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**Good evening Madame Mayor and Council members  
and thank you for the opportunity to speak to this  
tonight. LAB – address –**

**To decertify, reverse or delay the EIR isn't a good option  
for you for the following reasons:**

- 1. Because you certified the EIR last week, you have  
Now given staff the ability to go back to the airlines  
and get buy in on a design and financing plan that  
would be at maximum 98,000 sq/ft.**
- 2. The airlines may in fact agree to a size and  
financing plan less than that permitted by the  
certified EIR – that is your decision in the final  
analysis – but by decertifying, you drag the project  
out and don't allow the City to have the  
conversations it needs to have with airlines so as to  
determine what design and financing can work.**
- 3. Any work on a final size, design and financing plan  
--- note that this phase of work happens after the  
certified EIR --- still requires a vote of the council as  
the developer of the project .....and the council  
approves the project or could take no action or not  
build the project at all.**
- 4. Further efforts to reduce the size arbitrarily will  
continue to become the basis for any challenge to  
the ordinance that we all want to avoid.**

## **Bynum – continued**

**Remember that when the 25 commuter flights are added we will have roughly 1,000,000 more passengers thru the existing congested terminal....all permitted by the current ordinance.**

**And should the City at that time attempt to take facilities, gates, pads, counter space away from the existing carriers – because they have to accommodate by law rights all of carriers to have space -- then carriers – those with and without space – could in fact claim that the City is then violating their need for reasonable facilities.**

**This -- not the flights allowed under the current ordinance could be the basis for a challenge to the ordinance.**

- 5. There is no exact nexus re the question of at what point the Airport noise ordinance would be more "threatened" with improved passenger facilities. In fact, if you were to do a study using FAA data to establish facility needs, that study will determine that what is proposed is far less than industry standards and like facilities/airports.**
  
- 6. What the City should fear is that more efforts to publicly demonstrate the Airport's available capacity -- through continuing public discussion of additional mitigation measures above and beyond an already responsive EIR -- will, on a regional basis, be the impetus to challenge the current noise ordinance which currently protects and provides for our local control of the airport.**

**Bynum -- continued**

**Council should not make public policy from week to week by rescinding your vote on this EIR as a result of political pressure from a vocal group of people who do not represent the interests of the entire City of Long Beach.**

**Tonight, the City Council needs to stay the course, reaffirm your vote on this EIR, and permit City staff to now complete the design and financing plans that the City Council can eventually consider.**