



In the Matter Of:
DRY BOAT STORAGE PROJECT

PUBLIC HEARING

May 10, 2016

Case No:

CERTIFIED COPY

PUBLIC HEARING

MDR BASIN H BOAT CENTRAL - DRY BOAT STORAGE PROJECT

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MAY 10, 2016

Reported by: Denise Talancon, CSR No. 14047

CERTIFIED COPY

Marina del Rey, California

Tuesday, May 10, 2016

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LCT SUGRUE: I want to thank everyone for joining us at tonight's public hearing. I'd like to introduce myself. I am Lieutenant Colonel Dennis Sugrue. I am the Deputy Commander for the Los Angeles District Corps of Engineers, and on behalf of the corps I welcome you to tonight's public hearing. I'd like to give just a bit of background on why we are here.

The applicant for this project, Marina del Rey Boat Central LTC, has applied to the corps for a permit under Section 10 of the River and Harbors Act and that is to construct a new boat dock system and dry stack facility in Basin H. Under our federal permit program, the Corps of Engineers is responsible to regulate dredge and fill activities in the waters of the U.S. That is under Section 404, as well as within Section 10, of our navigable waterways that's under the River and Harbors Act. So for everyone's awareness, the Corps of Engineers is not the only agency with regulatory review over this project. The California Coastal Commission, the Regional Water Quality Control Board, and the National Marine Fisheries Service have also reviewed it.

What we do is we evaluate potential impacts caused by the proposed project prior to making a permit decision. We undertake a public interest determination that involves

1 weighing all factors relevant to the project. As many of you
2 know, we issued a public notice for this on March 2 for
3 public review and comments and we are in that period right
4 now and that helps us make a more informed decision. This
5 evening is part of that, and we continue our effort to accept
6 comments on the proposed project from the general public. We
7 will clarify -- we will carefully consider all comments prior
8 to making our final permit decision and even following this
9 meeting, up until May 20th, you're welcome to provide written
10 comments, which also become part of record for this project.
11 We weigh equally comments received verbally tonight and those
12 written comments.

13 I think we said it as you came in the door, if do
14 you want to speak tonight, we ask that you fill out a speaker
15 card at the front table here. We have a great team here with
16 me tonight and who are going to take your requests and will
17 allocate times based on the number of requests they receive.
18 So that's why we are here. We want to hear from you.

19 But before we begin, what I also want to introduce
20 the team I have with me tonight. To my right is Mark Cohen.
21 Mark is the Deputy Chief for our regulatory division, and
22 also in the regulatory division to my left is Bonnie Rogers,
23 the project manager for this permit. Tim Jackson, seated at
24 the table here, is our time keeper. And then on the side
25 table Major Pete Stammersky is going to help out orchestrate

1 speakers. To my far left is Denise, she is our stenographer
2 for this evening. When you do come up and speak, I ask that
3 you please speak very slow and clearly as we are capturing
4 that to the best of her ability. At the table -- Dan
5 Swenson, say hello to the crowd. Veronica Li. You have
6 Jessica Vargas, Sheri Shiflett, Lauren Sullivan, and Jake
7 Booher. I feel like I'm missing somebody. Greg, where are
8 you? Greg Feuter is from my public affairs office. He is
9 also here at this event. How did I do, guys? You good?

10 All right. To open up, what I like to do is give a
11 few minutes for our applicant to present the project. Has
12 everyone seen the project, or are you aware of it already?
13 Okay. I have seen it once, but I think for all of us to get
14 on the same sheet of music what I would like to do is turn
15 over to them now.

16 MR. VAN WERT: Good evening, Deputy Commander
17 Mr. Sugrue. My name is Roger Van Wert. I am a consultant
18 for the Boat Central project. We appreciate the Corps'
19 efforts to review the Boat Central application and want to
20 specifically express our appreciation to Miss Rogers for
21 keeping us up to date on the status of the Corps' analysis as
22 Boat Central seeks the permit to install the water sites
23 facilities for the project. Through this presentation I
24 would like to discuss three elements of the project that I
25 think are key to understanding it.

1 First is Boat Central is an integral component of
2 the plan to expand recreational boating opportunities in
3 Marina del Rey. Two, Boat Central is the most
4 environmentally efficient way to provide waterfront
5 recreational boating access to the public, and three, I will
6 provide a description of the waterside facilities being
7 promoted by Boat Central.

8 First, regarding expanding recreational boating --
9 Boat Central is a key component to the implementation of the
10 adopted Marina del Rey Coastal Program objective for
11 recreational boating in Marina del Rey. Boat Central
12 represents the largest single expansion of small boater
13 facilities since the inception of the marina. Boat Central
14 adds significant capacity for small boats. 375 new spaces
15 representing a 7% increase in the total number of waterfront
16 berths available in Marina del Rey.

17 In addition to just numbers, Boat Central offers an
18 unique set of features seeking waterfront access. Boat
19 Central will meet the needs of a broader boating community
20 than is currently addressed by the wet slip marinas and the
21 open area dry storage facilities; specifically those boaters
22 who wish to reduce both maintenance time and cost commitments
23 or do not have the free time, families with children, the
24 physical capability or proximity to Marina del Rey, to
25 properly keep a boat in the water. In other words, those

1 boat owners who would find attractive the show-up-and-go
2 convenience offered at Boat Central.

3 Dry stack storage is an environmentally superior
4 option. Boat Central provides a significant increase in
5 waterfront recreational boating capacity while using only a
6 small fraction of the water of the similarly sized wet slip
7 marina. It would take approximately three acres of open
8 water to accommodate the same number of vessels that Boat
9 Central handles with a waterside footprint of only twelve
10 thousand square feet.

11 Can you rotate that so the Commander can see it for
12 me? Thanks.

13 This is our waterside footprint. There is just
14 under just under twelve thousand square feet. In addition,
15 water quality impacts associated with wet slip marinas is
16 virtually eliminated. So the dry stack storage preserves
17 open water for recreational boaters. The result is the dry
18 storage will reduce environmental impacts while expanding
19 recreational capacity in Marina del Rey.

20 What is Boat Central requesting? The dry stack
21 storage facility in the blue here symbolizes a gantry crane
22 system which branches the sea wall to allow the crane to
23 transfer to and from the dry stack in the water. Boat
24 Central is seeking a permit to install the following water
25 site elements: twenty-two 48-inch support piles for the dry

1 stack structure and crane which extends 97 feet in the water.
2 However, please note that the dry stack structure is set back
3 more than a hundred feet from the Parcel 52 waterside
4 boundary. There is no encroachment in the Basin H channel.
5 In fact, the over water portion of the dry stack storage is
6 less than half the extent of the adjacent marina -- wet slip
7 marina docks in Basin H -- with respect to Basin H.

8 Boat Central will also be supported by over 5,600
9 square feet of new docks and appurtenant access ramps which
10 will be anchored by thirty-two -- up to thirty-two fourteen
11 by sixteen inch concrete piles. These are our docks, and
12 there is an access ramp there. These queuing docks allow for
13 the temporary storage of vessels prior to their departure and
14 to allow for the immediate docking upon the returning of the
15 boat vessel returning to Boat Central. There will be no
16 queuing of Basin H channel. There are no wet slips at Boat
17 Central.

18 There is also a jib-crane will also support the
19 sheriff's dock, and the jib-crane is here. These are the
20 sheriff's docks, and this area will be the mast-up storage
21 area for those types of boats. There has been concern
22 expressed in the past -- and I am sure you will hear it
23 tonight -- whether the Boat Central facility will encroach on
24 the basic public boat ramp. You can see the boarding float
25 fingers that come off the very large public parking lot to

1 the east. This concern was a specific concern by the
2 Regional Planning Commission, the Coastal Commission, and
3 analyzed in a report contained in the certified environmental
4 impact report from the project and specifically applied
5 conditions to ensure there would be no adverse impacts.

6 I would like to draw the deputy commander's
7 attention to the separation of the launch ramp boarding
8 floats which is about -- actually, it is less than 50 feet.
9 It is 46 feet. I measured it today. Compare that distance
10 to the closest Boat Central dock, which is 74 feet distant at
11 only one point. These factors argue that it is not
12 reasonable to say that the launch ramp functions well with
13 less than 50 feet of separation between the floats and boats
14 on each side of that aisleway in peak times but that Boat
15 Central would somehow impact the launch ramp function when it
16 is substantially further away and not in the path of travel
17 for boats entering or leaving the public launch ramp.

18 Also, I would like to note that the Boat Central
19 dock system can provide -- when required by the Coast
20 Guard -- an emergency safe harbor anchorage for many boats.
21 Finally, the design scale of this project that's been
22 assessed and documented and approved by the Department of
23 Beaches and Harbors, the County Regional Planning Commission,
24 and the Coastal Commission, vetting it through fourteen
25 separate public hearings over several years, and these

1 approvals have been supported by a certified environmental
2 impact report. I believe these facts would allow the court
3 to grant the permit that we are requesting. This concludes
4 my remarks, and I want to thank the staff for its time and
5 consideration of this request.

6 LCT SUGRUE: Thank you. So we are going to open up
7 for public comment. I want to clarify before we do what this
8 is and what this is not. There is no decision yet on this
9 proposed permit nor will there be a decision tonight. That
10 is not the purpose of this hearing. Nor am I readily
11 prepared to answer or discuss every issue that you bring up.
12 This purpose for this hearing is that -- to hear the
13 comments and get them in the record for consideration for the
14 regulatory staff. We will be taking oral testimony from the
15 public in the order we received their speaker cards. The
16 first few -- we are going to ask that you keep your comments
17 to a three minute time limit. I have Tim here who is going
18 to keep a timer on you. At three minutes I think you see a
19 light on the podium. If you hit four or five minutes there
20 is actually a eject button to launch you into the water. You
21 don't want to get in that territory. Again, all oral as well
22 as written testimony does become part of the administrative
23 record for this permit application. Once we have the written
24 transcript is ready there will be copies can be viewed at our
25 office or purchased. Again, when we take testimony from you,

1 speak clearly and slowly so that Denise is able to hear and
2 transcribe everything that you say.

3 MS. COYNE-HOERLE: Would you consider putting a copy
4 at our local county library for inspection?

5 LCT SUGRUE: The public library? I think we can
6 accommodate that. I think so. How many groups do we have?

7 MR. STAMBERSKY: I will call them out. We have 19
8 speakers. Three or four groups.

9 LCT SUGRUE: Okay. And for the groups that come
10 speak -- speakers who come to the front -- I will ask the
11 group to identify itself by standing.

12 MR. STAMBERSKY: Folks, I have 19 names. I am going
13 to call out three names. First name I call out will come up
14 first. The next few names down to follow-up to the podium as
15 quickly as possible. I am going to say whether or not you're
16 speaking for a group or individual. If you're speaking for a
17 group, you get five minutes. Individuals get three. The
18 first three speakers are Christina S. Constantini speaking
19 for herself. Dr. Patrick O'Heffernan speaking for himself.
20 Actually, he will speak for a group. And Jeanette Vosburg
21 also speaking for a group. If I can ask those three to come
22 up and be ready once Christina is done talking.

23 MS. COSTANTINI: Hello, I am Christina Constantini.
24 I am here with a very simple message that less is more. I
25 have lived here all my life. I remember all the hearings

1 over the development of Playa Vista even, and now we do have
2 these buildings everywhere, but we don't have an open
3 skyline. I miss it. I live here in the marina, and I'm a
4 home owner. I am raising young children, but I wanted to
5 have the conversation with them because every generation
6 matters and by building projects like this we lose skyline.
7 It's just more, more, more. And let's follow the examples of
8 our national parks. I don't want to have to go to museums to
9 show my children what the marina used to look like. I think
10 it is very important that we embrace the values that less is
11 more. That is all I have to say. Thank you.

12 MR. O'HEFFERNAN: Thank you, and also thank you very
13 much to the court for holding the hearing here rather than
14 Los Angeles. I am a former member of the governor's task
15 force on offshore oil development, and I dealt with the corps
16 a lot in the seventies, and we always had to do it downtown,
17 so we are very much appreciative that. We have a number of
18 members of our club here. Do you want to step up? Actually,
19 the club has about eighty members, so at any given Sunday
20 morning you will see about forty of us out here. I am also
21 the author of the first text book on environmental impact
22 assessments used in colleges throughout the country. It is
23 no longer used, unfortunately, but things have gotten better
24 since then. I also directed the scientific team that
25 compiled the summary of knowledge of the Southern California

1 findings which mapped all the ecosystems from Mexico to San
2 Luis Obispo and was the science foundation for the creation
3 of the Santa Barbara Channel Islands National Park. I worked
4 a lot with the corps on that, and it was with mutual respect.
5 Like I said, I am a retired professor from Georgia Tech.

6 First of all, I have four points. First, I don't see a
7 need for this. As far as I can tell, and in the application
8 itself, it says that there are empty boat slips. There is
9 not a demanded for this particular facility, and I have seen
10 no credible model, no economic models, that would know there
11 is going to be a surge of purchases of boats that will want
12 to be in the water here or in storage over the next ten
13 years. This seems to be a group of investors who think they
14 can use the public resources to make money. It may or may
15 not have an economic need, but, as far as I can tell, there
16 isn't one. Which means that if it does get built -- then
17 there is no need -- we will be stuck with a very large
18 building with no purpose with serious environmental impacts.

19 Secondly, this field cost benefit analysis, and since my
20 book was one of the first to layout cost benefits and I did
21 one, from what I can tell, the cost of this, when you include
22 the social and the environmental cost, far outweigh the
23 benefits and for that reason -- and to explain that, we built
24 that. That Dock 52 is more than a parking lot and a boat
25 ramp. It is a community resource used by people from around

1 the county. On any given Sunday morning you will see my club
2 there with thirty or forty people. You will see other bike
3 clubs, many who are African American, as is my club. You
4 will see groups of people in busses and vans from Koreatown
5 to go fishing. You will see church groups who use this as a
6 stage for their fundraising. This is more than a parking
7 lot. It is a community resources.

8 I did a little survey of my own and found that
9 people come from at least five different congressional
10 districts in Los Angeles to be here. They come from Menlo
11 Park, from west Adams to east Compton to the Valley, all
12 over. One of the reasons that they come here is this is the
13 only free parking lot in the Marina and there are many, many
14 families and many, many groups that get together to come down
15 there with their children and can spend the day over on the
16 bridge, over by the Ballona Creek fishing, teaching their
17 children how to fish, and they won't do it if they had to pay
18 for parking. When you look at social benefits of Dock 52 and
19 begin to calculate those, and there are many of you that do
20 that, you see that any benefits that might accrue to the 235
21 people that might possibly use some of the slips in this,
22 some of the storage in this -- there is no question. It
23 fails a cost benefit analysis for the same reason it fails
24 the social benefits. The social benefits accrue to 200
25 people or less, depending on whether or not the facility is

1 used and to the investors, but thousands of people use Dock
2 52 over the year. They use it for parking to go into the
3 bike path. They use it for fishing. They use it for boat
4 launching. Thousands of people use it, so when you balance
5 that against the possible utility of 200 people with their
6 boats, there is no question.

7 Fourthly, it is a litigation magnet. As you will
8 hear testimony that later on and also which you have received
9 in written testimony, there are numerous violations of
10 federal, state, and local levels. All of those are points for
11 litigation for those of us who wish to see the marina stay
12 the way it is. And lastly, I pointed out there are five
13 congressional districts whose organizations use this land.
14 Many of those members of congress have already been alerted
15 to this. Some of them sit on the natural resources committee
16 and other committees that have oversight in the Corps of
17 Engineers. Many of those organizations -- precisely the
18 organizations know those members of Congress who are now up
19 for re-election are going to be asking for volunteers or
20 endorsements and when they get questions that say will you
21 advise the corps, you know what they are going to say. Thank
22 you again for coming, thank you for listening to us, and I
23 really appreciate it.

24 MS. VOSBURG: Thank you very much to the corps and
25 to all the people who have shown concern and that feel

1 proudly as strongly as I do that this is somewhat outside the
2 realm of good government. I spent a lot of time getting
3 acquainted with this. We're talking about the U.S. Army
4 Corps of Engineers dealing with Dock 52, which is a parking
5 lot which my predecessor just talked about. We are talking
6 about 404 Permit Application without Federal EPA reviews.

7 My objective today is somewhat unlike some of the
8 other people probably that will be speaking. My objective is
9 to take a look at what has been happening in the entire
10 marina. There were 950 acres set aside, and they were set
11 aside to be available to people of the county and of the
12 world at a reasonable cost and equal access to all. And what
13 we have here is a situation where several -- as my former
14 speaker said -- there are a lot of violations, and I would
15 like to go through those quickly.

16 First, the California Environmental Quality Act is
17 involved in the review process, but what we need here is EPA.
18 We need a national policy act review and that -- I would say
19 Ballona Wetlands EIS, which I wanted to point out to
20 everybody in the audience that I made available twenty of
21 these. And there are seven components to it, and I want to
22 make you aware of it. Yeah. It is a little bit complicated
23 and you have to put a little time into it, but the first
24 exhibit is an exhibit from the EPA of the United States. And
25 what they have done as of October 16, 2015, is approved the

1 report from the Water -- State Water Resources Board saying
2 what needs to be done in the marina. And it is really heavy
3 duty.

4 And what we are talking about is that there is what
5 is called total maximum daily load. And that means that out
6 in this -- out in the harbor as well as all the basins, what
7 we have an extreme amount of pollution which is comprised of
8 copper off of the bottom of loads, lead. There is old DDT
9 before the marina was done. There was a lot of DDT here, and
10 these are all mentioned in the next attachment which is
11 called the State Water Resources Control Board Resolution as
12 of February 6 of 2014. That lists all kinds of things that
13 the county has to do to remediate the problems that we
14 already have in all of the basins and in the harbor. And
15 this -- and I want to be really clear. This is a very major
16 problem. This is not a simple solution.

17 There is a light -- the line -- I'm just going to
18 point. There is a -- this is the Ballona Wetlands and there
19 is the project in red and there is the boat yard next door.
20 Well, right here to your right of the proposed project is a
21 blue line. This is a -- that is fifty feet wide. Come over
22 here. And then turn it around. Okay. All right.

23 So there is a blue line here and it is coming across
24 and it is going under Lincoln and it is going -- it comes out
25 under the parking lot at the Dock 52 and it returns across

1 and they -- actually, if you go over to Beach and Way and you
2 park at Dock 52 and go over there, you will see that there is
3 running water comes there in two different ways. One way is
4 because it is coming from the dirty polluted water Basin H
5 and it is going and polluting waters of the United States,
6 which are the Ballona Wetlands.

7 And I want to be really clear that this is a major
8 issue. We have a major issue all the way. The fish are
9 being born with really strange anomalies. And that's not an
10 accident. These pollutants are really hard on the estuary
11 and the fish and another wildlife that live here in the
12 habitat and what I want to be clear about is what that
13 project is proposing is to not only ignore the fact that they
14 have ignored the State Water Resources Board and the EPA.
15 Consider -- I have handed out information. I am not asking
16 you to believe me. I am saying go back to the initial
17 documents. Go back to the attachment that says what is an
18 EIS, an environmental impact study, and why it is so
19 important. Use your intellect. Think about this.

20 What they are asking to do is to take something that
21 is already waters of the United States being polluted by
22 water that is coming from one of the basins, but they are not
23 only doing that, but they are proposing to bringing in 350
24 other boats that will interfere and bring more pollutants.
25 But that is not the worst of it. That is of only the

1 beginning.

2 LCT SUGRUE: You have exceeded your time.

3 MS. VOSBURG: Don't I have five minutes? Can I just
4 show one thing? These are the pilings that they are going to
5 put down. They are sixty feet. They are four feet in
6 diameter. Sixty feet tall and twelve feet above the water
7 line and they -- he is saying something different, but the
8 way I read this is that there is seventy-six posts four feet
9 wide and seventy-two feet high that have to be driven in
10 somehow, and two inches thick. Two-inch pipe. And you tell
11 me how that is going to affect the wildlife and the habitat
12 in that area? It is really amazing to me that this would
13 even be on the table and considered. And I ask you to look
14 at those twenty pages that I have given you.

15 LCT SUGRUE: The pages that you have referred to,
16 can we have a copy of those for the record?

17 MS. VOSBURG: You have everything.

18 LTC SUGRUE: Great. Thank you.

19 MS. VOSBURG: You have everything. I guarantee
20 it.

21 LCT SUGRUE: Thank you.

22 MR. MIMS: Actually, Jeanette very ably mentioned
23 every question I had about the seismic activity that can be
24 in pilings that are four feet diameter driven sixty feet in
25 the ground. So, thank you very much.

1 MS. STEINER: Good evening. My name is Louise
2 Steiner, and I thank you for holding this meeting for public
3 input. Yes. I would like to know how many people are here
4 that are opposed to this project. Please raise your hand.
5 How many people in this audience are for the project? Thank
6 you.

7 MS. PURCELL: Good evening. Thank you for holding
8 the hearing. I am Leslie Purcell. I just have a couple
9 comments. As was mentioned before, Marina del Rey is a
10 public resource. It was supposed to be a lower cost visitor
11 serving recreational area and if you look around here there
12 is still some of that. But there is an awful lot that has
13 gone in a different direction, and this would be another
14 project that would be building massively on what was partly
15 once a wetland. And there is still a fragment of it left,
16 and we are trying very hard to review the part that is left.
17 It is in the State's hands now, and, as Jeanette mentioned,
18 going through an EIS project.

19 Now, there has never been an EIS done on the marina
20 itself, and I believe it is sixty-five years old, and I think
21 it is time for that to help. So many projects is infringing
22 on the water and runoff, and the water and the fish are
23 really a problem. Hundreds and hundreds, probably thousands
24 of fish yesterday killed up the creek channel -- Ballona
25 Creek channel. I have pictures. Other people have pictures.

1 Apparently biologists are looking into what happened. There
2 was a giant die-off yesterday. There are issues here that
3 are very important, and we hope that you will take this
4 seriously and consider doing a full EIS. Not just on this
5 project but bring in all -- there are many more projects that
6 are in the offing, permitted, and coming up imminently.

7 I am reading through one of your documents. I
8 notice that you sent out that said proposed activity for
9 which a permit is required basic project purpose to determine
10 whether applicant's project is water dependent and then it
11 says, "Because no fills are proposed in the special aquatic
12 site identification of the basic project, purpose is not
13 necessary." I don't understand that. It seems like it is
14 water dependent. There is a discrepancy between what the
15 developer said and he said 375 slips, dry dock slips. In
16 this document it says 345.

17 The pile driving would be a huge impact on wildlife
18 and birds and seismically and just all the buildings in the
19 area. And I think it would disrupt the water and the marina
20 mammals on the docks and in the channel in the harbor. So
21 there are so many considerations here. These pilings are
22 huge. I had one other thing. Oh right. The noise and the
23 vibrations and also -- if you look at the picture of the
24 proposed facility, it looks like it is a lot of glass. I
25 don't really know what the material is, but big walls of

1 glass like that kill birds. They fly into it. They see it
2 as being reflective of the sky and think they can fly into,
3 so that is another consideration. Thank you.

4 MR. FARIS: Gentlemen, my name is Joe Faris. I live
5 in an adjacent city, Santa Monica, and I haven't done
6 substantial research, but my gut tells me we have enough
7 development in this area. Traffic is severe and getting
8 worse, and I just want to share with you. When I was a kid I
9 was privileged to have a twelve foot skiff. And when I
10 didn't show up for two months to take that boat out my boat
11 was put in a dry stack. And that was so they could put other
12 people into the water and have them water ready. And I think
13 this is a great scheme if you want to make money. But all
14 the impact doesn't hold water as far as I am concerned.
15 Thank you.

16 MR. WAHHAS: Thank you. Colonel, staff of the army
17 corps, U.S. Army Corps, Los Angeles division, regulatory
18 division. Welcome to Marina del Rey. We have been waiting
19 for a long time for your presence and appearance on our
20 public land here. I feel like I am in a movie and I see the
21 uniform and the Calvary has arrived and it is about time.
22 What has been happening in our harbor is egregious and we
23 need your direct involvement now, now, to put this ship in
24 the right form. House Document 389 Public Law 780 are truly
25 guiding documents on how this harbor was supposed to be, on

1 how this harbor currently should look, and we have lost our
2 way. And again, we are very glad that you're now finally
3 here to set it straight.

4 This valet boat launching facility -- this state of
5 the art facility -- where the public benefit is severely
6 outweighed by the substantial impacts that would occur by it
7 actually being constructed. We need to you thoroughly look
8 at that project and understand that there are severe
9 impacts -- significant impacts -- going way beyond what an
10 environmental assessment or EA would do. This was not --
11 this will not be something where the army corps can simply
12 say it is independent and utility.

13 How will Boat Central function, including the
14 launch, retrieval, reservations, maintenance, technology? It
15 is a sad commentary that we have such a technology advanced
16 facility being proposed and not one of us here can see how
17 this technology is going to work. In fact, when we came to
18 your offices we asked the same exact thing, and no one knew.
19 And I think that that needs to really resonate with the
20 corps. If you don't know how it works, we of course can't
21 know how it works, and if no one knows how it works other
22 than the developer saying it is going to work -- he's saying
23 launch times are somewhere between five, eight, maybe even
24 ten minutes. That is a pretty huge caveat we cannot have and
25 we cannot afford. And we will talk about affordability later

1 on.

2 Public concerns are many. Disruption over the
3 public launch ramp you have already heard about. Structures
4 that extend over the water, ninety-seven feet over the water,
5 in Marina del Rey. Reduction of views, pedestrian waterways,
6 protection of Native American cultural resources, impacts of
7 wildlife and the Ballona Wetlands area, water quality
8 impacts, air quality impacts, shade, shadow, wind.
9 Structural integrity on the bull kegs. It goes on and on and
10 on and a lot of this -- even in the EIR -- is simply not
11 addressed. Clearly what is needed is an Environmental Impact
12 Statement.

13 Our harbor was created with tax payer funds. A lot
14 of those funds were from the Rivers and Harbors Act. The
15 federal project took six years to build the main structures
16 and nearly eleven years to fully open to the public, all with
17 tax payer money. Since it's opening the project has somewhat
18 changed, not somewhat, but now in the recent years has
19 completely changed and been overturned. With Parcel 44 right
20 over this way within a few feet being proposed, Fisherman's
21 Village now being proposed, Parcel 9 across the way, Parcel
22 10, Parcel 15-U, this federal project is going under --
23 undergoing a major facelift, and you cannot say that this
24 independent utility or a simple impact caused by an
25 environmental assessment. This is an EIS. This is the clear

1 definition under EPA that you have all these projects in one
2 very, very closed area. There is no way you can do an EA and
3 say it is going to be enough. There are too many cumulative
4 impacts that are not going to be addressed in a simple EA.

5 Public safety. That public launch ramp is very
6 busy, especially during summer times. When the boats come
7 in -- and we actually have several documents that say any
8 given summer day it is about 78 to 80% occupied. When those
9 families come from all over Los Angeles to launch the boat,
10 the last thing they with want to do is get in the ramp
11 itself, look up, and see a ninety-seven foot -- eighty-five
12 foot high structure that they are going to have to avoid.

13 If I can just get a couple more comments in, please.
14 Okay. On page 962 of the final EIR there is no boat captain,
15 and you all really should understand this and of course the
16 other regulatory agencies, there is no boat captain that can
17 make that maneuver and avoid hitting that structure. Matter
18 of fact, on that page it clearly shows that there is only one
19 boat tied at the end of the proposed Boat Central. But in
20 other pictures it shows that there are two boats, and we know
21 that those are at least ten to fifteen feet wide, so we have
22 a lot of different things from the final impact report that
23 are absolutely contrary to what we know as the truth. And we
24 need you to really look at these cumulative impacts of this
25 project. Understand, for the most part, you don't have many

1 proponents here, you have multiple -- and there is the very
2 few times that the developers have gotten together and said
3 we don't want this project and the community doesn't want
4 this project. If you have the developers and the community
5 saying that at the same time, that is very rare. We never
6 have that. Usually developers are like yeah we will support
7 you. But to have you all together saying we don't want that
8 project -- who are your proponents? Who wants it? And it
9 comes back with we don't know. Who knows. So it's quite
10 clear you don't have a lot of proponents on this project. It
11 is quite clear that the cumulative impacts are money and we
12 really need an effort by your office to get an Environmental
13 Impact Statement to really make clear of what is going on in
14 this public harbor. Thank you.

15 MS. WALKER: My name is Roz Walker, and I am not the
16 expert like all of the prior speakers. Thank god for them.
17 I came out here when they were starting to build the marina
18 in 1962. What you are getting is an emotional female. I
19 love this marina, and I watched them build it and fall. I
20 have watched from 1962 to today. The business model they use
21 for maintaining this marina, for the project we are here for
22 and all the other projects that -- I don't know if you know
23 about it or not, but you should -- the traffic coming into
24 the marina will be unbearable from all the projects. I want
25 to say to you the business model that Marina del Rey is

1 thought of, gone by, and run by the board of supervisors,
2 county of Los Angeles. The business model that it was
3 originated with is faulty. Why? Because the board of
4 supervisors and the county of Los Angeles, we the property
5 payers -- our taxes -- we own it. The board of supervisors
6 who call themselves bosses, and they are not. We are their
7 bosses. We pay their salaries.

8 This is how they run it. The County of Los Angeles
9 owns the land. They give developers -- someone asked me what
10 is a developer. A developer is a private person, like the
11 man in the presentation today, who puts up a piece of
12 property, be it residential, commercial, this, whatever, pays
13 a lease, signs a lease for the sixty-something years. They
14 are expiring and have come up now, so they are being renewed.
15 From the minute they sign that lease there was deferred
16 maintenance. I don't care what they call it, it is
17 just -- it's deferred maintenance. This will be deferred
18 maintenance and this building can be in deferred maintenance.
19 Then they want to tear it down, and what they are doing
20 now -- and this is part of it -- but you have to look at the
21 whole picture.

22 You can't have an EIS for the one project. The
23 dirt, the filth -- that does not know boundaries. It goes.
24 It is in the air. So the deferred maintenance goes on for
25 forty, fifty, sixty years and everything you see -- that is

1 the marina. Now, they have developers the same ones or
2 others. I don't know. I don't want to know. I don't want
3 to know them. They are coming in and they want to densify
4 the marina. They are taking our city and building it out
5 over the water.

6 This is one of the great examples and there are
7 plenty more. They are in the pipeline, and they are being
8 approved. We got all kinds of shopping centers coming out
9 over our water. Please don't allow this to happen. It is so
10 bad. The noise of construction. I'm a walker. We mentioned
11 boaters. We mentioned bikes. I walk. I do a six mile walk.
12 I can show you on my app. Three or four times a week in the
13 marina. I have been doing it for years. It aids me
14 emotionally and physically. There are lots of walkers out
15 there with the bikers. And we can't walk during
16 construction. I have lived through much of it and I come
17 down -- not from the water, from where I live -- when is the
18 marina, and we can't walk during construction and the
19 construction -- you can't breathe because they use diesel oil
20 in the equipment they have.

21 Do you know what this construction is going to do?
22 I mean, what they are asking just for this building is going
23 to cause tremors and trauma beyond belief. I am sorry. I am
24 not the expert. They are wonderful. You should listen to
25 them. You have a person who is emotional. I have watched it

1 being built, and I watched it being mismanaged. I have -- am
2 still questioning why this has been allowed to happen. I
3 have been coming to meetings for twenty years now, and I am
4 trying to save this marina. So far this hasn't worked. Thank
5 you for coming here. Thank you for listening. I have
6 submitted for the record prior a letter on, I think, December
7 12 to Mr. Mark Cohen. I have submitted on March 28 a letter
8 to Bonnie Rogers, who has been very lovely to me on the
9 phone, and I hope those are part of the record. Thank you.

10 LCT SUGRUE: I just want to add that Mark and Bonnie
11 are always pleasant to me on the phone.

12 MR. COFFIN: I just want to say, somebody who has
13 been observing wildlife at the Ballona Wetlands now during
14 the last fifteen years, all the coming and going of birds
15 that fly and use the air to get around and the development
16 creates new conflicts between humans and their uses and the
17 wildlife and creatures that live here. We have brown
18 stingrays and swallows that visit this slew over there where
19 that tunnel where they want to propose this monstrosity
20 building. And there is nothing short of what we need.

21 What we really need is an EIS study to see show
22 those elements will impact the actual creatures that live
23 here -- that are here today -- that aren't being taken into
24 consideration. They won't be speaking here. We will have to
25 speak for them. So there is too much development everywhere

1 creating new impacts with people and nature and we need to
2 put a stop to that, and that is what I have to say.

3 MR. OEFINGER: Hello. I am Rick Oefinger. I run
4 Marina del Rey Sportfishing. Not really pro or con on this.
5 I want to make it clear and for the record that we have
6 specific needs for our sportfishing. Last year we took
7 almost 50,000 people out on sportfishing and whale watching
8 charters. Every last one of them departs from Dock 52. So
9 if this project moves forward, before you even do anything
10 else, you need to make sure that we are adequately taken care
11 of and in the mix to give us good, reasonable parking and
12 boarding facility within the steps of our docks. I have
13 spoke with Gary Johns and Michael with the county several
14 times about this and they are very aware of my concerns, but
15 I have not gotten anything in writing and nothing beyond a
16 verbal that they plan to moving us up to Parcel 77 or
17 planning on doing this or doing that. But before you move
18 forward, we got to make sure is that we are being taken care
19 of because 50,000 is a lot of people. And thank you very
20 much.

21 MS. MAY: Hello, everyone. Thank you very much for
22 being here. U.S. Army Corps of Engineers, thank you very
23 much. Please know that I am definitely opposed to the
24 proposed project. Unless there is a compelling necessity or
25 significant public benefit, any additional development in the

1 marina should not be approved. Loosing parking spaces and
2 risking the creation of serious environmental problems is not
3 a good idea. Even though this project would interfere with
4 fishing and -- like other vegans, we would prefer that
5 fishing not be encouraged in the marina -- we are still
6 strongly opposed to the Boat Central project. Thank you and
7 god bless.

8 MR. PREVEN: Greetings. Thank you to the court for
9 hearing from the public on this. I am a residence of Studio
10 City, California, city of Los Angeles, County of Los Angeles,
11 and, obviously, here in the United States of America. The
12 jurisdiction of the corps is of great interest. This is the
13 channel and as many have said this is federal -- federally
14 built initially. And this project does seem to be intended
15 for a use that is not utterly -- there is not a great demand
16 for this type of structure because there are vacancies, as
17 people have said, in the current boat slips even as we speak.
18 To build this type of a project takes a lot of work and a lot
19 of money, and it's important to understand whether an
20 automated facility for dry stack storage is functional and
21 could be functional.

22 With the hearings at other times, questions are
23 raised about where is this kind of facility currently
24 functional for small boats, and it was very unsatisfying
25 responses that came forward. There was one place that I

1 looked very hard. I went into deep dive in the Google and in
2 one facility in Port Marina, Florida, that is for large
3 boats, and it is \$225,000 a slip, so it is not the kind of
4 public marina approach. It is more like a condo for your
5 yacht, and to do this in a public marina is a real problem
6 when you look at the proximity, as many people pointed out,
7 to the public launch ramp. What you have is the possibility
8 on busy times and holidays and people have made this very,
9 very clear in power point presentations that there would be a
10 cluster problem to put it in lay terms. When activities come
11 to a head. 10 minutes to load a boat. There are real
12 operational questions that need to be answered and the person
13 answered. Where is the engineering drawings for the way this
14 facility actually works is a very, very good question
15 because there is not a bona fide system. I looked at the
16 shards of information that were given and kind of went down
17 the rabbit hole, and nothing like this is functional.

18 One final point is this is a public marina, so the
19 commissioner for the Coastal Commission and all of you want
20 to make sure that things are affordable. Well, this was
21 built as something that was going to enhance or promote small
22 boater recreation. I can't see how that would be the case as
23 there is not one in the country that is functional for small
24 boats like that. I just don't know how that would be
25 affordable. And to quote one of the coastal commissioners

1 who kind of looked sideways as she was approving it herself,
2 there is no way to make a boat valet pretty, and this giant
3 box in this gorgeous environment is a terrible mistake and
4 should be characterized as a bad idea. And we ought to do
5 something with it -- leave it as a parking lot so all the
6 recreational groups in the area can make good use of that
7 space, access the public land, and can continue to do so. So
8 thank you.

9 MS. KNIGHT: Good afternoon. My name is Kathy
10 Knight. Thank you, first of all, for having this hearing. I
11 really appreciate it. And I know you came and asked you to
12 have it and it took a while and I appreciate that you have
13 done it -- giving people the opportunity to speak to you.
14 I'm conservation chair of the Airport Marina Group but my
15 first comments I will be saying on my own.

16 Basically, I think that if you haven't seen -- if
17 you haven't seen Dock 52, you can drive over there on Fiji
18 Way. I don't know if you have all seen it or not, but it is
19 a huge wonderful parking lot. You can walk down and see the
20 water. People come and park their car and get on their bike
21 and ride around the marina and it is a wonderful, wonderful
22 resource, and I hope everyone that hasn't seen it drives
23 over. It is the next street over that way, and it's about
24 halfway down there. There is a sign that says Dock 52.

25 And, basically, I am very concerned about the impact

1 on the wildlife that this would have. And again, the birds
2 we have destroyed over 95% of our wetlands, coastal wetlands,
3 have been destroyed already from development. We only have a
4 tiny bit left, 5%. And the birds are trying to use these
5 areas when they migrate from Alaska to South America and back
6 up again and they stop here, and I'm concerned. Somebody
7 said there is glass that can hurt them, and it's like right
8 where they would be flying, right down here along the coast.
9 So I think that needs to be looked at.

10 And also, I would hope the Sierra Club Airport
11 Marina Group does support having an EIS done on this. That
12 would be the best type of study to do, and we hope that you
13 would do that. And there is many -- there is many groups
14 that have been fought for many, many years to save the
15 Ballona Wetlands ecological reserve. And we were told don't
16 evening bother trying to save it, and we fought because we
17 knew it should be saved. It is nature and we got to start
18 beginning to save nature and so we did fight for many years.
19 We spent thousands and thousands of dollars of our personal
20 income to support those fights. We finally got half the land
21 saved, so that's -- you know. That was that. And let me
22 see. There is a sign-up sheet outside. If anyone wants to
23 sign-up, we can keep you informed of our progress on trying
24 to save this land. Thank you

25 MS. COYNE-HOERLE: Hello. I will add my things to

1 everyone else that you had this meeting here because it
2 really does make a difference for us. I live about several
3 blocks from here, and I lived here eight years and a have
4 seen tremendous development in those years. The big issue I
5 think is that the County of Los Angeles using this as a cash
6 cow. The proceeds from the marina are the second largest
7 amount of money the county has next to property taxes, so
8 they are developing not just their project but many hotels
9 and apartments that have been alluded to before. Trader Joes
10 and -- too much commercial and not enough -- nor the original
11 purpose, which is for this to be a public access point for
12 the small people like me, maybe like you.

13 I just think that Boat Central is out of scale for
14 what is in the marina. The fact that they are confiscating
15 this much water and what I view as a dangerous position close
16 to the boat ramp. I don't think there is any way they can
17 say there will be a queue or lineup. What do they do when
18 the boats come in? They may make an appointment to get their
19 boat out, but when they come in as they will and the same
20 with people at the boat launch, you can't control that
21 traffic. But I think it is nothing but a hazard building up.

22 We need an EIS. I have worked in other jurisdictions.
23 I have volunteered in other jurisdictions, and the cumulative
24 impact is what is important because it is not just this one
25 project. It is all of them. You have to look at all of them

1 together, so we are begging you to come up with a cumulative
2 environmental impact statement. And I really appreciate you
3 putting a copy of those hearings in the public library and
4 that means we don't have to buy it, and I'm sure it's going
5 to be voluminous. And I know that other jurisdictions do
6 that.

7 I have gone fishing from there. I bike. I walk, and
8 it's huge asset to the community. It might not sound like
9 that. Families don't have a lot of money, and I went down to
10 Orange County and they are charging an incredible amount for
11 parking. Parking lots are empty because families with a lot
12 of kids maybe don't have money to do that, so this parking
13 lot is very important. And if you force people to walk
14 for -- to go half a mile to another parking lot, they are
15 probably not going to come. Who wants to come with a bunch
16 of kids and stuff and try to get someplace.

17 So other speakers tonight have provided very
18 detailed statistics on this toxic load and I agree because it
19 was detailed there is a channel that leads right into the
20 Ballona Wetlands, just across Fiji. Water doesn't know. It
21 follows. It doesn't know it's boundaries, so all of that
22 toxin that is produced and by this and other toxic
23 producing -- the boat launch and other things in the
24 marina -- it all goes in there, so we don't want to add to
25 that. Okay. So some other people, I think, have referred to

1 the California State Water resources board, which has ordered
2 a clean-up of the marina that has not been done, and that is
3 off the existing. And it could cost two hundred and fifty to
4 three hundred million. I guess I will stop now. But please,
5 please consider this EIS for the entire marina. Thank you.

6 MS. VERNON MARINO: Good evening. My name is Nancy
7 Vernon Marino, and I am director of We Are Marina del Rey.
8 First of all, I would like to add my thanks for this federal
9 hearing here in Marina del Rey. The Marina del Rey
10 residence, as well as county recreational users, have been
11 largely sidelined by the local permit processes, and we would
12 be really, really happy to see your own standard of review.
13 Is the impact of this project on the public interest and not
14 public benefit, which the county describes as more revenue
15 from the marina. We would like to add our support for an
16 EIS. I don't know if your determination was made based on
17 the applicant's submissions or whether there has been an
18 independent review. If the corps has done the independent
19 review, may we please see that preliminary assessment that no
20 EIS is needed because we strongly do disagree that most of
21 the impacts that would happen on the public interest is not
22 addressed and not alone satisfactorily so.

23 First of all, the displacement of tens of thousands
24 of annual recreational users on this site in order to
25 accommodate an experimental project -- really for 350 very

1 elite boaters who can afford prices that will be more
2 expensive or at least as expensive as wet slips -- and we
3 think this displacing other recreational users -- there is
4 just no justification for that. The pile driving will
5 dislodge known toxic sediments in the harbor floor, into the
6 waters of Basin H. There is also a conduit into the wetland
7 directly under that parcel, and we would like to say that
8 nothing less than 100% containment from both harbor waters
9 and the wetland is acceptable.

10 We already have really bad pollution. There is a
11 clean-up program and if this is going to make it worse, then
12 this simply is not acceptable. We would also like to ask you
13 do you have a land use table or analysis of how much of
14 Marina del Rey is under private control for private access,
15 which this project would be, and how much is still open to
16 public access and use and enjoyment? And we would like you
17 to have some kind of information on that to see, and it is
18 well over 70% is now completely closed off to public access.
19 You can walk through an alley and you can get to a sidewalk
20 and stand on concrete and look at people's boats and
21 sometimes there is a bench that faces a public bathroom, but
22 that is our quote public recreation that they were providing
23 us in redevelopment, and we want there to be a benchmark that
24 you cannot take public use and convert it to private use and
25 we need to know much of it is currently under private control

1 and use.

2 And you need to protect the public assets that we
3 have because we are getting less and less and less, and the
4 county keeps taking more and more and more of our public
5 assets and monetizing them by giving them to private
6 developers speculators, not the local people. National
7 companies that are speculating with our tax dollars, and this
8 community is very, very much of one voice when we say we
9 won't want that in this community. We want public use and
10 recreational access and we are begging you, please protect
11 the very little that is left and know before you start your
12 assessment how much of that is already gone in the marina.
13 The federal mandate is that Marina del Rey is for public
14 recreational use so that is also your standard for review,
15 and we are asking you to know how much they have already
16 taken and please stand up for the public interest in this
17 case. Thank you very much.

18 MR. RUDICH: Hello, I am David Rudich. I have been
19 a member of the Dock Riders for many years. We ride out of
20 Dock 52. The reason is because Dock 52 is at the heart of
21 where we ride from and to, and the parking is free. Most of
22 the members of the Dock Riders are not affluent. Our dues
23 are only \$20 a year to make it possible for us to be members,
24 and there are many of us. Cycling is the fastest growing
25 recreational activity in the United States. It is

1 consummately environmentally friendly. It is affordable, and
2 it is remarkably healthy.

3 I am 74 years old. I am an entertainment lawyer. I
4 have represented Liz Taylor, Jimmy Falk, Debbie Reynolds,
5 Jack Webb, Universal, Fox, Capitol Records, Jimmy Hendrix,
6 Janis Joplin, and hundreds of others, but nothing is more
7 important -- nothing that I have ever spoken before is more
8 important than this. These people have their lives wrapped
9 around being able to do this. If you do the simple homework
10 of going to Dock 52 and looking around the parking lot, you
11 won't see any Mercedes- Benz. You don't see any Bentleys.
12 You won't see Ferraris. You will see older cars. You see
13 people there. And hundreds of them riding their bicycles or
14 running from Dock 52.

15 These people are friendly. They are sweethearted.
16 Because of them, three weeks ago -- because of my involvement
17 and introduction to them -- three weeks ago, I was able to
18 ride 100.2 miles to the top of Big Bear Village. Ten
19 thousand feet of climbing. That's because of the lifestyle
20 we have. Nobody drops a piece of paper on the ground. No
21 one. They are careful. We are careful of the environment,
22 and we are careful of each other. Your environmental impact
23 report, if you obtain one, won't show the decimation these
24 people will suffer if you close Dock 52 to them. Thank you.

25 MS. GOODMAN: Hi, I am Susie Goodman, and definitely

1 we are over developed here, but I am going to talk about a
2 different perspective. I have had my boat in Marina del
3 Rey -- I am a sailor -- for over 10 years. This project is
4 the worst, worst, worst thing could you possibly put here for
5 boaters. Sailors would be -- there is no way. If you're
6 breaking -- the whole wind is gone. You can't possibly build
7 something that is so obnoxious as this Boat Central thing.
8 There are places that need covered spaces. It is called the
9 East Coast where weather is different. Southern California
10 happens to have the best weather. We do not need to have
11 covered spaces for boats. Thank you.

12 MS. MAY: Good evening. My name is Armaiti May, and
13 thank you for being here to listen to our concerns. I've
14 been a residence of this area for most of my life. And I
15 have seen a pattern of wildlife being devastated through
16 overdevelopment. One example of which -- is what happened at
17 Oxford Lagoon, which is supposed to be a federally protected
18 bird refuge, and somehow the county board of supervisors
19 decided that they would convert that into a public recreation
20 area instead of honoring the wildlife and letting them have
21 their peace and dignity. They destroyed 650 mature,
22 beautiful trees, and this was despite protests, which I
23 organized several fellow community members that were
24 concerned. And we got a lot of media coverage, but even
25 despite that the county ignored our concerns. The

1 supervisors went right ahead and they actually violated a
2 number of laws in the process.

3 I was witness to a dead bird, an osprey. A bird of
4 special concern who uses those trees for their habitat and
5 that bird is now in trouble. We are concerned about the
6 Monarch butterflies that have lost their homes because those
7 Eucalyptus trees were destroyed and the Monarch butterflies
8 are in decline 90%. Their numbers are down. I am opposed to
9 the Boat Central project. It is not helping the community.
10 It is not helping the wildlife. It is more enriching a very
11 tiny percentage who want to get more and more wealthy at the
12 expense of everyone else, and it is just not right because
13 this is a public area. We are supposed to help everyone, and
14 we cannot allow our lives to be destroyed so that a few
15 people can rake in more and more money.

16 I think that you also have to remember being that it
17 is a glass building. It is going to be a real problem for
18 the birds that are going to fly. I am a veterinarian. I
19 have treated birds along with other types of animals. I --
20 but I have seen a dead bird next to a glass building with my
21 own eyes rather recently. And I think it would be tragic if
22 you have this big structure here, and I am sure there will be
23 a lot of dead birds. As it is, the wildlife are struggling,
24 so I just ask that you please consider carefully and don't
25 let these influences taint your perception of the reality of

1 what is going on here. It is just this on-going trend of
2 overdevelopment at the expense of our wildlife, our habitats,
3 for all these creatures that share this planet with us, the
4 environment, and, of course, the public. Thank you.

5 MS. HANSCOM: Honorable officials, I am Marcia
6 Hanscom with the Ballona Institute. We are the voice for
7 nature for the Los Angeles coast. And I want to welcome you
8 to our neighborhood and to the greater Ballona Wetlands
9 ecosystem. We are sitting on what was once, not that long
10 ago, part of the Ballona Wetlands. More than half the
11 wetlands were destroyed to build Marina del Rey in the
12 sixties and the rationale that was given -- besides some
13 misguided ideas of mosquito infested swamps -- and
14 historically the way wetlands were thought of -- the rationale
15 was that this would be a public resource for the entire
16 region. And we have turned this into Miami Beach. It really
17 is not that anymore.

18 There are little pockets of open space where nature
19 is thriving. We have eight endangered species in the Ballona
20 Wetlands and this Dock 52 parking lot is a little bit special
21 to me because I worked since 1995 to help protect 640 acres
22 of the Ballona Wetlands and we did get into public ownership
23 and this parking lot was where we brought all the elected
24 officials and some who were not elected, including Mark Davis
25 who was the assistant secretary of the Army Corps of

1 Engineers at one time, and I think that what he did during
2 Bill Clinton's time in office was helped during turn the
3 corps a little bit to the environment. So we have someone
4 who is the senior lead on this who is an ecologist. That
5 wasn't the way things were twenty-five, thirty years ago with
6 the army corps, so it is very heartwarming to see this and to
7 think the Army Corps of Engineers might help us more than the
8 California Coastal Commission is doing, which is in complete
9 disarray right now. And we are asking you to help us to
10 protect this parking lot.

11 Why would you protect a parking lot? This parking
12 lot is right across the street from the Ballona Wetlands.
13 Let's look at some vision. This is an opportunity for us to
14 have a place. This could be the central place where people
15 come to see the wetlands, see the wildlife. If you walk
16 right to the water there and walk directly there from the
17 water to the wetlands across the street, you're actually
18 walking on top of a tidal channel. And my partner is a
19 biologist. We brought them out there and wouldn't it be
20 great to take the asphalt off of this tidal channel and have
21 a little glass over it or even open so you can see the
22 stingrays coming through, so you can see the fish coming in
23 the wetland and we would have an open air tidal channel there
24 where people -- as soon as you get out of your car, you would
25 really get what the whole marina and the wetlands is about.

1 That is one idea. And there are ideas of things we can do
2 with this. We can have a great observation deck built there
3 that you to could see things the way the birds see them. And
4 that's one of the things I want to talk about.

5 This is a flyway right here. In many of these trees
6 in this park, you will see black-crowned night herons. If
7 you look on a map for the Burton Chace park to Dock 52 to the
8 wetlands tidal channel that we just talked about, that is
9 where the black-crowned night herons fly back and forth, and
10 if you put this big structure right in the middle, it's right
11 in their flyway. Another pathway is to the egrets that live
12 right across at the way at Yvonne Burke park, the snowy
13 egrets and the grey egrets. This is right in their path. We
14 want to think about those things and have them really
15 studied, which they have not done.

16 And as you know, under the NEPA cumulative impacts
17 are required and also no action alternative was to be studied
18 because this was just being pushed through by the county's
19 supervisors -- several of which are termed out by the way --
20 and, two, will be gone in December. So I think there are new
21 thinking ways about this area and how much how much wonderful
22 nature that we have to protect. And in fact, you may have
23 heard our Congress member Ted Lieu -- he is in the air
24 force -- and has introduced into the Congress a bill
25 directing the national park service to study the idea of a

1 Los Angeles coast recreation area, and we have several
2 Congress members who have signed on to that. We have so much
3 potential here, and we would love to see the army corps jump
4 in with the national park service and have the federal
5 government have a little more say. We know you have some
6 environmental laws that we don't really have on a local
7 level. Thank you.

8 MS. ROTHSTEIN: I want to thank everyone here. They
9 make such beautiful, eloquent statements, and thank you for
10 coming. I want to remind everyone -- because it was almost
11 said by the last speaker and similar beautiful remarks -- the
12 marina was built by the army corps, by you guys, and we have
13 to keep federal standards. We have been sold down the river
14 by the Coastal Commission and by the board of supervisors. I
15 am a federalist, not a state rights person, so please do your
16 duty guys and help us. Thank you.

17 MR. HAMILTON: I want to thank the Corps of
18 Engineers for coming and sitting in front of us and allowing
19 us to speak. It's a fabulous opportunity for us to express
20 ourselves. It's not a comfortable place to be. Some
21 people -- I think we have a pretty calm, organized group.
22 Now, my experience with the corps of engineers go back to the
23 time when I was a toddler because I grew up in the state of
24 California since I was born in 1946 and I fished a lot in
25 lakes that were built by the corps of engineers. Thank you.

1 And I caught a lot of fish over the years. Also, I worked
2 for the corps of engineers -- not directly -- indirectly for
3 a contractor, the Hancock Foundation at USC, and I did the
4 data analysis on the corps report for the L.A. harbor done by
5 Dorothy Sue and Mickey O'Gehry [sic] and the report is about
6 that thick. And I did the data clean-up for that and did the
7 data analysis on initial report, which was a largest
8 environmental project ever run on the West Coast, up until
9 that time in the early seventies. It includes bird, fish
10 data, all kinds of things. I was the computer guy, and I put
11 in over 90 hours a week, and I still went out and collected
12 data at sea.

13 Now, I am against this installation on the basis of
14 its disturbance and the fact that it is an unbelievable
15 outlay of money that will not accomplish what they have set
16 out to do. I have seen the county spend money for the
17 purpose of building fiefdoms in their departments, such as
18 the purifier at Malibu Lagoon, which they spent a million
19 dollars on that, and it never once worked for one day from
20 the time it was installed. They have since spent money to
21 remove it, and there is a whole big project over there.
22 These projects are done, but they are not done in a way that
23 can be monitored and improved by using a very effective
24 management technique where we measure the species counts,
25 employ biologists. We do the species counts, and then we

1 perform corrective actions. If you want to launch more
2 boats, there are other cheaper ways to do it and safer ways
3 for the public to use existing facilities and perhaps an
4 additional facility located elsewhere in the marina.

5 So I think we need to look at the other avenues of
6 solving this problem and not turn, as we said, to the things
7 that seem to be more appropriate for having covered boat
8 spaces like places like Chicago and the East Coast, of which
9 I am also familiar. So thank you very much for your time.
10 You're looking at 172 plus units of science alone, and I have
11 had people watch my work, such as say Linus Pauling watch my
12 work.

13 MS. POWERS: Thank you for allowing this public
14 discourse. It has been really wonderful to hear everything.
15 I did a lot of what has already been said, so I will be
16 pretty brief. I think the reality of fifty, sixty years ago,
17 and when the marina was conceived and built, do not fit
18 twenty-first century realities. We are in the midst of some
19 major -- as you know, because the corps is going to having to
20 respond to them, major 21st century realities involving
21 climate change, which is going to hit this area very hard.
22 It is going to hit the wetlands very hard. It is going to
23 hit the marina very hard. And the realities of 50 or 60
24 years ago and building, the constant building -- we are
25 losing species at such a rate, including many are endangered

1 who winter here. There is a specific spot in the flyway that
2 has been pointed out. And we are in danger of losing over
3 40% of remaining. We have lost 70% of seabirds. Many of
4 them winter here from the arctic, from up north, and we can't
5 afford to lose anymore. They are hanging by a thread. Even
6 in this last year -- I think 2015 is going to be a defining
7 year that -- because of the species collapse of fisheries.
8 And so I think we really -- I really encourage you to rethink
9 things in terms of twenty-first century reality and what
10 needs to happen here. So that's pretty much it. Thank
11 you.

12 MR. WAHHAS: Hello again. My time right now, and I
13 simply want to play a video from a former coastal
14 commissioner, now state Assembly member from Santa Cruz. His
15 name is Mark Stone. He is a forward thinker and also a
16 boater, an expert, and he directly addressed what he felt of
17 Boat Central and similar projects like Boat Central a few
18 years ago and I would think his comments -- I am really
19 disappointed that we cannot use technology here to get this
20 on. We will try to get the audio on -- bear with me. I will
21 also submit this to the corps.

22 "I think the technology is something and the
23 possibilities are kind of really cool and intriguing to
24 think, but if you start looking at -- if I'm going to order
25 my boat and it's going to be washed and refueled and it's

1 going to be provisioned, that cost to me is significant and
2 that's not -- if we are creating a situation where we are
3 driving up the cost of boating which is expensive enough
4 already, we are now closing the door to a lot of current
5 boaters and certainly future boaters who won't be able to
6 afford that."

7 So those comments are deep. If we are now closing the
8 door on affordable recreational boating, and that's
9 eventually what this project does. You're taking a very
10 high-end facility and now putting in prices that are way
11 above what we are normally accustomed to in wet slips and dry
12 storage. We are raising the ceiling, and we know that the
13 other prices will go along with that. That is what Assembly
14 member Stone is talking about. You're now closing the door
15 on people who this marina was built for and really what the
16 Harbors and Rivers Act talks all about. In there it is fair
17 and equitable pricing and you have to look at fair and
18 equitable pricing, especially when the tax payers funded this
19 federal project, so it is critical if you are going to build
20 high-end facilities on public land that-- well, let me
21 restate that. You should not build high-end facility on
22 public land where taxpayer money is involved because, again,
23 your either allowing a certain segment, a top segment of the
24 population to access those facilities. That's simply wrong.

25 This land is for everybody. These public lands --

1 and it says on a very nice plaque right out in front of the
2 Department of the Beaches and Harbors that this harbor was
3 built for the residence of Los Angeles county. It is Los
4 Angeles county land, but, you as well know, that the federal
5 taxpayers were also very much involved here. And if you're
6 going to go out to the federal taxpayer and say sorry, this
7 facility isn't for you. We know that it is too expensive for
8 you. Find other places for you on recreational public land
9 you can go to, like Miss Marino brought up. Our access is
10 diminishing quickly and until -- again, I go back do that
11 Calvary statement. I am watching a movie. I am seeing that
12 uniform. We need you here. We are glad that are you here
13 tonight, and we really need your involvement now to bring
14 about more fair and equitable access and fair and equitable
15 pricing that is outlined in House Document 389 and Public Law
16 780. Thank you.

17 MS. VOSBURG: Hi. If you feel like I do, then we
18 need an EIS. An EIS comprehensive over the entire marina,
19 which is 950 acres, to look at all the things that have
20 occurred. Can you raise your hands -- Raise your hand if
21 you would like to go have an EIS. Is there anyone who of
22 wouldn't? What about our developer over there? Do you want
23 an EIS? Do you want an environmental impact statement?
24 Guess we are not getting an answer there. Anyway, if you're
25 interested in continuing this concern from area to area --

1 remember. This is only the beginning. This goes from now.
2 It's pier or Dock 52. Next, it's pier 54. All buildings,
3 83,000 square feet. Then it's Fisherman's Village, around
4 90,000 square feet instead of a sixth of that, around 13,000
5 square feet. And then there is, you know, in contention
6 right now 9-U, which is right now a wetland, fresh water
7 wetland, which they are looking at to bring in the same
8 polluted water that they are suggesting bringing anything to
9 Dock 52 and into our wetlands. They are suggesting again
10 that they turn that they bring a pipe and they irrigate with
11 polluted water that needs to be cleaned up. And it goes on
12 and on and on.

13 So I am asking you -- on May 17 and every month,
14 except for a couple summer months, we have a program here at
15 between 7:00 and 9:00 p.m., and it's always on a Tuesday
16 night, but we can't get consistency on what Tuesday because
17 of the rules that are around, but, anyway, if you would like
18 to sign-up, we would appreciate you signing up. We would
19 appreciate your attendance and, you know, I keep saying to
20 people "knowledge is power." So there are twenty of these
21 things out here but there are also save Ballona dot org that
22 has an amazing amount of information so you can learn about
23 what is here right now and also what is coming in the future.
24 So I invite you May 17, Tuesday night, right here, 7:00 to
25 9:00 p.m. Thank you.

1 MS. SHALLENBERGER: My name is Liz Shallenberger,
2 and I am a residence of Marina del Rey and this is going onto
3 any sanctuary. I just want to put a face to a lot of the
4 people that enjoy that area on the weekends. I am a cyclist
5 and you know it is my passion in life, and that is where my
6 group meets and I see a lot of other groups there. Guys
7 putting their kids to go on the fishing boat or on the party
8 boat, and, you know, I met one weekend these guys were there
9 that had no use of their legs learning how to use their
10 arm-powered wheelchairs and you know. I worked downtown as a
11 nurse, and I am on the 10 Freeway three hours a day. And I
12 am just about insane by the end of the week, and that is
13 where I go. That is where my space is, and I think a lot of
14 other people in my position feel the same way. Not that
15 anything other than numbers and dollars influences anything,
16 but I wanted to put my two cents in. Thank you.

17 MS. KNIGHT: Yes. I just had a couple things. I
18 just wanted to show you the way things are done. This
19 picture of the Boat Central -- the wetlands have been whited
20 out over here, so when you see it you don't even know the
21 connection that this is right across the street from the
22 wetlands. And that is the kind of thing that gets done.
23 There is not really a realistic representation done on a lot
24 of these issues. And I -- I wanted to say that if anybody
25 wants to stay involved with us, the Marina Coalition, you can

1 see me after and sign-up and keep in touch.

2 And lastly, there is a hearing at the Coastal
3 Commission on this Friday on the last marshland left, Parcel
4 9-U, and it will be on Friday at the Coastal Commission in
5 Newport Beach, and if you want more information see Marcia
6 Hanscom. Marcia, raise your hand. She's right back there
7 with the Ballona Institute and this -- the proposal is to put
8 a 288 room hotel on this marsh and leave a tiny little thing
9 for the birds that people can watch when they sit outside or
10 walk around it. It's crazy what we are doing these days. So
11 we are trying to save these last tiny bits of nature left in
12 Marina del Rey. Thank you.

13 MS. VERNON MARINO: Hi again. Hi name is Nancy
14 Vernon Marino, and I wanted to speak on the issue of public
15 safety, which I had run out of time earlier because the
16 public safety of recreational units it being increasingly
17 shoehorned into already utilized spaces for that. And one of
18 things that I didn't mention earlier is that the county is
19 planning to put a lot of stand up paddle board and kayak
20 storage directly across the are street from this project that
21 are you considering today. And the safety of the launch ramp
22 boaters coming out, many of whom are new to boating so they
23 need a little bit of forgiveness when they are trying to get
24 under way rather than trying to get through that little
25 narrow passage with lots of cigarette boats and big boats

1 coming at them every direction. So I really would implore
2 you to make public safety of all the boating uses in the
3 channel, not only the ones we have talked about, that are on
4 the docket that the county and applicant's don't mention
5 because there has not been a permit signed so they just kind
6 of ignore these things.

7 Please find out from the public and all the proposed
8 uses in Basin H because that will impact. That will inform
9 your assessment of the safety hazards of the project. And
10 finally, I would like to say that the Marina Coalition, we
11 are a lot of organizations in the community and we all have
12 the shared common interest, and we would like a
13 representative from the corps to be involved with that. If
14 one of you would like to be part of that, we would invite you
15 to join us. Thank you.

16 LCT SUGRUE: Thank you everybody. And on behalf of
17 the Corps of Engineers, this is a tremendous participation,
18 and it's of great value to us in our process to hear directly
19 from you, and so thank you for coming tonight. Again, we
20 carefully consider all comments, both verbal that we have
21 heard tonight, as well as written, for our proposed project.
22 As part of our final permit decision. As a reminder the open
23 period for comments is open until May 20th. Next Friday is
24 when that period closes. They must be received by May 20th
25 in order for us to consider them in the evaluation for this

1 permit.

2 So what's the next step? I can hear a pin drop. I
3 know that you want to know. We take this and we make a
4 determination in the environmental assessment to determine
5 significance, and that does take a bit of time as we consider
6 both what the applicant has submitted, as well as your
7 comments for it, and we will use your comments from today as
8 well as those already been submitted and those that will be
9 submitted in written form through the 20th in our decision
10 document. There will be responses to those in your decision
11 document.

12 If you need any further information on the project,
13 I encourage you to visit the information table at the
14 entrance. We have do have a website that information is
15 available on. Be sure you get the link to that website.
16 Thank you. It was a privilege and a pleasure hearing from
17 all of you tonight, and I wish you the best.

18 (End of proceedings at 7:47 p.m.)
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CERTIFICATE

OF

CERTIFIED SHORTHAND REPORTER

* * * *

The undersigned Certified Shorthand Reporter
of the State of California does hereby certify:

That the foregoing Proceeding was taken before
me at the time and place therein set forth.

That the testimony and all objections made at
the time of the Proceeding were recorded
stenographically by me and were thereafter transcribed,
said transcript being a true and correct copy of the
proceedings thereof.

In witness whereof, I have subscribed my name, this
date: May 10, 2016.

Denise Talancon

DENISE TALANCON, CSR No. 14047

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