commented on several of the initiatives under the trucking section and noted that some were already requirements, they were just not being implemented, or that a few had been attempted before and were not feasible. It was noted that there was not a trucker representative on the Work Team. Delphine reiterated that this list represents potential actions that meet the interests represented at the table. Each initiative was not evaluated in depth for feasibility and whichever entity decides to implement a certain action will have flesh them out and do a feasibility analysis.
- Another Task Force member stressed the importance of reaching out to MTC (Metropolitan Transportation Commission) and BCDC (Bay Conservation and Development Commission) in order to implement some of the initiatives included on the list.
- Another Task Force member suggested moving to the Primary list both the proposed initiative to deploy more LNG and CNG truck and the initiative to move to the front of the line cleaner trucks. Rebecca explained the rationale the Work Team considered when evaluating these two items. She also noted that one proposed role of the stakeholder group will be to periodically review this list and re-evaluate actions' placement.
- Brian Beveridge suggested that the Task Force consider developing a more formal process or methodology for how a measure moves from the secondary to the primary list, or for adopting new measures/proposed solutions in general. He also suggested that it might be useful to establish some type of technical advisory body for industry that could help evaluate the expected benefits/ constraints of implementing certain initiatives.
- Another Task Force member suggested that while it is useful to have the Proposed Initiatives organized by source category, there are some actions that would be best to take collaboratively and across industry sectors. For example, providing B-20 biodiesel for trucks could also be used in cargo handling equipment and potentially locomotives. It would be good to look for synergies not shown on the list.
- Another Task Force member representing the railroads noted her concern about

adopting a document that has some actions listed as Secondary Interests Initiatives that are not feasible/realistic to implement. She noted that there are a few such measures under the railroad section. She pointed out that official adoption might incorrectly appear as stamp of approval.

- Several Task Force members noted that the Proposed Initiatives are still too vague still and need some accompanying description of intent. Richard Sinkoff of the Port emphasized that the concept right now is to work at master plan level. He noted that the Work Team was not tasked with refining the measures in great detail but in evaluating whether they make sense conceptually. The next step is to refine them.
- It was also noted that a new screening criteria for future evaluation should be how an initiative addresses exposure, or to combine exposure with risk since exposure leads to risk.
- A Task Force member noted that it would be useful to have preliminary cost estimates for the list of Proposed Primary and Secondary Interest Initiatives if possible.

After some discussion, the Task Force agreed on logical next steps to refine the list of measures. A meeting will be convened in January, drawing from both work team members and other interested Task Force members and colleagues from the different industries as well as people dealing with these issues on the ground. The objective of this work session will be to refine the list so that it becomes a more clear and realistic, keeping in mind that it is still intended to be conceptual at this stage and not necessarily very specific. It was agreed that this meeting would be arranged for some time in the 2<sup>nd</sup> week of January.

#### **Presentations from Inter-agency Meeting (Jean Roggenkamp)**

At the September 27<sup>th</sup> and November 5<sup>th</sup> Task Force meetings, there were requests that the Port convene an inter-agency meeting to support implementation, funding, and enforcement of the MAQIP. Jean Roggenkamp presented on who attended the meeting, what types of topics were covered, and what next steps were identified.

##### *Key questions and follow-up items:*

- One Task Force member noted his understanding that the Mayor's office had attended and had asked the agencies/Port what would it take to make the Port a "model Port" for the nation. Jean confirmed that the question had been raised and was received as an exciting idea. She also noted that the agencies had replied that this was not the goal of the MAQIP, but that it was something worth striving for and thinking about for the future.
- It was also suggested that it should not be the Port's responsibility to convene that group on an on-going basis. Jean agreed to work with the Port to convene the next meeting of the group.

#### **Next Steps between December and January:**

The facilitation team briefly reviewed key actions between December and January including reviewing/refining the List of Primary and Secondary Interest Initiatives and the introductory statement into a coherent unified document and finalizing the interagency matrix. The Port will also be refining its growth forecasts and therefore its emissions forecast and reduction goals. It was reported that industry plans to review the list of initiatives and identify some potential actions they might be willing to consider in the short and long term. The agencies will also be reviewing the list. Rebecca suggested that it might be useful for the community to review the list and identify the most promising candidates or packages of candidates. The importance of having a more clearly defined vision of what the next steps are for this group or the on-going stakeholder group after February 2008 was noted and understanding how/when specific actions will be identified/addressed.

**SUMMARY OF NEXT STEPS:**

<b>Responsible Party</b>	<b>Action</b>	<b>Timeline</b>
<b>Task Force Members and Alternates</b>		
Work team members and other interested parties	Review list of Primary and Secondary Interest Initiatives to identify duplicates and suggest clarifications where possible. CONCUR to convene a supplemental Work Team meeting to further review and refine the Proposed List of Primary and Secondary Interest Initiatives.	Schedule by Dec 20; convene by January 11 <sup>th</sup>
Agency Task Force members	Interagency members to (1) review the List of Proposed Initiatives to identify promising candidates and (2) develop a matrix of agency responsibilities as well as existing regulations and potential funding available to be presented at the January Task Force meeting. Submit recommendations to Co-Chair representative by January 19 <sup>th</sup> .	By January 15 <sup>th</sup>
Industry Task Force members	Industry Task Force members to review List of Proposed Initiatives and report back on which initiatives they might currently be pursuing, any specific initiatives they would consider pursuing in the near and long term, and what type of funding/support might they need from this group. Submit recommendations to Co-Chair representative by January 19 <sup>th</sup> .	By January 15 <sup>th</sup>
Community Task Force members	Review List of Proposed Initiatives to identify most promising candidates. Submit recommendations to Co-Chair representative by January 19 <sup>th</sup> .	By January 15 <sup>th</sup>
Task Force Members	Prepare for Jan meeting by reading available materials in advance of the meeting. Meeting materials will be available by Jan.	In advance of Jan
<b>Port staff, Co-Chairs, and CONCUR</b>		
CONCUR	• Finalize and distribute Key Outcomes Memorandum.	Dec20
Co-Chairs/ CONCUR	• Review matrix prepared by the interagency group and recommend process for presentation/input from Task Force.	Week of January 15 <sup>th</sup>
Co-Chairs/ CONCUR	• Consider input from industry, agencies and community groups on promising candidates from the list of Primary/Secondary Interest Initiatives.	Probably sooner Week of Jan 22 <sup>nd</sup>
Port and co chairs	• Refine description of next steps in MAQIP preparation and convening of successor to Task Force	Week of Jan 22

## **NEXT TASK FORCE MEETING**

The next MAQIP Task Force meeting is scheduled for January 30, 2008. The meeting is tentatively scheduled for 10am – 3:30pm. Confirmation of the meeting date, time and location will be announced once a venue is reserved.

Co-Chairs will consider/agree upon agenda items in advance of the January meeting. Likely topics include:

- Review of the refined List of Primary and Secondary Interest Initiatives and the corresponding introductory statement
- Review of the draft interagency matrix and discuss next steps on the interagency meetings
- Review/discuss key priorities identified by various interest groups
- Discuss/agree upon next steps for Task Force/On-going stakeholder group
- Discuss suggestion for a technical advisory group

If you would like to have an item to propose for possible inclusion added to the agenda distribution at the meeting, please contact CONCUR or the Co-Chairs well in advance of the January meeting. Similarly, if you have a brief document that links to one of these agenda items, please contact CONCUR in advance of the meeting. CONCUR will strive to post all meeting materials by January 25th.