



R-21

Date: December 6, 2011

To: Mayor and Members of the City Council

From: Councilmember Rae Gabelich, Eighth District *R.G.*
Councilmember James Johnson, Seventh District *J.J.*

Subject: Proposed SCIG Project and Draft Environmental Impact Report

RECOMMENDED ACTION:

Recommend the City Council adopt the position that it opposes the SCIG facility at its currently proposed location and that there are significant and fundamental flaws in the Draft Environmental Impact Report (DEIR) which understates the major impacts of the project, and consequently, the mitigation of such impacts to the affected communities, including schools and residences in Long Beach in close proximity to the project, and direct the City Manager to communicate to the Los Angeles Harbor Department the City's position prior to the close of the public comment period for the DEIR on December 22, 2011.

BACKGROUND:

A major new near-dock rail facility is proposed for property, which is primarily located within the Port of Los Angeles, but also is located on a portion of property within the City of Long Beach, and is adjacent to schools, homes, and other facilities in West Long Beach.

The project, known as the Southern California International Gateway (SCIG) is proposed by the Burlington Northern Santa Fe Railroad Company (BNSF). According to the DEIR's description of operations, the SCIG facility would operate 24 hours a day, 7 days per week, 360 days per year; trucks and trains would arrive at and depart from the facility day and night.

The project would result in 1.5 million truck trips annually when the operations are expected to begin in 2016, and ultimately reach 2 million truck trips each year by 2023, when the operations are at full capacity. This is more than 5,500 truck trips per day.

There would be 2,160 annual train trips in 2016, and 2,880 train trips each year at full capacity, which is 8 inbound trips and 8 outbound trips each day.

This project will have a significant impact on the residents of Long Beach. However, the project's DEIR severely understates those impacts, because the baseline used for analysis is six years old, and does not reflect the many improvements that were made in existing conditions based on new standards adopted since then. In addition, there are other faulty assumptions and analysis contained in the DEIR.

The proposed project will also result in a significant net loss of permanent local jobs from the existing uses on the site. There are more than 1,200 permanent jobs at the businesses

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currently located at the site, and more employees during peak seasons. The proposed project will only have 250 employees when it opens, and only 450 employees when at full capacity.

Based on the fundamental flaws in the assumptions and analysis of the SCIG DEIR, and the significant negative impacts that the project will have on Long Beach residents, the City Council should oppose the project as proposed, and communicate the failures of the DEIR and lack of appropriate mitigation to the Los Angeles Harbor Department.

A summary of the some of the concerns with the SCIG DEIR and the proposed project includes:

Faulty assumptions and baseline analysis of DEIR

The Draft EIR uses 2005 as the baseline for analyzing the project impacts, based on when the project's Notice Of Preparation (NOP) was issued. However, this baseline goes against the spirit of CEQA of providing an accurate depiction of current existing conditions at the site.

As the DEIR notes, there have been significant changes in the air quality standards in the six years that have passed since the NOP was issued. In particular, the Clean Air Action Plan and the Clean Trucks Program, adopted by the Ports of Long Beach and Los Angeles, have significantly reduced the emission levels from what is studied in the DEIR 2005 baseline.

According to the Port of Los Angeles's Air Quality Report Card, heavy duty truck emissions of Diesel Particulate Matter (DPM), PM 2.5, PM 10, and Oxides of Sulfur (SOx) have all been reduced by 88% or greater since 2005, and NOx have been reduced by 77%. Carbon dioxide, a major greenhouse gas contributor, has been reduced by 23% among heavy duty trucks.

Emissions from cargo handling equipment have been reduced by 55% for DPM, 54% for PM 2.5 and PM 10, 82% for SOx, and 44% for NOx.

All of the drayage trucks currently in operation at the existing uses of the project site meet the 2007 EPA standards.

Therefore, the baseline utilized in the DEIR dramatically misrepresents present conditions at the site, and thereby misrepresents the significant impacts of this proposed project.

In addition, the DEIR makes unsubstantiated assumptions that truck traffic will reduce by 95% to the BNSF's Hobart Yard. The DEIR relies on existing Hobart Yard operations, which is 24 miles away from the proposed location, to water down the potential impacts of the project. The traffic analysis claims that a new rail yard, with up to 2 million annual truck trips and 2,880 train trips, will have no net increase in truck or train traffic.

The analysis assumes the significant reduction in truck trips to the Hobart Yard, but provides no assurances that this will take place. These assumptions run counter to all of the other regional planning models, which indicate a need to expand and provide dedicated freight lanes for the 710 freeway.

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What would prevent BNSF from backfilling the business at the Hobart Yard with other business, including transloading facilities located near the Port?

How can a brand new rail yard not have any increase in trains or trucks, as the DEIR analysis seems to claim? The traffic assumptions in the DEIR's traffic study do not seem to be consistent with the assumptions in the air quality analysis.

Based on the fatal flaws of the baseline usage and other faulty assumptions, the Air Quality/Health Risk Analysis (including greenhouse gasses), Traffic and Noise analysis are all incorrect and need to be redone.

In addition, the DEIR states that there are no cumulative impacts from this project. This defies logic to believe that there are no impacts from a new rail yard, especially when considered with the cumulative impact of the proposed expansion of the ICTF rail facility, immediately adjacent to this proposed site.

Failure to adequately consider other alternatives, including zero emission alternative

The Long Beach City Council has previously gone on record calling for goods movement systems that result in zero emissions. The Project Committee for the I-710 Major Corridor Expansion Study have established this as a feasible option to be included in their analysis. However, the SCIG DEIR summarily dismissed this technology as not feasible at this time, and did not give serious analysis to any alternatives that considered this technology.

In addition, the DEIR gives minimal consideration to other locations for the project that would have far less impacts on the surrounding community, including sensitive receptors such as schools.

Noise and Light Impacts

The DEIR acknowledges that even with the proposed mitigation measures, the project will have significant and unavoidable impacts on noise to the surrounding community. These noise impacts will include nighttime operational noise, and will be felt by Long Beach residents 24 hours per day, 7 days per week.

The project description also states that there will be 40 high-mast light poles around the project, with light impacts (footcandles) that are dramatically higher than current conditions. Yet, the DEIR states that there are no significant impacts on the adjacent neighborhood.

Loss of Jobs

The project proponents claim that the proposed facility will provide about 1,500 temporary construction jobs and about 400 permanent jobs at the facility. However, the existing businesses at the proposed site provide more than 1,200 permanent jobs, and more during

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peak seasons. Many of the current employees of the existing uses live in Long Beach. Therefore, we will see a significant reduction in the number of permanent jobs that will be provided to the local economy as a result of the project.

Failure to adequately provide appropriate mitigation

Because of the misrepresentation of project impacts, the proposed mitigation measures fall woefully short of addressing the impacts. There are no specific requirements for cleaner locomotives and no community mitigation measures to address the cumulative impacts of this project.

Also, as a result of these inadequacies, the environmental justice impacts are also severely underestimated, which shortchanges the affected Long Beach residents.