

Mitigating the Negative Effects of Capacity Improvements: Environmental Justice and Infrastructure



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What is EJ?

- Locally-based efforts to address LULUs in low-income and minority communities
 - Response to race-specific zoning
 - Studies on relationship between race and hazardous land uses
- Participation in planning decisions
- Potential areas of conflict
 - Community empowerment vs. universal planning principles
 - EJ as process vs. EJ as outcome

Urban Freight / Goods Movement policy and planning

- Forces of change - growth in port-related trade and its impacts on port city-regions:
 - Dispersed benefits vs. localized impacts
 - Need for policy and planning
- Urban goods movement policy is more than (local) land use and highway planning
- National transport (funding) policies and MPO mandates also do not necessarily constitute UGM plans

What is good UGM policy and planning?

Process

- Inclusive, legitimate, attentive to power
 - ‘Local’, national and intermodal interests
 - Identifying what brings partners to the table
- Flexible and timely in a dynamic context
 - Public vs. private sector financing and planning time horizons
 - Short term operational changes; long-term technology investments and infrastructure
- Enforceable, enforced and effective
 - Appropriate financing models
 - Internalizes externalities in a competitive industry
- Evidence-based

Outcome

- Efficiency
 - achieve desired and legitimate goods movements with lowest possible inputs
- Equity
 - ensure that the benefits and costs of goods movement are distributed among individuals, groups and localities
- Environment
 - ensure that the movement of goods is compatible with local community
- Governance
 - define the role of an accountable public sector to govern ports and port regions
- Dynamic
 - provide framework for continued discussion, negotiation, and future policy development

Are UGM practices ahead of planning?

- There are instances of best practices and innovation:
 - LA/Long Beach Clean Air Action Plan
 - Transport for London's London Freight Plan
 - Freight Quality Partnerships in South and Central London
 - BESTUFS 2 (European network of cities engaged in freight experiments)
 - Chicago Metropolis 2020
 - Reno ReTRAC
- Yet the dominant business model remains unchallenged...



Is UGM planning and policy ineffective in solving EJ issues?

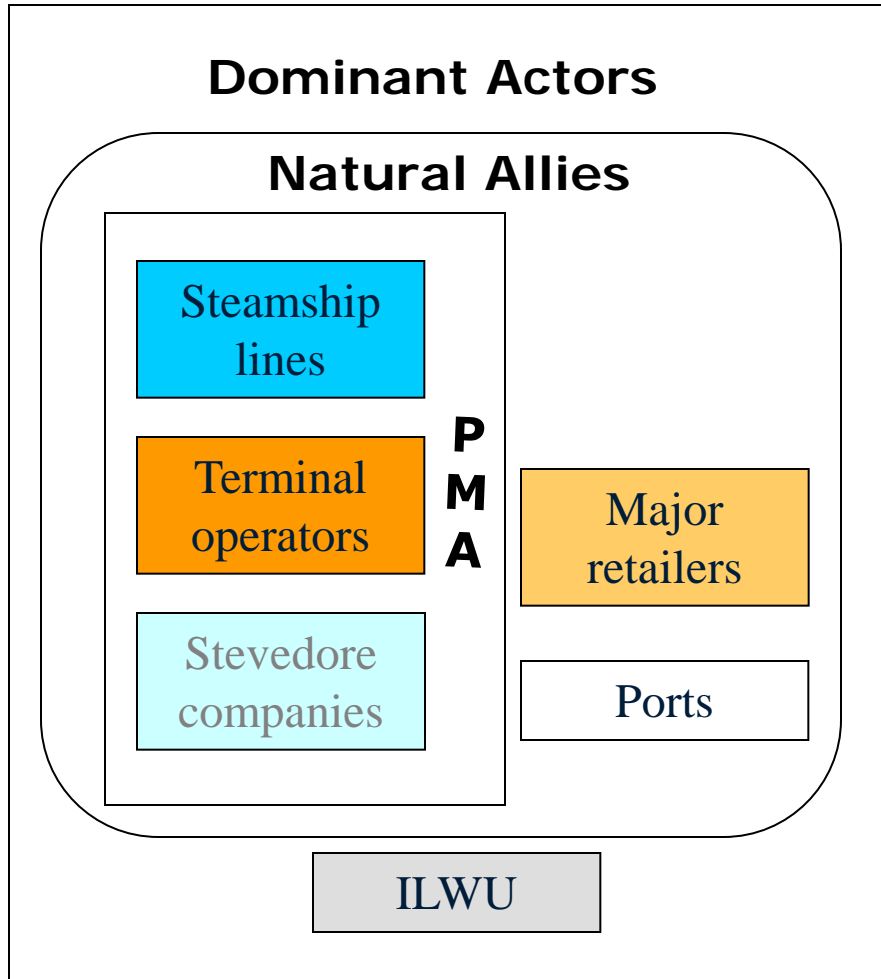
- Three potential explanations:
 - The political-economy of freight
 - The (wicked) nature of the problem
 - Flaws and impediments in UGM planning, governance and implementation, including finance
- Or some combination of the above...

The political-economy of freight

- Global supply chains / non-local actors
- Horizontal and vertical integration
 - Global terminal operating firms
 - Logistics chain virtual integration
- Integration but not connection
 - Continued fragmentation, e.g. local trucking
- Power imbalances

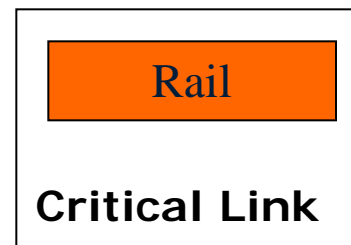
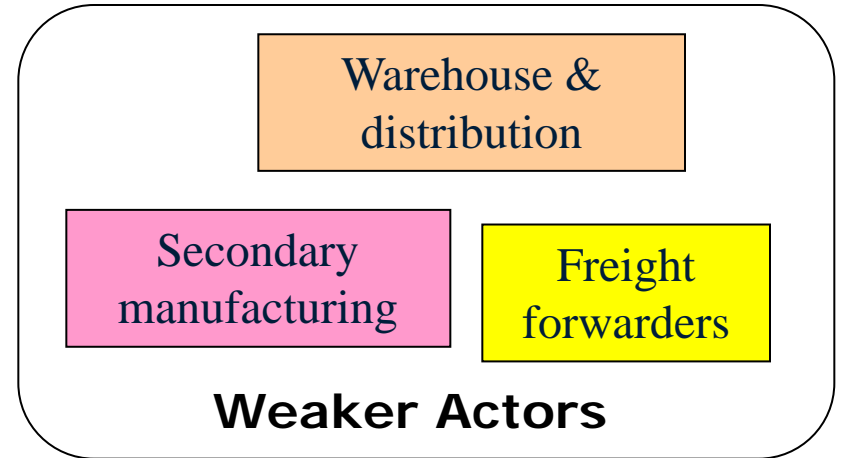
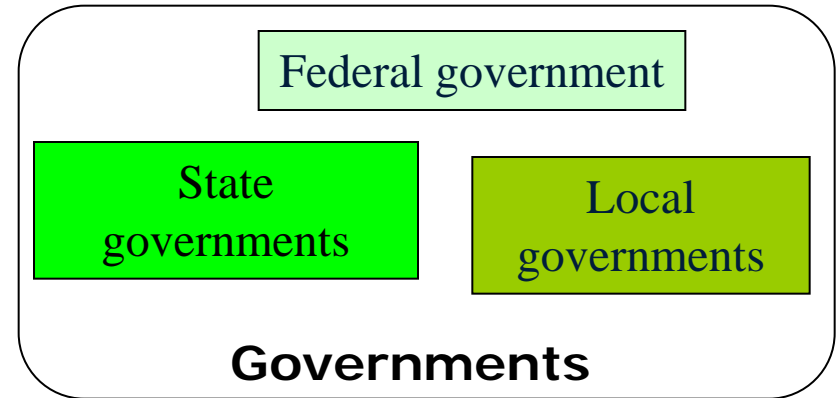


Supply chain conceptual model



Export producers

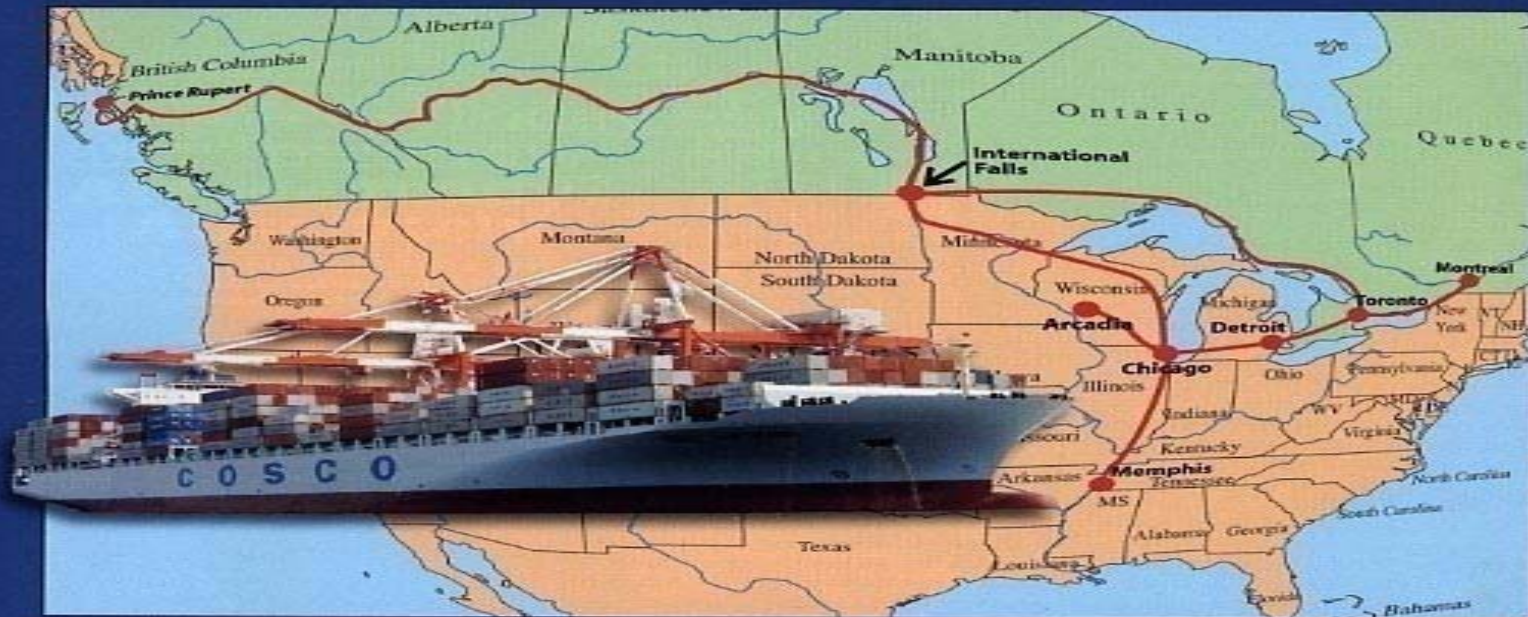
Import consumers



The (wicked) nature of the problem

- The gateway conundrum and competitive pressures:
 - Changes in shipping routing and port choice implies that ports are points of concentrated flows and externalities
 - Trade priorities are global-national; transportation necessities are nodal-network
 - Supply chains cross jurisdictions and national boundaries
 - And most urban goods movement is not throughput anyway...even if this is what attracts attention
- Freight-NIMBY - we don't want it:
 - Public awareness of pollution has reached a point of no return?
- Freight-Blindness - we don't want to think about it:
 - The post industrial city and its imagination / aspirations?
 - "Why plan for port growth? I buy everything online now."

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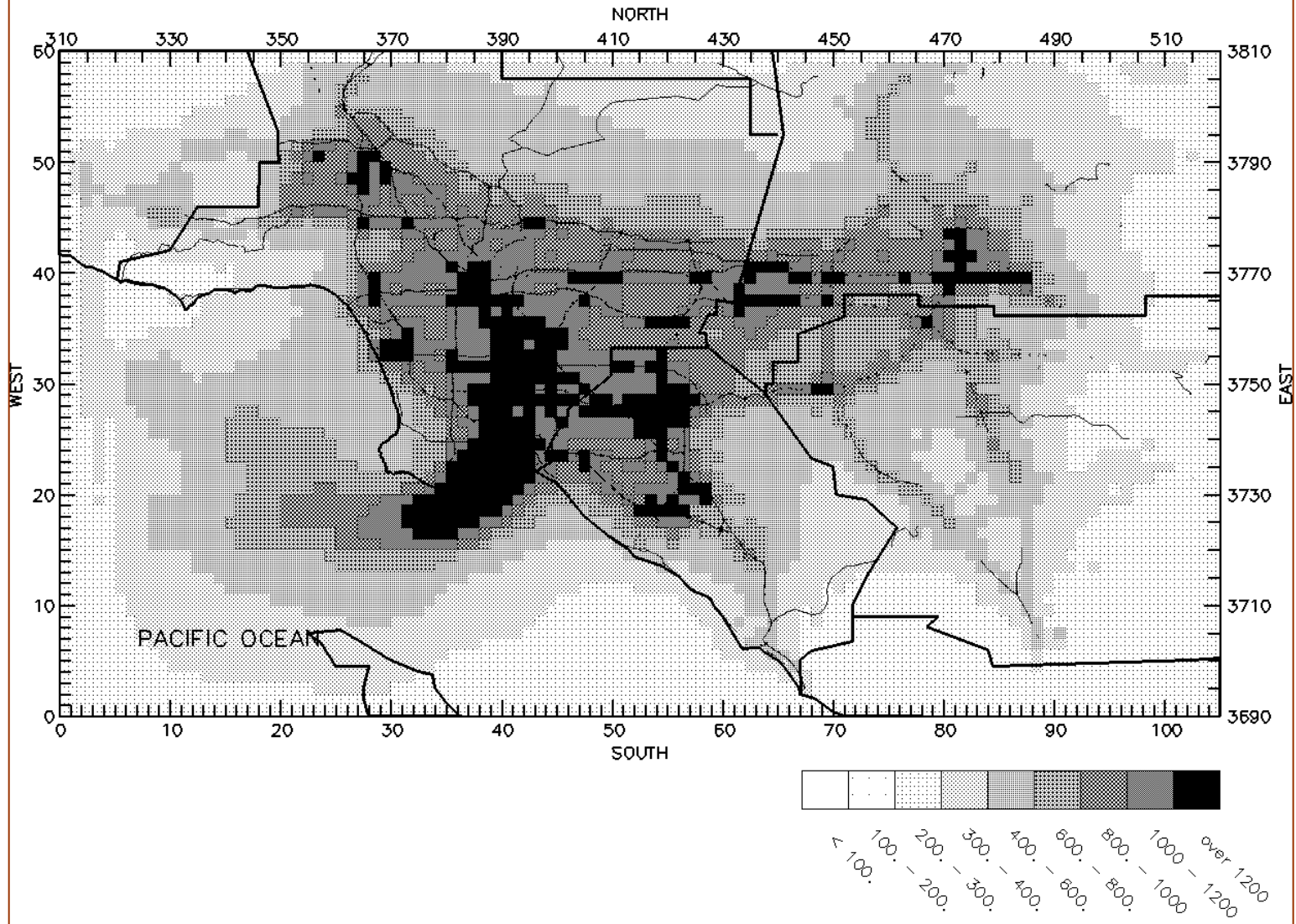
Flaws and impediments in UGM planning, governance and implementation

- Fragmented governance, overlapping jurisdictions, etc
- Freight doesn't vote (or does it?)
- Diversity of freight
- Lack of data at the city level
- Stove-piping - mismatches in revenue-raising and decision-making powers
- Trade and transportation policy are kept separate

Los Angeles & Long Beach Port context

- Competing, neighboring ports
- Largest port complex in US, 5th largest in world
- 2000 -- SCAQMD MATES II Study
- 2000 – NRDC vs. Port of LA
 - China Shipping Terminal
- 2001 – 9/11
- 2002 – Opening of Alameda Corridor
- 2002 – Port shutdown
- 2002 – I-710 Expansion study
- 2004 – Peak season congestion, ship diversions

Maximum Value = 5772.91
Minimum Value = 220.77



Source: SCAQMD MATES II

“The diesel death zone”

Los Angeles: Governance and Planning Processes

- CA Tidelands Trust Law guarantees State oversight but cedes authority to ports
- Port authorities are city departments, but with insulation
 - Revenues protected from use by City for non port-related purposes
- Legacy of North vs South in CA planning and policy
- Local jurisdictional conflict (LA vs. Long Beach vs. everyone else)
- Increasing role of state in financing; feds largely absent in planning and policy except for FMC and except for port security

Response: State legislative efforts

2000	AB 1775 passed	Cover coke piles and coke transport
2001	Karnette	First proposal for cargo fee
2002	AB 2650 passed	Reduced queue time at terminal gates
2004	AB 2041 withdrawn	Establish port management congestion district
2004	AB 2042 not passed	Baseline for “no net increase”
2005	SB 760 not passed	\$30/TEU mitigation fee in LA/LB
2005	SB 764 passed; suspended in 2006	Caps on port emissions
2005	AB 1101 not passed	Regulate ports, distribution centers as stationary sources
2006	SB 927 vetoed	\$30/TEU mitigation fee in LA/LB

LA Outcomes: AB2650, PierPASS and the Clean Air Action Plan

- State legislative pressures force MTOs to act: gate appointments, off-peak gates
 - Federal oversight/FMC process facilitates industry collaboration
 - Creates “PierPass model” for future collaboration and fee collection
- Court action encourages ports to get ahead of the curve on environmental issues (voluntary self-regulation)
 - Clean Air Action Plan and Clean Truck Program
 - Infrastructure Fee
 - Trapac Terminal agreement on environmental oversight
- Perception that cost of doing business in Southern California becoming too high (planning studies focusing on elasticity)

Conclusions for LA/Long Beach

- Lack of true local (municipal-regional) UGM planning (policy vs. planning)
- Piecemeal, crisis-driven and litigious approach
 - e.g. labor disputes
- Power of terminal operators and other key industry players in this arena
- All actors engage in extra-local politics at state and federal level to attract resources and support:
 - e.g. legal remedies
 - Reinforces win-lose dynamics
- Improving processes and outcomes:
 - Recognize structural challenges facing UGM planning
 - Involve of key actors – local governments especially
 - Willingness to acknowledge power imbalances
 - Opportunities and limitations of multi-state coalitions

Challenges to Mitigating Negative Effects of Capacity Improvements

- Trade generates costs and benefits
 - Local communities more empowered but exist in an environment of fragmented governance
- Environmental problems of trade largely outside the control of local regulators
- Ports respond themselves in hopes of moving projects forward
 - Pressure to compete vs. Pressure to innovate
 - Is Southern CA unique?
- Changing landscape at federal level (Is freight lost in the mix?)
 - Livable Communities Act (S. 1619)
 - DOT Livability Definition

Thank You!

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