

ATTACHMENT 5

JANUARY 22, 2018

PUBLIC HEARING
OF THE
BOARD OF HARBOR COMMISSION

4801 AIRPORT PLAZA DRIVE
LONG BEACH, CALIFORNIA

"PIER B ON-DOCK RAIL FACILITY"

1 6:01 P.M.

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3
4 MS. BYNUM: Good evening, everyone. Thank you all
5 for being here. We appreciate the turnout this evening.

6 I am Lou Anne Bynum, President of the Board
7 of Harbor Commission. Before we get started with the
8 hearing, I would like to ask Chief DuRee to come up and
9 give a short safety presentation.

10 CHIEF DUREE: Thank you very much, Madam President,
11 Commissioners, Mr. Cordero and staff.

12 Real quick, for those of you in the room
13 tonight, this room was designed to hold a hundred
14 eighty-five people.

15 We have exceeded capacity right now and I am
16 okay with that. What I would ask of you would be this:
17 If you are standing on the walls and you are not in a
18 seat, I would ask that you get a single person and stand
19 up against the walls.

20 We need to make sure that the exit is
21 maintained and clear at all times so people can get out
22 of here.

23 There is an exit on this end of the building
24 as well and Assistant Chief Xavier Espino and I will be
25 in the back of the room should anything arise and then

1 follow our direction, if it does.

2 Otherwise, thank you very much, Madam
3 President. Have a good evening.

4 MS. BYNUM: Thank you, Chief. Joining me tonight
5 are Commissioners Vice President, Tracy Egoscue to my
6 right, Secretary Lori Ann Guzman is on her way,
7 Commissioner Bonnie Lowenthal to my far right and
8 Commissioner Frank Colonna to my far left.

9 The agendas for tonight's meeting are
10 available at the back of the room and on our website at
11 POLB.com.

12 Follow the Commission tab to the board
13 meeting where you will find the agenda and staff reports
14 for each item along with live and archived web streams of
15 our meeting.

16 We welcome public involvement at our
17 meetings. So that we can recognize you at the
18 appropriate time, please fill out a speaker's card
19 indicating the number of the item on the agenda that you
20 would like to address.

21 And if you need translation for your comments
22 tonight, can you please let staff right here know so we
23 can prepare and have that ready for you at the right
24 time.

25 Let's stand for the Pledge of Allegiance,

1 please, to be led by Mr. Mario Cordero.

2 (The Pledge of Allegiance was recited
3 by all.)

4 MS. BYNUM: Thank you. We are item one. The
5 public comments are on the agenda. As I understand, we
6 have three people. If I could ask all three of them to
7 come up and be ready to speak.

8 Dr. Tom Williams, Joshua Allen and
9 Lee Wilson. Thank you.

10 DR. WILLIAMS: Good evening, Dr. Tom Williams,
11 Sierra Club Transportation Committee, Citizens' Coalition
12 for a Safe Community and several others.

13 Basic elements: The Ports are key to the air
14 quality of the Los Angeles basin. AQMD has recognized
15 this and is trying to develop facilities-based
16 requirements, primarily for trucks.

17 However, we pointed out to them many times
18 that the Alameda Corridor is not used to its full
19 capacity and is not congested compared to the 710 or the
20 110.

21 As part of the Sierra Club Transportation
22 Committee's 2018 program, we are looking at full double
23 tracking of all rail within seventy miles of the Ports of
24 LA and Long Beach.

25 "Double tracking;" that means a couple

1 tunnels, also. We are also looking for full
2 electrification of the Alameda Corridor which will be an
3 interesting issue which is not -- I say the subject of
4 tonight's meeting.

5 So we are quite concerned regarding these
6 things and how the Ports of LA and Long Beach represent a
7 big problem within the air quality of the South Coast Air
8 Quality Management District. So we are quite concerned
9 about this and we will be reviewing your CAAP and others.
10 Thank you.

11 MS. BYNUM: Thank you, Dr. Williams. Next speaker
12 is Joshua Allen.

13 MR. ALLEN: My name is Joshua Allen with Local 12.
14 Just up here to say that I support union work, I support
15 this job. This job -- this career has given me an
16 opportunity to turn my life around and for that, I thank
17 you guys for supporting union work. Thank you.

18 MS. BYNUM: Thank you. Lee Wilson?

19 MR. WILSON: I filled out a card for Pier B so I
20 don't know if this is --

21 MS. BYNUM: Okay. We will hold it then for Pier B.
22 Thank you. Okay.

23 Thank you very much. We are now on the
24 hearing session. Will you please read the items, Shana?

25 MS. ESPINOZA: Item 1-H, receive and file

1 supporting documentation into the record and conduct a
2 public hearing on the project and adopt a resolution
3 certifying the Final Environmental Impact Report for the
4 Pier B on-Dock Rail support facility and make findings,
5 adopt a Statement of Overriding Consideration and
6 Mitigation (inaudible) and Reporting program, an
7 application summary report and approve the project at a
8 Level III Harbor Development Permit.

9 MS. BYNUM: Thank you. Ladies and gentlemen, I
10 would like to open the public hearing for Pier B, On-Dock
11 Rail Support Facility Project, final Environmental Impact
12 Report and Application Summary Report to receive public
13 comments in accordance with the California Environmental
14 Quality Act, the California Coastal Act and the Fourth
15 Master Plan.

16 Those in the audience wishing to comment on
17 this project are encouraged to sign a speaker's card
18 located in the back of the room.

19 There are translators available for Spanish
20 language and sign language for any member of the audience
21 who would like to utilize that service.

22 I would also like to acknowledge, before we
23 get started, some special people that are here tonight.
24 Two of them will be speaking.

25 Ginny Baxter, Trustee, Long Beach City

1 College thank you, Jenny. Vivian Malalulu, Trustee, Long
2 Beach City College, Billy O'Connell, Councilman City of
3 Huntington Beach, Irantzu Pujadas, Office of Congressman
4 Alan Lowenthal, Office of Supervisor, Janice Hahn.

5 At this time I would like to ask
6 Rick Cameron, Managing Director of Planning and
7 Environmental Affairs, to introduce the project followed
8 by a presentation by Heather Tomley, Director of
9 Environmental Planning to summarize the project and
10 provide the staff report. Thank you.

11 MR. CAMERON: Good evening, Madam President and
12 Commissioners. As you know, On-Dock Rail is very
13 important to the Port of Long Beach and to this region.

14 Going back to really even before 2006, but
15 primarily identifying the need for On-Dock Rail and
16 increasing our On-Dock Rail by virtue of identifying
17 certain infrastructure, whether it be on the terminals,
18 outside of the gates, identifying bottlenecks and as well
19 as increasing our overall capacity of our rail system
20 within the Port Complex connected to the Alameda
21 Corridor.

22 The Port has established a goal to maximize
23 On-Dock operations to reach a goal of thirty to
24 thirty-five percent of containers to be handled On-Dock,
25 inside the gates, not trucks going down through the

1 neighborhoods or the I-710 facilities.

2 This objective was identified in the 2006
3 Port Rail Study Update as of port wide. It was in
4 conjunction with the Port of Los Angeles and looked at
5 the entire bay connecting back up to the Alameda
6 Corridor.

7 The Pier B On-Dock Rail Support facility was
8 identified as a much-needed improvement to meet that goal
9 overall.

10 Support for On-Dock is included in our Clean
11 Air Action Plan, most recently included or updated Clean
12 Air Action Plan in addition to looking at efficiency
13 strategies which are all tied together when we start to
14 talk about our systems and being more efficient within
15 the gate, federal utilization for On-Dock facilities
16 within the terminals and getting the cargo out as
17 efficiently as possible. So rail is very much a key to
18 our efficiency goals in the long run.

19 It is also consistent with local, regional
20 and statewide goals identified in the City Mobility Plan,
21 the Regional Transportation Plan and the State
22 Sustainable Action Plan.

23 My team has been working through the
24 development of the EIR for this project since the Notice
25 of Preparation was released in 2009.

1 There has been many years scoping, analysis
2 and refinement. As many of you know, there have been a
3 lot of different events that have taken precedent or
4 priorities when it comes to Rail and some of the other
5 projects.

6 There was a decision by the Board and
7 management that we let some of these things settle out
8 and that was part of a little bit of what I would call
9 the delay of getting this thing for you tonight.

10 In addition to -- over the years, we have
11 also had extensive outreach related to this project
12 including meetings with affected property and business
13 owners and community groups and the coordination with
14 City and regional agencies.

15 If this project is approved tonight, we will
16 continue to coordinate with these parties throughout the
17 development process and I really want to emphasize that
18 as something that I know Mario and the Executive team and
19 everybody who is a part of this project here at the Port
20 is committed to doing that in so many different levels.

21 My team has done a great job and when I say,
22 "my team," it is really the Port's team. This was not
23 just the Environmental Planning folks even though they
24 led the charge on the Environmental document.

25 It is our City Attorney's Office, it is our

1 outside Counsel, it is our engineering team, it is our
2 operations, I could go on and on.

3 So I want to really thank everybody for their
4 hard work in getting us to where we are tonight.

5 They have prepared a strong technical
6 document and is in compliance with CEQA.

7 After many years, we are pleased to be able
8 to present to the Board for consideration tonight. I
9 would like to hand over the presentation to Heather to
10 provide the Staff Presentation. Thank you so much.

11 MS. TOMLEY: Thank you, Madam President and
12 Commissioners.

13 I am pleased to present to you the Pier B
14 On-Dock Rail Support Facility project tonight.

15 For this project, the Port of Long Beach is
16 the lead agency under the California Environmental
17 Quality Act or CEQA.

18 As the lead agency, we have prepared an
19 Environmental Impact Report or "EIR," to analyze the
20 potential impacts from the project.

21 To begin, I will provide a brief presentation
22 summarizing the project, including the objectives and
23 alternatives and describe the potential impacts
24 associated with the project.

25 I will also review the EIR process and

1 summarize the comments we received.

2 Following the presentation, staff will
3 request that the Board of Harbor Commissioners certify
4 the Final Environmental Impact Report and Application
5 Report and approve the Pier B Project and associated
6 Level III Harbor Development Permit.

7 The existing Pier B Rail Facility is located
8 in the northern part of the Harbor District at Pier B
9 near Anaheim Street and the I-710 Freeway.

10 The facility is located in a highly
11 industrial area. There are no residential neighborhoods
12 bordering the facility; the closest residence is
13 approximately one-quarter mile east of the project.

14 Currently, the facility provides rail car
15 and locomotive storage and staging to support operations
16 in the On-Dock rail yards at the Port's marine terminals.

17 Track from the facility connects to the
18 Alameda Corridor.

19 The 2006 Rail Study Update for the Ports
20 identified the need for additional storage tracks and
21 longer tracks in the Port to support more efficient rail
22 operations.

23 The amount of track currently available at
24 the Pier B facility is limited and the facility is
25 considered to be operating at or near its maximum,

1 meaning additional activity will not be able to increase
2 substantially in the future to meet anticipated On-Dock
3 Rail demand.

4 The objectives of the Pier B project include
5 supporting the transition to a more efficient, more
6 economically competitive and less polluting freight
7 transport system in alignment with the shared goals of
8 the local and regional transportation agencies.

9 In addition, the project would promote a mode
10 shift from movement of cargo by truck to near-dock or
11 off-dock facilities to movement by rail directly from the
12 On-Dock rail facilities at the Port.

13 The addition of rail car and locomotive
14 storage, staging and servicing areas at the facility
15 would also enable the On-Dock Rail Yard in the terminals
16 to better manage the loading of containers onto rail cars
17 to help meet the Port's goal to handle thirty to
18 thirty-five percent of containers by On-Dock Rail.

19 The ability to build arriving and departing
20 trains up to ten thousand feet long within the facility
21 will accommodate the demand for building longer
22 destination trains and will alleviate rail line
23 congestion resulting in a more efficient rail network at
24 the Ports.

25 With more cargo transported out of the Port

1 complex on trains, congestion on local streets and
2 highways could also be reduced.

3 The project would also upgrade and modernize
4 existing aging infrastructure.

5 And lastly, the closure of the at-grade
6 crossing at 9th Street and Pico will improve safety for
7 both vehicles and locomotives.

8 The Port has established support for On-Dock
9 Rail as a top priority to improve operational
10 efficiencies, relieve traffic congestion and reduce air
11 emissions.

12 This goal was outlined in the Port's Rail
13 Study and also included in the recently-adopted Clean Air
14 Action Plan Update.

15 Promotion of On-Dock Rail utilization is also
16 consistent with the City's Mobility Element, the Regional
17 Transportation Plan, the State's Sustainable Freight
18 Action Plan and with the goals that have been expressed
19 by the environmental groups and local communities over
20 the years.

21 It is estimated that each train that leaves
22 the Port complex via On-Dock rail can alleviate the need
23 for seven hundred fifty truck trips that, otherwise,
24 would have occurred to transport cargo to near-dock and
25 downtown rail yards for loading onto trains.

1 The Port's On-Dock Rail utilization has
2 increased over the years. In 2016, twenty-four percent
3 of containers were moved via On-Dock Rail.

4 The proposed Project would modify the
5 existing Pier B Rail facility by reconfiguring and
6 expanding the tracks to provide additional rail
7 infrastructure in the Port complex to support better
8 utilization of the On-Dock Rail in the terminals.

9 Additional arrival and departure tracks and
10 yard tracks would be added so that the facility can meet
11 the need for assembling cuts of rail cars from the
12 terminals into longer destination trains, up to ten
13 thousand feet or disassembling into cuts of rail cars for
14 distribution to the terminals.

15 This enhancement to the Port's rail network
16 will alleviate constraints on the main line tracks, which
17 can currently be blocked while longer trains are being
18 assembled and disassembled and can move rail cars off of
19 the working tracks in the terminals so that the On-Dock
20 Rail tracks can continue to be used for active loading
21 and unloading of rail cars.

22 In addition, the project would also provide
23 an area for locomotive refueling in the yard with tanker
24 truck refueling vehicles loaded with fuel offsite, an
25 area for inspection and departure trains brake testing

1 with access to the necessary compressed air and an area
2 for rail car repair activities.

3 The project would also close the at-grade
4 crossing located at the intersection of 9th Street and
5 Pico Avenue which currently requires arriving and
6 departing trains to be split into shorter components to
7 avoid blocking the intersection.

8 This limits the ability to build the longer
9 trains and requires additional time and multiple back and
10 forth movements resulting in less efficient operation.

11 Closure of the at-grade crossing would also
12 eliminate the interaction between trains and vehicles at
13 that location, which is a safety concern.

14 The Pier B Rail Facility is also a critical
15 juncture in the Port's rail network, connecting rail in
16 the Port with the Alameda Corridor.

17 And, finally, overall, the proposed project
18 improvements would allow for more efficient utilization
19 of On-Dock Rail infrastructure in the terminals.

20 The EIR evaluated four alternatives: The
21 12th Street Alternative, which is the, "Proposed
22 Project," is the largest project and best meets the key
23 objectives.

24 The 10th Street Alternative, which is
25 slightly reduced and 9th Street Alternative which is

1 further reduced and a "No-Project" Alternative which
2 would be no changes to the existing facility.

3 I will walk through a more detailed
4 description of each of the alternatives in the following
5 slides.

6 The Proposed Project or 12th Street
7 Alternative would be constructed in the three phases over
8 seven years expanding the rail facility from its existing
9 twelve tracks to a total of forty-eight tracks.

10 This additional track would allow more
11 efficient assembly of trains and accommodate
12 approximately seventeen trains per day up to ten thousand
13 feet long to arrive and depart the facility, supporting
14 the Port's thirty to thirty-five percent On-Dock Rail
15 goal.

16 The expanded facility would also include
17 support facilities, including an in-ground air supply
18 system, an area for train brake testing and a locomotive
19 fueling area using tanker truck locomotive refueling
20 vehicles.

21 The Dominguez Channel Rail Bridge would be
22 modified to accommodate one new track and Pier B Street
23 and Pico Avenue would need to be realigned and/or widened
24 to provide a sufficient area for expansion of the Rail
25 Facility.

1 Several road closures would occur in the
2 vicinity, including portions of roads in both the City of
3 Long Beach and the City of Los Angeles.

4 Utility lines would be newly constructed or
5 relocated into subsurface utility corridors that would
6 run between tracks to allow access for repair and
7 maintenance and an existing pump station would be
8 relocated.

9 The 9th Street at-grade crossing would also
10 be closed to accommodate the rail expansion at the
11 eastern edge of the Pier B Facility.

12 Access to Anaheim Street would be shifted to
13 Anaheim Way at the western end of Pier B Street.

14 In addition, the Shoemaker ramps and
15 approaches would be removed.

16 In response to comments received on the Draft
17 EIR related to concerns from existing businesses and
18 property owners within the footprint of the proposed
19 project, the Port's engineering team conducted an effort
20 to refine the project boundaries and minimize the
21 required property acquisitions.

22 This is indicated by the areas marked with
23 the yellow line, marking the boundaries included in the
24 Draft EIR and a green line indicating the new boundary
25 presented in the Final EIR.

1 This modification also included eliminating
2 the West Yard Layover and Fueling Area that was part of
3 the proposed project and other build alternatives
4 described in the Draft EIR.

5 These modifications affected the footprint in
6 two areas, one on the southern side of the project within
7 the City of LA and one on the northern side of the
8 project in the City of Long Beach.

9 These modifications were reviewed to
10 determine whether recirculation of the Draft EIR was
11 necessary in accordance with CEQA Guidelines and
12 Statutes.

13 The modifications would not result in any
14 new, significant environmental impacts or substantial
15 increase in the severity of an existing environmental
16 effect.

17 The modifications would not result in any
18 change to the impact findings in the Draft EIR and,
19 therefore, recirculation is not warranted.

20 For the 12th Street Alternative, the
21 modification reduced the project size by approximately
22 eleven acres.

23 In parallel, we also conducted an effort to
24 verify and recount the potential number of legal parcels
25 with unique Assessor Parcel Numbers that could be

1 affected by the proposed project.

2 The reduced number of parcels from both the
3 design modification and the parcel count refinement is
4 included in Table 10-A of the Final EIR.

5 It is anticipated that the proposed project
6 could affect a hundred and eighty-four parcels of which
7 thirty-nine privately-owned parcels would need to be
8 acquired within the project area through a process
9 conducted in accordance with all applicable statutes and
10 regulations.

11 One of the privately-owned parcels that would
12 need to be acquired is located in the City of LA and that
13 site is currently vacant.

14 In addition, a portion of the affected
15 parcels are on Port property that is leased to tenants.

16 All tenants that would be affected by the
17 project would be treated consistently with the terms of
18 their lease and any applicable laws and regulations.

19 The 10th Street Alternative is also expected
20 to be constructed in three phases over approximately
21 seven years.

22 This alternative would be similar to the
23 proposed project but somewhat reduced in scope and with a
24 few key exceptions.

25 In this alternative, the facility would have

1 fewer arrival, departure and yard tracks expanding to a
2 total of thirty-four tracks and could accommodate
3 approximately fifteen trains per day. Support facilities
4 would be similar to the proposed project.

5 Given the reduced footprint, fewer
6 realignments and partial road closures would be
7 necessary.

8 The 9th Street at-grade crossing would still
9 be closed but the Shoemaker ramps would be reconfigured
10 to maintain the connection between Anaheim Street and
11 Downtown via Harbor Avenue.

12 The number of rail cars and trains that could
13 be accommodated would be less than under the proposed
14 project and would not fully meet the thirty to
15 thirty-five percent goal of cargo moved via On-Dock Rail.

16 In response to comments on the Draft EIR, our
17 engineering team also conducted an effort to refine the
18 project boundaries and minimize the required property
19 acquisitions in the same two areas for the 10th Street
20 Alternative.

21 This modification also included eliminating
22 the West Yard Layover and Fueling Area.

23 The result of this design modification was to
24 reduce the size of the 10th Street Alternative by
25 approximately seven acres from what was presented in the

1 Draft EIR.

2 Potential property acquisitions for the 10th
3 Street Alternative would be necessary but fewer in number
4 than for the proposed project.

5 A hundred forty-eight parcels could be
6 affected, of which twenty-six privately-owned parcels
7 would need to be acquired.

8 The 9th Street Alternative is the smallest of
9 the build alternatives considered for this project.
10 This alternative would be built in two phases over
11 approximately three years.

12 This alternative would be even smaller in
13 scope adding nine tracks to expand the facility to a
14 total of twenty-one tracks and could accommodate
15 approximately fourteen trains per day.

16 Support facilities would be included similar
17 to the proposed project. Utility and roadway work would
18 be reduced given the smaller footprint.

19 No additional track would be added over the
20 Dominguez Channel so the bridge would not need to be
21 widened.

22 The 9th Street at-grade crossing would still
23 be closed to accommodate building the longer trains but
24 the Shoemaker ramps would remain as they currently exist.

25 There would be fewer property acquisitions

1 under the 9th Street Alternative.

2 Of note, Table 10-A and Table 3.6-3 which
3 show potential property acquisitions have both been
4 corrected.

5 The number of private parcels for the 9th
6 Street Alternative have been inadvertently copied from
7 the 10th Street Alternative and, therefore, overstated
8 the actual number.

9 The corrected numbers are included in the
10 tables that were distributed tonight and show ninety-six
11 parcels would be affected of which eleven privately-owned
12 parcels would need to be acquired for this alternative.

13 Also, with this alternative, the number of
14 rail cars and trains that could be accommodated would be
15 less than under the proposed Project and would not meet
16 the thirty to thirty-five percent goal of cargo moved via
17 On-Dock Rail.

18 Under the, "No Project Alternative," no
19 improvements would be made to the existing Pier B Rail
20 Facility.

21 The existing facility could continue to
22 operate as it does today. The current yard has two
23 mainline tracks, ten-yard tracks and no arrival and
24 departure tracks.

25 An estimated five to seven trains per day

1 would depart the rail facility which reflects operations
2 at capacity.

3 Once the existing facility reaches the limit
4 of its ability to handle train movement, the remaining
5 direct intermodal cargo that is not accommodated by
6 On-Dock Rail yards would be transported by truck to a
7 near-dock or downtown rail yard to be loaded onto a
8 destination train.

9 Under the, "No Project Alternative," the
10 existing at-grade crossing located at 9th Street and Pico
11 Avenue would remain open and Pier B Street would not be
12 improved.

13 In addition, the No Project Alternative would
14 not result in any property acquisition or business
15 relocations.

16 Potentially significant impacts from the
17 proposed project were identified in four areas: To air
18 quality and health risk, for direct emissions and
19 contribution of emissions to ambient air quality impacts
20 from both construction and operation of the proposed
21 project, to biota and habitat for potential impacts to
22 bats and nesting migratory birds due to construction of
23 the project to cultural resources for potentially
24 encountering paleontological resources during
25 construction and to global climate change for emissions

1 of carbon dioxide equivalent emissions during
2 construction and operation of the proposed project.

3 To address the potentially significant
4 impacts, mitigation measures have been applied to the
5 project, specifically for air quality impacts,
6 construction best management practices will be applied,
7 including requiring on-road construction trucks to meet
8 EPA MY 2010 standards, requiring off-road construction
9 vehicles to be well maintained, limit idling to five
10 minutes, use high-pressure fuel injectors and meet Tier
11 IV standards and to implement fugitive dust control
12 measures.

13 In addition, a five-year periodic technology
14 review will be conducted to identify emerging emission
15 reduction technologies that could be implemented to
16 reduce ongoing operational emissions.

17 And finally, a contribution will be made to
18 the Community Grants Program in the amount of \$149,757 as
19 determined by the Board-approved methodology.

20 For Biota and Habitats, qualified specialists
21 would be hired to conduct surveys of any areas where
22 roosting bats or nesting birds may be found and
23 appropriate actions and ongoing monitoring would be
24 conducted during construction.

25 For cultural resources, ongoing monitoring

1 will be conducted during construction and if any
2 resources are identified, work would halt until a
3 qualified vertebrate paleontologist could evaluate the
4 resources and appropriate treatment measures could be
5 implemented.

6 And for Global Climate Change, air quality
7 mitigation measures to address on-road trucks and
8 off-road equipment will provide co-benefits for
9 greenhouse gas emission reductions.

10 In addition, new buildings will be LEED
11 certified, energy efficiency measures like LED lighting
12 will be implemented and sustainable business practices
13 will be employed such as construction material recycling,
14 xeriscaping, shade tree planting and employee carpooling.

15 In addition, a contribution of approximately
16 one point four million dollars will be made to the
17 Community Grants Program as determined for the
18 Board-approved methodology.

19 While many of the potential impacts of the
20 proposed project can be mitigated, some impacts were
21 identified as significant and unavoidable after
22 mitigation. These impacts were for air quality and
23 greenhouse gas emissions.

24 Before I go further, given the importance of
25 the air quality analysis to this project and the final

1 EIR, I would like to invite our technical air emission
2 expert to provide additional information about the NO2
3 emissions identified with this project, John Castleberry.

4 MR. CASTLEBERRY: Thank you, Heather. Good evening
5 Madam President and Commissioners.

6 My name is John Castleberry. I am a
7 consultant to the Port and I was responsible for the
8 technical air quality analysis for the EIR.

9 And I would like to provide some
10 clarification and perspective to one of the air quality
11 impacts in particular that was generating a lot of
12 concern and that would be the local nitrogen dioxide
13 concentrations that were shown to be significant in some
14 of the areas around the project site.

15 These are reported in the EIR as impacts
16 AQ-2, that is for construction and impact AQ-4 for
17 operation, project operation and it is also discussed in
18 detail in appendix A-2.

19 So the predicted NO2 concentrations around
20 the project site are actually made up of two components
21 that are added together.

22 There is a background concentration and then
23 there is the incremental impact concentration from the
24 project, itself.

25 And as I mentioned, those two values are

1 added together to get total NO2 concentration.

2 The background concentration was, actually,
3 measured with instrumentation at the closest ambient air
4 quality monitoring stations for the project site as the
5 superbloc station just north of the project.

6 And it represents the existing NO2
7 concentration in the project area from all sources in the
8 air basin except for the proposed project, so that is the
9 background.

10 And then to that, we add the project
11 increment and that is what is modeled with an air quality
12 dispersion model, that is the contribution from the
13 proposed project, itself.

14 So the two numbers together equal the NO2
15 concentration and that is what is compared against the
16 standard to determine the significance.

17 Now the background concentration is,
18 actually, usually, much larger than the concentration
19 from the project, itself, and that was the case for this
20 project, as well.

21 Not only that, the background concentration
22 takes up about eighty to ninety percent of the
23 significant threshold for NO2. So this leaves very
24 little room for the model project increment to add to the
25 background while still staying under the threshold.

1 So this explains why it is not unusual for us
2 to see NO2 -- model NO2 exceedences of the significant
3 thresholds from large Port projects as we had in this
4 case.

5 Now one question that often comes up is how
6 often would the one-hour NO2 concentrations exceed the
7 thresholds if we predict a significant impact, how often
8 would it happen.

9 So what we did was for proposed project
10 operations, we ran the dispersion model to predict the
11 percent of hours during a years' time where you would
12 actually go over the thresholds for the one-hour NO2
13 concentration.

14 And what we found was that in the year
15 2020 -- we had three analysis years -- 2020, 2025 and
16 2035.

17 In 2020, we predicted that about five percent
18 of all hours would exceed the one-hour threshold for NO2
19 at the maximum off-site location which would be on the
20 property border, the boundary.

21 And that number reduces to about two percent
22 of all hours exceeding the threshold in 2025 and 2035 at
23 the maximum off-site location.

24 And this is a very conservative estimate
25 because what we assumed there was that the background

1 concentration would remain at its highest level, it's
2 highest measured level for the entire year and we assume
3 that the rail yard activity would be at its peak hourly
4 rate every hour for the year so it was a conservative
5 estimate.

6 We also looked at another site and that was
7 the Multi-Service Center which has also garnered some
8 concern on this project.

9 That is just north of the project site and
10 the model for this during project operations, there would
11 be no NO2 exceedences at all or at the Multi-Service
12 Center during project operation.

13 Now, it is more difficult to predict the
14 frequency of exceedences during project construction and
15 that is because of the fluid nature of construction
16 emissions and locations. It is just moving around all
17 the time so it is very difficult for us to model that.

18 One way to consider what the one-hour
19 concentrations might look like would be to consider what
20 we modeled for the annual average NO2 concentration which
21 is merely an average of all the one-hour concentrations
22 over the course of a year.

23 And the predicted annual NO2 concentrations
24 at the highest off-site location during construction are
25 only about fifteen to thirty percent of the one-hour

1 thresholds.

2 So what that tells us is that most of the
3 time, we expect that the one-hour NO2 concentrations
4 during construction would be less than -- and in many
5 cases -- much less than the one-hour thresholds.

6 And then finally to conclude, I have one more
7 point that I feel is important to make.

8 As you know, a primary benefit of the
9 proposed project would be the replacement of future
10 drayage trucks or truck trips with train trips.

11 To be conservative, the Port elected not to
12 analyze the beneficial air quality effect of removing
13 trucks.

14 We only analyzed the effect of the additional
15 trains, not the effect of replacing the trucks.

16 And so this unquantified project benefit
17 would be especially applicable to the Multi-Service
18 Center, for example, because of its location close to the
19 710 Freeway. Thank you.

20 MS. TOMLEY: Thank you very much, John. After
21 conducting the analysis and applying the mitigation
22 measures, some impacts were identified as significant and
23 unavoidable after mitigation.

24 These were project-related construction and
25 operation emissions of carbon monoxide and nitrogen

1 oxides and nitrogen dioxide concentrations that exceed
2 the South Coast Air Quality Management District regional
3 significance thresholds.

4 Cumulatively, considerable impacts from both
5 construction and operation that will contribute to
6 multiple air quality emissions and ambient air quality
7 concentrations and project-related and cumulatively
8 considerable emissions of carbon dioxide equivalent
9 emissions from both construction and operation.

10 Potentially significant benefits will result
11 from the proposed project, including fulfilling the
12 Port's mandate under the Tidelands Trust which includes
13 facilitating the movement of cargo and supporting more
14 efficient rail operations, implementing the Clean Air
15 Action Plan, which includes a goal to promote the use of
16 On-Dock Rail and the mode shift of cargo moved by truck
17 to cargo moved by rail, to implement local roadway safety
18 improvements, support the City of Long Beach's Mobility
19 Element of the General Plan, the Regional Transportation
20 Plan and the State's Sustainable Freight Action Plan and
21 finally, to contribute to the Port's Community Grants
22 Program.

23 Therefore, a Statement of Overriding
24 Consideration has been included in the resolution being
25 considered by the Board tonight.

1 Several comment themes were raised during the
2 public comment period. Many comments were raised about
3 the need to acquire property or relocate businesses in
4 the footprint of the project and what the process would
5 be for compensating and relocating affected property and
6 business owners.

7 It is important to point out that the CEQA
8 process is just the first step in the planning process.

9 Until the Board certifies the document and
10 approves the project, no action can be taken.

11 If and when we clear those key steps, the
12 Port would initiate the property acquisition and
13 relocation process in accordance with all applicable
14 statutes and regulations.

15 And we have with us tonight our legal expert
16 on these matters, Dave Cosgrove, that will be available
17 for the Board should you have any additional questions
18 about this process.

19 In addition, many comments were also raised
20 about the proposed street closures and access to downtown
21 and the Port.

22 The EIR fully evaluated the potential
23 environmental impacts related to the ground
24 transportation including road closures and no significant
25 environmental impacts were identified.

1 Therefore, no mitigation is required under
2 CEQA. However, if the project is approved, during final
3 design, the Port team would work with adjacent property
4 owners and businesses to provide adequate access for
5 individual businesses.

6 The at-grade crossing at 9th Street just
7 north of the intersection of 9th Street, Pico Avenue and
8 Pier B Street would be closed.

9 This closure would eliminate interactions
10 between rail and vehicle traffic consistent with the
11 goals of the State of California to remove at-grade
12 crossings which will provide a safety improvement.

13 In addition, the Shoemaker Bridge ramps would
14 be removed as a part of the proposed project which would
15 be realigned for the 10th Street Alternative and would be
16 unchanged for the 9th Street and no project alternatives.

17 It is possible that the Shoemaker ramps would
18 be removed as a part of the Caltrans I-710 Corridor
19 Project Improvements or as a part of the City of Long
20 Beach proposed replacement of the Shoemaker Bridge.

21 Removal of the ramps would eliminate an
22 access point between downtown and the North Harbor
23 District and would require rerouting.

24 Again, the traffic analysis conducted in
25 accordance with CEQA did not identify any significant

1 environmental impacts at the analyzed intersections or
2 roadway segments as a result of the project.

3 In addition, based on our analysis, the
4 travel time difference for the different routes from the
5 Port to downtown is estimated to be no more than four
6 minutes of additional travel time.

7 Finally, none of the project alternatives
8 resulted in significant impacts for emergency services.

9 To address air quality impacts, some of the
10 comments raised expressed views that electric or zero
11 emission locomotives should be used for the project.

12 While zero emission technologies are
13 promising, no zero emission switcher locomotives have
14 been proven to be feasible in Port operations nor have
15 they been commercialized.

16 PHL, the operator that will utilize the
17 proposed facility, has been a good partner with the Port
18 in participating in demonstrations of new, cleaner
19 technologies.

20 One project the two ports and PHL are
21 currently involved in will demonstrate a near-zero
22 emission switching locomotive and there is potential to
23 upgrade that locomotive with batteries to allow for zero
24 emission truck miles. We are hopeful that this
25 demonstration will be successful.

1 In addition, as a special condition of the
2 project, the Port will conduct a periodic technology
3 review every five years from the project approval to
4 identify new, promising technologies and we would work
5 with PHL or the current switcher operator for the Ports
6 to implement that technology.

7 Further, due to existing agreement and
8 federal preemption, the Port does not have the authority
9 to impose a zero emission locomotive requirement on the
10 rail operators.

11 Finally, concerns were raised regarding
12 potential noise and vibration impacts associated with the
13 proposed project.

14 Potential environmental impacts associated
15 with noise and vibrations were evaluated in accordance
16 with CEQA and no significant environmental impacts were
17 identified and, therefore, no mitigation is required.

18 Nonetheless, concerns were raised about train
19 horns. Use of horns is mandated by the Federal Railroad
20 Administration at all at-grade crossings and when rail
21 workers are in the right of way.

22 The closure of the at-grade crossing at 9th
23 Street will eliminate some of these horns.

24 Further, baseline noise monitoring was
25 conducted at the site and all potential future noise

1 sources were modeled and compared to the appropriate
2 significant thresholds and no significant impacts were
3 identified.

4 In addition, vibration impacts were analyzed
5 using the appropriate methodology and compared to the
6 Federal Transit Administration guidelines and no
7 significant impact was identified from construction or
8 operation of the project.

9 Throughout development of this EIR, the Port
10 followed all of the process and public comment
11 requirements in accordance with the CEQA guidelines and
12 statutes.

13 The Draft EIR was released by the Port for
14 public review and comment on December 15, 2016. The
15 original sixty-day review and comment period was set to
16 end on February 13, 2017.

17 However, it was extended to March 13, 2017
18 for a total public review period that was twice the
19 required amount of time. Three public meetings were held
20 during the comment period, as well.

21 All comments were responded to in writing in
22 the Final EIR and the responses were circulated more than
23 ten days prior to this hearing, as required by CEQA.

24 The Final EIR was released on January 12th
25 and included written responses to all of the comments

1 that were submitted on the draft document.

2 Tonight, we are here to present the Final EIR
3 for the Board's consideration.

4 And before I make the recommendation, I would
5 like to hand it over to Dawn McIntosh, our Deputy City
6 Attorney who would like to make some additional comments
7 for the Board to consider.

8 MS. MCINTOSH: Thank you, Madam President,
9 Commissioners. I just wanted to bring to your attention
10 there is a recent court opinion from the California Court
11 of Appeal that involved the City of Long Beach and the
12 Port of Los Angeles and DNS Railway, referred to as, "The
13 Gate Opinion," referring to the Southern California
14 International Gateway Project, which is a rail yard that
15 has been proposed by LA and DNS Railway over in Los
16 Angeles.

17 The rail yard was proposed to be about four
18 miles from the Port of LA in the City of Los Angeles just
19 west of the proposed project site, the Pier B project.

20 On Friday the 12th of January, the Court of
21 Appeal issued their opinion in the case.

22 The original challenge has been brought by a
23 number of parties against that project including the City
24 of Long Beach, the Southern California Air Quality
25 Management District, a whole host of environmental and

1 community groups, the Long Beach Unified School District
2 was involved.

3 Also, some trucking and industry groups all
4 joined to oppose that project and the environmental
5 impact report that was done for it.

6 There were a number of challenges. In the
7 trial court, they granted the writ of mandate on all of
8 the claims and then it was appealed by Los Angeles and
9 PNSF.

10 The Court of Appeal reversed the lower Court
11 on many of the claims but upheld the lower Court's ruling
12 on two air quality issues and the Court ruled that before
13 that project could proceed, they had to go back and
14 eliminate the project approval and do the proper CEQA
15 analysis on both the air quality and cumulative air
16 quality analyses.

17 In proceeding with our review, environmental
18 review, for this particular project, we were very aware
19 of that case and we made sure that our analysis was
20 consistent with the most rigorous potential outcome in
21 that case.

22 So a number of the analyses we did were
23 consistent with the trial Court's ruling that the Court
24 of Appeal later found was not necessary.

25 So some of the analysis we did you could say

1 perhaps was more rigorous than we needed to do but that
2 simply makes our documents stronger. All of our analysis
3 complies with that Court's ruling.

4 So you may have some questions about it but
5 we were aware of it, we took the necessary steps and the
6 Court ruling is consistent with our analysis done for
7 this project. So Heather, I will turn it back to you
8 unless anyone has any questions.

9 MS. TOMLEY: Thank you, Dawn. So tonight, we are
10 asking the Board to adopt a resolution certifying that
11 the final Environmental Impact Report has been completed
12 in compliance with CEQA and adopt the Findings of Fact
13 Statement of Overriding Considerations and Mitigation
14 Monitoring and Reporting Program and second, to approve
15 the Pier B On-Dock Rail Support Facility Project and
16 approve the Application Summary Report and a Level III
17 Harbor Development Permit in accordance with California
18 Coastal Act.

19 Thank you very much. That concludes the
20 staff presentation.

21 MS. BYNUM: Thank you, Heather. Now we will begin
22 public comment. But before we get started, I do want to
23 recognize two people that have also joined us this
24 evening.

25 One of them is Dina Cervantes, Chief of Staff

1 for Councilwoman Jeannine Pearce. I don't know if they
2 are still there. Thank you, Dina.

3 And I need to introduce my former boss who
4 pulled herself away from Long Beach City College tonight,
5 Dr. Reagan Romali, President of Long Beach City College.
6 Thank you for joining us, Dr. Romali.

7 If there are persons wishing to speak in
8 favor of or opposition to this project, please make your
9 presentations brief, to the point and no more than two
10 minutes, please.

11 Please avoid duplication of comments by
12 preceding speakers. Speakers should, if you are able to
13 do this, provide written copies of your comments to the
14 Board so that those comments can be accurately recorded
15 or you can hand them to staff if you do have them.

16 And so what I would like to do before we open
17 it up to everyone in the audience, I do want to recognize
18 the people who are here representing the elected
19 officials to be able to speak so I am going to ask
20 Billy O'Connell, Council Member of Huntington Beach, if
21 you could please join us. Thank you.

22 MR. O'CONNELL: Good evening, Madam President and
23 Commission members. It is a pleasure to be here with you
24 tonight. It is also a pleasure to be here with the
25 working men and women in our community and the business

1 owners.

2 And the reason why I am here tonight, I
3 support this project. I believe it will impact many of
4 the surrounding cities in a positive manner.

5 It would also give hope to some of our
6 disenfranchised folks in our community through
7 apprenticeship programs and serve many people in that
8 category and give them the hope of a good job, a fair
9 days' pay and the opportunity to participate in the
10 American dream.

11 So I believe many of our surrounding cities,
12 like I mentioned earlier, will receive benefits from this
13 project and when I look around this room, I see many
14 folks from the City of Huntington Beach who actually live
15 in the City of Huntington Beach and will benefit from
16 this project also, so I strongly support this project.
17 Thank you.

18 MS. BYNUM: I would like to ask Dina Cervantes to
19 join us, please, Chief of Staff for Council Member
20 Jeanne Pearce.

21 MS. CERVANTES: Good evening. The Councilwoman is,
22 unfortunately, not able to join us. She did send her
23 remarks in support for the project and I will read those
24 at this moment.

25 I am proud to represent our Port which has

1 continually shown growth. Our port has twenty-three
2 percent of exports, fifty-one percent of imports,
3 twenty-six percent empty containers, had a high trading
4 impact with China by seventy percent and many more.

5 Since our CAAP was first passed in 2006, we
6 have reduced emissions significantly.

7 We have continuously sought to do so by
8 engaging stake holders, environmental groups and staff
9 committee meetings, town halls and various other forms of
10 communication.

11 On the other hand, the Pier B On-Dock Support
12 Facility will help us to continue to move in the right
13 direction for sustainable and cost effective results
14 through having more cargo containers on trains which will
15 reduce short-haul trucking congestion and pollution to
16 the 710 Freeway.

17 I support this project and continue to strive
18 to make our Port not only competitive as well as keeping
19 our neighborhoods healthy and making sure we provide our
20 residents stable jobs. Thank you.

21 MS. BYNUM: Thank you, Ms. Cervantes.
22 Irantzu Pujadas representing the Office of Congressman
23 Lowenthal.

24 MS. PUJADAS: Good evening and thank you for
25 providing this opportunity. I would like to read a

1 statement from the Congressman.

2 Members of the Harbor Commission, thank you
3 for the opportunity to comment on this proposal for the
4 Pier B On-Dock Rail Support Facility.

5 This project is an important next step in our
6 Port's leadership in efficient cargo movement.

7 As this project moves forward, I want the
8 Commissioners to know that you have a strong federal
9 partner in our area of congressional delegation.

10 I look forward to working with the Port to
11 secure federal support for worthwhile projects like this
12 one to allow our Port to improve cargo flow, address
13 congestion and reduce emissions. Thank you, sincerely,
14 Alan Lowenthal, Member of Congress. Thank you.

15 MS. BYNUM: Thank you very much. And one more
16 speaker before I turn it over to our Chief of Staff who
17 will handle this process for comments. Is Rick DuRee
18 here or is it Mike? Sorry Mike.

19 MR. DUREE: Madam President, Commission Members, I
20 am Mike DuRee. I am Fire Chief in Long Beach and I rise
21 before you, as was said by previous speakers, in support
22 of this project

23 As was talked about during the presentation,
24 the Long Beach Fire Department and Long Beach Police
25 Department have had ample time to review and discuss this

1 with Port staff and, clearly, you know, I am supportive
2 of this.

3 I think this is a good thing for Long Beach.
4 There are no big public safety concerns here but I do
5 want to take a minute, if I can, it hasn't been said yet,
6 and thank Mr. Cordero and, specifically, thank
7 Rick Cameron and his staff.

8 Mr. Cameron and his staff, when we did have
9 questions a few months ago, was immediately responsive,
10 assembled the team at Fire Headquarters to sit down with
11 my command staff and invest a great deal of time making
12 sure that us dumb Firefighters understood the CEQA
13 process first and foremost but answered all of our
14 questions and did it in a very professional and
15 responsive way.

16 So I couldn't be more pleased with what you
17 are hearing tonight. And as your Fire Chief, I rise in
18 support of this project for the City of Long Beach.
19 Thank you.

20 MS. BYNUM: Thank you, Chief. Thank you for that.
21 At this point, I am going to turn it over to
22 Mr. Richard Jordan, our Chief of Staff, who will handle
23 the process with our speakers.

24 MR. JORDAN: Thank you, Madam President. In the
25 interest of time, I would like to call up five speakers

1 at a time and if you please line up along the wall in the
2 area of the podium and this will facilitate a faster
3 flow.

4 With that, the first five, Dr. Tom Williams,
5 Tommy Faavae, Mike Leue, David Thornburg, Craig Holland.

6 DR. WILLIAMS: Dr. Tom Williams, Citizen's
7 Coalition For A Safe Community

8 You might check the quality of slide three
9 because seven hundred fifty trucks don't fit on a ten
10 thousand foot train. Sorry.

11 Incomplete, inadequate and we got thirty days
12 from probably tonight to review and put in additional
13 comments.

14 So basic element: Trucks on rail or
15 containers on rail. But in one of the issues with CEQA
16 is public accessibility references.

17 If you make them, you got to have them and
18 the public has the right to review them.

19 There was one comment in a response to one of
20 my comments: "Commonly understood." Well, slide three
21 is not commonly understood by anyone because you are
22 mixing twenty-foot equivalent units with train cars that
23 are four fifty-three foot containers so most of the
24 trucks on the 710 are forty and fifty-threes, not
25 twenties, so check things.

1 We will have a list again but the basic
2 element is we support getting it on rail and as pointed
3 out, this is very important and it is a key to the air
4 quality of CAAP.

5 But only thirty to thirty-five percent of the
6 containers will go on rail whereas the Alameda Corridor
7 has about fifty percent of its available capacity unused.
8 Why? We don't know and it is an interesting aspect of
9 that. So, we find it incomplete, inadequate, still.

10 Thank you.

11 MR. FAAVAE: Good evening, Public Commissioners and
12 Port staff and public that is here today. My name is
13 Tommy Faavae. I represent IBEW Electrical Workers Local
14 11 and I am here -- I wanted to recognize our members
15 that are here today. Quite a few of them that are here
16 tonight that live in Long Beach and work in Long Beach.

17 And a lot of the jobs that will be created
18 out of this project, the Pier B Rail Yard Facility, our
19 contractors and our members will be incentivized by these
20 type of big projects.

21 And I just like to say -- mention -- that I
22 know the prior two administrations when Chris Lytle and
23 before Stenke retired, was that they brought this project
24 up at that time and it has been many years and I know
25 Rick Cameron mentioned it about ten years they have been

1 talking about it.

2 So I have been kind of tracking it for almost
3 ten years. But, I am glad that it is in front of the
4 Board and we urge that you finalize the Final EIR tonight
5 and support this project on moving forward. Thank you.

6 MR. THORNBURG: Good evening Madam President,
7 distinguished Harbor Commissioners and Port staff. My
8 name is David Thornburg and I am here representing SA
9 Recycling in the Port for over twenty years.

10 I am passing to you a copy of the support
11 letter written by George Adams, the President and CEO of
12 SA Recycling, sent last week.

13 We urge the Board to approve the 12th Street
14 Option for Pier B Rail Enhancement Project.

15 This project has been in the planning stages
16 for over twenty years, it is urgently needed to keep up
17 with the expanding cargo flow through our Port.

18 It is critical to SA Recycling's rail
19 operations and for the same as some of the other tenants
20 in the Port.

21 Our rail operations require the ability to
22 receive unit trains, to remain competitive in a rapidly
23 evolving global supply chain network.

24 The existing Pier B Rail Yard has physical
25 limitations and adds cost and delays to rail operations.

1 The full build option of this project will
2 increase efficiencies, reduce rail cost and keep up with
3 the present demand for longer trains while decreasing
4 street level crossings in the area.

5 Most importantly, it will support the Port's
6 future goals of thirty-five to fifty percent of On-Dock
7 Rail Operations -- I realize fifty percent is later in
8 the future -- while sustaining thirty thousand jobs the
9 Port provides in Long Beach every year.

10 It is our hope that you will support this
11 project and I thank you for allowing me the time to
12 express our views.

13 MR. LEUE: Good evening, my name is Mike Leue. I
14 work in Long Beach for AECOM. I am a Professional
15 Engineer and a Transportation Planner.

16 I am here to speak in support of the 12th
17 Street Alternative as the best use of maximizing
18 transport by rail and rail trucks.

19 I am also speaking as a community member. My
20 family has been in Long Beach for six generations and my
21 wife's family lives within a football field of the 710
22 Freeway so this project is, personally, important to me.
23 Thank you.

24 MR. HOLLAND: Good evening Commissioners. My name
25 is Craig Holland. I am a resident of Long Beach. I have

1 been a resident since moving here about 1974.

2 I spoke at the Draft Meeting and I am going
3 to speak tonight very briefly to say that I still favor
4 this project and hope that you can approve the 12th
5 Street Alternative.

6 My experience includes Port Engineering which
7 has been my career and I can tell you how rare it is to
8 find a project that has this kind of economic improvement
9 for a region that carries little impact at all on the
10 environment.

11 In fact, I am convinced it will eventually
12 have all positive impacts on the environment. Thank you.

13 MR. JORDAN: Jeremy Harris, Sarah Jones, Behjat
14 Zanhani, Ray Lawson and John Schafer.

15 MR. HARRIS: Good evening Madam President,
16 Commissioners, staff. My name is Jeremy Harris, Senior
17 Vice President of the Long Beach Area Chamber of Commerce
18 and here before you tonight on behalf of our leadership.

19 Our eight hundred members support this
20 project and the staff's recommendations to finalize the
21 EIRs.

22 Much has already been said tonight so I will
23 keep my comments brief about the impact and the
24 importance of moving this project forward and what it has
25 on our local economy.

1 However, I do want to point out a few items
2 and I know staff is hard at work, has addressed this in
3 the EIR and will continue to address this, moving
4 forward.

5 We appreciate a project that is this type of
6 scope and size. One of our potential concerns would be
7 surrounding folks leading in and out of the area and we
8 ask that staff, which we know they are at hard work
9 doing, come up with common sense approaches in solving
10 these type of problems and mitigate them as much as
11 possible.

12 For example, we know that some of the
13 Chambers' partners will be impacted such as the access
14 points as being assessed a SCIG Project which was
15 addressed earlier tonight and then some of the pipelines
16 and our local refinery partners.

17 Again, I know staff is hard at work to work
18 with these folks and ensure that everything can be
19 mitigated as much as possible.

20 I will conclude by just saying that this
21 project fits within the recently-approved 2017 Clean Air
22 Plan, as we all know.

23 This project is also an example of showing
24 the Port can continue to be an economic leader in our
25 region while at the same time continuing to be the

1 greenest port in our region.

2 I want to say thank you to staff who have
3 reached out when we have had questions over the last year
4 or so with the first Draft EIR. They have been -- they
5 need to be commended and were very accessible.

6 For these and other reasons, we support
7 moving this project forward. Thank you so much.

8 MR. JONES: Good evening, Madam President and the
9 Executive Staff. My name is Sarah Jones. I live in the
10 Ninth District of Long Beach, currently work with Diamond
11 Electric at Pier E under a Project Labor Agreement

12 As an apprentice with IBEW Local 11, I am in
13 support of this project. It is a great -- it is great
14 having local hire programs in effect.

15 Keeping me working close to home, especially
16 with the freeways and the congestion of Los Angeles, is a
17 great advantage, especially on PLAs.

18 Thank you for your time and consideration.

19 MS. ZANHANI: Good evening Madam President,
20 Honorable Board Members and Port staff. My name is
21 Behjat Zanhani. I am President of Integrated Engineering
22 Management.

23 We are a small construction and project
24 management firm based in San Pedro. I am here today to
25 talk and speak in support of Pier B On-Dock Rail

1 Facility.

2 The Port of Long Beach has been the driver in
3 small business participation on your project. And I have
4 to say this project would be a tremendous opportunity to
5 further drive that goal.

6 It will be a game changer for me and many
7 other small businesses who get a chance to participate on
8 this project.

9 I look forward to your certification of this
10 EIR tonight and I am looking forward to follow-up phases
11 on this project. Thank you.

12 MR. LAWSON: Good evening, Madam Chairman and
13 Executive Board Members. My name is Ray Lawson and I
14 represent the Carpenters Union Local 630, Long Beach,
15 stand up brothers and sisters.

16 I am here to give my support for this
17 project, Pier B project. It would represent good jobs,
18 good union paying job, we represent votes for the City of
19 Long Beach.

20 We build Long Beach and we do a great job at
21 it. We represent our families, hard working members and
22 take care of their families to build Long Beach and
23 continue a great future with the Port of Long Beach.
24 Thank you for your support on this project.

25 MR. SCHAFER: Good evening, John Schafer, Pile

1 Drivers Local 2375 which is a proud partner of the
2 Southwest Regional Council.

3 Tonight, we have some pile drivers. Would
4 the pile drivers stand up a little bit. In particular, I
5 want to also notice we have got a new agent named
6 Jessie Marquez who has worked the last three or four
7 years helping build the beginning part of the Desmond
8 Bridge project.

9 I have spoken to a lot of you in different
10 capacities both the new Board Members that came on about
11 me being a third generation and how my grandfather joined
12 the Hall in '28 and started to work as a diver and as my
13 Dad worked as a rock slinger, we called them, building
14 the breakwater that goes through there and the pride that
15 I felt.

16 What is really cool now is that you have all
17 of these young members and working people who can tell
18 you with the same passion, you know, because of all the
19 projects that have begun and the projects that have gone
20 forward.

21 This Pier B project is like having a car in
22 the front yard and not -- if we don't get this project,
23 it's like not having the key.

24 You need to get the Clean Air Action Plan
25 fully approved. And in order to do that, when you saw

1 that Clean Air Action Plan, it says certain
2 infrastructure projects have to get through and this is
3 one of those key projects.

4 You can't reach those goals that were fought
5 so hard for by a lot of people on the whole spectrum
6 unless you get this project approved.

7 So, I hope for your support and I am really
8 thankful for what you can see right now. Thank you.

9 MR. JORDAN: Ginny Baxter, Vivian Malauulu,
10 Dr. Reagan Romali, Ted Jiminez and Marysol Flores.

11 MS. BAXTER: I am going to allow President Romali
12 to speak for me, Ginny Baxter.

13 DR. ROMALI: Good evening Board President Bynum and
14 Harbor Commissioners. Thank you so much for allowing us
15 to speak tonight.

16 I am here to represent Long Beach City
17 College in support of your project. I am joined by
18 Dr. Ginny Baxter from our Board of Trustees, Vivian
19 Malauulu and Sonny Via from our Board of Trustees, as
20 well.

21 We are particularly excited about the number
22 of jobs that would come to Long Beach through this
23 program and stand at the ready to support you with
24 skilled labor to fill those jobs of the future.

25 We have a pre-apprenticeship program where

1 students can see into our wonderful, hard-working unions
2 at great union wages. Our students stand at the ready to
3 do that and so we know that these lead to wonderful
4 construction jobs that lead to a prosperous Long Beach.

5 We also stand ready to develop curriculum and
6 update any curriculum as your needs see fit to provide
7 whatever technical level of job so that our students can
8 see into the jobs that you see in demand so you can count
9 on a ready stream of workers to help feed this job and we
10 are very excited to stand in support of this. Thank you.

11 MS. MALAUULU: Good evening Honorable Board,
12 Harbor Commissioners and Port staff as well as all the
13 guests here in the audience.

14 Thank you for giving us all the opportunity
15 to speak on this very important project. I, on any given
16 day, wear multiple hats.

17 Today I am only wearing three as I stand
18 before you which is not, you know, the usual.

19 So the first hat that I am wearing is as a
20 College Board Trustee and I won't repeat what Dr. Romali
21 said.

22 I would like to echo it and support it and
23 say everything she said I agree with.

24 The second hat that I am wearing is a West
25 Long Beach resident. I live in a community that is very

1 near to where this project will be constructed so I share
2 in the concerns for the environmental impact of our
3 community, our schools, our children as well as all of
4 the traffic that happens along the corridor there with
5 the 710 and the nearby streets. So I am very concerned
6 for that community which I represent on a College board.

7 And the third hat that I am wearing, which I
8 wear very proudly and I am a very proud member of the
9 ILWU and I would like to ask my union brothers who are
10 here to please stand, some have been standing throughout
11 the whole meeting so I would like to acknowledge them
12 also. Thank you.

13 It is my privilege to work for the Port of
14 Long Beach as Longshore Worker. In fact, later on
15 tonight, I will be working at TTI at Pier T on the MSC
16 Shrea so I have got a job now, be reporting to later
17 tonight.

18 Now, this Port has a solid reputation of
19 being a port of growth, a port of green and tonight, as
20 you consider this very important project, I would like
21 you to also consider possibly it being a port of glamor
22 to glamorize this port.

23 And what I mean by that, I don't mean to
24 bling it out. I am not trying to be a girl but I would
25 like to ask you to make this a glamorous port in terms of

1 it being inclusive, which you are doing by accepting our
2 comments but also being inclusive and sensitive to
3 businesses, customers and, most importantly, the workers
4 on our port.

5 And it is not just the ILWU. We have all of
6 our fellow labor brothers and sisters here, many of whom
7 have already spoken.

8 But what good are we as a port and what good
9 are we as a community if we disregard that community only
10 in favor of commerce without actually taking into
11 consideration the men and women who work along the port
12 and who will work to build this project.

13 Let us together, as you have been charged to
14 do, make decisions and tonight you will be (inaudible) to
15 support local hires, local jobs and, most importantly,
16 local workers and that is always something very near and
17 dear to my heart.

18 I hope Long Beach City College can provide
19 those workers and I hope you support the existing work
20 force that is already on the dock both with the ILWU as
21 well as our other labor brothers and sisters.

22 Thank you so much for this opportunity and
23 please continue to do the good work of this Board.

24 MR. JIMINEZ: Good evening, Madam President and
25 Commissioners. My name is Ted Jiminez. I am a Southwest

1 Regional Council Representative for the Carpenters.

2 I would like all carpenters to stand up. We
3 are here in support of this project.

4 There are many carpenters who could not make
5 it here tonight because we have other programs going on
6 and they would like to have been here, as well.

7 I would like to talk about our education. We
8 are already hearing about good jobs and we know we have
9 certified, well-trained carpenters ready to not only do
10 this project but get it to you done right and on time.

11 But our apprenticeship that would be also
12 working on this project, our apprentices actually earn
13 college credit while they attend our apprenticeship.

14 We have a relationship with our colleges and
15 it is a great outcome for them because by the time they
16 graduate, the apprenticeship and the journeyman program
17 they are already thirty units into their education and
18 continue that throughout any of the other colleges they
19 wish to attend.

20 I find that to be a very important and
21 sustainable not only for the individual but their
22 families as well that they would be earning a legal wage,
23 pension and they would be able to support their families
24 with good health care.

25 This project, we are all in support of it and

1 as you can see, there are quite a few building trades of
2 our brothers out here who are also willing to do the same
3 so thank you very much for your time and we are very much
4 in support of this.

5 MS. FLORES: Good evening. My name is
6 Marysol Flores. I am an apprentice for the Operating
7 Engineers Local 12 and I am also a Long Beach resident so
8 this is very near and dear to my heart, this project.

9 I just want to start by saying that the
10 apprenticeship program has given me a really wonderful
11 life.

12 You know, it gives me great training, I am
13 able to take pride in my completed work, I am learning to
14 work safely, I earn college credits.

15 You know, our apprenticeship program is
16 accredited through the State and also, most important for
17 me is I am able to earn the same wage as the man I am
18 working next to and for a minority woman, such as myself,
19 that may not be an opportunity I would have elsewhere.

20 The union has given me many wonderful gifts
21 and, you know, unfortunately, a lot of times our work is
22 not close to home so we spend a lot of hours on the road.

23 You know, we get up at 4:00 in the morning,
24 we come home sometimes way after dark and, you know, I
25 miss a lot of time with my family when I am not working

1 close to home.

2 And for this project to be so close to me, it
3 is actually just a few miles from my home, it would give
4 me a really great opportunity to spend more time with my
5 family and also, to give all these wonderful gifts that
6 the union has given to me back to my community.

7 So I strongly urge you to please vote yes on
8 this project. Thank you.

9 MR. JORDAN: Alex Cherin, Ron Miller, Bobby Rogers,
10 Daryl Phillips, Stan Janocha.

11 MR. CHERIN: Good evening, Madam President and
12 Members of the Harbor Commission. My name is Alex
13 Cherin. I am here tonight representing the California
14 Trucking Association and on that behalf, we ask you to
15 please support this project and certify the EIR.

16 As you know, the CTA, together with our
17 friends at the Harbor Trucking Association, represent
18 nearly sixty percent of all the drayage activity at the
19 Ports of Los Angeles and Long Beach.

20 Our goal is to identify and promote
21 efficiencies throughout the supply chain, not just in the
22 drayage sector.

23 The Pier B proposal will do just that. It
24 will promote and realize efficiencies that will benefit
25 the draymen and other segments of the supply chain.

1 It will encourage the streamline movement of
2 cargo throughout the complex.

3 We, as a grave industry, know the challenges
4 in balancing the environment with business and this EIR
5 and this project do just that.

6 So we ask for your support of this project.
7 As an aside, I want to just point out how well your staff
8 has done with outreach on this particular project, in
9 particular, Rick Cameron and Heather Tomley and their
10 guidance and expertise in this area is very well
11 recognized and appreciated in the industry so thank you
12 very much.

13 MR. MILLER: Good evening, Madam President, Board
14 Members. Ron Miller, Executive Secretary of the LA and
15 Orange County Building Trades.

16 We represent over a hundred thousand
17 hard-working skill trained men and women in LA and Orange
18 County, many thousands that live around Long Beach and
19 the surrounding area.

20 A lot of them are here tonight. I am not
21 going to have them stand up but they are here.

22 We represent thousands of building trades
23 workers on the job in the Port building the Gerald
24 Desmond Bridge replacement in the City.

25 We are building a new Port building, by the

1 way, and at the community college. All of those are done
2 under project labor agreements that are negotiated by the
3 building trades on behalf of all the construction trades
4 in LA and Orange County.

5 They all have local hire and preference for
6 veterans and it is very important to us to see that those
7 goals are met. So I think all the trades do a good job
8 in partnership with all the entities in Long Beach.

9 We are especially proud of our partnership
10 with the Long Beach City College for the apprenticeship
11 readiness classes that we have preparing young
12 individuals for entering into our apprenticeship
13 programs.

14 We recently partnered with the community
15 college to get additional funding to start that class
16 back up.

17 It is going to start back up in March so we
18 are very proud of that fact and we think that is a great
19 partnership for the City of Long Beach.

20 Other than that, I hope you support the
21 Alternative 12, the 12th Street Alternative. We think
22 that after meeting with your staff and conferring we
23 think that is the project that is best suited for the
24 Port and I hope you support it. Thank you very much.

25 MR. ROGERS: Madam President, Commissioners, I am

1 outnumbered here tonight but I am in incredible company
2 with the fine workers of the Port and the union workers.

3 I want to extend a special thank you to
4 several people who have opened the line of communication
5 on this project.

6 You might know that I am in opposition to the
7 current project for any number of reasons that have been
8 expressed in a previous communication with the Port but I
9 would like to thank Mario Cordero, Rick Cameron, Sonny
10 Zia, Mark Ericson, Matthew Arms.

11 You all went above and beyond to reach out to
12 us local businesses. So my business is located next to
13 the Multi-Service Center.

14 One hundred and three years we are Port
15 property owners. We are Port property tenants. We are
16 City of Long Beach suppliers.

17 We have been around the block. We know what
18 is going on and I am not opposed to development, I am not
19 opposed to redevelopment as long as it is done properly.

20 I passed on some of the words that I wanted
21 to say this evening because I wasn't planning to be here.

22 So I am going to paraphrase what I have
23 written because you all have record of it and for all
24 intents and purposes, I really stand in support of all of
25 the businesses that will be affected by this.

1 So it is very much that I appreciate the
2 willingness of the Port of Long Beach and the Harbor
3 Commissioners to listen to the concerns of the local
4 businesses over the years.

5 In particular, I value your support, openness
6 in discussing the dramatic impact of this project.

7 As you know, the response comments that we
8 made earlier, one of the most important problems that we
9 see is that the projected three-minute commute from our
10 area by the closing of the Shoemaker Bridge will
11 incredibly impact the safety of our local businesses for
12 emergency services.

13 You are going to hear plenty of people
14 concerned about the air pollution. I will let them talk
15 about that.

16 So, just know in review, the development is
17 important to the community. In its current size, it
18 truly affects and eliminates way too many businesses and
19 I would hope that you take an earnest position in
20 understanding our position.

21 We know that you are going to help mitigate
22 but that doesn't change the effect, especially with my
23 own employees and all of the other businesses. You have
24 the message. Thank you very much for your time. I
25 really appreciate your work.

1 MR. JANOCHA: Good evening. My name is
2 Stan Janocha. I am the owner of Superior Electrical
3 Advertising. We are located at 1700 West Anaheim Street.

4 We occupy the old Coca Cola Bottling
5 building. I provided -- hopefully, you guys got a
6 rendering of the railroad, how it is going to impact our
7 business.

8 It will be -- according to the EIR -- the
9 rail yard will be a hundred and -- the rail yard will be
10 a hundred twenty-five feet from our business.

11 Barely -- this room is probably a hundred
12 feet long so that is the closeness of the rail to our
13 business.

14 I have a hundred and thirty employees. I
15 have many employees who have been there for over thirty
16 years. I have been there, myself, for almost fifty
17 years. It was the first job I got when I got out of the
18 Navy after serving four years in Viet Nam.

19 You know, a rail yard isn't a very attractive
20 -- you know, it is necessary but it is not a very
21 attractive thing to look at and we have a lot of -- we
22 build signs for a lot of high-profile businesses;
23 Starbucks, CBS, McDonald's, Disney.

24 We have people coming to our facility all the
25 time. To look at a rail yard that is right up against us

1 is not just not a very attractive thing for us to present
2 to our clients.

3 We are in support of some system but the 12th
4 Street option should not be an option. It just impacts
5 too many of the west side businesses, too many street
6 closures, Santa Fe dead ends into the rail yard.

7 So we ask that you consider alternatives and
8 not the 12th Street option. Thank you.

9 MR. JORDAN: Darick Simpson, Nathan deSousa,
10 Peter Santillan, Kyle Patterson and Kate Mergen.

11 MR. SIMPSON: Good evening, Madam President,
12 Commissioners. Many of the comments that I were to make
13 have been stated so I will speak from a community
14 perspective as I was asked to come and speak.

15 Someone asked me if I was in support of what
16 is going on tonight. I said I am as what is accomplished
17 as well as stated to be accomplished.

18 And I say that from a community perspective.
19 Much has been said about the number of jobs that will be
20 created, that have been created.

21 And I want to ensure, as you think about
22 this, that we hold true to the comments about the one
23 thousand jobs that were stated local.

24 I want to be sure that when we think about
25 local, we think about local in terms of Long Beach, not

1 in terms of LA County and Orange County but Long Beach
2 first.

3 And as we feed into this pipeline that the
4 President of Long Beach City College spoke of, that we,
5 as community organizations, such as the nonprofit that I
6 represent, Long Beach Community Action Partnership, that
7 we are engaged every step of the way to do everything
8 that we can representing those that work within the
9 community.

10 In my case, it is the twenty-one percent of
11 this population in Long Beach that live in poverty. It
12 is the people who need the jobs most, not just pay jobs
13 but a livable wage job. They would love to be a part of
14 the many unions that have stood up and spoke before you
15 this evening.

16 So in any way possible that I can be an
17 ombudsman to the community that I serve to help feed into
18 the unions, to help feed into the college, to help feed
19 into the jobs that you spoke of and those that may not
20 have been spoken of, to the people who don't know because
21 I often say that my greatest fear is I don't know what I
22 don't know.

23 And many of the people in the community that
24 I serve aren't aware of what they can possibly obtain by
25 coming to meetings like this, by working with the people

1 who are speaking in this room.

2 So, I support this tonight, wholeheartedly
3 because I believe in you, as the leaders of our
4 community, in doing the right thing. Thank you.

5 MR. JORDAN: As a reminder for the speakers, please
6 just state your name. Thank you.

7 MR. DeSOUSA: Nathan deSousa. I am the President
8 and CEO of Port Design Partners. It is a new, very small
9 business enterprise here in the City of Long Beach.

10 And I am here tonight to support the project.
11 I have been in the planning, design, construction
12 operation of inter-rail facilities for over twenty years
13 and this project is not only important to the efficient
14 movement of cargo in the On-Dock Rail environment but it
15 is also very critical to small businesses like mine that
16 are trying to grow and have the opportunity to
17 participate on this project.

18 So I very much support it and hope you
19 approve it. Thank you.

20 MR. SANTILLAN: Good evening. My name is
21 Peter Santillan, Business Manager of Labor Local 1309.

22 And in the essence of time, I stand before
23 you along with the brothers of the labor union in support
24 of this project and we ask that you move this project
25 forward. Thank you.

1 MR. PATTERSON: Good evening. My name is
2 Kyle Patterson and I am a union carpenter. I am here
3 today with the rest of the crew that is here

4 This, right here, is very important. I heard
5 three things that is very important to not only Long
6 Beach but California, moving forward.

7 We are looking at -- this is going to
8 provide -- be a clean project. Not only that but it is
9 going to also shore up our infrastructure.

10 And lastly, it is going to keep men and women
11 working, good jobs, good paying jobs, apprenticeship
12 programs, the Carpenter and the Brother's Keeper Program.

13 And this is also something that our General
14 President, Doug McCannon, put together to where it
15 gives -- reaches out to people in the community to be
16 able to teach the resource skills, how to go out there
17 and network when you are out here soliciting for work.

18 So we got to ask ourselves, are we -- this is
19 our chance to move Long Beach forward like every other
20 state and major city in the country. So the carpenters,
21 we support this. Thank you.

22 MS. MERGEN: Good evening, Madam President, Members
23 of the Commission. My name is Kate Mergen. I am here on
24 behalf of the Associated General Contractors of
25 California.

1 We are members of an organization of
2 approximately a thousand companies state wide and several
3 of our companies have had the opportunity and the
4 partnership with the Port over the past several years on
5 several of the projects ongoing.

6 With your consideration of the final EIR in
7 front of you tonight, there are a few concepts I would
8 like to cue in on.

9 The first is that your staff has been an
10 amazing advocate and it developed quite a partnership
11 with several of our companies along with our association
12 and we are very grateful for the ongoing support and open
13 discussion that we are able to have in order to
14 streamline the project moving forward.

15 Projects released by the Port not only
16 support healthy economic growth but they have given a lot
17 of our members an opportunity to expand their own work
18 forces.

19 Several member companies participated in the
20 pre-apprenticeship program hosted by the Long Beach City
21 College and with over eleven hundred jobs expected to be
22 created for this project, the company will have even more
23 opportunities to hire locally and tap into the program
24 such as these.

25 With over eight hundred twenty million

1 dollars hitting the work -- I am sorry -- work hitting
2 the streets -- the program speaks right to the small,
3 local and women-owned businesses that our association is
4 helping to grow and expand.

5 We urge your support on this project and
6 thank you for your time.

7 MR. JORDAN: Anthony Otto, Billy O'Connell,
8 Thomas Jelenic, Jim Stewart and Lee Wilson.

9 MR. OTTO: Madam President, Harbor Commission, my
10 name is Anthony Otto and I am the President of Long Beach
11 Container Terminal.

12 I am here in support of the 12th Street
13 Option of the proposed Pier B Rail Yard Project.

14 This project is of great importance to the
15 continued environmental effort to remove truck trips from
16 our region's road and freeways.

17 It is especially important to LBCT, because
18 without it, the lofty environmental goals of the Middle
19 Harbor Redevelopment Project cannot be reached.

20 LBCT will never be able to reach its
21 near-term goal of thirty-five percent On-Dock freight nor
22 would we likely reach -- ever reach -- our forty-five
23 percent goal that we set for ourselves for the longer
24 term.

25 Every container that we are unable to load

1 through our On-Dock Rail is one more container that hits
2 the street, trucked through our local streets and
3 freeways resulting in greater congestion and even higher
4 emissions.

5 It would also result in LBCT falling short of
6 the intermodal commitment that we have set for our ocean
7 alliance partners.

8 The Pier B Rail Yard has always been a
9 critical component in the success of the Middle Harbor
10 Redevelopment Project.

11 So, the Board's approval of the Final EIR
12 tonight will be a huge step forward in keeping the Port
13 of Long Beach on track in fulfilling its environmental
14 vision for the Middle Harbor.

15 It will also ensure that the goods movement
16 through this port will be handled more efficiently in the
17 years to come.

18 The Final Environmental Report for the 12th
19 Street Option of the Pier B Yard Project should be
20 considered the Port's highest priority and I urge you to
21 vote for it this evening, yes. Thank you.

22 MR. JELENIC: Good evening Madam President and
23 Commissioners. My name is Thomas Jelenic, representing
24 PMSA. I will keep my comments brief this evening.

25 PMSA supports the 12th Street Alternative and

1 Pier B project. This project is necessary to support
2 your tenants and customers. This project is necessary to
3 retain and grow discretionary cargo. The cargo that will
4 move on Pier B represents purely discretionary cargo that
5 can use any gateway.

6 And so, for those reasons, we request that
7 you approve the 12th Street Alternative this evening.
8 Thank you.

9 MR. STEWART: Hello. I am Jim Stewart, a resident
10 of West Long Beach and I am certainly pleased that, first
11 of all, this is a great project and it will benefit the
12 community immensely.

13 And that the -- one of the significant
14 factors for us in West Long Beach is the elimination of
15 the train horns.

16 It has been keeping us up all night so we
17 really are thrilled about that and can hardly wait for
18 the closure of that at-grade crossing.

19 The other issue, of course, is the issue of
20 the emissions and there is some nice discussion in your
21 EIR about this issue of getting zero-emission switcher
22 locomotives.

23 We have the authority in California, we don't
24 have any authority over those long hauls, but at least we
25 do have the authority here to require as low emissions as

1 we want.

2 And so we really look forward to having those
3 zero emission locomotives in place very, very soon and I
4 hope that that can happen very fast.

5 I am disappointed with the fact that the Air
6 Quality people didn't feel like they had to model diesel
7 emissions or at least they modeled them but they didn't
8 have to report them because they weren't regarded as
9 significant.

10 I am sure you are all aware that this is the
11 worst air quality area in the entire Southern California
12 because of all of those diesel emissions, that we have
13 the highest number of deaths, over twelve hundred new
14 deaths per million people in the Port area.

15 And a big, significant part of that, about
16 twenty percent is due to these darn locomotives. Clean
17 them up.

18 MR. WILSON: Madam Commissioner, President,
19 Commissioners, my name is Lee Wilson. I am a property
20 owner at 1520 West 11th Street

21 The 12th Street Project takes our property
22 and the 10th Street Alternative, the top line of that,
23 the north line of that is the back line of our property.

24 So I am guessing we keep the public alley
25 that is ten feet wide and we will have a rail yard ten

1 feet from our building.

2 It overlaps eight and a half years. It has
3 been a very lengthy, very expensive and frustrating
4 process.

5 You know, I have made some good acquaintances
6 in the Port. I met Rick, met Mario here last -- at a
7 meeting of the Wilmore (inaudible.)

8 Some of the meetings have not been very
9 cordial but I think they have all been beneficial for
10 both sides.

11 But as a property owner surrounded by the
12 Port today, it is not a very comfortable position. Eight
13 and a half years ago when the NOX was published in August
14 of 2009, I would have told you the biggest disaster for
15 our family would be to have you take the building.

16 Let me tell you this: Eight and a half
17 years, where I have had to financially subsidize our
18 tenant to keep him in the building, the 10th Street
19 Project would be a disaster.

20 The Port would absolutely surround us and
21 they are not a very good neighbor. They are so --
22 because of their mass, they do what they want to do, they
23 do it with very little consideration for their neighbors.

24 We have got the Super Block immediately north
25 of us. The Port does whatever they want to do with that

1 project or with that location without any consideration
2 for our tenant.

3 Our family has owned that property since the
4 mid 1960s. We have had a relationship with our existing
5 tenant for over twenty-five years.

6 We have watched our kids grow up, go to
7 college. I mean we are very involved with each others'
8 families after that length of time. I have done all I
9 can to keep his business viable.

10 MS. BYNUM: Thank you, Mr. Wilson.

11 MR. WILSON: The imports and exports -- pardon?

12 MR. JORDAN: Thank you, Mr. Wilson, for your time.

13 MR. WILSON: Well, I would like a little bit more
14 time. I am also speaking for my tenant who is in bed
15 tonight with the flu.

16 MS. BYNUM: Mr. Wilson, if you could just spend a
17 couple of more statements and wrap it up, that would be
18 great.

19 MR. WILSON: Okay. I hope the Port makes the most
20 value-added decision and in my opinion, that is the 12th
21 Street Alternative

22 Why do anything after spending the millions
23 of dollars you have spent to get to this point to do
24 anything less than the best you can for the Port. Thank
25 you.

1 MR. JORDAN: Elizabeth Warren, Otis Cliatt,
2 Jerard Wright, Jared Moore and Jessica Alvarenga.

3 MS. WARREN: Good evening. President Bynum, your
4 fellow Commissioners and staff, thank you for the
5 opportunity to speak this evening

6 My name is Elizabeth Warren. I am the
7 Executive Director of Future Ports. First, I would like
8 to congratulate Rick Cameron, Heather Tomley and her
9 team, as well.

10 And on behalf of Future Ports, I am here this
11 evening to speak in support of the 12th Street
12 Alternative and ask for your consideration and attention
13 to two points I have outlined in our letter, which has
14 been submitted.

15 I am also speaking this evening for the
16 Los Angeles Chamber of Commerce who couldn't be here this
17 evening.

18 So the Pier B Project is a vital
19 infrastructural improvement that will benefit the
20 region.

21 The San Pedro Bay Port Service is strong and
22 economic engine for the region and the (inaudible) of
23 this project is a principal transportation connection
24 between the ports and the railroads.

25 These improvements be made to ensure the

1 efficient flow of goods and allow the Port to maintain
2 its competitive edge.

3 One point that we want to make is that we
4 know that the project will require the relocation of
5 potentially hundreds of utilities, including a
6 significant number of pipelines and (inaudible) owned and
7 managed by energy providers and fuel suppliers.

8 We ask that the Port continue to communicate
9 and coordinate closely with these impacted utilities that
10 provide critical resources and that the Port provide
11 support during the planning and construction phases to
12 ensure that the utilities accommodations for the project
13 do not interfere with the region's energy supply
14 logistics and cost.

15 And as you know, Future Ports has been a
16 long-time supporter of the BNSF SCIG Project. SCIG is an
17 important rail infrastructure serving the San Pedro Bay
18 Port. It will eliminate long truck miles from local
19 freeways.

20 I understand there may be a conflict with
21 rail access, certainly Pier B and SCIG. We encourage the
22 Port to resolve any conflict with SCIG prior to the Final
23 EIR.

24 So for these reasons, along with our concerns
25 stated in our comments, we are pleased to support this

1 Final EIR. Thank you.

2 MR. CLIATT: Good evening Harbor Commissioners. My
3 name is Otis Cliatt of the Pacific Harbor Line. I would
4 also like to say good evening to the Port of Long Beach
5 and the staff

6 And Mario, very quickly, your staff has done
7 a fantastic job. I have submitted a letter to the Board
8 and in the essence of time, I won't repeat the stuff that
9 was in that letter because a lot of it has already been
10 mentioned here today.

11 But I would like to say that Pacific Harbor
12 Line is a wonderful Port partner. The Pacific Harbor
13 Line, the majority of my employees are the brotherhood of
14 Local (inaudible) in training so we have the union piece
15 covered.

16 Also, Pacific Harbor Line, twenty-seven
17 percent of our work force are veterans and we have been
18 recognized by the State of California for having veterans
19 and we also were the first railroad company to have a
20 complete fleet of marine locomotives which we are very
21 happy and very proud of.

22 All of our locomotives are Tier III Plus and
23 we are currently the only short-line railroad that is
24 (inaudible) a Tier IV Locomotive, which means we are
25 getting even cleaner as we speak.

1 And currently, we are also in discussions
2 with the project with the Port of Long Beach that they
3 are working on and another vendor to have an even cleaner
4 locomotive that is a CNG Electric Locomotive.

5 So we are moving towards zero emissions and
6 we are moving in a rapid rate -- at a rapid pace -- and
7 again, I think that the Port of Long Beach has been a
8 fantastic partner in that and in making this project
9 happen.

10 The 12th Street Project, I think this is one
11 that you definitely need to approve, you definitely need
12 to take a really good look at it because if you look at
13 the men and women in this room, outside of the Port but
14 also the union folks that are represented, these are the
15 folks right here that make Christmas happen. All right?

16 That is the commercial that we like to talk
17 about. And in all of the meetings that I attend around
18 the country, particularly in Washington, D.C., I am asked
19 repeatedly about Christmas. These are the folks that
20 make it happen. This project is very important and I
21 hope you approve it. Thank you.

22 MR. WRIGHT: Good evening. My name is
23 Jerard Wright, Policy Manager from LA County Business
24 Federation.

25 I want to thank President Bynum, our

1 Honorable Harbor Commissioners and our Port of Long Beach
2 staff for the ability to speak tonight.

3 I am speaking on behalf of the LA County
4 Business Federation, the first (inaudible) to be awarded
5 one hundred seventy of the top business groups
6 representing more than three hundred ninety thousand
7 employers of over three hundred -- excuse me -- three
8 point five million employees for LA County -- and we
9 celebrate our ten-year anniversary this year.

10 I am speaking expressing our support for the
11 12th Street Alternative of the Pier B On-Dock Facility.

12 BizFed believes that for a region to prosper,
13 we must invest in our infrastructure. That is why we are
14 behind the supporting measure and supporting SB-1.

15 We know that infrastructure means jobs, that
16 means what -- that is what moves our economy.

17 Projects that effectively move and officially
18 move our goods provide solid jobs enhancing the quality
19 of life for millions of Southern California residents and
20 strengthening our regional economy.

21 BizFed requests consideration of the
22 following items as this convenes forward; resolving the
23 access conflicts with SCIG, another project that the
24 Business Federation supports.

25 Relocation of petroleum pipelines relating to

1 utilities because that is the fuel in some cases, the
2 power that moves the Port conflict so please, careful
3 consideration there.

4 And also in short vehicular access to
5 adjacent businesses because we are a business group. We
6 want to see the business, the local businesses supported
7 and stay in place because that is what, again, is what
8 moves our economy.

9 So all those considerations in mind, this has
10 the unique opportunity to do so many things for --
11 locally and in Long Beach but also for the rest of the
12 region and for the rest of the nation because we
13 represent forty percent of the goods that come through
14 our ports go right out to the rest of the country.

15 As a fellow speaker just said, you are
16 providing the Christmas or providing the gifts that
17 everyone so desperately deserves.

18 One wonders where does it come from. So that
19 is an important element. So I have a letter to pass out
20 to everyone right after. Thank you.

21 MR. MOORE: Good evening Commissioners and members
22 of Port staff. My name is Jared Moore. I represent
23 Jacobs this evening.

24 We are the engineering firm that is present
25 tonight. We do architecture, engineering, programming

1 and construction management.

2 We have had the fortunate opportunity to help
3 the Port over the years in various assignments here so we
4 understand this program. We understand the project that
5 is in front of us.

6 Just -- a lot has been said already so I will
7 keep my comments brief. Just two points that we would
8 like to make.

9 First of all, we would like to congratulate
10 the staff for the long journey they have been on getting
11 the project and the program this far and we are excited
12 about the delivery of that now.

13 Lastly, I would just like to say that we,
14 Jacobs, representing the three thousand employees in
15 Southern California, we understand how important this
16 project is for the Port, how important it is for Southern
17 California and how important it is for other parts of the
18 United States. So thank you for your time.

19 MS. ALVARENGA: Good evening President Bynum,
20 Commissioners. My name is Jessica Alvarenga and I am
21 here for the Pacific Merchant Shipping Association.

22 I would like to share my support for the
23 proposed Pier B On-Dock Rail Project and specifically,
24 the 12th Street Alternative Option.

25 The Pier B On-Dock Rail Project supports more

1 efficient and more economically competitive
2 transportation system.

3 Additionally, by adding and enhancing rail
4 capabilities at the Port, it will limit the need of more
5 trucks to carry containers.

6 More rail, less truck is associated with less
7 trucks and less pollution. Sounds like a win-win.

8 (Inaudible) transportation system for the
9 Pier B Project and create the ability to build longer
10 trains which is currently limited by lack of rail line
11 tracks.

12 Although this project may require relocation
13 for some businesses, the process for the proposed project
14 is long thus providing sufficient time for the Port to
15 assist with finding adequate relocation situations for
16 business owners.

17 Please consider improving Port efficiency by
18 approving the 12th Street Alternative of the proposed
19 Pier B On-Dock Rail Contract.

20 Those of us who work or live near the Port
21 would like to continue seeing the Port thrive without
22 adding more trucks or pollution on our roads. Thank you.

23 MR. JORDAN: Stacy Tomsen, Frank Zambrano,
24 Lou Baglietto, Gary Shelton, Luis Damas and
25 Giovany Oliva.

1 MS. TOMSEN: Good evening, Madam President and
2 Commissioners. My name is Stacy Tomsen. I am an
3 attorney with Peterson Law Group and we represent
4 Fastlane Transportation, Inc. which is a business that
5 has been operating in the Port area for thirty years.

6 Fastlane is located at 2400 Pacific Coast
7 Highway and right now, they have two access points to
8 their property.

9 From the north, they can access the property
10 from PCH and from the south, they can access the property
11 via Farragut Avenue.

12 According to the EIR, Farragut Avenue will be
13 experiencing some permanent closures but it is unclear
14 where exactly those closures may be and my client,
15 Fastlane, is concerned that if they lose their access at
16 Farragut Avenue, that they will eventually be landlocked
17 because they will be losing their access to the north
18 from PCH as a result of the SCIG project.

19 So we ask that you clarify where the closures
20 are with respect to Farragut Avenue and also that if
21 indeed, if he -- my client, Fastlane -- will be affected
22 by this closure that there be some sort of alternative
23 for the business to be able to access the property.

24 Otherwise, like I said, it will end up being
25 landlocked and have to go out at that time. Thank you.

1 MR. ZAMBRANO: Madam President, Commissioners and
2 staff, thank you for taking time out of your busy
3 schedules to listen to us.

4 My name is Frank Zambrano and I represent the
5 Southwest Regional Council of Carpenters and you know
6 what?

7 With all of the different tradesmen that came
8 up and spoke and the different unions, there is not much
9 else to say, you know, about the pre-apprenticeship
10 program, the apprenticeship program, the journeymen, the
11 wages, the benefits that come along with this.

12 But you know, just sitting in this room and
13 looking around at these pictures right here and Long
14 Beach and the history, this is, right here, the artery,
15 one of the arteries that feed the country.

16 And without growth, without going forward
17 with this project, what are we saying? You know, that
18 this is not going to sustain or it is not going to stay
19 part of the artery of -- part of what feeds not only
20 Southern California but the rest of the country.

21 So I stand here right along with the rest of
22 my brothers and sisters in support of this project and
23 let's move forward. Thank you very much.

24 MR. BAGLIETTO: Good evening. My name is
25 Lou Baglietto and many of you know me as a representative

1 for various Port businesses over the last twenty years
2 tonight.

3 I am here as a Long Beach resident, I am not
4 representing anybody who has passed the dais. In fact,
5 that is why I didn't wear a suit tonight.

6 I am here as just a life-long Long Beach
7 resident and I am here in wholehearted support of the
8 12th Street Alternative.

9 I think your Executive Director,
10 Mario Cordero, in his op-ed in the Press Telegram this
11 week said it best that this is a project that will allow
12 the Port to obtain both its operational and its
13 environmental goals in order to retain and grow trade in
14 the Port of Long Beach and that is a win-win in my book.

15 And that is exactly why the Port of Long
16 Beach is here to grow and to grow green.

17 As the staff report said today, the one
18 caveat that I would have is as you go forward into the
19 relocation and property accumulation stage, I hope you
20 would be able to work and come to a mutually agreeable
21 solution with the variety of businesses that commented on
22 the EIR that have spoken here tonight.

23 I would hope that the Port of Long Beach will
24 continue to be a good neighbor and support all businesses
25 throughout the Harbor area.

1 So in the very closing, I would like to thank
2 your staff who has done an absolutely wonderful job
3 reaching out to the business community and to many of my
4 clients and many of the other businesses from your
5 Executive Director to the Rick Cameron who has done a
6 wonderful job, Noel Hacegaba, Sunny Zia, your staff
7 should be commended for a job well done on putting this
8 project together so thank you.

9 MR. SHELTON: Good evening, all. My name is
10 Gary Shelton. I live downtown at the head of Embassy
11 Courtyard. I could probably hit the project with a rock
12 if I threw it.

13 We are talking tonight about an EIR and,
14 ultimately, one of the things we are going to be asked to
15 do is find a Statement of Overriding Considerations and I
16 want you to think about that and maybe even talk about
17 that out loud so I can understand the Overriding
18 Considerations when we look at what are perhaps
19 inadequacies or faults with the EIR.

20 I am not arguing the project so much,
21 something has to be done and if I were to have a
22 preference, I would say the 12th Street version of it but
23 you know something?

24 That is right across the street from the
25 Multi-Service Center which is on 12th Street and I am

1 speaking sort of as a former Advocacy Chair of the Long
2 Beach Area Coalition for the Homeless.

3 And so I was at a meeting on this EIR that
4 was in a previous life at the Multi-Service Center, a lot
5 of considerations and concerns at that time.

6 But there are eighteen thousand client visits
7 at the Multi-Service Center every year and to suggest
8 that there is no impact at all from the air quality that
9 is going to be changed on account of this project is, I
10 think, a stretch.

11 And so I think that we need to look at that a
12 little more closely this evening and understand how we
13 can override that with some kind of consideration.

14 The point that was made in the EIR was that
15 the people of the Multi-Service Center are there from
16 8:00 to 5:00 and therefore, the impact on them is diluted
17 both from air quality and from the noises and vibrations.

18 That is if to say that the impact to children
19 in school is diluted because of projects such as the SCIG
20 Project which are close to schools.

21 So again, please find some overriding
22 considerations you can express tonight that will make the
23 public more comfortable with the impact on the children
24 and, also, one other thing; cumulative effects
25 (inaudible) piece of the EIR again, not taking anything

1 away from the project.

2 The cumulative effects the 710 and
3 interchange with Anaheim Street wasn't even -- okay, I
4 don't have any more time -- that wasn't even covered but
5 that had a very strong effect the way the 12th Street
6 project will line up right where that offramp is going to
7 be drawing a circle around the Multi-Service Center.

8 So, again, what I want to hear is your
9 Overriding Considerations. Thank you.

10 MR. DAMAS: Good evening, Harbor Commissioners. My
11 name is Luis Damas. I am Director of Operational
12 Hispanic Chamber of Commerce.

13 Our mission is to follow the Hispanic
14 business community in Southern California. I am here in
15 support of the Pier B On-Dock expansion and enhancement
16 of the capacity of Long Beach Pier B rail yard.

17 (Inaudible) moving through the Port of Long
18 Beach sustains more than three hundred thousand jobs in
19 the Southern California region and as well as thirty
20 thousand in Long Beach.

21 The Port -- the Pier B Project would allow
22 the Port to move more cargo more efficiently and
23 effectively which continues to sustain jobs and general
24 economic opportunity while reducing emissions and
25 traffic.

1 Also, construction of the Pier B facility
2 would generate more than a thousand one hundred jobs
3 during the project's development. Thank you.

4 MR. JORDAN: One final name, Giovany Oliva.

5 MR. OLIVA: Giovany Oliva. Madam President and
6 Commissioners, I am with Local 2375. I am actually a
7 diver at Local 2375.

8 I was there at the beginning of the demo of
9 Pier D and I actually laid one of the last rails that my
10 brother back there Joe, in Pier B.

11 Now we already know that Pier B is at a
12 maximum right now. You are putting out a lot of
13 containers and it is only a matter of maybe a year until
14 you open up Pier E and you are going to have those
15 containers coming in.

16 So, it is not a -- it is a matter of the Port
17 needing this. It is -- you need it. It is coming. You
18 are going to get more containers, we are going to get
19 super ships coming in pretty soon after Pier E is opened
20 up and Long Beach needs it. As a citizen of Long Beach,
21 I am asking you to approve it. Thank you.

22 MS. BYNUM: Thank you all for coming out tonight
23 and taking the time to sit here for two hours and share
24 your thoughts about this as we move forward and take a
25 look at this tonight.

1 Appreciate it very much, appreciate the
2 community, appreciate our stake holders, appreciate our
3 business partners and thank you very much.

4 At this time, I would like to ask our
5 Executive Director if he has any additional comments he
6 would like to make at the time.

7 MR. CORDERO: Yes, thank you, President Bynum.
8 First of all, I would like to say that we appreciate and
9 thank the speakers who came here to offer comments with
10 regard to the very important project, both comments of
11 support and the comments of concern.

12 I think from my perspective, I just want to
13 emphasize how important this project is and I think one
14 speaker made reference that the importance of this
15 project, if we are going to do this, we need to maximize
16 this project and, of course, I am referencing the 12th
17 Street Option.

18 Now the fact is that for Long Beach, for this
19 port to remain competitive, we need to enhance our rail
20 capabilities.

21 And as you are heard from some of the
22 commentary, clearly, enhancing this project is an
23 opportunity to create jobs here to this community and
24 support international trade.

25 The proposed project would also do two

1 things: As I referenced, enhance our business
2 opportunities and our rail connections and second, better
3 serve our customers because, again, I want to emphasize
4 the competitive nature that we are in, at this point.

5 As you heard, the cargo trains will minimize
6 traffic congestion and improve quality and as a matter of
7 fact, the representative from PHL (inaudible) where the
8 railroad is being absorbed. Pier port trains, C and G
9 and in the future, the potential of electric trains.

10 The point is very important because, again,
11 as we look at this project, we are looking with regard to
12 how important it is to this Port to continue to reduce,
13 and at some point, eliminate emissions.

14 So with that, I think I want to emphasize
15 that twenty-five percent approximately of our containers
16 go on-dock and as referred by one of the commentators,
17 our capability is proven to enhance on-dock is key.

18 And with that, again, I would like to say
19 that in providing the opportunity for this project to
20 enhance our staging facility by way of Pier B, I think it
21 goes a long way of making sure we are competitive.

22 As you have heard, our staff has strongly
23 examined all the issues preparing strong technical
24 documents in compliance with CEQA.

25 And finally, let me reference the fact that

1 staff is committed, absolutely committed, to discussing
2 any and all remaining questions about access, property
3 acquisition, relocation and final design options.

4 And with that, I would like to also thank
5 those speakers who did comment on the efforts our staff
6 is making and we will continue those strong efforts to,
7 again, have the dialogue with all of the important stake
8 holders.

9 So with that, I would to like, again, to say
10 thank you for being here and thank you for listening and
11 Madam President, that will conclude my comments.

12 MS. BYNUM: Thank you, Mario. I would now ask
13 David Albers with the City Attorneys Office to provide an
14 overview of the decision before us today, please.

15 MR. ALBERS: Madam President, if I could,
16 Sean Gamette had a few comments on some next steps of the
17 project.

18 MS. BYNUM: Thank you, Sean.

19 MR. GAMETTE: Madam President, Commissioners,
20 Mario, Thank you. My name is Sean Gamette. I am the
21 Managing Director of Engineering for the Harbor
22 Department and I will be fairly brief but I also would
23 like to thank everybody that provided public comments on
24 our proposed project tonight in favor and against it,
25 very informative.

1 And I would like to spend a few minutes just
2 talking about what some of our next steps might be should
3 the Board approve the project this evening.

4 And if someone can give me a slide. Thank
5 you. First and foremost, one of our next steps would be
6 to form a cross divisional delivery team.

7 There is very key reasons for this and the
8 first of those is that this type of team is needed to
9 deliver a development of the magnitude contemplated.

10 The team will need an experienced and senior
11 leader and cross divisional expertise will be needed for
12 all of us to be successful in an endeavor like this.

13 And a formal team is a leader as a single
14 point of contact is going to do one more thing that is
15 very important and that is going to allow for good and
16 efficient communication with our community, with
17 businesses, tenants, utility owners and so forth.

18 Some of the first activities that the
19 delivery team will engage in will be to develop and
20 present a baseline program budget and schedule and that
21 is done in accordance with our program project budget
22 approval of accounting policy.

23 And that will be presented to the Board for
24 consideration and in about the May time frame should the
25 project be approved tonight.

1 We will also immediately engage stake holders
2 that include owner -- property owners, businesses and, of
3 course, tenants and utilities.

4 Key to this engagement would be -- it would
5 be advancing our design work together with stake holders
6 and working with utilities on relocation plans that are
7 cost effective.

8 We know that is an enormous endeavor to
9 undertake. We are very experienced with a lot of utility
10 relocations within the Harbor District and we will
11 partner with all of those folks as well as part of our
12 delivery team.

13 One of the key, early, next steps of the
14 course that you heard tonight from Heather is to close
15 the 9th Street and Pico Avenue rail crossing to vehicular
16 traffic.

17 That is important because it is an essential
18 step to removing what is a critical constraint in our
19 rail system.

20 And finally, although it is not listed on
21 this slide, the pursuit of grant funds and any associated
22 action would certainly be one of our key next steps as
23 well.

24 As far as upcoming Board action, should the
25 Board approve a project this evening, the delivery team

1 negates the Board throughout the life cycle of the
2 development for various forms of guidance, direction and
3 approvals and authorizations and initially, as I
4 mentioned earlier, the Board can expect a proposed
5 baseline budget and schedule for the development for
6 consideration and review in the May time frame.

7 Beyond the program budget action though, the
8 Board can also expect our team to bring forward requests
9 for spending authorities, consulting contracts needed to
10 support the design and authorizations for ride-away
11 acquisitions all this year.

12 Our team will certainly have the capability
13 to do some of this work in house but with the development
14 of the magnitude contemplated, we would also use external
15 support as well.

16 To help illustrate the number of upcoming
17 engagements for the Board, I would like to just end my
18 comments with one final slide if I could get one more.
19 Thank you, Heather.

20 This slide, it is busy, I know. It shows the
21 life cycle of a program. And what I want to illustrate
22 here is that if an alternative is approved this evening,
23 our team will deliver the development as a program and
24 that program would be comprised of many different
25 individuals but smaller projects that would all be

1 designed, bid and constructed.

2 And today, we are in the planning phase on
3 the first line of the flow chart on this slide and we are
4 ready for action under CEQA.

5 As you can see on the right side of that
6 first line though, establishing a baseline program budget
7 is the next step and that will be done for the entire
8 development.

9 Beyond that step though, the Board can expect
10 our team to advance and design a specific project and
11 bring those projects -- baseline budgets for those
12 individual projects -- to the Board for consideration,
13 seek the Board's approval to advertise each of those
14 projects for public bids and, also, for the award of any
15 associated design or construction contracts.

16 This is illustrated in the lower three lines
17 of the flow chart slide here. And what I would like to
18 kind of end with is that through this process, we will be
19 seeking, again, guidance, authorizations, approvals from
20 the Board that will influence the execution and
21 completion of the contemplated development all within the
22 overall envelope of an approved environmental impact
23 report.

24 And lastly, I would like to also note that we
25 do have a resiliency plan and we have a resiliency plan

1 to manage priorities of all projects that are included in
2 our capital program.

3 And if, at any time, an economic condition
4 should worsen, lower priority projects can be deferred to
5 reduce capital expenditures.

6 This plan will continue to be updated
7 quarterly throughout the contemplated development
8 allowing us to remain agile and adapt to changing
9 economic conditions, should that ever be necessary.

10 And with that, Commissioners, I would like to
11 end my comments and I know, David, you were going to
12 speak next but I believe if it is okay with the Board
13 that we have a few comments from our Director of Real
14 Estate, Karl Adamowicz.

15 MR. ADAMOWICZ: Thank you, Sean. Good evening,
16 Madam President and Commissioners. It is a pleasure to
17 be here today.

18 I will be brief so this shouldn't take too
19 long. As we all know, as Heather has mentioned, to date,
20 the Port has been in the planning stages of the Pier B
21 Rail Yard Project.

22 Because of this, the real estate division has
23 not undertaken a comprehensive investigation of what
24 businesses are operating on private property within the
25 project area or what their real estate needs might be.

1 For example, we don't know at this point
2 their specific building space requirements, the utility
3 requirements or whether or not it is critical that they
4 be in the Harbor area.

5 This type of investigation would be further
6 along in the process should we proceed.

7 However, based on public information, we
8 generally know how much space is being occupied in the
9 aggregate for businesses in the project footprint.

10 Consequently, we have analyzed the existing
11 industrial real estate market, vacancy rates and new
12 construction projects since we believe most of the
13 businesses would fall under this category based on the
14 existing zoning of the project area.

15 We looked at a number of quarterly reports
16 from major real estate firms with robust forecasting
17 teams and based on the fourth quarter, 2017 Research and
18 Forecast Report by Colliers International, a major
19 commercial real estate firm, they can see rates in the
20 LA, Long Beach, Harbor Cities area is at a high of three
21 point seven percent depending on the size of the building
22 that would be required.

23 Furthermore, as of the fourth quarter of
24 2017, there is thirty-four million nine hundred ten six
25 hundred square feet of industrial space inventory in the

1 Long Beach, LA Harbor and cities area with an
2 availability of two point three percent which equates to
3 approximately a hundred and two thousand square feet.

4 Moreover, in response to market demands,
5 there is generally considerable industrial property under
6 construction which adds to the supply of available real
7 estate.

8 Therefore, we believe, based on this
9 information, there will be opportunities for
10 consideration and analysis for business relocation and
11 there is no need to construct replacement buildings or
12 structures. That is the end of my comments. Thank you.

13 MS. BYNUM: Thank you, Karl. Do we have any other
14 comments from staff at this point? Thank you.
15 Mr. Albers?

16 MR. ALBERS: Yes, thank you, Madam President. You
17 have heard the staff report and a number of speakers from
18 the public In a moment, you will have the opportunity to
19 close the public hearing.

20 Just wanted to let you know what is being
21 asked of you tonight and it has already been said but
22 just to review is three items that would be to certify
23 the Environmental Impact Report, to choose one of the
24 three alternatives that has been presented and then to
25 approve the Harbor Development Permit.

1 So those are the actions before you tonight.
2 What you are not doing is approving steel going into the
3 ground right away.

4 As you heard Sean Gamette speak this evening,
5 he talked about a number of different authorizations in
6 the future, a number of different touch points between
7 the staff and the Board in public hearings to move this
8 project forward.

9 So tonight, you are just doing those three
10 things; certify the EIR, select one of the options and
11 then approve the permit from a (inaudible) CEQA
12 perspective. Thank you.

13 MS. BYNUM: Okay, thank you. Let me just clarify
14 the understanding is we do select an alternative then,
15 tonight?

16 MR. ALBERS: That is correct.

17 MS. BYNUM: Okay. So we receive and file, we make
18 a motion on the EIR Alternative --

19 MR. ALBERS: -- to certify the environmental
20 document --

21 MS. BYNUM: Yes. Okay. And then we approve the
22 proposed project and that would be making a selection of
23 one of the four?

24 MR. ALBERS: That is correct.

25 MS. BYNUM: Okay. Thank you.

1 MR. ALBERS: We would like a moment to respond to
2 some of the comments, if it please you.

3 MS. BYNUM: I think that would be good before we
4 turn it over to the Commissioners.

5 MS. JENSEN: There are just a few but I am
6 Kathy Jensen with Rutan and Tucker. I am CEQA Counsel.
7 I have been working on this project since the very
8 beginning.

9 With regard to Dr. Williams' comment, he had
10 a comment on slide number three. He said a train does
11 not hold seven hundred fifty trucks.

12 That wasn't the point of that slide. It was
13 that the train, double stacked, replaces each -- a single
14 train will replace seven hundred and fifty trains.

15 Now that is one train can move as many
16 containers as seven hundred fifty slides. We have had
17 extensive responses to his comments. They are set forth
18 in the Final EIR starting at page eleven dash
19 seventy-seven.

20 He had detailed comments and we went through
21 each and every one of those. There was a concern by
22 Philip Steel, the biggest concern being emergency
23 responses.

24 That was already specifically responded to in
25 detail outlining where the local responding team would be

1 coming from on page eleven dash one-eighty-three but you
2 heard it from your Fire Chief, Mike DuRee, who indicated
3 that he has reviewed the plans and he is totally
4 satisfied with them.

5 With regard to Superior Electric Advertising,
6 the basic point was that the rail yard is not pretty and
7 there is advertising.

8 We have already responded to that point at
9 page eleven dash four-oh -- two-oh-four -- but the
10 primary issue being that this is a general industrial,
11 heavy industrial location.

12 It's not really intended for pretty
13 businesses. There was a west side resident, Jim Stewart,
14 who indicated that the air quality analysis did not model
15 diesel emissions. That is incorrect.

16 The diesel emissions were modeled. Some
17 impacts were less than significant but they were all
18 analyzed.

19 With regard to Gary Shelton and his statement
20 that he wanted to know where the consider -- Overriding
21 Considerations are -- they start at page sixty-nine of
22 the findings and they go on. They are numerous. They go
23 on to page seventy-one.

24 And the last point being with regard to
25 Fastlane, if I could have Heather respond on that. Our

1 understanding is that the Farragut Avenue will remain
2 open in that location.

3 MS. TOMLEY: That is correct. So the Port will
4 work with all of the businesses and the property owners
5 to make sure that we provide adequate access as the
6 project proceeds.

7 There may be some construction impacts to the
8 Fastlane facility and we will work with them as we
9 develop the traffic management plan associated with the
10 construction project.

11 But Eastside Street and Farragut Avenue will
12 both remain open at that location and access to Fastlane
13 will be maintained.

14 MS. BYNUM: Thank you. That was helpful.
15 Appreciate that. At this point, I am going to turn it
16 over -- yes, Secretary Guzman.

17 MS. GUZMAN: Thank you. I still have a procedural
18 question regarding action that we are taking tonight.

19 And so if we certify the EIR and we choose an
20 alternative, is it the point of no return in terms of the
21 project?

22 MS. JENSON: With regard to property acquisition --
23 and you are not committing to property acquisition if
24 that is what your question is.

25 There are many steps and my partner,

1 Dave Cosgrove, could explain those to you but in terms of
2 -- you could change your mind. There is no -- nothing
3 permanent that is happening if you approve that
4 particular project.

5 If you can get into it and you could, you
6 know, make modifications to it but it really does not
7 commit you to condemning property, for example. That
8 would be at a later date.

9 MS. GUZMAN: So let's say that we approve the -- we
10 certify the EIR this evening based on the 12th Street
11 Alternative and then two, three years from now,
12 conditions change dramatically and substantially in an
13 unprecedented way, is there anything that we are doing
14 tonight that would preclude us from scaling the project?

15 MS. JENSON: No.

16 MS. GUZMAN: Okay. Thank you.

17 MS. BYNUM: Thank you. Now I will bring it back to
18 the Board. Do we have any comments? Yes, Vice President
19 Egoscue?

20 MS. EGOSCUE: Thank you. Thank you for giving me
21 the opportunity to make comments. I have been trying to
22 whittle them down so I am going to try and do that and
23 continue to do that.

24 I wanted to make a preliminary statement to
25 my colleagues that I have been serving on the ad hoc

1 Special Purpose Rail Subcommittee for some time now and
2 in addition to Commissioner Colonna, have been
3 shepherding this process of what does the rail future
4 look like for the Port, forward.

5 So I am, in particular, very pleased to see
6 it tonight. I would also like to acknowledge our former
7 Commissioner Dines for his work on this, in particular.
8 He was a huge proponent of this so I just wanted to make
9 those preliminary comments.

10 Also, I wanted to make comments because I
11 think we are confusing a little bit here. Staff has done
12 an amazing job tonight, amazing.

13 I know I say, "amazing," a lot, however, I
14 think in trying to support this project, we are diluting
15 the purpose of why we are here, a lead agency certifying
16 CEQA.

17 So I would like to, at the outset, as I go
18 through these comments and I believe as my colleagues go
19 through their questions and comments, if we could flag
20 what is under our requirement by law to analyze and then,
21 also, in particular, flag what is not.

22 So that we don't get confused and I will, I
23 think, note a couple of them that I am touching that I
24 think it would help us and for example, property value
25 and then the impact to property value is not something

1 that we are required to analyze under CEQA; is that
2 correct?

3 MS. JENSON: That is correct.

4 MS. EGOSCUE: Okay. Thank you. So as we go
5 through, I think that would be really important because
6 it takes -- this is an unusual situation because, as the
7 lead agency, we are also Commissioners who live in this
8 community and would like to be responsive to the
9 community and the business owners.

10 We had a number of comment letters. We read
11 them all. We had more comment letters that were handed
12 to us tonight. I wanted to actually count them and tell
13 you how many but there were in excess of fifteen that we
14 received tonight that I read.

15 So, we are taking into consideration the
16 impact and we very much value the time that they have
17 given to this.

18 However, we -- under this specific process
19 tonight, this hearing, some of the issues that have been
20 brought up are not correctly in their purview nor should
21 we attempt to address them and I just want to make sure
22 that I am correct on that; is that correct? Okay. Yes?

23 MS. JENSON: That is correct.

24 MS. EGOSCUE: Okay. Thank you. I wanted to start
25 by addressing the seven hundred fifty trucks that come

1 off the road and I know that in the Statement of
2 Overriding Consideration, starting at page sixty-nine,
3 thank you for noting that we do sort of talk about how
4 this project will further our environmental goal as a
5 Port.

6 However, I am concerned and want to make sure
7 that it is clear to not only myself but my colleagues
8 that this environmental document did not consider the
9 impact of taking trucks off the road.

10 MS. JENSON: We absolutely did not take credit for
11 the truck reduction that will likely occur as a result of
12 this.

13 But the trucks are not -- there are no truck
14 trips associated with this project. Therefore, we
15 couldn't eliminate any of them.

16 The trucks are controlled by terminal
17 operators that the Port does not control with this
18 project.

19 So while we are -- the project makes way for
20 transport by rail, it doesn't physically cause or
21 contractually commit the reduction of those train
22 trips -- or truck trips -- and for that reason, we did
23 not take credit for the terms of a line item on the
24 calculations.

25 MS. EGOSCUE: Okay. Thank you. That is very

1 important and it was important for me, because again, in
2 the Statement of Overriding Considerations, which I will
3 get to and and also in some of the statements, there is a
4 sense that there will be this benefit but I want to make
5 sure that regardless of what we might think happened,
6 there is no commitment or obligation under this document
7 to remove trucks.

8 Okay. That is important for me. I am
9 hearing sighing, so I will try and go quickly.

10 In terms of comments regarding the relocation
11 of utilities for businesses, again, I am assuming that
12 that is something that we will be working towards during
13 the design of the project.

14 It is not necessarily something that we deal
15 with today; is that correct?

16 MS. JENSON: Well, the environmental impacts
17 associated with the anticipated relocation has been
18 accounted for, for example, in the quality analysis, that
19 those were factored in. But the relocation, itself, will
20 occur with further coordination.

21 MS. TOMLEY: Right. The project team will be
22 coordinating with all of the utility owners as the
23 project goes forward as we continue to work through the
24 design process and we will be working on developing a
25 utility relocation plan and coordinating that with all of

1 the affected industry partners.

2 MS. EGOSCUE: Okay. So again, the document
3 anticipates and analyzes the impact of relocation but
4 does not assume the relocation right now? It hasn't been
5 designed; is that correct?

6 MS. TOMLEY: The specific details of the relocation
7 have not been designed yet.

8 MS. EGOSCUE: All right. Thank you very much for
9 that. The two impacts that cannot be -- that remain
10 significant despite mitigation the air quality impacts
11 both in construction operation and the global climate
12 change, I want to just walk through and I know
13 Mr. Castleberry also wants to go through this but I think
14 it is really important and also, we had our City Attorney
15 representative walk us through it, too.

16 Can we just repeat briefly again what the
17 memo says, just very simply in terms of AQ-2 and AQ-4 and
18 why we focus only on the nitrogen dioxide concentration?
19 Can we --

20 MS. TOMLEY: John, to provide some additional --

21 MS. EGOSCUE: Because, again, this memorandum came
22 to us on the 19th and I just want to make sure that we
23 all understand it as part of the record.

24 MR. CASTLEBERRY: Yes, sure. Well, impacts AQ-1
25 and AQ-3 which I didn't talk very much about tonight have

1 to do with emissions, the amount of pollution going into
2 the air.

3 And that is considered by the South Coast
4 AQMD to be more of a regional impact so it basically adds
5 to the air quality problems in the entire South Coast Air
6 Basic by virtue of putting more emissions into the air.

7 So my focus was on what we call the, "Local
8 Impacts," which would be the impacts that were predicted
9 by the dispersion model so the actual levels of pollution
10 in the neighborhoods right around the proposed rail yard
11 project.

12 That is what impacts AQ-2 and AQ-4 are. So
13 AQ-2 would be the predicted pollution levels due to
14 construction during the construction period and then AQ-4
15 would be the predicted air pollution levels during
16 project operation.

17 MS. EGOSCUE: Okay. And the document, the draft,
18 already considered this full analysis. You were just
19 giving us further clarification?

20 MR. CASTLEBERRY: Correct. I was just clarifying
21 because there was some concern we were seeing from the
22 comments about the levels of pollution at, for example,
23 businesses right around the rail yard and the
24 Multi-Service Center.

25 So I just wanted to give a little perspective

1 on that. For example we, you know, showed that there
2 would be one hour NO2 impacts.

3 There are annual ones -- an annual impact as
4 well but for one-hour impacts, a natural question would
5 be how often would that occur so I am trying to give a
6 little perspective on that that is where the -- for
7 example, during project operations, that is where the
8 five percent of the hours and the two percent of the
9 hours was that I referred to earlier. That was an extra
10 analysis we did to look at that specific question.

11 MS. EGOSCUE: And it is particularly important that
12 we are using on-site data is that correct, close to the
13 project?

14 MR. CASTLEBERRY: Right. Well, the meteorology
15 that we use for the air quality model, right, that came
16 from the super block station which it is about as close
17 as you can possibly get to the project.

18 I don't think I have ever worked on a project
19 that had a station that close other than the Port
20 projects.

21 So, yes, the meteorological data is very
22 representative of the area and, of course, the air
23 quality emissions that went into the model were
24 calculated using very detailed information that we got
25 from engineering about the train movements and, you know,

1 both of the switchers, the line haul locomotives and
2 everything else in the yard.

3 MS. EGOSCUE: Thank you for that. I also
4 appreciate the actual forms and I don't remember where
5 they are, they were handwritten notes and diagrams from
6 the staff that were there analyzing the noise. That was
7 particularly important for me so I appreciate that.

8 One more and I am almost done. There is two
9 issues I want to clarify that the project was actually
10 analyzed and/or assumed under the EIR and the second
11 question is what is this sort of hint of a conflict
12 something that is -- it is not required in their analysis
13 of the flag; right, so that is kind of where I am going.

14 MS. TOMLEY: So SCIG was included in our cumulative
15 analysis of other projects that we were anticipating to
16 move forward.

17 So it was accounted for in the analysis that
18 we conducted. There were a couple comments tonight about
19 concerns about a potential conflict with access to the
20 SCIG facility.

21 Based off of what we know now, there is our
22 design, we believe that we can accommodate our project
23 and their project within the current -- within the
24 footprint that we will identify in the EIR so we don't
25 anticipate any conflicts.

1 MS. EGOSCUE: And if we did, that is not something
2 that we have to consider prior to this EIR this evening;
3 is that correct?

4 MS. TOMLEY: The analysis of the EIR is
5 appropriate.

6 MS. EGOSCUE: Okay. Thank you. All right.
7 Another issue that was very important to me is the
8 authority that we may or may not have to require zero
9 emission locomotives. It is clear to me that that is a
10 federal preemption issue. It is pretty straightforward.
11 We even have a California Supreme Court case.

12 MS. JENSON: That is correct.

13 MS. EGOSCUE: Okay. Thank you. There is a bit of
14 a hint that we can deal with that have some issues coming
15 up but as part of this, tonight, any motion that we make
16 is not something that we have legal authority to require?

17 MS. JENSON: That is correct and for the record,
18 the contract with PHL is running through 2024, the end of
19 2024 so that -- after that point in time, this Board will
20 have an opportunity to renegotiate that contract.

21 MS. EGOSCUE: Okay. So to your comment about
22 pretty businesses, I would argue that every Port in the
23 business is pretty in the Port.

24 My last comment slash question is regarding
25 the Statement of Overriding Considerations. This is a

1 seventy-three page document Findings of Fact and
2 Statement of Overriding Considerations, and in
3 particular, the legal significance of what we have to
4 find, as Commissioners, in order to move forward the
5 project.

6 Under CEQA, you are not allowed to approve
7 unless we make these findings and I just want to note
8 that other than fulfilling the mandate that we have as
9 under the Tidelands Trust, there are findings regarding
10 the implementation of our Clean Air Action Plan, our
11 safety, aerobic safety, actually getting more containers
12 onto rail.

13 I would like to distinguish that from saying
14 that we are lessening the transport by truck and the
15 Sustainable Freight Action Plan from the Governor.

16 We have heard that over and over again and
17 there is a wonderful letter from the State of California
18 to that effect from CARB.

19 And then last but not least, and this is my
20 final comment, our Community Grants Program, similar to
21 the last major EIR -- and this is much more significant
22 in my mind, not in terms -- not from the CEQA specific
23 term, I shouldn't use that word -- but much more --
24 larger magnitude.

25 The last time we went to the City Council at

1 Mitsubishi, there was some concern about payment for
2 mitigation and in anticipation of that, I just want to
3 note that if the Board decides to do something outside of
4 the context of this EIR and the actual math that we use
5 that has been consistent across all projects, we have
6 that ability through our volunteering efforts Community
7 Grants Program but it is not necessary to this site and I
8 would like to -- when we go in front of City Council --
9 make sure that we discuss that just because of our
10 lessons learned on this issue.

11 So that is it. Thank you so much for the
12 time, I appreciate it.

13 MS. BYNUM: Thank you, Vice President Egoscue. Did
14 you have a comment, Heather?

15 MS. TOMLEY: I could just add a comment related to
16 the last comment. The methodology that we follow for
17 calculating the contributions to the Community Grants
18 Program is consistent with the investment plan and
19 modernization study that was adopted as part of the
20 Community Grants Program that the Board approved end of
21 2016, I believe now.

22 So that the calculations, the values that we
23 used for calculating that are consistent with that -- the
24 Board-approved methodology.

25 MS. BYNUM: Thank you. It certainly helps to have

1 the environmental attorney on the Commission so thank you
2 for your questions and your clarification. Appreciate
3 that.

4 Do we have any other comments? Yes,
5 Secretary Guzman and then Commissioner Colonna.

6 MS. GUZMAN: Thank you, Madam President. I had a
7 number of questions and then also remarks.

8 Staff, thank you for bringing this forward, a
9 combination of many years of work and so ...

10 I did have some questions for clarification
11 just to make sure that we are all on the same page about
12 what we are approving tonight because to Vice President
13 Egoscue's point, we have got a lot of information
14 tonight, some that is directly related with the actions
15 and some that is just useful and background information.

16 And so, in terms of the -- our goal of
17 getting to eighty-five percent and the recent cargo
18 update that we did, how do those two align?

19 When we say that we are going to get the
20 thirty-five percent with this project of On-Dock Rail,
21 are we talking about based on say seven million
22 containers, are we talking about our long-term cargo
23 forecast?

24 MS. TOMLEY: Right. So it is with our cargo
25 forecast going out into the future. There was a recent

1 update to the cargo forecast which shows that some of the
2 time lines for achieving those higher cargo growth rates
3 have now been shifted out a few years but the need for
4 this project still exists even under that new cargo
5 forecast, just the time line of a few years shifted out.

6 MS. GUZMAN: Thank you, and then to the point
7 that -- I think it was Sean -- about grants and
8 continuing to pursue those opportunities, the materials
9 that we have received already is fifteen point three
10 million.

11 But with the 12th Street Alternative, only
12 two percent fell and I, of course, encourage that to
13 continue to aggressively explore those opportunities and
14 I speak to Mario and the audience and so that one is for
15 you.

16 In terms of the different alternatives, when
17 we talked about 9th Street, you specify that that
18 particular alternative does not meet the goal of
19 thirty-five percent.

20 Does that mean that 10th Street with just two
21 fewer trains does meet the goal?

22 MS. TOMLEY: The only alternative that fully meets
23 the goal is the 12th Street Alternative.

24 MS. GUZMAN: Got it. We have a lot of
25 representatives from labor tonight and I just wanted to

1 thank them for coming out, as well. Always good to have
2 a great turnout and see democracy at work.

3 When we get the Project Labor Agreement and
4 we approved about eight hundred million dollars in the
5 project, remind me was this included or do we need to
6 take an action at some subsequent time to include it and
7 we are not acting on that tonight but I just wanted
8 clarification.

9 MS. TOMLEY: Sean?

10 MR. GOMET: The proposed Pier B On-Dock Rail
11 Support Facility is something new. So while it is in our
12 ten-year capital forecast from a forecasting standpoint,
13 we would certainly bring projects under that to the Board
14 for addition into the PLA.

15 MS. GUZMAN: I guess what my question was, is that
16 included in the action you have already taken or will
17 there be some subsequent action that we would have to
18 take to make that happen yet?

19 MR. GAMETTE: Subsequent action.

20 MS. GUZMAN: Okay. Thank you. You mentioned,
21 Heather, one of the mitigating elements to the equipment
22 and the emissions is to limit idling to five minutes.
23 How are we going to enforce that?

24 MS. TOMLEY: That is all part of our construction
25 compliance work that we will be doing, working with the

1 contractors. In many cases, they can install idling
2 limitation devices.

3 In other cases, it can be management
4 practices that they can employ in the field that are
5 identified by the inspectors that go out to visit the
6 site.

7 So there are a few different ways that that
8 can be enforced but that would be something that we would
9 be making sure to get applied through the Environmental
10 Compliance Contractors that we would have working with us
11 on this project or through our construction inspection
12 process.

13 MS. GUZMAN: Well, thank you for that
14 clarification. So it is not like a fluffy goal that we
15 are just -- we will be basing on our system.

16 It is actually a very practical thing that we
17 will, in fact, be able to work with if everyone can be
18 sure that it gets applied.

19 MS. TOMLEY: That is correct.

20 MS. GUZMAN: Thank you. Regarding the MSC, I think
21 probably in reading all the documents and taking
22 everything into consideration that the one issue that I
23 am still struggling with and its really tugging at my
24 heart and so I know that we feel that we have this
25 Mitigation Grants Program.

1 We already received over a hundred thousand
2 dollars from (inaudible.) And when we talk about
3 projects like these, those of us who have a job, who have
4 means who have -- who are connected, we are not disabled
5 and we have a network and the ability to be able to
6 participate in the meeting tonight, there are people that
7 are not able to do that.

8 They don't have Transportation to get here,
9 they don't have clothing, they don't have food. They are
10 living on the street or wherever they can find a spot and
11 so I feel like it is our duty and our obligation,
12 morally, to also consider the impact to the folks that
13 are served by our just incredible facility.

14 We have one of the best Multi-Service Centers
15 that anyone could have in the region helping the homeless
16 population which, as many of you have seen, has just
17 grown exponentially throughout Southern California.

18 And so, could you please help me feel more
19 comfortable that we have -- that we are adequately
20 litigating that impact?

21 I know we have a letter in our packet from
22 the Department of -- from the Board of Health and Human
23 Services, the Director there seeking additional funding
24 either through the grants for tonight or through another
25 mechanism.

1 But when we look at the breakdown that you
2 provided, a very small amount is for, I believe, the MSC
3 and so that is a pain point for me that I need you to
4 help me work through.

5 MS. TOMLEY: So the analysis that we did from an
6 air quality perspective, we and -- John Castleberry, if I
7 get in over my head, I might need you to provide some
8 additional detail.

9 But we did -- one of the receptor locations
10 that we analyzed for this project was located at the MSC
11 facility so that we could have details about what the
12 impacts were to their specific facility.

13 From an operation perspective, the air
14 quality emission impacts are below the significant
15 threshold.

16 They do have an impact from the -- during the
17 construction, all three phases of the construction of the
18 project.

19 So during the construction, the seven-year
20 period that we analyzed, they will have significant
21 impacts to their facility during that time.

22 We did identify, following the Board's
23 methodology, the contribution to the Community Grant
24 Program.

25 As you identified, the MSC has been an

1 awardee under that program in the past and I guess my
2 suggestion would be for the Board to consider whether or
3 not you want to consider something in a future action by
4 the Community Grants Program about directing funds in a
5 certain way through upcoming solicitations or potentially
6 adding more funding to that program outside of the CEQA
7 approval for this process.

8 Under CEQA, we performed the analysis
9 appropriately. We identified all of the significant
10 impacts and applied all the appropriate mitigation that
11 it would be at the Board's prerogative if you wanted to
12 do something like a Community Grants Program or something
13 like that.

14 MR. CAMERON: Secretary Guzman, I think Heather
15 hit the nail on the head in terms of that. We actually,
16 met last week with Elsa who runs the MSC as well as the
17 Director of the Human Services, Health and Human Services
18 Department.

19 I think they -- we walked them through, just
20 as Heather alluded to, you know, there is the CEQA, you
21 know, law piece to it but then there is the holistic
22 community-type of aspect to your point.

23 They have concerns about trucks going there
24 through those roadways that currently go through there
25 and how are we going to address that.

1 And I think we can address that working with
2 them as has been upheld to by other stake holders through
3 the design through the traffic management.

4 There could be other things associated with
5 noise or even, for instance, they brought up
6 beautification in certain areas came up.

7 So those are the things that we can work with
8 them outside of through the design as Shawn and his team
9 will be taking on the project delivery.

10 Beyond that, there is also the consideration
11 of two other projects that have potential impacts on the
12 MSC that we acknowledge in this meeting and that was
13 whatever happens out of the I-710 action as well as the
14 Shoemaker Bridge.

15 So one of the things that we talked about was
16 having a discussion about the potential future
17 relocation, not directly with this project, but how do we
18 work as a Port with our city with other stake holders to
19 start to have a more meaningful discussion about if its
20 not this project, what is the next project and is this
21 the safest location or what can we do to keep this intact
22 working with other stake holders.

23 So I want to offer that up as well, that will
24 be a continual battle that we will have beyond what CEQA
25 said was an impact or not an impact.

1 MS. GUZMAN: So this is really important to me. It
2 is something that, like I said, a pain point.

3 It is a community that -- and just the
4 facility that we have that is so incredibly important, it
5 is located there because it is an industrial area and
6 there is a lot of new-bee issues when it comes to a site
7 like that and a facility like that.

8 And this facility works because of where it
9 is located and it is kind of a distance from other
10 residential, you know, neighborhoods, somewhat.

11 But I guess that distance was minimally
12 required under the law but I just want to get on record
13 on saying that we need to do more, in my view, and I note
14 that a rider to the motion or if it is a completely
15 separate action, I am good either way.

16 I don't want us to drop the ball on this and
17 not come back and so I don't know if you need to set up a
18 subcommittee or if staff feels comfortable and there is
19 consensus on the Board and but it is just -- it is a very
20 vulnerable population. It is one of our best assets. We
21 are helping the neediest of the needy.

22 And I -- this project will impact them and
23 many others and they are a community that we can't turn
24 our back on. They will recheck the list. Not from me.
25 That is not good enough for me.

1 So hopefully, we can work to do something
2 better in this regard whether it is adding more money to
3 the overall community mitigation grants program during
4 the budget process but I would like to work with staff on
5 a path forward specifically for this facility and to the
6 points that were mentioned in the letter that had to do
7 with the filtration system and things like that just to
8 make sure that we are not making a very vulnerable
9 population already more subjugated to pollution and other
10 health risks.

11 MR. CAMERON: So, Madam Secretary, if I can make a
12 recommendation, I would like to work with Mario and
13 others on the executive team and others on the team and
14 what we can commit to as coming back to the Board with
15 maybe a game plan and maybe some next steps and whether
16 it's an ad hoc subcommittee at the discretion of the
17 Board working with staff and other stake holders to have
18 a more meaningful discussion in the short term.

19 Some of the things that you have some
20 concerns with that we can work with the design team with
21 that (inaudible) this evening and then even the more
22 broader, bigger discussions whether it is this location
23 or maybe looking at some other relocation that may come
24 about because of those other projects that I alluded to.

25 So that might be a better way of handling it

1 and that is our commitment, if Mario, if you are okay
2 with that?

3 MS. GUZMAN: Okay. Thank you. And I just had one
4 final thing and that is what steps you will be taking to
5 work with businesses that will be dislocated in either of
6 the Alternatives and that is in the future thing that
7 will be determined just because we had a few visitors
8 come up and I -- will we be working with community
9 development to identify alternative sites or what kind of
10 other assistance will we be giving to businesses that
11 will be disrupted by the project?

12 MS. TOMLEY: So I would like to -- Dave Cosgrove is
13 here and he is our outside Counsel that is our legal
14 expert in this area.

15 But in reference to the comment that you had
16 about working with the City, we have had some initial
17 conversations with the -- well, in the early days, with
18 redevelopment but then also with the development services
19 staff and also with John Chrysler and his team as well to
20 identify the need for assistance from the City in helping
21 us to work through the relocation process.

22 We intend to continue those conversations in
23 earnest following the Board's action if you choose to go
24 forward with the project so we will continue on with that
25 process.

1 But I would also like Dave to provide some of
2 the structured process that we will be going --
3 undertaking.

4 MR. COSGROVE: And following what Ms. Tomley is
5 saying, first and foremost, I think following also what
6 Sean Gamette said, speak with the businesses, figure out
7 what their needs are, try to catalogue what those needs
8 are.

9 We have already identified that there are
10 available areas, vacancies to which we can relocate
11 people.

12 But the structure of the acquisition process
13 is such that first, we have to do an appraisal and there
14 will be an offer made with the appraisal and the owners
15 and occupants, if they operate a business, they will be
16 notified of the opportunity to make any kind of a claim
17 for business good will and along with that offer, we will
18 also let them know the structure that we have with
19 respect to providing relocation assistance and relocation
20 benefits.

21 So, what we would be doing if we do get to
22 the point of acquisitions, would be assisting business
23 owners, identifying suitable relocation sites, providing
24 them with referrals.

25 If an appropriate site can be found, then

1 relocation benefits will kick in that will include
2 underwriting moving expenses, certain expenses in looking
3 for a replacement location, certain expenses in
4 re-establishing the business at any location so all those
5 will be paid in addition to any real property value.

6 So and to the extent then that a relocated
7 business in its new location somehow suffers -- has a
8 loss of business value -- that value can be claimed and
9 as a loss of business good will claim through any
10 condemnation proceeding that might result.

11 So those are some of the structural
12 protections, as it were, that business owners get who may
13 be looking at displacement.

14 MS. GUZMAN: Thank you. Again, thanks for that
15 incredible job and very, very thorough EIR and analysis.

16 MR. GAMETTE: Secretary Guzman, Shawn Gamette
17 again. Can I provide a little bit further clarification
18 on the portwide PLA to your question regarding whether
19 Pier B would be included?

20 It was included in that original list that
21 the board approved in the portwide PLA but it is not
22 broken down in the same -- you know, it is broken down in
23 a sort of a simplistic fashion in the way it is listed.

24 So whether or not we need to take a future
25 action to include it, I am not sure. Let us look into

1 that but I do want to reassure everybody that it is, in
2 fact, in the portwide PLA. It is just a matter of how we
3 have broken down the projects that comprise it.

4 MS. GUZMAN: Thank you.

5 MS. BYNUM: Thank you Secretary Guzman.

6 Commissioner Colonna?

7 MR. COLONNA: Thank you, Chair Bynum. I want to
8 thank staff for doing a really great job on this
9 particular project.

10 It has been in conception long before I came
11 on the Board and, actually, I have to comment that I was
12 very happy to see so many people speak in favor of this
13 project. City Council usually do the opposite, that
14 people start throwing things at us but that being said, I
15 think it was an outstanding presentation.

16 I have just a couple of other things as
17 Commissioner Egoscue alluded to regarding the truck
18 trips.

19 I understand the value of what we want to do
20 in terms of building a ten thousand foot train segment to
21 provide for our needs and several of them on a daily
22 basis.

23 But we still are going to be needing the
24 truck operations in our port for the local delivery
25 supply chain.

1 I don't see any -- we are looking to things
2 -- at least in my opinion -- that we are going to be
3 seeing a decline in truck trips.

4 I don't think we are going to be seeing that
5 but I do think that we are going to be seeing state of
6 the art vehicles coming down the road that will certainly
7 compensate for it and deal with some of our pollution
8 issues.

9 So at least from my view, I didn't want to
10 maybe cause potential for misleading the public in
11 thinking that this project is going to be taking a
12 significant volume of trucks off the road.

13 I think we have the responsibility, at least
14 from our CAAP, to make sure that we meet our obligations
15 in succeeding in providing the best and cleanest truck
16 vehicular traffic in addition to the fact that we have
17 the Interstate 710, hopefully, and Caltrans and Metro can
18 get off the dime and build a new freeway for us that will
19 separate trucks from the vehicular traffic. I think that
20 will be a big bonus. Heather, did you want to comment
21 about that?

22 MS. TOMLEY: I will just ask clarification that
23 what this project will hopefully allow us to do is as
24 cargo continues to grow, having this infrastructure in
25 place will allow us to move more of that cargo by rail

1 than otherwise.

2 Without this project, that cargo would need
3 to go by a truck.

4 And so this will help us to accommodate a
5 larger proportion of that cargo to go out on rail and in
6 accordance with our thirty-five percent goal.

7 And that is consistent with the Clean Air
8 Action plan identified tonight. It is also consistent
9 with the goals of the South Coast Air Quality Management
10 District and the California Air Resources Board, Regional
11 Transportation Planning and other local, regional and
12 state-wide goals to support greater utilization of
13 On-Dock Rail.

14 MR. COLONNA: Thank you. Well stated and I believe
15 our responsibilities are to grow the port and grow it
16 green.

17 And as a result, I think that we just want to
18 make sure that we do have that balance because the trains
19 are an important incremental part of this.

20 We have discussed -- we are looking at
21 thirty-five, forty percent of On-Dock Rail in our future.

22 Just a couple of other comments here that I
23 think are a little bit important. We talked about a
24 project and I have done some development in my day as a
25 real estate broker and in construction.

1 Esthetics are important in our project. I
2 think it is really important for us to understand that if
3 we -- if one were to do a project of this magnitude, that
4 it does represent who we are and not just lay down a
5 bunch of rail and, you know, I don't want to use the word
6 but, you know, sometimes we see these pictures of gritty
7 railroad yards and just all kinds of things that don't
8 really make a project like this hit the ground very well.

9 So, and I guess my question is considering
10 that I do really like and support the 12th Street Project
11 Alternative here is do we have elbow room in this project
12 to let's say have some type of a buffer zone to the
13 businesses or maybe some green sound wall barriers that
14 can, you know, basically lift the bottom a little bit on
15 a project like this so that the folks like Superior, you
16 know, before -- when it was Coca Cola, I used to make
17 deliveries there as a kid working on the west side.

18 So we have got a lot of long-time resident
19 owners that have done yeoman's work when things weren't
20 so good for Long Beach and they stuck with us.

21 And so I want to, you know, at least
22 demonstrate that we believe in them as well and that we
23 want to live up to our reputation of understanding that
24 they are a business and we want to see them succeed.

25 So I don't know. Rick, is there room in this

1 project here for --

2 MS. TOMLEY: I can start the comment and then hand
3 it over to engineering if they would like to add some
4 additional detail.

5 I think it is important to note that we are
6 at a very early stage in the design of this project and I
7 think that as the program team gets assembled and they
8 start working through the process of identifying --
9 moving towards the final design, they can explore whether
10 or not there is opportunities to address those comments
11 that you brought up.

12 MR. COLONNA: I think it is just important that we,
13 you know -- well, we do. We understand, you know, I mean
14 from what my tours of the Port are, we are not
15 disregarding what we look like to our neighbors.

16 MR. GAMETTE: Definitely and, Commissioner, you can
17 rely on, if the Board approves the project, our cross
18 divisional team to address opportunity throughout this
19 development, to be sustainable, to look at the project
20 boundaries and meet with the businesses and property
21 owners and talk about what kind of elbow room would you
22 have there on the perimeter and to design a project that
23 we can all be proud of.

24 MR. COLONNA: Great. Thank you. And my last
25 comment, the Mayor stated in his -- State of the City

1 address about creating a new economic development
2 corporation.

3 And my previous -- with the City -- was I was
4 on that (inaudible) and I Chaired it.

5 So I really think that this would be a good
6 opportunity for the Port to step up and, you know, hey,
7 we would like to be one of the partners here because they
8 are going to be funding and as was talked about by -- I
9 think it was Dave on the relocation of the businesses --
10 that there are, you know, funding mechanisms to be
11 available and then I think that we, as a good partner
12 with our City through economic development partnership
13 and the corporation that the Mayor wants to form, that we
14 could step up and be one of the first to say count us in
15 and we want to make sure that we participate in that
16 corporation and help the businesses as they maybe want to
17 relocate and make sure that they remain successful and
18 stay in Long Beach because that is so important for us to
19 keep these jobs. So those are my comments. Good job.
20 Thank you.

21 MS. BYNUM: Thank you, Commissioner Colonna.
22 Commissioner Lowenthal?

23 MS. LOWENTHAL: Thank you. Well, I think most of
24 my comments have already been stated but I am going to
25 state them again.

1 First of all, Mario, to you and your staff to
2 Rick, you did an amazing job and certainly, for me, you
3 were incredible and responsive and obviously, most
4 importantly, to the community were very, very responsive,
5 even to the opponents, even to people who might lose the
6 business as they have been in for so many years, you were
7 very responsive so I can't thank you enough for that.

8 I have some of the same concerns. One
9 similar to Secretary Guzman the Multi-Service Center is
10 very important to me. I was part of creating that in a
11 past life way back in the late '80s that was the
12 recommendation of the Mayor on the homeless.

13 And then as a Member and Chair of the Homeless
14 Advisory Commission, we saw that actually to fruition.

15 This morning, we drove by there and there were
16 probably about thirty people outside. I am not sure if
17 they were waiting to get services but I think we have to
18 look at the people waiting in the parking lot, not just
19 getting services inside.

20 So I, too, am very concerned about that and,
21 Secretary Guzman, there is a subcommittee to look at
22 those issues.

23 I know that the 9th Street access is going to
24 be eliminated so that would mean a lot more traffic on
25 Anaheim Street and that will certainly impact the MSC and

1 the people walking over the bridge to the MSC. So,
2 enough said about that. I think we are all in agreement.

3 There was a comment about businesses not
4 needing to be pretty and I think the opposite. I think
5 every business should have a beautiful environment on the
6 outside as well as the inside.

7 You know, I think the worst case scenario is
8 my picture of the rail yards downtown that are just so
9 ugly when you go up and down the 710 and none of us want
10 to see that.

11 So we don't want to see that around individual
12 businesses that remain in the area and we don't want to
13 see it on the periphery of the area as it is developed.

14 So I would hope that buffers are developed
15 (inaudible) and also for individual businesses.

16 And I am concerned about losing the space that
17 exists there that has existed for such a long time and so
18 I appreciate the comments about trying to -- when the
19 time comes -- that relocation is necessary we must try to
20 relocate businesses in Long Beach whenever possible so
21 that is important.

22 And last but not least and again, I think this
23 was mentioned, I hope that in the process, that you are
24 able to put together an official stake holders group so
25 there will be a regular meeting for the same people who

1 know the west side, who have businesses, who can be there
2 as advocates and the Port moves on.

3 I do want to thank everybody that came out
4 tonight. A lot of people have left. Seems like every
5 segment of this community has been here and I really
6 respect you for taking the time to come here and advocate
7 or speak against the project and I think for those who
8 spoke against the project, you can be reassured that the
9 Port will continue to work with you even during difficult
10 times. Thank you.

11 MS. BYNUM: Thank you, Commissioner Lowenthal. I
12 will keep it very short. A lot what I am going to talk
13 about has been said but I do have one question regarding
14 the percentage of On-Rail.

15 So only 12th Street will give us thirty-five
16 percent; is that correct?

17 MR. PLEZIA: Thank you, Madam President. Got a
18 couple of slides anticipating questions about the
19 forecast.

20 The first slide is taken from the EIR, I
21 believe it is figure four point three dash one. And that
22 shows the range from thirty to thirty-five percent of
23 On-Dock as demand for -- for On-Dock Rail.

24 And the colored lines show what the different
25 alternatives will achieve from a rail capacity

1 perspective.

2 So, the gray line representing the no-build
3 option, the red line representing 9th Street, the yellow
4 line 10th Street and the green line, 12th Street.

5 So this is the information that was in the
6 EIR showing that at 2035, none of the alternatives
7 actually get us to that thirty to thirty-five percent
8 target zone.

9 MS. BYNUM: So the threshold is about thirty
10 percent?

11 MR. PLEZIA: If I could go to the next slide. We
12 take a look at the new forecast and applied that same
13 thirty to thirty-five percent demand target zone to the
14 new forecast which is, of course, was completed in 2016
15 and has generally lower growth rates and overall that is
16 projected for the San Pedro gateway.

17 So in this case, 12th Street does achieve
18 slightly more than thirty percent of On-Dock if we go
19 that alternative while the other alternatives don't even
20 reach thirty percent.

21 MS. BYNUM: I have heard -- we have kicked around
22 -- I have heard numbers kicked around at fifty percent at
23 some point to get to that.

24 But this project then, will actually get us a
25 little less than thirty-five percent. I know tonight

1 Anthony Otto talked about a need for forty percent
2 On-Dock and so that is a big question.

3 And we haven't got time to get into that
4 tonight but it seems to me that that whole issue about
5 rail and ability to be able to reach our objectives in
6 the future, we are going to have to spend some more time
7 talking about. Heather?

8 MS. TOMLEY: I will just add, briefly, that that is
9 definitely something that the Port is very engaged in.

10 We are just launching a new process to update
11 our rail study. We will be exploring those issues,
12 specifically.

13 MS. BYNUM: Great. Thank you. The other thing I
14 just want to say I agree totally with my colleagues about
15 the community clearance program and the issues about the
16 businesses. I think I heard a figure of a hundred
17 forty-six thousand for community grants and the formula.

18 That is not nearly enough I don't think but
19 that is something that we will deal with.

20 MS. TOMLEY: To clarify, there is two components to
21 the contribution to community grants. There was the
22 hundred forty-seven thousand that was for the NOX
23 contribution but then there is also one point four
24 million rounded that is from the greenhouse gas. So
25 combined, it's about one and half million.

1 MS. BYNUM: Okay. Better. And businesses, I
2 understand, I get it with businesses. I come from a
3 family of small business owners.

4 I trust that our staff will work throughout
5 this process. I know that there is value engineering
6 done from this draft a year ago to the readings that came
7 out recently and so that was good.

8 Hopefully, there will be other ways for us to
9 be able to address this, plus all the other things here
10 that were mentioned here tonight.

11 And just also wanted to thank -- I am just --
12 over and over again our staff just continues to just put
13 out excellence in planning, design, execution and I am
14 just so proud of the work that you all do and thankful
15 for the quality of the work.

16 I want to thank all of the attorneys and the
17 other teams that have been at this table as well
18 participating in that and I see Doug Thiessen back there
19 and I know that Doug has a lot to do with this, too.
20 Doug, it is good to see you here tonight. So, thank you.

21 That is all I have to say. Are there any
22 other comments from anyone before we move on now? Thank
23 you very much.

24 Okay. If there are no additional comments or
25 questions regarding this project, I will close the public

1 hearing and entertain a motion to receive the file, the
2 staff report and public comments.

3 MR. COLONNA: So moved.

4 MS. EGOSCUE: Second.

5 MS. BYNUM: All those in favor?

6 ALL COMMISSIONERS: Aye.

7 MS. BYNUM: Motion passes unanimously. Now I will
8 entertain two additional motions for the Board regarding
9 the project before us, one motion on the EIR and one
10 motion on the Harbor Development Permit.

11 Do I have a motion to certify the final
12 Environmental Impact Report for the Pier B On-Dock Rail
13 Support Facility Project measure in front of me adopting
14 the Statement of Overriding Considerations, a mitigation
15 monitoring reporting program and an application summary
16 report?

17 MR. COLONNA: So moved.

18 MS. EGOSCUE: Second.

19 MS. BYNUM: All those in favor?

20 ALL COMMISSIONERS: Aye.

21 MS. BYNUM: I will now entertain a motion to
22 approve the proposed project, that is 12th Street that we
23 are talking about and the Level III Harbor Development
24 Program. Can I have a motion, please?

25 MS. EGOSCUE: Move approval.

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MR. COLONNA: Second.

MS. BYNUM: All in favor?

ALL COMMISSIONERS: Aye.

MS. BYNUM: Motion is carried unanimously. Thank you very much. This now concludes the public hearing.

(At 9:10 p.m. the hearing was adjourned.)

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REPORTER'S
CERTIFICATE

I, Cynthia Lamb, CSR No. 8349, a Certified Shorthand Reporter for the State of California, do hereby certify:

That said proceeding was taken before me at the time and place set forth and was taken down by me in shorthand and thereafter reduced to computerized transcription and I hereby certify the foregoing is a full, true and correct transcript of my shorthand notes so taken.

I further certify that I am neither counsel for nor related to any party to said action nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 2nd day of February, 2018.



CYNTHIA E. LAMB
Certified Shorthand Reporter
No. 8349

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