August 24, 2009

Bill Bryant  
President  
Port of Seattle Board of Harbor Commissioners  
2711 Alaskan Way  
Seattle, WA 98126

Dear Commission President Bryant:

On behalf of the undersigned national trade associations representing importers, exporters, and the logistics industries and service providers that support them, we are writing you in support of the Clean Truck Plan included in the Northwest Ports Clean Air Strategy. We believe this program will improve harbor truck related emissions while sustaining and promoting the competitive position of marine terminals in the region. Other ports around the country are supporting ancillary policies attached to similar clean truck programs that are designed to dramatically restructure the harbor drayage market without any real benefit to clean air. We support the Port of Seattle program in its current form and urge the Commission not to endorse policies designed to restructure the drayage market under the guise of clean air initiatives.

By way of background, the members of the undersigned trade associations move a significant amount of international cargo through Pacific Northwest ports as well as blue water ports around the country. This cargo supports the many port, transportation, logistics, and warehousing jobs in the region. Much of this cargo transits marine terminals by way of harbor trucks. We have a direct interest to ensure that this truck-borne freight moves efficiently, safely, and in an environmentally responsible manner.

To that end, we support the elements of the Clean Truck Plan that are designed to reduce harbor truck emissions. These elements, including a rolling ban on the age of the truck, will have an enormous benefit to overall reduction of truck emissions. A similar program that has been in place in marine terminals in Southern California has already converted over 30% of the trucking fleet to 2007 U.S. EPA emissions compliant equipment since the program was implemented. That number is expected to reach 50% by the end of the year and will greatly contribute to air quality improvements. We would like to emphasize again widespread support for this rolling ban based truck replacement concept on the part of cargo owners moving freight through Pacific Northwest gateways. We believe the Port of Seattle has taken the right approach by focusing on the truck itself and not on who drives the truck.

We are particularly concerned with efforts to amend existing federal law to give port authorities and other localities an exemption from federal preemption over rates, routes and service codified in the Federal Aviation Administration Authorization Act (F4A). Already, the ports of Los Angeles, Oakland and the Port Authority of New York-New Jersey (PANYNJ) support this change in federal law to grant them the ability to regulate port trucking. In our opinion, this attempt by other ports to rewrite longstanding
federal trucking laws is designed not to address emissions reductions, safety or security as they claim, but to fundamentally restructure the harbor drayage industry to drive out of business the many hard working independent truckers moving international freight.

Current federal laws already allow port authorities to move forward with clean truck programs such as those included in the Northwest Ports Clean Air Strategy. As already noted, the ports of Los Angeles and Long Beach already maintain the legal authority under federal law to ban and replace aging dirty trucks. Other federal laws regarding port security and motor carrier safety are in place to address these issues.

The effort to amend the F4A will do nothing to achieve clean air goals while fundamentally and unfairly restructuring the drayage market and increasing costs and supply chain disruptions for the Port of Seattle’s many customers. We urge you to oppose efforts to amend the F4A.

We stand ready to work with you to implement a Clean Truck Program that truly supports clean air goals and urge the Port not to endorse a change in federal law that will ultimately harm the many truckers that serve Pacific Northwest marine terminals, the customers of those terminals and the competitive position that your port enjoys today.

Sincerely,

Agriculture Transportation Coalition
American Apparel and Footwear Association
American Import Shippers Association
American Trucking Association
Coalition of New England Companies for Trade
Consumer Electronics Association
Fashion Accessories Shippers Association
Footwear Distributors and Retailers of America
Harbor Truckers Sustainable Future LA/LB
International Warehouse Logistics Association
NASSTRAC, Inc.
National Association of Waterfront Employers
National Home Furnishings Association
National Industrial Transportation League
National Pork Producers Council
National Retail Federation
The Health & Personal Care Logistics Conference, Inc.
The Waterfront Coalition
Pacific Coast Council of Customs Brokers & Freight Forwarders Assns Inc.
Pacific Northwest Asia Shippers Association
Retail Industry Leaders Association
Travel Goods Association
U.S. Association of Importers of Textiles and Apparel
United States Council for International Business
Washington State Potato Commission
West State Alliance
Western Home Furnishings Association
World Shipping Council