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**Sent:** Tuesday, November 15, 2022 12:05 PM

**To:** CityClerk <CityClerk@longbeach.gov>; City Manager <CityManager@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Mayor <Mayor@longbeach.gov>

**Subject:** City of Long Beach City Council Meeting, 11/15/22, Agenda item 32 22-1354, Appeal of Final EIR for the Port of Long Beach Deep Draft Navigation Study/Harbor Deepening Project

**-EXTERNAL-**

November 15, 2022

To: Long Beach City Council

From: The Los Cerritos Wetlands Task Force

Re: City of Long Beach City Council Meeting, 11/15/22, Agenda item 32 22-1354, Appeal of Final EIR for the Port of Long Beach Deep Draft Navigation Study/Harbor Deepening Project

Dear Council Members and Mayor,

Sierra Club's Los Cerritos Wetlands Task Force supports the Appellants' claim that the Board of Harbor Commissioners' certification of the Final EIR does not comply with CEQA. We request that the City Council uphold the appeal and direct the Board of Harbor Commissioners to set aside the Project approval and conduct the appropriate CEQA analysis before reconsidering the Project.

In addition to supporting the written and oral testimony previously given by the appellants make the following comments.

- 1.
- 2.
3. Project Impacts are potential not speculative / EIR is incomplete
- 4.

CEQA is meant to provide an analysis of the potential impacts of a project. The Port concluded in its FEIR that the channel deepening will not result in additional growth at the Port and therefore does not analyze environmental impacts from the Port's operations. One must ask, why go to the trouble of dredging the channel to accommodate larger ships if this does not increase the capacity of the port? The Applicant has also chosen to deny multiple potential impacts as "speculative." The EIR fails to analyze these impacts and is therefore inadequate. The Applicant claims that links between the project and increased shipping of cargo (including fossil fuels), increased onshore port activity (including traffic to and from port), as well as the associated increased pollution of water and air associated with expanding the capacity of the port to accommodate larger vessels, are "speculative." The Applicant states that

accommodating larger ships does not increase the volume of goods moving through the Port. The Applicant further states that the project will not increase the capacity of the Port because it does not alter the existing landside infrastructure. We would caution that arguing that landside impacts can only be considered when a project is landside, is piecemealing and opens the door to doing so in future projects. One could just as easily state that a project that expands port terminals does not increase port capacity because it is "speculative" that this will increase the number of goods, ships or vehicles in/out of the port.

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4. Damage to Marine Life from dredging

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Previous plans for the "Green Port" were to provide cold ironing/electrical hookups for all ships while docked at the Port. Has this been done for all ships? If not, cold ironing should be a **requirement** before any dredging to allow larger ships to enter the harbor, bringing more air and water pollution.

3.

4.

5. Special Condition. Community Grants Program

6.

The Applicant fails to acknowledge the project's long term impacts to air quality in the port and in neighboring communities suffering from port pollution and additionally argues that air quality impacts during construction can mostly be mitigated, resulting in a minimal amount of unavoidable toxic air emissions to be addressed under a Special Condition. In addition to finding that the project will result in long term impacts to air quality that must be addressed in the EIR, the LCWTF considers the Special Condition to be both inadequate and inappropriate. Funding must be increased exponentially and should be allocated to an organization focused on addressing the health impacts of port pollution on workers and residents. The FEIR states, *"After the implementation of all feasible mitigation measures to reduce the impacts to air quality associated with the Project, significant air quality impacts are expected to remain. As a Special Condition the Applicant will address the unavoidable impacts of toxic air emissions from project's construction activities by allocating the miserly sum of \$146,753 to the Community Investment Grant Program."* This public agency awards grants to local organizations, including the City of San Pedro Ballet Company. Unfortunately, you can't dance if you can't breathe.

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5.

6. Project benefits do not outweigh adverse environmental effects

7.

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable, adverse environmental impacts in determining whether to approve the project. The FEIR states, "*The Project would offer overriding economic, legal, social, technological, and other benefits that outweigh the unavoidable adverse environmental effects of the undertaking and provide important reasons for approving the Project.*" We would argue that The Port is merely an extension of the People, an entity created by and for the public welfare. It has no intrinsic value, and cannot argue that its economic, legal, social, technological, and other benefits outweigh its unavoidable adverse environmental effects to the public at large. The Port claims, as do many corporations, a kind of personhood, an entitlement to exist regardless of the consequences. The Port's claim that the project provides "overriding benefits" is purely speculative and is not substantiated by any evidence. Therefore the FEIR must be denied on the grounds that the Project has unavoidable adverse impacts

Respectfully, LCWTF Co Chairs: Ann Cantrell ([anngadfly@aol.com](mailto:anngadfly@aol.com)) and Anna Christensen ([annachristensen259@gmail.com](mailto:annachristensen259@gmail.com))