

NEWS

UPDATE: Judge Rules in Favor of Enviro Groups in Legal Dispute With Long Beach Port Clean Trucks Program

by Allison Jean Eaton | Long Beach News | 07.20.11 |

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UPDATE 10:31am | Judge Christina

A. Snyder's ruling against the city of Long Beach and the Port of Long Beach in a suit brought by environmental groups the Sierra Club and the National Resources Defense Council orders the port to complete the environmental impact study the court ruled that it should have completed as required by the California Environmental Quality Act.

The study's results will dictate whether a full environmental impact report must be completed or a negative declaration issued.

Snyder further ordered the parties to provide to the court by July 28 a joint report setting forth a reasonable time frame in which the initial study should be completed, as well as note the parties' positions on how to most appropriately proceed once the initial study is complete.

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Long Beach Post

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7:01am | A judge has ruled in favor of environmental and labor groups in their ongoing legal battle against the Port of Long Beach relative to certain provisions of its Clean Trucks Program.

Specifically, Judge Christina A. Snyder ruled late last week that an October 2009 settlement agreement between the port and the American Trucking Association was illegal. She ruled that the port broke state law by failing to complete an environmental impact study of the changes the agreement made to the Clean Trucks Program prior to the two parties entering into the agreement.

That agreement was struck after the ATA sued the Port of Long Beach, arguing that the port did not have the authority to ban some of the oldest, dirtiest trucks in operation at the port. The agreement replaced the ban with a motor carrier registration process allowing the port to oversee and enforce motor carrier compliance with various federal, state and port safety, security and environmental regulations.

Environmental groups, including the Natural Resources Defense Council, subsequently challenged the legality of the agreement.

Snyder said that the California Environmental Quality Act required the port to conduct the study.

Port of Long Beach Executive Director Richard D. Steinke issued the following statement regarding the ruling:

Our Clean Trucks Program has been a major environmental success, reducing truck pollution by 80 percent so far. We've replaced thousands of older trucks with new, cleaner models. In just six months the program will hit its final deadline, and 100 percent of the trucks serving the port will meet stringent environmental standards. At that point truck pollution will be cut by 90 percent from 2008 levels. This program has brought major air quality benefits to the Long Beach community and the entire Southern California region. We continue to stand behind this successful program, both in the air-quality results and the process by which that success was achieved.