



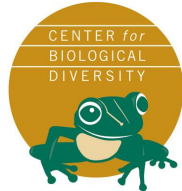
SAN PEDRO & PENINSULA HOMEOWNERS COALITION



West Oakland Environmental Indicators Project



GREENLATINOS



February 10, 2023

Chair Randolph and Members of the Board
California Air Resources Board
1001 I Street,
Sacramento, California 95814
Via Electronic submittal

Re: CARB’s Ocean Going Vessel At Berth Interim Evaluation Report and the Need for an Advanced Clean Ship Rule

Dear Chair Randolph and Members of the Board:

The undersigned organizations are writing to submit comments on California Air Resources Board (“CARB”) Interim Evaluation Report (“Report”) on the Control Measures for Ocean-Going Vessels at Berth (“At Berth Regulation”, or “Regulation”). We appreciate the work that CARB staff have done on the Report.

The expanded At Berth Regulation will build upon the health and climate benefits from the original rule, which has achieved an 80% reduction in harmful emissions from more than 13,000 oceangoing vessel visits since 2014. Once fully implemented, the updated regulation will reduce pollution by 90% from an expected additional 2,300 vessel visits per year. **This pollution reduction will offer critical protection for port communities, resulting in a 55 percent reduction in cancer risk for communities near the Ports of Los Angeles, Long Beach, and Richmond.**

Given the significant health and environmental benefits from regulating Ocean Going Vessels (“OGV”), we urge the Board to consider the following actions to further mitigate air pollution from these vessels:

1. Full implementation of the At Berth Regulation without delay.

While the shipping industry may face challenges in complying with the Regulation deadlines, CARB staff noted no new significant concerns while creating the Report that warranted weakening the At Berth emissions reduction deadlines for regulated OGVs. There are several compliance flexibilities included in the Regulation available to both vessels and port/terminal operators, further justifying the existing emissions reduction deadlines mandated by the rule. **CARB estimates that the updated At Berth policy will save 237 Californian lives and yield \$2.31 billion in public health benefits for Californians between 2021 and 2032.** We support staff’s recommendation to implement the Regulation without delay and urge the Board to reject any efforts by industry to weaken its implementation.

2. Adoption of a zero-emission in-transit shipping standard for all marine vessels by 2040, via an Advanced Clean Ship Rule.

While the At Berth Regulation will deliver important health and environmental benefits from OGVs at berth, air and climate emissions from the transiting, maneuvering, and anchoring of these vessels are not addressed in the rule, as well as emissions from bulk and general cargo vessels. These emissions remain a threat to public health and the environment, therefore CARB must explore all opportunities to achieve additional emission reductions from OGVs.

In-transit pollution is the largest portion of emissions from OGVs, and while emissions from vessels anchoring are typically low, we’ve seen them increase rapidly from high port congestion due to the COVID-19 pandemic. CARB staff noted in the Report that

clean vessels are the best option to reduce emissions at anchor, signaling the need for the Board to adopt additional regulations to mandate zero-emission OGVs.

Moreover, while bulk carrier vessels account for only 9% and 7% of DPM and NO_x OGVs [emissions in California](#), respectively, these vessels comprise the majority of ship calls to smaller ports, which are often located adjacent to communities that already bear the brunt of air pollution. At the Port of Stockton, over 50% of [shipping throughput in 2020](#) consisted of dry and liquid bulk cargo. Portside communities in Stockton and Richmond, furthermore, reside in CalEnviroScreen 92nd and 98th percentiles for air pollution burden in the state, respectively. These vessels are not included in the Regulation but could experience emission reductions if the Board were to promulgate additional regulations requiring cleaner OGVs.

CARB staff recommend that the Board explore other measures to reduce OGV emissions while in-transit, maneuvering, and at anchor. **We urge the Board to follow this recommendation by adopting a zero-emission in-transit shipping standard for all vessels calling on ports in California, requiring ships to reach 100% greenhouse gas (GHG) and criteria pollutant emission reductions by 2040.** This standard will eliminate maritime vessel emissions from all modes of operation, help reduce pollution at the ports, save more lives, and create green jobs.

One way to achieve this would be to **set a progressively tighter GHG carbon intensity and criteria pollutant fuel standard for ships leading up to 2040, but not allowing for LNG.** This should be a 1.5°C-aligned operational carbon dioxide- equivalent (“CO₂e”) intensity fuel standard for OGVs to both reduce year-over-year emissions and accelerate the zero-emission vessel market. Similar to CARB’s landmark approach to helping develop zero-emission auto and heavy-duty trucking markets, CARB should require linear CO₂e improvements per ship in a year-over-year manner. Improvements should be implemented using the AER metric (gCO₂eq/DWT-nm and gCO₂eq/GT-nm), and compliance should be measured in three-year cycles, with annual audits.

Compliance is possible and the commercial zero-emission vessel market is maturing. Electrification for marine vessels is now considered a proven technology contributing to a decarbonized sustainable maritime sector. We are witnessing a fast-evolving, climate-friendly global technological shift that includes sustainable alternatives to fossil fuels to power ocean travel and zero-emission dockyards.

There are major efforts to decarbonize the shipping industry underway. Cargo owners like Amazon, Target and IKEA have [committed](#) to 100% zero-carbon shipping by 2040 and container companies including Maersk, Hapag Lloyd, and HHM [responded](#) that they’re ready to meet this deadline. Forty-eight zero-carbon, low emission container ships have been ordered by global shipping majors in the last 18-months, catalyzed by Maersk’s first order of 9 e-methanol container ships in August 2021.

3. **Act Now to Set Interim Measures to Immediately Reduce Toxic Pollution and Protect Port Communities**

California continues to experience some of the worst air quality in the nation with the South Coast Air Basin and San Joaquin Valley being in extreme nonattainment with the Federal Clean Air Act. This was exacerbated with the recent cargo congestion crisis in 2021 where the Port of Long Beach (POLB) saw record shipping traffic and associated toxic pollution. CO2 increased by 87% from 2020, and diesel particulate matter went up by 77% from 2020. The Port of Los Angeles (POLA) was even worse, with a staggering 147% jump in diesel particulate matter and a 136% increase in greenhouse gas emissions in 2021 over the previous year.

Diesel exhausts from ships carrying goods at ports are known to cause severe illnesses from aggravated asthma, lung cancer, heart disease and neurological disorders, and premature deaths. Port communities cannot afford to wait until 2040 to get air pollution relief. We urge CARB to take immediate action to regulate ships and put them on a path to zero emissions.

One way to achieve this is to **immediately phase out the dirtiest ships, Tier 0/I/II vessels**, and require ships visiting a California port to run on Tier III engines by 2028, or the best available technology, but not allowing for Liquefied Natural Gas (LNG) ships.

As of 2020, only 2% of all port visits at POLA & POLB were made by Tier III vessels, 34% of port calls were made by Tier II vessels, and more than 60% were made by Tier I or unregulated vessels. CARB is already considering through the State Implementation Plan to transition to Tier III engines by 2037 - our public health and climate cannot wait for that long.

In conclusion, we urge CARB to move forward with full implementation of the At Berth Regulation without delay, adopt a zero-emission in-transit shipping standard for all vessels by 2040, and set interim measures to provide immediate pollution reduction. These actions will build upon California's progress in reducing emissions from OGVs at berth while ensuring a clean shipping future for all OGV operations in the state.

Thank you for your consideration of these comments. Future generations will be grateful for your decisive climate action during the 2020's, the most decisive years of world climate history.

Sincerely,

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San Pedro & Peninsula Homeowners
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