



**For Immediate Release:** Friday, Dec 5, 2008

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## **COMMUNITY, ENVIRONMENTALISTS URGE BUSH ADMINISTRATION TO DROP CASE AGAINST CRITICAL SO. CALIFORNIA CLEAN-AIR PROGRAM**

### **As the Number of Premature Deaths Continue to Rise, Coalition for Clean & Safe Ports Calls on Members of Congress to Protect Green-Growth Policy**

LOS ANGELES and WASHINGTON, DC -- Today in Federal Court, U.S. District Judge Richard J. Leon asked critical questions of – and challenged the lack of public review by – a Bush Administration agency that sued the twin ports of Los Angeles and Long Beach over their landmark Clean Trucks Program. Judge Leon announced he would not be issuing a ruling from the bench until 2009 as hoped by the Federal Maritime Commission, which has been trying to block the green-growth policy at the request of industry clean-air opponents. In response, a California coalition of leading environmental, public health, labor and community advocacy organizations called upon Bush's Federal Maritime Commission (FMC) to drop the case. Meanwhile, the Coalition for Clean & Safe Ports continues to challenge the legal merits of the case, particularly because the FMC lacks environmental or public health jurisdiction over the ports.

"Diesel toxins kill people each and every week in our neighborhoods, and I have three small children who suffer from asthma," said Oscar Tarelo, a Long Beach resident and port truck driver for over nine years, "As a father and a port truck driver, these last ditch efforts to delay the clean air we desperately need infuriate me, but I know the families who suffer from this pollution will eventually win."

Local residents and members of the over 80 national, state and local organizations comprising the Coalition for Clean & Safe Ports are appealing to California Senators Barbara Boxer and Dianne Feinstein and members of Congress representing pollution-affected regions surrounding the LA, Long Beach and Oakland ports. Community members are urging their representatives to review the obstructionist actions of the FMC, a little-known agency in Washington DC charged with reviewing ocean-bound commerce, and are calling on their elected leaders to help appoint new commissioners that share President-Elect Barack Obama's commitment to the environmentally and economically sound LA Clean Trucks Program.

Speaker of the House Nancy Pelosi, along with Senators Boxer, Feinstein and the entire Democratic California delegation to Congress have each written to the FMC, urging it not to overstep its jurisdiction by interfering with a program that would "actually strengthen competition within the port trucking industry as well as between port trucking and their retail clients. Since port

trucking costs are a relatively small component of overall transportation costs, the increased operational costs required by this program will be far outweighed by the overwhelming public benefits.”

The LA Clean Trucks Program requires trucking firms to apply for concessions and take responsibility for new vehicles by legitimately employing their drivers. The comprehensive program also includes generous subsidies raised by cargo container fees for truck purchases, along with powerful incentives that economists argue will help jump start a new alt-fuel market. The Long Beach Port also relies on a concession model, but has come under fire by every major environmental group because the burden of replacing some 16,000 old diesel trucks with a new clean-burning fleet remains on the backs of individual haulers who average \$29,000 a year, rather than capitalized companies who are in a financial position to properly maintain clean-fuel trucks.

The nation’s largest trucking lobby opposes both plans, and enlisted the legal support of the FMC after it failed to block the LA and Long Beach Ports’ Clean Trucks Programs twice in federal court already. Despite the Virginia-based American Trucking Association’s maneuvering, many of its local and national members, comprised of nearly 1,000 trucking companies large and small, have begun purchasing trucks and applied to become concessionaires, signaling their readiness to grow in an asset-based market.

To date no court or judge has stopped the program from moving forward.

“Unfortunately some in the industry are accustomed to the unrestricted polluting of our communities and so they fight any and all attempts to be held accountable,” said Kathleen Woodfield, a San Pedro resident who has been involved in successful community and homeowner lawsuits that have blocked port expansion. “The ports will never grow unless they are able to remove barriers to greener, more streamlined and secure operations, and that starts by companies legitimately employing their workforce.”

The Bush Administration’s 11<sup>th</sup> hour maneuvering prompted the National Resource Defense Council, a partner in the Coalition for Clean and Safe Ports, to file a lawsuit against the FMC for failure to conduct environmental review. The case is expected to be heard soon.

Bay Area residents, environmentalists and port drivers who have mounted a similar effort to enact a comprehensive clean-up policy in their communities cautioned the Oakland Port that politically motivated legal threats are no excuse for inaction.

“No band-aid will cure a broken system that puts our children at risk each and every day there is further delay,” said Doug Bloch, Director of the Oakland Coalition for Clean & Safe Ports. “We need a real solution for port truck pollution, and we need it now.”

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The **Coalition for Clean & Safe Ports** is a partnership of environmental, public health, labor, faith and community organizations that promote sustainable economic development at West Coast ports. We are working to make the Port trucking system more efficient, reduce air pollution, improve the quality of jobs and stimulate greater economic opportunities for residents living in surrounding port communities.

**For more information visit : <http://www.cleanandsafeports.org/> or <http://www.oakland.cleanandsafeports.org/> • The Coalition for Clean & Safe Ports in LA/LB and Oakland is an alliance of over 80 organizations, including:**

*Alameda County Public Health Department • Alameda Labor Council, AFL-CIO • American Lung Association of California • Asian Pacific Environmental Network • Clergy & Laity United for Economic Justice (CLUE) • Coalition for Clean Air • Coalition for Humane Immigrant Rights of Los Angeles • Coalition for a Safe Environment • Communities for a Better Environment • Communities for Clean Ports • East Bay Alliance for a Sustainable Economy • East Bay Community Law Center • East Yard Communities for Environmental Justice • Engineers and Architects Association • Harbor Watts Economic Development Corporation • Hermandad Mexicana Latinoamericana • Interfaith Committee for Worker Justice • Long Beach Alliance for Children with Asthma • Long Beach Community Partners Council • Long Beach Greens • Los Angeles Alliance for a New Economy • Los Angeles/Long Beach Labor Coalition • Mexican American Political Association • National Association for the Advancement of Colored People, Carson/Torrance (NAACP) • Natural Resources Defense Council • Oakland ACORN • The Pacific Institute • Physicians for Social Responsibility • Progressive Christians Uniting • San Pedro Democratic Club • Sierra Club Harbor Vision Taskforce • West Oakland Environmental Indicators Project • Workforce Collaborative • Change to Win • L.A. County Federation of Labor • UNITE HERE • IAM Lodge 1484 • IBEW Local 11 • ILWU Locals 6, 10, 34, 75 • International Brotherhood of Teamsters • SEIU • Southern California Council of Laborers*