

# FAST LANE TRANSPORTATION, INC.

2400 East Pacific Coast Highway - Wilmington, CA 90744 • TEL: (562) 435-3000 • FAX: (562) 432-4399

December 15, 2005

Dr. Ralph Appy  
City of Los Angeles Harbor Department (Port of Los Angeles)  
Environmental Management Division  
425 South Palos Verdes Street  
P.O. Box 151  
San Pedro, CA 90733-0151



Re: Southern California International Gateway Project

Dear Dr. Appy:

I would like to take this opportunity to address our concern regarding the proposed Southern California Intermodal Gateway Project (SCIG). Fast Lane Transportation, Inc. is located at 2400 E. Pacific Coast Highway, Wilmington, California 90744 which is apparently within the "Additional Project Impact Area" shown in Figure 2 accompanying the Notice of Preparation for the SCIG.

While there appears to be a genuine opportunity to improve at least two of the negative items most closely associated with port growth, pollution and congestion, for these two items to be reduced, much thought and planning must go into this project. I'm sure you have received a lot of input regarding how this project can be successfully implemented, but you need to consider an additional impact that has not been widely discussed.

Our business has been providing transportation and container storage and maintenance services for the intermodal industry from this location for over 20 years. As I understand it, our facility, or at least a portion thereof, is subject to taking by the Port of Los Angeles as necessary to the project. Having been the subject of condemnation by the Alameda Corridor Transportation Authority a couple of years ago, I am keenly sensitive to the impact of eminent domain.

While eminent domain is troublesome for any business owner, I must say that the taking of our land, without an acceptable substitute, would be more disruptive than normal due to the fact that our company provides services to the very users of the proposed project. Therefore, without an acceptable substitute, not only would our company experience disruption, but the customers of the SCIG would also experience inconvenience and loss of efficiency and opportunity.

Our company is located in, without a doubt, the most ideal site in the port complex for container storage due to the compatibility of surrounding land uses, proximity to customers (shipping lines), and distance from incompatible residential use, zoning, and

community preferences. As a matter of fact, yesterday, the Los Angeles City Council approved an amendment to the Los Angeles Municipal Code for the storage of empty containers; the first time empty container storage regulations have been codified in the Municipal Code! This action severely restricts the locations in which this business activity can be conducted. (Please find enclosed documents regarding Item #21 of the Los Angeles City Council Agenda for Wednesday, December 14, 2005). Therefore, it is imperative that any relocation or partial relocation take into consideration the limitations City Council placed on this business activity.


It is imperative that any land taken be replaced with land of equal utility, particularly in that the relocated premises be adjacent and contiguous to the portion of our facility not impacted by the project. Any severance of our facility would result in the total loss of efficiency, loss of reputation, and possibly to the loss of continuation of our business as we know it.

We simply request that the value of our operation/location/configuration is not diminished as a result of the project. There are a number of opportunities for a successful partial relocation which I would like to discuss with appropriate personnel at the appropriate time. I must say, however, that a successful relocation or partial relocation could possibly take years to achieve, and it is not too soon to begin those discussions.

With the increasing demand for terminal services for containerized cargo, we have seen a very significant increase in the demand for our "off dock" services over the past several years. In some cases, off dock is the only alternative to shipping lines which have increasingly fewer days to leave equipment on terminal, and our proximity to port operations makes our facility an obvious choice for which to reposition intermodal equipment. It is clear that the users of the SCIG will also be users of our services. Therefore, equal consideration must be made when making decisions with regard to the SCIG and Fast Lane in order to accommodate the growth in demand for customers of both of our operations.

I urge you to seriously consider the ramifications of this project, not only on the physical environment, but on the business environment as well. The SCIG project is large in scale and scope, but there are ancillary issues associated with the completion of this project as well which will have implications on port efficiency for many years in the future.

Regards,



Patrick Wilson  
President

Cc: Janice Hahn  
John Peterson

Encl.

the BID and will be recovered from assessments collected. The amount of recoverable costs for the BID's eleventh fiscal year will be \$25,891.49 or 3 percent (2 percent plus an additional 1 percent for processing of billing for a total of 3 percent) of the BID's annual assessments revenue.

ITEM NO. (20)

00-1412

EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION amending the Los Angeles Administrative Code (LAAC) relative to qualifications for the composition of the Cultural Heritage Commission.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378 under CEQA Guidelines.
2. PRESENT and ADOPT the accompanying ORDINANCE amending Section 22.121 of the LAAC relating to the qualifications for the composition of the Cultural Heritage Commission.

Fiscal Impact Statement: None submitted. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (21)

05-1225  
CD 15

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to amending the Los Angeles Municipal Code (LAMC) to permit and regulate the storage of cargo containers.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-1225 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2005-1781ND] filed April 8, 2005.
2. ADOPT the October 20, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.03, 12.19, 12.20, 12.21 and 12.26 of the LAMC to permit and regulate cargo container storage yards.

Fiscal Impact Statement: None submitted by the City Attorney or the Planning Department. Neither the City Administrative Officer or the Chief Legislative Analyst has completed a financial analysis of this report.

## ITEM NO. (22)

05-1974  
CD 6

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 9350 Laurel Canyon Boulevard and 12740 Branford Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 05-1974 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-3486 MND REC] filed April 8, 2005.
2. ADOPT the December 9, 2005 FINDINGS of the Director of Planning as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the City Planning Commission and the Director of Planning APPROVING the proposed General Plan Amendment to the Sun Valley-La Tuna Canyon Community Plan from Low Residential to Low Medium Density Residential on Proposed Lot No. 1 of Tentative Tract No. 61191 for the development of 79 condominium units, including 74 detached units for the (T)(Q)RD3-1 zoned area (Proposed Lot No. 1) and 5 detached units within the proposed (T)(Q)RD3-1 zoned area (Proposed Lot No. 2). The units will be two stories, with 158 parking spaces, including 54 guest parking spaces, on a 259,231 net square foot lot or property at 9350 Laurel Canyon Boulevard and 12740 Branford Street - Periodic Plan Review - Window 145 - North Valley - Geographic Area No. 1.

Applicant: Jim Brewer, Spiegel Developer I, Inc. CPC 2004-3485 ZC GPA PPR

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a Zone Change from R 2-1 to (T)(Q)RD3-1 on Proposed Lot No. 1 and (T)(Q)RD6-1 on Proposed Lot No. 2 of Tentative Tract No. 61191, respectively for property at 9350 Laurel Canyon Boulevard and 12740 Branford Street. The Committee modified Conditions Nos. A3 and A7 as shown in the attachment to this Committee report, and as attached to Council file No. 05-1974.

Said rezoning shall be subject to the "Q" Qualified classification zone limitations as shown on the attached sheets.



# News Release

**Councilwoman Janice Hahn**  
**15<sup>th</sup> District, Los Angeles City Council**  
 200 North Spring Street, Room 435 Los Angeles, CA 90012  
 (213) 473-7015 Fax (213) 626-5431

For Immediate Release  
 December 14, 2005

CONTACT: Courtney Chesla  
 213/473-7015 or  
 310/795-2134 (cell)

## **COUNCILWOMAN HAHN GETS UNANIMOUS SUPPORT FOR ORDINANCE PROHIBITING JUNKYARDS & CONTAINER STORAGE YARDS IN RESIDENTIAL WILMINGTON**

Continuing her drive to clean up the Wilmington community, Councilwoman Janice Hahn received unanimous support from her City Council colleagues to implement a permanent ordinance prohibiting any new junkyards or container storage facilities in residential Wilmington. For many years storage and junk yards have been allowed to run rampant in the Wilmington community, where more than a quarter of the City of Los Angeles' junkyards are located. Since taking office, the Councilwoman has been working to ensure that Wilmington residents receive the same protections from illegal business practices that the rest of the city receives.

"Wilmington has been neglected and stomped on by port activities for years, one of the worst abuses being the storage of containers in residential neighborhoods. Kids are walking to school past containers stacked 40 feet high. Containers are literally stacked outside homes and schools. You won't find this type of blight in any other areas of the City," said the Councilwoman. "Today, by adopting this new ordinance we are sending a message to businesses that they can no longer trample on people's quality of life just to make a buck. Today, we take yet another step toward returning this community to the people that live there."

A number of Wilmington community members attended the City Council meeting today to thank the Councilwoman for her efforts in the community and to testify in favor of the new ordinance. The Wilmington Chamber of Commerce also testified in favor of the new ordinance, stating that the community deserved to be treated better, in spite of the new regulations the ordinance will impose on businesses.

Soon after taking office, Councilwoman Hahn began to push to ban junkyards and container storage facilities in Wilmington and in July of 2003, an interim ordinance was adopted by the City Council. Today, the new permanent ordinance was adopted. The ordinance provides a definition for these cargo containers, mandates that they be stored only in heavy industrial zones and also provides for various conditions for all new storage facilities throughout the City. This ordinance will require yearly inspections by our Building & Safety Department of these container yards to ensure that they are complying with our laws. The ordinance will also prohibit any new junkyards in the community of Wilmington forever by placing [Q] conditions on those parcels of land located in residential Wilmington.

###



# Los Angeles City Planning Commission

200 North Spring Street, Room 532, City Hall, Los Angeles, CA 90012  
[www.cityofla.org/PLN/index.htm](http://www.cityofla.org/PLN/index.htm)

DATE: JUN 13 2005

Planning and Land Use Management Committee  
 of the Council of the City of Los Angeles  
 City Hall, Room 395  
 Los Angeles, CA 90012

Attention: Barbara Greaves, Legislative Assistant

## CITY PLAN CASE NO. 2005-1081-CA

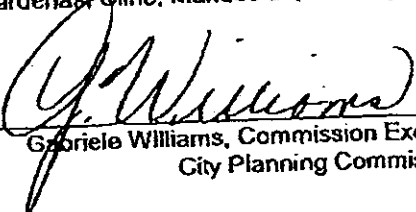
Transmitted herewith is a proposed Ordinance (Appendix A) amending Section 12.03, 12.19 and 12.20 of the Los Angeles Municipal Code to permit and regulate the storage of cargo containers in the Light (M2) and heavy Industrial (M3) Zones.

On May 12, 2005, following a public hearing, the City Planning Commission recommended approval of the proposed Ordinance (Appendix A) to define Cargo Container Storage Yards as a permitted use in the M2 and M3 zones subject to certain regulations, approved the attached findings, as amended, and directed the Planning Department as follows:

- Modify the proposed Ordinance to exempt sites with a significant grade variation adjacent to a Class I or II Major Highway from the requirements for landscaping and opaque fencing, as requested by the Port of Long Beach;
- Coordinate the language of the proposed Ordinance with the ordinance being proposed by the Department of Building and Safety (Council File No. 02-1560) to modify LAMC Section 12.26 F, pertaining to annual inspections and fees for cargo container storage yards; and
- Amend the findings to clarify that it is not the intent of the City Planning Commission to require - in addition to the regulations of the proposed Ordinance - a Conditional Use Permit for new cargo container storage yards as suggested by Footnote 18 of the Wilmington-Harbor City Community Plan.

This action was taken by the following vote:

Moved:	Burg
Seconded:	Chang
Ayes:	Atkinson, Cardenas, Cline, Mahdesian, Mindlin, Schiff
Absent:	George
Votes:	8-0

  
 \_\_\_\_\_  
 Gabriele Williams, Commission Executive Assistant II  
 City Planning Commission

Attachments: Proposed Ordinance (Appendix A) and Findings

Cc: Jeri Burge, Deputy City Attorney, Land Use Division  
 Notification



OFFICE OF THE CITY ATTORNEY  
ROCKARD J. DELGADILLO  
CITY ATTORNEY

REPORT NO. R 0 5 - 0 3 8 2  
OCT 31 2005

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.19, 12.21 AND 12.26 OF THE  
LOS ANGELES MUNICIPAL CODE TO PERMIT AND REGULATE CARGO  
CONTAINER STORAGE YARDS**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 05-1225  
CPC Case No. 2005-1081 CA - not transmitted

Honorable Members:

We are transmitting to you for your action, approval as to form and legality, a final draft Ordinance to amend Sections 12.03, 12.19, 12.21 and 12.26 of the Los Angeles Municipal Code to permit and regulate cargo container storage yards.

**Charter Findings**

Pursuant to Charter Section 559, the Director of Planning has approved this draft Ordinance on behalf of the City Planning Commission and recommended that the City Council adopt it. Should the City Council adopt this Ordinance, it may comply with the provisions of Charter Section 558 by either adopting the findings of the Director of Planning as set forth in his report dated October 20, 2005, or by making its own findings.



The Honorable City Council  
of the City of Los Angeles  
Page 2

### CEQA Finding

Regarding a finding pursuant to the California Environmental Quality Act (CEQA), the Director, on behalf of the Commission, recommends that the City Council adopt Negative Declaration No. ND 2005-1781 and determine that the adoption of the proposed cargo container storage yard regulations will not have a significant impact on the environment. If the City Council concurs, it must take these actions and make these findings prior to or concurrent with its action on the ordinance. If the subject ordinance is enacted, the City Clerk should file a Notice of Determination in accordance with Section 7 of Article V of the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970.

### Summary of Ordinance Provisions

The draft Ordinance would amend the Los Angeles Municipal Code to permit and regulate cargo container storage yards. The Ordinance establishes performance standards relating to stacking of cargo containers, fencing, and landscaping for all cargo container storage yards and would subject the yards to a annual inspection program.

### Council Rule 38 Referral

A copy of the final draft Ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety. The Department's comments have been incorporated in this draft.

If you have any questions, please feel free to contact Assistant City Attorney Sharon Siedorf Cardenas at (213) 978-8235. She or another member of this staff will be available to answer any questions you may have when you consider this matter.

Sincerely,

ROCKARD J. [ ELGADILLO, City Attorney

By

*Claudia Culling*  
CLAUDIA CULLING  
Special Counsel - Municipal

CC/SSC:pj(116738)  
Transmittal



**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Sections 12.03, 12.11, 12.20, 12.21 and 12.26 of the Los Angeles Municipal Code to permit and regulate the storage of cargo containers.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding the definitions of "Cargo Container" and "Cargo Container Storage Yard" in proper alphabetical order to read:

**CARGO CONTAINER.** Any container (refrigerated or non-refrigerated) that permits the temporary storage and protection of cargo, and which may be transported by ship, rail or truck without intermediate loading and unloading of the contents of the container.

**CARGO CONTAINER STORAGE YARD.** An open air site or facility, the primary use of which is the keeping of empty cargo containers, and equipment, and may have as accessory uses the storage of container chassis and truck cabs, repair facilities, warehouses and offices associated with the movement or storage of cargo containers. This definition does not include draying, freighting or trucking yards or terminals.

Sec.2. Subsection A of Section 12.19 of the Los Angeles Municipal Code is amended by adding a new Subdivision 16 to read:

16. Cargo container storage yard, when located in whole or in part within the boundaries of the Port of Los Angeles Community Plan area.

Sec.3. Paragraph (a) of Subdivision 6 of Subsection A of Section 12.20 of the Los Angeles Municipal Code is amended by adding a new Subparagraph (6) to read:

(6) Cargo container storage yard, when established and operated in conformance with the standards contained in Section 12.21 A 22 of this Code.

Sec. 4. A new unnumbered subparagraph to precede Subparagraph (1) is added to Paragraph (b) of Subdivision 6 of Subsection A of Section 12.20 of the Los Angeles Municipal Code to read:

(b) **Limitations.** The uses set forth in Paragraph (a) above, except for cargo container storage yards when established and operated in

conformance with the standards contained in Section 12.21 A 22 of this Code, are subject to the following limitations:

Sec. 5. Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new Subdivision 22 to read:

**22. Cargo Container Storage Yard.** Cargo container storage yards may be permitted by right in the M3 Zone. The following standards shall apply to all cargo container storage yards, except those located in whole or in part within the boundaries of the Port of Los Angeles Community Plan Area.

(a) The following provisions apply to the stacking of cargo containers:

(1) The stacking of cargo containers more than 20 feet high shall only be permitted if a structural analysis done by a licensed engineer or architect in the State of California is submitted to and approved by the Los Angeles Department of Building and Safety (LADBS).

(2) Cargo container stacking within 300 feet or less of a residential zone shall be limited to a maximum height of 30 feet. There is no maximum container height limit beyond 300 feet of a residential zone, except as limited by any applicable height limitation and Paragraph (h) (1) below.

(b) Cargo container storage yards shall obtain a "use of land" permit from LADBS for one or more contiguous lots maintained as one site.

(c) The perimeter of each site with a separate "use of land" permit shall be enclosed by a minimum eight-foot high fence or wall.

(1) Fencing may be constructed of chain-link, however fencing adjacent to a Class I or II Major Highway shall also comply with Paragraph (h) (3) below; and

(2) Fencing shall be maintained in good condition and appearance. All walls, fences and other structures shall be maintained free of graffiti; and

(3) Sheet metal shall be prohibited as a fencing material;  
and

(4) There shall be no requirement to fence each individual lot where multiple lots are maintained as one site under a valid "use of land" permit, including individual lots that may be separated by a public right-of-way, easement or other and occupied by a revocable permit.

(d) The entire site shall be graded pursuant to Chapter IX of this Code.

(e) All driveways, access ways and parking areas shall be covered with a decomposed granite, crushed gravel or similar material and be treated with dust control methods.

(f) An annual site inspection shall be conducted by LADBS pursuant to Section 12.26 F of this Code.

(g) All containers must be empty and cleaned of any residue which may pose any kind of physical or health risk.

(h) In addition to the above specified requirements, the following conditions shall also apply to sites that are located adjacent to a Class I or II Major Highway. However, for those portions of the site that are separated from the roadway by a grade change of more than ten feet within five feet of the property line, Subparagraphs (2), (3) and (4) of this paragraph shall not apply:

(1) Cargo container stacking shall be limited to a maximum height of 20 feet within 20 feet of the property line adjoining a Class I or II Major Highway. There is no maximum cargo container height limit beyond 20 feet of a Class I or II Major Highway, except as limited by Paragraph (a) above.

(2) A minimum five foot setback shall be provided along the street frontage adjacent to a Class I or II Major Highway. The setback shall be fully landscaped with drought resistant plants, ground cover and trees; with one minimum 15-gallon size tree planted for each 15 linear feet of street frontage and minimum three shrubs for each tree. The entire landscaped area shall be well maintained at all times.

(3) A solid wall or fence shall be required on the street frontage adjacent to a Class I or II Major Highway. The wall or fence shall be located within the required setback, and at the rear of the landscaped area between the landscaping and the use. A chain-link fence with slats and growing vines may be permitted in place of a solid wall or fence.

Sec. 6. The title of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read:

**F. Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection and/or Buyback Centers, Recycling Materials Sorting Facilities and Cargo Container Storage Yards.**

Sec. 7. Paragraph (e) of Subdivision 1 of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read:

(e) **YARD.** Any automobile or truck dismantling yard, junk yard, scrap metal or recycling materials processing yard or cargo container storage yard or any open storage location where used materials and equipment of any kind, including vehicles, boats, or airplanes, which are inoperable, wrecked, damaged, or unlicensed, *i.e.*, not currently licensed by the Department of Motor Vehicles, are stored or processed.

Sec. 8. The reference to "93.0308" in the last sentence of Subdivision 9 of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read "98.0308."

(114920)

Sec. 9. The City Clerk shall certify to the passage of his ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_

FRANK T. MARTINEZ, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By *[Signature]*

SHARON SIEDORF CARDENAS  
Assistant City Attorney

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend it be adopted .....

October 30 2005

see attached report.

*[Signature]*  
MARK WINOGROND  
Interim Director of Planning

Date: OCT 31 2005

File No. CF 05-1225; CPC 2005-1081 CA

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
CITY PLANNING COMMISSION

DAVID L. BURC  
PRESIDENT  
JOY ATKINSON  
ERNESTO CARDENAS  
SUSAN CLINE  
MARY GEORGE  
ROBIN HUGHES  
MICHAEL MAHDESIAN  
THOMAS E. SCHIFF  
CABRIELE WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

EXECUTIVE OFFICES

MARK WINOCHOND  
INFORM DIRECTOR  
(213) 978-1271  
GORDON S. HAMILTON  
DEPUTY DIRECTOR  
(213) 978-1272  
ROBERT H. SUTTON  
DEPUTY DIRECTOR  
(213) 978-1274  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
www.lacity.org/PLN

October 20, 2005

CPC File No. 200: -1081-CA (not transmitted)  
Council File Nos. 12-1543, 05-1224 and 05-1225  
(not transmitted)

The Honorable Rockard J. Delgadillo  
City Attorney  
Room 1800, City Hall East  
Stop 140

Attention: Sharon Siedorf-Cardenas  
Deputy City Attorney

RE: DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.19, 12.20, 12.21, AND 12.26  
OF THE LOS ANGELES MUNICIPAL CODE TO PERMIT AND REGULATE THE  
STORAGE OF CARGO CONTAINERS

Dear Mr. Delgadillo:

At its meeting on May 12, 2005, the City Planning Commission approved a draft of an ordinance to amend the Municipal Code adding new regulations for cargo container storage yards on industrially zoned properties (M2 and M3 zones) Citywide (and new IQ conditions within a portion of the Wilmington-Harbor City Community Plan Area). The draft regulations are being transmitted as recommended by the Planning and Land Use Committee of the City Council on July 13, 2005.

Subsequently, the City Attorney has prepared a final draft of an ordinance (attached) to identify appropriate regulations for cargo container storage yards. This subject draft ordinance is essentially the same as approved by the City Planning Commission on May 12, 2005, except for the addition of clarifying language and minor technical changes.

Findings

**Environmental Review and Clearance**

1. The City Planning Department on April 11, 2005, determined that the code amendment and zone changes would not have a significant impact on the environment. Negative Declaration No. 2005-1781 was published in the Los Angeles Daily Journal on April 14, 2005.

The Honorable Rockard J. Delgado

Page 2

The subject site, which is located in Los Angeles County, will not have an impact on fish and wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2. In light of the above, the project qualifies for the De Minimis Exemption from Fish and Game Fees (AB-3158).

### General Plan

1. **Charter Section 556.** The proposed code amendment is in substantial conformance with the purposes, intent and provisions of the General Plan in that it would establish regulations to allow cargo container storage yards in appropriate locations to provide for public safety and welfare. In addition, the code amendment is consistent with many objectives, policies and provisions of the General Plan, including:

#### General Plan Text

**GOAL 3A** A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

**Objective 3.1** Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

**Policy 3.1.5** Allow amendments to the community plans and coastal plans to further refine General Plan Framework Element land use boundaries and categories to reflect local conditions, parcel characteristics, existing land uses, and public input. These changes shall be allowed provided (a) that the basic differentiation and relationships among land use districts are maintained, (b) there is no reduction in overall housing capacity, and (c) additional environmental review is conducted in accordance with the California Environmental Quality Act should the impacts of the changes exceed the levels of significance defined and modify the conclusions of the Framework Element's Environmental Impact Report.

**Objective 3.2.4** Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhances the character of commercial and industrial districts.

**GOAL 3J** Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

**Objective 3.14** Provide land and supporting services for the retention of existing and attraction of new industries.

**Policy 3.14.1** Accommodate the development of industrial uses in areas designated as "Industrial-Light," "Industrial-Heavy," and "Industrial-Transit".

The Honorable ~~Rockard J. Delgadillo~~

### Community Plans

Most of the City's community plans have objectives and/or policies that encourage the separation and mitigation of potentially incompatible land uses. The proposed code amendment is in conformance with the intent and provisions of those community plans in that it will enhance the physical and aesthetic qualities of industrial areas to improve compatibility with surrounding development. The proposed code amendment is in substantial conformance with the following specific policies and objectives of the Wilmington-Harbor City Community Plan, a part of the General Plan of the City of Los Angeles:

*Objective 1-6:* Eliminate incompatible and non-conforming uses from existing residential neighborhoods, to preserve the residential character of these neighborhoods and protect residents from adverse environmental impacts caused by such uses.

*Objective 3-3:* To improve the aesthetic quality and design of industrial areas, eliminate blight and detrimental visual impact on residential areas, and establish a stable environment for quality industrial development.

*Policy 3-1.4:* Land use compatibility should be achieved by including environmental protection standards and health and safety requirements in the design and operation of industrial facilities.

*Objective 3-1.5:* Container storage facilities shall provide landscaped buffers, height limitations, and noise and view mitigation measures protecting nearby residential areas, and no container storage shall be permitted within 300 feet of any residential zone.

*Objective 3-4.4:* Cargo container storage should be limited or prohibited within the Industrial Park, and if permitted, in no instance should operators be allowed to stack containers more than "two-high".

The proposed code amendment is consistent with and will implement these provisions by: prohibiting new cargo container storage yards near residential areas and in the Wilmington Industrial Park; requiring landscaping, setbacks and fencing standards for yards in the M3 zone; prohibiting hazardous materials storage; requiring stacking calculations; and limiting stacking heights in proximity to residential zones.

2. **Charter Section 558 (b) (2).** The proposed code amendment directly relates to the General Plan in that it would implement numerous objectives, policies and provisions of the General Plan Framework and the Wilmington-Harbor City Community Plan. It would establish regulations to permit cargo container storage yards, an important Port-related industry vital to trade, commerce, and the movement of goods, in appropriate locations and subject to proper regulations to provide for public safety and welfare. The amendment would also protect residential neighborhoods and commercial districts from adverse impacts associated with cargo container storage by requiring aesthetic improvements along major highways and where proximate to residential zones. These regulations are consistent with provisions of the General Plan to mitigate incompatible land uses.
3. **Charter Section 558 (b) (2).** The proposed code amendment is in conformity with the public necessity, convenience, general welfare, and good zoning practice in that it will protect the community from adverse impacts associated with cargo container storage uses, which include visual blight, noise, dust, odors, etc. The code amendment would require new cargo container storage yards to be located in the heavy industrial (M3) zones, which are generally located away from residential uses resulting in improved land use compatibility and quality of life in the community.



~~The Honorable Rickard J. Delgado~~

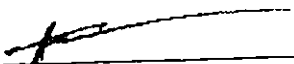
4. The proposed code amendment will allow cargo container storage yards on M2 and M3 zoned sites in the Port of Los Angeles Plan area, without restrictions. Cargo container movement and storage is integral to the operation of the Port, and Port areas; are appropriate locations for these and other Port-related industries. Additionally, most of the Port Plan area lands are distant from residential zones and do not have heavily traveled major high ways that are entryways into the community.
5. It is not the intent of this proposed ordinance to require a conditional use permit or additional discretionary action to permit cargo container storage yards in the M3 zone west of Alameda Street, as suggested by Footnote 18 of the Wilmington-Harbor City Community Plan. This proposed ordinance establishes the regulations for cargo container storage yards.

#### Charter Section 559

For the foregoing reasons and as provided under the authority of Charter Section 559 and CPC Case No. 2005-1081-CA, I find that my action conforms with all applicable portions of the General Plan, and with the May 12, 2005 action of the Planning Commission, and I, therefore, approve this ordinance (attached) and recommend that it be adopted by the City Council.

Very truly yours,

MARK WINOGROND  
Interim Director of Planning

  
ROBERT H. SUTTON  
Deputy Director

# SAN PEDRO AND PENINSULA HOMEOWNERS' COALITION

*Member Associations*

*Averill Park - Barton Hill - Casa Verde Estates - Downtown Residents - La Rambla - Leland Park  
Palisades - Palos Verdes Shores - Peck Park/Holy Trinity - Point Fermin - Rolling Hills Riviera  
San Pedro Homeowners United - South Shores - Vista Del Oro - Westmont No. 4*

P.O. Box 1106, San Pedro, CA 90733

(310) 832-5720 (evening) (562) 804-5205 (day) Fax (562) 804-5210

December 15, 2005

Ralph G. Appy, Ph.D.  
Director of Environmental Management  
Port of Los Angeles  
P.O. Box 151  
San Pedro, CA 90733-0151



**Subject: Comments on Notice Of Preparation - Southern California International Gateway Project**

Dear Dr. Appy:

As a preface to our comments, we would like to say that we object to the name of this project. "Southern California International Gateway" gives the impression of some beautiful entrance, welcoming visitors to our highly attractive community. This gives the impression of using a misleading PR inspired cover name for what is, in fact, an ugly railroad freight yard, with many varied and profound negative environmental impacts upon our communities. How about something a little more honestly descriptive, such as "East Wilmington Intermodal Railroad Freight Yard". "East Wilmington/West Long Beach Air Pollution, Traffic, Noise, Light, Glare and Blight Generating Project" actually comes to mind, but we wouldn't want to be too negative.

Please refer to the enclosed comment letters from the natural Resources Defense Council, et al, and the EIR/Aesthetic Mitigation Subcommittee of the Port of Los Angeles Community Advisory Committee. We agree with their comments in their entirety, and ask that you incorporate them by reference into our comments.

In addition, we offer the following. We will attempt to address the issues roughly in the order in which they are presented in the Supplemental NOP.

As to the supplemental elements of the planned EIR analysis listed on the cover page:

1. We understood from the announcement of Board of Harbor Commissioners President Freeman that the use of non-diesel delivery systems for the movement of containers between the Ports and the proposed SCIG facility was to be mandatory. We are deeply troubled by the language that calls for "Assessment of alternative...." We believe that the Port has made a commitment to these non-diesel systems. If they are found not to be practical, we propose that this project should not go forward.

3. We strongly urge the Port to seriously consider the feasibility of an on-dock alternative. We suggest that there may be on-dock alternatives in the form of more than one site. We note that a

great deal of the traffic through this facility would come from the Port of Long Beach. We suggest that the Port of Long Beach should try harder to find on-dock rail sites within its own boundaries.

We note the conversation between Harbor Commissioners and railroad company employees at a recent Harbor Commission meeting concerning the apparent underutilization of existing on-dock rail facilities. One of the reasons cited for not expanding on-dock rail facilities is a lack of land in the ports.

We direct your attention to our letter to the Board of Harbor Commissioners, dated May 9, 2002, forwarding an article by employees of the noted container terminal design firm Jordan Woodman Dobson, commenting on the much more advanced and productive terminal equipment at work in ports around the world. These well proven concepts have the clear ability to greatly increase the throughput of the Port in terms of containers per acre per year. This would, in turn, free up more land for other uses, including on-dock rail.

We direct your attention to the unused land at the former LAXT facility, which has heavy rail connections already. This facility is much more remote from residential neighborhoods, and would seem a much more appropriate place for a rail yard. We understand that there is some sort of an agreement, tacit or otherwise, to use this land for Evergreen container terminal expansion, but we strongly urge you to consider this alternative use in the interest of public safety.

In short, there are clearly opportunities to construct rail facilities much closer to the docks, and farther from sensitive populations. We demand a serious, positive, sincere attempt to make this so.

On pages A-1 and A-2 there is a discussion of cleaner rail yard technologies which BNSF is "investigating". Although BNSF has said in public meetings that these technologies will be incorporated into the facility, we do not see any specific commitment here to do so. There must be a clear commitment to use, at a minimum, all of these measures to achieve the best available control technology at this facility, as a condition of going forward. To promise these things at public hearings and then condition them with such words as "investigating" is unacceptable.

We note under this section "Maximizing the use of lower sulfur diesel fuel in locomotives". Does this mean line haul locomotives? Please note the enclosed comment letter from the Traffic Subcommittee of the Port of Los Angeles Community Advisory Committee (PCAC) concerning line haul locomotives using this facility. We join in demanding compliance with Measure 9 of the Port's "No Net Increase" (NNI) plan as a minimum requirement for these line haul locomotives.

On page A-3, the first Project Objective reads:

"Increase use of the Alameda Corridor, which provides for the efficient transportation of cargo between the San Pedro Bay ports and the inland destinations in the most environmentally beneficial way."

We find this statement to be misleading and confusing to the public. This facility, and this transportation of goods, are by no means "environmentally beneficial". Rail yards have been named by the California Air Resources Board as the second largest source of toxic, carcinogenic, diesel pollution in the state, second only to ports. The other negative environmental impacts are many and varied, as will be discussed later in this letter. The impacts on people living along the rail corridors are profound. The Port's own documents, enclosed with the above referenced letter from the Traffic Subcommittee of PCAC, clearly show that, starting in 2008, emissions from rail operations will exceed those from trucks.

At best this statement should be revised to "least environmentally damaging", although even that is highly arguable in the light of the Port's own Emissions Inventory (EI) and NNI plan.

On page A-4 the statement is made that:

"As a new near-dock facility for movement for containerized cargo, the SCIG Project is expected to divert truck traffic that is currently using nearby freeways...."

and:

"... enable the Alameda Corridor to reach its potential in terms of train capacity, thereby further realizing the significant benefits that already result from using it, such as reduction of traffic congestion and improvement in air quality."

Again, we find these statements to be misleading and confusing to the public.

The Port's own traffic studies show that truck traffic transiting the ports of Los Angeles and Long Beach will triple in the next 20 years. Indeed, the ports and their tenants are lobbying the local, state, and federal governments to spend billions of dollars to replace the bridges to Terminal Island, and to massively widen the 710 Freeway, to facilitate these huge increases.

Thus, this project is not for the purposes of reducing traffic on the 710 and other freeways, but indeed to allow the continued expansion of cargo throughput when the freeways can no longer absorb any more traffic.

As to the "improvement in air quality", this project, under current operational methods, will contribute to a massive deterioration in air quality, as it facilitates more ship calls, more harbor craft activities, more terminal equipment activity, and more movements of highly polluting railroad locomotives. We note again that the port's own studies show that railroad operations will soon outstrip truck operations as a source of air pollution.

We have objected to these misleading characterizations of this project in every public forum we can find. They are misleading, and give the clear impression of intentional distortion of the facts. Please do not allow them to appear in the Draft EIR if you care at all about your credibility.

Concerning "Description of Alternatives", page A-5, is Alternative 3 the potential addition of on-dock sites? This is unclear. Please refer to our earlier comments on the issue of creating

more on-dock facilities instead of this one. This alternative should be studied with all seriousness and ingenuity, and not dismissed with some perfunctory words in favor of a predetermined conclusion.

As to "Environmental Factors Potentially Affected", page 3, we cannot accept that there is no "Potentially Significant Impact" found concerning "Land Use/Planning". The proposal to relocate Cal Cartage alone would seem to have serious land use and planning impacts. We take strong issue with the statement that:

"Potential impacts could result, though the fact that the Project site would continue as an industrial area with land uses generally consistent with current industrial activities makes these impacts likely to be less than significant."

The existing use, largely Cal Cartage's parking area for port servicing trucks, is certainly industrial and unattractive, but the use envisioned here would ratchet up that industrial use by orders of magnitude, from a parking lot into a 24 hour a day, 7 day a week, heavy, outdoor, industrial operation. This will have profound impacts upon the surrounding neighborhoods. We find this statement to be misleading and confusing to the public.

We believe that there may be significant impacts upon water quality. With literally millions of truck visits, thousands of train visits, and constant activity of heavy duty yard equipment, there will clearly be substantial impacts of fuel leaks, oil leaks, hydraulic leaks, brake dust, tire dust, and settled out diesel soot. How will these be contained within the property and treated? The airborne contaminants cannot be contained within the property. Moreover, a clear cumulative impact will be the deposit of these contaminants along streets, highways and rail lines outside of the project limits. There will be no provisions for keeping those contaminants from being washed into watercourses. Please analyze these issues in the EIR.

## AESTHETICS

We would repeat here our comments above regarding land use/planning. While the existing use of the land is industrial and unattractive, this project would ratchet up that use by orders of magnitude. It would clearly "Substantially degrade the existing visual character or quality of the site and its surroundings."

A truck parking lot would be replaced by a working rail yard, with large stacks of containers, presenting a much higher profile, and large yard equipment doing the same. The massive increase in truck traffic on the Terminal Island (TI) Freeway will be an aesthetic impact itself, as will be the intense traffic of railroad trains and equipment.

Just because an area is now somewhat unattractive does not mean that one can make it massively worse without mitigating the impact. Indeed, a responsible public agency should seek to use its projects to enhance the aesthetic values and quality of life in the surrounding communities, and not glibly dismiss same.

Please study green buffer zones around this facility, including trees of sufficient height and density to mask it. Please study aesthetic mitigation projects, to be done in agreement with the

surrounding neighborhoods, to improve and increase parks, open space and other aesthetic values, to offset the large increment of increased ugliness which this project would bring about.

As to light and glare, we ask that you consult with the American Dark Sky Association and other recognized experts in the field to determine the best available control technology for lighting systems.

We ask that careful attention be given to implementing a system to lower the light levels when the level of operations decreases. This is clearly not the practice in the ports today.

We believe that there is the potential for significant energy savings by optimizing both of the above.

We ask that, as all of the above will not eliminate the negative impact upon the surrounding communities, effective mitigation measures be put in place to offset these impacts. These might include, but would not be limited to, replacement of existing obsolete street or other outdoor lighting fixtures to reduce glare and/or undergrounding of power and telephone lines connected with these light sources.

Recent studies have shown that there are potential serious health impacts which can result from excessive exposure to artificial light at night. Please study this issue in your EIR.

#### AIR QUALITY

Please note our comments above on the notion that this project would cause any more than a very short term lessening of traffic upon the surrounding road net. We believe that such arguments mislead and confuse the public.

Again, we note the substantial air pollution impacts of line haul railroad locomotives, and ask that any such which visit this facility be subject to controls as stringent as those which the Harbor Commission has required for trucks,

We ask that the air pollution impacts of this project be studied in the light of a realistic analysis of its role as a growth enabling facility. Thus the true cumulative air pollution impact of this project must include all of the ship calls, harbor craft activities, terminal equipment operations, and rail operations which it will enable when the street grid has reached capacity.

#### HYDROLOGY AND WATER QUALITY

Please note our comments above concerning the finding of no potential significance for this issue.

#### LAND USE AND PLANNING

Please note our comments above concerning the findings of no potential significance for this issue.

#### NOISE

Thank you for your findings of potential significance in this area. Recent research has shown clear connections between noise exposure and many health end points as well as reduced learning capacity in children. This may be so even though the levels do not reach some artificially established threshold, 65 decibels or whatever it may be. Chronic and continuous exposure to any elevated noise levels can be extremely damaging.

Recent studies have shown that the ability of sound walls to mitigate noise from freeways and similar sources is actually quite limited. While there may be some benefit in areas immediately adjacent to the source, the noise levels appear not to be lessened at surprisingly short distances.

These health impacts, and the true efficacy of traditional mitigation measures, must be very carefully studied in this EIR. This is particularly true since large numbers of people live directly to the east of this location.

#### POPULATION AND HOUSING

We disagree with the finding that there is no potential significant impact on population and housing. All of the blighting and quality of life degrading impacts of this project will render the neighborhoods surrounding it less tenable than they are today, and thus will almost certainly result in the further blighting and degradation of the housing stock as these neighborhoods become less and less viable places to live. All of this has the de facto result of displacing housing and people, as the neighborhoods fall into blight, and the existing populations turn over.

This is a classic Environmental Justice impact, whereas neighborhoods consisting of predominately minority and low income people are severely degraded by adjacent industrial expansion.

This finding of No Impact is offensive.

#### PUBLIC SERVICES

This project would create severe impacts on public facilities including, but not limited to, schools and parks

Substantial and expert public testimony, in your scoping meeting and elsewhere, has told you that there would be massive negative impacts of air pollution, noise, traffic and general blight on at least 7, if not 10, schools located immediately across the TI Freeway from this project. Likewise, adjacent park facilities would be similarly impacted and degraded. The finding:

"The proposed Project does not involve any school related activities...."

is clearly incorrect and offensive, as is the similar finding regarding parks. Please study very carefully all of the potential impacts upon these schools, and parks, and their users.

#### TRANSPORTATION/TRAFFIC

Once again, we object to the characterization of this project as somehow lessening traffic on the 710 Freeway. Please do not continue with this fiction. It leads to the impression of intentional

misleading and confusing of the public. It appears to be a cover story for the purpose of diverting public attention away from the true underlying environmental impacts of this project.

### CUMULATIVE IMPACTS

The cumulative impacts of port operations and expansion in the area surrounding this site are already intense, even before this project is considered. For example, your own Board of Harbor Commissioners has acknowledged that the existing level of air pollution is unacceptable.

Once again, the assertion that this project will somehow lessen traffic on the 710 Freeway, and thus somehow lessen environmental impacts, is not correct. Thus, once again, the cumulative impacts of this project include all of the additional ship calls, harbor craft activities, and truck, train, and yard equipment operations which it will enable.

These impacts include, but are not limited to, air pollution, traffic, noise, aesthetic degradation, light and glare, land use disruption and community blight, and Environmental Justice insults. All of these things, fairly considered in a cumulative manner along with the already existing cumulative impacts of the Port, have substantially degraded our quality of life, and our level of health risk.

Your Board of Harbor Commissioners has found that reducing air pollution to the 2001 level is not sufficient to protect the public health. They have found that a "great debt of mitigation is owed to the surrounding communities" We cannot see how this, or any other, project can go forward until these issues are honestly and effectively addressed.

### ENVIRONMENTAL JUSTICE

There is no discussion of Environmental Justice in this document. However, every level of government, from the State Lands Commission to the City of Los Angeles, to the State of California, to the United States Government, now has an extensive Environmental Justice policy. These policies must be acknowledged and complied with.

Simply put, the concept of Environmental Justice is that projects shall not disproportionately impact communities which are predominately made up of people of color or low income. Your own Board of Harbor Commissioners, attending the scoping meeting for this project in Wilmington, recognized the very serious Environmental Justice ramifications of this proposed project.

The front line impacted communities of East Wilmington and West Long Beach are clearly predominately made up of minority and low income residents. The communities along the rail routes to Commerce and East Los Angeles, and many along the rail routes as far east as Riverside and San Bernardino counties exhibit similar demographics. This project, as envisioned, would severely impact their quality of life. This issue must be squarely faced.

In the past, we have suggested mitigation efforts to try to address these Environmental Justice problems. These have included various community beautification, park and open space projects. We have also suggested grants and/or low income loans to allow residents to fix up and beautify



their homes and small businesses. What is really needed is a sincere desire on the part of the Port to honestly address these issues, and a sincere dialogue with the front line communities to decide on adequate mitigation measures.

## CONCLUSIONS

As discussed in detail above, we believe that this document ignores and/or denies several serious impacts on surrounding neighborhoods. Alas, this repeats the pattern of past Port EIRs. We object one more time to the characterization of this project as somehow reducing traffic on the 710 Freeway. If port growth stopped at the time of the building of this project, such might be the case. As growth is clearly expected to continue, and even accelerate, the traffic on the 710 will only increase. This project will merely provide an additional growth path for container movements, with all of the negative impacts which result. Please stop using this cover story.

Environmental Justice as an issue is not even mentioned in this document. This cannot continue.

PCAC Resolution Number 29 called upon the Port to conduct a study, supported by recognized independent experts in the field, to analyze the true public policy ramifications of projected port growth. This has not been done. No one can actually say whether the externalized costs of health degradation, early death, infrastructure degradation, congestion costs and security risks, to name but a few, do not outweigh the real or imagined financial benefits of port growth to our society in California. It is irresponsible to go forward with such growth enabling projects until such an analysis is made.

Your Board of Harbor Commissioners enunciated a policy on EIR mitigation determination at its meeting of December 12, 2005. It said that henceforth a process would be put in place by which acceptable mitigation packages would be negotiated with the impacted public before Draft EIRs were released. This is the place to start.

Sincerely,

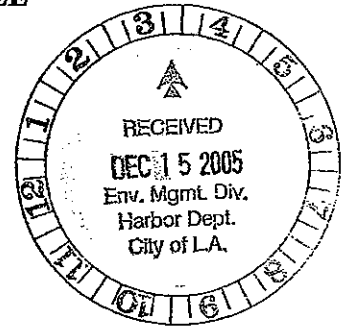


Noel Park  
President

cc: Board of Harbor Commissioners

**PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE  
EIR/Aesthetic Mitigation Subcommittee**

Port of Los Angeles  
425 S. Palos Verdes Street  
San Pedro, Ca. 90731



Dr. Ralph Appy  
Director of Environmental Management  
Los Angeles Harbor Department  
425 South Palos Verdes Street  
San Pedro, Ca. 90731

Subject: SCIG NOP

Dear Dr. Appy:

These comments on the Notice of Preparation for an Environmental Impact Report (EIR) for the Southern California International Gateway (SCIG) project are submitted on behalf of the EIR and Aesthetic Mitigation Subcommittee of the Port of Los Angeles Community Advisory Committee (PCAC). The subcommittee is a part of PCAC which is an official standing committee of the Board of Harbor Commissioners.

The subcommittee is not just another group reviewing completed documents. The subcommittee is designed to have a central role in the development of these documents throughout the process and shares with the Port of Los Angeles (POLA) as a whole the common objective of an EIR that is accurate and complete.

As directed by the Harbor Commission, the PCAC's mission includes:

..review all past, present and future environmental documents in an open public process to ensure that all laws—particularly those related to environmental protection—have been obeyed, all city procedures followed, and all adverse impacts upon the communities mitigated.

Based on the Mayor and Commission's directives, the Department and the PCAC have been working to establish an "EIR Template" that provides a standardized approach to environmental review of projects. We request that all aspects of the template be utilized in preparation of the EIR/EIS.

It is essential that the subcommittee be a full partner in the following tasks:

- Establishment of the baseline for key variables such as traffic, air quality, and aesthetics.
- Establishment of thresholds of significance.

- Establishment of the inventory of present and reasonably anticipated future projects contributing to cumulative impacts.
- Evaluation of key elements of project characteristics assumed for analysis purposes, including operational variables such as passenger loads.
- Evaluation of key assumptions to be utilized in analyzing impacts
- Alternatives to the proposed project to be examined in the EIR/EIS
- Evaluation of negative impacts off of port lands and recommendation of appropriate offsets

The project description indicates that BNSF is investigating and evaluating certain less polluting technologies. We applaud any effort to reduce air emissions associated with transport operations. However, we caution that EIR analyses assume implementation of these technologies only if such would actually occur. It is essential that any project be implemented in a way that insures that any assumptions will ultimately be proven accurate.

The EIR must evaluate what would happen should the project fail to achieve pollution reduction goals projected for new technology. In order to assure that all impacts are fully addressed and fully mitigated, it is essential that all analyses examine worst case conditions.

Analyses must address environmental justice issues regarding communities affected, including housing values. Identification of impacts must also identify whether impacts occur on or off of port lands and indicate the severity of those impacts. Impacts on the surrounding community are of paramount concern.

The Subcommittee also has the following concerns which must be addressed:

#### Project Description

It is our understanding that the project will entail demolition of existing buildings, construction of administration and maintenance facilities, installation of new track including trackage between the proposed facility and the Alameda Corridor, and construction of on-site and off-site infrastructure. The project will occupy a 153-acre site consisting of 96 acres of current Los Angeles Harbor Department (LAHD) property and an additional 57 acres of non-LAHD property.

The EIR must include detailed plans of the proposed facility and infrastructure improvements. The EIR must address project phasing. The EIR must also identify staging areas and impacts associated with use of the staging sites. This must include any staging areas for circulation improvements as well as proposed detours.

The EIR must describe and analyze project operations, including anticipated throughput, volumes truck and rail traffic, and hours of operation. The EIR must indicate how any increased in throughput, changes in hours of operation or other changes in operational characteristics will be addressed and how any impacts of such changes will be mitigated. The EIR must also discuss how the proposed project will enable or enhance increased throughput.

## Aesthetics

1. The analysis must address equipment, container stacking, and all other project activities.
2. The analysis of visual impacts must address the cumulative effect of Port activities on views over time.
3. Impacts of light and glare must also be examined in the light of a "no activity/no night lighting" condition.
4. Potential mitigation must be identified, including:
  - limitations on container stacking
  - reduced lighting at facilities not in operation at night
  - on and off of port beautification and aesthetic enhancement such as streetscape improvements and community amenities

## Air Quality

1. The Harbor Commission and Mayor Villaraigosa have made a commitment to no net increase in air pollution from the Port. Recently the Harbor Commission announced a policy of "no increase in overall Port pollution due to new projects". Thus, any emissions associated with the proposed project must be balanced with corresponding reductions elsewhere within the port. Alternatively, reductions must be found and achieved outside of Port boundaries.
2. In light of the above commitment, the baseline for examination of cumulative impacts on air quality must be no greater than emissions in 2001.
3. Investigations into air quality must address both existing air quality standards and those that are adopted and slated to go into effect within the time frame for this project, particularly very fine particulate matter, i.e. PM 2.5.
4. Localized micro climates must be included in air quality analyses and local air quality hot spots must be identified and mitigated. Effects on children and other sensitive individuals are of special concern. Sensitive land uses such as homes, schools, parks and community centers must be identified. We are concerned that "no net increase" basin-wide may result in significant increases in Wilmington and other nearby communities.
5. Local air pollution must be examined in the light of the numerous sources of pollution in the subregion, including POLA, Port of Long Beach, oil refineries, Los Angeles International Airport, power plants, and other pollution sources.
6. Air pollution monitoring stations must be established in Wilmington, Carson, and Long Beach with data readily available to the public.
7. The effects of air pollution must be examined in the light of effects on human health as outlined in the attached document (and in the references cited) titled "Health Effects of Diesel Exhaust Air Pollution' August 28, 2003" prepared by the Environmental Subcommittee/Air Quality Group of the Port of Los Angeles Community Advisory Committee. (Attachment B). This has been previously submitted to the PCAC, BOHC and POLA. The discussion must not be limited solely to cancer deaths anticipated over seventy years' exposure. Effects of air pollution on sensitive receptors, such as children, are immediate and serious. Prenatal effects have also been documented and must be discussed in the EIR.

8. The EIR must address conformance with the adopted Air Quality Management Plan in the light of the total emissions anticipated from Port activities upon completion of the proposed project, including any increases in cargo load facilitated by the project, versus total emissions anticipated for POLA under the AQMP and any other air quality planning programs.
9. Emissions must be calculated based on the age of the existing truck fleet serving the Port.
10. Emissions from vehicles registered out-of-state must be included when calculating mobile emissions.
11. Air quality analyses must include increased emissions due to increased traffic congestion, including vehicles idling at rail crossings.
12. Air quality analyses must include emissions due to truck idling, both in traffic and queues on and off port lands and as trucks wait to load or unload. Realistic idling times must be utilized for these calculations.
13. Air quality analyses must take into account trips diverted from the Hobart Yard, in calculating "new" use of rail versus truck transport.
14. Use of alternate fuels must be included as a mitigation measure, including retrofitting of existing trucks and equipment. This would apply to equipment within the proposed project as well as elsewhere in the port, in order to achieve "no net increase". This must include use of low sulfur fuel on ships. Moreover, equipment such as top picks, side picks, and tugboats, for which alternative fuel engines may not be available, must be installed with after-treatment devices such as diesel oxidation catalysts or particular traps and run on low-sulfur diesel fuel.
15. Use of electric power for equipment such as gantries must be included as a mitigation measure within the proposed project as well as elsewhere in the port, in order to achieve "no net increase".
16. A finance program to retire old, high-polluting trucks with newer, cleaner vehicles must be included as a mitigation measure to help achieve the goal of "no net increase".
17. Additional, off-of-port-lands measures to reduce air pollutant emissions, such as provision of cleaner, alternate fuel school buses, must be considered as a means of providing "no net increase" in emissions.
18. All mitigation measures must be practical and verifiable. Speculative or difficult to monitor measures must not be utilized to justify any finding of no significant impact.
19. The EIR must consider potential electrification of equipment at the SCIG facility as well as the benefits of electrification of the entire Alameda Corridor.
20. The EIR must evaluate use of rail to transport trucks to and from the SCIG facility.

### Biological Resources

Effects on resources in the Dominguez Channel must be examined, including secondary impacts due to impaired water quality.

### Hazards

1. The EIR must examine the effect of increased traffic on evacuation routes.

2. The EIR must examine the effects of increase traffic congestion and rail activity on emergency response. What delays in emergency response might be anticipated due to increased localized truck traffic and rail traffic?
3. The EIR must examine the effect of construction activities and detours on evacuation routes.
4. Any increase in response times must be mitigated. The EIR must address any need for additional emergency response equipment or infrastructure in order to achieve acceptable response times.
5. Mitigation measures must include full evacuation plans for the surrounding community, including identification of routes and measures to facilitate evacuation.

### Water Quality

The EIR must examine impacts on water quality in the Dominguez Channel, including construction impacts. Polluted runoff from the project must not be permitted to enter the channel.

### Traffic

1. The EIR must examine both project specific and cumulative impacts on local and regional transportation systems.
2. The EIR must examine the potential for increased traffic in neighborhoods as vehicles divert onto neighborhood streets areas to avoid congestion on arterials.
3. Traffic analyses must include truck trips to dispose of empty containers.
4. The EIR must examine conflicts between street and rail traffic, including average delays and potential for traffic lining up into nearby intersections, thereby creating gridlock.
5. Additional railroad grade separations must be considered.
6. Mapping of circulation systems must include all rail lines, including spur lines, with any at-grade crossings noted.
7. Any need for new infrastructure must be examined and responsibility for implementation of improvements assigned.
8. Infrastructure improvements must be phased with development so that improvements do not lag behind impacts sustained by the community.
9. Impact analyses must include impacts during construction, including construction of the railroad grade separations and construction vehicles. This must include impacts on detour routes during construction.
10. Adequate space must be provided for parking and queuing of trucks which currently line up and park in the neighborhoods surrounding the Port. It is suggested that trucks be scheduled on an appointment basis.
11. Mitigation measures must include means of reducing truck traffic, particularly truck traffic in neighborhoods. All truck routes must be identified, and enforcement must be fully financed. Responsibility and authority for off-site enforcement must be clearly identified.

## Energy

Energy consumption and opportunities for energy conservation must be explored, consistent with the objective of improved Port efficiency. These include reduced lighting and use of energy efficient equipment.

## Land Use

1. The EIR must examine the proposed project in the light of City of Los Angeles Community Plans for the Wilmington area including policies relating to buffering, amenities, transitional areas, and traffic.
2. The EIR must examine how off-site impacts and activities associated with the SCIG will affect the ability of the cities of Long Beach and Carson to implement their adopted general plans and other planning programs.
3. The EIR must examine any necessary relocation of existing uses on the project site the resulting impacts on the relocation area.
4. The EIR must include an inventory of off-of-port support facilities related to the proposed project, including private businesses. This must include any growth potentially induced in such facilities by the proposed project.
5. The EIR must include an inventory of existing uses to be eliminated from land due to the proposed grade separations and other infrastructure.
6. The EIR must identify sensitive land uses in proximity to the proposed project as well as access routes and new rail lines. These include, but are not limited to, the Hudson Street School and nearby retirement living facility. Any effects on the East Wilmington, Long Beach, Carson and the community center located in the East Wilmington Greenbelt area must be identified and fully mitigated.

## Noise

1. The EIR must address the affect of noise due to construction as well as increased truck and rail traffic.
2. The EIR must address vibration as well as noise.
3. The EIR must identify Single Event Noise Exposure Levels (SENELs) as well as Community Noise Equivalent Levels (CNELs). The EIR must examine the potential for SENELs which may greatly exceed ambient noise levels and disrupt the nearby community. Of particular concern would be sleep disruption from passing trucks or trains at night.
4. All mitigation measures must be practical and verifiable. Speculative or difficult to monitor measures must not be utilized to justify any finding of no significant impact.

## Population and Housing

1. The EIS/EIR must address demand for housing by employees working in the proposed development. This must include anticipated income profile of workers and available housing supply at various economic levels.

2. Housing supply and demand must be addressed in the light of the Housing Element of the Los Angeles General Plan and other relevant plans.

### Environmental Justice/Community Blight

Principles of environmental justice dictate that the EIR examine the individual and cumulative impacts of port industrial operations in creating community blight. The City of Los Angeles has made findings under redevelopment law that areas immediately surrounding the Harbor District in Wilmington are "blighted".

Using this finding by the City as the evidentiary foundation that blight exists, please evaluate the individual and cumulative impacts from port industrialization in creating this blighted condition in off-port lands. This must include an evaluation of economic status for various census tracts in the subregion versus the region as a whole in relation to air quality in various areas, based on data from SCAQMD monitoring or other data. We are concerned that the communities of Wilmington, Carson and west Long Beach will sustain disproportionate impacts as compared to the region as a whole. The EIR must identify where benefits of the proposed project will accrue versus where impacts are to be sustained. The community of Wilmington must not be sacrificed in order to increase transportation capacity and efficiency or to achieve basin wide emissions reductions, as laudable as this goal may be.

The Port's various environmental impacts, including aesthetic impacts, traffic, noise, and air pollution, create undesirable conditions that may reduce property values and produce blight. Off-port container storage, especially near and within residential neighborhoods, creates community blight. Tractor trailers are now being parked on neighborhood streets and in lots along Harbor Boulevard.

As the environment degrades, property owners have less incentive to maintain their properties, and landlords have trouble finding tenants, thereby reducing income available for property maintenance. Eventually, a downward spiral is created with adverse environmental conditions leading to reduced property values, poorer property maintenance, disinvestment, and less regard for community values by decision makers. The result is greater and greater deterioration in widening circles of blight.

Evaluation of "blight" must include such issues as land use, aesthetics, cultural resources, public health and safety. The surrounding community has a rich ethnic/cultural traditional with many families established in the community for generations. Blight will affect both the residential community and ethnic retailers/wholesalers and other services providing a focal point for ethnic communities.

The evaluation must include an analysis of property values and the effect of port activities on local property values as compared to other areas located in similar proximity to the water. If necessary, the Port should contract with an independent firm with urban economists qualified to assist in this evaluation.

The evaluation must also address the types of jobs to be provided and anticipated income levels.



This must include jobs in secondary functions, such as truck drivers, in addition to employees of the rail yard and the Port itself.

Mitigation measures in off-port lands that address blighted conditions arising from port industrial operations must be identified. It is suggested that incentives be offered to Port tenants for placing off-port business offices within the business communities of Wilmington. It is essential that decision makers for the proposed project weigh potential economic activity generated by Port activities against the negative economic and environmental impacts sustained by the surrounding community.

### Cumulative Impacts

All impacts must be examined in the light of other planned and reasonably foreseeable growth in the area, both on and off of port lands. As noted above, this must not be limited only to projects that have been identified to have significant impacts on their own, but include other projects which may individually insignificant but greater than minimal impacts. Individual and cumulative impacts must be fully mitigated.

Further, provision must be made for growth in throughput from the proposed project after the physical improvements addressed by this EIR have been completed. This could include tiering of mitigation measures based on actual throughput or requiring additional environmental documentation if throughput were to exceed a given cap.

### Growth Inducing Impact

The EIR must examine how the project may enable or enhance the ability of the port to handle increased throughput or eliminate any existing barriers to increasing throughput.

### Project Mitigation

Both financial and administrative responsibilities on and off-of-port lands must be identified in the mitigation monitoring program for this project. In order to ensure implementation of all mitigation measures, the measures must be included in lease provisions for the project site.

To ensure that the environment in the business and residential areas in Wilmington and the surrounding area do not continue to degrade, the proposed project must provide its pro rata share along with other POLA tenants to provide the following:

- Public health care trust fund
- Public Environmental Care Trust Fund
- Harbor Community Health Survey, an essential factor toward establishing any nexus between port activities and local health
- Publication and distribution of a directory of health agencies and officials; environmental agencies and officials; and elected officials who may be contacted regarding health and environmental problems
- Publication and distribution of a construction and mitigation plan

- Vehicle Traffic Routing Plan, Parking Plan & City Code Education
- Retrofitting of trucks to reduce emissions
- Retrofitting of trains to reduce emissions
- New truck loan program
- Hiring of Additional Port/City Police
- Port Greening Plan
- Community Noise Sound Proofing Program
- Light Pollution Reduction Program

### Alternatives to the Proposed Project

The EIS/EIR must include a meaningful, good-faith analysis of alternatives. Alternatives to be examined include:

1. The "No Project/No Development" alternative, which would result in no industrial use on the site.
2. Proposed facilities fully within POLA lands.
3. Alternate, smaller capacity facility.
4. Alternate locations, including on-dock rail facilities consistent with the agreement of the ILWU. Potential alternate locations could include additional land to be created through currently proposed dredge disposal activities.

### Conclusion

The Subcommittee looks forward to working on this project as a collaborative effort to reach our mutual objective of an environmental review process responsive to the needs of the community and accepted by and community stakeholders. Consistent with its mission, the Subcommittee seeks to ensure that all impacts of the proposed project are fully mitigated in order that they may maintain the quality of life in the community and safeguard the health of their children. The Subcommittee looks forward to contributing to the common goal of a legally defensible document that fully addresses all project impacts and full mitigation, whether on- or off-of-port lands.



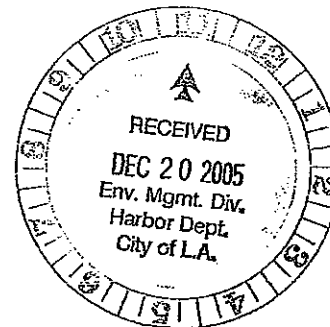
# LONG BEACH ALLIANCE FOR CHILDREN WITH ASTHMA



December 15, 2005

Via US Mail

Dr. Ralph G. Appy  
Director of Environmental Management  
Los Angeles Harbor Department  
425 South Palos Verdes Street  
P.O. Box 151  
San Pedro, CA 90733-0151



Re: Notice of Preparation of Southern California International Gateway Projects

Dear Dr. Appy:

On behalf of the Long Beach Alliance for Children with Asthma's numerous and diverse coalition members, we again request you to consider the public comments that have been made at the Silverado Park hearing. As a coalition comprised of parents, health care providers, the school district, child care and after-school programs, managed care organizations, environmental groups, housing organizations, and legislators, among others, we are working to raise awareness of asthma, improve access to quality asthma care, and improve environments where children live, learn and play. 15% of the children in Long Beach suffer from asthma, as compared to 8% average in Los Angeles County. Our goal is to help empower parents of children suffering from asthma to better understand their child's disease to recognize and reduce or eliminate their child's triggers and to give them tools to help control their child's asthma in partnership with their health care provider.

Goods movement projects like the BNSF proposed intermodal facility must address the certain environmental impacts that will be imposed on the West Long Beach community prior to initiation of any building. We serve the children of West Long Beach and have serious concerns about the health impacts on the children who already live, learn and play in that area.

There are alternatives to near-dock railyards, and we urge you to consider these options, be they use of a Mag-Lev system, on-dock rail, clean fleets of trucks with the newest technology in existence for transportation of goods from facilities to the ports and vice versa.

Please consider that although there are initial economic investments necessary to create alternative systems, in order to gain the trust and support of the community most impacted by goods movement, large sweeping environmental efforts must be engaged by the Port of Los Angeles. Consider, too, that 25% of those who live in Long Beach live below the poverty level and do not have the ability to pay for medical expenses incurred by pollution at the local ports. We ask you not to trade health, quality of life, and the lives of those suffering from chronic disease, lack of health care, poverty, substandard housing and already poor quality of air for economic growth.

Thank you for your time and consideration,

Elina Green, Project Manager  
Long Beach Alliance for Children with Asthma

Elina Green, MPH  
Project Manager

LONG BEACH ALLIANCE FOR CHILDREN  
WITH ASTHMA

Long Beach Alliance for Children with  
2651 Elm Ave. Suite 100 Long Beach,  
(562) 427-4249 \* Fax (562) 427-8438  
egreen@memorialcare.org www.lba.org



2651 Elm Avenue, Suite 100  
Long Beach, CA + 90806  
562-427-4249 • Fax 562-427-8438  
egreen@memorialcare.org  
www.lbaCa.org



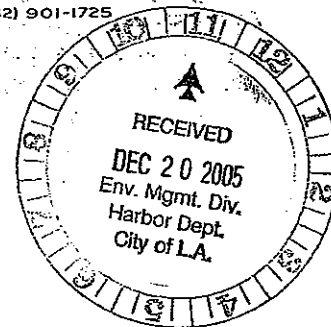


# The Port of Long Beach

P. O. BOX 570 • LONG BEACH, CA 90801-0570 • TELEPHONE (562) 437-0041 • FAX (562) 901-1725

December 16, 2005

Dr. Ralph G. Appy, Director of Environmental Management  
Los Angeles Harbor Department  
425 South Palos Verdes Street  
San Pedro, California 90731



**Subject: Port of Los Angeles Southern California International Gateway  
Comments on the Release of a Supplemental Notice of Preparation (NOP)**

Dear Dr. Appy:

Thank you for providing us with an opportunity to comment on the Southern California International Gateway (SCIG) project Supplemental Notice of Preparation (NOP). This project is consistent with the POLB truck trip reduction program, which seeks to improve air quality and reduce traffic congestion by increasing intermodal rail usage, which in turn lessens impacts on the I-710 freeway and adjacent roadways. Consistent with the California Environmental Quality Act, it is our expectation the Los Angeles Harbor Department will make every effort to eliminate or substantially lessen all significant adverse environmental impacts of this project, in the interest of the adjacent communities. In this regard, we would suggest that the alternatives considered for this project be developed with a view toward identifying the best location for the project rather than having the alternatives be limited by the current location of the BNSF Watson Yard.

Our comments are organized into four categories: 1) General Comments, 2) Rail related design and operations, 3) Right of Way, and 4) Roadway Systems and are found in attachment A. The City of Long Beach will also be submitting comments that will address impacts on the surrounding communities. We urge the Port to work closely with the City of Long Beach to resolve these issues.

If you have questions regarding these matters, please contact Carlo Luzzi, Manager of Rail Transportation at (562) 590-4140.

Sincerely,

Robert Kanter  
Director of Planning

CC: John Doherty, ACTA  
Doug Failing, Caltrans  
Long Beach Mayor, City Councilmembers and Gerald R. Miller, Long Beach City Manager

Attachments: Long Beach Harbor Department Comments to NOP



**ATTACHMENT A**  
**Long Beach Harbor Department Comments to Notice of Preparation from the**  
**Los Angeles Harbor Department for Southern California International**  
**Gateway (SCIG) Project**  
**December 16, 2005**

**I. General Comments:**

- a. Burlington Northern Santa Fe (BNSF) Railway proposes "to make the SCIG project an industry leading facility both in terms of its capacity per acre to handle cargo and its sensitivity to the environment" (Supplemental NOP pages A-1 and A-2). Accordingly, from the outset BNSF should commit to specific features that would measurably reduce the potential impacts of the project. Examples include, but are not necessarily limited to, the use of:
- Construction equipment that operates on emulsified diesel fuel and/or is equipped with diesel oxidation catalysts;
  - Yard equipment with engines powered by either non-diesel means (e.g., liquefied natural gas, propane, or battery) or by diesel engines operating at a level consistent with the EPA's rules governing on-road heavy-duty diesel trucks and using emulsified diesel fuel or other alternative diesel fuel;
  - All-electric cranes; and
  - Diesel-electric hybrid switch engines (e.g., "Green Goat") and/or LNG-powered locomotives.
- b. Three of the five objectives include the provision of *near-dock intermodal rail facilities* as an essential element of the project, which may limit the range of alternatives (Supplemental NOP page A-3). The EIR is expected to include an evaluation of those alternatives "that could feasibly accomplish most of the project objectives and could avoid or substantially lessen one or more of the significant effects" of the project, in accordance with CEQA Guidelines section 15126.6(f). As presented, the project objectives would tend to exclude other possible alternatives (refer to comment I.d and IV.a, below).
- c. It is not clear whether the proposed project would include any emission reduction strategies for the trucks servicing the facility. The Gateway Cities Clean Air Program has successfully been achieving emission reductions since 2002 by providing incentives to independent owner operator truck drivers servicing the ports to replace their older diesel trucks with newer cleaner models, retrofit with DOCs. BNSF could participate in the program to provide additional incentive funding to replace older trucks with newer models retrofit with DOCs or diesel particulate filters (DPFs). In addition, replacement trucks could be installed with Automatic Vehicle Locators (AVL), which track the service route of the trucks to verify they are operating in the area as required by their funding contract. As additional clean vehicle technologies become economically viable,

such as diesel hybrid or alternative fuels, incentives could be provided for these options. This possibility should be explored in the EIR.

- d. The NOP indicates the feasibility of alternative locations for the SCIG will be considered in a siting study. As discussed in comment I.b above, a majority of the project objectives include *near-dock intermodal rail facility* as an essential element of the project. Because the range of potential alternatives should include those that could feasibly accomplish the basic objectives of the project (CEQA Guidelines § 15126.6), those alternatives that include a *near-dock intermodal rail facility* are likely to be carried forward for detailed analysis in the EIR to the potential exclusion of other viable alternatives
- e. The project should mandate the use of environmentally friendly equipment and trucks accessing the facility to mitigate noise and air emissions.
- f. How does the project affect and/or relate to the existing Union Pacific Railroad ICTF and their future expansion plans. The operating plan for the project should look at the efficiencies that might be gained by a greater level of cooperation between BNSF and UPRR.
- g. The project should address hours of operation and related mitigation measures to ensure no lighting spill over, noise and air emissions to the surrounding property owners.
- h. Idling of locomotives shall be minimized by using technology that enables the engine to shut down after 10-minutes of non-use. The time limit shall be confirmed by an independent study.
- i. The project should explore technology options for the truck in/out gate to design for maximum operational efficiency. For example, evaluate the option of installing an optical character recognition system (OCR) to identify container, chassis, and truck license plate numbers as the truck passes through the gate.

## II. Rail Related Design and Operations:

- a. The project should be self-sustainable (requiring adequate length of track) for the arrival and departure of trains without compromising the existing rail infrastructure in the Port Complex or on the San Pedro Branch. The Port's recent rail simulation analysis has verified the sensitivity of potential SCIG train delays on the existing trackage.
- b. Arrival or departing trains shall be set out on dedicated SCIG tracks as to not block the Alameda Corridor or existing trackage.
- c. The project should maintain a through-track at the San Pedro Branch to allow local train delivery access as is today. The NOP is unclear on this matter.

- d. No switching of trains in the Pier B rail yard or the Terminal Island Lead Tracks (TILT) shall be allowed. Alternative operational moves shall be defined to avoid hampering existing and proposed Long Beach train moves.
- e. The Dominguez Channel bridge widening shall be designed to accommodate simultaneous moves to existing and proposed train moves to Long Beach with SCIG operations. Therefore, existing train operations to remain as is.
- f. Coordination must occur between the SCIG and the proposed Pier B rail yard projects to avoid conflicting project designs.
- g. Arrival and departing trains to SCIG cannot block the Long Beach mainline train moves. The crossing diamond must be analyzed for these moves. Appropriate mitigations may require a rail-to-rail grade separation if delays shown through simulation impact Long Beach train moves. Alternatively, SCIG trains shall be delayed giving priority to mainline trains arriving or departing Long Beach main (Alameda Corridor) tracks.

### III. Right-of-Way and Project Impact Areas

- a. The Long Beach Harbor Department (LBHD) has ownership interest in several properties identified as "project impacts areas" on NOP Figure 2 and is a signatory on rail operations agreements directly impacted by the proposed project; therefore, LBHD is a Responsible Agency as defined in CEQA Guidelines Section 15381. LBHD must be consulted relative to any proposed change to the physical condition of the following properties and the operation of project-related rail facilities:
  - b. The land north of the existing Alameda Corridor Mainline tracks between CP Crucero and CP Perry bounded by Foote Avenue and the San Pedro Branch. The Alameda Corridor maintenance yard will need to co-exist or be relocated as part of the project.
  - c. The land north of the existing Alameda Corridor Mainline tracks between CP Perry and CP Gaspar bounded by "I" Street, Terminal Island Freeway and Anaheim Street. Portions of the property are designated for the Pier B rail yard project.
  - d. The San Pedro Branch trackage. The project will affect the use of the existing San Pedro Branch trackage north of Sepulveda Boulevard. This trackage is governed by the UP San Pedro Branch Operating Agreement (dated 12/28/94), which affects the rail right-of-way to the East Los Angeles rail yards. Any amendment to the Agreement must keep the maintenance provisions of the entire branch and maintain Union Pacific Railroad operations as is. The project will require railroad operation capacity to remain as is.
  - e. A new soundwall shall be required adjacent to the freeway to mitigate noise. A study is necessary to define the soundwall limits related to the community. This effort should be coordinated with Long Beach Westside representatives.

- f. Landscaping along the east side of the project should be considered. This effort should be coordinated with Long Beach Westside representatives.

#### IV. Roadway Systems

- a. Near-dock rail yards are generally located a short dray from the marine terminal(s), typically five miles with uncongested roads (DMJM, 2002). The environmental document should include the travel distance and travel time from the gate at each marine container terminal to the truck entrance point on the proposed project site; the same data should be provided for comparison to alternative sites.
- b. Figure 3 shows the addition of Anaheim Street and a segment of Pacific Coast Highway west of I-710 as new primary truck routes. The impact of diverting additional truck traffic on streets bordering non-port facilities should be carefully assessed, including the potential spillover effects—air emissions, noise, congestion, etc.—on nearby residential and commercial development, and community facilities (churches, parks, schools, etc.).
- c. The Terminal Island Freeway may require widening for the project. This needs to be addressed with the traffic analysis study. The impact on the Ocean Boulevard/Terminal Island Freeway Interchange should be evaluated and addressed.
- d. A new on-ramp should be considered on the Terminal Island Freeway at Pier B Street. Planned railroad activity will make it difficult for trucks from Piers A and B and Terminal Island marine terminals to use Henry Ford Avenue and Alameda Street to access SCIG or ICTF.
- e. The project should provide a traffic analysis that will ensure mitigation of congestion impacts to the nearby community with appropriate level of service. This includes evaluating the level of service at key intersections along access routes such as at Pacific Coast Highway, Santa Fe Avenue, Anaheim Street, Pier B Street, Henry Ford Avenue and Alameda Street. The mitigations should consider restriping, street widening, traffic signals, grade separations, and address major intersections along Pacific Coast Highway at the Terminal Island Freeway and at Santa Fe Avenue.
- f. Evaluate encouraging the use of newer low polluting trucks traveling to the SCIG by prohibiting access to the SCIG by any vehicle that does not have a current Commercial Vehicle Safety Alliance inspection sticker or completed an equivalent California Highway Patrol inspection (see California Vehicle Code 34501).



**PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE**

**EIR/Aesthetic Mitigation Subcommittee**

Port of Los Angeles  
425 S. Palos Verdes Street  
San Pedro, Ca. 90731

Dr. Ralph Appy  
Director of Environmental Management  
Los Angeles Harbor Department  
425 South Palos Verdes Street  
San Pedro, Ca. 90731

Subject: SCIG NOP

Dear Dr. Appy:

These comments on the Notice of Preparation for an Environmental Impact Report (EIR) for the Southern California International Gateway (SCIG) project are submitted on behalf of the EIR and Aesthetic Mitigation Subcommittee of the Port of Los Angeles Community Advisory Committee (PCAC). The subcommittee is a part of PCAC which is an official standing committee of the Board of Harbor Commissioners.

The subcommittee is not just another group reviewing completed documents. The subcommittee is designed to have a central role in the development of these documents throughout the process and shares with the Port of Los Angeles (POLA) as a whole the common objective of an EIR that is accurate and complete.

As directed by the Harbor Commission, the PCAC's mission includes:

..review all past, present and future environmental documents in an open public process to ensure that all laws—particularly those related to environmental protection—have been obeyed, all city procedures followed, and all adverse impacts upon the communities mitigated.

Based on the Mayor and Commission's directives, the Department and the PCAC have been working to establish an "EIR Template" that provides a standardized approach to environmental review of projects. We request that all aspects of the template be utilized in preparation of the EIR/EIS.

It is essential that the subcommittee be a full partner in the following tasks:

- Establishment of the baseline for key variables such as traffic, air quality, and aesthetics.
- Establishment of thresholds of significance.

- Establishment of the inventory of present and reasonably anticipated future projects contributing to cumulative impacts.
- Evaluation of key elements of project characteristics assumed for analysis purposes, including operational variables such as passenger loads.
- Evaluation of key assumptions to be utilized in analyzing impacts
- Alternatives to the proposed project to be examined in the EIR/EIS
- Evaluation of negative impacts off of port lands and recommendation of appropriate offsets

The project description indicates that BNSF is investigating and evaluating certain less polluting technologies. We applaud any effort to reduce air emissions associated with transport operations. However, we caution that EIR analyses assume implementation of these technologies only if such would actually occur. It is essential that any project be implemented in a way that insures that any assumptions will ultimately be proven accurate.

The EIR must evaluate what would happen should the project fail to achieve pollution reduction goals projected for new technology. In order to assure that all impacts are fully addressed and fully mitigated, it is essential that all analyses examine worst case conditions.

Analyses must address environmental justice issues regarding communities affected, including housing values. Identification of impacts must also identify whether impacts occur on or off of port lands and indicate the severity of those impacts. Impacts on the surrounding community are of paramount concern.

The Subcommittee also has the following concerns which must be addressed:

#### Project Description

It is our understanding that the project will entail demolition of existing buildings, construction of administration and maintenance facilities, installation of new track including trackage between the proposed facility and the Alameda Corridor, and construction of on-site and off-site infrastructure. The project will occupy a 153-acre site consisting of 96 acres of current Los Angeles Harbor Department (LAHD) property and an additional 57 acres of non-LAHD property.

The EIR must include detailed plans of the proposed facility and infrastructure improvements. The EIR must address project phasing. The EIR must also identify staging areas and impacts associated with use of the staging sites. This must include any staging areas for circulation improvements as well as proposed detours.

The EIR must describe and analyze project operations, including anticipated throughput, volumes truck and rail traffic, and hours of operation. The EIR must indicate how any increased in throughput, changes in hours of operation of other changes in operational characteristics will be addressed and how any impacts of such changes will be mitigated. The EIR must also discuss how the proposed project will enable or enhance increased throughput.

## Aesthetics

1. The analysis must address equipment, container stacking, and all other project activities.
2. The analysis of visual impacts must address the cumulative effect of Port activities on views over time.
3. Impacts of light and glare must also be examined in the light of a "no activity/no night lighting" condition.
4. Potential mitigation must be identified, including:
  - limitations on container stacking
  - reduced lighting at facilities not in operation at night
  - on and off of port beautification and aesthetic enhancement such as streetscape improvements and community amenities

## Air Quality

1. The Harbor Commission and Mayor Villaraigosa have made a commitment to no net increase in air pollution from the Port. Recently the Harbor Commission announced a policy of "no increase in overall Port pollution due to new projects". Thus, any emissions associated with the proposed project must be balanced with corresponding reductions elsewhere within the port. Alternatively, reductions must be found and achieved outside of Port boundaries.
2. In light of the above commitment, the baseline for examination of cumulative impacts on air quality must be no greater than emissions in 2001.
3. Investigations into air quality must address both existing air quality standards and those that are adopted and slated to go into effect within the time frame for this project, particularly very fine particulate matter, i.e. PM 2.5.
4. Localized micro climates must be included in air quality analyses and local air quality hot spots must be identified and mitigated. Effects on children and other sensitive individuals are of special concern. Sensitive land uses such as homes, schools, parks and community centers must be identified. We are concerned that "no net increase" basin-wide may result in significant increases in Wilmington and other nearby communities.
5. Local air pollution must be examined in the light of the numerous sources of pollution in the subregion, including POLA, Port of Long Beach, oil refineries, Los Angeles International Airport, power plants, and other pollution sources.
6. Air pollution monitoring stations must be established in Wilmington, Carson, and Long Beach with data readily available to the public.
7. The effects of air pollution must be examined in the light of effects on human health as outlined in the attached document (and in the references cited) titled "Health Effects of Diesel Exhaust Air Pollution" August 28, 2003" prepared by the Environmental Subcommittee/Air Quality Group of the Port of Los Angeles Community Advisory Committee (Attachment B). This has been previously submitted to the PCAC, BOHC and POLA. The discussion must not be limited solely to cancer deaths anticipated over seventy years' exposure. Effects of air pollution on sensitive receptors, such as children, are immediate and serious. Prenatal effects such as increased incidence of low birth weight infants, congenital anomalies including severe cardiovascular birth defects

and central nervous system anomalies have also been documented and must be discussed in the EIR.

8. The EIR must contain a Health Hazard Index for the acute and chronic effects of project related air pollution for those health effects listed in the attached document noted in item 7 (above)
9. The EIR must address conformance with the adopted Air Quality Management Plan in the light of the total emissions anticipated from Port activities upon completion of the proposed project, including any increases in cargo load facilitated by the project, versus total emissions anticipated for POLA under the AQMP and any other air quality planning programs.
10. Emissions must be calculated based on the age of the existing truck fleet serving the Port.
11. Emissions from vehicles registered out-of-state must be included when calculating mobile emissions.
12. Air quality analyses must include increased emissions due to increased traffic congestion, including vehicles idling at rail crossings.
13. Air quality analyses must include emissions due to truck idling, both in traffic and queues on and off port lands and as trucks wait to load or unload. Realistic idling times must be utilized for these calculations.
14. Air quality analyses must take into account trips diverted from the Hobart Yard, in calculating "new" use of rail versus truck transport.
15. Use of alternate fuels must be included as a mitigation measure, including retrofitting of existing trucks and equipment. This would apply to equipment within the proposed project as well as elsewhere in the port, in order to achieve "no net increase". This must include use of low sulfur fuel on ships. Moreover, equipment such as top picks, side picks, and tugboats, for which alternative fuel engines may not be available, must be installed with after-treatment devices such as diesel oxidation catalysts or particulate traps and run on low-sulfur diesel fuel.
16. Use of electric power for equipment such as gantries must be included as a mitigation measure within the proposed project as well as elsewhere in the port, in order to achieve "no net increase".
17. A finance program to retire old, high-polluting trucks with newer, cleaner vehicles must be included as a mitigation measure to help achieve the goal of "no net increase".
18. Additional, off-of-port-lands measures to reduce air pollutant emissions, such as provision of cleaner, alternate fuel school buses, must be considered as a means of providing "no net increase" in emissions.
19. All mitigation measures must be practical and verifiable. Speculative or difficult to monitor measures must not be utilized to justify any finding of no significant impact.
20. The EIR must consider potential electrification of equipment at the SCIG facility as well as the benefits of electrification of the entire Alameda Corridor.
21. The EIR must evaluate use of rail to transport trucks to and from the SCIG facility.
22. The EIR must evaluate how the projects effects on Hudson Street School are to be mitigated.

#### Biological Resources

Effects on resources in the Dominguez Channel must be examined, including secondary impacts due to impaired water quality.

### Hazards

1. The EIR must examine the effect of increased traffic on evacuation routes.
2. The EIR must examine the effects of increase traffic congestion and rail activity on emergency response. What delays in emergency response might be anticipated due to increased localized truck traffic and rail traffic?
3. The EIR must examine the effect of construction activities and detours on evacuation routes.
4. Any increase in response times must be mitigated. The EIR must address any need for additional emergency response equipment or infrastructure in order to achieve acceptable response times.
5. Mitigation measures must include full evacuation plans for the surrounding community, including identification of routes and measures to facilitate evacuation.

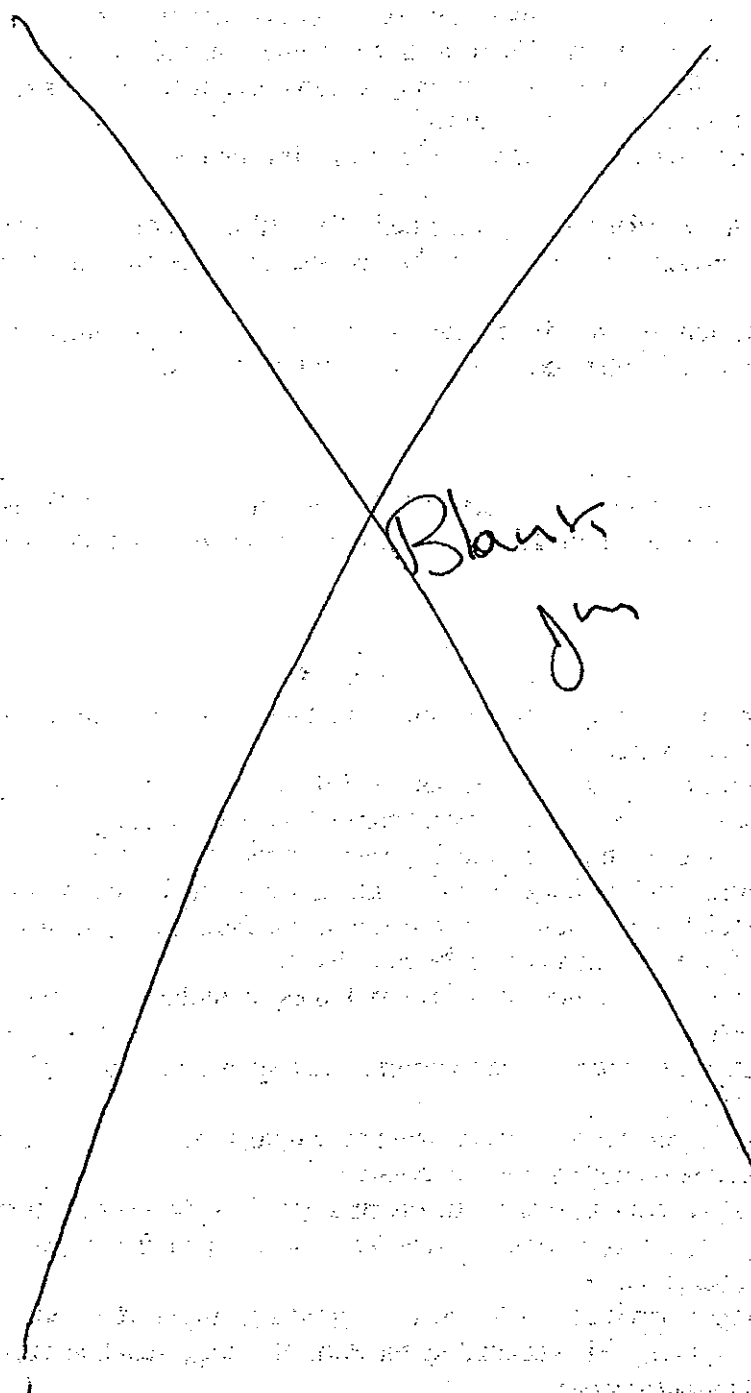
### Water Quality

The EIR must examine impacts on water quality in the Dominguez Channel, including construction impacts. Polluted runoff from the project must not be permitted to enter the channel.

### Traffic

1. The EIR must examine both project specific and cumulative impacts on local and regional transportation systems.
2. The EIR must examine the potential for increased traffic in neighborhoods as vehicles divert onto neighborhood streets areas to avoid congestion on arterials.
3. Traffic analyses must include truck trips to dispose of empty containers.
4. The EIR must examine conflicts between street and rail traffic, including average delays and potential for traffic lining up into nearby intersections, thereby creating gridlock.
5. Additional railroad grade separations must be considered.
6. Mapping of circulation systems must include all rail lines, including spur lines, with any at-grade crossings noted.
7. Any need for new infrastructure must be examined and responsibility for implementation of improvements assigned.
8. Infrastructure improvements must be phased with development so that improvements do not lag behind impacts sustained by the community.
9. Impact analyses must include impacts during construction, including construction of the railroad grade separations and construction vehicles. This must include impacts on detour routes during construction.
10. Adequate space must be provided for parking and queuing of trucks which currently line up and park in the neighborhoods surrounding the Port. It is suggested that trucks be scheduled on an appointment basis.

11. Mitigation measures must include means of reducing truck traffic, particularly truck traffic in neighborhoods. All truck routes must be identified, and enforcement must be fully financed. Responsibility and authority for off-site enforcement must be clearly identified.



## Energy

Energy consumption and opportunities for energy conservation must be explored, consistent with the objective of improved Port efficiency. These include reduced lighting and use of energy efficient equipment.

## Land Use

1. The EIR must examine the proposed project in the light of City of Los Angeles Community Plans for the Wilmington area including policies relating to buffering, amenities, transitional areas, and traffic.
2. The EIR must examine how off-site impacts and activities associated with the SCIG will affect the ability of the cities of Long Beach and Carson to implement their adopted general plans and other planning programs.
3. The EIR must examine any necessary relocation of existing uses on the project site the resulting impacts on the relocation area.
4. The EIR must include an inventory of off-of-port support facilities related to the proposed project, including private businesses. This must include any growth potentially induced in such facilities by the proposed project.
5. The EIR must include an inventory of existing uses to be eliminated from land due to the proposed grade separations and other infrastructure.
6. The EIR must identify sensitive land uses in proximity to the proposed project as well as access routes and new rail lines. These include, but are not limited to, the Hudson Street School and nearby retirement living facility. Any effects on the East Wilmington, Long Beach, Carson and the community center located in the East Wilmington Greenbelt area must be identified and fully mitigated.

## Noise

1. The EIR must address the affect of noise due to construction as well as increased truck and rail traffic.
2. The EIR must address vibration as well as noise.
3. The EIR must identify Single Event Noise Exposure Levels (SENELs) as well as Community Noise Equivalent Levels (CNELs). The EIR must examine the potential for SENELs which may greatly exceed ambient noise levels and disrupt the nearby community. Of particular concern would be sleep disruption from passing trucks or trains at night.
4. All mitigation measures must be practical and verifiable. Speculative or difficult to monitor measures must not be utilized to justify any finding of no significant impact.

## Population and Housing

1. The EIS/EIR must address demand for housing by employees working in the proposed development. This must include anticipated income profile of workers and available housing supply at various economic levels.

2. Housing supply and demand must be addressed in the light of the Housing Element of the Los Angeles General Plan and other relevant plans.

### Environmental Justice/Community Blight

Principles of environmental justice dictate that the EIR examine the individual and cumulative impacts of port industrial operations in creating community blight. The City of Los Angeles has made findings under redevelopment law that areas immediately surrounding the Harbor District in Wilmington are "blighted".

Using this finding by the City as the evidentiary foundation that blight exists, please evaluate the individual and cumulative impacts from port industrialization in creating this blighted condition in off-port lands. This must include an evaluation of economic status for various census tracts in the subregion versus the region as a whole in relation to air quality in various areas, based on data from SCAQMD monitoring or other data. We are concerned that the communities of Wilmington, Carson and west Long Beach will sustain disproportionate impacts as compared to the region as a whole. The EIR must identify where benefits of the proposed project will accrue versus where impacts are to be sustained. The community of Wilmington must not be sacrificed in order to increase transportation capacity and efficiency or to achieve basin wide emissions reductions, as laudable as this goal may be.

The Port's various environmental impacts, including aesthetic impacts, traffic, noise, and air pollution, create undesirable conditions that may reduce property values and produce blight. Off-port container storage, especially near and within residential neighborhoods, creates community blight. Tractor trailers are now being parked on neighborhood streets and in lots along Harbor Boulevard.

As the environment degrades, property owners have less incentive to maintain their properties, and landlords have trouble finding tenants, thereby reducing income available for property maintenance. Eventually, a downward spiral is created with adverse environmental conditions leading to reduced property values, poorer property maintenance, disinvestment, and less regard for community values by decision makers. The result is greater and greater deterioration in widening circles of blight.

Evaluation of "blight" must include such issues as land use, aesthetics, cultural resources, public health and safety. The surrounding community has a rich ethnic/cultural tradition with many families established in the community for generations. Blight will affect both the residential community and ethnic retailers/wholesalers and other services providing a focal point for ethnic communities.

The evaluation must include an analysis of property values and the effect of port activities on local property values as compared to other areas located in similar proximity to the water. If necessary, the Port should contract with an independent firm with urban economists qualified to assist in this evaluation.

The evaluation must also address the types of jobs to be provided and anticipated income levels.



This must include jobs in secondary functions, such as truck drivers, in addition to employees of the rail yard and the Port itself.

Mitigation measures in off-port lands that address blighted conditions arising from port industrial operations must be identified. It is suggested that incentives be offered to Port tenants for placing off-port business offices within the business communities of Wilmington. It is essential that decision makers for the proposed project weigh potential economic activity generated by Port activities against the negative economic and environmental impacts sustained by the surrounding community.

### Cumulative Impacts

All impacts must be examined in the light of other planned and reasonably foreseeable growth in the area, both on and off of port lands. As noted above, this must not be limited only to projects that have been identified to have significant impacts on their own, but include other projects which may individually insignificant but greater than minimal impacts. Individual and cumulative impacts must be fully mitigated.

Further, provision must be made for growth in throughput from the proposed project after the physical improvements addressed by this EIR have been completed. This could include tiering of mitigation measures based on actual throughput or requiring additional environmental documentation if throughput were to exceed a given cap.

### Growth Inducing Impact

The EIR must examine how the project may enable or enhance the ability of the port to handle increased throughput or eliminate any existing barriers to increasing throughput.

### Project Mitigation

Both financial and administrative responsibilities on and off-of-port lands must be identified in the mitigation monitoring program for this project. In order to ensure implementation of all mitigation measures, the measures must be included in lease provisions for the project site.

To ensure that the environment in the business and residential areas in Wilmington and the surrounding area do not continue to degrade, the proposed project must provide its pro rata share along with other POLA tenants to provide the following:

- Public health care trust fund
- Public Environmental Care Trust Fund
- Harbor Community Health Survey, an essential factor toward establishing any nexus between port activities and local health
- Publication and distribution of a directory of health agencies and officials; environmental agencies and officials; and elected officials who may be contacted regarding health and environmental problems
- Publication and distribution of a construction and mitigation plan

- Vehicle Traffic Routing Plan, Parking Plan & City Code Education
- Retrofitting of trucks to reduce emissions
- Retrofitting of trains to reduce emissions
- New truck loan program
- Hiring of Additional Port/City Police
- Port Greening Plan
- Community Noise Sound Proofing Program
- Light Pollution Reduction Program

**Alternatives to the Proposed Project**

The EIS/EIR must include a meaningful, good-faith analysis of alternatives. Alternatives to be examined include:

1. The "No Project/No Development" alternative, which would result in no industrial use on the site.
2. Proposed facilities fully within POLA lands.
3. Alternate, smaller capacity facility.
4. Alternate locations, including on-dock rail facilities consistent with the agreement of the ILWU. Potential alternate locations could include additional land to be created through currently proposed dredge disposal activities.

**Conclusion**

The Subcommittee looks forward to working on this project as a collaborative effort to reach our mutual objective of an environmental review process responsive to the needs of the community and accepted by and community stakeholders. Consistent with its mission, the Subcommittee seeks to ensure that all impacts of the proposed project are fully mitigated in order that they may maintain the quality of life in the community and safeguard the health of their children. The Subcommittee looks forward to contributing to the common goal of a legally defensible document that fully addresses all project impacts and full mitigation, whether on- or off-of-port lands.

Sincerely,

  
 John G. Miller, M.D., FACEP  
 Chairman, EIR/Aesthetic Mitigation Subcommittee

AH - H. M. B

## HEALTH EFFECTS OF DIESEL EXHAUST AIR POLLUTION

August 28, 2003

Document prepared by the Environmental Subcommittee/Air Quality Group to be forwarded to the Board of Harbor Commissioners (BOHC) via PCAC

Subject: Committee's Findings Regarding Health Effects of Diesel Exhaust Air Pollution; with Concern for Port Activity Related Sources

**BACKGROUND:** Since its inception the Environmental Subcommittee has been considering the issue of the multiple health effects that have been associated with diesel exhaust air pollution. Experts hired by the Committee, including Professor Avol, Mr. Howekamp, and experts from ARB and AQMD have frequently provided input. These experts also found data for the committee's review from sources they had available. Dr. John G. Miller, an Environmental Sub-committee member and PCAC member cited and provided multiple references from the medical, epidemiologic and scientific literature on this topic. Members of the public have expressed concerns at many committee meetings.

The committee has learned that the Health Risk Assessment Study (HRA) to be completed by consultants hired by the POLA, as one of the Seven Studies mandated by the BOHC, is not scheduled to begin until possibly January 2004, depending on when the (as yet incomplete) Air Emissions Inventory is finished. The completion date for the HRA is currently estimated to be late 2004/early 2005.

Environmental Sub-committee members have heard extensive input from the public requesting no further delay in conveying what it has found to date to the BOHC. This input came both at meetings and in the community. The committee finds no reason for further delay in revealing its findings to date.

The committee notes that port-related activities, including those that occur off port property but as a result of port operations, (i.e. Port of Long Beach and Port of Los Angeles) have been identified by the South Coast AQMD as the largest single unregulated contributor to area-wide air pollution.

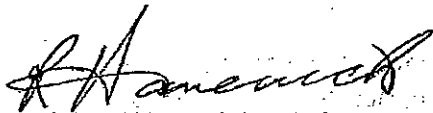
Port operations (shipping, loading/unloading, and transport of product) require the use of significant amounts of fuel. Currently most of the trucking, locomotive, and off-road yard operations in and supporting the Port use diesel fuel. The combustion of diesel fuel creates high concentrations of very small particles (numerically, over 90% are less than 1 micron in diameter) and nitrogen oxides. Regional air studies have demonstrated that Port-related emissions are transported widely in the air across the South Coast Air Basin, from the harbor area to Riverside/San Bernardino and beyond. These pollutants have been associated directly (through direct exposure by breathing these pollutants from the air) and indirectly (through participation in photochemical reactions in the air, and breathing the products of these reactions, such as ozone) with a number of health effects.

- K. Approximately 1.5 times elevation in the smoking adjusted incidence of lung cancer in workers occupationally exposed to diesel exhaust versus the smoking adjusted relative risk baseline incidence of lung cancer in similar non-exposed populations.
- L. Chronic exposure to particulate pollution shortens lives by one to three years
- M. Higher concentrations of particulate air pollution has been linked to low heart rate variability, a risk factor for heart attacks. Association is stronger for people with pre-existing cardiovascular conditions.
- N. Mitochondrial damage in cells(All age groups)
- O. Airway inflammatory changes(All age groups)
- P. Damage to and death of alveolar and airway macrophages(All age groups)

This is a brief overview of an extensive and growing body of knowledge. These findings were developed through many avenues of research including but not limited to: epidemiologic studies, clinical studies-retrospective and prospective, autopsy studies, animal studies, cellular biology studies, and Government agency investigations. There has been worldwide scientific participation in research on the links between diesel exhaust air pollution and human health.

This body of knowledge is constantly evolving, with many new pieces of information having been published or brought to light since the inception of Environmental Committee Subcommittee/Air Quality Group. The committee notes that as this an evolving body of knowledge, in many areas further studies are needed.

The Committee finds sufficient evidence to warrant immediate aggressive action by POLA and its tenants to reduce the levels of local and Air Basin wide diesel exhaust air pollution due to Port related activities.



Richard Havenick, Chair  
Air Quality Subcommittee

12. "Association between Air Pollution and Intrauterine Mortality in Sao Paulo, Brazil" *Environmental Health Perspectives*, Volume 106, Number 6, June 1998.
13. "Respiratory Effects of Relocating to Areas of Differing Air Pollution Levels" *American Journal of Respiratory and Critical Care Medicine*, Volume 164, pp2067-2072, 2001. ( Research done at USC)
14. "The Effects of Ambient Air Pollution on School Absenteeism due to Respiratory Illnesses" *Epidemiology*, January 2001, Volume 12, Number 1. (Research done at USC).
15. "Air Pollution and Infant Mortality in Mexico City" *Epidemiology*, March 1999, Volume 10, Number 2.
16. "Air Pollution and Bronchitic Symptoms in Southern California Children with Asthma" *Environmental health Perspectives*, Volume 107, Number 9, September 1999.
17. "Association between Air Pollution and Lung Function Growth in Southern California Children" *American Journal of Respiratory and Critical Care Medicine*, Volume 162, 2000.
18. "Global Increases in Allergic Respiratory Disease: The Possible Role of Diesel Exhaust Particles" *Annals of Allergy, Asthma and Immunology*, Volume 77, October 1996. (Research done at UCLA).
19. "Association of very Low Birth Weight with Exposures to Environmental Sulfur Dioxide and Total Suspended Particulates" *American Journal of Epidemiology*, Volume 151, Number 6, 2000.
20. "From Asthma to AirBeat: Community driven monitoring of fine particulates and black carbon in Roxbury, Massachusetts." *Environmental Health Perspectives*, April 2002, Volume 110, Supplement 2: 297-301.
21. "Inhalation of Fine Particulate Air Pollution and Ozone causes Acute Arterial Vasoconstriction in Healthy Adults" *Circulation*, 2002, April 2; 105 (13): 1534-1536.
22. "A Three-Way Link may exist among Air Pollution, Allergy Sensitization and Reactivity, and Asthma" *Allergy* 1998; 53:335-45. (Cited in "Update in Allergy and Immunology", *Annals of Internal Medicine*, 1 February, 2000, Volume 132, Number 3.