


# REPORT OF THE CHIEF LEGISLATIVE ANALYST

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**DATE:** November 1, 2017

**TO:** Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

**FROM:** Sharon M. Tso   
Chief Legislative Analyst

Council File No: 17-0002-S127  
Assignment No: 17-10-0997

**SUBJECT:** Diesel Emissions Reduction Act.

**CLA RECOMMENDATION:** Adopt the attached revised resolution to include in the City's 2017-2018 Federal Legislative Program SUPPORT for HR 3107 and S 1447, the Diesel Emissions Reduction Act of 2017, which would reauthorize the federal Diesel Emissions Reduction Program until 2022.

## SUMMARY

HR 3107 and S 1447 bills, receiving bipartisan support, are both known as the Diesel Emissions Reduction Act of 2017. The Diesel Emissions Reduction Act of 2017 proposes an amendment to the Energy Policy Act of 2005, specifically the Diesel Emissions Reduction Act (DERA). The amendment would authorize an annual appropriation of \$100 million for the Diesel Emissions Reduction Program until 2022.

DERA appropriated funds to federal and state loan programs to either rebuild diesel-powered vehicle engines to more stringent emission standards or install emission reduction systems, notify affected parties, and share the technological information with countries that have poor air quality standards. The United States Environmental Protection Agency (EPA) awards grant funding as part of its Clean Diesel Program for projects seeking to reduce the pollution caused by diesel vehicles.

The revised Resolution seeks an official City position of the City of Los Angeles to support the Diesel Emissions Reduction Act of 2017, which would reauthorize the federal Diesel Emissions Reduction Program until 2022.

## BACKGROUND

DERA funding was set to be completed in 2016, per the Energy Policy Act of 2005. The Diesel Emissions Reduction Act of 2017 proposes to amend the Energy Policy Act of 2005 to continue DERA funding until 2022. DERA funds competitive grants for diesel emission reduction technologies and programs for clean diesel projects. 70 percent of the DERA appropriation is to be used for national competitive grants and rebates to fund projects that use EPA or California Air Resources Board (CARB) verified or certified diesel emission reduction technologies. 30 percent of the DERA appropriation is allocated to the states and territories to fund programs for clean diesel projects. Base funding is distributed to states and territories using a formula based on overall

participation. Additional incentive funding is available to states and territories that provide matching funds.

The Ports of Los Angeles and Long Beach host thousands of ships, trains, and trucks fueled by diesel; despite years of steep reductions in diesel emissions, the Ports continue to face the challenge of air pollution. To remedy this, the Ports have released a \$14 billion Clean Air Action Plan in order to further reduce diesel emissions. The cost of new technologies contributes to the \$14 billion figure; continued DERA appropriations could help to fund technologies that would aid the Ports in achieving the goals of their Clean Air Action Plan and help make Southern California's air cleaner for all its residents.

The Ports have previously received DERA funding from the EPA, most recently, the Port of Los Angeles received \$800,000 to replace and upgrade 18 pieces of yard equipment at two Los Angeles container terminals. Continued DERA appropriations could help to provide the Ports with additional funding that will reduce the environmental impacts of diesel emissions.

#### BILL STATUS

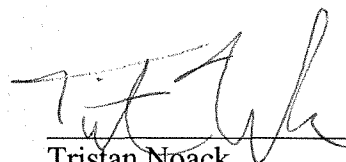
HR 3107:

06/29/17      Introduced in House.

S 1447:

06/27/17      Introduced in Senate

09/13/2017    Committee on Environment and Public Works. Reported by Senator Barrasso without amendment.



Tristan Noack  
Analyst

## RESOLUTION

WHEREAS, any official position of the City of Los Angeles, with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Ports of Los Angeles and Long Beach host thousands of ships, trains, and trucks fueled by diesel; and

WHEREAS, despite years of steep reductions in diesel emissions, the Ports continue to face the challenge of air pollution; and

WHEREAS, the Ports have released a \$14 billion Clean Air Action Plan in order to further reduce diesel emissions; and

WHEREAS, currently pending in Congress are bills HR 3107 and S 1447, known as the Diesel Emission Reduction Act of 2017; and

WHEREAS, these bills would reauthorize the federal Diesel Emissions Reduction Program until 2022 and provide an annual appropriation of \$100 million; and

WHEREAS, these appropriations could help the Ports fund the Clean Air Action Plan and help make Southern California's air cleaner for all its residents; and

WHEREAS, this bill has been cosponsored by members of Congress from both parties, including the Ports' representative in the House;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes into its 2017-2018 Federal Legislative Program SUPPORT for HR 3107 and S 1447, the Diesel Remissions Reduction Act of 2017, which would reauthorize the federal Diesel Emissions Reduction Program until 2022.