

(3) Measures to acquire, test, deploy, operate, and upgrade transportation worker identification credential (“TWIC”) technology and other port and cargo security technology (including hardware, software, and databases).

(4) The development, implementation and/or administration of measures mandated or established by the Port, the California Air Resources Board, federal, state or local governments, or other governmental authorities or agencies in connection with the reduction of air pollution attributable to activities in and around marine terminals and compliance with federal, state, local and Port standards for air quality, emissions levels, measures designed to achieve such standards, and reporting requirements with respect to such measures. Such measures shall include, without limitation: the establishment of programs to minimize the environmental impact of Port operations and measures to implement and enforce such programs; measures to meet or implement mandatory or voluntary port or other legal or regulatory requirements with respect to air quality, including any clean air action plan or program adopted or promulgated by the Port; measures to promote or require the purchase or use of newer and/or more environmentally sound trucks in or near the marine terminals at the Port, including truck or engine replacement programs; environmental or emissions standards and criteria for cargo interests, inland carriers, or others seeking access to port or marine terminal facilities; standards, criteria and procedures for access or denial of access to marine terminal facilities by cargo containers, trucks, inland carriers or other users of the terminals; the recovery of the costs and distribution of funds; and the design, funding, schedule, construction, installation, operation and maintenance of infrastructure to provide shore power to ships at-berth (sometimes referred to as “cold ironing”), and other related practices and measures in connection with the use or operation of such infrastructure, including any emissions reduction measures or standards that have been or may be established by the California Air Resources Board or other governmental or quasi-governmental authorities, including without limitation emission reductions and other terms and conditions required by certain funding sources, whether applicable to terminal operators or to ocean carriers, ports or other entities operating in and around the port.

(5) The application for, receipt, or use of funds (including loans or grants from federal, state and local governments and government agencies, quasi-governmental entities and other sources) to help fund the programs described in this Agreement.

(6) The development of technical specifications for technology and systems, requests for proposals to provide such technology or systems, evaluation of responses or bids thereto, and award of contracts, with respect to the programs described in this Agreement.

(7) The development of procedures to implement the matters described above.

5.2 It is understood that, by entering into this Agreement or agreements (if any) with the Port pursuant to this Agreement, the Terminals do not necessarily endorse any particular content or requirements of any program that have been or may be adopted by the Port. Except to the extent specifically agreed otherwise, including in any contract entered into pursuant to

Appendix A – Parties to the Agreement

PORT OF OAKLAND  
530 Water Street  
Oakland, CA 94607

EAGLE MARINE SERVICES, LTD.  
16220 N. Scottsdale Road, Suite 300  
Scottsdale, AZ 85254-1781

PORTS AMERICA OUTER HARBOR TERMINAL, LLC  
2200 Powell Street, Suite 1200  
Emeryville, CA 94608

SEASIDE TRANSPORTATION SERVICE LLC  
1999 Harrison St., Suite 550  
Oakland, CA 94612-3520

SSA Terminals, LLC  
1131 SW Klickitat Way  
Seattle, WA 98134

SSA TERMINALS (OAKLAND), LLC  
1131 SW Klickitat Way  
Seattle, WA 98134

TOTAL TERMINALS INTERNATIONAL, LLC  
1999 Harrison St., Suite 550  
Oakland, CA 94612-3520

~~TRANSBAY CONTAINER TERMINAL, INC.~~  
~~2500 7<sup>th</sup> Street~~  
~~Oakland, CA 94607-1008~~

TRAPAC INC.  
920 West Harry Bridges Boulevard  
Wilmington, CA 90744-5230