

**KAMALA D. HARRIS**  
**Attorney General**

*State of California*  
**DEPARTMENT OF JUSTICE**



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December 21, 2012

Shannon Vitale  
San Diego Unified Port District  
3165 Pacific Highway  
San Diego, CA 92101

RE: Tenth Avenue Marine Terminal Shore Power Project  
Mitigated Negative Declaration  
SCH# 2012101072

Dear Ms. Vitale:

The California Attorney General's Office, acting in its independent capacity, has reviewed the Mitigated Negative Declaration for the Port District's proposed Tenth Avenue Marine Terminal Shore Power Project. As set out in the document, the Port proposes to install equipment at one of its marine terminal locations that will allow ocean-going cargo vessels to use electricity provided by the local on-shore grid in place of using heavily polluting onboard diesel engines to run shipboard heating, cooling (including cargo refrigeration), and other shipboard systems while the ships hotel – a process commonly called "cold-ironing." While California Air Resources Board regulations will require the Port to electrify in phases over time, the project proposes to make the changes well ahead of the required schedule.

Use of on-shore power at this marine terminal will cut carbon dioxide emissions from the terminal's operation by about half, and will cut smog-forming nitrogen oxide (NOx) emissions by about 90%. The terminal is located only a half-mile from the downtown office and commercial district that is densely populated during business and shopping hours, and one mile from Interstate 5, where thousands of people are exposed to Port emissions daily.

In our view, the Mitigated Negative Declaration accurately describes the project and evaluates its potential environmental effects, and proposes adequate mitigation for any reasonably foreseeable effects of the project. It appears to be the appropriate documentation for the project under the California Environmental Quality Act.

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We congratulate the Port District on this project, which will reduce public exposure to diesel particulate emissions, reduce ozone formation, fulfill a portion of the Port District's Climate Action Plan, and meet the Port's electrification requirements significantly in advance of the Air Resources Board's required schedule for provision and use of cold-ironing facilities.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

SUSAN DURBIN  
Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General

Cc: California Air Resources Board