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U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Division  
ATTN: Dr. Spencer D. MacNeil  
P.O. Box 532711  
Los Angeles, CA 90053-2325

Los Angeles Harbor Department  
c/o Dr. Ralph G. Appy  
425 S. Palos Verdes Street  
San Pedro, CA 90731



**Subject: Comments on the Berth 136-137 Container Terminal DEIS and DEIR**

Dear Drs. Appy and MacNeil,

### **General Comments**

1. There are significant unmitigated air quality, noise, and traffic impacts from the proposed project. Some impacts, especially traffic west of Harbor Boulevard and on Interstate 110, were not even considered, and the list of "related projects" does not include a large number of projects which should have been considered. Several additional mitigation measures are proposed.
2. All aspects of the project should meet and exceed the requirements of the San Pedro Bay Clean Air Action Plan, and No Net Increase Policy adopted by the Board of Harbor Commissioners.
3. During implementation of the project construction and operation the Port needs to evaluate air quality, noise and transportation impacts to test the modeling and basis for the mitigations proposed. Should actual air quality, noise, or transportation impacts be greater than estimated in the DEIR/DEIS/DIES then the Port should propose and perform additional mitigations to reduce the impacts to acceptable levels.

### **Specific Comments - Air Quality**

1. **Environmental Impact AQ-1, AQ-2: Construction would produce unmitigated emissions that exceed South Coast Air Quality Management District (SCAQMD) emission significance thresholds.**

The amount of emissions from construction of the proposed project is unacceptable. The Port should explore additional opportunities to lower the pollutant emissions. During construction of the proposed project, there will be significant unmitigated emissions of

VOCs, NOx, Sox and PM<sub>10</sub> and PM<sub>2.5</sub>. The listed mitigation measures consist of many items that are related to terminal operations and not construction. More specific air quality mitigations for construction emissions need to be included as part of the DEIR/DEIS/DEIS and future construction specifications. Specifically, all construction equipment: should:

- Use low sulfur diesel fuel
- Limit idling times
- Use diesel particulate filters
- Evaluate use of electrical or natural gas equipment on-site where feasible.

In addition, we would expect that specific construction mitigations would be included on all Port projects to achieve no net increase in emissions and possibly a net reduction.

**2. Environmental Impact AQ-3: The proposed project and the project alternatives will result in operational emissions that exceed 10 tons per year of VOCs, and exceed SCAQMD thresholds of significance.**

According to the analysis in the DEIR/DEIS, it will be 2038 before daily and annual impacts for VOCs, NOx and PM<sub>10</sub>, PM<sub>2.5</sub> will be reduced to a less than significant impact. We understand that technical challenges exist in reducing air quality impacts. However a 30 year time frame to meet a less than significant impact is too long. The standard that operational emissions should be evaluated against should be the 2001 baseline and SCAQMD thresholds. The Port and COE should evaluate measures that will reduce air quality impacts and emissions over a much shorter time period.

**3. Environmental Impact AQ-17: There should be periodic review and application of new technology and regulations.**

As part the project construction and operation the Port needs to include a post-project validation system that implements new technologies to reduce air quality impacts as soon as possible and take advantage of advances in air pollution control technologies. In addition, a formal review should be done every year to evaluate the state of the emissions control industry and how new technologies and devices could be applied to Port projects.

**4. Table 3.2.1 identifies property damage as one of the adverse impacts of ozone and sulfates generated by the operation of the project, but does not include mitigation for property damage.**

The DEIR/DEIS identifies property damage as one of the impacts from ozone and sulfates but does not specify or estimate the types of property damage nor does it propose a mitigation measure for property damage.

Property damage for air emission should be mitigated by property damage reimbursements. A property damage fund could be established as part of the proposed project construction and operation. Further, the DEIR/DEIS should evaluate property