

Prop 23 And The Trade And Transportation Community



■ Trade and Transportation

By Thomas O'Brien

Labor Day marks the end of the summer, the start of school and the beginning of football season. It also means a ramp-up in campaigning as Election Day approaches. The mid-term elections mean that this will be a particularly busy and contentious season across the country. There are also a number of ballot initiatives that will keep things interesting in California for its residents and businesses. This includes the trade and transportation community.

This year, one of the more interesting propositions is Prop 23, which has already been the subject of legal wrangling over its title that now reads like a short novel: "Suspend Implementation of Air Pollution Control Law (AB 32) Requiring Major Sources of Emissions to Report and Reduce Greenhouse Gas Emissions That Cause Global Warming Until Unemployment Drops to 5.5% or Less for One Full Year." AB 32, the Global Warming Solutions Act of 2006, is a comprehensive program of regulatory and market mechanisms to reduce greenhouse gas emissions.

The often complex and confusing relationships between ballot initiatives and the legislative and budget process is no less complex and confusing in this case. The fates of Prop. 23 and AB 32 will likely have an impact on another piece of legislation, Senate Bill (SB) 375, which was signed by Governor Schwarzenegger in September 2008. AB 32 gave the California Air Resources Board (CARB) authority over some sources of greenhouse gas (GHG) emissions and the development of GHG reduction targets. Under SB 375, CARB is also directed to work with California's regional planning organizations to align regional transportation, housing and land use plans and to prepare a Sustainable Communities Strategy (SCS). The SCS is designed, in part, to quantify reductions in GHG emissions. If the SCS falls short of meeting targets, then the region must prepare and alternative planning strategy.

The question for the trade and transportation community this: where does it fit into a sustainable community strategy? The industry provides jobs, which help to make community life sustainable. But it is also the source of congestion and imposes environmental costs on communities and the region as a whole.

Part of the challenge is that goods movement isn't usually part of the vocabulary of urban sustainability; and this is true not only in California but at the national level as well. The Obama Administration is advancing the concept of "livability" through transportation policy and federal funding opportunities.

In 2009, the U.S. Department of Transportation awarded discretionary grants known as TIGER Grants (for Transportation Investment Generating Economic Recovery) to a number of projects across the country. One of the primary selection criteria was livability, defined as “improving the quality of living and working environments and the experience for people in communities across the U.S.” Other selection criteria included improving existing transportation infrastructure, increasing national economic competitiveness, sustainability, safety and job creation and economic stimulus. There were no criteria directly related to improving freight movement, although freight movement projects can be linked to these criteria.

At both the state and federal level, trade-related industries should be able to make a good case for the role they play in job creation, economic stimulus and economic competitiveness. One of the bright spots of the past few months in terms of the economy has been the rise in volumes at our nation’s major trade gateways, including the Ports of L.A. and Long Beach. But it’s tougher to argue at a community meeting that a warehouse or intermodal yard is what makes a community livable or sustainable.

But following the old sports adage that you need to play the best to be the best, California’s goods movement industries have been toughened by the fight over clean truck regulations, emission controls, fuel standards. They are able to engage in a discussion of sustainability and livability with new perspective and with some credibility, having implemented programs that have changed how business is done on the docks, at the rail yards and on the road. Some may still require more convincing of course. Goods movement-related facilities had a history of being not so good neighbors before the changes brought by this past decade.

Prop. 23, AB 32 and SB 375 tend to represent a line in the sand for both their proponents and opponents. Either you’re for them or against them as policy measures; and the not-so-succinct title of Prop. 23 suggests that the alternatives are either reduced unemployment or reduced emissions. The trade and transportation sector may be unique in its claim that it can contribute to both.