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June 30, 2008

U.S. Army Corps of Engineers
Los Angeles District Regulatory Branch
c/o Spencer D. MacNeil, D. Env.
ATTN: CESPL-CO-R-2003-01029-AOA
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Comments on the China Shipping Terminal Recirculated Draft EIR/EIS;
Our File No. 08-0567

Dear Mr. MacNeil:

The City of Riverside appreciates this opportunity to review the Recirculated Draft EIR/EIS (the "RDEIR") for the China Shipping Container Terminal at Berth 97-107 (the "Project"). At this point in the process, Riverside submits the following comments:

- The data and calculations underlying the 817 estimated rail round-trips were not included in the RDEIR or its appendices. There is a passing citation to the "Rail Master Plan and actual Yang Ming rail yard projections" on RDEIR page 2-2, but those projections are never revealed. There is no way to verify the timeliness, accuracy, applicability, or even the existence of the data. Those data must be included and analyzed in the RDEIR discussions and analysis, or at the very least, as an appendix.
- The rail impacts analyses refer to "on-dock" and "near-dock" rail facilities, but they are never defined. Without knowing what an on- or near-dock facility is, one cannot effectively evaluate the rail discussions and analyses.
- The annual 817 "round trip" figure is misleading. In actuality, there will be 1,634 discrete trips.
- The Middle Harbor Redevelopment Project at the adjacent Port of Long Beach will also generate rail traffic. That cumulative analysis was not performed, but must be.



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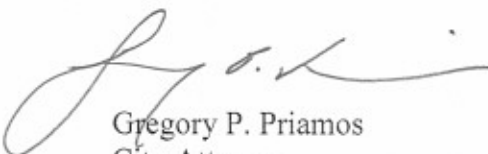
- In section 3.6, the RDEIR admits that increased rail traffic will cause adverse traffic impacts, particularly at "at-grade crossings." Yet, the RDEIR claims those impacts are not feasible to mitigate. That is incorrect. "Grade separations" are common, accepted, and effective mitigation of at-grade rail impacts by vertically separating the rail and vehicular traffic. There is no explanation given to support the conclusion that grade separations are infeasible.
- The RDEIR admits that the rail freight will eventually travel north and east. There are limited rail lines leading east; in fact, there are only two – the Union Pacific and the Burlington Northern Santa Fe. As a result, the increase in rail traffic flowing east (and north) can be easily estimated, and so can the impacts from those increases. The Port need not control the rails to know where the freight is going, and how much freight is moving. The baseline and with-Project number of trains can be estimated also.
- Riverside is particularly impacted by rail traffic. As explained in the attached documents (which are all incorporated in these comments by reference as if set forth in full), Riverside has 26 at-grade main-line rail crossings within the City limits. Riverside is currently burdened with up to 128 trains per day carrying approximately 75% of the containers from the Ports of Los Angeles and Long Beach. The Project will add 6 trains per day, a 5% increase. That is a significant impact, which becomes even more significant in an already-impacted City. There are also 37 passenger trains competing for rail access through Riverside, further complicating the delays.
- The RDEIR is incorrect that there is remaining rail capacity, and thus no impacts. Repeated rail-scheduling conflicts result in serious delays in Riverside, and elsewhere.
- For example, idling vehicles stopped at at-grade crossings contribute 45 tons of air pollutants annually. By 2020, idling vehicles stopped at at-grade crossings will generate 208 tons of air pollutants annually; a staggering 450 percent increase in just 12 years. The Riverside County Department of Health indicates that City of Riverside children, 5-14 years of age, suffer more asthma-related hospitalizations than any other group.
- Riverside residents are forced to wait an average of three and up to six hours a day per crossing for trains to pass.
- Police, fire and EMT officials reported 491 delays at Riverside's at-grade crossings between 2002 and 2007. Responder delays averaged 3 minutes and were as long as 21 minutes.
- In the first half of 2007, Riverside experienced 82 rail-delayed fire trucks and ambulances, for a total of 256 minutes. Each of those minutes can represent life or

death. Heart attack survival rates can drop from 7% to 10% for each minute of delay. Brain damage can occur in 3 to 4 minutes. From December 1, 2006 to April 24, 2007, rail delays affected 270 police vehicles, for a total of 1,327 minutes (22.12 hours). Again, those minutes can mean life or death.

- The stopped trains and stopped traffic cause local air quality impacts and waste fuel. Disturbed traffic flow can create more dangerous driving conditions. More rail traffic also causes more rail/traffic and rail/pedestrian impacts, and additional noise.
- Fortunately, grade separations can mitigate the additional rail impacts. Riverside has an active program for grade separations. The Port can readily mitigate the additional rail burden through Riverside by fair-share contributions to grade separations. This does not require the railroads to mitigate. The Port need not control the rails or railroads at all to mitigate this way.

In closing, Riverside again thanks the Port for the opportunity to comment on the RDEIR, and looks forward to working together with the Port to improve and protect the environment. If you have any questions, please do not hesitate to contact me at your convenience.

Very truly yours,



Gregory P. Priamos
City Attorney

ALB/jw

Attachments

c: Michael Beck, Assistant City Manager
Siobhan Foster, Public Works Director
Dr. Ralph Appy, Director of Environmental Management