Chapter 4
Comments and Coordination

CHAPTER 4
COMMENTS AND COORDINATION

4.1 SCOPING PROCESS

An NOP/PEAR and Notice of Initiation of Studies (NOIS) to prepare an EIR/EA was issued on October 25, 2002, by the Port to notify affected parties and to solicit comments from responsible agencies and the public on the proposed project. Additionally, the NOP/NOIS advertised a Scoping Meeting/Open House, which was held November 12, 2002, at the Port Administration Building. The Scoping Meeting/ Open House was also advertised in several newspapers, including Long Beach Press Telegram, The Daily Breeze, The Philippine Times, Mundo L.A. (local Spanish newspaper), and La Opinion (local Spanish newspaper). The purpose of the Scoping Meeting/Open House was to introduce the project and preliminary design concepts to agencies and members of the public and to receive comments. The scoping meeting for public agencies was held in the afternoon, and the open house for the general public was held that evening. Several exhibits were displayed, including design concepts and computer-renderings of the project, as well as an exhibit depicting the environmental process. Project staff and consultants were present to answer questions. No written comments were received at the Open House.

Four comment letters were received during the NOP review period and scoping meetings. Issues of concern included utilities, water resources, and hazardous waste/materials. A Draft EIR/EA was released for public review on June 14, 2004, for a 60-day review period. Subsequent to the public comment period for the Draft EIR/EA, the Port elected to add a Toll-Operation Alternative and expanded the limits of the proposed project study area. As a result, the Port issued a revised NOP for this revised Draft EIR/EA on December 5, 2005. No comments were received during the revised NOP public comment period.

4.1.1 Agency Consultation

As part of the coordination necessary for the environmental study process, the following federal, state, regional, and local agencies were consulted:

- USFWS
- USCG
- EPA
- State of California Office of Planning and Research
- CDFG
- SHPO
- SCAQMD
- SCAG
- AQMD
- RWQCB
- California Conservation Corps

Staff from some of these agencies provided information regarding the presence of environmental resources within the project area, regulations governing those resources, impact assessment methodologies, environmental impacts, and mitigation measures (see Appendix D for correspondence with the AQMD and CDFG). The SHPO determined that the proposed project would have no adverse effect on historic properties, therefore granting their concurrence on July 21, 2003 (Appendix C).

Prior to and during the preparation of this revised Draft EIR/EA, ongoing Project Development Team (PDT) meetings were held to discuss design options, factors to be considered during the environmental study process, and scheduling issues. Representatives and technical staff from the Port, Caltrans, FHWA, and the consultant team attended these meetings.

4.1.1.1 Related Project Coordination

Subsequent to circulation of the June 2004 Draft EIR/EA, the Port's PDT for the Gerald Desmond Bridge Replacement Project initiated ongoing coordination meetings with the ACTA Schuyler Heim Bridge Replacement and SR 47 Expressway Project planning team. The coordination meetings were to communicate project information, study methodologies, and findings between the two planning teams for these closely related projects. This facilitated consistency in planning assumptions, specifically in the area of traffic forecasting and assessment of cumulative and secondary impacts. These meetings are planned to continue throughout the project development process and into construction, assuming both projects receive environmental approvals and are funded.

4.1.2 Public Participation

A public hearing was held July 19, 2004, during the 60-day public review period of the Draft

EIR/EA. This meeting discussed the major components and environmental impacts of this project. Public comments and questions were taken at the close of the hearing.

Twelve (12) entities provided comments on the Draft EIR/EA. The commenter's consisted of:

- Long Beach Department of Oil and Gas
- Division of Oil, Gas, and Geothermal Resources
- California Department of Conservation
- San Pedro and Peninsula Homeowners' Coalition
- DTSC
- CDFG
- MTA
- Natural Resources Defense Council
- SCAQMD
- THUMS Long Beach Company
- EPA
- USCG

4.2 PUBLIC COMMENTS AND RESPONDING TO COMMENTS

The comments and concerns received from the 12 public entities (listed in Section 4.1.2) regarding the 2004 Draft EIR/EA were addressed in the revised Draft EIR/EA.

4.2.1 Revised Draft EIR/EA: February 2010

The Revised Draft EIR/EA was approved for circulation to the public by the Port and Caltrans on January 11 and 21, respectively. A .pdf version of the Draft EIR/EA and a transmittal letter indicating the availability of the document, the public comment period, public hearing locations and times, locations that the Draft EIR/EA and technical studies were available for public review, and the address to submit public comments were mailed on to all agencies/persons on the project mailing list (see Draft EIR/EA Chapter 6) on February 4, 2010. The Final EIR/EA will be mailed to all state and federal agencies listed in Chapter 6 and all persons/entities who commented on the Draft EIR/EA.

During the public comment period, hard copies of the Draft EIR/EA were available for public review at the following locations:

- Port of Long Beach Administration Building, 925 Harbor Plaza, Long Beach;
- Caltrans District 7 Office, 100 S. Main Street, Los Angeles;
- The City of Long Beach, City Hall, 333 W. Ocean Boulevard, Long Beach;
- Long Beach Main Library, 931 Gaffey Street, San Pedro; and
- Wilmington Branch Library, 1300 N. Avalon Boulevard, Wilmington.

In addition, the document was made available for download by the public through the Port and Caltrans Web sites. The revised Draft EIR/EA continues to be and the Final EIR/EA will be available for review at both:

- http://www.polb.com/environment/docs.asp
- http://www.dot.ca.gov/dist07/resources/envdocs/

Two public hearings for the project were held at the following locations:

- February 17, 2010, at 6:00 p.m. in the City Council Chambers, Long Beach City Hall, 333 West Ocean Boulevard, Long Beach, California; and
- February 24, 2010, 6:00 p.m. at Silverado Park, 1545 W. 31st Street, Long Beach, California.

Notices of the public hearings were published in the following newspapers:

- *The LA Watts Times* on February 4 and 11, 2010;
- *Latin Publication* on February 4 and 11, 2010;
- *The Long Beach Press Telegram* on February 5^{h} and 16, 2010; and
- *The Long Beach Gazette* on February 11 and 15, 2010.

In addition, the project was featured and public hearing information was included in the re:Port community newsletter, which is mailed to every Long Beach mailing address (200,000+). Finally, the Port issued three press releases on February 4, 17, and 23, 2010. Coverage of the project and public hearings was included in various newspapers, trade publications, and by at least one television news station. A copy of the transmittal letter, public hearing notice, press releases, and the re:Port are provided in Appendix J of the Final EIR/EA.

4.2.1.1 Summary of Public Comments Received during the Public Comment Period

During the public comment period, public comments were received by both e-mail and letter. A total of 49 comments were received from a wide range of entities, including:

- 3 Elected Officials
- 1 State Government Agency
- 2 Regional State Government Agencies
- 2 Local Government Agencies
- 4 Community Groups
- 15 Industry and Business Groups; and
- 22 Individuals

All comments received on the Draft EIR/EA and responses to these comments are provided below. Table 4-1 provides a matrix of the commenters, letter ID number, and comment and response page numbers.

February 17 Public Hearing Summary

The public hearing was held at the Long Beach City Hall and started at 6:00 p.m. The public hearing format consisted of a 1-hour informal open house and included refreshments and project informational boards for public review. During the open house, Port, Caltrans, and Port consultant staff were available to answer questions prior to the public hearing. The open house was followed by a formal public hearing that included a project overview presentation by the Port, followed by an open public comment period. The formal public hearing was recorded by a court reporter and translated through a sign language interpreter. The Port also provided Spanish-language translation at the meeting.

Seventy-two (72) people signed in at the public hearing, and 14 people made public comments. All public comments were in support of the project. The public hearing transcripts and responses to the 14 public comments are provided below.

February 24 Public Hearing Summary

The public hearing was held at Silverado Park and started at 6:00 p.m. The public hearing format was the same as described above for the February 17 public hearing.

One-hundred thirty-two (132) people signed in at the public hearing, and 21 people made public comments. All but two of the commenters were in support of the project. The public hearing transcripts and responses to the 21 public hearing comments are provided below.

Table 4-1
Comment and Response Matrix

Commenter	ID	Comment Page Number	Response Page Number
Elected Officials		4-6	4-200
Laura Richardson, Congresswoman, 37th District	LR(A)	4-7 – 4-11	4-201
Warren Furutani, Assemblymember, 55th District	WF(A)	4-12	4-201
Robert Garcia, Long Beach City Council Member, 1st District	RG	4-13	4-201
State Government		4-14	4-202
California Department of Fish and Game	CDFG	4-15	4-203
Regional Government		4-16	4-204
Southern California Association of Governments	SCAG	4-17 – 4-21	4-205 – 4-209
South Coast Air Quality Management District	SCAQMD	4-22 – 4-26	4-209 – 4-213
Local Government		4-27	4-214
City of Long Beach Dept. of Development Services	LBDS	4-28 – 4-29	4-215 – 4-217
Long Beach Unified School District	LBUSD	4-30 – 4-48	4-218 – 4-224
Community Groups		4-49	4-225
Long Beach Coalition for a Safe Environment	CSE	4-50 – 4-62	4-226 – 4-242
Natural Resources Defense Council	NRDC	4-63 – 4-75	4-242 – 4-261
The Propeller Club of Los Angeles-Long Beach	PCLA	4-76	4-261
Southern California Environmental Health Sciences Center	SCEHSC	4-77 – 4-89	4-261 – 4-269

Table 4-1
Comment and Response Matrix

Commenter	ID	Comment Page Number	Response Page Number
Industry & Business Groups		4-90	4-270
American Council of Engineering Companies	ACEC	4-91	4-271
Future Ports	FP(B)	4-92 – 4-94	4-271 – 4-272
Harbor Association of Industry & Commerce	HAIC	4-95	4-272
Harbor Truckers for a Sustainable Future	HTFSF	4-96	4-272
Intermodal Association of North America	IANA	4-97	4-272
Long Beach Generation LLC	LBG	4-98 – 4-99	4-272 – 4-273
Los Angeles County Business Federation	LCBF	4-100	4-273
The Los Angeles Customs Brokers & Freight Forwarders Association, Inc.	LACB&FFA	4-101	4-273
Mobility 21	M21	4-102 – 4-103	4-273
National Retail Federation	NRF	4-104	4-273
Plains West Coast Terminals	PWCT	4-105 – 4-106	4-274 – 4-275
Port Petroleum	PP	4-107 – 4-109	4-275 – 4-276
Retail Industry Leaders Association	RILA	4-110 – 4-112	4-276
Southern California Edison	SCE	4-113 – 4-114	4-276
Waterfront Coalition	WC	4-115 – 4-116	4-276
Individuals		4-117	4-277
David J. Barboza	DB	4-118	4-278
Nicole Bissonnette	NB	4-119	4-278
Mercedes Broughton	MB	4-120	4-278
Sue Castillo	SC	4-121	4-278
Robert Curtis	RC	4-122	4-278
Gerard T. Desmond	GD	4-123 – 4-124	4-278
Alexis M. Dragony	AD	4-125	4-278
Drew	D	4-126 – 4-128	4-278 – 4-279
Ken Fredrickson	KF(A)	4-129	4-279
Jane Kelleher	JK	4-130	4-279 – 4-280
Michael J. Meichtry	MMei	4-131	4-280
Jessica Mickelson	JMi	4-132	4-280
Ted J. Olson	TO	4-133	4-280
Andrew Reed	AR	4-134 – 4-135	4-280
Tony Rivera	TR	4-136	4-280 – 4-281
Ron Smith	RS	4-137	4-281
Bruce D. Sutherland	BS	4-138	4-281
Amy Tingirides	AT	4-139	4-281
Marie Trotter	MT	4-140	4-281
Jack Volkov III	JV	4-141	4-281
Brian Wolfe	BW	4-142	4-281 – 4-282
Kumars Zandparsa	KZ	4-143	4-282
Public Hearing Comments – February 17, 2010		4-144	4-283
On behalf of Assembly Member Bonnie Lowenthal	BL	4-149	4-284

Table 4-1
Comment and Response Matrix

Commenter	ID	Comment Page Number	Response Page Number
Geraldine Knatz	POLA	4-149 – 4-150	4-284
International Longshore and Warehouse Union Local 63	ILWUL63	4-150	4-284
LA, Orange County Building and Construction Trades Council	LA/OCBCTC	4-150 – 4-151	4-284
Michael Larison	ML	4-151	4-284
Foreign Trade Association of Southern California	FTASC	4-151	4-284
LA County Chapter - ACEC	LACACEC	4-151 – 4-152	4-284
Mark Jurisic	MJ	4-152	4-284
Painters and Allied Trades District Council 36	PATDC36(A)	4-152	4-284
International Brotherhood of Electrical Workers, Los Angeles	IBEWLA	4-152	4-284
Pacific Merchant Shipping Association	PMSA	4-152 – 4-153	4-284
Jane Templin	JTe	4-153	4-285
Butterfield Communications	BCOM	4-153	4-285
Propeller Club	PCLALB	4-153 – 4-154	4-285
Public Hearing Comments – February 24, 2010		4-155	4-286
Statement on behalf of Congresswoman Laura Richardson	LR(B)	4-168 – 4-173	4-287
Statement on behalf of Assemblyman Warren Furutani	WF(B)	4-174	4-287
Bartlett Patton	BP	4-174 – 4-175	4-287
Anthony Wayne Ford	AF	4-175	4-287
John Schafer	JSc	4-176 – 4-177	4-287
Painters and Allied Trades	PATDC36(B)	4-177 – 4-178	4-287
Jesse Marquez	JMa	4-179 – 4-180	4-287 – 4-288
Mark Mendonga	MMe	4-180 – 4-181	4-288
International Operating Engineers Local 12	IOE12	4-181	4-288
Future Ports	FP(B)	4-181 – 4-182	4-288
Simi McMoore	SM	4-182	4-288
International Brotherhood of Electrical Workers, Local 11	IBEW11	4-183 – 4-184	4-288
Tyrone Taaga	TT	4-184	4-288
Davis Teofilo	DT	4-185	4-288
Future Ports	FP(C)	4-185 – 4-188	4-288
Ken Fredrickson	KF(B)	4-188 – 4-189	4-288
John Sommers	JSo	4-189 – 4-191	4-288 – 4-289
John Taleifi	JTa	4-191 – 4-192	4-289
Thor Carlson	TC	4-192 – 4-193	4-289
Ms. Salera	S	4-193 – 4-195	4-289
Gary Anderson	GA	4-195	4-290

4.3 COMMENTS ON DRAFT EIR/EA AND PUBLIC HEARING TRANSCRIPTS

Elected Officials

LAURA RICHARDSON
37TH DISTRICT, CALIFORNIA

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Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
SUBCOMMITTEES ON
AVIATION
HIGHWAYS, TRANSIT
AND PIPELINES
COAST GUARD AND
MARITIME TRANSPORTATION
RAILROADS, PIPELINES AND
HAZARDOUS MATERIALS

COMMITTEE ON
HOMELAND SECURITY
SUBCOMMITTEES ON
ENERGY THREATS, CYBERSECURITY
AND SCIENCE AND TECHNOLOGY
EMERGENCY COMMUNICATIONS,
PREPAREDNESS, AND RESPONSE

February 24, 2010

Statements for the Record regarding

Gerald Desmond Bridge

I want to express my appreciation and support for the continued focus the community has placed on the Gerald Desmond Bridge. As we all know, the Gerald Desmond Bridge is an essential part of port operations, and thus an essential part of our national infrastructure. The Interstate 710 and Gerald Desmond Bridge carry approximately 15% and 10% of all U.S. waterborne container volume, respectively.

While the recently opened Alameda Corridor can be thought of as the trade *"railway"* gateway to the nation, the I-710/Desmond Gateway is the de facto trade *"highway"* gateway to the nation. However the Desmond Bridge is presently experiencing serious performance problems due to a number of interrelated reasons, including traffic congestion and safety.

LR(A)

As you all know, the bridge contains a "diaper" to catch falling debris which is a telling sign that the time for a new bridge is now. I recently met with Long Beach Port officials and Transportation and Infrastructure Committee Chairman Oberstar in Washington DC to talk about this bridge. Chairman Oberstar already knew about the importance of this bridge, but explaining to him that this bridge has a sufficiency rating WORSE than the one that collapsed in his home state of Minnesota helped reinforce how urgent our situation is. The bridge currently has a level of service rating of an "F" during peak periods.

LR(A)

And while the current situation is serious, if we do not act now things are only going to get worse. While we currently see congestion on the bridge, these poor existing traffic conditions will be further exacerbated due to the forecasted robust growth in international trade and growth in the region. Standing pat is not an option, and the time to act is now while the port is experiencing a temporary reduction in freight traffic due to the economy and can thus better cope with a large scale construction project.

I have been working hard in Washington to get every dime I can to help fund this project. I know we need to start construction as soon as possible.

It is a sad fact with large scale construction projects that necessary funding can be a moving target as time goes on and construction costs escalate. It's disheartening to know that the projected costs have nearly doubled over the past five years as we have worked to raise money, but this only strengthens my resolve to find funding as soon as possible.

The bridge has already received funding from several federal government sources. These include $100 million in the 2005 surface transportation reauthorization bill, SAFETEA-LU, and almost $6 million in annual earmarks.

I am looking forward to the reauthorization of the surface transportation that Congress is currently considering to find the remaining funds for the bridge. For the current reauthorization I requested $375M for the Gerald Desmond Bridge back in May which would go a long way towards fully funding the project.

Beyond specific dollar requests, I am excited that there seems to be Congressional resolve for this reauthorization bill to include programs and a large amount of money to be awarded through competitive

LR(A)

processes. I am VERY confident that the merits of this project will be understood in Washington and at the Department of Transportation and large sums of money would be awarded to this project and other important goods movement projects in this area through the Projects of National Significance and the Freight Improvement Program.

To leave as little as possible to chance, I have already worked with the committee to change no less than eight different sections of their draft reauthorization bill so when these competitive programs are established the particular needs of this area and this particular bridge are fully considered.

LR(A)

To ensure officials that will work to make funding decisions fully understand the needs of this area and the acute importance of this particular bridge, I have brought dozens of Washington officials to come visit the bridge to better understand what a key component it is for our nation's goods movement infrastructure. These visits include Deputy Transportation Secretary Porcari, Acting MARAD Administrator Matsuda, Chairman of the Federal Maritime Commission Richard Lidinski, and more than a dozen of my fellow Members of Congress over just the past year.

I also know that we must be careful in our planning of the bridge to ensure that the communities near the port and along the 710 freeway are not negatively impacted by the increased freight traffic that will likely come with this expansion. I work hard in congress to help the ports expand their business because they are such an important economic driver for our area, but at the same time I work to ensure that every time the port expands, efforts are made to mitigate the environmental impact of this expansion and ensure the quality of life and health of those in the area do not suffer.

I want to thank you all again for coming out to discuss this project and express my regrets that I was not able to be here in person today to give these remarks, but unfortunately my schedule and voting obligations did not allow me to be here. Please feel free to reach out to me or any of my staff to ask us any questions or if you have any requests that we may able to help with.

LR(A)

Thank You.

STATE CAPITOL
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SACRAMENTO, CA 94249-0055
(916) 319-2055
FAX (916) 319-2155

Assembly
California Legislature

WARREN T. FURUTANI
ASSEMBLYMEMBER, FIFTY-FIFTH DISTRICT

DISTRICT OFFICE
4201 LONG BEACH BLVD., SUITE 327
LONG BEACH, CA 90807
(562) 989-2919
FAX (562) 989-5494

March 19, 2010

Richard D. Cameron
Port of Long Beach
925 Harbor Plaza Drive
Long Beach, CA 90802

RE: GERALD DESMOND RDEIR PUBLIC COMMENT

Dear Mr. Cameron:

WF(A)

I write this letter in strong support of the recently released Revised Draft Environmental Impact Report for the Gerald Desmond Bridge Replacement Project. After carefully reviewing the report, it is clear that this project is of the utmost importance.

The proposed project would provide a much needed boost to the local economy. At a time of record unemployment in the region—this project creates good paying jobs which are greatly needed. It provides an opportunity for local students enrolled in Trade Schools the opportunity to find a job where their labor skills are absolutely essential.

I look forward to working with the Port of Long Beach and the community stakeholders to ensure that this project moves forward.

Regards,

Warren T. Furutani

WARREN T. FURUTANI
ASSEMBLYMEMBER, 55TH DISTRICT

Printed on Recycled Paper

MAR 22 2010

City of Long Beach

ROBERT GARCIA
COUNCILMEMBER, FIRST DISTRICT

March 19, 2010

Richard Cameron
Director of Environmental Planning
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802

Dear Mr Cameron:

The Desmond Bridge is not only a key component of our transportation and trade infrastructure, it is a dominant feature of the Long Beach/Port skyline; as well as, an unmistakable part of the image of our city for residents and visitors. It is important that this bridge present an attractive, and indeed iconic, image to everyone who sees it. It should be architecturally significant and aesthetically relevant.

The bridge and the region would also benefit from aesthetic lighting. Since such lighting will require an EIR, it is essential aesthetic lighting be included in the original EIR this year, otherwise a new EIR will be needed, at great expense, to add such lighting to the bridge.

I hope you will include these considerations in your EIR.

RG

Robert Garcia

RG:db

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Office (562) 570-6919 • Fax: (562) 570-6590 • Email: District1@LongBeach.gov

MAR 19 2010

State Government

State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
JOHN MCCAMMAN, Director

March 15, 2010

Richard D. Cameron
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802

Subject: CEQA Filing Fee Exemption Request

Dear Mr. Cameron:

Thank you for your submittal of the CEQA filing fee exemption request and revised draft Environmental Impact Report/Environmental Assessment for the Gerald Desmond Bridge Replacement Project.

The Department of Fish and Game (Department) has determined that the Gerald Desmond Bridge Replacement Project (Port of Long Beach acting as the CEQA lead agency) is not eligible for a no effect determination. Based on the documentation we have reviewed for the proposed project, the Department has determined that, for purposes of the assessment of CEQA filing fees [Fish and Game Code Section 711.4(c)], the project may affect fish and/or wildlife[1] (have the potential to result in harm, harassment or take of peregrine falcon and several species of bats; direct destruction of habitat that may support wildlife species; and operational lighting [14 CCR Section 753.5(d)(1), (2), and (4)]). Therefore, a CEQA filing fee of $2,792.25 for a Environmental Impact Report must be paid for the project upon filing of the Notice of Determination to the County Clerk (check made payable to the appropriate county clerk).

CDFG

A copy of the applicable regulations is available on the Department web site (http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html). Please contact me at (858) 467-4281 if you have any questions regarding this decision.

Sincerely,

Leslee Newton-Reed
Environmental Scientist

[1] Fish and Game Code Section 711.2(a) For purposes of this code, unless the context otherwise requires, "wildlife" means and includes all wild animals, birds, plants, fish, amphibians, reptiles, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability.

Conserving California's Wildlife Since 1870

MAR 1 8 2010

Regional Government

SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

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March 10, 2010

Mr. Richard D. Cameron
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802
(562) 590-4156

RE: SCAG Comments on the Revised Draft Environmental Impact Report/ Environmental Assessment for the Port of Long Beach Gerald Desmond Bridge Replacement Project – SCAG No. I20100051

Dear Mr. Cameron,

Thank you for submitting the **Revised Draft Environmental Impact Report/ Environmental Assessment for the Port of Long Beach Gerald Desmond Bridge Replacement Project – SCAG No. I20100051** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies. SCAG-1

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is a bridge replacement/rehabilitation project for the Port of Long Beach.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision (CGV) that may be applicable to your project. The RTP and CGV can be found on the SCAG web site at: http://scag.ca.gov/igr. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,

Jacob Lieb, Manager
Environmental and Assessment Services

1.7.10

Mr. Cameron
March 10, 2010

SCAG ID# I20100051

COMMENTS ON THE REVISED DRAFT ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL ASSESSMENT FOR THE PORT OF LONG BEACH GERALD DESMOND BRIDGE REPLACEMENT PROJECT – SCAG NO. I20100051

PROJECT DESCRIPTION

The proposed project would construct a new bridge across the Back Channel and associated roadway connectors, demolish the existing Gerald Desmond Bridge, and relocate the SCE transmission lines crossing Cerritos Channel north of the bridge. The project would replace or rehabilitate the existing seismically deficient Gerald Desmond Bridge. The proposed project would construct a new bridge across the Back Channel and associated roadway connectors, demolish the existing Gerald Desmond Bridge, and relocate the SCE transmission lines crossing Cerritos Channel north of the bridge.

The objectives of the proposed project include providing a structurally sound bridge linking Terminal Island and Long Beach/SR 710 over the next hundred years, given that the existing bridge is seismically deficient and could be seriously damaged in a major earthquake. Another objective is to provide sufficient roadway capacity to handle current and projected vehicular traffic volume demand, which the existing bridge cannot provide with only two through lanes and no shoulders. Lastly, the proposed project would provide sufficient vertical clearance for safe navigation through the Back Channel to the Inner Harbor, which the existing bridge, at only 156 feet (ft) (47.5 meters [m]) above mean high water level (MHWL), does not provide.

The new bridge, excluding approach structures, would be 2,000 ft (610 m) long, and it would be elevated 200 ft (61 m) above the MHWL of the Back Channel (see Section 1.6 for a detailed description). Bridge replacement would also necessitate reconfiguration of adjacent freeway and arterial interchanges.

PROJECT LOCATION

The proposed project is located in the southwest portion of Long Beach at the southern end of State Route (SR) 710 in Los Angeles County. The proposed project is in the Back Channel/Cerritos Channel area of the Port. It is centered along Ocean Boulevard from the intersection of the Terminal Island Freeway (SR 47) at the western end to its eastern terminus at the westerly end of the bridge over the Los Angeles River. The southern limit of the project is located on Pico Avenue approximately 660 ft (201 m) south of the Ocean Boulevard interchange. The northern limit of the project is along SR 710, approximately 2,630 ft (801 m) north of Ocean Boulevard, and to the southernmost SCE tower on Pier A. Ocean Boulevard spans the Back Channel via the Gerald Desmond Bridge. The Ocean Boulevard/ Gerald Desmond Bridge portion of the project is located in the Middle Harbor and Terminal Island Harbor Planning Districts of the Port, and the SR 710 portion is located in the Northeast Harbor Planning District.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and cities are as follows:

SCAG-2

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Docs #155824v1

Mr. Cameron
March 10, 2010

SCAG ID# I20100051

Adopted Gateway Cities Council of Governments (GCCOG) Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	2,143,979	2,190,471	2,236,253	2,280,588	2,323,438	2,364,199
Households	591,028	607,440	623,862	636,482	648,759	658,696
Employment	762,987	776,857	785,715	796,129	807,251	817,891

Adopted Unincorporated GCCOG Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	350,853	358,727	367,065	375,093	382,816	390,183
Households	85,356	89,168	93,186	96,323	99,353	101,847
Employment	86,142	88,293	89,666	91,281	93,006	94,656

Adopted City of Long Beach Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	503,251	517,226	531,854	545,980	559,598	572,614
Households	169,739	175,415	181,397	186,067	190,576	194,287
Employment	185,938	189,987	192,573	195,614	198,860	201,967

1. The 2008 RTP growth forecast at the regional, county and subregional level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

SCAG-2

SCAG Staff Comments:

As stated in the Draft EIR/EA, "The proposed project does not include construction of residential housing, commercial, office, industrial, institutional, or any other use other than transportation. No permanent employment or associated population growth would occur due to the construction or operation of the project. No housing would be displaced, and construction of replacement housing would not be required. The proposed project would have less than significant impacts on population and housing."

SCAG-3

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

RTP G1 *Maximize mobility and accessibility for all people and goods in the region.*
RTP G2 *Ensure travel safety and reliability for all people and goods in the region.*
RTP G3 *Preserve and ensure a sustainable regional transportation system.*
RTP G4 *Maximize the productivity of our transportation system.*
RTP G5 *Protect the environment, improve air quality and promote energy efficiency.*
RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

The proposed project would improve mobility, accessibility, reliability, sustainability, safety, and productivity. The project would replace an existing bridge that has been found to be both structurally and seismically

SCAG-4

Docs #155824v1

Mr. Cameron SCAG ID# I20100051
March 10, 2010

SCAG-4 deficient. The replacement bridge would include shoulders to improve safety and prevent impedance of traffic in the event of broken-down vehicles. Regional traffic (both port- and non-port related) on the bridge is expected to increase, regardless of whether or not the bridge is rehabilitated/replaced. Therefore, SCAG staff concludes the project is consistent with RTP G1, RTP G2, RTP G3, RTP G4, and RTP G6.

SCAG-5 The proposed project will contribute to unavoidable, significant air quality effects associated with exceedances of SCAQMD daily construction and operational thresholds for NOx and GHGs. Although the project will contribute to cumulative greenhouse gas emissions impacts, the proposed project will implement the Green Port Policy and Clean Air Action Plan to reduce air quality impacts. Therefore SCAG staff concludes the project is partially consistent with RTP G5.

SCAG-6 RTP G7 is not applicable.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

SCAG Staff Comments:

SCAG-7 The proposed project is a bridge replacement project located in an area zoned for industrial uses, therefore, GV P1.2, GV P1.3, and GV P1.4, are not applicable. The project is consistent with GV P1.1.

Principle 2: Foster livability in all communities.

GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

SCAG-8 The proposed project is a bridge replacement project located in an area zoned for industrial uses, therefore, GV P2.1. GV P2.2, GV P2.3, and GV P2.4, are not applicable.

Principle 3: Enable prosperity for all people.

GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Docs #155824v1

Mr. Cameron
March 10, 2010

SCAG ID# I20100051

SCAG Staff Comments:

The proposed project is a bridge replacement project located in an area zoned for industrial uses, therefore, GV P3.1. GV P3.2, GV 3.3, GV P3.4, and GV P3.5 are not applicable. SCAG-9

Principle 4: Promote sustainability for future generations.

GV P4.1	*Preserve rural, agricultural, recreational, and environmentally sensitive areas*
GV P4.2	*Focus development in urban centers and existing cities.*
GV P4.3	*Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4	*Utilize "green" development techniques*

SCAG Staff Comments:

The proposed project is a bridge replacement project located in an area zoned for industrial uses. Construction and operational impacts to sensitive species will be mitigated as set forth in Section 2.3.5 of the Draft EIR/EA to less than significant effects. The proposed project is not sited in an area that contains agricultural, rural, recreational or environmentally sensitive areas, therefore, GV P4.1 is not applicable. SCAG-10

The proposed project will replace or rehabilitate an existing bridge located in an area zoned for industrial use, therefore it is consistent with GV P4.2. SCAG-11

The proposed project would increase the amount of impermeable surfaces and use biofiltration swales and media filters to treat run-off. The proposed project will recycle construction and demolition materials in accordance with the City of Long Beach Construction and Demolition Program. The proposed project will implement the Green Port Policy and Clean Air Action Plan to reduce air quality impacts. Therefore, SCAG staff concludes the proposed project is generally consistent with GV 4.3 and GV P4.4. SCAG-12

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. Refer to the SCAG List of Mitigation Measures for additional guidance.
The list can be found at: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

When a project is of statewide, regional, or areawide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21018.7, and CEQA Guidelines Section 15097 (g). SCAG-13

Docs #155824v1

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-MAILED: APRIL 2, 2010

April 2, 2010

Richard Cameron, Director
Environmental Planning
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802

Revised Draft Environmental Impact Report / Environmental Assessment and Application Summary Report (EIR/EA) for the Port of Long Beach Gerald Desmond Bridge Replacement Project

SCAQMD-1

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR/EA.

SCAQMD staff commends the Lead Agency for providing a quantitative air quality analysis of this transportation project. This quantification and comparison with established thresholds provides the public and decision makers with the relevant information needed to determine potentially significant impacts from the project.

SCAQMD-2

SCAQMD staff requests clarification regarding how air quality may be impacted by vessel traffic that is rerouted due to the new bridge height. If additional vessel emissions will occur beneath the bridge due to additional traffic or increased vessel size, these potential air quality impacts should be addressed in the Final EIR/EA. Also, if construction related traffic impacts (i.e., partial temporary closure of rail lines and roads) have the potential to increase or significantly reroute truck traffic, then quantification and analysis of these emissions may be required.

SCAQMD-3

As you are aware, it is important that the ports continue to maximize on-dock rail to minimize drayage of cargo to near and off-dock rail yards. The SCAQMD staff is concerned that the placement of footings immediately adjacent to existing rail lines may impact future on-dock rail expansion projects. The SCAQMD staff requests additional information to clarify that the design of the proposed project will not impede future on-dock rail projects. More detailed comments are included in the attachment.

Mr. Richard Cameron
Director, Environmental Planning

April 2, 2010

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD staff with written responses to all comments contained herein prior to the adoption of the Final EIR/EA. The SCAQMD staff would be happy to work with the Lead Agency to address these issues and any other questions that may arise. If you have any questions regarding these comments, please contact Ian MacMillan at (909) 396-3244. SCAQMD-4

Sincerely,

Ian MacMillan
Program Supervisor, CEQA – Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

SN:IM
LAC100205-01
Control Number

Mr. Richard Cameron
Director, Environmental Planning

April 2, 2010

OPERATION

Vessel emissions

SCAQMD-5 Emissions associated with rerouted vessel movement facilitated by this project have not been quantified in the Draft EIR/EA. As stated in Section 1.1.2.2 of the Draft EIR/EA, the current bridge does not provide enough clearance for passage of some existing container ships. A new, higher bridge would allow the passage of larger ships with higher emissions. Although this project does not necessarily increase the capacity of port berths (as stated in Section 2.1.2.3 of the Draft EIR/EA), the proposed project enables ship traffic to be rerouted through the channel beneath the higher bridge. Potential emission impacts associated with this rerouted ship traffic should be quantified in the Final EIR/EA.

Design constraints

SCAQMD-6 It appears that some footings and abutments will be placed in close proximity to existing rail lines. SCAQMD staff requests clarification regarding the placement of these structures and whether they will restrict or modify projects that plan to increase on-dock rail. Restriction of future on-dock rail could indirectly require an increase in truck traffic (and associated emissions) between the ports and off-dock areas, such as rail yards. If the proposed project limits future planned expansion of on-dock rail, air quality impacts associated with potential increased truck emissions should be addressed prior to certification of the Final EIR/EA.

Criteria pollutants

SCAQMD-7 The trend analysis of particulate matter impacts is unclear. Port specific data may provide a more revealing and useful analysis of particulate matter trends near the project location. For example, Table 2.2.5-17 only presents data from the North Long Beach monitoring station, and neglects data from stations closer to the project such as the monitoring station on East Pacific Coast Highway (Station ID 70110) and port stations. These stations show significant variations in data, especially for PM10. Lastly, Table 2.2.5-17, Table 2.2.5-18, and Exhibit 2.2.5-3 do not present a comparison of ambient air quality levels with more stringent state air quality standards. These background data should be reviewed and updated in the Final EIR/EA.

Model parameters

SCAQMD-8 SCAQMD staff noted the following discrepancies between the description of model parameters in the text of the Draft EIR/EA and the electronic model files. An explanation or a revised analysis should be presented in the Final EIR/EA.

- Release heights described on page 77 of the Revised Air Quality Technical Study (AQTS) do not appear to match the model inputs.
- As stated in Appendix D of the AQTS (pg. D-13), acute health effects from diesel exhaust were calculated using speciation factors from CARB. Calculations using these speciated emissions are not clear in the appendix, nor is it clear if these emissions were carried through into the modeling.
- Source names identified in Table D-2 of Appendix D of the AQTS do not match the source names in the model files. Hence it is difficult to track emission rates from the AQTS through the modeling.

3

Mr. Richard Cameron
Director, Environmental Planning

April 2, 2010

CONSTRUCTION

Construction related traffic impacts

It appears that the Draft EIR/EA has not assessed potential localized increases in emissions during construction due to traffic impacts such as rerouting or delays. Given the large percentage of heavy duty diesel vehicles that travel within the project boundary, any potential disruption of traffic flow (e.g., detours, shut down of lanes) may shift this diesel traffic into adjacent areas. As an example, it is unclear if reconfiguration of the rail line north of Ocean Boulevard on Pier S (as indicated on pg. 1-24 of the Draft EIR/EA) will result in temporary increased truck traffic due to shut down of this rail line. Potential air quality impacts due to construction related traffic impacts should be discussed in the Final EIR/EA. SCAQMD-9

NOx impacts

The screening level LST analysis presented in Table 2.2.5-7 indicates that a significant impact may occur during years 2 and 3 of construction. Given the irregular project boundary shape, and associated construction activity, more refined modeling may provide insights into why this impact is significant. This more refined analysis may reveal potential opportunities for additional mitigation measures that could reduce this impact to a less than significant level (such as reducing certain construction activity, like stationary diesel generators, close to sensitive receptors). SCAQMD-10

Construction equipment emission rates

SCAQMD staff is concerned that several mitigation measures (MM) are not accounted for in the emission calculations. If mitigation is feasible, then the emission calculations should reflect their implementation. If implementation is unclear, then a comparison of the effects with and without mitigation should be presented. For example:

- In the construction equipment emission calculations, it appears that mitigation measures will only reduce exhaust emissions by 5%. However, mitigation measure (MM) AQ-C9 states that *"Where feasible, construction equipment shall meet the EPA Tier 4 non-road engine standards."* The reductions from using Tier 4 equipment would be much greater than 5%.
- MM AQ-C8 states that *"Trucks used for construction prior to 2015 shall use engines with the lowest certified NOx emission levels, but not greater than the 2007 NOx emission standards."* This reduction also does not appear to be accounted for in the emission calculations.

[AQ-C4 states that *"To the extent feasible, use electricity from power poles er than temporary diesel or gasoline power generators."* The emission calculations do not reflect any reduced use of diesel generators.

Emission calculations in the Final EIR/EA should also include the effects of using Tier 4 non-road equipment and 2007 and newer trucks for construction activities. SCAQMD-11

Criteria pollutants

SCAQMD staff noted several discrepancies related to criteria pollutants. They include: SCAQMD-12

4

Mr. Richard Cameron
Director, Environmental Planning

April 2, 2010

SCAQMD-12

- The historical criteria pollutants reported in Tables 2.2.5-4 should be reviewed and updated as the data there may be underreported. In particular, PM2.5 levels may have typographical errors when compared to SCAQMD tables available here: http://www.aqmd.gov/smog/historicaldata.htm.
- Table 2.2.5-5 should be updated to include the highest values from the last three years of data, if available.
- The SCAQMD LST thresholds presented in Table 2.2.5-7 appear to be incorrectly reported for the cited 483 meter source-receptor distance. These values should be reviewed and updated as necessary.

5

Local Government

CITY OF LONG BEACH
DEPARTMENT OF DEVELOPMENT SERVICES
333 W. Ocean Boulevard, 4th Floor Long Beach, CA 90802 (562) 570-6[illegible] FAX (562) 570-6205

ENGINEERING BIDS
2010 MAR 22 PM 2:45

March 19, 2010

Richard D. Cameron
Director of Environmental Planning
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802

RE: Gerald Desmond Bridge Replacement Draft EIR

Dear Mr. Cameron:

LBDS-1 Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Gerald Desmond Bridge Replacement project (the new Bridge). The DEIR is both thorough and comprehensive. We concur with the overall goals of the project, which are clear and necessary, and we are supportive of the Bridge replacement as the preferred alternative.

LBDS-2 The City has identified one major issue that is a prominent and undesirable omission from the concept for the new Bridge. We are requesting that the new Bridge be designed to accommodate non-motorized access (pedestrians and bicycles). The following comments are submitted in support of the City's position on this issue:

LBDS-3 • The new Bridge and the section of Ocean Boulevard at the eastern end of the project should not be designated as part of SR 710. This designation will automatically prohibit non-motorized access to the Bridge per the California Vehicle Code, Section 21960.

LBDS-4 • The California Department of Transportation (Caltrans) is a partner in the project and the new Bridge will be partly financed by state funds. Once the Bridge is finished, it will be turned over to Caltrans as a State facility. Caltrans has a Deputy Directive No. 64, entitled Complete Streets – Integrating the Transportation System, originally written in 2001 and revised in 2008. The policies set forth in this document should apply to the design of the new Bridge. Deputy Directive No. 64 is included as Attachment 1.

LBDS-5 • The new Bridge will also be partly financed by federal funds. The United States Department of Transportation (DOT) just released a new policy statement entitled United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations. The policies set forth in this document should apply to the design of the new Bridge. The policy statement is included as Attachment 2.

- The connections and access between Long Beach and the San Pedro/Palos Verdes peninsula/ South Bay portion of southern Los Angeles County should be encouraged and enhanced rather than discouraged. Designing the new Bridge to accommodate non-motorized access will support the future development of other segments of the route, such as the Vincent Thomas Bridge, to non-motorized travelers. While it is true that Terminal Island is an industrial area with no residential, retail or public recreational facilities and no designated bicycle routes, as stated in the DEIR, the new Bridge should not be viewed as just a connection to Terminal Island. LBDS-6

- The concept for the new Bridge dates from 2004. In the last six years, the population has become more aware of the benefits of a healthy lifestyle and the number of people who walk and bicycle for exercise has increased. Recent state and federal policies reflect this shift in lifestyle and promote the concept of a healthy community. LBDS-7

- Many large bridges in the United States are designed to accommodate non-motorized access. The George Washington Bridge and the Golden Gate Bridge are two well-known examples. The Bay Bridge, which connects Oakland and San Francisco, is scheduled to have "maintenance" pathways incorporated in the future that will, in fact, function as pedestrian and bicycle links between the two cities. A bridge can be designed to include non-motorized access and have rules in place that control when the non-motorized access is allowed. Sidewalk Access for Pedestrians and Bicyclists, the established guidelines for the Golden Gate Bridge. are included as Attachment 3 to illustrate how this concept can work. LBDS-8

The City has appreciated having the opportunity to submit the comments included in this letter. We look forward to working with the Port and Caltrans to resolve the outstanding issues we have identified. If there are questions regarding the City's comments, I can be reached at 562-570-6428.

Sincerely,

Reginald I. Harrison
Interim Director of Development Services

Attachments

1. California Department of Transportation Deputy Directive DD-64-R1 (October 2, 2008)
2. United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations (March 11, 2010)
3. Sidewalk Access for Pedestrians and Bicyclists, from www.goldengate.org

cc: Pat West, City Manager
Suzanne Frick, Assistant City Manager
Derek Burnham, Development Services
Jill Griffiths, Development Services

long beach unified school district

BUSINESS DEPARTMENT - Business Services
Facilities Development & Planning Branch
Donald K. Allen Building Services Facility
2425 Webster Ave., Long Beach, CA 90810
(562) 997-7550 Fax (562) 595-8644

March 22, 2010

Via email:cameron@polb.org
Via Facsimile: (562) 901-1728

Mr. Richard D. Cameron
Director of Environmental Planning
Port of Long Beach
925 Harbor Plaza
P.O. Box 570
Long Beach, California 90802

Re: Comments on the Draft EIR/EA for the Gerald Desmond Bridge Replacement Project, Long Beach, California

Dear Mr. Cameron:

LBUSD-1

The Long Beach Unified School District (LBUSD) appreciates the opportunity to comment on the revised Draft Environmental Impact Report (EIR)/Environmental Assessment (EA) for the proposed Gerald Desmond Bridge Replacement Project (Project). We understand that the City of Long Beach, acting by and through its Board of Harbor Commissioners (Port of Long Beach [POLB]), is the state lead agency for California Environmental Quality Act (CEQA) compliance and the EIR for the Project, and the California Department of Transportation (Caltrans) is the lead federal agency for National Environmental Policy Act (NEPA) compliance and the required EA for the Project.

In addition to establishing high standards of academic excellence for its students, LBUSD is committed to providing a safe learning and work environment for both students and employees. Thus, the District's primary concern in its review of the DEIR/EA is to distinguish that all potential environmental impacts from the Project are properly addressed, analyzed, and mitigated to assure an environment conducive to learning.

GENERAL COMMENT

LBUSD-2

LBUSD owns and operates two schools approximately 0.3 miles from the project area boundary. The school names, addresses, distance, and direction from the project boundary are listed below:

Caesar Chavez Elementary: 730 W. 3rd St., Long Beach, CA; 1,500 feet East

Tomas Edison Elementary: 625 Maine Ave., Long Beach, CA; 1,600 feet East

The DEIR/EA concludes that the Project will result in unavoidable significant air quality impacts to LBUSD schools, in particular from NO_x emissions during the five year construction period and operation of the bridge after construction. The DEIR/EA also indicates that the Project will be required to provide additional funding for the POLB Mitigation Grant Program for schools and related sites to reduce cumulative air quality impacts associated with the Project. The District supports the decision by the POLB to provide additional mitigation funds. However, it is our opinion that the DEIR/EA does not adequately analyze impacts and appropriate mitigation measures related to Toxic Air Contaminants (TAC), health risks, and noise affecting Chavez ES and Edison MS during Project construction and operation. A brief summary of our concerns is presented in the Specific Comments section of this letter below. LBUSD-2

SPECIFIC COMMENTS

Air Quality and Risk Assessment

Construction TAC Exposure Duration and Risk: The DEIR/EA's health risk assessment approach precludes a comprehensive assessment of cancer risk from the Project. The DEIR/EA's conclusion regarding TAC risk is unsupported.

The DEIR/EA indicated that a calculation of health risk from emissions of TACs during the 5-year construction period was not performed *because the health risk posed by TACs is based on long term (70-year lifetime) exposure* (p. 2-262). Based on this rationale, the DEIR/EA concluded that *potential impacts related to TAC emissions during construction would be considered less than adverse.*

The DEIR/EA's rationale ignores a range of acceptable options for calculating cancer risk from exposure durations of less than 70 years. Moreover, the Office of Health Hazard Assessment (OEHHA) has indicated that *there is evidence that less-than-lifetime exposure of some carcinogens to children and infants may be more potent in inducing cancer than the same exposure later in life. Because exposures at school sites are changing from year to year, and because they may be for shorter time periods than residential or occupational exposures, OEHHA deems it beneficial to assess risks on a year-by-year basis.* (Guidance for Assessing Exposures and Health Risks at Existing and Proposed School Sites Pursuant to Health and Safety Code §901(f): Final Report; OEHHA, February 2004; p. 29) LBUSD-3

Non-Cancer Health Risk for Children: The DEIR/EA does not indicate the limitations inherent in estimating non-cancer chronic health impacts of diesel PM inhalation based on a health hazard index (HHI) calculated using the available Reference Exposure Level (REL) for diesel particulate matter.

The Health Risk Assessment (HRA) in the DEIR/EA uses a non-cancer REL of 5 *ug/m3* for inhalation of diesel exhaust particulate matter (DPM) in the calculation of non-cancer chronic HHI. This REL is essentially the USEPA reference dose first developed in the early 1990s based on histological changes in rats. According to OEHHA (2004). LBUSD-4

LBUSD-4 considerable uncertainty exists for RELs based on laboratory animal studies. The need for a reference dose reflecting the potentially greater sensitivity of children to toxic effects of diesel exhaust has been under evaluation by OEHHA for some time. Meanwhile, OEHHA continues to identify diesel particulate matter as a TAC that may disproportionately impact infants and children. Among the listed endpoints of concern for children are: enhancement of allergic response; exacerbation of asthma; developmental effects, genotoxicity and lung cancer.

LBUSD-5 **Cancer Health Risk for Children:** The cancer risk factor for diesel particulate matter used in the HRA for the DEIR/EA does not account for the greater sensitivity of children to TACs.

The District acknowledges that the HRA methodology and risk factors used in the DEIR/EA are generally consistent with accepted historical protocol for such analyses. We also recognize the value of using consistent HRA methods for purposes of comparison of relative risks among different projects and alternatives. However, research data in humans and animals for a variety of carcinogens suggest that exposures to such carcinogens early in life may result in a greater lifetime risk of cancer compared to exposures later in life. As a result, guidance from OEHHA now recommends that cancer risk factors be weighted by a factor of three for exposure of children ages 2 to 15 (Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures; OEHHA, May 2009).

Noise Impacts and Mitigation

LBUSD-6 **Noise Impact Analysis** The LBUSD is concerned that the Project may result in noise levels that exceed significance thresholds for exterior noise at Cesar Chavez School and Edison Elementary School.

The DEIR/EA (p. 2-298) reports that baseline (Year 2005) *noise measurements conducted by the POLB for the Middle Harbor Project within the noise-sensitive areas on the east side of the Los Angeles River* -- corresponding to the Cesar Chavez School outdoor use area -- ***ranged from 61 to 67 dBA***. However, the Middle Harbor DEIS/EIR indicates the minimum ambient noise level measured at "Site 3" (*representative of Cesar Chavez school)* was **57 dBA Leq** (DEIS/EIR Table 3.9-5). The Site 3 noise monitoring station is located about 1500 feet from the Project boundary, on Golden Ave. between 4th Street and 5th Street and is representative of the two schools near the Project: Cesar Chavez ES (to the south) and Edison ES (to the north). The ambient noise level of 57 dBA measured at Site 3 should be included in the DEIR/EA noise analysis.

LBUSD-7 The DEIR/EA (p.2-301) states *Noise levels during piling activities at the nearest sensitive receptors outside of the industrial land use district (i.e., Cesar Chavez Park [1,300 ft] and Cesar Chavez Elementary School [1,500 ft]) are predicted to be 61 and 60 dBA, respectively*. As a result, the DEIR/EA concludes no significant noise impacts to

Cesar Chavez School. However, compared to a baseline of 57 dBA Leq, the Project pile driving would be expected to raise the ambient noise level by 3 dBA at Chavez school Given the general criterion that significant noise impacts occur when ambient noise levels are elevated by three (3) dBA, this analysis shows a significant noise impact at the school. We also note this analysis is based on the assumptions in the DEIR/EA regarding pile driving noise levels, which are more conservative with respect to noise impacts than those used for the Middle Harbor project DEIS/EIR (see Pile Driver Noise Impacts comment below). LBUSD-7

The DEIR/EA only analyzes noise impacts to one school -- Cesar Chaves ES -- as a sensitive noise receptor. The analysis should also include Edison ES. Edison ES is located approximately the same distance from the project as Cesar Chavez ES. LBUSD-8

Pile Driver Noise Impacts: Why are the estimated noise impacts from pile driving so much lower for the Bridge project than for the Middle Harbor project?

The DEIR/EA concludes pile driving will result in no significant noise impacts -- at a distance of **1,500 feet**. However, the Middle Harbor project DEIS/EIR on page 3.9-12 (fourth paragraph under *Construction Impacts)* indicates pile driving activities will result in noise levels of 64 - 66 dBA Leq – and significant noise impacts -- at a distance of **2,500 feet**.

Table 2.2.6-2 of the DEIR/EA indicates an "Effective Usage Factor" of 0.15 applied to Pile Driving Operation noise levels. The usage factors listed for most other equipment types are higher. In addition, the DEIR/EA (p. 2-298) states: *In computing the Leq for equipment noise, it was assumed that during use most of the equipment would be operating at, or near, maximum sound levels 30 percent of the time and the pile driver would be operating at maximum sound levels 20 percent of the time.* LBUSD-9

Can the POLB provide rationale for the assumed usage factors and percent maximum sound levels for pile driving equipment? How do changes in these assumptions affect the noise analysis? Are these assumptions the same as used for the Middle Harbor Project? If different, do the differences explain the discrepancy between the two projects with respect to estimated pile driving noise levels?

Noise Mitigation: The DEIR/EA should consider mitigation of project noise impacts at Cesar Chavez School and Edison School during school hours of operation and testing periods.

The DEIR/EA should identify and evaluate appropriate and feasible mitigation measures to reduce significant noise and vibration impacts from the construction phase of the Project on sensitive receptors, including the LBUSD schools. In addition, the District requests that the analysis and mitigation measures consider the school hours of operation which are Monday through Friday 7:00 am to 4:00 pm, and testing periods (specific dates LBUSD-10

LBUSD-10 to be determined) during the school year, to avoid potentially significant no vibration impacts during these time periods.

Formal Notification: The LBUSD requests formal notification of all CEQA doc for any POLB project. In addition, the LBUSD requests advance notifica construction schedules or public meetings regarding the Gerald Desmond Replacement Project.

LBUSD-11

The LBUSD has previously requested to be included on all project distribution l POLB project CEQA notices and documents. The LBUSD did not receive No Availability, or distribution of the DEIR/EA, for the Gerald Desmond Replacement Project.

CONCLUSION

LBUSD-12 The POLB articulates a compelling case for the need to provide a structurally sou seismically resistant bridge, as well as to improve vehicular capacity and marine safety. In addition, we acknowledge that the environmental controls proposed Project, *including the use of all applicable control measures included in the Cle Action Plan (CAAP) and relevant clean air technologies*, would further the ultima of reducing the health risks and other impacts from the POLB operations and movement to acceptable levels. However, as summarized in our comments, it opinion that the DEIR/EA does not adequately address noise, air quality, and risk i to LBUSD schools during Project construction and operation.

We appreciate the opportunity to participate in the environmental review process for this project and look forward to working with the POLB with regard to the development and implementation of effective mitigation measures for impacts to LBUSD schools.

If you have any questions, please feel free to contact me at (562) 997-7550.

Sincerely,

Carri M. Matsumoto
Executive Director
Facilities Development & Planning Branch
Long Beach Unified School District

cc: Chris Steinhauser – LBUSD Superintendent of Schools
Kim Stallings – LBUSD Chief Business & Financial Officer
Karl Rodenbaugh – The Planning Center

Attachment 1

California Department of Transportation

Flex your power!
Be energy efficient!

Deputy Directive

Number: DD-64-R1

Refer to Director's Policy: DP-22 Context Sensitive Solutions
DP-05 Multimodal Alternatives
DP-06 Caltrans Partnerships
DP-23-R1 Energy Efficiency, Conservation and Climate Change

Effective Date: October 2008

Supersedes: DD-64 (03-26-01)

TITLE Complete Streets - Integrating the Transportation System

POLICY

The California Department of Transportation (Department) provides for the needs of travelers of all ages and abilities in all planning, programming, design, construction, operations, and maintenance activities and products on the State highway system. The Department views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system.

The Department develops integrated multimodal projects in balance with community goals, plans, and values. Addressing the safety and mobility needs of bicyclists, pedestrians, and transit users in all projects, regardless of funding, is implicit in these objectives. Bicycle, pedestrian, and transit travel is facilitated by creating "complete streets" beginning early in system planning and continuing through project delivery and maintenance and operations. Developing a network of "complete streets" requires collaboration among all Department functional units and stakeholders to establish effective partnerships.

DEFINITIONS/BACKGROUND

Complete Street – A transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit riders, and motorists appropriate to the function and context of the facility.

"Caltrans improves mobility across California"

The intent of this directive is to ensure that travelers of all ages and abilities can move safely and efficiently along and across a network of "complete streets."

State and federal laws require the Department and local agencies to promote and facilitate increased bicycling and walking. California Vehicle Code (CVC) (Sections 21200-21212), and Streets and Highways Code (Sections 890 – 894.2) identify the rights of bicyclists and pedestrians, and establish legislative intent that people of all ages using all types of mobility devices are able to travel on roads. Bicyclists, pedestrians, and nonmotorized traffic are permitted on all State facilities, unless prohibited (CVC, section 21960). Therefore, the Department and local agencies have the duty to provide for the safety and mobility needs of all who have legal access to the transportation system.

Department manuals and guidance outline statutory requirements, planning policy, and project delivery procedures to facilitate multimodal travel, which includes connectivity to public transit for bicyclists and pedestrians. In many instances, roads designed to Department standards provide basic access for bicycling and walking. This directive does not supersede existing laws. To ensure successful implementation of "complete streets," manuals, guidance, and training will be updated and developed.

RESPONSIBILITIES

Chief Deputy Director:

- Establishes policy consistent with the Department's objectives to develop a safe and efficient multimodal transportation system for all users.
- Ensures management staff is trained to provide for the needs of bicyclists, pedestrians, and transit users.

Deputy Directors, Planning and Modal Programs and Project Delivery:

- Include bicycle, pedestrian, and transit modes in statewide strategies for safety and mobility, and in system performance measures.
- Provide tools and establish processes to identify and address the needs of bicyclists, pedestrians, and transit users early and continuously throughout planning and project development activities.
- Ensure districts document decisions regarding bicycle, pedestrian, and transit modes in project initiation and scoping activities.
- Ensure Department manuals, guidance, standards, and procedures reflect this directive, and identify and explain the Department's objectives for multimodal travel.
- Ensure an Implementation Plan for this directive is developed.

Deputy Director, Maintenance and Operations:

- Provides tools and establishes processes that ensure regular maintenance and operations activities meet the safety and mobility needs of bicyclists, pedestrians, and transit users in construction and maintenance work zones, encroachment permit work, and system operations.
- Ensures Department manuals, guidance, standards, and procedures reflect this directive and identifies and explains the Department's objectives for multimodal travel.

District Directors:

- Promote partnerships with local, regional, and State agencies to plan and fund facilities for integrated multimodal travel and to meet the needs of all travelers.
- Identify bicycle and pedestrian coordinator(s) to serve as advisor(s) and external liaison(s) on issues that involve the district, local agencies, and stakeholders.
- Ensure bicycle, pedestrian, and transit needs are identified in district system planning products; addressed during project initiation; and that projects are designed, constructed, operated, and maintained using current standards.
- Ensure bicycle, pedestrian, and transit interests are appropriately represented on interdisciplinary planning and project delivery development teams.
- Provide documentation to support decisions regarding bicycle, pedestrian, and transit modes in project initiation and scoping activities.

Deputy District Directors, Planning, Design, Construction, Maintenance, and Operations:

- Ensure bicycle, pedestrian, and transit user needs are addressed and deficiencies identified during system and corridor planning, project initiation, scoping, and programming.
- Collaborate with local and regional partners to plan, develop, and maintain effective bicycle, pedestrian, and transit networks.
- Consult locally adopted bicycle, pedestrian, and transit plans to ensure that State highway system plans are compatible.
- Ensure projects are planned, designed, constructed, operated, and maintained consistent with project type and funding program to provide for the safety and mobility needs of all users with legal access to a transportation facility.
- Implement current design standards that meet the needs of bicyclists, pedestrians, and transit users in design, construction and maintenance work zones, encroachment permit work, and in system operations.
- Provide information to staff, local agencies, and stakeholders on available funding programs addressing bicycle, pedestrian, and transit travel needs.

Chiefs, Divisions of Aeronautics, Local Assistance, Mass Transportation, Rail, Transportation Planning, Transportation System Information, Research and Innovation, and Transportation Programming:

- Ensure incorporation of bicycle, pedestrian, and transit travel elements in all Department transportation plans and studies.
- Support interdisciplinary participation within and between districts in the project development process to provide for the needs of all users.
- Encourage local agencies to include bicycle, pedestrian, and transit elements in regional and local planning documents, including general plans, transportation plans, and circulation elements.
- Promote land uses that encourage bicycle, pedestrian, and transit travel.
- Advocate, partner, and collaborate with stakeholders to address the needs of bicycle, pedestrian, and transit travelers in all program areas.
- Support the development of new technology to improve safety, mobility, and access for bicyclists, pedestrians, and transit users of all ages and abilities.
- Research, develop, and implement multimodal performance measures.
- Provide information to staff, local agencies, and stakeholders on available funding programs to address the needs of bicycle, pedestrian, and transit travelers.

Chiefs, Divisions of Traffic Operations, Maintenance, Environmental Analysis, Design, Construction, and Project Management:

- Provide guidance on project design, operation, and maintenance of work zones to safely accommodate bicyclists, pedestrians, and transit users.
- Ensure the transportation system and facilities are planned, constructed, operated, and maintained consistent with project type and funding program to maximize safety and mobility for all users with legal access.
- Promote and incorporate, on an ongoing basis, guidance, procedures, and product reviews that maximize bicycle, pedestrian, and transit safety and mobility.
- Support multidisciplinary district participation in the project development process to provide for the needs of all users.

Employees:

- Follow and recommend improvements to manuals, guidance, and procedures that maximize safety and mobility for all users in all transportation products and activities.
- Promote awareness of bicycle, pedestrian, and transit needs to develop an integrated, multimodal transportation system.
- Maximize bicycle, pedestrian, and transit safety and mobility through each project's life cycle.

APPLICABILITY

All departmental employees.

"Caltrans improves mobility across California"

Deputy Directive
Number DD-64-R1
Page 5

Randell H. Iwasaki

RANDELL H. IWASAKI
Chief Deputy Director

October 2, 2008

Date Signed

"Caltrans improves mobility across California"

Attachment 2

United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

Signed on March 11, 2010 and announced March 15, 2010

Purpose

The United States Department of Transportation (DOT) is providing this Policy Statement to reflect the Department's support for the development of fully integrated active transportation networks. The establishment of well-connected walking and bicycling networks is an important component for livable communities, and their design should be a part of Federal-aid project developments. Walking and bicycling foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use. Legislation and regulations exist that require inclusion of bicycle and pedestrian policies and projects into transportation plans and project development. Accordingly, transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit. In addition, DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate. Transportation programs and facilities should accommodate people of all ages and abilities, including people too young to drive, people who cannot drive, and people who choose not to drive.

Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

Authority

This policy is based on various sections in the United States Code (U.S.C.) and the Code of Federal Regulations (CFR) in Title 23—Highways, Title 49—Transportation, and Title 42—The Public Health and Welfare. These sections, provided in the Appendix, describe how bicyclists and pedestrians of all abilities should be involved throughout the planning process, should not be adversely affected by other transportation projects, and should be able to track annual obligations and expenditures on nonmotorized transportation facilities.

Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

- Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these nonmotorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design.

- Ensuring that there are transportation choices for people of all ages and abilities, especially children: Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.
- Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
- Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.
- Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of nonmotorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.
- Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.
- Removing snow from sidewalks and shared-use paths: Current maintenance provisions require pedestrian facilities built with Federal funds to be maintained in the same manner as other roadway assets. State Agencies have generally established levels of service on various routes especially as related to snow and ice events.
- Improving nonmotorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

Conclusion

Increased commitment to and investment in bicycle facilities and walking networks can help meet goals for cleaner, healthier air; less congested roadways; and more livable, safe, cost-efficient communities. Walking and bicycling provide low-cost mobility options that place fewer demands on local roads and highways. DOT recognizes that safe and convenient walking and bicycling facilities may look different depending on the context — appropriate facilities in a rural community may be different from a dense, urban area. However, regardless of regional, climate, and population density differences, it is important that pedestrian and bicycle facilities be integrated into transportation systems. While DOT leads the effort to provide safe and convenient accommodations for pedestrians and bicyclists, success will ultimately depend on transportation agencies across the country embracing and implementing this policy.

Ray LaHood, United States Secretary of Transportation

APPENDIX

Key Statutes and Regulations Regarding Walking and Bicycling

Planning Requirements

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system. Key sections from the U.S.C. and CFR include, with italics added for emphasis:

- The scope of the metropolitan planning process "will address the following factors...(2) Increase the safety for motorized and *non-motorized users*; (3) Increase the security of the transportation system for motorized and *non-motorized users*; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306(a). See 23 CFR 450.206 for similar State requirements.
- Metropolitan transportation plans "...shall, at a minimum, include...existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, *pedestrian walkways and bicycle facilities*, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.
- The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development

and integrated management and operation of transportation systems and facilities (including *accessible pedestrian walkways and bicycle transportation facilities*)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ...trails projects, pedestrian walkways; and bicycle facilities..."

- 23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing...representatives of users of *pedestrian walkways and bicycle transportation facilities, and representatives of the disabled*, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303 (i)(5), and 5304(f)(3) for additional information about participation by interested parties.

Prohibition of Route Severance

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances. Key references in the CFR and U.S.C. include:

- "The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).
- "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.
- 23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

Project Documentation

- "In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in *pedestrian walkways and bicycle transportation facilities*) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 332(a).

Accessibility for All Pedestrians

- Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).
- The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.
- FHWA posted its Clarification of FHWA's Oversight Role in Accessibility to explain how to accommodate accessibility in policy, planning, and projects.

Additional Resources

For more information about:

FHWA Bicycle and Pedestrian Program Resources

- FHWA's Bicycle and Pedestrian Program
- FHWA guidance documents on walking and bicycling
- Publications related to walking and bicycling
- Information about State and local resources
- Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities
- Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways
- Manuals and Guides for Trail Design, Construction, Maintenance, and Operation
- Recreational Trails
- Shared-Use Paths Along or Near Freeways and Bicycles on Freeways
- Snow Removal on Sidewalks Constructed with Federal Funding
- Federal Aid funding resources for walking and bicycling facilities

- Federal funding spent on walking and bicycling facilities

Accessibility

- FHWA American with Disabilities Act (ADA) resources
- U.S. Access Board information about ADA for public rights of way
- Accessibility Guidance for Bicycle and Pedestrian Facilities, Recreational Trails, and Transportation Enhancement Activities

Pedestrian and Bicycle Safety

- FHWA Pedestrian and Bicycle Safety Program
- FHWA Pedestrian and Bicycle Safety Research
- The National Highway Traffic Safety Administration's Pedestrian and Bicycle Safety Programs

Context Sensitive Solutions

- FHWA and Context Sensitive Solutions

State Bicycle and Pedestrian Contacts

- State Bicycle and Pedestrian Coordinators

To provide Feedback, Suggestions, or Comments for this page contact Gabe Rousseau at gabe.rousseau@dot.gov.

This page last modified on March 19, 2010

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FHWA

United States Department of Transportation - **Federal Highway Administration**

Attachment 3

Golden Gate Bridge, Highway & Transportation District

Sidewalk Access for Pedestrians and Bicyclists

Pedestrian Access

The east sidewalk is open 365 days-a-year. Pedestrians are allowed only on the east sidewalk (side facing San Francisco). Roller blades, skateboards, and roller skates are not permitted on the east sidewalk. Wheelchairs are permitted on the east sidewalk. Dogs that are on a leash at all times are permitted on the sidewalk.

Photograph from the archives of the Golden Gate Bridge, Highway and Transportation District, San Francisco, CA. Permission is required for use

During Pacific Standard Time, pedestrians are allowed on the east sidewalk from 5 am to 6 pm. Automatically-controlled gates close at 6 pm and reopen at 5 am.

During Daylight Savings Time, pedestrians are allowed only on the east sidewalk during daylight hours from 5 am to 9 pm. Automatically-controlled gates close at 9 pm and reopen at 5 am.

Bicycle Access and Safety Guidelines for Bridge Sidewalks

Current Bicycle Access Alerts
Stay Safe on the Golden Gate! before heading out to the sidewalk

Cyclists have toll-free access to the Bridge's sidewalks 24-hours a day. **Cyclists MUST yield to pedestrians and remember to use caution in the areas of the towers as there is limited space to maneuver and sight distances are constrained.** Electric bicycles may be

ridden on the sidewalks; however they may not be used under power while on the sidewalk and must be pedaled.

March 14, 2010 - November 6, 2010 (Pacific Daylight Time):

Weekdays

EAST sidewalk 5 am to 3:30 pm
WEST sidewalk 3:30 pm to 9 pm
EAST sidewalk 9 pm to 5 am via remotely controlled security gates located at both ends of the EAST sidewalk. Cyclists press the "buzzer" located near the closed security gate. After security staff locates the cyclist on a security camera, the gate is opened remotely. Cyclists repeat this procedure to get through the security gate at the other end.

Weekends and Holidays

WEST sidewalk 5 am to 9 pm
EAST sidewalk 9 pm to 5 am, using remotely controlled security gate system described above.

November 7, 2010 - March 12, 2011 (Pacific Standard Time):

Weekdays

EAST sidewalk 5 am to 3:30 pm
WEST sidewalk 3:30 pm to 6 pm
EAST sidewalk 6 pm to 5 am via remotely controlled security gates located at both ends of the EAST sidewalk. Cyclists press the "buzzer" located near the closed security gate. After security staff locates the cyclist on a security camera, the gate is opened remotely. Cyclists repeat this procedure to get through the security gate at the other end.

Weekends and Holidays

WEST sidewalk 5 am to 6 pm
EAST sidewalk 6 pm to 5 am via remotely controlled security gate system described above.