

FOR IMMEDIATE RELEASE

For information, contact:

January 21, 2009

Heather Weiner, 206/218-7194

www.coalitionforcleanandsafeports.org

Environmental Groups Blast Port of Seattle CEO Yoshitani for Attempts to Tank Congressional Clean Air Efforts

Seattle, WA - The Port of Seattle's CEO, Tay Yoshitani, is taking on a large national coalition of environmental groups, labor unions, the mayors of New York, Los Angeles, and Oakland, and many Democratic leaders in a fight over proposed environmental legislation in Congress. This Monday, say insiders at the [American Association of Port Authorities](#), Yoshitani will ask the group's policy committee to formally oppose legislation that would empower ports to set environmental, safety, security and operational standards for port trucking companies doing business on their property.

"This is unconscionable," said Brady Montz, Chair of the Seattle Group of the Sierra Club, "For years, the Port of Seattle has claimed that our outdated federal laws limit their ability to protect Seattle's neighborhoods from polluting trucks; and now it turns out that Tay Yoshitani is working behind the scenes to prevent the Port from even having the option to enforce environmental standards for trucking companies."

Yoshitani's move isolates him from major American ports that have embraced the need to grow greenly and have sought solutions to the deadly air pollution and other security and congestion concerns that put local communities at risk. Yoshitani -- who at \$330,000 a year is the highest paid port official in the country -- is backed by his former employer, the National Association of Waterfront Employers, as well as other industry lobbies like the American Trucking Association. His views are also aligned with corporate retail shippers like Wal-Mart, Home Depot, and Target.

The Port of Los Angeles recently implemented a comprehensive clean truck program that provides incentives to trucking companies to invest in green fleets. The American Trucking Association won a federal court [injunction](#) in a pending case against essential features of the program citing an arcane statute that exempts trucking from necessary port regulations that could reduce emissions from heavy duty rigs by 80 percent. That injunction has left contract truck drivers, who average \$10-11 an hour, in charge of replacing and maintaining our nation's 100,000 port trucks, 95 percent of which fail to meet U.S. EPA emissions standards. Congress is now considering [closing the legal loophole](#) in federal motor carrier statutes that the Virginia-based trucking lobby is relying on, at the formal urging of the Port of Los Angeles, Port of Oakland, and Port Authority of New York & New Jersey.

In Seattle, a coalition of environmental, labor and economic justice organizations are also educating lawmakers about why this loophole must be closed. Nationally, an amendment to the Federal Aviation Authorization Administration Act is [supported](#) by a long list of mayors, members of Congress, air quality districts, and a blue-green coalition of over 100 local, state and national organizations committed to addressing the problems caused by the port trucking industry.

"Mr. Yoshitani's profit-before-people tactics are appalling. While he keeps Seattle in a race to the bottom, other ports are finding ways to compete and grow responsibly in the 21st century," said Heather Weiner of the Coalition for Clean & Safe Ports, a national alliance of public health, environmental, community, labor and faith-based organizations. "He should be working on solutions to the dead-end jobs and deadly pollution at our port complex, not perpetuating them."

Last October, Yoshitani announced that the Port of Seattle had not taken a formal position on the amendment and the Port of Seattle's commissioners have not approved Yoshitani's anti-environmental positions in a public vote. However, according to lobbying disclosure forms, the Port of Seattle was paying a [K-street lobbying firm](#) to fight against it. The firm, McBee Strategic Consulting, gets up to \$300,000/year from taxpayer funds for its work. McBee, [one of the top 10 firms working against climate change legislation](#), also represents the American Trucking Association (ATA), which is leading the industry's fight against the legislative proposal and is also the lead plaintiff in a lawsuit against the Port of Los Angeles' Clean Truck Program. McBee was also implicated in former Port of Seattle CEO Mic Dinsmore's ethics scandals when it [was revealed the firm helped Dinsmore get a paid internship for his daughter](#).

Yoshitani was a lobbyist and Senior Policy Advisor at the National Association of Waterfront Employers in 2004-2007, before he came to the port. He has been [criticized](#) for seeking a raise during the recession even though he is the highest paid port director in the country.

Locally, the Port of Seattle has pointed to the ATA's lawsuit as a barrier to implementing a comprehensive port trucking program. The Port of Seattle's [current truck program](#) sets relatively [weak air pollution standards](#), ignores exploitive [workplace conditions](#), does little to deal with trucking [impacts on the South Seattle neighborhoods](#) of Delridge, Georgetown and South Park, and [forces workers](#) to personally bear the costs of new clean air technology, parking regulations, and other requirements.

Under the proposal for federal legislation, local government would be allowed to design programs tailored to local needs to meet at a minimum federal standards of regulation of environmental, labor and security.

Local Political Support Includes:

Cascade Chapter of the Sierra Club
Community Coalition for Environmental Justice
Council on American-Islamic Relations, Washington Chapter
Church Council of Greater Seattle
Honorable Rob Holland, Port of Seattle Commissioner
International Longshore & Warehouse Union, Local 19
Martin Luther King County Labor Council
People for Puget Sound
Puget Sound Sage
One America
Seattle/King County Building and Construction Trades Council
UFCW, Local 21
Unite Here, Local 8
Washington Community Action Network

National Political Support Includes:

[Honorable Michael Bloomberg, Mayor of New York City](#)
[Honorable Cory Booker, Mayor of Newark](#)
[Honorable Antonio Villaraigosa, Mayor of Los Angeles](#)
[Honorable Ronald Dellums, Mayor of Oakland](#)
[Honorable Stacy Ritter, Mayor of Broward County \(home to Port Everglades\)](#)
[Honorable George Miller and 23 CA members of Congress](#)
[Honorable Nancy Pelosi, Speaker of the House, U.S. House of Representatives](#)
[Bay Area Air Quality Management District \(CA\)](#)
[Change to Win](#)

[International Brotherhood of Teamsters](#)
[Natural Resources Defense Council](#)
[Sierra Club](#)
[Port of Los Angeles](#)
[Port of Oakland](#)
[Port Authority of New York & New Jersey](#)

National Political Opposition Includes:

American Trucking Association
Agriculture Transportation Coalition
National Industrial Transportation League
National Retail Federation
Pacific Merchant Shipping Association
Waterfront Coalition
World Shipping Council

Excerpts from Statements In Support of Amending Law:

The former port drayage model is precisely what led to a system of underpaid drivers, older polluting trucks, and inefficient trucking operations. This system shifted enormous social and public health costs onto local communities and the state. The concession model changes that. For these reasons, we urge you to support an amendment to the Federal Aviation Administration Authorization Act that would protect all of the components of the CTP, and open the door for communities across the nation to make their ports cleaner, safer, and more efficient.

- Allison Chin, President of the Sierra Club, and Peter Lehner, Executive Director of the Natural Resources Defense Council

I concur with the Port of Oakland, the Bay Area Air Quality Management District, and join my fellow Mayors Villaraigosa, Bloomberg and Booker in supporting legislative changes that would clarify the ability of port and other agencies to enact program that address environmental, efficiency, and labor concerns for port trucking.

- Honorable Ronald Dellums, Mayor of Oakland

Today, I am calling on Congress to support legislation that will empower ports to implement the LA Clean Truck Program, an innovative initiative that will create good, green jobs and improve the quality of the air that New Yorkers breathe.”

- Honorable Michael Bloomberg, Mayor of New York City

Newark’s residents and port workers disproportionately bear hazards from pollution caused by outdated diesel trucks that transfer cargo shipments. I urge Congress to support changes in federal legislation that would enhance the ability of our nation’s ports to effectuate policies to improve air quality and protect public health

- Honorable Cory Booker, Mayor of Newark

While ... growth has brought great economic benefits to ports and local communities, it has also created significant challenges in the areas of public safety as well as environmental protection, port security and throughput efficiency. As a result, the FAAAA needs to be updated. I ask for

you support in amending the motor carrier statute within the FAAAA to expand regulatory exemptions for ports.

- Honorable Stacy Ritter, Mayor of Broward County (home to Port Everglades)

We need to clear the path to allow local governments the means to achieve federal clean air measures and more secure transportation hubs, acknowledging the need for different regional approaches. Here in Los Angeles, we are proud to be making an important contribution to the national goal of cleaner air and "greener" energy. We urge lawmakers in Washington to update federal law and allow a first-of-its-kind emissions reduction initiative like the Clean Truck Program to flourish.

- Honorable Antonio Villaraigosa, Mayor of Los Angeles

Our nation's ports need the tools to protect public health by holding industry accountable to a more responsible means of transporting goods. Unless Congress brings transportation law into the 21st Century, we will fail to permanently reduce the toxic diesel pollutants that are contributing to serious illnesses such as asthma and cancer amongst children, port drivers and residents.

- Port of Oakland Commission President Victor Uno

[T]he Board encourages the members of the United States Congress to use the SAFETEA-LU Reauthorization to consider amendment of the FAAAA to expand the exceptions to FAAAA preemption to include environmental, security and congestion problems...the Board is committed to the Port of Oakland's important goals of preserving competition, providing quality service to its customers at a price and service level commensurate with that of other U.S. ports and serving as an environmental and community steward."

- Board of Port Commissioners, City of Oakland, Resolution Adopting a National Goods Movement Policy

Legislation to update the FAAAA will transform that law from an archaic prohibitive statute into a modern tool that will permit our nation's ports to grow into the 21st century.

- Port Authority of New York & New Jersey Chairman Anthony R. Coscia, Executive Director Chris Ward, Deputy Executive Director Susan Bass Levin