



September 21, 2021

Los Angeles County Regional Planning  
Commission  
Los Angeles County Department of  
Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

**Submitted Electronically to [comment@planning.lacounty.gov](mailto:comment@planning.lacounty.gov)**

RE: Green Zones Program

Dear Chair Shell and Honorable Commissioners,

The California Trucking Association (CTA) appreciates the opportunity to submit comments on the Department of Regional Planning Commission's (the Commission) Green Zone Program draft ordinance language.

The California Trucking Association (CTA) is the largest non-profit state association of trucking carriers in the U.S. Founded in 1923 and headquartered in Sacramento, CTA advocates for sensible legislation and regulations that affect our members. We are comprised of independent-owner operators, family-owned for-hire fleets and international carriers including many who are owners or operators of warehouse facilities. Our members are vital components to California's economy by servicing nearly 80 percent of California communities

CTA has concerns about the practicality of new requirements set forth in the proposed 11 green zone districts in the draft ordinance. The ordinance calls for the control of motor vehicle emissions by requiring 15% of trucks to be zero-emission or near zero-emission for new warehouse facilities and a 5-year compliance period for existing warehouses set forth in § 22.84.030(C)(3)(c)(v).

As you know, the primary authority to regulate mobile source emissions rests with the federal government. Congress has expressly preempted states from setting emissions Case "standards" for mobile sources (CAA § 209(a) preempting state regulation of new motor vehicle emissions). California may set its own emissions standards via submittal of a waiver to the federal Environmental Protection Agency.



To these ends, the California Air Resources Board (CARB) or “state board” is the agency that California law designates as “the air pollution control agency for all purposes set forth in federal law.” Cal. Health & Safety Code § 39602. The California Legislature has found and declared that “*the control of emissions from motor vehicles, except as otherwise provided in this division, shall be the responsibility of the state board.*” Cal. Health & Safety Code § 40000 (italics added).

Nothing in state or federal law allows local entities to encroach on the express authority over mobile source emission standards provided to EPA and CARB.

Second, the draft ordinance restricts off-peak hour warehouse activities such as load/unloading of trucks between 6:00 PM and 8:00 AM under § 22.84.030(E)(1). Off-peak hours of operation provides relief from traffic congestion especially for large scale distribution facilities with fleets supplying many retailers including grocery stores outside of the unincorporated areas. Truck operations can efficiently transport goods during off-peak hours and reduce congestion on trade corridors that contain the worst traffic congestion in the nation.

As you know, the nation is currently experiencing an unprecedented supply chain crisis. Just last week, at the urging of the White House, the San Pedro Port Complex announced expansion of nighttime hours of operation to ease gridlock at the marine terminals<sup>1</sup>. If trucks cannot load/unload during off-peak hours, these measures will fail.

CTA requests the Commission reconsiders the time restriction for warehouse activities that will put more trucks on the road during peak traffic congestion and undermine national efforts to ease supply chain congestion.

Again, thank you for the opportunity to comment on the draft regulatory language. For any questions or concerns regarding our submitted comments, please Nick Chiappe at [nchiappe@caltrux.org](mailto:nchiappe@caltrux.org).

Nick Chiappe  
Government Affairs Associate

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<sup>1</sup> [https://www.portoflosangeles.org/references/2021-news-releases/news\\_091721\\_speedcargo](https://www.portoflosangeles.org/references/2021-news-releases/news_091721_speedcargo)



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Commissioner David W. Louie  
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