

May 12, 2009

City Clerk Department
City of Long Beach
333 W. Ocean Boulevard, Lobby Level
Long Beach, CA 90802

Subject: Middle Harbor Redevelopment Project Appeal; Our File No: 08-0567.2

Dear Members of the Long Beach City Council:

Thank you for your time and effort in hearing our appeal of this matter. At the risk of repeating ourselves, the City of Riverside does not oppose the Middle Harbor Redevelopment Project. What we do oppose are the unmitigated impacts from that Project.

As the record before you shows, Riverside commented on the Draft EIR, the Harbor Department responded, we replied to those responses, and the Harbor Department approved the Project. We appealed, and the Harbor Department has now responded to our appeal. As elected officials, I know you understand that City of Riverside has to protect its citizens, just like you have to protect yours. Together, we can protect the health and the interests of all of our citizens, but not without mitigation.

Riverside has consistently pointed out serious factual errors in the EIR. Those errors have not been corrected, except for one; that one substantive response, the underlying train count analysis, was only revealed in response to our appeal. That is legally too little and too late. No matter what the Harbor Department says, the facts have not changed: the Final EIR relies upon defective data, which has not been corrected:

- The POLA counts were wrong, and are not consistent with the 24-hour counts. Off by a large factor (1.1/hr. vs. 5.3/hr.). The analysis may be off by a factor of 5.
- Looks at peak auto traffic, not peak rail traffic.
- Still relies upon HCM analysis. No FRA analysis. Don't need FRA analysis of "gate down time." We gave you the actual data.
- Uses excessive, non-standard threshold (55 seconds).
- Ignores emergency impacts by citing a City coping mechanism (a 5-minute response time goal).
- Misrepresents the rail incentive programs.



- Uses incorrect geography. The UP does run through Riverside, but the Alameda Corridor does not.
- Trackage is impacted. That is why no more than 7 trains pass per hour, to avoid collisions. Riverside is not in the Alameda Corridor, and the speculative SCAG and CalTrans rail improvements may never occur.

Contrary to the Harbor Department's protests, the written responses to Riverside's comments were not provided to Riverside ten days before the Harbor Department certified the FEIR, as required by law. FedEx delivered the comments on April 3rd, only 9 days before.

Finally, the Project Findings are inadequate because they are based in factual and legal errors. The Statement of Overriding Considerations is inadequate, in that most of the proffered benefits are either self-driven and are useless without the Project, or can be instituted without the Project.

The City of Riverside respectfully submits these comments to the City Council. On Riverside's behalf, I urge you not to approve this Project without adequately addressing all of the above problems. Approving the Project based on such clearly erroneous data and analytical shortcomings is legally unacceptable.

Very truly yours,



Anthony L. Beaumon
Deputy City Attorney

ALB/ll

City of Riverside, August 12, 2008

- CR-1.** Commenter incorrectly states that the Draft EIS/EIR does not include data and calculations for rail trips.

The rail data are based on the TEUs projected terminal throughput and the percentage of total throughput that would be transported via rail. The TEU-per-acre estimates are based on the approximate size of the container yard projected for each year noted (2010, 2015, 2020, and 2030). Rail cars are combined into trains with an assumed length of 25 rail cars. Details and assumptions are provided in Draft EIS/EIR Table 1.6-1 and Appendix B (Table 2-1). The worksheets contained as Appendix J of Appendix B provide the calculations, but the assumptions are best explained in Draft EIS/EIR Table 1.6-1. This table outlines the calculations for determining the amount of cargo, and the resulting train and truck traffic, including acreage provided for on-dock rail. Also, this table is used as the reference for the impact calculations.

Please see responses to comments SCAQMD-7, SCAQMD-40, RCTC-2, RCTC-3, RCTC-4, RCTC-9, CR-2, CR-3, CR-5, CR-8, CR-9, CR-11, and CC-3.

- CR-2.** Commenter notes that the traffic study incorrectly states that rail trips are expected to increase 94 percent; according to the listed trip numbers (138 trips in 2005 and 2,098 trips in 2025), rail trips will increase 1,520 percent. The Draft EIS/EIR does not explain or verify rail trip data.

The reference to the 94 percent increase will be deleted, but the data and results remain the same. Rail data are based on the projected terminal TEU throughput and the percentage of total throughput that would be transported via rail. Please see assumptions that are included in Draft EIS/EIR Table 1.6-1 and Appendix B (Table 2-1).

Please also see response to comment CR-1, which explains that Draft EIS/EIR (Table 1.6-1) and Appendix B (Table 2-1) offer a detailed summary of the rail data and corresponding assumptions.

- CR-3.** Commenter states that the Draft EIS/EIR does not define "on-dock" rail facilities and how it differs from other types of rail facilities mentioned.

Section 1.6.2 of the Draft EIS/EIR highlights the difference between on-dock and near-dock rail facilities: "A near-dock intermodal yard is one that is located in or near the Port but outside any of the container terminals." An "on-dock" rail facility, as the name connotes, is located at the container terminal. An "off-dock" rail facility is located farther inland, such as at Carson or downtown Los Angeles.

- CR-4.** Commenter states that the Draft EIS/EIR does not state whether rail trips are one-way or round-trip, and that if they are round-trip, then the rail impacts are actually double the reported values. The listed rail trip figures in the Draft EIS/EIR are for one-way rail trips.

- CR-5.** Commenter states that the Draft EIS/EIR must perform a cumulative rail analysis that includes rail traffic from the China Shipping Terminal Project at the POLA.

The cumulative projects list in Table 2.1-1 of the Draft EIS/EIR already includes the China Shipping Terminal Project, also known as the Berths 97-109 Container Terminal Project. As stated in the Draft EIS/EIR Section 3.5, the travel demand model used in this analysis is based on the SCAG Regional Travel Demand Forecasting Model. The model was adjusted to include additional projects in and near the Ports, including the Berths 97-109 Container Terminal Project. Table 2.1-1 in the Draft EIS/EIR lists all of the projects included in the cumulative analysis (Berths 97-109 is project #14). The China Shipping project is projected to add three trains per day.

A cumulative analysis considers the impact of multiple trains from different sources. While the delay would increase, multiple trains would cumulatively contribute to an impact that is less than significant. For example, four trains arriving in a peak hour (with an average gate time of 3 minutes) would result in an average delay of approximately 24 seconds per vehicle. It should be noted that the likelihood of even four trains per hour is very low. During 48 separate hours of observations in Riverside County in October 2008, there were only 3 hours (out of 48) when more than two trains were observed. The breakdown of trains per hour was as follows:

- 0 trains per hour: 29 percent
- 1 train per hour: 35 percent
- 2 trains per hour: 29 percent
- trains per hour: 4 percent
- trains per hour: 2 percent
- or more trains per hour: 0 percent

It should also be pointed out that this average vehicle delay of 5 to 6 seconds per vehicle represents a cumulative impact of the trains assembled from three West Basin terminals combined. Because the average vehicle delay from cumulative trains from the West Basin terminals would be substantially less than the significance threshold of 55 seconds per vehicle, there is no requirement to provide mitigation, as suggested in the comment.

13-23 Please see the response to Comment 13-22. In addition, please see the responses to Comments 12-14, 13-4, and 13-9 regarding the regional and state efforts to address issues pertaining to goods movement.

13-24 Thank you for your recommendation.

13-25 Thank you for your comment; your opinion has been noted.

13-26 The Port has added RCTC to the list of agencies that received CEQA notifications.

13-27 This response discusses the attachment to the RCTC Comment Letter (*Technical Review of Draft EIS/EIR for Berth 97-109 Container Terminal Project* prepared by Kimley-Horn and Associates, Inc.). The first part of the technical review (pages 1 to 5) does not provide new information; it reiterates information already provided in the Recirculated Draft EIS/EIR. Nevertheless, two items in the introductory sections of the technical review are of note:

- + The standards cited for impacts on the top of page 3 (of the Kimley-Horn *Technical Review*) are drawn from the City of Los Angeles CEQA Thresholds Guide, and so are automatically applicable only to the City of Los Angeles. While these could be applied elsewhere, CEQA analysis is typically based on the relevant standards for the affected jurisdictions (e.g., in the General Plan).
- + Similarly, the threshold for vehicle delay of 55 seconds per vehicle (cited on page 4 of the *Technical Review*) is based on national resource (the HCM) that are consistent with traffic analysis guidelines in Los Angeles. There is no specific applicable guidance for Riverside County rail crossings, although the HCM procedures could be applied. Note also that the HCM is not a standard; it simply provides an analysis tool. For example, the HCM describes the conditions at different levels of service, but does not identify an acceptable LOS.

The supplemental analysis (starting on page 6 of the *Technical Review*) is organized in two parts. The first part (top half of page 6), suggests that about 1,465 additional daily project truck trips will be added to Riverside County roadways. No assessment of the impacts is included. In fact, the supplemental “analysis” supports a conclusion that RCTC’s letter appears to argue against: that the impact of Project-related truck trips on Riverside County roadways “cannot be

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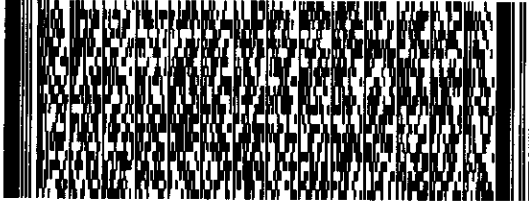
RIVERSIDE, CA 92522

Ref # Middle Harbor EIR SC
Invoice # HA1197
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Dept # Environmen

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STANDARD OVERNIGHT

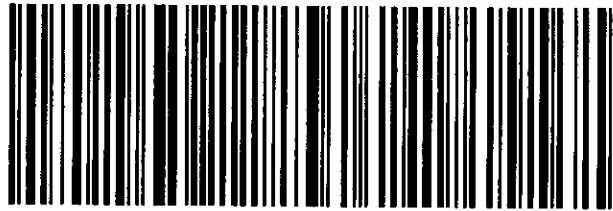


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		Purchase order number	HACAEV
		Invoice number	HA1197
		Department number	Environmental Planning

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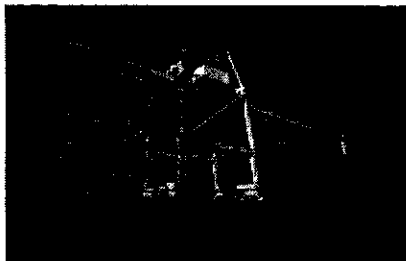
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Apr 3, 2009 8:07 AM	On FedEx vehicle for delivery	ONTARIO, CA	
Apr 3, 2009 7:08 AM	At local FedEx facility	ONTARIO, CA	
Apr 3, 2009 3:26 AM	At dest sort facility	ONTARIO, CA	
Apr 3, 2009 2:23 AM	Departed FedEx location	OAKLAND, CA	
Apr 2, 2009 10:59 PM	Arrived at FedEx location	OAKLAND, CA	
Apr 2, 2009 8:57 PM	Left FedEx origin facility	SIGNAL HILL, CA	
Apr 2, 2009 3:30 PM	Picked up	SIGNAL HILL, CA	
Apr 2, 2009 12:39 PM	Shipment information sent to FedEx		

Port of Long Beach

News Details

Board OKs Incentives to Boost Trade at Port

Program will help to retain business, jobs in tough economy



A package of incentives to increase rail-borne cargo through the Port of Long Beach was voted preliminary approval on Monday, February 23, by the Long Beach Board of Harbor Commissioners. The incentives are designed to retain or increase local business and jobs in the face of a decline in global trade.

The Board voted unanimously to direct staff to create a tariff amendment that would lower certain fees by 10 percent on all rail-connected cargo containers, and offer \$20 per twenty-foot equivalent unit (TEU) for new rail-hauled cargo coming through the Port. The new incentives could begin as early April 1 and last for one year.

"I believe that we have an obligation at this moment in history to demonstrate to our customers, partners and clients that we are actively engaged in the business of trade, that we understand the pressures they are under, and that we are responding as best we can," said James C. Hankla, President of the Long Beach Board of Harbor Commissioners.

Cargo volume declined at the Port by 11 percent in 2008 compared to the previous year. Traffic in December 2008 and January 2009 showed drops of about 25 percent compared to the same months the year prior.

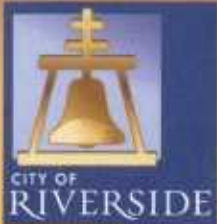
The Port is proposing two means of giving shippers incentives to send cargo through Long Beach that is carried by train. Rail-hauled cargo makes up about half of the containers that pass through the Port. This train cargo originates in or is destined for sites outside of California. Because it is not tied directly to the local region's consumers or manufacturers, it is considered "discretionary" -- that is, it could be shipped through other ports. Cargo moved by train also is more environmentally friendly, creating less of an impact on traffic and air quality than trucked cargo, while still supporting many goods movement jobs.

In the first incentive, Long Beach would offer a 10 percent rate reduction to terminal operators on wharfage fees for all rail-hauled cargo coming through the Port. This would be about \$4 to \$6 per container, and would cost the Port about \$11 million for the one-year life of the program.

In the second incentive, the Port of Long Beach would offer \$20 to ocean carriers for each additional rail-hauled 20-foot-long cargo container that they send through the Port. The financial incentive would be \$40 for every container longer than 20 feet. Because this would be new cargo, the measure would not add costs for the Port.

About 30,000 people in Long Beach and 316,000 in Southern California work in international trade-related jobs, and Commissioners feel the incentives will help to retain those jobs in the region.

Four commissioners voted to direct Port staff to draw up amendments to the Port's tariff that would establish the incentives, and bring them back to the Harbor Commission for consideration. Commissioner Susan E. Anderson Wise recused herself from the vote, citing her husband's involvement in the maritime industry. The incentives could begin as early as April 1, 2009, if approved.

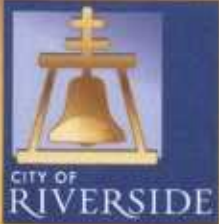


Middle Harbor Redevelopment Project

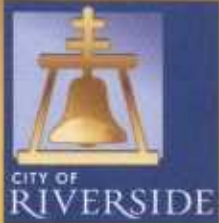
May 12, 2009

Presented by
The Riverside
City Attorney's Office

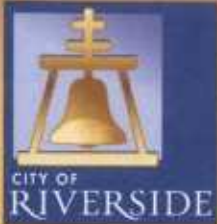




RIVERSIDE
IS NOT OPPOSED
TO THE PROJECT

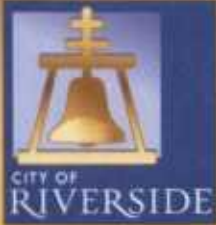


RIVERSIDE IS UNIQUELY AFFECTED BY RAIL IMPACTS

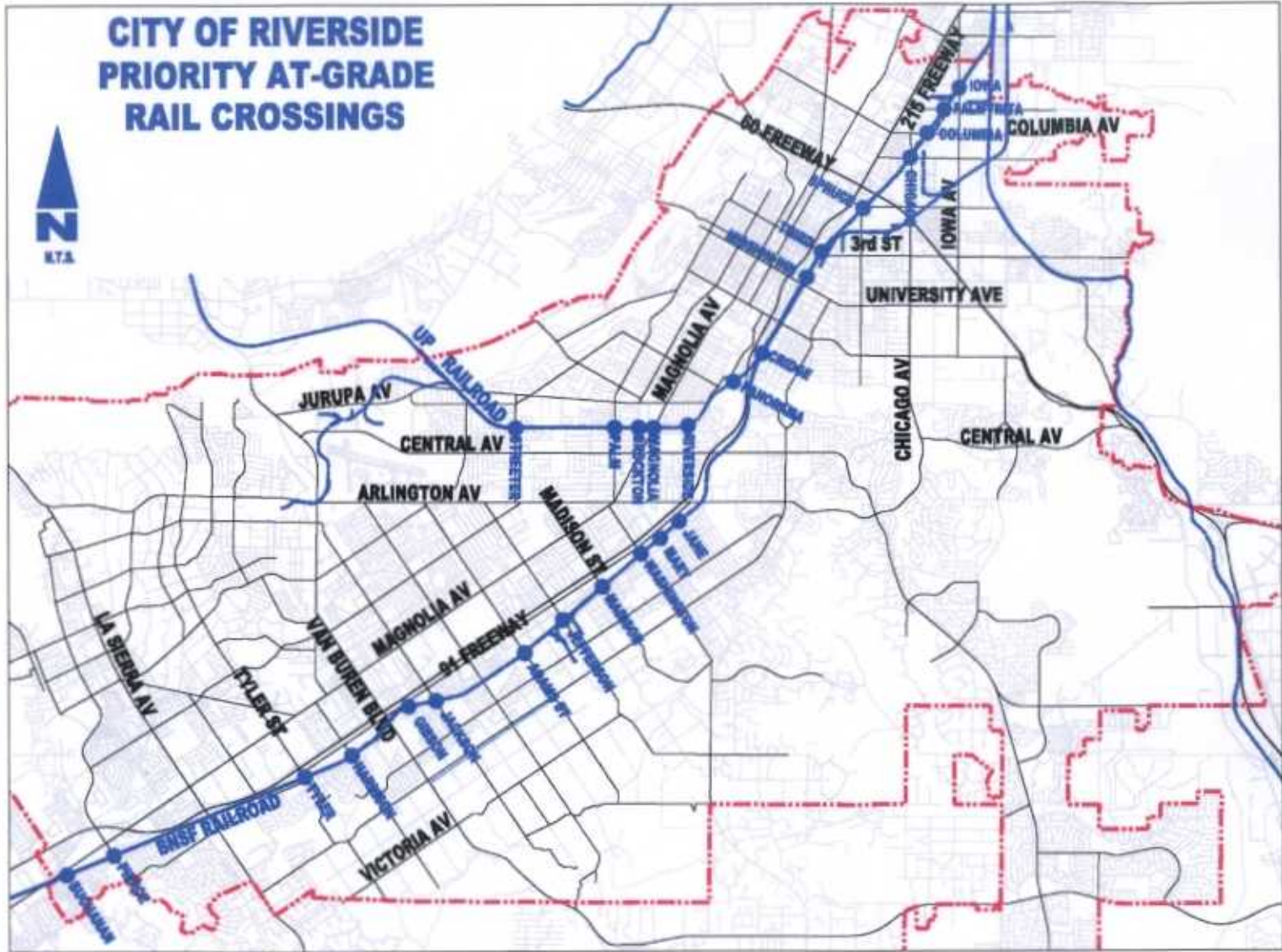


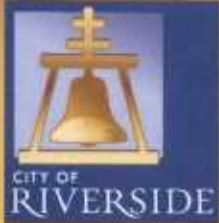
RIVERSIDE'S RAIL SITUATION

- ◆ 25 "AT-GRADE" CROSSINGS
- ◆ BOTH UNION PACIFIC AND BNSF CUT THROUGH CITY
- ◆ MERGE AND SHARE TRACK HALFWAY THROUGH CITY



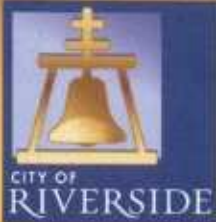
CITY OF RIVERSIDE PRIORITY AT-GRADE RAIL CROSSINGS





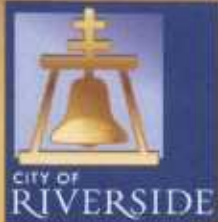
CEQA BASELINE

- ◆ 128 TRAINS PER DAY – ALREADY EXCEEDS SCAG 2015 PREDICTION
- ◆ CROSSING ARMS DOWN AN AVERAGE OF 3 HOURS PER DAY ON BNSF LINE
- ◆ UP TO 6 HOURS PER DAY WHERE UP AND BNSF SHARE TRACKS



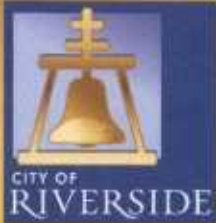
EMERGENCY SERVICE DELAYS

- ◆ 2002 - 2007: **491** at-grade crossing delays averaged **3 minutes** and were as long as **21 minutes**
- ◆ 8/5/2007 - 8/5/2008: **161** rail-delayed fire trucks and ambulances, an average of **2.6 minutes** per delay; **527** police vehicles, average of **3.1 minutes**
- ◆ Each minute can mean life or death
 - Heart attack survival rates drop from 7% to 10% for each minute of delay
 - Brain damage can occur in 3 to 4 minutes
- ◆ When seconds count, help is minutes away....



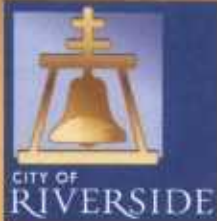
AIR POLLUTION

- ◆ Idling vehicles stopped by trains emit 45 tons of air pollutants annually
- ◆ By 2020, they will generate 208 tons of air pollutants annually
- ◆ Children ages 5 to 14 in Riverside suffer more asthma-related hospitalizations than any other group (source: Riverside Co. Dept. of Health)



DEIR PROBLEMS

- ◆ The only rail trip calculations are 8 short tables, which rely upon unexplained assumptions
- ◆ The tables are actually 2 sets of 4 – one set is daily, the other is annual.
- ◆ Only 1 row per table is for the Project
- ◆ 4 Short rows of unexplained data



**Middle Harbor EIR
Year 2010 Rail Analysis (Pier F)**

Alternative	Monthly TEUs	Monthly Boxes	On-Dock Rail %				Daily Boxes (On-Dock Rail)		Daily Trains Weekday	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	60,204	32,543	5.0%	2.0%	3.0%	5.0%	54	54	0.15	0.15
345-Acre Alternative	62,265	33,668	5.0%	2.0%	3.0%	5.0%	56	56	0.19	0.19
315-Acre Alternative	59,562	32,198	5.0%	2.0%	3.0%	5.0%	53	53	0.16	0.16

Assumptions
Month to Week = 4.33
Week to Day = 7
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 85%

**Middle Harbor EIR
Year 2015 Rail Analysis (Pier DEF)**

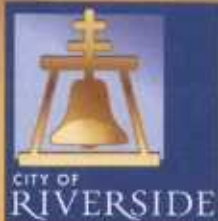
Alternative	Monthly TEUs	Monthly Boxes	On-Dock Rail %				Daily Boxes (On-Dock Rail)		Daily Trains Weekday	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	197,034	106,505	13.4%	5.5%	3.0%	8.5%	471	299	1.64	1.04
345-Acre Alternative	201,260	108,794	19.6%	6.2%	3.0%	11.2%	711	402	2.47	1.40
315-Acre Alternative	198,852	107,488	20.1%	6.3%	3.0%	11.3%	713	401	2.48	1.39

Assumptions
Month to Week = 4.33
Week to Day = 7
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%

**Middle Harbor EIR
Year 2020 Rail Analysis (Pier DEF)**

Alternative	Monthly TEUs	Monthly Boxes	On-Dock Rail %				Daily Boxes (On-Dock Rail)		Daily Trains Weekday	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	229,174	123,878	14.9%	6.2%	3.0%	9.2%	609	376	2.12	1.31
345-Acre Alternative	258,925	139,959	19.6%	8.1%	3.0%	11.1%	905	513	3.15	1.73
315-Acre Alternative	228,240	122,292	22.8%	9.4%	3.0%	12.4%	912	500	3.17	1.74

Assumptions
Month to Week = 4.33
Week to Day = 7
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%



**Middle Harbor EIR
Year 2030 Rail Analysis (Pier DEF)**

Alternative	Monthly TEUs	Monthly Boxes	On-Dock Rail %				Daily Boxes (On-Dock Rail)		Daily Trains Weekday	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	264,210	143,141	12.6%	5.2%	3.0%	8.2%	595	367	2.07	1.35
345-Acre Alternative	302,120	163,308	16.5%	6.8%	3.0%	9.5%	669	528	3.09	1.84
315-Acre Alternative	261,170	141,173	19.4%	8.0%	3.0%	11.0%	904	512	3.14	1.78

Assumptions
Month to Week = 4.33
Week to Day = 7
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%

**Middle Harbor EIR
Year 2010 Rail Analysis (Pier F)**

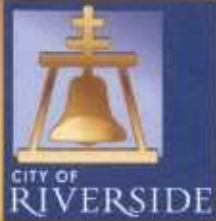
Alternative	Annual TEUs	Annual Boxes	On-Dock Rail %				Annual Boxes (On-Dock Rail)		Annual Trains	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	661,583	357,613	5.0%	2.0%	3.0%	6.0%	17,661	17,661	60.79	60.79
345-Acre Alternative	664,448	369,972	5.0%	2.0%	3.0%	6.0%	16,499	16,499	62.90	62.90
315-Acre Alternative	664,531	363,600	5.0%	2.0%	3.0%	6.0%	17,660	17,660	60.15	60.15

Assumptions
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 85%

**Middle Harbor EIR
Year 2015 Rail Analysis (Pier DEF)**

Alternative	Annual TEUs	Annual Boxes	On-Dock Rail %				Annual Boxes (On-Dock Rail)		Annual Trains	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	2,165,212	1,170,368	13.4%	5.5%	3.0%	8.5%	156,832	99,483	545.77	346.20
345-Acre Alternative	2,211,751	1,195,541	19.8%	8.2%	3.0%	11.2%	236,717	133,901	623.78	465.97
315-Acre Alternative	2,165,155	1,181,181	20.1%	8.3%	3.0%	11.3%	237,417	133,473	626.21	464.49

Assumptions
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%



**Middle Harbor EIR
Year 2020 Rail Analysis (Pier DEF)**

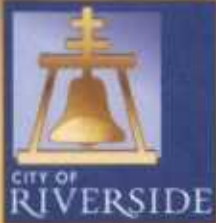
Alternative	Annual TEUs	Annual Boxes	On-Dock Rail %				Annual Boxes (On-Dock Rail)		Annual Trains	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	2,516,396	1,361,296	14.9%	6.2%	3.0%	9.2%	202,833	125,239	705.66	435.83
345-Acre Alternative	2,945,333	1,538,018	19.6%	8.1%	3.0%	11.1%	301,451	170,720	1,049.05	594.11
315-Acre Alternative	2,466,157	1,343,888	22.6%	9.4%	3.0%	12.4%	303,714	166,640	1,056.93	572.91

Assumptions
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%

**Middle Harbor EIR
Year 2030 Rail Analysis (Pier DEF)**

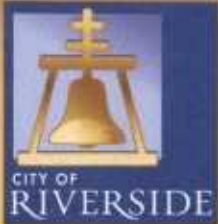
Alternative	Annual TEUs	Annual Boxes	On-Dock Rail %				Annual Boxes (On-Dock Rail)		Annual Trains	
			Import (Eastbound)	Export (Westbound)	Empty (Westbound)	Total Westbound	Import	Export	Import	Export
NEPA Baseline	2,910,000	1,572,973	12.6%	5.2%	3.0%	8.2%	198,195	128,964	689.72	445.86
345-Acre Alternative	3,320,000	1,794,596	16.5%	6.8%	3.0%	9.8%	296,106	175,870	1,030.46	612.03
315-Acre Alternative	2,870,000	1,581,351	19.4%	8.0%	3.0%	11.0%	300,982	170,649	1,047.35	593.86

Assumptions
Cars per Train = 25
Boxes per Car = 10
Efficiency Ratio = 87%



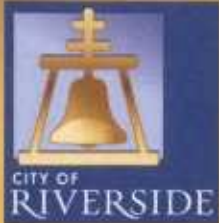
EIR ERRORS

- ◆ Appendix J assumes **10%** by rail in 2010, **30%** in 2015, **30.7%** in 2020, **27.3%** in 2030
- ◆ DEIR presumed that **24%** of the cargo throughput by rail (DEIR p. 1-42)
- ◆ POLB on record stating that “Rail-hauled cargo makes up about **half** of the containers that pass through the Port”



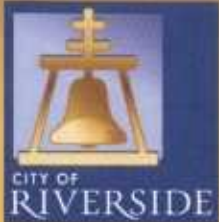
EIR ERRORS, CONT'D

- ◆ AFTER THE DEIR RELEASED, THE PORT APPROVED PROGRAMS TO *INCREASE* RAIL CARGO
- ◆ FEIR DID NOT ADDRESS THAT



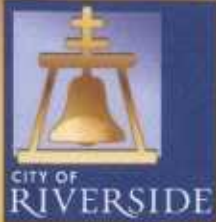
EIR ERRORS, CONT'D

- ◆ FEIR USED THE WRONG METHOD TO ANALYZE IMPACTS
- ◆ FEIR USED THE HIGHWAY CAPACITY METHOD, WHICH IS USED FOR SIGNALS AT INTERSECTIONS
- ◆ THE CORRECT METHOD IS THE FEDERAL RAIL ADMINISTRATION METHOD, WHICH SHOWS LONGER DELAYS



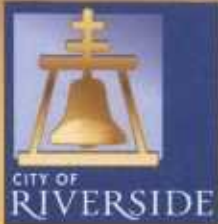
EIR ERRORS, CONT'D

- ◆ FEIR DOES NOT KNOW WHERE THE RAILROAD TRACKS ARE
- ◆ CLAIMS THE UP DOES NOT TRAVEL THROUGH CITY OF RIVERSIDE
- ◆ UP TRACKS DO INDEED RUN THROUGH RIVERSIDE



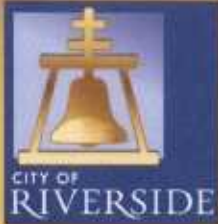
EIR ERRORS, CONT'D

- ◆ FEIR relies upon incorrect data from the Port of Los Angeles
- ◆ POLA data based on 4-hour rail counts.
- ◆ Only counted 54 freight trains during 48 hours (1.1/hour)
- ◆ 24- Hour counts have very different results
 - BNSF line average 3.4 trains per hour
 - Combined BNSF and UP line averaged 4 trains per hour
- ◆ POLA data response is incorrect by at least a factor of 3



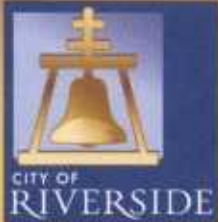
EIR ERRORS, CONT'D

- ◆ Port of Los Angeles estimated grade separation costs over \$100 million each
- ◆ Riverside's *actual* costs less than \$30 million
- ◆ *Proportional* cost-sharing reduces the amount even further
- ◆ Mitigation feasibility *must* be reanalyzed



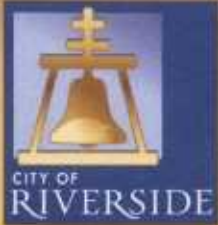
SOLUTION

- ◆ Riverside does not oppose the Project
- ◆ Riverside seeks analysis and mitigation
- ◆ Grade separation participation is cost-effective and feasible
- ◆ Riverside desires to work with the City and the Port of Long Beach towards a regional solution



SUMMARY

- ◆ DEIR DID NOT ADEQUATELY ANALYZE RAIL IMPACTS
- ◆ FEIR RELIES UPON INSUFFICIENT SERIOUSLY DEFECTIVE DATA
- ◆ DATA THAT IS DEFECTIVE, OR CLEARLY ERRONEOUS, CANNOT SUPPORT AN EIR



Thank you