

**Introduced by Senator Richardson**December 2, 2024

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An act to add Section 39619.3 to the Health and Safety Code, relating to ports.

## LEGISLATIVE COUNSEL'S DIGEST

SB 34, as introduced, Richardson. Ports: emissions: intermodal goods movement stakeholder group.

Existing law regulates the operation of ports and harbors. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources and generally designates the State Air Resources Board as the state agency with primary responsibility for the control of vehicular air pollution.

This bill would require the state board to establish an intermodal goods movement stakeholders group consisting of, among others, a member from each specified port district. By requiring a port district to participate in the group, the bill would impose a state-mandated local program. The bill would require the group to develop a plan that specifies short-term thresholds of yellow, orange, and red for port emissions and specifies actions to be taken to reduce port emissions and port-related emissions when the thresholds are reached, as specified. The bill would require the group to submit a report to the Legislature, on or before January 31, 2027, with its findings, recommendations, and the plan.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) California has 12 ports through which goods are imported  
4 to and exported from international markets.
- 5 (b) The Port of Oakland’s highest value exports are food related,  
6 including, but not limited to, fruits, nuts, meats, wines, and spirits.  
7 In contrast, the Humboldt Bay Harbor District primarily imports  
8 and exports logs and wood chips due to the lumber businesses in  
9 its region.
- 10 (c) The Port of Los Angeles is considered the busiest container  
11 port in the Western Hemisphere. It handles around 10,000,000  
12 cargo containers annually. In June 2024, the Port of Los Angeles  
13 processed 827,757 twenty-foot equivalent units (TEUs), a  
14 10-percent increase from the previous month. And in the third  
15 quarter of 2024, the Port of Los Angeles processed 2,850,000  
16 TEUs, its best quarter in over 116 years. Each year, the cargo  
17 flowing through this port generates over \$200 billion in economic  
18 activity and sustains nearly 3,000,000 jobs in the United States.
- 19 (d) The Port of Los Angeles is part of the San Pedro Complex,  
20 which is the container hub for both the Port of Los Angeles and  
21 the Port of Long Beach. The San Pedro Complex is the largest  
22 container hub in the United States and accounts for over 30 percent  
23 of the TEUs in the United States. It is also the fifth largest container  
24 hub in the world.
- 25 (e) Vehicles and equipment at ports are significant sources of  
26 air pollution. Ships, trucks, and cargo handling equipment at ports  
27 and offsite goods movement systems are often fueled by diesel  
28 and emit air pollutants such as particulate matter and nitrogen  
29 oxides. In recent years, California ports have faced several  
30 challenges, including, but not limited to, onsite and offsite port  
31 congestion and air pollution from associated facilities and vehicles.

1 Both the State of California and the federal government have  
2 engaged in legislative, regulatory, and budgetary efforts to help  
3 ports address these challenges.

4 (f) State involvement with ports in California is distributed  
5 across several agencies, including the Department of  
6 Transportation, the Transportation Agency, the State Air Resources  
7 Board, the Governor’s Office of Business and Economic  
8 Development, and the local South Coast Air Quality Management  
9 District. Each entity has different responsibilities regarding ports  
10 and goods movement.

11 (g) The long term plan to reduce port emissions requires ports  
12 to adopt new zero-emission technologies. However, ports face  
13 several barriers, including, but not limited to, the following:

- 14 (1) Certain electric vehicles are not yet widely available.
- 15 (2) Barriers to siting and building a sufficient electrical grid to  
16 power zero-emission technologies.
- 17 (3) High and unbudgeted costs.
- 18 (4) Unsuitability of current batteries for port operations.

19 (h) As a result of these barriers and others, the timeline for  
20 implementing zero-emission technologies at ports remains unclear  
21 and the costs remain unknown but are believed to exceed \$1 billion.

22 (i) To reduce port emissions in the short term, while 2035  
23 zero-emission goals are implemented, an intermodal goods  
24 movement stakeholders group shall be created to develop a plan  
25 to reduce port emissions when damaging levels arise.

26 SEC. 2. Section 39619.3 is added to the Health and Safety  
27 Code, to read:

28 39619.3. (a) The state board shall establish an intermodal  
29 goods movement stakeholders group, consisting of each of the  
30 following individuals:

- 31 (1) An individual representing each of the following:
  - 32 (A) International Longshore and Warehouse Union Local 13.
  - 33 (B) International Longshore and Warehouse Union Local 63.
  - 34 (C) International Longshore and Warehouse Union Local 94.
  - 35 (D) International Longshore and Warehouse Union Southern  
36 California District Council.
- 37 (2) An individual representing terminal and tenant operations.
- 38 (3) An individual representing ship and vessel operations.
- 39 (4) An individual representing rail and locomotive operations.

- 1 (5) An individual representing freight forwarders, as defined in
- 2 Section 220 of the Public Utilities Code.
- 3 (6) An individual representing warehouse distribution centers.
- 4 (7) An individual representing the California Association of
- 5 Port Authorities.
- 6 (8) An individual representing each of the following:
- 7 (A) The Port of Benicia.
- 8 (B) The Port of Hueneme.
- 9 (C) The Port of Long Beach.
- 10 (D) The Port of Los Angeles.
- 11 (E) The Port of Oakland.
- 12 (F) The Port of Redwood City.
- 13 (G) The Port of Richmond.
- 14 (H) The Port of San Diego.
- 15 (I) The Port of San Francisco.
- 16 (J) The Port of Stockton.
- 17 (K) The Port of West Sacramento.
- 18 (L) The Humboldt Bay Harbor District.
- 19 (9) An individual representing the Department of Transportation.
- 20 (10) An individual representing the state board.
- 21 (b) The intermodal goods movement stakeholders group shall
- 22 develop a plan that specifies short-term thresholds of yellow,
- 23 orange, and red for port emissions and specifies actions to be taken
- 24 to reduce port emissions and port-related emissions when the
- 25 thresholds are reached. An action in the plan shall be agreed to by
- 26 the entity that would be required to perform the action under the
- 27 plan.
- 28 (c) In developing the plan described in subdivision (b), the
- 29 intermodal goods movement stakeholders group shall do both of
- 30 the following:
- 31 (1) Hold monthly meetings in person or by video conference.
- 32 (2) Meet with appropriate state agencies to do all of the
- 33 following:
- 34 (A) Determine escalating emission impact levels for the yellow,
- 35 orange, and red thresholds.
- 36 (B) Discuss a draft of the plan.
- 37 (C) Provide and obtain recommendations relating to the
- 38 performance of the plan, if any.
- 39 (d) (1) On or before January 31, 2027, the intermodal goods
- 40 movement stakeholders group shall submit a report to the

1 Legislature and the Governor with its findings, recommendations,  
2 and the plan.

3 (2) (A) The requirement for submitting a report imposed under  
4 this subdivision is inoperative on January 1, 2031, pursuant to  
5 Section 10231.5 of the Government Code.

6 (B) A report to be submitted pursuant to this subdivision shall  
7 be submitted in compliance with Section 9795 of the Government  
8 Code.

9 (3) The plan shall not be implemented before July 1, 2027.

10 SEC. 3. If the Commission on State Mandates determines that  
11 this act contains costs mandated by the state, reimbursement to  
12 local agencies and school districts for those costs shall be made  
13 pursuant to Part 7 (commencing with Section 17500) of Division  
14 4 of Title 2 of the Government Code.