

1 PUBLIC HEARING
2 BERTH 97-109 (CHINA SHIPPING) Draft EIS/EIR
3 THE PORT OF LOS ANGELES

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5 RE:)
6)
6 FOR THE CONTAINER TERMINAL)
PROJECT RECIRCULATED DRAFT)
7 ENVIRONMENTAL IMPACT STATEMENT/)
ENVIRONMENTAL IMPACT REPORT)
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TRANSCRIPT OF PROCEEDINGS
Wilmington, California
Thursday, June 5, 2008

Reported by:
ANABELE M. MONTGOMERY
CSR No. 13231
Job No.:
A8831NCO

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TRANSCRIPT OF PROCEEDINGS, taken at

Banning's Landing Community Center,
 100 East Water Street, Wilmington, California,
 commencing at 6:16 p.m. and concluding at
 7:50 p.m., on Thursday, June 5, 2008,
 reported by ANABELE M. MONTGOMERY, CSR No. 13231,
 a Certified Shorthand Reporter in and for
 the State of California.

1 APPEARANCES:

2 For the US ARMY
3 CORPS OF ENGINEERS,
4 LA DISTRICT:

COLONEL THOMAS MAGNESS
DR. SPENCER MacNEIL

5 For the PORT OF
6 LOS ANGELES:

RALPH APPY, PH.D.
LENA MAUN-DeSANTIS

7 Also Present:

8 DAVID PETTIT
9 RICHARD HAVENICK
10 JOHN SCHAFER
11 EDWARD HUMMEL
12 RAJAN SIMY
13 MARY LOU TRYBA
14 JANET GUNTER
15 ANDREA HRICKO
16 KATHLEEN WOODFIELD
17 SUSAN NAKAMURA
18 MARTIN SCHLAGETER
19 JOHN CROSS
20 ELIZABETH WARREN
21 KYLE BALLARD
22 RICHARD PAWLOWSKI
23 KERRY SCOVILLE
24 MEMBERS OF THE PUBLIC
25

1 Wilmington, California, Thursday, June 5, 2008

2 6:16 p.m.

3

4

5 MR. APPY: For starters, I appreciate you all coming
6 out to speak on the China Shipping environmental
7 document. So the general purpose here tonight is
8 actually to get your oral comments on the documents. We
9 also have the ability to receive written comments later,
10 and we'll go into the details of that later.

11 My name is Ralph Appy, and I am the director of
12 environmental for the Port of Los Angeles, and I am here
13 to discuss the China Shipping Draft EIR, and so generally
14 we're going to give a brief presentation and then receive
15 comments to fill in your time. So our presentation will
16 be fairly brief, but it's worthwhile, perhaps, to kind of
17 feel obligated to -- it's a pretty large document -- to
18 get a list of the summary for what the project will look
19 like and what we're anticipating in regards to future
20 steps in evaluation. So I appreciate you being here
21 tonight.

22 The evaluation is an environmental evaluation. It
23 serves two purposes: One is a State purpose, where the
24 Port of Los Angeles is the lead agency preparing the
25 document, but it's also combined with a Federal purpose,

1 which is called the "National Environmental Policy Act,"
2 to require documentation on the Federal level for issuing
3 of the permits to occur in the long run, building the
4 wharfs and fixing the channels -- things like that.

5 So we have two different parties here who are
6 actually responding to your comments tonight. In that
7 regard, I would certainly like to introduce Colonel
8 Magness, who is the commander and engineer in the Army
9 Corps of Engineers, and so he is here, and I'll introduce
10 him; and also with him is Dr. Spencer MacNeil, who is the
11 Corps environmental manager on the environmental
12 evaluation and for the Port of Los Angeles;
13 Lena Maun-Desantis is the project manager for the
14 Port of Los Angeles on the CEQA portion of it. So we
15 work together with the Corps to produce a combined
16 document. With that, I'd like to turn the microphone
17 over to Colonel Magness to do a brief presentation.

18 COLONEL MAGNESS: Well, good evening, everyone.
19 I'm Colonel Thomas Magness. I'm the commander of the
20 Los Angeles District of the Army Corps of Engineers, and on
21 behalf of the Corps, I'd like to welcome you all to this
22 meeting, which we're also conducting in Spanish as a
23 courtesy to you, the interested public.

24 As you know, the Port of Los Angeles has applied
25 to my agency for permits to construct wharf and terminal

1 improvements at Berth 97-109, the China Shipping
2 container terminal. The project's Joint Environmental
3 Impact Statement and Environmental Impact Report, which
4 you are currently reviewing, evaluates all three phases
5 of this project, including the first phase, which was
6 constructed under Corps and Port permits and has been in
7 operation since 2004.

8 Under our Federal permit program, the Corps of
9 Engineers is responsible for regulating dredge and fill
10 activities in waters of the United States, including
11 activities that may affect navigation. The Port's
12 proposed activities at Berths 97-109 are regulated under
13 both Section 404 of the Clean Water Act and Section 10 of
14 the Rivers and Harbors Act.

15 Federal actions such as Section 404 and Section
16 10's permit decisions are subject to compliance with a
17 variety of Federal environmental laws. Consequently, the
18 Corps has a responsibility to evaluate the environmental
19 impacts that would be caused by the Proposed Project
20 prior to making the permit decision. In meeting its
21 regulatory responsibilities, the Corps is neither a
22 project proponent nor an opponent.

23 In addition to evaluating the environmental
24 direct, indirect, and cumulative impacts of the Port's
25 Proposed Project, the Corps must determine whether the

1 Proposed Project is the least environmentally damaging
2 practicable alternative that meets the overall project
3 purpose. Also, no permits can be granted if we find that
4 the proposal is contrary to the public interest. The
5 public interest determination requires a careful weighing
6 of those factors relevant to the project -- to the
7 particular project. The project's benefits must be
8 balanced against its reasonably foreseeable detriments.

9 For purposes of the testimony I will hear
10 tonight, I will concentrate on issues specifically
11 related to the Port's proposed China Shipping container
12 terminal at Berths 97-109. At this public hearing, the
13 Corps is requesting input from the general public
14 concerning its specific physical, biological, and human
15 use factors that should be evaluated in greater detail as
16 part of the final EIS/EIR and the Corps permit action for
17 the Proposed Project.

18 The Corps would like to emphasize that we will
19 carefully consider all comments that we receive for the
20 Proposed Project, and they will be given full
21 consideration as part of our final permit decision. Some
22 speakers will be opposed to the project, while others
23 will be in favor. I hope and expect that you will
24 respect opposing views and allow speakers to make their
25 statements without interference. Following this hearing,

1 all parties will be given until June 30th to provide any
2 final written testimony or rebuttals. Dr. Ralph Appy
3 from the Port of Los Angeles will now provide a 10- to
4 15-minute presentation on the project.

5 Following this presentation, I will discuss how
6 we will take oral testimony from you this evening. Until
7 then, if you know you would like to speak tonight, fill
8 out a speaker card, as many of you have already done, and
9 give it to one of the Corps or Port staff at the front.
10 I imagine if you wave it, we'll find it, and this will
11 help us transition to the public input session. And,
12 with that, Ralph, if you would take it from here.

13 MR. APPY: Thank you very much. Okay. Tonight
14 we're here to discuss the China Shipping Environmental
15 Impact Statement and Environmental Impact Report, and
16 those two names -- the Impact Statement refers to
17 actually the NEPA or Federal portion for the evaluation
18 of the impact report, its terminology, "EIR," for the CEQA
19 portion of it. And this is a little bit of a different
20 type of a document. We actually submitted this document
21 previously. We sent out the Draft EIS/EIR. And the
22 Draft -- you can think of it as a Draft; you can also
23 call it a Public Review Document, if you want, because
24 that's really what it is.

25 We sent it out for a certain period of

1 time -- in this case, 60 days -- and we did this once
2 before and we got a whole bunch of comments on this
3 document, and so what we decided to do, based on the
4 comments we received, was to try it again, and so now we
5 are submitting this document for the second time. It's a
6 revised draft. And what we didn't do, we just didn't fix
7 the comments. What we did is we recirculated -- we
8 re-did the whole document, and so it's a brand new
9 document. We're receiving comments anew. So it's just
10 like it's the first time it came out. And so that's
11 something that's a little bit different about this
12 document.

13 The second thing that's unusual about this
14 particular project is it's a subject of an Amended
15 Stipulated Judgment, or ASJ. We have all these acronyms.
16 And so this is something that overlies, if you would, the
17 preparation of this environmental document. There were
18 certain requirements in the -- in a -- we were subject of
19 a lawsuit by National Resources Defense Counsel and other
20 parties, and as a result of that, in order for the
21 terminal to operate, we agreed to do certain things, and
22 one was to prepare the environmental document, and so
23 these you can see here are some of the requirements that
24 kind of overlay the normal CEQA, which is California
25 Environmental Quality Act, NEPA requirements -- CEQA and

1 NEPA.

2 Anyway, so some of the requirements are that we
3 would start in -- March of 2001 would be our baseline.
4 So any time you do an environmental evaluation, you peg
5 the beginning of it at a certain level, like a flat line,
6 we call it the baseline, and the year that we picked it
7 was 2001, and so that's quite a while ago. Also, it
8 required us to analyze the project in certain phases, in
9 particular, Phase I, and Phase I is actually part of the
10 project that is now operating out there, and so we were
11 allowed to move forward and operate the terminal, but
12 when we assess it environmentally, we have to assess it
13 as if we are starting it from scratch, okay? So we are
14 reassessing -- even though it's operating out there,
15 we're reassessing that part of the project.

16 It also requires us to look at the non-shipping
17 as an alternative. Quite often, the port lands are
18 specifically zoned, and we have Federal and State
19 mandates that say we are supposed to look at
20 international cargo-handling opportunities. And so as a
21 part of the judgment, we also agreed to look at a
22 non-shipping use as an alternative. And so if you look
23 at the document, there's a whole bunch of alternatives in
24 this document. There's the project we're proposing.
25 Then there's also a smaller project, and there's a

1 non-shipping alternative, amongst others. And so those
2 alternatives, by the way, are looked at in a very equal
3 way. Each one is -- the same analysis, essentially, is
4 done on each alternative so that at the end of the day,
5 you can look at it or compare how much cargo comes under
6 each alternative and what are the environmental effects
7 of each of those alternatives. So you can line them up
8 and compare them.

9 Finally, there's the mitigation requirements
10 because that terminal is operating already, that we
11 agreed to some mitigation measures, and you can see up
12 here, AMP is "Alternative Maritime Power" or cold
13 ironing. That's where you plug the ships into shoreside
14 power. And so as part of the judgment, we agreed by 2005
15 that 70 percent of the ships would be cold ironing. So
16 we actually provided money to China Shipping for them to
17 retrofit their ships, and we built the infrastructure in
18 that terminal. By the way, this is the first container
19 terminal in the world to have ships that actually plug
20 in. There's no place else that that exists. Then we
21 have the second terminal. Our NYK facility is also
22 retrofitted -- has been retrofitted to receive ships to
23 plug in to shoreside power.

24 The other thing is to look at what -- that
25 condition of low-profile cranes. There was concern -- we

1 have what's called A-frame cranes, which are the
2 predominant cranes you see out in the harbor, and there
3 was some concern about is there not a feasible lower
4 crane? And so we have -- the document also looks at
5 low-profile cranes. Since that time, low-profile cranes
6 have been identified as not being feasible for our use in
7 the harbor, but there's still a discussion of that in the
8 environmental document.

9 Another requirement is to use alternative fuel
10 in yard tractors. Yard tractors are those little things
11 that look like a truck that handle -- that pull the
12 containers around in the container terminal, and so this
13 terminal has all those yard tractors powered by propane,
14 and so that has been happening since the onset and the
15 operation of the terminal.

16 Finally, there's a requirement to use a special
17 type of fuel and DOCs for Top-Picks and Side-Picks, and
18 so that was implemented as well, and DOCs are a
19 post-combustion treatment, if you would, on the yard
20 tractors that helps remove the particulates from the
21 emissions, in particular. Emulsified fuel is a little
22 bit of a difficulty because that was a requirement that
23 became unavailable. The company that produced the fuel
24 no longer uses it, and so that was one that became
25 difficult to actually implement.

1 Okay. So that is kind of the general outlay of
2 the background for the project, and what I'd like now is
3 to have Lena, the project manager from the Port, to come
4 up and describe what are the key elements of the project,
5 to give you -- show you some maps to give you a picture
6 of what the project actually looks like and describe some
7 other factors including some of the mitigation measures
8 we're looking at, which are very significant for this
9 project.

10 The difficulty we have with our terminals in
11 particular, too, is that some of them are very close to
12 the community, and so the mitigation measures need to fit
13 the environmental effects we have, and so we look at a
14 wide range of effects. We look at environmental -- we
15 look at cancer risks through health-risk assessments, and
16 what's real interesting is California is the only state
17 in the United States that actually has a requirement to
18 look at air toxins in this manner. So there's health
19 risk assessments. So we're really set apart from a lot
20 of other ports in the United States as well. So the health
21 risk assessment is a very critical part of our assessment
22 of these documents, and we spend a lot of time and effort
23 in doing those health risk assessments. So, with that,
24 I'll turn it over to Lena to provide you a description of
25 the terminal.

1 MS. MAUN-DESANTIS: Hi. I'm Lena. So there was
2 one thing I did want to mention: Although this is a
3 recirculation of the Draft EIR/EIS, the project itself
4 has not changed since 2006. So if any of you had read
5 the 2006 Draft EIR/EIS, the actual project that we're
6 trying to do the environmental analysis on actually has
7 not changed in that. It was just our analysis of how we
8 looked at it from an environmental perspective.

9 So this may look very familiar to some of you.
10 It is -- we're going to do some dredging and some wharf
11 upgrades. We're going to put in 10 new cranes. Again,
12 we're looking at this project as if there's nothing out
13 there right now, so the 10 cranes includes the 4 cranes
14 that are actually out there. So that may also be
15 confusing as you read through. We try to remind the
16 reader, as you go through that, we're reanalyzing Phase
17 I, so some of the things that you don't see on the
18 terminal or you do see on the terminal, we treat as you
19 can't see on the terminal.

20 It's a 40-year lease. Again, you'll see it's in
21 2005, so that's when the lease began. So it's that
22 reanalysis of the Phase I. We're going to use Berth
23 121 and 131, on-dock rail yard. That's Yang Ming. As many
24 of you know, Yang Ming and China Shipping are close
25 together, and they will be using -- there is not an

1 on-dock facility on that -- on the China Shipping
2 terminal, but there is one on Yang Ming, so they will be
3 using it there.

4 The terminal buildings will be LEED-certified.
5 There will be new energy-efficient and shielded
6 lighting -- and, oops, it looks like one of the
7 bullets wasn't there -- there will also be a new truck
8 entry gate. There will also be, as part of this project,
9 relocating the Catalina Express to Terminal 95 -- or
10 Berth 95, excuse me. So here's a little bit more so I
11 can show you a little bit more visually.

12 I wish I -- do you have a pointer by any chance?
13 Oh. There we go. So Catalina is here, the Vincent
14 Thomas Bridge, right here. The Catalina Express is right
15 here. It will be moving just right next to it. So if
16 any of you are taking it, you still have to go through
17 the same place; it's just that they'll be just moving a
18 little bit south. This will be -- this is Phase I here.
19 This has already been built, and so Phase II will be some
20 more fill and an additional bridge here.

21 As some of you may see, there is a culvert here
22 that we will keep open, so we won't fill this in, but
23 there will actually be water here, so it necessitates two
24 bridges. One of them has been built already, although
25 we, again, are reanalyzing like it hasn't been built.

1 And then Phase III is some more fill here and some
2 backland development here, and then we'll be extending
3 the wharf.

4 Right now they only have this amount of wharf,
5 and if we approve this project and go forward with what's
6 under the Proposed Project, we'll have a full wharf here.
7 And then, again, Yang Ming is up -- I'm sorry. You can't
8 see it. It didn't kind of show up. It's actually right
9 here. Unfortunately, it's not showing up in this
10 projection. It's on my computer, but the Yang Ming
11 facility is right here, so what happens is that Yang Ming
12 and China Shipping use the same terminal operator, and so
13 that terminal operator will bring the boxes up to the
14 Yang Ming facility and use the on-dock facility there.
15 They won't have to go out into the road. They'll do that
16 all internally through these bridges.

17 Okay. So the Draft EIR/EIS looks at seven
18 alternatives: The no project, no Federal action, will
19 reduced fill -- two reduced fills, actually, a reduced
20 construction, an OMNI terminal, and a non-shipping use.
21 Non-shipping use, again, was part of the Amended
22 Stipulated Judgment. So, sorry that this is a little bit
23 small for you to see, but on our Web site -- and the Web
24 site will be up on one of the end slides -- we have all
25 of this information up there in a reader's guide and a

1 project overview, so you can get much more information
2 there, much more detailed information about the project.

3 If you get -- obviously, the Draft EIR is there,
4 too, but the Draft EIR I know is very large, but sometimes
5 people want a synopsis, so we created two synopses
6 called a reader's guide and a project overview, and
7 you can kind of see these blown up so you can actually
8 read them. But you see we'll compare the differences in
9 terminal acreage, in ship calls, in TEUs, and cranes,
10 total fill, and new wharves. There is -- one change that
11 we've made to the project is that we included one more
12 alternative, so the last -- the 2006 document had six
13 alternatives; we now have seven we've included in this
14 reduced construction. But everything else is the same
15 again. It would be the same terminal acres, the same
16 manual throughput, and the same TEUs.

17 So the Proposed Project, again -- and this is at
18 full build-out, we're looking at about 234 annual ship
19 calls, about 1.5 million annual TEUs, about 10 cranes,
20 the total fill will be 2.54 acres, and then we'll
21 have -- sorry. This is feet of wharf, so the length of
22 the wharf is going to be 2500 feet. So I'll just go over
23 the alternatives really quickly again. There's a much
24 more detailed, full analysis in the draft document.
25 We're looking at the no project and the no Federal action.

1 No project would assume that Phase I is abandoned. So we
2 know that they're operating out there right now; the no
3 project would look at China Shipping leaving that
4 facility, as we would, so we would take the four existing
5 cranes that are there, remove them; and we're going to
6 abandon the one bridge that's there and then we would
7 have just some developed terminal, but we wouldn't be
8 using it as a container terminal.

9 No Federal action looks at -- that's really a lot
10 of the essence of the NEPA analysis. It looks at what would
11 happen if we didn't get the Corps permits. So that looks
12 at what the Port of Los Angeles could do without a Corps
13 permit. So that would be -- we'd have to, again -- we
14 wouldn't be able to use the wharf area. We wouldn't be
15 able to use that to build more wharf area, and we
16 wouldn't be able to build the other bridge. So, again,
17 you're abandoning your bridge, you have -- the wharf is
18 abandoned and you're moving your cranes.

19 So then we look at a series of different
20 alternatives, and most of those are some sort of
21 different kind of alternatives of construction. So the
22 first one is you're not getting your Berth 102 wharf. On
23 the second one, it's a reduced fill 100 wharf. The third
24 one would be -- assuming Phase I just would be as far as
25 we went with the project, so we wouldn't go forward with

1 Phase II and Phase III. Six is an OMNI roll-on/roll-off.
2 That's RORO, you hear it sometimes; or a break bulk
3 terminal, so, meaning, it would be a non-container use,
4 but it would still be some sort of Port industrial
5 use of the area. And then seven would be the
6 non-shipping use, so that would be no industrial -- it
7 would be looking at a retailer office in that site.

8 So I'm just going through the Proposed Project
9 impacts, and, again, all of the alternatives have
10 slightly different impacts and they would have their own
11 analysis like this, but under the Proposed Project impacts,
12 we do have a number of unavoidable significant impacts:
13 Air quality, our construction emissions and our operational
14 emissions exceed our thresholds, our greenhouse gases,
15 and then our 2004 HRA.

16 We did do two HRAs as part of the assessment for
17 this document. The main one is the one that we'll base
18 significance on, and then we did the second one just for
19 informational purposes only. So it was not -- it's in
20 there for people to look at. Because we're doing a
21 reanalysis of Phase I, we wanted to give you an idea of
22 what would happen if what this document really is looking
23 at is basically a zero baseline, meaning, nothing is on
24 the terminal; and then about five years of very little
25 mitigation; and then a lot of mitigation from now on. So

1 we did look at two HRAs, just for informational purposes.
2 The 2004 HRA, which is the one we base significance on,
3 is significant, so we did exceed the 10 million. We're
4 at 11 million.

5 Aesthetics and visual resources, that's a
6 significant unavoidable impact, mainly because of the
7 cranes blocking the views of the bridges. Biological
8 resources -- there's a potential for spills. We took a
9 very conservative stand there and we said that if there
10 was a potential for a spill, that we would consider that
11 avoidable. Geology, we have a seismic issue. We're
12 building something in an area of seismic concern.
13 Noise, construction noise will be significant;
14 operational noise will not be significant. Water
15 quality, there's a potential for discharges, even
16 though it's illegal and even though we try to do
17 everything to prevent that, there is still the potential,
18 so we want to make sure that we're assuming that. And then
19 transportation, there's a possibility for rail delays
20 in some areas outside of the Port boundaries. We do
21 apply mitigations to all of these things, but it's not
22 enough to -- we find that there's not enough mitigation
23 to make that be less than significant. So, for instance,
24 in air quality, there's a number of mitigation measures
25 that we still find were above the thresholds.

1 Impacts that are less than significant as to the
2 mitigation, so these are the things that we've applied
3 mitigation to, and then we've gotten them below significance:
4 Groundwater soils, utilities and public services. Less
5 than significant impacts are cultural resources, land
6 use, hazards, and marine vessel transportation. Some of
7 those also have mitigation. Just because they weren't
8 thought to be significant, doesn't mean that we didn't have
9 the mitigation. And then we have a number of cumulative
10 impacts.

11 So I selected a couple of project mitigations.
12 Again, I'm sorry, this is tough to read. We have quite a
13 few mitigation measures in this document. There's
14 actually, on the back wall, if you're leaving, I put the
15 full list out there. And, again, in the reader's guide
16 and in the project overview, there's the full list of all
17 the mitigation measures in the document and then, again,
18 as you're reading through the document, they're also in
19 the document, so some of the -- we have some aesthetic
20 mitigations: We're going to do some landscaping along
21 Front Street, color studies for the cranes to see if
22 maybe some of the colors can make it not as a visual
23 impact; we're going to do the plaza park improvements as
24 part of this document to give it another area where
25 people can view the Port without -- and view the Vincent

1 Thomas Bridge without the cranes in the way.

2 Under air quality, we're doing a number of
3 operational -- we also have a number of air quality
4 construction mitigation measures that have come. We
5 should have highlighted some of the operational
6 mitigations. It's definitely the most aggressive
7 mitigation scenarios we've done at the Port of
8 Los Angeles thus far, and we're up to 100 percent very
9 quickly. There's a vessel speed reduction, low-sulfur
10 fuel, slide valves, rerouting the cleaner ships -- that
11 means that they're MARPOL Annex IV compliant.

12 We're looking at new vessel builds so that if a
13 customer orders new vessels, they could potentially look
14 at different technology that they could build
15 structurally into the ships. Yard tractors, looking at
16 alternative fuel, yard equipment at the rail yard because
17 China Shipping will be using the Berth 121-131 rail yard.
18 We're going to assume that all of the equipment that's at
19 the 121-131 rail yard that's handling China Shipping
20 boxes are also clean.

21 We're going to -- this is the first terminal
22 that's got electric RTGs on it. We're going to have a
23 hundred-percent electric RTGs. Electric RTGs are the
24 Rubber-Tired Gantry cranes. They're the large cranes; you
25 see them sometimes. They look like big -- I don't even

1 know how to describe it. It looks a square without the
2 bottom -- or rectangle without the bottom and two big tires,
3 rubber tires, basically like this, and they sort the boxes
4 and those will be electrified. Right now, they're diesel.

5 So looking at the Clean Vehicle Program, truck
6 highway reduction, we've got a bunch of greenhouse gas
7 measures as well. And there's the greenhouse gas
8 measures, but we also have a specific one. LEED
9 certification, compact fluorescent light bulbs, solar
10 panels, regular energy audits, recycling, and tree
11 planting.

12 So, again, this whole list is in various places,
13 and we'd love to hear your comments on those tonight. So
14 we do have a couple of ways to get them. CDs and
15 executive summaries -- if anybody doesn't have a copy of
16 the document yet, we have CDs and executive summaries.
17 Those are available free of charge. We actually have a
18 bunch here. You're welcome to pick them up. They're on
19 our Web site, the Port of Los Angeles. If you go
20 on our main Web site, there's actually a link to the home
21 page. You can just click on the picture, and you'll get
22 to the full document, along with a lot of those other
23 documents that I've been talking about.

24 We will also be posting the transcript from this
25 meeting on that Web site. It'll take a couple

1 of -- probably a couple of weeks by the time we get it
2 posted, but that will be up there. And as we move to the
3 final, that's where the final will be as well.

4 The public notice of the joint document and the
5 joint public notice, that is on our Web site, but it's
6 also on the Army Corps of Engineers' Web site. We have
7 hard copies for review. They're very big. If anybody's
8 seen the full copy, it's almost 6,000 pages, so we're
9 trying to print very few of those these days. I'm down
10 to 20. That's about how many I've printed this time.

11 So we have some -- you can come in any time you
12 want and view them at the Port of Los Angeles. We'll set
13 you up in a room, and you can flip through the hard copy.
14 I know sometimes it is hard to look at them electronically.
15 They're also available in a number of public libraries.
16 So you can go to the public library and ask for this
17 document. Then you can go through a hard copy there as
18 well. There's the Central -- the main Los Angeles Public
19 Library, the Central branch. They're also at the
20 San Pedro and Wilmington main branches, and then in
21 Long Beach.

22 Okay. So I'm going to let the Colonel speak a
23 little bit more about this, but I just want to let you
24 know, comments -- the comment period ends on June 30th,
25 so we have a little less than a month left to go here. If

1 you would like to send comments on the document, please
2 send them after the Colonel does this. I'm going to leave
3 some addresses up on this PowerPoint presentation so that
4 you can know what addresses to send them to. Please send
5 them both to the Port of Los Angeles and to the US Army
6 Corps of Engineers.

7 You can also e-mail your comments. What we ask
8 of you, if you do choose to e-mail, is that you put the
9 project in the subject line and in the body of the e-mail
10 if you make sure you include your name and your address.
11 That's just so we can get back to you if we -- so we can
12 respond to your comments. I also wanted to tell you --
13 I actually haven't been very good at this tonight, but if
14 you could, when you come up, please pronounce your name
15 and speak clearly for the court reporter so we can make
16 sure that all of your comments get to be part of the
17 administrative record and that we fully get a chance to
18 respond to all of those comments tonight. So I'll just
19 put this up and turn it over to the Colonel. Thank you.

20 COLONEL MAGNESS: Thank you, Lena. So to
21 reinforce her last point, when you do come up to speak,
22 speak slower than Lena just did. Speak into the mic and
23 all of this will be obviously part of the formal comment
24 period on the record. And then that transcript will be
25 available, and that will be available on both the Port

1 and the Army Corps Web site. There was a question
2 earlier as to whether or not all of the comments would be
3 available that we have received, both the questions here
4 tonight and then the written comments that we receive,
5 and they will all be available on both our Web site and
6 the Port's once the comment period closes on June 30th.
7 Before I go any further, I want to make sure I introduce
8 Dr. Spencer MacNeil, and Spencer is my project manager
9 overseeing this analysis.

10 We'll now take oral testimony from members of
11 the public, and during this session, speakers will be
12 given three minutes to make their comments. As I mentioned
13 earlier, if you would like to speak, you must fill out a
14 speaker card and give it to one of either my staff or the
15 Port staff, and I think most of you have had a chance to
16 do that, but we do not want to miss anyone.

17 All oral or written testimony will become part
18 of the administrative record for the permit application.
19 Once we have written transcripts, they will be published,
20 as I indicated. Again, if you want to present your
21 testimony to me directly, you must fill out a speaker
22 card and hand it to one of my staff. As you make your
23 comments, please note that on this table there is a
24 timer, and that timer is my watch right here. We
25 couldn't get anymore sophisticated than that.

1 So please do not interpret anything I say as rude.
2 I will do the best that I can to very politically indicate
3 to you that your time is up so that someone else has an
4 opportunity to speak. So I acknowledge the importance of
5 this issue, and I'll do my best to just let you know that
6 it's time for another person to speak. And, of course,
7 you have the opportunity to, as they say in Congress,
8 "revise and extend your remarks," and submit the
9 remainder of your concerns or comments in written form.
10 We'd be happy to take those. At this point I think we're
11 ready to hear from you, and we're going to call people
12 forward by name, and --

13 MR. APPY: Can you tell him about the trap door
14 that's right there at the end of five minutes?

15 COLONEL MAGNESS: I'm confident that they won't,
16 okay? So I'm going to call up -- I'll take one more.
17 I'm going to call up three people, and if you three want
18 to come up to make your comments in this order, please.
19 The first to make comments would be David Pettit. David,
20 do you want to come up and speak first? After David
21 would be Richard Havenick, and after Richard would be
22 John Schafer.

23 MR. PETTIT: Good evening. I'm David Pettit
24 from the Natural Resources Defense Council. I'm happy to
25 be here tonight after spending an hour and a half trying

1 to get here from Santa Monica. I've submitted written
2 comments by e-mail today. I've also handed in the hard
3 copies of those comments. So I would just like to sort
4 of hit the high points and respond to any questions if
5 you folks have any. Let me start by saying I appreciate
6 the work that Ms. Maun-DeSantis and her staff have put
7 into this Draft EIR/EIS. It's a very impressive
8 document. And I'm not here to criticize her or her
9 staff; I'm here to suggest things that I think we can do
10 to improve this document going forward. And one final
11 preparatory remark -- I talked to David Compalateo
12 (phonetic) of the Sierra Club, and he asked me to convey
13 that he also agrees with the written comments that we
14 sent in today on behalf of the Sierra Club.

15 The first thing I'd like to bring up is that
16 there's no mention in this extensive document of electric
17 port drainage. As you folks know, very recently, to
18 create, you know, public hoopla, the electric drainage
19 truck that's been in development by the Port and the AQMD
20 was literally rolled out, and Mayor Villaragosa drove it
21 around the parking lot and the like, and there's been all
22 kinds of great statements on the Port's Web site, some by
23 President Freeman, about how great these trucks are, how
24 many of the Port's willing to buy and the like. But the
25 potential mitigation based on use of those trucks as they

1 become available is not discussed in the document, and I
2 understand the document went to the press, or may have
3 gone to the press before some of these developments
4 occurred, and I think this is something that can be
5 fixed, although it may lead to a little delay in the
6 schedule.

7 The reason I think this is a particularly good
8 thing is that, as Ms. Maun-DeSantis said, the air
9 emission numbers are over a certain threshold based on
10 the assumptions in the DEIS/DEIR, and I think that if we
11 worked in some sort of reasonable rollout of the electric
12 drainage trucks, we can get those numbers down, possibly
13 under the threshold of significance, and that's going to
14 make the whole project look a lot better and that's going
15 to ripple through -- if what I say actually pans out,
16 that's going to ripple through into the health-risk
17 analysis, which, as she said, it shows more than a
18 10-million increase of the cancer risks based on the
19 project. A substantial amount of that risk is, as I'm
20 sure you all know, comes from diesel particulates
21 emanated from Port operations. If we can get those down
22 by having electric drainage or a substantial portion of
23 electric drainage, I think we're going to see a
24 tremendous improvement in the health risks that are
25 associated with the China Shipping project.

1 So I think those are two good reasons that we
2 need to kind of go back and look at when are these things
3 going to be available? What's a reasonable expectation
4 for how soon they can be rolled out and how many? How
5 many can we reasonably expect to be rolled out, and what
6 can we ask China Shipping to do in that respect? The --
7 I also -- and, also, there will be --

8 COLONEL MAGNESS: David?

9 MR. PETTIT: Yes?

10 COLONEL MAGNESS: That's three minutes.

11 MR. PETTIT: Okay.

12 COLONEL MAGNESS: So the rest of you can get a sense
13 of how short three minutes can be, so could I just ask
14 that you --

15 MR. PETTIT: Yeah. Let me just finish up on that
16 topic before I sit down.

17 COLONEL MAGNESS: Of course.

18 MR. PETTIT: The other benefit, I think, if looking
19 at these electric drainage trucks is the greenhouse gas
20 emissions will be zero, and, of course, you need to net
21 out what is emitted in producing the electricity that
22 powers them; but certainly what's -- I think that's going
23 to net in a positive way and to see the greenhouse gas
24 emission situation of this project will be much better.

25 Thank you very much.

1 COLONEL MAGNESS: Thank you.

2 MR. HAVENICK: Good evening. I'm Richard Havenick.
3 I'm representing the Coastal Neighborhood -- San Pedro
4 Neighborhood Council. I'm also chair of the Ports Air
5 Quality Subcommittee. I'm honored to follow Dave Pettit
6 and the NRDC, honestly and sincerely, but I'm not going
7 to use up my three minutes on you.

8 I'm going to take a new tack here and start with
9 actually based on the facts, acknowledging the Port's
10 progress and improvements in the EIR as written, and I
11 thank you. We thank you. The Coastal San Pedro
12 Neighborhood Council acknowledges the -- there are some
13 key improvements in this EIR. For example, the
14 throughput tracking is a nice -- is a nice change. With
15 that, we request that some formal procedure be
16 established and documented in the EIR and state how that
17 throughput tracking will occur and on what basis. The
18 low-sulfur fuel basin was increased still not a
19 100 percent on project operations, but we'll talk about
20 that before my three minutes is up.

21 The diesel particulate filter on the Tier 2
22 line-haul locomotives is certainly a nice part of the
23 project. The trucks program and the harbor craft
24 port-wide tier two -- all commendable. And I'm looking
25 at the area -- it will start cleaning up any day now. I

1 make some specific requests, please, and the same that I
2 always do, as ships are the largest contributor, by far,
3 whether it's by mass, whatever, the largest contributor
4 from Port operations is auxiliary engines and ships'
5 fuel -- bunker fuel, and I'm looking at the Clean Air
6 Action Plan, and I'm looking at the benefit we would all
7 gain, the whole basin, from implementation of the .2
8 percent, and you know that, and I'm saying the same thing
9 I do every time. We ask that you please consider and
10 that you please work to implement the 100 percent on
11 project's start. That is the greatest benefit from this
12 project -- low-sulfur fuel at 20 miles in auxiliary
13 engines, and, also, if you're going to AMP, I guess you
14 don't need it in auxiliary engines.

15 The most beneficial element in the Clean Air
16 Action Plan is the .2 percent low-sulfur fuel and
17 auxiliary engines and you've received awards and I
18 congratulate you on the awards you received. I won't
19 mention how I feel like I -- the community has been such
20 a big part of that and it hasn't been acknowledged.
21 That's okay. If we get clean air, we all win. As part
22 of receiving that award, I ask you, please, to walk the
23 talk. You've received the awards for the Clean Air
24 Action Plan which stated that low-sulfur fuel would be
25 implemented on lease revision, lease modification, new

1 projects, and we have a lease modification which would
2 result in low-sulfur fuel, .2 percent, at project's
3 start.

4 So I ask you, please, walk the talk, show us why
5 you won the awards, and help clean the air on project's
6 start as well as show your commitment to the low-sulfur
7 fuel, working with the ARB, who has a huge challenge with
8 the shipping industry as well as you do, too, but please
9 walk the talk. Thank you.

10 COLONEL MAGNESS: Thank you, Richard. John?

11 MR. SCHAFER: All right. I'm going to try to take a
12 new tack here, too, so to speak. My name is
13 John Schafer. I'm from San Pedro, life-long resident. I
14 have -- my mother passed away from asthma at the age of
15 66, living in the coastal San Pedro area, which me and
16 all my family and my younger son have lived in. My
17 father passed away at 56 of brain cancer, and my son just
18 couldn't complete the school olympics a couple of days
19 ago because of asthma or bad breathing at White Point.
20 So it's really important to me to make sure we address
21 this air quality thing -- the air quality as an issue,
22 but I put sort of general on this comment because what my
23 concern is is particularly not necessarily the project as
24 much as the process that has been established.

25 What my concern in particular is that as we

1 propose or might possibly set the standard of 3- to
2 6,000-page EIRs for every single project and we try to
3 install a wave of technology that's unprecedented and we
4 don't know whether that technology will actually sustain
5 long-time -- long-term activities, what we've done is
6 we've set a bar so that will stop other potential
7 shippers and berths and so forth to get modernized, you
8 know, that -- really the industry is at a crossroads
9 right now to say, well, do we even want to go here
10 anymore? If we set up a standard that's not going to be
11 modernized, you know, everywhere else, are we going to
12 get to a point to where we don't do things? You know, we
13 could go some place else. We could go to San Francisco.
14 We could go wherever -- Portland, New Mexico.

15 The fact of the matter is that for my son, this
16 thing -- I've been doing this for six years, discussing
17 this stuff for seven years. Literally no Port
18 projects have been done during this time. So while
19 attorneys and activists and engineers and everybody else
20 have gotten some monies and activities of the debate, my
21 son, who went from two years old for the last six years
22 (sic) has been dealing with the existing standards.

23 And so I want this to go forward and then
24 implement it so we can test these projects out and get
25 things going through. But if we're going to set every bar

1 and every standard and change the technology to try to
2 worry about what's going to happen before it's ever
3 implemented, you know, I don't know if that's worth it.
4 You know, let's just stop everything and get all the
5 people who are working along these areas, find another
6 job, do something else; because, you know, for me it's
7 just a "Waiting for Godot" play every time this thing
8 comes up, you know. It's just a lot, a lot, a lot of
9 talk, and then the owners come in and then we spend more
10 money. So for my -- my concern in general is I do want
11 the air quality improved. It's not going to improve
12 until we get these projects improved, the energy. And if
13 you don't do it, you might as well get off the pot, as
14 they say.

15 COLONEL MAGNESS: Thank you, John. Next three,
16 please, in this order: Edward Hummel, Rajan Simy, and
17 Mary Lou Tryba. I'm sorry if I've pronounced anyone's
18 name wrong. Edward?

19 MR. HUMMEL: Thank you. I appreciate being here,
20 and I appreciate the work that you're doing, attempting
21 to pay attention to these important developments that are
22 already in play. I'm the vice chair of the Board of the
23 Environmental Priorities Network. It's a five-year-old
24 local organization in the South Bay attempting to educate
25 and responsibly involve local residents in important

1 environmental issues.

2 I'm here particularly to bring our profound
3 concern about the current effect that low -- ultrafine
4 particulates are having on all of us, particularly
5 children and seniors. I personally have a wife who has
6 just been diagnosed with something called, "reactive
7 airway disease," which is not actually having asthma, but
8 she had some very painful coughing that she's
9 experiencing, and I cannot but presume there could be
10 some link to these ultrafine particulates that we all
11 breathe every day, wherever we are in the South Bay and
12 the whole county.

13 We drive out periodically to Hemet to see my
14 older brother in our car, and by the time I get out
15 there, my eyes are watering so much, I have trouble
16 seeing sometimes. I've had our local minister report the
17 same thing. He gets on the 91 Freeway; you go east and
18 you experience it with a vengeance. And we can't say for
19 certain that this comes right out of the Port of LA, but
20 we know these ports. Particularly, I concur with the
21 remarks made about the ships burning bunker oil. That --
22 that's an extremely important factor, along with the
23 trucks that are piled end-to-end on the 710 Freeway, and
24 I hope every effort will be made to remedy this with
25 every ounce of effort in imagination and conviction that

1 we can bring to it. Thank you very much.

2 COLONEL MAGNESS: Thank you, Edward. Rajan?

3 MR. SIMY: Good evening. I just have one question.

4 We all remember the oils -- the spill which happened up

5 north, the San Francisco Bay. If something like that

6 happens here, are we prepared to handle that? I just

7 wanted to know about that. Thank you.

8 MS. TRYBA: Good evening. I'm Mary Lou Tryba. I

9 live in Harbor City, so I'm a concerned senior citizen,

10 et cetera, with various organizations. I just wanted to

11 make a comment that I hear around different meetings that

12 people are afraid to ask. Is the reality of the ships

13 coming in with all the containers our link to the cities,

14 counties, states, whoever, when you place these

15 containers in different cities or streets, how much do

16 they get paid for each one? That's the number one

17 question, bottom line.

18 And the second reality is when you do the

19 research in regards to the health issues, does it get

20 typed up and sent to every entity besides all you guys?

21 In other words, does Arnold get it in the State? Does

22 Mayor Villaragosa get it and this kind of thing? And

23 being that China's going to have this -- what do they

24 call it -- in August, the Olympics, is anything different

25 going to happen there being to and from here and there,

1 et cetera, in that time frame? Thank you for your time,
2 and good luck.

3 COLONEL MAGNESS: Thank you, Mary Lou. Next up,
4 please, Janet Gunter, followed by Andrea Hricko, and then
5 Kathleen Woodfield, please.

6 MS. GUNTER: Good evening. First of all, I have a
7 real hard time with the fact that citizens are not given
8 hard copies of this document. While I totally appreciate
9 the environmental stewardship of not destroying trees to
10 produce unneeded documents, I find that this lack of
11 availability limits concerned citizens from proper access
12 to this document. Obviously, the reproduction costs of
13 these immense reports are very prohibitive to the average
14 person. I believe that a limited supply of this document
15 and hard copy should be made available to community
16 groups who are serious about stepping in, ours being one
17 of them.

18 Accessing the document by computer is confusing
19 since many times the pages will not open up, that's what
20 happened with me, and since sections are broken up, the
21 continuity of the document is lost. Since the document
22 most easily studied is the summary, it becomes
23 immediately -- immediately obvious that that document in
24 and of itself is flawed. In looking at the summary, it
25 is extremely unclear and confusing. The summary plan

1 gives two separate maps describing the projects, which
2 are entirely different in the placement and number of
3 buildings at the terminal, so which of these is the
4 proposed terminal?

5 Also, pages ES11 -- on page ES11, it states that
6 the project will add 10 new cranes, and while we were
7 just told that that is relevant to the China Shipping
8 document and the fact that 4 of those cranes have already
9 been installed, you see, on page 13, it talks about
10 6 cranes, but it doesn't relate back to the reason or
11 rationale for doing this.

12 And then the other thing that I wasn't aware of
13 because the aesthetics page would not open up is that
14 what I have heard is that the aesthetic impact had not
15 reached a designation of significant impact. You're
16 saying it does. I know what the -- the landscaping is
17 supposed to be in mitigation, but the magnitude of the
18 effect of the cranes on the beauty of this and to the
19 community far exceeds a mitigation measure of mere
20 landscaping. So it's insulting, in my view, to see that
21 landscaping is supposed to take away this huge impact.

22 Although the summary references Settlement A on
23 a number of -- the settlement agreement on a number of
24 occasions, it's non-responsive to the agreement itself
25 and non-definitive about the details of that agreement,

1 so how can a layman, anyone that's not familiar with the
2 lawsuit, like myself, respond to a terminal project if
3 they don't understand the changes incorporated by that
4 agreement and its relationship to the proposed terminal?

5 Also, there are references to page 3 in the
6 summary and its potential use of the Catalina terminal,
7 which is supposed to be in terminal -- in Phase III, but
8 it's not -- on the map it's not clearly defined whether
9 that is Phase II or Phase III, and obviously that means
10 Phase III. There's been much discussion about
11 alternatives, yet none of the alternatives I saw discuss
12 the alternative of using a terminal that only receives
13 cargo that's immediately removed out of the Port on a
14 conveyor system such as Maglev.

15 This has been one of the most discussed
16 options for Port operations and should be seriously
17 considered when weighing alternatives for the future.
18 The summary discusses some 234 ships which will operate
19 out of this terminal by 2030. Does China Shipping have
20 such a large fleet as this, or will other shipping lines
21 be coming in through this terminal? If --

22 COLONEL MAGNESS: Janet?

23 MS. GUNTER: -- if that's so -- and I'll just finish
24 my last sentence here --

25 COLONEL MAGNESS: Thank you.

1 MS. GUNTER: -- where is the additional land coming
2 from to accommodate this cargo, and are we to expect
3 Rolling Hills to be incorporated as backlands? Thank
4 you.

5 COLONEL MAGNESS: Thank you, Janet. Andrea?

6 MS. HRICKO: Yes. I almost forgot. My name is
7 Andrea Hricko, and I'm with the University of Southern
8 California School of Medicine. Thank you for the
9 opportunity to comment on this Draft.

10 I think that we actually need more time to
11 evaluate the 6,000-page document. I think that even
12 though it's not normal procedure, it might have been a
13 good idea in the technology to red-line the document so
14 we could see what the changes were that were made between
15 this document and the last one. You can't search the
16 document because it's all the independent separate
17 documents. You can't search the entire document for
18 something like "on-dock rail," so it makes it hard to
19 comment on that.

20 I would question whether it's wise to issue a
21 40-year lease. I would urge the Corps to have it lowered
22 to a 20-year lease or to reevaluate the lease at 20 years
23 and only continue to 40 years if all the measures that
24 were supposed to be in place are actually in place, and I
25 would say that we've seen quite a few problems with some

1 of the leases that we've had that have been for 30 or
2 40 years, and then we are trapped.

3 And there's new evidence, new science that keeps
4 emerging. We have new studies now about ultrafine
5 particles. We know that there are health risks from
6 proximity to freeways and traffic that we didn't know a
7 few years ago. There are new studies about how extensive
8 and how high the risk is of premature mortality from
9 exposure to particulate matter. So I think that 40 years
10 from now we're going to know a lot more than we know now,
11 and I would suggest that opening up this lease at
12 20 years for reevaluation would be a good idea.

13 I think we need to take the health risks more
14 seriously. We can't continue to allow significant
15 impacts from NO₂, PM_{2.5}, and PM₁₀, and yet that's what
16 this EIR/EIS says it will do. Remaining significant are
17 the effects of PM_{2.5} and PM₁₀, yet these are the very
18 constituents that led the California Air Resources Board
19 last month to update its premature mortality risk
20 statements by saying that many more people are dying from
21 exposure to particulate matter than they previously
22 thought.

23 So this doesn't seem to be a time when we should
24 move forward with a 40-year lease on a project that
25 doesn't actually take care of the PM₁₀, PM_{2.5}, NO_x

1 problem, leaving them with significant impacts. I would
2 also suggest that -- I don't understand why when the CAAP
3 says the on-dock rail should be maximized while I -- this
4 new terminal is being built actually without any on-dock
5 rail using Yang Ming's on-dock rail from next door. If
6 you look at the statistics, the rate, the percentages of
7 on-dock rail will diminish year by year, and I recommend
8 that the number of containers will go up, but the
9 percentage, which is 20 percent now, will be only 17
10 percent through 2030, and I think that's the wrong
11 direction.

12 Let's see here. I would comment that in the
13 section on parks, which no one has mentioned, there is a
14 statement that says the Proposed Project would not result
15 in a substantial loss or diminished quality of
16 recreational resources, and I think that if we have
17 problems with significant impacts from NO2, PM2.5, and
18 PM10, then the parks, like Leland Park and others that
19 are really close to this facility are obviously going to
20 be having a diminished recreational resource.

21 I think you're going to tell me my time's up,
22 and I thank you.

23 COLONEL MAGNESS: Perfect. Thank you, Andrea.
24 Kathleen?

25 MS. WOODFIELD: Good evening. I'm Kathleen

1 Woodfield with the San Pedro Homeowners' Coalition. I'd
2 like to state first that if there is a mass exodus from
3 Southern California due to air pollution and its related
4 health concerns, the economics of this region will
5 collapse. I'm concerned about -- there's a tape recorder
6 up here. Does this work?

7 COLONEL MAGNESS: Yes.

8 MS. WOODFIELD: Okay. I'm concerned about the
9 section of morbidity and mortality, which serves to
10 evaluate -- I think this is the area where they do the
11 premature deaths caused by chronic disease. It's the
12 non-cancer case component. My concern is there is a
13 finding that there are no additional premature deaths
14 from this project. I find that very difficult to fathom,
15 due to CARB's newly released numbers that are 24,000
16 deaths per year, prematurely, in California alone, due to
17 air pollution. This is a 40-year study or 40-year lease.
18 That's a million premature deaths. This is the most
19 polluted area. We know that the Port is the greatest
20 source of the pollution, and this is a large project
21 within the Port.

22 I do not see how out of a million premature
23 deaths, none -- zero -- can be associated with this
24 project. And because I find that so difficult to fathom
25 mathematically, statistically, even common-sense-wise, I

1 ask that this section of the -- of the document be
2 vigorously studied and reviewed, perhaps by a third
3 party.

4 Another reason why this is so important is
5 because the -- we know that the commissioners are going
6 to be asked to do a statement of overriding
7 considerations in order to approve this project. If they
8 are going to be doing a statement of overriding
9 considerations, they need to know exactly what they're
10 overriding. If this document fails to indicate that
11 there are additional premature deaths, then the
12 overriding considerations finding will be incorrect.

13 We also have to be concerned about the
14 economics, and, again, I go back to these premature
15 deaths because -- and, also, cancer cases because
16 this -- this document actually does include some of the
17 new technologies and some environmental elements for
18 keeping air pollution down, but we have to be concerned
19 about how the feasibility is determined and it ongoing
20 could determine in this document because there are
21 opportunities in this document to reevaluate the
22 feasibility of certain technologies as they come along,
23 but if the economy is going to continue to falter and
24 feasibility is based on economy or economics, then I
25 think we can -- it would be foolish for us to assume that

1 feasibility would be considered to be more -- more
2 available. I think it might become less available. So
3 that would also cause more premature deaths and more
4 cancer cases. Thank you.

5 COLONEL MAGNESS: Thank you, Kathleen. Next three,
6 please, Susan Nakamura, Martin Schlageter, and John Cross.

7 MS. NAKAMURA: Good evening. I am Susan Nakamura.
8 I am the planning manager at the South Coast Air Quality
9 Management District. I thank you for the opportunity to
10 comment on the proposed China Shipping project.

11 The AQMD staff has begun revealing the Draft
12 EIS/EIR but has not completed its review and will be
13 providing written comments. I'd like to acknowledge
14 improvements to the previous Draft EIR. We're pleased
15 that the lead agencies have included incorporated comments
16 that we have made on the previous Draft EIS/EIR in regards
17 to the baseline, significance determination for health risks,
18 and evaluation of peak daily emissions.

19 We've made this comment before, and to reiterate
20 again, in regards to the need for the San Pedro Bay
21 standards, AQMD wants to emphasize the importance of the
22 need for the San Pedro Bay standards and urges support to
23 proceed as expeditiously as possible to develop these
24 standards. Assurance is needed that individual projects,
25 when cumulatively considered with other Port sources will

1 not interfere with achieving the San Pedro Bay standards.

2 In regards to on-dock rail, the AQMD staff
3 encourages the lead agency to ensure that the Proposed
4 Project maximizes on-dock rail. Although the existing
5 on-dock rail facility -- rail is not fully utilized, it
6 appears that the Proposed Project will eventually utilize
7 the capacity of existing on-dock rail. AQMD staff is
8 concerned that the Proposed Project offers no increase in
9 on-dock rail as the Proposed Project will increase the
10 number of TEUs by over 30 times.

11 In regards to mitigation measures, we are
12 pleased that there have been improvements since the
13 Tra Pac Project. Vast implementation of AMPing, slide
14 valves, early implementation of slide valves, electric
15 RTGs, and LNG trucks. However, AQMD staff remains
16 concerned because the air quality and health risks are
17 significant.

18 So our comments tonight focus on two mitigation
19 measures: the field sulfur content and new vessel
20 builds. In regard to local sulfur made in auxiliary
21 engines reducing the field sulfur content, it's one of
22 the most important measures in the region's air quality
23 plan in terms of health benefits. AQMD staff believes
24 that anything short of using a hundred-percent low-sulfur
25 fuel shortly after the project approval is inadequate.

1 AQMD staff recommends the following: A hundred-percent
2 compliance with .2-percent low-sulfur fuel within
3 six months of project approval and a hundred-percent
4 compliance of .1-percent low-sulfur fuel by 2010. These
5 comments are consistent with our comments for the
6 Tra Pac Project.

7 Use of low-sulfur fuel is cost-effective and
8 feasible. Maersk is currently using low-sulfur fuel; so
9 is the Port of Long Beach for the Proposed Harbor
10 Project, has committed to using low-sulfur fuel upon
11 project approval, and the argument in the Tra Pac in
12 regards to third-party invitees is not applicable to the
13 China Shipping project. In an --

14 COLONEL MAGNESS: Susan, do you want to quickly say
15 your other point? Because I'm about to have to cut you
16 off. You had another point you were going to make.

17 MS. NAKAMURA: Yes. In regards to the new vessel
18 builds, the Draft EIS/EIR, it must include enforceable
19 provisions. It's inadequate in regards to commitment and
20 enforceability of committing to advanced technologies.
21 We feel this could be a lost opportunity. In closing, an
22 air quality analysis means to separate reductions
23 required under State and Federal regulations versus
24 long-term reductions beyond regulatory requirements, and
25 we look forward to working with the Port of LA.

1 COLONEL MAGNESS: Thank you, Susan. Martin?

2 MS. NAKAMURA: Next time I'll do the -- I'll put all
3 the nice things at the end.

4 MS. MAUN-DeSANTIS: Just as a note, really quickly,
5 though, if you would like to get more time, you have to
6 request it as part of our cover letters on the Web site.
7 There's a process to doing that, and you can actually
8 request a little bit more time if you know you're going
9 to have more comments. You just have to repeat that
10 request ahead of the meeting, please.

11 MR. SCHLAGETER: Toward that end --

12 MS. MAUN-DeSANTIS: For organizations, let me -- so
13 for AQMD --

14 MR. SCHLAGETER: Sure.

15 MS. MAUN-DeSANTIS: -- we could, because you're
16 representing a large group of people. So just please let
17 us know. You can let me know.

18 MR. SCHLAGETER: Well, toward that end, let me note
19 the challenge of instructions to speak slowly for our
20 court reporter and yet squeeze everything that we want to
21 say in our three minutes. So thank you for your
22 commitment to this and your fingers' commitment to this.

23 I'm Martin Schlageter, and I'm with the
24 Coalition for Clean Air. I sure appreciate the chance to
25 speak to you today and also want to thank you for a

1 number of improvements in this, as was mentioned, the
2 baseline improvements in this document; also, the
3 inclusion of greenhouse gases as a consideration here.
4 And, also, I want to focus my comments in on that in the
5 sense that these greenhouse gases are troubling in the
6 amount that is going to be produced, and yet even with
7 the mitigations you've identified, still remain so
8 significant. And I think the comments that Mr. Pettit
9 made on electric trucks is a good example of one solution
10 I would like to see more aggressively pursued in this
11 project; that is, these drainage trucks are a new
12 technology coming out. How, in a 40-year lease, can we
13 more -- have greater assurance that as new technologies are
14 shown to be feasible and are in an application can we get
15 this project to use them? I would like to see a
16 commitment to -- in this lease that the -- that the China
17 Shipping would adopt these best available control
18 measures on a more aggressive timeline, and while you
19 have an energy audit in there, which is an example of
20 something you would do regularly, I think we should also
21 have a compliance audit and perhaps a new technology
22 audit that then is written into the lease so we can have
23 assurance that these new technologies are adopted. This
24 certainly goes for locomotives where I'm challenged to
25 see -- well, I certainly see the need for greater

1 mitigation measures, faster mitigation measures.

2 This is a significant component of the health
3 risk that remains over the build-out of the project, and
4 I think we need to see some more aggressive adoption of
5 that, just as I agree with the comments about on-dock
6 rail. How can -- is it not that we should have, perhaps,
7 a more inclusive concept of the build-out of this project
8 to increase the capacity of that on-dock rail and not be
9 limited by what Yang Ming has there? And that may be a
10 logistical challenge, a geographic challenge, but I'd
11 like to have that more fully discussed in the document.

12 And, finally, as we move toward electrification
13 of many of the vehicles there, there remain some impacts
14 identified, especially as related to the greenhouse gases
15 due to the dirty mix of power that the City of LA has,
16 and while there is some indication of a solar project
17 related to this project, I was not clear on the assurance
18 of the size and utility of that solar project and want
19 greater assurance and clarity in the document about that.
20 It could be it was in there in the 6,000 pages and I
21 missed it, but I think there needs to be greater
22 specificity of this so that it takes up a larger portion
23 of that electric demand, and I appreciate the time to
24 talk to you. Thank you.

25 COLONEL MAGNESS: Thank you, Martin. John?

1 MR. CROSS: Yes. My name is John Cross, and I
2 represent the Neighborhood -- West Long Beach Neighborhood
3 Association, and that's the neighborhood that borders the
4 Port of Los Angeles property in Long Beach just west --
5 oh, no -- west of what -- east of the western border of
6 our city, from PCH all the way to the city limits, in the
7 city limits, it's the Port of LA property. And we've got
8 great concerns about anything that goes on in the Port of
9 Long Beach or LA. And I've got a question -- maybe you
10 can answer me -- how much rail capacity is on the 121 to
11 132 pier?

12 MS. MAUN-DeSANTIS: I'm sorry?

13 MR. CROSS: How much rail capacity do they have on
14 that rail, 121 to 132 pier?

15 MS. MAUN-DeSANTIS: I don't know that offhand. I
16 apologize. We assume that it's about 50 percent of
17 the rail, that China Shipping is about 50 percent of Yang
18 Ming, so basically double what we have.

19 MR. CROSS: Well, with the increase in the pier size
20 and stuff like this, how much more traffic, like, another
21 million coming through?

22 MS. MAUN-DeSANTIS: I'd have to look that up. I
23 don't know offhand.

24 MR. CROSS: So you don't have the rail capacity,
25 basically, to handle what's going to be coming off of two

1 piers?

2 MS. MAUN-DeSANTIS: We do have rail capacity. I
3 just don't have those numbers in front of me. I
4 apologize.

5 MR. CROSS: But is it -- with the future growth of
6 those piers, is it going to have the capacity on them?

7 MS. MAUN-DeSANTIS: Just to let you know, we can
8 talk about this afterwards.

9 MR. CROSS: Okay.

10 MS. MAUN-DeSANTIS: This is just more receiving
11 comments.

12 MR. CROSS: Because my concern is we've got a rail
13 yard next to us, and we need to beat it without bringing
14 all these trucks and stuff like that --

15 COLONEL MAGNESS: What we'll do is we'll take that
16 as an issue, and that's the purpose of kind of putting
17 this before this group.

18 MR. CROSS: Yeah. That's one of the things that's
19 really going to be a concern of the residents of
20 West Long Beach. And another thing -- you said you're,
21 what, 11 out of a million, you're one over or whatever it
22 is, they've accepted. Not one loss of life for any of
23 the project is worse than this. I mean, not one. This
24 project is not worth it if you have to lose one life.

25 The Port of Long Beach and Los Angeles should be

1 commended on trying to clean it up. But if the economic
2 impact on the schools, for kids missing school, for
3 medical costs that people incur, and, Colonel, you being
4 in the military, we're not losing this many lives in one
5 year in Iraq and Afghanistan fighting war, yet we can
6 lose 1500 citizens of the United States right here
7 because of a Port that sits next to neighborhoods and
8 stuff like that? That's not acceptable. I'm sorry.

9 You need to clean up the Port. You need to
10 clean up everything around it. And if you can't do it
11 and if you can't stop a loss of life because of the --
12 what comes out of the Port, then you shouldn't do it
13 until you can. And the gentleman who spoke earlier --
14 we've got to start doing something. The Port of Los
15 Angeles can come up and start -- every time you do an
16 EIR, you do a big study and everything goes out there.
17 You can come up with a set of guidelines that work, and
18 when you do a project, you turn around and say, here's
19 the guidelines. This is what you've got to follow. This
20 is what you've got to do. Don't wait and mitigate
21 everything; have it done before you go and do in a
22 project. Here's what you need to do. If you can't
23 comply with it, come back to us when you can.

24 I'm sorry. China is shutting down everything in
25 China, basically, not -- because of the earthquake, so

1 they can clean up their air so when the Olympics come
2 there, they look nice and pretty. So why don't we clean
3 up our air so our people can live healthy, our kids can
4 go to school without having to worry about asthma, old
5 people don't have to worry about asthma, cancer rates
6 will go down, and heart disease will go down? And you
7 guys can do that. Like I said, Colonel, we're losing
8 more -- we're not losing as many people in Afghanistan
9 and Iraq in a war than we are right now in the United
10 States because of these two ports. Thank you.

11 COLONEL MAGNESS: Thank you, John. Okay. The
12 next -- the next three will be Elizabeth Warren, followed
13 by Kyle Ballard, followed by Richard Pawlowski. So,
14 Elizabeth, please.

15 MS. WARREN: Excuse me. Good evening. I'm the
16 executive director of Future Ports and I'm also a
17 resident of San Pedro and my office is just up the street
18 here in Wilmington, so I appreciate the opportunity to
19 come in and address you this evening.

20 On behalf of the members of Future Ports, we'd
21 like to express our support for the project. I'm here to
22 talk about the jobs that are created by this project. We
23 feel that the project is going to meet the green growth
24 plans -- green growth goals that are put forward by the
25 green -- Clean Air Action Plan. And we support green

1 growth at the ports and the appropriated combination of
2 that growth.

3 If we are serious about cleaning up our air,
4 then it's a fact that investments have to be made, and
5 China Shipping is going above and beyond the requirements
6 of CEQA to do so. Growing our ports in a clean and
7 responsible manner is critical not only to growing the
8 Southern California and national economy but to improving
9 our air quality.

10 You've heard me and others probably say before
11 that quality of life begins with the job. There's also
12 another saying from Father Boyle: "Nothing stops a
13 bullet like a job." And I have to make a comment about a
14 lunch I went to today. I went to a luncheon with an
15 alliance of mothers of murdered children, and these
16 mothers are getting together and they're forming a group
17 against gang violence. Los Angeles has the highest
18 number of gangs and violence anywhere in the world per
19 capita, and we feel that jobs are a critical part of
20 stopping that gang violence. I don't know of anyone who
21 isn't aware of the gang problem in Los Angeles.

22 This project is going to create 900 construction
23 jobs and 4,000 permanent jobs, but these ports provide
24 500,000 jobs in the region and a million jobs nationally.
25 So we think that's very, very important.

1 The project must move forward. Conversely, the
2 no project alternative is going to have a detriment to
3 air quality in the local community and the region as our
4 cargo volumes are going to increase. So we think this
5 project demonstrates green growth. It's more than just
6 an idea; it's a sustainable way of doing business. And
7 the goals of the CAAP supports the green growth and
8 cannot be met without major sign improvements. So,
9 therefore, we urge you to move forward with the project.

10 COLONEL MAGNESS: Thank you, Elizabeth. Kyle,
11 you're next. Kyle, before you speak, could I beg your
12 indulgence and ask for a two-minute break? There's one
13 person in this room that is working very hard right now,
14 and her fingers are going to fall off if we don't give
15 her just a couple of minutes to crack her knuckles or
16 whatever they do. So could you just take two minutes and
17 introduce yourself to the person next to you, and then
18 we'll start right back up.

19 (Recess)

20 COLONEL MAGNESS: Okay. We're going to start back
21 up. Thank you for the two-minute break, and just so you
22 know, we have what I believe are three more -- two more
23 speakers after Kyle. So if you're thinking about
24 leaving, I'd ask if you could just stay and pay respect
25 to the people that are going to speak after Kyle. I

1 think you'll want to hear them as well, and then I think
2 we'll be finished. So, Kyle, please, your comments.

3 MR. BALLARD: Kyle Ballard. While waiting my turn,
4 I took 30 seconds to think about who I'm representing as
5 I speak to you, and I'm representing all the people in
6 America and the millions and millions of foreign tourists
7 that will come to Los Angeles during the 40 years of this
8 lease.

9 By listening to everything today, I spotted an
10 important -- what I found -- and I think everybody will
11 agree to the important void, and that is what I would
12 call a lack of mutuality. Enormous amount of resources
13 are being brought to bear to arrange for the tenant to
14 have a comfortable 40-year term of lease, but I didn't
15 hear anybody say what the tenants are going to do for the
16 people of America.

17 What I would suggest that they be induced to do
18 is to construct a room about like this, more or less,
19 maybe half the size to begin but with an expansion
20 facility, and I would call that a public courtesies room,
21 dash, and then whatever the name would be, China Shipping
22 or Yang Ming or whoever it would be. And what would
23 happen is China has enormous numbers of treasures,
24 ancient and modern, and those Chinese ships coming in and
25 out of here, bringing what they bring and taking back

1 what they take back, a lot of money is changing hands,
2 but there's nothing coming off those ships to be
3 displayed in a public room like this. I wouldn't call it
4 a museum. That's why I'd call it a public courtesies
5 room. But people would be able to come and see and have
6 some interaction with the crew members and whatever that
7 ship would bring. Before a ship would sail from China,
8 they could put some treasures on that ship to stay an "X"
9 period of time when they come to the public courtesies
10 room that would be constructed.

11 And another benefit from that would be soon the
12 idea, which no one has ever heard of before because I
13 just thought of it tonight, that would spread to other
14 piers around, from other piers to other ports and be in
15 Seattle and New York, New Orleans, and so forth and so
16 on, and pretty soon it would spread around the world. I
17 think it would do a lot to promote interaction. So
18 that's my recommendation. Thank you.

19 COLONEL MAGNESS: Thank you, Kyle. Next is Richard.

20 MR. PAWLOWSKI: Pawlowski -- that's Chinese, by the
21 way. I'm a 65-year observer of what's been going on in
22 this Port. I literally learned how to swim off this dock
23 right here. I mean, I carried luggage as a kid and sold
24 papers at the Longshoreman Hall here. I mean, I've been
25 around this town for a long time and watched this thing

1 grow, and I'm a contrarian. I do not think that the Port
2 needs to grow anymore. You know, it's not just -- it's
3 not just the growth. If people are saying that people
4 are dying, and which they are because of the 50- or
5 60-year pattern of growth of the Port, why are we doing
6 this?

7 You know, if we want a better quality of life,
8 we have to start going backwards. I've submitted two
9 different mitigation proposals, one for Wilmington and
10 San Pedro, and they're kind of set aside because they
11 don't show this kind of economic impact, but this is
12 another kind of economic impact that we could have if we
13 focused on different kinds of mitigation. And the
14 mitigation that I've seen happen so far by the dozens of
15 different EIRs that are coming forward, they don't just
16 line up. There's so many different kinds of EIRs, nobody
17 seems to know what they all mean together. So there's a
18 missing document somewhere that shows the total impact of
19 all these different EIRs and construction of is this Port.

20 If you're going out 40 years and there's
21 another -- there's another EIR for the ports
22 at -- (unintelligible) -- and this one is a way of tying
23 it all together so we can look at this thing totally, but
24 I've seen it, and I don't like it. I don't like living
25 around here, which scares the hell out of me. So there's

1 some dangerous things going on here, and I think we have
2 to reassess appropriately the consequences of it. I'm
3 not in favor of the Port growing anymore. Thank you.

4 COLONEL MAGNESS: Thank you, Richard. And Kerry is
5 our last speaker, but I do want to ask, if anyone has a
6 card and they haven't given it to us yet, can you run
7 that up or wave that so we can see you? Otherwise, I
8 will assume that, Kerry, you are the last speaker.

9 MS. SCOVILLE: Hi. My name is Kerry Scoville. I am
10 a member of a number of different organizations in San
11 Pedro, but I'm speaking today as a resident. I live
12 across the street from the project, the Proposed Project.
13 I live on Black Hill, and I just want to say, my comments
14 are going to be short today because I have a real, real
15 frustration with this EIR not being available in print.
16 It's extremely difficult to be able to respond in public
17 comment and to a public document when you can't have it
18 in front of you, when you can't move the pages back and
19 forth. I asked that the Port make copies available to
20 people upon request of the printed document.

21 I live in an area that is not the most
22 economically on the upswing. My neighbors, who also live
23 across the street from the Port, don't necessarily have
24 computers, don't necessarily have access to the media
25 that the Port is supplying this EIR on. So since I

1 haven't had a chance to review it, I'm going to talk for
2 the remainder of my time about what it's like to live
3 across the street from this project now and what it has
4 been like since this project began.

5 I've lived there -- I moved before this project
6 began, and since then, we've had an incredible increase
7 in noise, obviously. I would like to see a Federal quiet
8 zone for this area and all port areas in San Pedro and
9 Wilmington. I would like to see the cargo-handling
10 equipment right now -- when they load the containers
11 onto the trucks, they honk their horn when the truck is
12 right below the cargo-handling that's the loader. I
13 would like it to, instead, at night, have them flash
14 their high-beams, have them flash their lights, and not
15 have to use their horn. It's extremely noisy in our
16 neighborhood. I'm very glad that Westways is being
17 removed because now the rail does not -- the train does
18 not go into San Pedro and cross the Pacific Avenue
19 crossing and cause the signal to go off, but it's much,
20 much better than it was previously. And I hope that
21 continues. I would be glad to see that completely
22 discontinued.

23 I would like to talk a little bit about the
24 aesthetics. There's a dirt pile, a huge massive dirt
25 pile that's been there for years, and I think that can be

1 removed immediately. I don't think we need to wait for
2 an EIR. It has served its purpose. It was put there in
3 order to compress the ground beneath it and squeeze the
4 water out. The time was supposed to be two years. It's
5 been well over two years, and it's still a blight in our
6 community. The wind comes up and kicks up the
7 berths' dirt and sends it across the Harbor Freeway, out
8 into the channel, and into our neighborhoods, and this
9 dirt pile was made from channel dredgings.

10 Please remove this dirt pile or cover it or do
11 something about it right away and not wait for this whole
12 EIR process to do that. It also -- when it rains, the
13 water runs into the adjacent storm drain, so, you know.

14 Our neighborhood, before this project started,
15 we had waterfront property. The channel was there. It
16 kept our neighborhood cool. It kept the area cool. Now
17 there's landfill. The waterfront has been removed from
18 our neighborhood and sent far back. On top of that, we
19 are also surrounded by freeways, and so the 24-hour
20 operations of the Port and the increased truck traffic
21 from the Port sends us back from the Port. The noise
22 sends us away from the Port and away from the highways.
23 It's a direct impact into the residential communities of
24 this project and of the Port and 24-hour operations of
25 the Port.

1 COLONEL MAGNESS: Kerry?

2 MS. SCOVILLE: Time?

3 COLONEL MAGNESS: Your time is up.

4 MS. SCOVILLE: Okay. May I say one more sentence?

5 COLONEL MAGNESS: You may. You are last.

6 MS. SCOVILLE: Thank you. Lastly, I want to -- I
7 question why we need a container terminal here from the
8 west basin next to residential areas and so far away
9 from the Alameda Corridor because I feel that that just
10 encourages truck traffic onto the Harbor Freeway, which
11 was not built for that kind of traffic, and if we're
12 going to have such a high volume container terminal, it
13 ought to be near the Alameda Corridor, where it's
14 supposed to be. Thanks.

15 COLONEL MAGNESS: Thank you, Kerry. That concludes
16 our public comment. I'd like to say a couple of things.

17 First, let me remind you that this is not the
18 end of our engagement, that the public comment period
19 extends until the 30th of June, and I hope that as you've
20 had an opportunity to perhaps think through some more
21 about what it is that you'd like to say, that you do put
22 that in writing, and that you share that with us. I
23 commend you for your comments, for your professionalism
24 in the way that you handled yourself while you spoke and
25 then while others spoke.

1 This Environmental Impact Statement goes under
2 one person's signature, and that is mine, and I can
3 assure you of a couple of things. Number one, everything
4 that you have said will be addressed. While I won't sign
5 it, it will be addressed. The purpose of providing those
6 comments is in some way we will provide a response to
7 everything that has been vocalized here.

8 Kerry, I'd like to see who lives closer to this
9 Port, you or me, because I live right over there. And
10 the concerns that you have, I share, and so we will do
11 all that we can as we work together to make sure that the
12 project, if it goes under my signature, is something that
13 we can be proud of, and I know the people that sit up here
14 at the front of this table are doing all they can to make
15 sure that that is the case.

16 So as a neighbor and as someone who is raising a
17 couple of children right here, I commend you for your
18 comments, and I know your concerns will be addressed.
19 So, with that, sir, I know you wanted to say a few more
20 things.

21 MR. APPY: Finally, I really want to thank all
22 of you for coming tonight. I know that it's an
23 imposition for you to come out of your homes and spend time
24 with us this evening, and so I really appreciate you do,
25 and your comments received are taken very earnestly.

1 And I just want to kind of summarize. Sometimes
2 I think people walk away from meetings and say, well,
3 gee, they were kind of sitting up there with it going in
4 one ear and out the other. We do listen, and some of
5 these issues we have heard are no secret, we've heard it
6 before, at meetings before, but I kind of want to go over
7 and summarize just a little bit some of the things I
8 thought we heard tonight that were --I think, were
9 important and that we will indeed respond to. You know,
10 in the case of the final environmental document that we
11 will prepare next, we actually take your comments, we
12 number them, responding to them specifically, and you
13 will receive those comments, sent to you prior to any
14 hearing on this so that you will then come and you will
15 actually be able to see our response and then appear at
16 the hearing before the Port of Los Angeles Board and
17 Harbor Commissions so that they do understand completely
18 the results of their decisions on whether or not to
19 approve a project or whether or not to approve one of the
20 alternatives to the project.

21 Tonight we've heard, I think, significantly
22 about air quality, and no big secret, ultrafines are a
23 significant issue. Historically, I've been involved with
24 a lot of youth recreation activities in San Pedro, and
25 I'm very well aware of the effect of that on young children

1 and the number of inhalers that are being used. It's a
2 significant issue, and we're really dedicated, I think,
3 to try to reduce that.

4 The electric drainage trucks -- or mitigation in
5 general, for reduction of air quality is a very difficult
6 task because we have changing technologies coming
7 through. The one thing about the Clean Air Action Plan
8 is it really has spawned a lot of new technology, and so
9 we're seeing that, and the drainage trucks are one
10 example of that. We will be looking at that and
11 considering that. We will be trying to roll out,
12 actually, some electric drainage trucks, hopefully within
13 terminals, to handle containers. So that's something
14 we'll certainly consider, and the use of low-sulfur fuel
15 on ships is big. That's our big emission source.
16 Richard Havenick may have departed, but he is a soldier
17 on that issue.

18 Greenhouse gases are a very significant concern.
19 With our zero standard, that we have determined is very
20 difficult to get down to zero, so we believe that we will
21 always have significance, but we're always looking at new
22 ways to reduce those. We have a 10-megawatt solar power
23 project that we have committed to with the Attorney
24 General of the State. That's going into place. We'll
25 have our first megawatt valve this year, so we're very

1 serious about greenhouse gases and how to reduce them.

2 We heard about the term of the lease, which is a
3 significant issue, and the term of lease is very long for
4 these terminals. It has to do with the business plan, a
5 return thing. It allows us to actually, in large part,
6 to add these mitigation measures to the terminal to
7 amortize costs, and so -- but that's something of
8 significance that we will certainly discuss.

9 We also heard health concerns. Andrea, you've
10 been to numerous meetings and carried that issue to us
11 many times. Asthma and how it affects us are certainly
12 very significant, and we'll look into the issue of
13 premature death in our analysis of that in our document.

14 Aesthetics is an issue. We did find significant
15 aesthetics were viewed from the Vincent Thomas Bridge,
16 and we've had offers of mitigation. We've heard tonight,
17 I think, that more of this craft is needed. Lena did
18 mention earlier the plaza park, which is actually a
19 mitigation measure that was approved by the Park
20 Community Advisory Committee as one of our community and
21 mitigation, and that is a park over by Beacon Street.
22 There's a park there that really needs refurbishing, and
23 so we're going to put a deck and put a new park in
24 there, and that is a part of this project.

25 We hear dock noise at night for the communities

1 in the areas of these terminals, and that's a significant
2 issue we're looking at. Transportation, interesting,
3 too, we do get a lot of comments on use of large-scale
4 transportation systems like Maglev. They're very
5 difficult to impose upon single projects, and so we look
6 at those in a larger transportation load, and so we do
7 have studies out there that actually are looking at which
8 of those has potential, and there's some. We're looking
9 at perhaps doing some kind of pile-up project in the
10 future in regards to Maglev or something similar to that.
11 Linear reduction is another potential cause, and those
12 are something that are difficult to run through a single
13 terminal. They have to be part of that -- a systems
14 network, and so we can't discuss that in a document where
15 there's an alternative that's for this project. It would
16 be very difficult.

17 And, finally, the throughput issue, as we know
18 that's an issue, we have added in new years in the past
19 in talks. We're going to go back and revisit
20 our throughput, but we believe they're very high and
21 conservative, but we need to go back and we're going to
22 look at those and then ground through them in the future
23 to make sure that our cargo projections aren't, in fact,
24 going over the top.

25 So that is -- certainly, doesn't respond to all

1 your comments here. It's more of a summary, I think, of
2 what we've heard. And, again, I'd like to thank you.
3 Please, if you need to, respond to us in writing as well.
4 We'll take your comments in any way we can get them, and
5 that's a real value to this project, and, again, I thank
6 the Colonel very much for coming. I guess he has a short
7 drive home, but I have to tell you a story about
8 the -- he lives at the Fort McArthur, and it has parade
9 (sic) grounds, but so many years ago San Pedro had very
10 much difficulty in finding spots for kids to play soccer
11 in, and the entire girls of San Pedro soccer program
12 played for many years on that parade ground, and they're
13 the best frickin' soccer fields west of the Mississippi
14 until 9/11. But anyway, so I'll thank the Colonel
15 for that as well. And, again, I want to thank everyone
16 from the Port of Los Angeles for being here tonight.
17 Thank you.

18 COLONEL MAGNESS: Thank you. And, everyone, thank
19 you; and, please, Linda, thank you; and to our court
20 reporter, thank you.

21 (Hearing concluded at 7:50 p.m.)

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