Riverside County
Transportation Commission

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VIA U.S. CERTIFIED MAIL

June 23, 2008

Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Attn: Dr. Ralph Appy, Director Environmental Division

Re: California Environmental Quality Act ("CEQA") Comments on Berths 97-109 [China Shipping] Container Terminal Project Re-circulated Draft Environmental Impact Statement/Environmental Impact Report

Dear Dr. Appy,

Thank you for providing the Riverside County Transportation Commission ("RCTC") with the opportunity to review and comment on the Berths 97-109 [China Shipping] Container Terminal Project Re-circulated Draft Environmental Impact Statement/Environmental Impact Report ("Draft EIS/EIR"). Herein, RCTC raises several issues showing the deficiency of the environmental review under the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 et seq. and California Code of Regulations, title 14, section 15000 et seq. ["State CEQA Guidelines"]). RCTC wishes to work cooperatively with the Port of Los Angeles to ensure that these deficiencies are addressed and submits this comment letter with that goal in mind.

As you may know, CEQA is intended to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities." (State CEQA Guidelines, § 15002, subd. (a)(1).) An EIR achieves this objective by "identifying possible ways to minimize the significant effects, and describe reasonable alternatives to the project" for consideration by the public and the lead agency approving the project. (State CEQA Guidelines, § 15121, subd. (a).) Significant effect on the environment means a substantial, or potentially substantial, adverse change in the environment or in any of the physical conditions within the area affected by the project including land, air, and ambient noise. (Pub. Res. Code, § 21068;

State CEQA Guidelines, § 15382, *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1333.)

"In assessing the impact of a proposed project on the environment, the lead agency normally examines the 'changes' in existing environmental conditions in the affected area that would occur if the proposed activity is implemented." (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 660; see also State CEQA Guidelines, § 15126.2, subd. (a).) In evaluating the significance of the environmental effect of a project, the lead agency must consider direct and reasonably foreseeable indirect physical changes in the environment which may be caused by the project. (See Pub. Res. Code, § 21065; *Citizens for Responsible & Open Government, supra,* 160 Cal.App.4th 1323, 1333.) Direct impacts are those occurring at the same time or place as the project while indirect impacts are those that are reasonably foreseeable to occur at some distance or at a later time. "Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects." (State CEQA Guidelines, § 15126.2, subd. (a); *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1205).)

In *County Sanitation Dist. No. 2 of Los Angeles County v. County of Kern* (2005) 127 Cal.App.4th 1544, various cities and counties eliminated much of their sewage sludge by shipping it to Kern County to be used as fertilizer by farmers. Kern County adopted an ordinance that prohibited the land application of sewage sludge without preparing an EIR. The County argued that the since the ordinance was effective only in Kern County, only the impacts to Kern County land subject to the ordinance should be considered for CEQA purposes. Because the overall effect of the ordinance would produce environmental benefits to Kern County, the County argued that the ordinance had no significant environmental impacts and no EIR was required. The court agreed that the ordinance could have a beneficial effect on Kern County's environment; however, the court found that the County had inappropriately restricted its environmental analysis to Kern County. Instead, the County should have evaluated whatever physical conditions would be affected by the proposed project, regardless of their location. The court found that the County could reasonably foresee that its adoption of the ordinance would cause environmental impacts as far away as Los Angeles because sewage sludge generators would have to find alternative disposal methods for sludge, which had the potential for creating additional air pollution, loss of landfill capacity, and increased consumption of energy and other resources. Accordingly, CEQA requires that impacts be analyzed and disclosed even if they occur hundreds of miles away and not within the control of the lead agency.

Additionally, in *County of San Diego v. Grossmont-Cuyamaca Community College District* (2006) 141 Cal.App.4th 86, the community college district's EIR indicated that off-campus intersections and roadways would be affected by the Master Plan and that implementation of the Plan would result in significant impacts to transportation unless mitigation were imposed. However, the district's CEQA findings in support of the Master Plan approval found that the mitigation of the adverse traffic impacts identified in the EIR was infeasible because the district lacked jurisdiction over the affected roads and could not assure the needed road improvements would actually be implemented. (*Id.* at 97.) The court rejected these arguments, holding

> [t]o the extent the District is required under CEQA to help fund off-campus road and intersection improvements that are needed to mitigate adverse offsite traffic impacts that are created by the project, but fall within the responsibility of the County, the CEQA compliance mandate set forth in California Code of Regulations, title 5, section 57121, subdivision (f) and Education Code section 81949 authorize the District to make those expenditure. (*Id.* at 104.)

Accordingly, the fact that an impact is outside the jurisdiction of the lead agency does not necessarily excuse a lead agency from meaningfully analyzing and mitigating for an impact if enough information is available to determine the impact. RCTC's intent with this comment letter is to make you aware of the deficiencies in the Draft EIS/EIR. Specifically, the Traffic/Circulation, Air Quality and Cumulative Analysis Sections of the Draft EIS/EIR have failed to analyze or mitigate for reasonably foreseeable impacts of the Project in Riverside County despite the availability of meaningful information to do so. As such, the Draft EIS/EIR must be substantially revised to include reasonably foreseeable Project impacts in Riverside County and mitigation for these impacts must be imposed.

TRAFFIC/CIRCULATION

As you may be aware, traffic congestion is a serious problem in the Inland Empire, which includes Riverside and San Bernardino Counties. One of the main causes of traffic snarls is port traffic. More railcars are being added to trains to make room for increased numbers of cargo containers, making the trains longer and resulting in extended automobile and truck wait times at at-grade train crossings. For example, a given street may be blocked for an average of 12 minutes by a typical port train and individual delays of 28 minutes have been recorded. (Draft EIS/EIR, at p. 4-97.)[1] Specifically, more than 500 police cars and emergency response vehicles have been delayed by freight trains in the City of Riverside in the past five years.[2] Additionally, increased numbers of trucks carrying port cargo containers also add to congestion in the Riverside County freeways. Moreover, only a fraction of the cargo from the ports is handled in the Inland Empire, while the majority merely passes through. Thus, the Riverside County is forced to subsidize this increased rail and truck traffic in a manner that is onerous and disproportionate to the benefits that Riverside County receives from the Port. There is concern that "increased traffic in and trade through [the Inland Empire] will make the place impassable within a few years."[3]

Routes 60 and 90, and Interstate 15, all running through the Riverside County, serve as key transportation corridors for freight movement to and from the Ports. (Port of Los Angeles Baseline Transportation Study, April 2004, at p. 38.) These freeways "carry goods to distribution warehouses and rail yards within the region, and serve not only direct port truck trips, but also trips associated with transloaded [as opposed to direct trips through and from the

[1] Weikel and Rabin, *Cargo Has L.A. Traffic at a Crawl*, Los Angeles Times (June 10, 2008).
[2] *Ibid.*
[3] *Ibid.*

Ports] goods on the second or third link of the goods movement chain." (*Id.*) Currently, there are over 2,879 daily direct truck trips on Route 91 to and from the Long Beach and Los Angeles Ports, not including secondary or transloaded truck trips. (*Id.* at p. 37.) This figure is expected to rise to 7,000 by the year 2025, a staggering 147% increase. (*Id.*) Additionally, the peak hour port trucks on Route 60 is expected to increase from 180 to 385 by the year 2025, an astounding 114% increase. (*Id.* at p. 39.) Moreover, currently, about 60% of the total goods that are transported outside of California move along the I-15 corridor.[4] The number of truck trips on the 710, 60 and 10 freeways are expected to double in order to accommodate port growth by the year 2025.[5]

The Project is projected to handle 1,164,400 and 1,551,000 Twenty-foot Equivalent Units in the years 2015 and 2030 respectively. (Draft EIS/EIR, at p. 2-2.) About 50% of the containers are for local delivery within the South Coast Air Basin ("SCAB"), which includes Riverside and San Bernardino Counties, while about 13.5% will be destined for national markets by the year 2030. (Draft EIS/EIR, at p. 2-24.) Moreover, table E1.2-13 in Appendix E1.2 to the Draft EIS/EIR indicates that the Project will generate an estimated 303,996 train trips to and from off-dock rail yards by the year 2030. Additionally, the Project is expected to generate 634,864 annual truck trips within the SCAB and an additional 170,762 annual truck trips outside the SCAB. (Draft EIS/EIR, Appendix E1.2, Table E1.2-11.) These are enormous increases in annual trips.

In spite of the clearly articulated foreseeable increase in cargo traffic through the Inland Empire as a result of the Project, the Transportation/Circulation section of the Draft EIS/EIR appears only to analyze local impacts adjacent to and nearby the Port and does not analyze reasonably foreseeable inland impacts in Riverside County. (See Attached Technical Review of Draft EIS/EIR for Berth 97-109 Container Terminal Project (June 16, 2008).) With respect to trains, the Draft EIS/EIR states merely that the Project will "not cause significant rail-related impact on lines that lead . . . east of the . . . rail yards" and that the number of trains generated by the project would not cause the mainline rail tracks to exceed the regional capacity. (Draft EIS/EIR, at p. 3.6-46.) This "analysis" of impacts to traffic is deficient in light of the traffic problems experienced in Riverside County due to port cargo movement. As conceded by the Port's own Transportation Study, the majority of these trains will be using the train tracks going through the Inland Empire, with resulting foreseeable significant adverse impacts to circulation, including longer wait times at at-grade train crossings, the interruption of traffic flows and attendant congestion and air quality impacts. There is no analysis of the length of the trains and impacts to traffic at at-grade crossings. Additionally, the Draft EIS/EIR lacks any analysis of what the regional capacity of the rail tracks is and how the increase in train traffic generated by the Project will impact this capacity.

Additionally, the Draft EIS/EIR states that "rail-related impacts due to the proposed Project are limited to the at-grade crossings that are located south of the downtown rail yards, and are focused on the at-grade crossings on local lines in and near the Port." (Draft EIS/EIR, at p. 3.6-

[4] State Senator George Runner, *Innovative Solutions to Relieve Truck Traffic on Our Freeways*, 2005 (available at http://republican.sen.ca.gov/opeds/17/oped2602.asp).
[5] Weikel and Rabin, *Cargo Has L.A. Traffic at a Crawl*, Los Angeles Times (June 10, 2008).

46.) This statement is inadequate in view of *County of Kern* and *Grossmont-Cuyamaca Community College District*. The Port is required to analyze reasonably foreseeable impacts and discuss mitigation measures, if the impact is reasonably foreseeable. The Draft EIR/EIS, however, does not explain why traffic impacts associated with rail impacts are foreseeable at near-Port intersections but not on roadways in Riverside County. Simply asserting that "rail operators make choices about train routes" does not alleviate the Port's responsibility of analyzing Project related impacts if those impacts are known.

Moreover, the Project is projected to generate an additional 805,626 annual truck trips, many of which will be made via Inland Empire freeways, including Interstate 15 and Routes 60 and 91. Because more than 75% of all goods shipped from California sites are now transported on trucks, these additional truck trips will cause traffic problems similar to those generated by the trains.[6] The freeways in Riverside County are already suffering from congestion due to Port traffic. This additional projected traffic will exacerbate the traffic problem for various reasons. First, trucks generally travel at slower speeds than automobiles, leading to a slow-down of freeway traffic generally. Second, trucks slowing down and merging leads to congestion and increases the likelihood of accidents. Third, trucks carrying heavy cargo causes greater wear and tear on the freeways. Fourth, trucks take up 25-30% of valuable freeway space, which leaves less room for commuters and leads to traffic congestion.[7] The Draft EIS/EIR must analyze these truck impacts on freeways in Riverside County. Furthermore, the Draft EIS/EIR should discuss mitigation measures for Port traffic related impacts.

RCTC staff would be pleased to work with the Port to develop and implement appropriate mitigation for these impacts. For example, mitigation could include expansion of the trade corridors so they can operate more efficiently. Grade separations could be built in Riverside County at-grade crossings which have dire traffic backlogs, alleviating some of the congestion. Expanding or redesigning certain off-ramps and on-ramps that cause congestion due to trucks slowing or merging could be another mitigation measure. Other mitigation measures could include shifting truck operation hours from peak hours to off-peak and weekends, as well as shifting cargo transport from trucks to trains because each train is equivalent to 700 truck trips. (Port of Los Angeles Portwide Rail Synopsis Review Draft, July 2004, at p. 9.) Similarly, the Port could contribute into a Transportation Uniform Mitigation Fee fund or other similar funds, with proceeds to be used to improve traffic circulation in Riverside County.

AIR QUALITY

In addition to the serious deficiencies in the traffic/circulation analysis, the Air Quality and Meteorology section of the Draft EIS/EIR is also deficient. "It has long been recognized that emissions from trains and trucks can significantly affect air quality locally and regionally." (*Id.* at p. 41.) The section states that the Project is located within the SCAB, which includes

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6 Traffic Congestion is California's Economic Roadblock, May 7, 2001, All Business (available at http://www.allbusiness.com/economy-economic-indicators/economic-conditions-recovery/6069990-1.html).

[7] State Senator George Runner, *Innovative Solutions to Relieve Truck Traffic on Our Freeways*, 2005 (available at http://republican.sen.ca.gov/opeds/17/oped2602.asp).

Riverside and San Bernardino Counties. Several air quality standards in the SCAB are exceeded frequently and by a wide margin. It currently does not meet the federal standards for ozone, nitrogen dioxide, carbon monoxide and is in non-attainment for 8-hour ozone, PM_{10}, and $PM_{2.5}$. (Draft EIS/EIR, at p. 3.2-5.) The main concern with these "pollutants is that they contribute directly to regional human health problems." (*Id.* at p. 3.2-3.) Furthermore, trucks are responsible for 40% of nitrous oxide emissions and 60% of particulate matter emissions produced from all vehicles.[8] Moreover, the Draft EIS/EIR states that "most Project-related emission sources would be diesel-powered, generating diesel particulate matter," a "component of PM_{10} and $PM_{2.5}$" which has been "classified as a toxic air contaminant." (*Ibid.*) The Draft EIS/EIR further reports that the Ports "contributed approximately 21 percent of the total diesel PM emissions in the air basin in 2002" which resulted in elevated cancer risks. (*Id.* at p. 3.2-8.)

Although the air quality section does discuss operational emissions associated with trucks and trains, it is not clear what the emissions associated with travel through Riverside County are. This is problematic in light of the fact that the impact of these emissions will be greater in the Inland Empire because of the increased amount of Project-generated truck and train traffic traveling though the Inland Empire. Moreover, since trucks and trains emit excessive particulate matter, the projected increase in such traffic has a foreseeable cumulative impact which needs to be analyzed. Additionally, since emission per ton-mile from rail cargo are less than from truck cargo, the Draft EIS/EIR should thoroughly discuss the impact of cargo hauled by train instead of by truck. (See Port of Los Angeles Portwide Rail Synopsis Review Draft, July 2004, at p. 46-47.) Furthermore, the required mitigation measures do not address the impacts to Riverside County. (See Draft EIS/EIR, at p. 3.2-76—3.2-83.) Therefore, some mitigation needs to be directed at improving air quality in Riverside County.

CUMULATIVE ANALYSIS

The cumulative analysis section of the Draft EIS/EIR is similarly deficient. CEQA requires a reasonable analysis of the significant cumulative impacts of a proposed project. (Pub. Res. Code, § 21083(b).) "An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable." (State CEQA Guidelines, § 15064(h).) "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (*Ibid.*) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence. (State CEQA Guidelines, § 15130.) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. (*Ibid.*) A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. (*Ibid.*)

[8] *Truck Emissions,* ACFNewssource (available at http://www.acfnewsource.org/science/truck_emissions.html); cf. Port of Los Angeles Portwide Rail Synopsis Review Draft, July 2004, at p. 41.)

The Draft EIS/EIR identifies 84 present or reasonably foreseeable future projects that could contribute to cumulative impacts. (Draft EIS/EIR, at p. 4-4.) The Draft EIS/EIR states that

> [h]istorically, traffic volumes on all nearby freeways have increased over the past decade. The cumulative projects would be expected to result in significant impacts on the freeway system in the future as well. The cumulative projects will add traffic to the freeways, some of which are already operating at level of service F, which exceeds the State of California Congestion Management Program (CMP) threshold for acceptable operating conditions. (Draft EIS/EIR, at p. 4-94.)

Other than this generalized statement, however, the Transportation and Circulation section of the cumulative analysis does not analyze the cumulative impacts of individual port growth related projects, such as the Middle Harbor Redevelopment Project at the Port of Long Beach, on Riverside County. Additionally, there is no analysis of fact that the Riverside County is currently one of the state's most rapidly growing areas, adding more commuters on the freeways in addition to truck traffic. More importantly, after affirmatively stating that there would be significant cumulative impacts, the Draft EIS/EIR inexplicably asserts without any discussion that "no feasible mitigation measures are available." (*Id.* at p. 4-95.) Additionally, the Draft EIS/EIR asserts that there would be significant cumulative impact on at-grade rail crossings east of downtown Los Angeles (i.e. Riverside County). (*Id.* at p. 4-96.) However, the cumulative analysis on "traffic delays due to increase in rail activity" does not adequately discuss cumulative impacts of trains in Riverside County and merely repeats that "rail operators, and not the Ports," make decisions about train routes. (*Id.* at p. 4-96; cf. *Id.* at p. 3.6-46.) Moreover, there is no analysis of any mitigation measures that would alleviate these cumulative impacts.

The cumulative analysis section of the Draft EIS/EIR lacks detail and is deficient. It should include an analysis of cumulative impacts in Riverside County, a thorough discussion of various mitigation measures designed to reduce or negate those impacts, and a discussion of how the Port will "fund its fair share" of these mitigation measures.

CONCLUSION

RCTC urges the Port to diligently consider and analyze all of the Project's potential environmental impacts before determining whether the Board of Harbor Commissioners should certify the EIS/EIR and approve the Project. CEQA does not authorize an agency to proceed with a project that will have significant, unmitigated effects on the environment, unless the measures necessary to mitigate those effects are truly infeasible. (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341, 368-369; see also Pub. Res. Code, § 21081, subd. (a) and State CEQA Guidelines, § 15091, subd. (a).)

Again, I would like to thank you for providing RCTC with this opportunity to comment on the Berths 97-109 [China Shipping] Container Terminal Project and its Draft EIS/EIR. However, as discussed above, the Draft EIS/EIR is currently deficient and does not comply with CEQA. Further environmental analysis and mitigation must be completed before the Board of Harbor

Commissioners can consider certifying the Draft EIS/EIR or approving the Project. RCTC staff would be pleased to further discuss the impacts that the Port's actions have on Riverside County and to work with the Port to develop feasible mitigation.

Finally, I should note that RCTC has previously requested in writing to be added to the Port's mailing list and to receive copies of all CEQA and public meeting/hearing notices as is permitted under CEQA and the Ralph M. Brown Act. Thank you for your attention to these comments. As a public agency, RCTC looks forward to receiving your written response at least ten days prior to the certification of the Draft EIS/EIR. (Pub. Res. Code, § 21092.5.)

Sincerely,

Jeff Stone, Chairman
Riverside County Transportation Commission

Attachment: Technical Review of Draft EIS/EIR for Berth 97-109 Container Terminal Project (June 16, 2008).

Technical Review of
Draft EIS/EIR for
Berth 97-109 Container Terminal Project

Prepared for:

Riverside County Transportation Commission (RCTC)

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June 16, 2008

Technical Review of Draft EIS/EIR for
Berth 97-109 Container Terminal Project

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Background

The Port of Los Angeles has posted the Re-circulated Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the proposed Berth 97-109 Container Terminal Project (China Shipping). With the posting of the draft document, a public comment period is now effect until close of business day June 30, 2008.

The Port of Los Angeles and The U.S. Army Corps of Engineers originally released the DEIS/DEIR in August 2006. Based on the comments received on the Draft EIS/EIR, a decision was made to re-circulate the document. The Aprils 2008 DEIS/DEIR includes a re-assessment of existing project components, assessment of proposed components, and new environmental measures in response to community feedback on the previously released DEIS/DEIR.

The proposed project consists of the development and operation of a new container terminal for the China Shipping Lines at Berths 97-109. The terminal would be developed by the Los Angeles Harbor District (LAHD) in three phases of construction. Phase I was completed in 2003 with operations starting in 2004. (The analysis of the already-completed Phase I is one of the requirements of a court-ordered settlement agreement.) The estimated completion dates of Phase II and Phase III are 2011 and 2012, respectively. The proposed project would operate at maximum capacity by 2030.

The EIS/EIR is intended to evaluate the impacts associated with the construction and operation of this container terminal.

This report consists of two components:

1. A review of the EIS/EIR document that presents how it handles and reports potential impacts that could affect Riverside County;
2. Supplemental technical analysis that estimates the impacts of the additional container traffic in Riverside County.

Review

This section presents the findings of the EIS/EIR document review. The findings are presented in four sections: (1) what the document says about potential impacts in Riverside County; (2) identification of the types of impacts anticipated in Riverside County; and (3&4) how the document treats the types of impacts (truck and rail) anticipated in Riverside County, even if its analysis does not include locations in Riverside County.

Treatment of Potential Impacts in Riverside County

The EIS/EIR does not identify potential impacts in Riverside County. The Region of Influence (ROI) of the project is defined as the following five counties: Los Angeles, Orange, Riverside, San Bernardino, and Ventura. However, the analysis of impacts is focused only on the Port and its surrounding areas. Some of the EIS/EIR's rationale for this is presented later in this chapter, where the document's treatment of truck and rail crossing impacts is discussed.

Types of Impacts Anticipated in Riverside County

The additional container terminal capacity at the Port of Los Angeles would result in additional containers being carried by rail and by truck to locations around the greater Los Angeles metropolitan area and to destinations across the country. Riverside County is home to many warehousing and truck terminal facilities, and is crossed by three rail lines that carry freight rail destined for points outside California. So the two primary types of anticipated impacts would be associated with additional truck traffic on Riverside County roads (including the trucks' impact on traffic operations, their emission of greenhouse gases and air pollutants, and the health risks associated with these pollutants), and with additional freight rail traffic carrying containers through Riverside County (particularly the impacts caused by the trains passing through at-grade rail crossings, where traffic is delayed waiting for the trains).

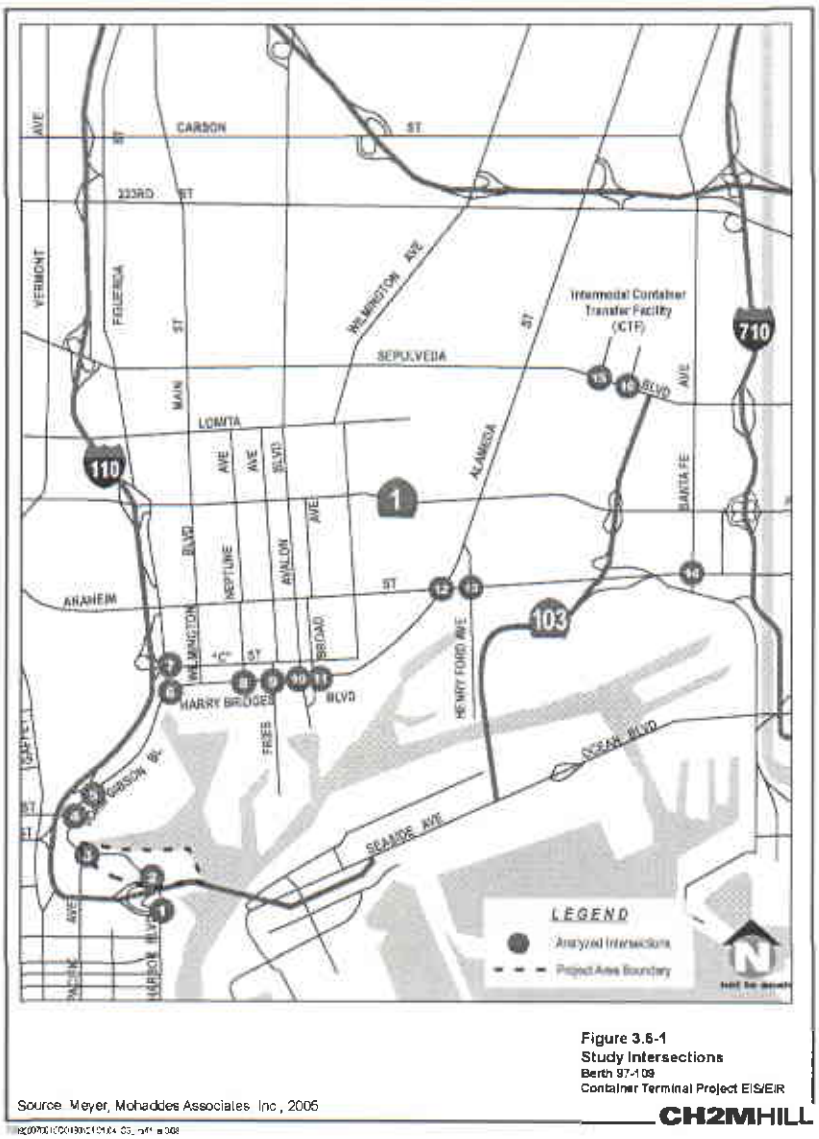
Treatment of the Impacts of Additional Truck Trips

By 2030, the proposed terminal would generate approximately 5,055 daily truck trips. Those trips would include local cargo (principally from Southern California but including northern California, Arizona, Nevada, and Utah), national cargo hauled entirely by truck, and intermodal cargo bound for or coming from locations farther east.

The transportation analysis of the proposed Project evaluates traffic impacts on the streets and 16 key intersections that would be used by truck and automobile traffic to gain access to and from the Berth 97-109 Container Terminal. The streets and intersections included in the technical analysis were chosen based on the "known routes of travel for trucks and autos to and from the project site as well as the locations most likely to experience a potential significant traffic impact." These locations are all located within seven miles of the proposed terminal. The impact analysis evaluates changes in peak hour intersection levels of service at these 16 locations due to automobile and truck traffic to/from the project site. The determination of significance of transportation/circulation impacts of the proposed project were based on criteria identified in the L.A. CEQA Thresholds Guide (City of Los Angeles, 2006). For the traffic analysis, the project would have a significant impact under CEQA or an adverse impact under NEPA if it would increase an intersection's volume/capacity (V/C) ratio in accordance with the following guidelines:

- V/C ratio increase greater than or equal to 0.040 if final LOS is C,
- V/C ratio increase greater than or equal to 0.020 if final LOS is D, or
- V/C ratio increase greater than or equal to 0.010 if final LOS is E or F.

The study intersections are shown in the following figure.



Traffic impacts on freeways were assessed in conformance with guidelines from the Los Angeles County Congestion Management Program (CMP), adopted by the Metropolitan Transportation Authority (Metro). Two freeway monitoring stations were selected for analysis because the proposed Project would add 150 or more trips to these locations during peak hours: I-110 south of "C" Street and I-710 north of Willow Street. The I-710 monitoring station is the further of the two from the Project site and is within eight

miles of the proposed terminal. The CMP analysis of freeway impacts evaluates changes in peak hour freeway levels of service at these monitoring stations.

Treatment of Potential Rail Crossing Delay Impacts

Rail activity causes delay at at-grade crossings where the trains pass and cause auto and truck traffic to stop. The amount of delay is related to the length of the train, the speed of the train and the amount of auto and truck traffic that is blocked.

The report discusses potential rail impacts in terms of three areas:

1. Local rail lines in and near the Port
2. The regional rail corridor north of the Port (i.e., the Alameda Corridor)
3. The rail lines that lead north or east of the downtown rail yards (these include the rail lines through Riverside County)

Local rail line impacts: Between the proposed Project rail yards and the beginning of the Alameda Corridor, there are two local grade crossings of public roadways – Avalon Boulevard and Henry Ford Avenue. The grade crossing at Fries Avenue is not analyzed because it is to be eliminated as part of the South Wilmington Grade Separation project. Impacts to crossings of private roadways within the Port are not assessed in the EIS/EIR.

The rail crossing impact analysis evaluates vehicle delay that would result from one additional train passing through these two affected rail crossings during the peak hour of street traffic. (Note: Although proposed Project operations alone would not result in an additional train during the peak hour on a regular basis, the document notes that it is possible that the cumulative development of the West Basin – Berths 97-109, 121-131, and 136-147 – may together result in an added train during the peak hour. Therefore, for the purpose of the impact analysis the conservative assumption has been made that one additional train would operate on this line during the peak hour.) The analysis determines that there would be significant adverse delay impacts to crossing traffic at these locations, since the average delay per vehicle during the peak hour would increase to more than 55 seconds. This threshold of significance criterion was based on the L.A. CEQA Thresholds Guide – a project is considered to have a significant impact at the affected at-grade crossings if the average vehicle control delay caused by the project at the crossing would exceed the Highway Capacity Manual (HCM) threshold for level of service E at a signalized intersection, which is 55 seconds of average vehicle delay.

Regional rail corridor north of the Port: The report states that the proposed Project would not have any significant impact on regional rail corridors north of the proposed Project site since the Alameda Corridor project has been completed. The completion of the corridor has eliminated all of the regional at-grade rail/highway crossings between the Port and the downtown rail yards; therefore, there would be no change in vehicular delay at any of those crossings due to Project related rail activity (they are now all grade separated).

Rail lines leading north or east of downtown rail yards: The report states that the Project will not cause significant rail-related impacts on lines that lead north or east of the downtown rail yards (this includes the lines through Riverside County). The reasoning in the EIS/EIR that leads to this conclusion is as follows:

Rail trips are not controlled by the Port. Currently, the unit trains built at the on-dock and near dock facilities can be picked up by BNSF and/or UP. Both rail companies use the Alameda Corridor to travel to the downtown rail yards. To the east of the downtown rail yards, some of the trains are broken down, reconfigured and otherwise modified at the location of the downtown rail yards from that point to the east. Other trains remain unit trains through the downtown rail yard; there are approximately nine major routes with a number of sub-routes that the trains can take to leave the state. The rail operators, and not the Port, make the choice of what routes the trains will take, the day they will move and the time of day the trains will move. Furthermore, the rail mainline tracks were designed and built to accommodate the anticipated rail activity in the region. Rail volumes on the mainline are controlled and limited by the capacity of the mainline itself, thus by definition the project's trains could not traverse the mainline unless it still has remaining capacity. The number of trains generated by the project would not cause the mainline rail tracks to exceed the regional capacity. Once the regional mainline rail track capacity would be exceeded due to increases in regional rail activity, separate environmental studies on the mainline expansion would be undertaken by the rail companies, not by each shipper or carrier generating rail volumes.

Supplemental Analysis

Since the draft EIS/EIR does not evaluate impacts in Riverside County, supplemental analysis was performed to quantify potential impacts considered to be of importance in Riverside County.

The Project is expected to add truck trips to the Riverside County roadway system, but quantification of the impact on any particular location in Riverside County is problematic due to a lack of specific data about truck trip terminus points. Of the additional 5,055 truck trips attributable to the Project, the primary origins/destinations in Riverside County would be truck terminal facilities and warehouses, of which the greatest concentration is in the Mira Loma area of northwest Riverside County. The Port of Los Angeles Port-wide Transportation Master Plan has estimated that about 29% of the truck traffic generated at the Ports is oriented toward warehousing and distribution centers in the Inland Empire (including San Bernardino County), meaning that the project's direct truck traffic impact on all of the Inland Empire would be on the order of 1,465 truck trips per day. (This does not include the indirect impact of additional trucks taking the goods from the warehouses and terminal facilities and making deliveries to other intermediate or final destinations.) Since these truck trips would affect both Riverside and San Bernardino Counties and their terminus points cannot be determined with available information, the project's truck impacts on Riverside County highways have not been quantified for this supplemental analysis.

Much of the additional container traffic from the Project will be carried through the region by rail to destinations outside California, and most of this additional rail traffic will pass through Riverside County. Therefore, the supplemental analysis quantifies the impacts of the additional freight rail traffic on at-grade crossings in Riverside County.

Rail Crossing Traffic Delay

The proposed container terminal is expected to handle 1,551,000 TEUs (twenty-foot equivalent units) of container traffic per year. According to the recent Multi-County Goods Movement Action Plan (MCGMAP) study, that volume represents just under 10% of the 15.7 million TEUs of containers handled by the Ports of Los Angeles and Long Beach combined in the Year 2006 (MCGMAP p. 3-8).

To estimate the effects on rail crossing delay in Riverside County, the total container volume was first split into modes of transport. Of the international container market, 52% is carried by rail and transported outside the Southern California region (MCGMAP p. 3-7), some of it after being warehoused or transloaded locally before being transported eastbound in domestic containers. Applying this percentage and a typical ratio of 1/350 to convert annual volume to daily volume, the total amount of daily container traffic to be carried on trains is estimated to be 2,304 TEUs per day. Since rail cars typically carry 2 TEU (i.e., forty-foot) containers in a double-stack configuration, each rail car carries 4 TEUs, this equates to 576 rail cars from the Project.

To conservatively estimate the daily volume of rail cars passing through Riverside County, this number was reduced to 500 based on the fact that Riverside County is the conduit for 87% of the freight passing through the Ports of Los Angeles and Long Beach. (This percentage represents all freight passing through the Ports, so it is probably conservatively low for container traffic carried by rail.) Assuming a typical flatcar length of 53 feet to carry the 40-foot long containers, the 500 daily rail cars equate to 26,500 feet of rail cars passing through Riverside County, or four trains each 6,000 feet long. (The

assumption that the rail cars would consist of four 6,000-foot trains is also a conservative assumption in terms of calculating delay, since a larger number of shorter trains would create greater total delay.)

To calculate the impact in terms of traffic delay at Riverside County rail crossings, the analysis assumed that the four trains would be split evenly between the two rail companies (two would use the BNSF line and two would use UP lines), and that they would use the following rail lines:

- Two trains on the BNSF Transcontinental rail line through Corona and Riverside
- One train on the UP LA Sub through Jurupa and Riverside
- One train on the UP Alhambra Line through Ontario and Colton (outside Riverside County) and continuing along the UP Yuma Main line through Banning Pass and the Coachella Valley

These assumptions are consistent with the existing relative volumes of freight rail traffic on these lines (MCGMAP p. 3-15).

The calculations of rail crossing delay prepared for RCTC as part of the TCIF application and Alameda Corridor East rail crossing priority analysis were used as the baseline for this calculation, assuming that the train volumes already include the additional container traffic from the Project. The without-Project scenario was obtained by subtracting the number of trains from each rail line as outlined above. The calculation was performed for both existing conditions (Year 2005) and future conditions (Year 2030), assuming that one of each company's trains would operate during daytime hours and the other during evening/night hours.

As shown in the table below, the cumulative effect of these additional containers passing through Riverside County today would be a difference of 36.3 vehicle hours of delay per day. The projected difference in delay in Year 2030 is an overall difference of 119.2 vehicle hours of delay per day in Riverside County.

	Vehicle-Hours of Delay (VHD) per day in Riverside County	
	Year 2005	Year 2030
Without Project	809.5	4,321.8
With Project	845.8	4,441.0
Difference	36.3	119.2

There are twelve crossings in Riverside County where the additional container traffic would increase the existing delay by at least one vehicle-hour of delay per day. The estimated vehicle-hours of delay at each of these locations for existing (Year 2005) and future conditions (Year 2030) are shown in the following table:

Train Line	Location	Jurisdiction	2005 Baseline Vehicle Hrs. of Delay per Day	2005 with Project Vehicle Hrs. of Delay per Day	Difference in Vehicle Hrs. of Delay per Day	2030 Baseline Vehicle Hrs. of Delay per Day	2030 with Project Vehicle Hrs. of Delay per Day	Difference in Vehicle Hrs. of Delay per Day
BNSF (SB SUB)	McKinley St	Corona	55.4	58.7	3.2	254.1	265.2	11.2
BNSF & UP (SB SUB)	Iowa Av	Riverside	44.7	47.4	2.7	237.0	246.2	9.3
BNSF (SB SUB)	Adams St	Riverside	35.1	37.1	2.0	108.7	112.9	4.2
BNSF & UP (SB SUB)	3rd St	Riverside	32.3	34.2	1.9	138.2	143.4	5.2
BNSF & UP (SB SUB)	Columbia Av	Riverside	29.4	31.1	1.7	135.8	141.0	5.1
UP (LA SUB)	Clay St	Riverside County	28.8	30.5	1.7	110.8	115.2	4.4
BNSF & UP (SB SUB)	Chicago Av	Riverside	28.5	30.2	1.7	157.0	162.9	6.0
BNSF (SB SUB)	Magnolia Av	Riverside County	22.7	23.9	1.2	98.2	102.0	3.8
UP (LA SUB)	Riverside Av	Riverside	19.9	21.0	1.2	62.6	65.0	2.5
UP (LA SUB)	Magnolia Av	Riverside	20.3	21.5	1.2	77.0	80.0	3.0
BNSF & UP (SB SUB)	7th St	Riverside	18.5	19.6	1.1	136.4	141.6	5.2
BNSF (SB SUB)	Smith Av	Corona	18.1	19.1	1.0	119.6	124.3	4.7

Emissions from Rail Crossing Delays

Not only would the additional rail traffic delay Riverside County drivers needing to wait for trains at at-grade crossings, but these delays would also result in additional emission of pollutants by the idling vehicles. Typical average emission rates for idling vehicles obtained from the California Air Resources Board (CARB) EMFAC model were applied to the overall vehicle-hours of delay in 2005 and 2030 to estimate daily levels of pollution emissions associated with various air pollutants and greenhouse gases. These estimates of additional pollution emissions are summarized in the following table. It is important to note that these estimates assume that all vehicles will leave their engines idling while they wait for the train to pass. This is likely a high (worst case potential) estimate, since some automobile drivers will turn off their engine while they wait, especially for long freight trains.

	Potential Change in Emissions (grams per day) Due to Increased Idling at Rail Crossings in Riverside County	
	Year 2005	Year 2030
Particulate Matter (PM_{10})	3.8	12.9
Nitrous Oxides (NO_x)	213	705
Volatile Organic Compounds (VOC)	613	2,016
Carbon Monoxide (CO)	8,777	28,878
Greenhouse Gases (CO_2 equivalents)	16,611	54,545