



February 9, 2009

Commissioner Bill Bryant
President
Port Commission of Seattle
2711 Alaskan Way
Seattle, WA 98121

Dear Commissioner Bryant:

On behalf of the Waterfront Coalition, I would like to express our support for your concept to address drayage truck emissions in the ports of Seattle and Tacoma. As you move forward jointly with your truck emission program, we would urge you to adopt emission standards that are within the ports' jurisdiction. We would also urge you not to consider fees levied on shippers or other industry stakeholders to fund a truck replacement or retrofit program. Finally, we would also urge you not to consider additional provisions regulating the drayage industry in your region that do not directly address truck emissions.

By way of background, the Waterfront Coalition represents manufacturers, retailers, agricultural producers and transportation providers moving international commerce through North American blue water ports including the ports of Seattle and Tacoma. Our members understand the need to reduce drayage truck emissions in the Pacific Northwest and throughout the nation. Many of our members participate in broad based industry efforts, such as the Coalition for Responsible Transportation, to ensure that licensed motor carriers deploy clean burning drayage equipment.

We support the outline that Port of Seattle and Tacoma staff presented to us concerning broad initiatives to reduce drayage truck emissions in the region. The Waterfront Coalition supports the adoption of a rolling ban on trucks based on the model year of the equipment without fees imposed on industry stakeholders. This policy allows drayage providers to identify the most efficient investment decision to comply with the rule while preserving the competitive advantage marine terminals maintain in the region. The outline of your truck plan would also keep both ports out of managing drayage operations.

In our view, it is important that your truck plan remain devoid of fees to fund truck replacement or retrofit technology. As you may be aware, the Clean Truck Program as

endorsed by both the ports of L.A. and Long Beach includes a \$70 container (FEU) fee levied on shippers to help fund the replacement of all harbor trucks. That fee is scheduled to be collected beginning on February 18th. This fee has been in part responsible for a recent diversion of discretionary cargo to load centers outside of the San Pedro Bay including the ports of Seattle and Tacoma. Similar fees adopted in Seattle-Tacoma area may erode this competitive advantage currently enjoyed in the region.

Such fees also have the potential to void investments motor carriers and others have put into clean burning equipment. Many of our shipper, carrier and drayage members are collaborating on business models to ensure that truckers have access to clean burning equipment. These investments in green technology result in higher dray rates paid by shippers and ocean carriers. Mandatory fees imposed on industry stakeholders to fund truck replacement or retrofit equipment may undermine these voluntary investments and weaken the business investment climate in the region.

As you and your staff develop your truck plan, we would also encourage you not to include provisions that do not directly address truck emission reductions. Such ancillary policies may result in added costs to doing business through Seattle and Tacoma marine terminals that could contribute to a diversion of cargo and tie the ports into lengthy and costly litigation. Already, the Intermodal Carrier Conference of the American Trucking Associations has filed suit against both the ports of L.A. and Long Beach for including a truck concession requirement in their Clean Truck Program designed to restructure the size and nature of the harbor drayage industry. These provisions do nothing to directly reduce truck emissions, while forcing out of the industry many hardworking small business owners and contributing to a poor business climate to guarantee future supply chain investments.

I would like to thank you for allowing our group to share our views concerning a way forward to reduce truck emissions. Once again, we support your concept of implementing a rolling ban based on the age of the truck applicable to both Seattle and Tacoma marine terminals. We are confident that our industry partners will find the most efficient means of complying with the rule so as to maintain the region's competitive advantage.

Please consider the Waterfront Coalition a resource as you roll out your truck program. I would welcome any questions or comments and I can be reached at (202) 861-0825.

Sincerely,

Robin Lanier
Executive Director