

Dionne Bearden

From: Andrea Hricko [REDACTED]
Sent: Friday, November 01, 2019 2:41 PM
To: Council District 1; Council District 2; Council District 7; Council District 6; Council District 9; Council District 3; Council District 4; Council District 5; Mayor; CityClerk; City Manager; CityAttorney; Amy Harbin
Cc: CAMERON,RICHARDD; TOMLEY,HEATHERA; matthew.arms-polb; Dionne Bearden; Christopher Koontz
Subject: Sign-on letter from stakeholders asking for a new (CORRECTED) notice about LB Cruise Term Imp Project hearing, a NEW hearing date PLUS immediate release of public records
Attachments: 11 01 organizational comment letter with appendices to City of Long Beach.pdf

Dionne Bearden and Christopher Koontz – pls forward to Planning Commissioners...

Dear Mayor, City Councilpersons, City Planning Department and Planning Bureau staff, City Public Records Center, City Manager, City Attorney and Planning Commissioners:

The attached signatories to our letter are disturbed by the lack of attention to public discourse, honesty and openness by the City of Long Beach with regard to its efforts to enlarge/expand/"improve" the City's Cruise Terminal, which the City chooses to call the "LB Cruise Terminal Improvement Project."

See requests in the attachment which pertain to release of public records of communications between the City and Carnival Cruise Lines , a faulty NOI/IS/MND which has a very poorly executed air quality analysis AND concerns about why public records requested THREE MONTHS AGO concerning this Project have still not been released.

Thank you for your response. Signatories on attached letter.

COALITION FOR A SAFE ENVIRONMENT
COALITION FOR CLEAN AIR
COMMUNITY DREAMS
CONCERNED ACADEMICS FROM USC AND UCLA
EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE
LONG BEACH ALLIANCE FOR CHILDREN WITH ASTHMA
LONG BEACH 350
RESIDENTS OF LONG BEACH
SAN PEDRO AND PENINSULA HOMEOWNERS ASSOCIATION
WEST LONG BEACH ASSOCIATION

To: Mayor of the City of Long Beach (LB), City Councilmembers, City Manager, Assistant City Manager Andrew Vialpondo, City Attorney, Amy Harbin (City of LB Planning Bureau), and City of LB Planning Commissioners

CC: Port of Long Beach (POLB) Environmental Management Staff and Allyson Teramoto, CEQA staff; Dionne Bearden/Christopher Koontz of the City of LB (with urgent request to forward to all City of LB Planning Commissioners)

Date: 11/1/2019

Re: Actions by the City of Long Beach and its staff on issues concerning its "Cruise Terminal Improvement Project," which would allow docking of the world's largest cruise ships, including the Carnival Panorama, raising questions of why public records requested three months ago are not being released in a timely fashion; why the City is expediting the timeline for appropriate environmental review despite major concerns about the City's faulty CEQA review - by residents/academics and community/health and environmental organizations, as well as the California Air Resources Board; and why the City of LB has not yet corrected its inaccurate public notice of a hearing to be held on November 7, 2019 and scheduled a new hearing date.

Background

For unexplained reasons, in early 2018 Carnival Cruises Lines brought the polluting Carnival Splendor back to the Long Beach Cruise Terminal after it had been gone for many years. It replaced the Carnival

Miracle that had plugged into electricity. The Splendor is not capable of plugging in. Soon thereafter, Carnival announced that the Carnival Splendor would be leaving the Port of Long Beach to its new location in Sydney, Australia in 2019. Also, in early 2018, Carnival announced that the Carnival Panorama, the largest cruise ship in the world would be taking Splendor's place at a to-be-expanded Long Beach Cruise Terminal. Carnival announced that the Panorama would home berth in Long Beach starting in December 2019. Carnival sponsored a float at the Rose Bowl Parade on January 1, 2019, promoting the arrival of the Panorama to Southern California.

Of significant interest, neither the City of Long Beach nor the Port of Long Beach made any public references to the expansion of the LB Cruise Terminal nor the planned arrival of the Panorama until June 2019 – 1 ½ years after Carnival's original announcement. The existing Cruise Terminal apparently requires dredging to allow large ships like the Panorama to dock and there are offshore and onshore improvements that need to be environmentally reviewed under the California Environmental Quality Act (CEQA). In June 2019, the City as "Lead Agency," issued a Notice of Intent/Initial Study/Mitigated Negative Declaration ([NOI/IS/MND](#)) under CEQA on the Cruise Terminal Improvement Project. Many of the signatories to this letter and others, including the California Air Resources Board (CARB), challenged the faulty environmental analysis and inaccurate air pollution analysis conducted by the City of Long Beach, including the [recirculated version of the NOI/IS/MND](#). In the MND, the City of LB inappropriately compared the emissions of the Carnival Panorama to the pollution from the Splendor to argue that arrival of the Panorama would reduce emissions in the Port area. CARB pointed out that the Splendor would not be allowed at the Cruise Terminal after 2020 because of new CARB emission rules on ocean-going fleets. See Appendix A1. Comments from organization groups (many of whom are signatories to this letter) pointed out that a more accurate comparison of emissions would have been the five years before the polluting Splendor was briefly returned to Long Beach, when pollution levels were lower because all three Carnival ships at the terminal plugged into shore power. See Appendix A2.

Of serious environmental concern for Southern California's air, the Carnival Panorama was built between January and December 2018, and thus its engine should have been a Tier III to reduce NOx emissions, under International Maritime Office (IMO) Annex VI. However, the Panorama has a Tier II engine, meaning that Carnival took advantage of a loophole that allows ship keels placed into hulls before the 2016 deadline to be used in subsequent years, thereby thwarting the enhanced environmental safeguards. See presentation [here](#).

Carnival Cruise Lines is widely known to have the worst environmental record of any cruise ship company in the world, as documented in many reports published around the world. It has been fined millions of dollars in the U.S. for failure to meet environmental regulations (See attachments to Appendix A2).

Currently: Since early 2019, Carnival has been accepting reservations on the Panorama for its inaugural cruise from Long Beach to Mexico on December 11, 2019. The Carnival Splendor just left the Port of Long Beach on October 5, 2019, arriving in Singapore this week where it will be refurbished before heading to Australia, according to GPS analysis on [cruisemapper.com](#). See also this cruise industry [newstory](#). On October 30, 2019 Carnival took delivery of the [Carnival Panorama](#).

Issues

As noted above, as “Lead Agency,” the City of Long Beach issued an NOI/IS/MND (notice of intent, initial study, mitigated negative declaration) under CEQA in June 2019. The document described that the terminal needed improvements to allow the huge Panorama and other large ships in its class to dock, including an expanded parking garage, walkways and dredging. The document compared emissions from Splendor ship recently brought back to Long Beach with the Panorama. Again, the Splendor does not plug into electricity. As noted above, the document was challenged for its accuracy and its choice of comparisons and baselines by various organizations, including many of the signatories of this letter as well as by the California Air Resources Board. The City issued a revised NOI/IS/MND in August 2019, with few substantive changes.

The City issued an undated notice of a public [hearing](#) to be held November 7, 2019, by the City of Long Beach. The notice was received by stakeholders on October 22, 2019. It stated that on-shore improvements to the Cruise Terminal would be handled by the City and off-shore improvements to the terminal by the Port of Long Beach. This would appear to be splitting the venues for consideration of environmental impacts, which is not allowed under CEQA; again, the City of LB is the “Lead Agency” on the project. Several events over the past few days have led to confusion about the process underway:

- On October 23, 2019, Port of Long Beach environmental management staff told Andrea Hricko, professor emerita from USC Keck School of Medicine, that the Port had not participated in drafting or issuing the notice and that the notice was inaccurate.
- On October 24, 2019, Hricko, the Coalition for Clean Air and a local Harbor area resident requested that the notice be corrected and reissued – with a new hearing date in the future. They received an email back from Amy Harbin stating only that the request would be filed with comments on the project.
- On October 25, 2019, however, Port of LB staff told a group that is called the “POLB Stakeholders” at their meeting that the POLB would indeed be reviewing offshore impacts for the project. Port staff also said that had been no need for the air pollution analysis in the MND because Carnival can bring in whatever ship it wants, pursuant to its lease agreement with POLB. They had also told this to Hricko, who was surprised at the comment because of the lengthy (but faulty) air pollution analysis comparing the Carnival Splendor to the Carnival Panorama that was in the City of LB MND.
- On October 31, after hearing about the POLB Stakeholders meeting, Hricko wrote a note to POLB environmental management and CEQA staff and the City of Long Beach expressing frustration with the opaque process underway for this LB Cruise Terminal Improvement Project and re-expressing a need for more information to be given to the public, along with answers about “who is in charge of what moving forward.” She also raised questions about whether dredging and pile-driving had to occur before the Panorama could dock, and the status of the Army Corps of Engineers in doing an environmental review for those activities which are mentioned in the MND and the Planning Commission hearing notice.

Meanwhile, Hricko had requested on August 1, 2019, under the California Public Records Act (CPRA), documents showing any Carnival Cruise Line donations to City of LA staff, elected officials and the Mayor. She was told that “there are no responsive records.” In a phone call she told Public Records Center staff that this was impossible because she already had in hand records of donations to the Mayor’s Education Fund, one of which had received local press when Carnival and the City of Long

Beach announced previous improvements to the Cruise Terminal in 2018. After acknowledging a mistake by City staff, the records were released to Hricko. See Appendix B.

Hricko also requested on August 1, 2019, under CPRA, any and all communications between Carnival and various City of LB entities. In early September, Hricko was told the records would be released soon. In September 2019, Hricko was told “no responsive records” regarding communications between the City of LB Planning Bureau and Carnival Cruise lines, which seems impossible because the Planning Bureau had to have had information from Carnival to prepare its NOI/IS/MND. Amy Harbin, Planning Bureau, whose name is on all the Carnival-related notices from City of Long Beach, did not respond to an email asking her to explain this discrepancy.

As for the overall CPRA request for communication between Carnival and a variety of City entities:

- On September 9, 2019, Hricko was told by the Public Records Center that City lawyers were reviewing 1500-2000 pages of records and that it would take 4-6 weeks to respond. That end-date would have been October 28, 2019. The public hearing is slated for November 7, 2019.
- Then on October 3, 2019, Hricko was told it would take 2-4 weeks to respond. That means the records should have been released by October 31, 2019. No responsive records on communications have been received.
- Almost to-be-expected, on October 31, 2019, Hricko received a message that the records would be released “this week.” Again, the Planning Commission hearing is November 7, 2019, six days from today. See Appendix C for notes of the messages between Hricko and the Public Records Center; for ease, key messages are re-printed at the bottom of this document, below the signatories.

Timeline:

- First record requests under CPRA filed on August 1, 2019
- Only records released to date: donations from Carnival to the Mayor, after being challenged when told “no records exist”
- Time that has elapsed with no records released on communications between Carnival and City entities:
 - Three calendar months
 - 13 work weeks
 - 63 workdays, not including holidays.

Even though Hricko has repeatedly requested that the documents be released as they were cleared, similar to what many other government agencies do, the City of Long Beach has been unresponsive to that request.

Requests:

- (1) That the City of LB notice of a public hearing to be held on November 7, 2019, mentioning some impacts that will be considered by the City and some by the Port of LB, be immediately rescinded because the City of LB has declared itself the “lead agency” under CEQA and one goal is to ensure that the environmental impacts and mitigation for a project are not segmented into two venues and studies, resulting in a failure to consider total impacts, and the necessary mitigation. As lead

agency, the City of LB must consider all impacts. The notice as circulated is completely inaccurate. It needs to be corrected and reissued.

- (2) That the City of Long Beach schedule a new hearing date after the notice is corrected and that the hearing be scheduled at least two weeks after publication of the new notice.
- (3) That IF the City of Long Beach and POLB are now in agreement that the Port and its Harbor Commission will review offshore environmental impacts, this be explained in a new notice – with a new hearing date – describing exactly how it will occur and what public opportunities for input will be offered.
- (4) That the City of LB and POLB explain the role of environmental review by the Army Corps of Engineers and others and whether the dredging and pile-driving activities are required before the Carnival Panorama can safely dock at the LB Beach Cruise Terminal.
- (5) That the City of Long Beach be immediately responsive to the 12-week old request for release of public records relating to this issue so that the CPRA records can be considered in this CEQA process, including in the upcoming rescheduled hearing.

Thank you for your consideration.

SIGNATORIES TO THIS LETTER

COALITION FOR A SAFE ENVIRONMENT

Jesse Marquez, Executive Director; jnm4ej@yahoo.com

COALITION FOR CLEAN AIR

Jerilyn Mendoza, Senior Policy Advocate; jerilyn@ccair.org

COMMUNITY DREAMS

Ricardo Pulido, Executive Director; mr.rpulido@gmail.com

CONCERNED ACADEMICS FROM USC AND UCLA

Ed Avol, professor and director, Division of Environmental Health, USC Keck School of Medicine; avol@usc.edu

John Froines, professor emeritus, Fielding UCLA School of Public Health; jfroines@ucla.edu

Andrea Hricko, professor emerita, USC Keck School of Medicine, Department of Preventive Medicine ahricko@usc.edu

EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE

Taylor Thomas, Policy Director; taylort.eycej@gmail.com

LONG BEACH ALLIANCE FOR CHILDREN WITH ASTHMA

Sylvia Betancourt, project manager, sbetancourt@memorialcare.org

LONG BEACH 350

Alice Stevens, cofounder and co-organizer, Long Beach 350, alicestevens1@gmail.com

LONG BEACH RESIDENTS

Dianne Petrich Flowers, North Long Beach resident since 1985; twoflowers@verizon.net

Fernando Losada, Long Beach Shoreline marina resident and concerned citizen; Fericlos@gmail.com

SAN PEDRO AND PENINSULA HOMEOWNERS COALITION

Peter M. Warren, Treasurer; pmwarren@cox.net

WEST LONG BEACH ASSOCIATION

Theral Golden, President; theraltg@msn.com

Key Communications between Hricko and City of Long Beach Public Records Center

On 8/1/2019 Hricko wrote:

Service Area:

City Manager

Type of Record(s) Requested:

Describe Below...

Describe the Record(s) Requested:

Time range: January 2016 to present Under the CPRA, I hereby request any and all communications (emails, notes of phone messages, documents) between parties and any other communications between anyone at Carnival Cruise lines or consultants working for Carnival Cruise lines and the Mayor of Long Beach, any City Councilpersons, any City staff and any consultant contracted with the City of LB, pertaining to having the Carnival Panorama berthed there, the Long Beach Cruise Terminal Improvement Project; its need; the need for dredging, the need for additional parking lots and changes to roadways, etc. I request any communications that request an expedited timeline for finishing the project before the slated first voyage of the Carnival Panorama on December 11, 2019. I request any communications that mention donations of any sort in return for an expedited timeline. Thank you for your consideration.

✓ On 9/9/2019 10:53:54 AM, Long Beach Public Records Center wrote:

Subject: Public Records Request :: C004859-080119

Body:

RE: Public Records Request Reference Number: C004859-080119

City staff is working on compiling and reviewing the appropriate documents and will produce them promptly within a reasonable time frame. We are still searching records across 15 offices, including five City departments, all nine City Council Offices, and the Mayor's Office. I estimate another 4-6 weeks to gather all documents, review, and produce. Staff will notify you upon producing records if portions of documents will be withheld from disclosure due to exemptions in accordance with law.

Thank you for contacting the City of Long Beach. If you have any questions, please contact the Records Coordinator Office at (562) 570-6711.

Andrew Vialpando

CITY OF
LONG BEACH

✓ On 10/3/2019 11:29:36 AM, Long Beach Public Records Center wrote:

CC: [REDACTED]

Subject: Public Records Request :: C004859-080119

Body:

Dear Ms. Hricko,

Thank you for reaching out. City staff has gathered roughly 1,500 to 2,000 pages worth of documents in response to this request across multiple departments and bureaus. Staff has conducted an initial review and determined additional time is needed. Some pages may not be responsive to your request and others still need to be reviewed by legal counsel.

I anticipate an additional 2-4 weeks. We will provide you an update when the documents are ready.

Thank you for your patience.

Sincerely,
Andrew Vialpando
[REDACTED]

✓ ↩ On 10/22/2019 11:17:47 AM, Andrea Hricko wrote:

Based on your idea of timing, 2-4 weeks, I would anticipate receiving the public records responding to my request in the next week to 10 days, certainly with 2 weeks. This request is even more urgent now that a public hearing by the City of LB Planning Commission has been scheduled for Nov. 7. It has been 2 1/2 weeks since you last responded. By Nov. 7 -- it will have been 3 MONTHS since my request was submitted. Andrea Hricko, USC

APPENDICES (attached below)

APPENDIX A1

Comments from CARB on City of Long Beach NOI/IS/MND and its recirculated version

APPENDIX A2

Comments from Organizational Groups on City of Long Beach NOI/IS/MND and its recirculated version

APPENDIX B

Behested payments to Mayor of Long Beach Educational Foundation from Carnival Cruise lines and foundation

APPENDIX C

Key CPRA requests by Hricko and responses from City of Long Beach

APPENDIX A1

Comments from CARB on City of Long Beach NOI/IS/MND and its recirculated version

September 26, 2019

Christopher Koontz, AICP
Planning Bureau Manager
Development Services Department
City of Long Beach
333 West Ocean Boulevard, Fifth Floor
Long Beach, California 90802

Dear Christopher Koontz:

Thank you for providing California Air Resources Board (CARB) staff the opportunity to comment on the Long Beach Cruise Terminal Improvement Project (Project) Recirculated Initial Study/Mitigated Negative Declaration (Recirculated IS/MND), State Clearinghouse No. 2019069085. The Project proposes to make improvements to the existing facilities at the Long Beach Cruise Terminal (Terminal) to accommodate a new and larger Carnival cruise vessel designated as the *Panorama*, which will replace the *Splendor*. The Project is located in the City of Long Beach (City), which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB staff reviewed the IS/MND and provided comments to the City in a letter dated July 22, 2019.¹ CARB staff's comment letter (see Attachment A) expressed the following concerns regarding the conclusions of the air quality impact analysis presented in the IS/MND.

1. The City's use of the inappropriate assumption that the *Splendor* is not shore power capable under the Project's baseline condition.
2. Lack of fact-based documentation supporting the assumption that the *Panorama* would emit less air pollutants while in transit as a result of being more energy-efficient than the *Splendor*.
3. Carnival Cruise Line's (Carnival) lack of participation in the Port of Long Beach's (POLB) Green Flag Vessel Speed Reduction Program (VSRP).

The Recirculated IS/MND included more robust language to support the City's chosen baseline and modeling assumptions and potential participation in the POLB's Green

¹ California Air Resources Board, 2019. California Air Resources Board Staff Comments on the Long Beach Cruise Terminal Improvement Project Initial Study/Mitigated Negative Declaration (State Clearinghouse No. 2019069085). July 22, 2019. Accessible at: <https://ww3.arb.ca.gov/toxics/ttdceqalist/longbeachcruiseterminalimprovement.pdf>.

Flag VSRP. However, based on CARB staff's review of the Recirculated IS/MND, the City's revisions did not adequately address CARB staff's original comments for the reasons discussed below.

Inappropriate Baseline Assumption

The Recirculated IS/MND continues to assert that, under the Project's baseline condition, the *Splendor* must operate its auxiliary engines while at berth because it is not currently capable of connecting to shore power. This baseline assumption means that the *Splendor* would emit higher levels of air pollutants while at berth as compared to the proposed shore power capable *Panorama*. CARB staff continues to assert that this baseline assumption is misleading because Carnival would have to either retrofit the *Splendor* to be capable of plugging into shore power, substantially reduce the number of visits, or remove it from California service by the end of 2019 to comply with CARB's existing Vessels At-Berth Regulation, regardless of the Project. Carnival should have already started the process of making the *Splendor* shore power capable to meet the January 2020 At-Berth Regulation compliance deadline, approximately three months away. CARB staff continues to believe it is inappropriate to include the emissions from the *Splendor*'s auxiliary engines in the Project's baseline condition and that the City's baseline assumption could inappropriately lead the public to believe that the Project would result in a decrease in harmful air pollutant emissions while vessels are at berth.

The City claims the *Splendor*'s compliance with the Vessels At-Berth Regulation would not represent the existing baseline, but rather would constitute the "cherry-picking" of lower air pollutant emissions (Recirculated Appendix A, p. 35.). However, the City's assertion fails to consider the fact that the baseline required in Title 14, California Code of Regulations (CCR), Section 15125 is established to disclose publicly, as an informational document, the proposed Project's likely impacts on the environment beyond the baseline environmental conditions. The City cannot merely choose an existing baseline that yields the highest net reduction in air pollutant emissions, which is what has been done in the Recirculated IS/MND.

The City's failure to include the *Splendor*'s compliance with the Vessels At-Berth Regulation does not provide the fullest, most transparent picture of how the proposed Project will impact the air quality of surrounding areas, many of which are already heavily impacted by the air pollutants from activities at POLB. As the California Supreme Court succinctly found:

"...in appropriate circumstances an existing conditions analysis may take account of environmental conditions that will exist when the project begins

operations the agency is not strictly limited to those prevailing during the period of EIR preparation. An agency may, where appropriate, adjust its existing conditions baseline to account for a *major change in environmental conditions that is expected to occur before project implementation*....To the extent a departure from the 'norm[]' of an existing conditions baseline (Guidelines, 14125(a)) promotes public participation and more informed decision making by providing a more accurate picture of a proposed project's likely impacts, CEQA permits the departure." [Emphasis added]²

The Project proponent must seek a federal consistency certification from the California Coastal Commission (CCC) for its activities involving the disposal of dredged materials at the LA-2 Ocean Dredge Material Disposal Site. Obtaining a federal consistency certification from the CCC can take months to acquire.³ Due to the processing time to receive certification from the CCC, the actual implementation of the Project will very likely occur sometime in mid-2020, at the earliest, well after the *Splendor* should have come into compliance with the Vessels At-Berth Regulation.⁴ The final approval of the Project in mid-2020 will not occur until well after the *Splendor* has been operating in full compliance with the Vessels At-Berth Regulation. Given this, it would be of no informational value to include the *Splendor's* current emission levels that are not compliant with the Vessels At-Berth Regulation. Therefore, CARB staff requests, again, that the City include the *Splendor's* emission levels when it is fully compliant with the Vessels At-Berth Regulation in the baseline for the IS/MND's air quality impact analysis for the proposed Project.

Lack of Substantial Evidence to Support Vessel Emission Rates

Carnival and the City continue to assert that the vessel engine energy use of the larger 133,300 gross ton *Panorama* (161,652 daily kWh) is less than the vessel engine energy use of the smaller 113,300 gross ton *Splendor* (332,161 daily kWh). This represents a 51 percent reduction in vessel energy use. The Recirculated IS/MND explains that the difference in energy consumption between the *Splendor* and *Panorama* is primarily attributable to vessel age and more efficient and modern diesel engines.

² *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 452-453

³ <https://www.coastal.ca.gov/fedcd/guidecd.pdf>.

⁴ It's also not clear if this project is specifically called out in any of the [PMP documents](#) currently certified by the Coastal Commission. If it has not been specifically called out, then there is an argument that the project needs approval (either as a PMP amendment or CDP) from the Coastal Commission pursuant to Public Resources Code section 30715, subdivision (a). If the Coastal Commission has to act on a PMP amendment to include this project in the POLB PMP or issue a CDP for the project, the effective date of final approval may not occur until the end of 2020 or early 2021, given the typical review periods at the Coastal Commission.

CARB staff continues to urge the City and Carnival to release the source of the data supporting the energy consumption of the *Splendor* and *Panorama* as presented in Appendix B of the Recirculated IS/MND. By doing so, the engine energy use versus vessel speed data for the propulsion engines, as well as engine energy use data for the auxiliary engines for both the *Splendor* and *Panorama*, can be confirmed. Without citation to substantial evidence, there is currently no legal basis to support the conclusory finding of the Recirculated IS/MND, that the project would not result in a significant adverse environmental impact.⁵

Port of Long Beach Green Flag Vessel Speed Reduction Program

In response to CARB staff comments on the IS/MND regarding Carnival's participation in POLB's Green Flag VSRP, Carnival stated that it is currently completing a study to evaluate the feasibility of participating in the Green Flag VSRP. According to the Recirculated IS/MND, the feasibility study is expected to be completed prior to the City's approval of the Project. If the City approves the feasibility study, the City will integrate the findings of the study into a Condition of Approval VSR agreement with Carnival. It is unclear what is specifically being analyzed in the feasibility study. Therefore, CARB staff urges the City to either participate in POLB's Green Flag VSRP or participate in an alternative program that achieves equal or greater air pollutant emission reductions.

Recommendations

Based on the remaining deficiencies in the Recirculated IS/MND, CARB staff urges the City to revise the air quality analysis and release a revised IS/MND for public review and comment. Should the revised IS/MND find, after adequately addressing the deficiencies noted in this letter, that the Project may have a significant and unavoidable impact on the environment, the City must prepare and circulate a draft Environmental Impact Report for public review, as required by CEQA.

⁵ "In reviewing an agency's compliance with CEQA. ... the courts' [evaluate whether the lead agency prejudicially abused its discretion where] [s]uch an abuse is established 'if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.' [Citation omitted]" (Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova (2007) 40 Cal.4th 412, 426.) Therefore, a lead agency must support its MND and required findings that there is no possibility that the project may have an adverse impact on the environment with substantial evidence.

Christopher Koontz, AICP
September 26, 2019
Page 5

If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

cc: See next page.

Christopher Koontz, AICP
September 26, 2019
Page 6

cc: State Clearinghouse
P.O. Box 3044
Sacramento, California 95812

Matt Arms
Acting Director, Planning and Environmental Affairs Bureau
Port of Long Beach
415 West Ocean Boulevard
Long Beach, California 90802

Morgan Capilla
NEPA Reviewer, Air Division, Region 9
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105

Amy Harbin, Planner
City of Long Beach
Development Services Department
333 West Ocean Boulevard, Fifth Floor
Long Beach, California 90802

Andrea Hricko, MPH
Keck School of Medicine (ret.)
University of Southern California
ahricko@hsc.usc.edu

Lijin Sun
Program Supervisor - CEQA
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Taylor Thomas
East Yard Communities for Environmental Justice
2317 South Atlantic Boulevard
Commerce, California 90040

Stanley Armstrong
Air Pollution Specialist
Transportation and Toxics Division

Attachment A

July 22, 2019

Christopher Koontz, AICP
Planning Bureau Manager
Development Services Department
City of Long Beach
333 West Ocean Boulevard, Fifth Floor
Long Beach, California 90802

Dear Christopher Koontz:

Thank you for providing California Air Resources Board (CARB) staff the opportunity to comment on the Long Beach Cruise Terminal Improvement Project (Project) Initial Study/Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2019069085. The Project proposes to make improvements to the existing facilities at the Long Beach Cruise Terminal (Terminal) to accommodate a new and larger Carnival cruise vessel designated as the *Panorama*, which will replace the *Splendor*. The Project is located in the City of Long Beach (City), which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Based on several deficiencies, CARB staff does not believe there is sufficient data available in the published materials to support the less than significant impact conclusion for air quality in the IS/MND. We sought an extension of the comment deadline to discuss these issues with the City before submitting a formal comment letter, but that request was summarily denied.

The use of existing emissions from the *Splendor* while at berth as a CEQA baseline is misleading to decision makers and the public because it fails to provide an accurate picture of the proposed project's likely air quality impacts.¹ This conclusion is based on an incorrect assumption that the new *Panorama* (which will be ready to connect to shore-based electrical power and turn off its auxiliary engines at berth) would achieve significant emission reductions at berth relative to the vessel it is replacing, the smaller *Splendor* (which is not currently equipped to plug in). This is a false comparison because Carnival Cruise Lines (Carnival) would have to either retrofit the *Splendor* to plug in to shore power or remove it from California service by the end of 2019 to comply with CARB's existing Vessels At Berth Regulation, regardless of the Project. This statewide Regulation defines the baseline for covered vessels at berth, including the Carnival fleet.

¹ *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 454.

On January 1, 2020, the Carnival fleet must connect at least 80 percent of its vessel visits to shore power and reduce the auxiliary engine power at berth by at least 80 percent, on an annual basis. Compliance with this stepped-up requirement (from 70 percent in 2019 to 80 percent in 2020) will further reduce emissions of all criteria, toxic, and climate pollutants, regardless of which vessels are calling at the Terminal.

We recognize that the in-transit and maneuvering emissions of one pollutant, oxides of nitrogen (NO_x), may be lower for the *Panorama* than the *Splendor* because the new *Panorama* uses main engines certified to the relatively cleaner Tier 2 emission standards. However, the IS/MND indicates that the engines on the *Panorama* must be more efficient than the *Splendor*, without providing fact-based documentation to support that assertion, which affects the relative air pollutant emissions of the vessels. As a result, without citation to substantial evidence to support this conclusory finding, there is currently no legal basis to support the City's assertion that the energy output (161,652 daily kilowatt hours (kWh)) of the larger 133,300 gross ton *Panorama* is less than the energy output (332,161 daily kWh) of the smaller 113,300 gross ton *Splendor* and, thus, wouldn't result in a significant adverse environmental impact.²

The IS/MND also assumes that the *Panorama* would travel at speeds ranging from 4.1 to 16.5 knots within 40 nautical miles from the Terminal. The City should require Carnival to participate in the Port of Long Beach's Green Flag Program that reduces vessel speeds to 12 knots or less within 40 nautical miles of the terminal to reduce air pollution. If Carnival has air pollutant emissions testing data that shows the *Panorama* can achieve similar emission reduction benefits at speeds higher than 12 knots, Carnival should make that data available to the public for review.

With the inaccurate assumptions about the use of shore power at berth, and incomplete material on vessel engine efficiency and the effects of the *Panorama*'s speed on emissions, the IS/MND and Appendix on air quality do not provide the necessary substantial evidence to determine whether the Project would result in a net increase or a net decrease in emissions of each air pollutant, or the magnitude of the change.

CARB staff urges the City to revise the air quality analysis and release a revised IS/MND for public review and comment. Should the recirculated IS/MND find, after adequately addressing the deficiencies noted in this letter, that the Project may have a

² "In reviewing an agency's compliance with CEQA...the courts' [evaluate whether the lead agency prejudicially abused its discretion where].... [s]uch an abuse is established 'if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.' [Citation omitted]" (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 426.) Therefore, a lead agency must support its MND and required findings that there is no possibility that the project may have an adverse impact on the environment with substantial evidence.

Christopher Koontz, AICP
July 22, 2019
Page 4

cc: State Clearinghouse
P.O. Box 3044
Sacramento, California 95812

Matt Arms
Acting Director, Planning & Environmental Affairs Bureau
Port of Long Beach
4801 Airport Plaza Drive
Long Beach, California 90815

Morgan Capilla
NEPA Reviewer, Air Division, Region 9
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105

Amy Harbin, Planner
City of Long Beach
Development Services Department
333 West Ocean Boulevard, Fifth Floor
Long Beach, California 90802

Andrea Hricko, MPH
Keck School of Medicine (ret.)
University of Southern California
ahricko@hsc.usc.edu

Lijin Sun
Program Supervisor - CEQA
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Taylor Thomas
East Yard Communities for Environmental Justice
2317 South Atlantic Boulevard
Commerce, California 90040

Stanley Armstrong
Air Pollution Specialist
Transportation and Toxics Division

Christopher Koontz, AICP
July 22, 2019
Page 3

significant and unavoidable impact on the environment, the City must prepare and circulate a draft Environmental Impact Report for public review, as required by CEQA.

If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd". The signature is written in a cursive, flowing style.

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

cc: See next page.

From: [Stewart, Ana@ARB](mailto:Stewart.Ana@ARB)
Cc: [Armstrong, Stanley@ARB](mailto:Armstrong.Stanley@ARB); ahricko@hsc.usc.edu
Subject: CARB Comments - Long Beach Cruise Terminal Improvement Project SCH#2019069085
Date: Thursday, July 25, 2019 11:36:25 AM
Attachments: [image001.png](#)
[CARB Comments - Long Beach Cruise Terminal Improvement Project - 7.22.19.pdf](#)

Good morning,

Attached is your courtesy copy of the comment letter that TTD submitted on the Long Beach Cruise Terminal Improvement Project Initial Study/Mitigated Negative Declaration. The Project consists of marine and onshore improvements to the Long Beach cruise terminal to accommodate a new and larger Carnival cruise vessel. The new cruise vessel will replace two cruise vessels currently operating at the Long Beach Cruise terminal.

The letter was emailed to the City of Long Beach on July 22, 2019 and courtesy copies will be mailed and emailed out later this morning. The comment letter has also been posted on the CARB's external website and may be accessed via the following link:

<https://ww3.arb.ca.gov/toxics/ttdceqalist/longbeachcruiseterminalimprovement.pdf>.

Thank you.

Best,

Ana Stewart

Risk Reduction Branch

Transportation and Toxics Division

1001 I Street Sacramento, CA 95814

916.322.7467 | ana.stewart@arb.ca.gov



APPENDIX A2

**Comments from Organizational Groups on City of Long Beach
NOI/IS/MND and its recirculated version**

**Coalition for Clean Air
Communities for a Safe Environment
Community Dreams
Concerned Academics from USC and UCLA
DSA Long Beach: Climate and Environmental Justice Committee
East Yard Communities for Environmental Justice
Long Beach Alliance for Children with Asthma
Long Beach 350**

**COMMENTS TO THE CITY OF LONG BEACH ON THE
REVISED MITIGATED NEGATIVE DECLARATION
CONCERNING THE
LONG BEACH CRUISE TERMINAL IMPROVEMENT PROJECT**

Date: September 26, 2019

Dear City of Long Beach (Amy Harbin, AICP, Project Manager:
LBDS-EIR-Comments@longbeach.gov)
and Port of Long Beach (Rick Cameron; Heather Tomley and Matthew Arms)

Re: City of Long Beach Revised Mitigated Negative Declaration regarding the Long Beach Cruise Terminal Improvement Project

We respectfully submit these comments to both the City of Long Beach (LB) and Port of Long Beach (POLB) because (1) there are jurisdictional issues between the two entities and (2) we are concerned about adherence to the POLB's Clean Air Action Plan (CAAP) and the accuracy of POLB's Emissions Inventories, which are led by/conducted by POLB. The California Environmental Quality Act (CEQA) documents referenced above were submitted for consideration by the City of LB.

The following comments are regarding the proposed "Long Beach Cruise Terminal Improvement Project" that would allow the largest class of Carnival ships in the world to dock at the POLB cruise terminal. Our previous comments are attached.

As background, we again note that the proposed cruise terminal *improvement* project follows the 2017-2018 cruise terminal *renovation* project, which – according to Carnival –

more than doubled the size of the cruise terminal and enhanced its capabilities to allow larger ships to plug in to electricity. That renovation project was completed with two CEQA “exemptions” – one submitted by the City of LB and another by the POLB.

We are concerned the Carnival Panorama is already taking cruise bookings starting in December of this year out of Long Beach and that Carnival’s urgency may be playing a role in the time-limited process. For the Panorama to operate out of the Long Beach Cruise Terminal starting less than six months from now, this project (with its flawed revised MND) would have to start construction and dredging immediately. Carnival’s timeline should not control the CEQA process. In addition, we note that Carnival has made two donations (2017 & 2018) to the Mayor of Long Beach’s Education Fund, with one donation displayed by the press in a joint Carnival-City of LB announcement about the first cruise ship terminal expansion project.

Most importantly, we believe that, for a variety of reasons, the air quality analysis performed by the City is faulty and needs to be redone, taking into account complaints raised by the California Air Resources Board (CARB) in its comment letter on July 22, 2019 and its latest comment letter. We also offer a Power Point Presentation in support of our questioning whether the POLB and the City of LB chose different air quality baselines to support their decisions to allow the Carnival Splendor to home berth in LB – and the future Carnival Panorama to home berth in LB.

We also note our surprise that the POLB 2018 Emissions Inventory published this month fails to note that emissions at the LB Cruise Terminal went up in 2018 when the Carnival Splendor, which is highly polluting since it does not plug in to electricity, was suddenly brought back to Long Beach and allowed to home berth there, replacing a cleaner ship that did plug in to shore power. To us, this seems like a serious omission and makes us question the methods used in the inventory that would allow failure to mention this.

OUR REQUESTS:

1. First and foremost, we again ask the revised MND be withdrawn and that the air quality analysis be redone, considering the problems detailed in our comments and those of the CARB. If the project is shown to have a significant impact on the environment, then we request that the City prepare and circulate for comment a Draft Environmental Impact Report (DEIR), as required by CEQA.
2. We are concerned about the fact that the largest Carnival Cruise ship in the world will be home-berthed in the future at the Long Beach Cruise Terminal if this project is approved. That ship is the Panorama, owned by Carnival Cruise Lines – a shipping line that has the worst environmental record for cruise ships in the world. (*See attachments to our original comments*). We request that the long-

term future of excess emissions and other environmental issues at the Long Beach Cruise Ship terminal with Carnival ships be diligently scrutinized by staff at the POLB who have more significant expertise in this area, in light of the size of the ship that would be home-berthed in LB for years to come and the egregious environmental record of Carnival.

3. We request that any revision to the IS/MND or a DEIR reconsider the way the City of LB has selected an air quality baseline. There are several different issues that indicate the comparison of the Panorama's future emissions to the Splendor's current emissions is inappropriate.
 - a. The baseline the City selected is for the previous two years, 2018-2019, after the first Cruise Ship Terminal renovation project was completed and after arrival of the polluting Carnival Splendor, which does not plug into electricity. For five years (2013-2017) prior to arrival of the Splendor, emissions were much lower than during 2018-2019.
 - b. The POLB received a CEQA exemption for the cruise terminal renovation in 2016 arguing that the Splendor had previously been berthed at the Cruise Terminal from 2010-2012. Thus – the City of LB compared emissions for the *current terminal improvement project* with the previous two years, but the POLB compared emissions for the *renovation project* to those six years earlier when the Splendor docked there. We would argue that the City and the Port cannot just choose a “baseline” that gives them the most desirable result for their aim. The City in its revised MND cites various legal cases and argues that the correct baseline to choose is the most recent one that reflects “current conditions.” Under that approach, did the POLB in 2017 illegally choose a baseline from years earlier so that it could manipulate results? Had the City of LB used that same approach for this project, it could have compared the Panorama emissions to those from 2013-2017, when all ships plugged into electricity. But a bigger question is – isn't it the responsibility of a government agency to choose a baseline that is NOT MISLEADING. We argue that both the POLB in its CEQA exemption in 2017 and the City of LB in its MND in 2019 are choosing misleading baselines for its CEQA analysis.
 - c. New CARB rules will require greater use of shore power – and therefore, the Splendor would have to be moved to another location or be outfitted with shore power capabilities by January 2020, meaning that any comparison between future Panorama emissions and current Splendor emissions is faulty because the Splendor could not continue to operate at the LB Cruise Terminal after 2020 without shore power. For that reason alone, the air quality analysis needs to be redone. Please see both sets of CARB comments on this issue.

4. We believe that mitigation measures are going to be required when the air quality analysis is revised. Therefore, we request that the City of LB mandate (rather than have as voluntary) that the Panorama follow the VSR rules.
5. We request that if the revised air quality analysis shows that mitigation measures will be required, the Panorama be mandated to plug in to electricity during all visits and that this be included in the draft EIR.
6. Further, if a revised air quality analysis shows that the Panorama's arrival will increase pollution, then the goals of the Clean Air Action Plan will be undermined and there will be additional health risks. The short- and long-term effects of exposure to high levels of ambient air pollution on children in port adjacent communities is a major concern based on a large body of research documenting associations between exposure to diesel pollution from transportation-related sources and illness. *(See list of references about the health effects of diesel exhaust at this URL: <https://envhealthcenters.usc.edu/infographics/infographic-living-near-diesel-exhaust/references-living-near-diesel-exhaust>). For Long Beach residents, in particular, this concern is evident in the 2011 Los Angeles County Health Survey, which found an estimated 13.3% of children with current prevalence of asthma, higher than the County at 9%. (<http://www.publichealth.lacounty.gov/ha/hasurveyintro.htm>) Increased port operations is a boon for the economy but there are also fiscal and quality of life burdens to the health of fence line communities – particularly children whose lungs are still developing.*
7. We request that any documents that are redone on the air quality analyses also re-evaluate the GHG emissions for the Terminal Improvement Project and if they are higher than they were previously that the City of LB include any increases in its Climate Action and Adaptation Plan (CAAP) Greenhouse Gas (GHG) Inventory, for baseline purposes, anticipated GHG emissions from the berth and operation of the Carnival Panorama (which according to Carnival's website, is already being booked for Long Beach to Mexico cruises starting in December 2019). As knowledge of the Panorama has already been available to the City prior to the release of the GHG inventory, and the Panorama is to begin operation prior to the 2020 anticipated adoption of the City's CAAP, omission of the ship's emissions would mislead trajectories, making net zero emissions targets more difficult to achieve. To ignore and omit these GHG emissions simply due to CAAP protocol cut-off dates would be irresponsible.
8. We believe that the dredging for this project should be subject to a full DEIR especially regarding the proposed mitigation for biological impacts – impacts to marine mammals and birds in particular. In addition, this dredging will be conducted for the benefit of Carnival Corporation in order for it to bring in its largest ship. Carnival Corporation has a criminal record and the cruise line's

behavior over the past decade or more indicates lack of care for the environments or communities in which its ships travel. The dredging provides a huge subsidy to Carnival Corporation with fewer benefits to the Long Beach region, especially in light of past pollution for which the community has not been made whole. The City of LB should not be subsidizing the dredging for this project and the environmental impacts from this activity require the higher scrutiny of an DEIR and serious consideration by the Coastal Commission. (See *newly submitted comments from CARB re the California Coastal Commission; Friends of the Earth action alert; and news story from the U.S. Department of Justice, attached*).

CHRONOLOGY OF THE LONG BEACH CRUISE TERMINAL RELEVANT TO THE AIR QUALITY ANALYSIS

Prior to 2010

Three Carnival ships were operating: Carnival Inspiration, Imagination and Miracle. All plugged in to electricity.

2010-2012

The Miracle was replaced by the much larger Carnival Splendor which begins operating out of the LB Cruise Terminal – not plugging in to electricity. The ship had a major fire in 2010 requiring it to be out of operation for 1+ month in 2010 and 2+ months in 2012. 2013: Carnival Splendor leaves for a home berth in NYC.

2013 – 2017

Three Carnival Cruise Line ships operate cruises out of Long Beach, Carnival Inspiration, Carnival Imagination and Carnival Miracle. All three ships are capable of plugging in to electricity.

2016

In late 2016, Carnival announces a massive renovation to occur at the cruise terminal during 2017 and 2018, with a celebration attended by the Mayor of Long Beach and Carnival executives. Carnival says that the terminal would more than double in size and make accommodations for larger ships to “plug in” to electricity after the renovation is completed.

All three other Carnival Cruise ships (Imagination, Inspiration and Miracle) continue to operate at the cruise terminal but Carnival announces that the Splendor will be returning. (See *Carnival press release and advertisement in previous comments, attached*).

2017-2018

On July 11, 2019, Andrea Hricko submitted a request for any CEQA documents about the cruise terminal renovation during 2017 - 2018 to both the POLB and City of LB. She received a response from Heather Tomley (POLB) stating that the POLB had received a CEQA exemption for that project – meaning there were no estimated significant impacts of the project.

We learned from POLB that environmental staff had taken into account that the Splendor had previously docked at the LB Cruise Terminal from 2010-2012 – and that POLB concluded that pollution levels would not be higher than it was when Splendor had docked there earlier. For the CEQA exemption, in other words, the POLB did not compare future emissions to the most recent situation of lower emissions – but instead “reached back” to several years earlier when the Splendor had been operating.

Ms. Tomley also told PRA requestor Andrea Hricko that in 2017 the City of LB received a CEQA exemption for the shore power station enlargement.

The Cruise Terminal Renovation was completed in 2018.

February 2018

The renovation is completed. For reasons we do not know, the cruise ship Carnival Miracle is sent elsewhere and is replaced by the Carnival Splendor which starts coming to Long Beach. Splendor does NOT plug in to electricity when at berth, which the Miracle did.

Neither the POLB nor the City of LB tells the public that the arrival of the Splendor would increase emissions at the newly renovated terminal. The result: an “improved terminal,” but with more pollution.

In Feb. 2018, Carnival announces that it is going to bring the Carnival Panorama to Long Beach.

June 2019

City of Long Beach releases a Mitigated Negative Declaration (MND) for a new “terminal improvement project” at the Cruise terminal.

The MND concludes that there would be a positive impact on air emissions because the Carnival Panorama would replace the Carnival Splendor, which has created significant pollution because it does not plug in to electricity. Panorama can plug in to shore power. CEQA documents claim there would be “less pollution” once the Panorama arrives. But they fail to say that the pollution would be higher than it had been during the 5 years prior to the arrival of the polluting Splendor ship.

The City of LB and POLB cannot have it both ways. In 2016, it sought a CEQA exemption and went “back” for a baseline to 5-6 years earlier. In this case, the City of LB has chosen a more favorable recent baseline that show high emissions from the Carnival Splendor during 2018 – 2019 and lower emissions after the Panorama arrives.

June 2019

The Coalition for Clean Air, Friends of the Earth, and Andrea Hricko of USC/UCLA Concerned Academics each request an extension of the 30-day comment period concerning the MND for the Cruise Terminal Improvement Project, which the City of Long Beach denied. We learn that the CARB also requested an extension of the comment period and were denied.

A large group of environmental justice, environmental and community groups and concerned academics submit their comments to the City of Long Beach on the NOI/IS/MND.

July 2019

The revised MND is released, with apparently few changes from the original. The City argues that it could not “cherry pick” the baseline – that legally it is required to compare the project to the existing conditions.

Under that approach, it would have been illegal for the Port of Long Beach to “cherry pick” a 5-year earlier baseline when it sought a CEQA exemption for the Splendor to return to the POLB in 2018.

Would it not be better to use the theory of choosing a baseline that is not “misleading” to the public?

Major unanswered questions

- 1) Who is in charge here?
 - The City of LB
 - The POLB or
 - Carnival Cruise Lines?
- 2) Doesn't it seem like someone is using the Carnival “Splendor” as a pawn in this process?
 - * definition of “pawn:” “something manipulated and used by others”
 - * *We note that Carnival announced in 2017 that the Splendor would be returning in February 2018. A few months after the [polluting] Splendor's return, Carnival announced it was planning to bring in the [much cleaner] Panorama. One might wonder if this was a clever way to allow using the Splendor for the CEQA baseline, i.e., another way of “cherry-picking” [or manipulating] the baseline to claim that emissions would be lower after the Panorama arrived.*

OUR MAJOR REQUEST

Finally, we again reiterate our request that the CEQA analysis for air quality be redone and resubmitted for public comment in a reissued and recirculated CEQA document and that our other requests be considered, including a review by the California Coastal Commission.

Thank you.

Signatories:

Coalition for Clean Air

Jerilyn Mendoza, Policy Director

Communities for a Safe Environment

Jesse Marquez, Executive Director

Community Dreams

Ricardo Pulido, Executive Director

Concerned academics at USC and UCLA:

Andrea Hricko, Prof. Emerita, USC Keck School of Medicine

John Froines, Prof. Emeritus, Fielding UCLA School of Public Health

Ed Avol, Professor, USC Keck School of Medicine

Rob McConnell, Professor, USC Keck School of Medicine

DSA Long Beach Climate and Environmental Justice Committee

Kirsten Lanham, Organizer

East Yard Communities for Environmental Justice

Taylor Thomas, Research and Policy Analyst

Long Beach Alliance for Children with Asthma

Sylvia Betancourt, Project Manager

Long Beach 350

Alice Stevens, Co-founder and organizer

Attachment to comments submitted by multiple groups
*Powerpoint presentation by Andrea Hricko,
Professor Emerita, USC Keck School of Medicine
Sept. 26 , 2019*

Submitted to City of Long Beach as an attachment to comments on
the revised NOI/IS/MND
for the Long Beach Cruise Terminal Improvement Project

Cruise Ship Terminal Expansions at Port of Long Beach (POLB)

2010-2012

- Three Carnival ships at berth:
 - Imagination
 - Inspiration
 - Splendor

2013-2017

- Carnival cruise ships home-berthed in Long Beach:
 - Imagination
 - Inspiration
 - Miracle
- All plugged into electricity

2017

- January 2017: City of Long Beach requests and receives a CEQA exemption for enhancements to electrical power facilities at the Cruise Terminal
- April 2017: City of Long Beach starts to enlarge Cruise Terminal to better accommodate Carnival ships
 - Carnival donates \$25,000 to Mayor's Education Fund
- April 2017: POLB requests and receives a CEQA exemption - after learning that Carnival planned to bring back the Splendor
 - Exemption does not mention that the Splendor will be returning
 - POLB argues the ship had been berthed there before so environmental review of it not needed
 - No public announcement about CEQA nor about return of the polluting ship Splendor

Return of the Splendor ...

* Port of LB - choice of baseline for return of the Splendor

Phone conversation in June 2019 with Friends of the Earth, Coalition for Clean Air and USC professor emerita Hricko, and Port of Long Beach staff

- POLB staff told the group that internally they reasoned that the arrival of the Splendor did not require an environmental review because the ship had been berthed at the POLB before
 - POLB therefore “reached back” or “cherry-picked” the years 2010-2011 as “baseline” - jumping over 5 much cleaner years
 - If they had selected the existing conditions as “baseline” they would have needed an environmental analysis of the Splendor - because the existing conditions had lower emissions than when the Splendor arrived

- Nov. 2017: Carnival announces Splendor will be back in LB in Feb. 2018
 - It does not plug into electricity so there will be much more pollution than during the previous 5 years

2018

Feb. 2018 Carnival brings the [polluting] Splendor back to LB

Feb. 2018 Carnival announces it wants to further expand LB cruise terminal so that it can accommodate the largest cruise ship in world: the Panorama

<https://www.usatoday.com/story/travel/cruises/2018/02/11/rare-move-carnival-cruise-line-base-new-ship-california/327130002/>

- Aug. 2018: Carnival donates another \$25,000 to the Mayor of LB's Education Fund; not reported until May 2019.



Carnival plans a float for Rose Parade to kick off plans for the Panorama and for a major cruise ship terminal expansion – 7 months before City of LB announces it!

Nov. 26, 2018:

- *“Carnival Cruise Line will kick off its 2019 West Coast expansion plans*
 - *on New Year’s Day with its first-ever float in the world-famous Rose Parade as part of a year-long celebration of its first new ship to homeport in California in 20 years that will arrive in December 2019.”*
 - <https://www.travelpulse.com/news/cruise/carnival-to-kick-off-year-long-celebration-of-new-carnival-panorama.html>
- *NOTE: City of Long Beach did not announce expansion plans in the form of a Notice of Intent/Mitigated Negative Declaration until June 2019 – 7 months later.*

CEQA ... for LB Cruise Terminal Improvement

- June 2019: NOI/IS/MND issued. City of LB's analysis compares what the pollution will be like from the huge Carnival Panorama after it arrives in 2019 and plugs into electricity... to what emissions were in 2018/2019 with the polluting Splendor
 - Some commenters on the NOI/MND argued that the City should have compared future Panorama pollution to the recent 5 year period when pollution levels were lower -- before the Splendor suddenly reappeared
- In August 2019, the City of LB in revised NOI/MND says that legally it has to choose the most recent year for the baseline comparison
 - Going back would be "cherry-picking," City claims
- Using that argument, doesn't it mean that POLB's earlier choice to "go back more than 5 years" for a baseline comparison when the Splendor arrived "cherry-picking" and illegal?
 - That is, should the POLB's CEQA exemption not have been granted to allow the polluting Splendor to dock?

The Splendor ... seems like a “playing card”

- 2017: The Splendor is very polluting.... but Carnival wants it to dock again in L.A. SO the POLB gets a CEQA exemption because “.... it used to be here a number of years before,” essentially arguing that the increase in pollution is okay because the Splendor docked in LB years earlier
- A year later, when Carnival wants to replace the Splendor with the largest cruise ship in the world, the City of Long Beach argues how much cleaner that new ship will be because it plugs into electricity - compared to that filthy diesel trap, the Splendor!!
- Our conclusion: The Panorama’s future emissions should be compared for baseline purposes to the 5 years before the Splendor arrived, 2013-2017.
 - The City of LB should not be able to take advantage of the situation that for one year an extremely polluting ship, the Splendor, was allowed to dock with a faulty Port of LB argument that cherry picked a baseline and allowed granting of a CEQA Exemption.

Another possible scenario? -- Make it convenient to show emission reductions when the Panorama arrived. Re-look at timeline....

- Nov. 2017 Carnival announces it is bringing back its ship the Splendor to Long Beach
 - Why?
 - No reasons offered
 - Splendor is highly polluting; large ship that does not plug into electricity to replace a ship that DOES plug in
- Feb. 2018 The polluting Carnival Splendor arrives in Long Beach
- Feb. 2018 Carnival announces that its largest cruise ship in the world is going to be home-berthed in Long Beach and that the Panorama will plug into shore power
- June 2018: City of LB argues the Panorama will have fewer emissions than the Splendor

Timeline and selection of baseline

POLB reaches back to 2010-11 for baseline for Splendor's CEQA exemption saying Splendor "was here before"

City of LB selects this dirty year as baseline to show Panorama will be cleaner



2010-2011

2013

until

2017

2018-2019

Polluting
Splendor
berthed at
POLB with
cleaner
Imagination &
Inspiration

- * Carnival Imagination, Inspiration and Miracle ships all berthed at POLB
- * This Commenter argues these 5 years should constitute City of LA NOI/MND baseline; all 3 ships plugged into shore power **for 5 years** before Splendor returned!

Polluting
Splendor returns
with POLB CEQA
exemption; does
not plug into
shore
power

NOI/
MND for
LB Cruise
Terminal
Expansion
Project
to allow
Panorama
to berth at
POLB

Coalition for Clean Air
East Yard Communities for Environmental Justice
Friends of the Earth
Coalition for a Safe Environment
Community Dreams
Long Beach Alliance for Children with Asthma
Long Beach 350
DSA Long Beach Climate and Environmental Justice Committee
Concerned Academics from USC and UCLA

**Comments to the City of Long Beach and Port of Long Beach
about the “Long Beach Cruise Terminal Improvement Project’s”
Notice of Intent and
CEQA Mitigated Negative Declaration Posted on June 22, 2019 and
found at the following URL links:
[NOI](#) and [MND NEG NEC](#)**

Date: July 22, 2019

Dear City of Long Beach (Amy Harbin, AICP, Project Manager:
LBDS-EIR-Comments@longbeach.gov)
and Port of Long Beach (Rick Cameron; Heather Tomley and Matthew Arms)

We respectfully submit these comments to both the City of Long Beach (LB) and Port of Long Beach (POLB) because there are jurisdictional issues between the two entities and because we are concerned about adherence to the POLB’s Clean Air Action Plan (CAAP) and the accuracy of POLB’s Emissions Inventories, which are led by/conducted by the Port of Long Beach. These CEQA documents were submitted for consideration by the City of Long Beach.

The following comments are regarding the proposed “Long Beach Cruise Terminal Improvement Project” that would allow the largest class of Carnival ships in the world to dock at the POLB cruise terminal.

Several groups wrote to the City of Long Beach requesting an extension of the Comment Period on this proceeding – and were summarily denied.

As background, we note that the proposed cruise terminal *improvement* project follows the 2017-2018 cruise terminal *renovation* project, which – according to Carnival – more than doubled the size of the cruise terminal and enhanced its capabilities to allow larger ships to plug in to electricity. That renovation project was completed with an “exemption” from CEQA filed by POLB. (See *news story and Carnival advertisement about the new terminal in the Attachments at end of this document*).

We are concerned the Carnival Panorama is already taking cruise bookings starting in December out of Long Beach and that Carnival’s urgency may be playing a role in the City of LB’s decision to not grant extensions for the comment period. For the Panorama to operate out of the Long Beach Cruise Terminal starting less than six months from now, this project (with its flawed MND) would have to start construction and dredging immediately. Carnival’s timeline should not control the CEQA process.

OUR REQUESTS:

1. First and foremost, we ask the MND be withdrawn and that the air quality analysis be redone, considering the problems detailed in our comments. If the project is shown to have a significant impact on the environment, then we request that the City prepare and circulate for comment a Draft Environmental Impact Report, as required by CEQA.
2. We (again) request an extension of the comment period in order to remedy the failure to notify the public during the current 30-day comment period.
 - a. In our comment extension requests, we pointed out that the NOI was flawed because its URL for reading the CEQA documents was inaccurate. We requested that it be fixed. We noted that as of July 13, the URL had been fixed, but we believe it was inaccurate for more than a week or possibly two weeks after publication of the NOI.
 - b. Subsequently, we have noticed that the email for comments ALSO contains an error – an extra space which makes the email unsendable. As noted above, the email address in the NOI for comments is noted as LBDS-EIR-Comments @longbeach.gov) with an extra space before the @ sign, thereby making it unsendable. This is another sloppy mistake in a legal document, making it difficult for many commenters to figure out how to comment.
3. We are concerned about the fact that the largest Carnival Cruise ship in the world will be home-berthed in the future at the Long Beach Cruise Terminal if this project is approved. That ship is the Panorama, owned by Carnival Cruise Lines – a shipping line that has the worst environmental record for cruise ships in the world. (See *attached alert sent by Friends of the Earth and U.S. Justice Department press release regarding criminal charges against Carnival*). We

request that the long-term future of excess emissions and other environmental issues at the Long Beach Cruise Ship terminal with Carnival ships be diligently scrutinized, in light of the size of the ship that would be home-berthed in LB for years to come and the egregious environmental record of Carnival. (See *CruiseLawNews newstory, attached*)

4. We request that any revision to the IS/MND or a DEIR reconsider the way the City of LB has selected a baseline. There are several different issues that indicate the comparison of the Panorama's future emissions to the Splendor's current emissions is inappropriate.
 - a. The baseline the City selected is for the previous two years, 2018-2019, after the first Cruise Ship Terminal renovation project was completed and after arrival of the polluting Carnival Splendor, which does not plug into electricity. For five years (2013-2017) prior to arrival of the Splendor, emissions were much lower than during 2018-2019. The POLB received a CEQA exemption for the cruise terminal renovation in 2016 because the Splendor had previously been berthed at the Cruise Terminal from 2010-2012. Thus – the City of LB compared emissions for the *current terminal improvement project* with the previous two years, but the POLB compared emissions for the *renovation project* to those six years earlier when the Splendor docked there. We would argue that the City and the Port cannot just choose the “baselines” which give them the best result.
 - b. New CARB rules will require greater use of shore power – and therefore, the Splendor would have to be moved to another location or be outfitted with shore power capabilities, meaning that any comparison between future Panorama emissions and current Splendor emissions is faulty because the Splendor could not continue to operate at the LB Cruise Terminal after 2020 without shore power. For that reason alone, the air quality analysis needs to be redone.
5. We believe that mitigation measures are going to be required when the air quality analysis is revised. Therefore, we request that the City of LB mandate (rather than have as voluntary) that the Panorama follow the VSR rules. Without providing any explanation, Appendix B shows that the Carnival Panorama does not plan on meeting the VSR voluntary rules at the 40 nm location. We note that the Port of Los Angeles (POLA) requires cruise ships to provide detailed analyses analyzed by Port staff about cruise ship claims that “going faster” = lower emissions. Why is the City of Long Beach simply accepting that the Panorama will go 15 knots in the 40 nm area when coming in and out of port? An modeling of emissions must be presented by Carnival, analyzed by POLB/City of Long Beach and the full air analysis redone and resubmitted for comment. POLB staff have more expertise in analyzing such documents than do City of LB staff.

6. We request that if the revised air quality analysis shows that mitigation measures will be required, the Panorama be mandated to plug in to electricity during all visits and that this be included in the draft EIR.
7. POLB planning to finish its 2018 Emissions Inventory in October of 2019. We request that the POLB include in that Emissions Inventory information showing that emissions at the LB Cruise Terminal went up dramatically in 2018-2019 when the Carnival Splendor was allowed to home berth there.
8. We request that any documents that are redone on the air quality analyses also redo the GHG emissions for the Terminal Improvement Project and if they are higher than they were previously that the City of LB include any increases in its Climate Action and Adaptation Plan (CAAP) Greenhouse Gas (GHG) Inventory, for baseline purposes, anticipated GHG emissions from the berth and operation of the Carnival Panorama (which according to Carnival's website, is already being booked for Long Beach to Mexico cruises starting in December 2019). As knowledge of the Panorama has already been available to the City prior to the release of the GHG inventory, and the Panorama is to begin operation prior to the 2020 anticipated adoption of the City's CAAP, omission of the ship's emissions would mislead trajectories, making net zero emissions targets more difficult. To ignore and omit these GHG emissions simply due to CAAP protocol cut-off dates would be irresponsible.
9. We believe that the dredging for this project should be subject to a full EIR especially regarding the proposed mitigation for biological impacts – impacts to marine mammals and birds in particular. In addition, this dredging will be conducted for the benefit of Carnival Corporation in order for it to bring in its largest ship. Carnival Corporation has a criminal record and the cruise line's behavior over the past decade or more indicates lack of care for the environments or communities in which its ships travel. The dredging provides a huge subsidy to Carnival Corporation with fewer benefits to the Long Beach region, especially in light of past pollution that the community has not been made whole for. The City of Long Beach should not be subsidizing the dredging for this project and the environmental impacts from this activity require the higher scrutiny of an EIR. (*See Friends of the Earth action alert and news story from the U.S. Department of Justice, attached*).

DETAILED COMMENTS RE BASELINE COMPARISONS AND CONCERNS ABOUT HEALTH EFFECTS OF POTENTIALLY INCREASED AIR POLLUTION

The comments below primarily address the City of Long Beach's argument that air pollution will decrease as a result of the Carnival Panorama replacing the Carnival Splendor, which has been home-berthed at the terminal only since February 2018 and which the POLB allowed to regularly dock at the terminal despite the fact that it does not plug in to electricity. As noted above, we believe that this is an inappropriate comparison for an emissions analysis.

A more accurate comparison is between what the emissions from the cruise terminal are expected to be if the Panorama is home-berthed there along with the Inspiration and the Imagination and what the level of emissions were between 2013-2017, before the highly polluting Splendor was allowed to "home-berth" there (without any environmental evaluation or notice to the public). During 2013-2017, there were three Carnival ships operating out of the Cruise Terminal and all plugged into electricity: Imagination, Inspiration and Miracle.

We argue that it is inappropriate for the POLB/City of LB to fail to notify the public or do a CEQA evaluation about a terminal renovation project in 2017-2018 that was followed immediately by Carnival's introduction of a highly polluting cruise ship – and then turn around and claim CEQA "benefits" in reducing air pollution when that polluting ship (the Splendor) leaves less than two years later!

Further, if a revised air quality analysis shows that the Panorama's arrival will increase pollution, then the goals of the Clean Air Action Plan will be undermined and there will be additional health risks. The short- and long-term effects of exposure to high levels of ambient air pollution on children in port adjacent communities is a major concern based on a large body of research documenting associations between exposure to diesel pollution from transportation-related sources and illness. (*See list of references about the health effects of diesel exhaust at this URL:*

<https://envhealthcenters.usc.edu/infographics/infographic-living-near-diesel-exhaust/references-living-near-diesel-exhaust>). For Long Beach residents, in particular, this concern is evident in the 2011 Los Angeles County Health Survey, which found an estimated 13.3% of children with current prevalence of asthma, higher than the County at 9%.

(<http://www.publichealth.lacounty.gov/ha/hasurveyintro.htm>) Increased port operations is a boon for the economy but there are also fiscal and quality of life burdens to the health of fence line communities – particularly children whose lungs are still developing.

CHRONOLOGY OF THE LB CRUISE TERMINAL RELEVANT TO THE AIR QUALITY ANALYSIS

Prior to 2010

Three Carnival ships were operating: Carnival Inspiration, Imagination and Miracle. All plugged in to electricity.

2010-2012

The Miracle was replaced by the much larger Carnival Splendor which begins operating out of the LB Cruise Terminal – not plugging in to electricity. The ship had a major fire in 2010 requiring it to be out of operation for 1+ month in 2010 and 2+ months in 2012. 2013: Carnival Splendor leaves for a home berth in NYC.

2013 – 2017

Three Carnival Cruise Line ships operate cruises out of Long Beach with the following vessel weights: Carnival Inspiration (70 G tons of weight); Carnival Imagination (70 G tons of weight) and Carnival Miracle (86 G tons of weight). We do know emissions from the Miracle, so in the graph below we are showing the Miracle as having somewhat higher daily NO_x emissions. We note that the Miracle goes on 13/14-day cruises as opposed to 3-4 day cruises for the other two ships – and therefore is not in port as often. All three ships apparently are capable of plugging in to electricity.

The CEQA table below combines the emissions for the Carnival Inspiration and Carnival Imagination. The bar chart below compares NO_x peak daily emissions for each Carnival ship being considered in this document.

2016

In late 2016, Carnival announces a massive renovation to occur at the cruise terminal during 2017 and 2018, with a celebration attended by the Mayor of Long Beach and Carnival executives. (*See attachments*). Carnival says that the terminal would more than double in size and make accommodations for larger ships to “plug in” to electricity after the renovation is completed.

All three other Carnival Cruise ships (Imagination, Inspiration and Miracle) continue to operate at the cruise terminal but Carnival announces that the Splendor will be returning. (*See Carnival press release and advertisement*).

The POLB applies for a CEQA exemption for the Cruise Terminal Renovation (with no public announcement at the time). We learn about the CEQA exemption in 2019.

2017-2018

Cruise Terminal Renovation underway and completed in 2018. On July 11, 2019, Andrea Hricko submitted a request for any CEQA documents about the terminal renovation during 2017 - 2018 to both the POLB and City of LB. She received a

response from Heather Tomley (POLB) stating that the POLB had received a CEQA exemption for that project – meaning there were no estimated significant impacts of the project.

We learned from POLB that environmental staff had taken into account that the Splendor had previously docked at the LB Cruise Terminal from 2010-2012 – and that POLB concluded that pollution levels would not be higher than it was when Splendor had docked there earlier. For the CEQA exemption, in other words, the POLB did not compare future emissions to the most recent situation of lower emissions – but instead to several years earlier when the Splendor had been operating.

February 2018

The renovation is completed. The cruise ship Carnival Miracle is sent elsewhere and is replaced by the Carnival Splendor which starts coming to Long Beach. Splendor does NOT plug in to electricity when at berth, which the Miracle did.

Neither the POLB nor the City of LB tells the public that the arrival of the Splendor would increase emissions at the newly renovated terminal. The result: an “improved terminal,” but with more pollution.

June 2019

City of Long Beach releases a Mitigated Negative Declaration for a new “terminal improvement project” at the Cruise terminal.

The MND concludes that there would be a positive impact on air emissions because a ship called the Carnival Panorama would replace the Carnival Splendor, which has created significant pollution because it does not plug in to electricity. Panorama can plug in to shore power. CEQA documents claim there would be “less pollution” once the Panorama arrives. But they fail to say that the pollution would be higher than it had been during the 5 years prior to the arrival of the polluting Splendor ship.

The City of LB and POLB cannot have it both ways. In 2016, it sought a CEQA exemption and went “back” for a baseline to 5-6 years earlier. In this case, the City of LB has chosen a more favorable recent baseline that show high emissions from the Carnival Splendor during 2018 – 2019 and lower emissions after the Panorama arrives.

June 2019

The Coalition for Clean Air, Friends of the Earth, and Andrea Hricko of USC/UCLA Concerned Academics each request an extension of the 30-day comment period concerning the Mitigated Negative Declaration (MND) for the Cruise Terminal Improvement Project, which the City of Long Beach denied. We learn that the California Air Resources Board also requested an extension of the comment period and were denied.

July 2019

We ask the POLB why staff requested an Exemption from CEQA on the 2017-2018 renovation and learned that they considered the fact that the Carnival Splendor (which came back to the LB Cruise Terminal in 2018-2019) had earlier been berthed at the POLB LB Cruise Terminal (during 2010-2012).

Below we show maximum peak operations daily NO_x emissions by years of different ships operating (estimated for the Miracle).

Table I below is from the Draft Initial Study/Mitigated Neg Dec and Application Summary Report with calculations by the Port of LB and an environmental consultant. Table I aims to show that there will be DECREASE in pollution at the Long Beach Cruise Terminal in the future when compared to 2018-2019, when the polluting Carnival Splendor was allowed to home-berth there.

Table 1. CEQA document table showing Peak Daily Operation Emissions when Carnival Splendor is operating compared to when the Panorama arrives and (and after Splendor leaves)



LONG BEACH CRUISE TERMINAL IMPROVEMENT PROJECT
Draft Initial Study/Mitigated Negative Declaration and Application Summary Report

Table 4.3-4
Peak Daily Operation Emissions

Emissions Source	Pollutant (pounds/day) ¹					
	PM ₁₀	PM _{2.5}	NO _x	SO _x	CO	VOC
Existing Cruise Ship Maximum Daily Emissions						
<i>Carnival Splendor</i> Max Day	141	130	6,607	217	596	271
Proposed Project						
<i>Carnival Panorama</i> Max Day	80	73	3,211	122	336	152
<i>Carnival Inspiration/Carnival Imagination</i> Max Day	113	104	5,308	174	479	218
Carnival Panorama Additional Incremental Emissions Sources						
Parking Garage	<1	<1	<1	<1	<1	<1
On-Road Vehicles	21	7	50	1	160	20
Off-Road	<1	<1	1	<1	4	<1
Total Other Carnival Panorama Incremental Emissions	21	7	51	1	164	20
Net Maximum Day Change	-28	-26	-1,299	-43	-117	-53
Net Saturday Change	-40	-50	-3,345	-93	-95	-98
<i>Significance Threshold</i>	150	55	55	150	550	55
<i>Is Threshold Exceeded?</i>	No	No	No	No	No	No
Source: Aspen Environmental Group, Long Beach Cruise Terminal Improvement Project Air Quality and Greenhouse Gas Assessment, Table 6-7, Peak Daily Operation Emissions (lbs/day) - Unmitigated, June 2019; refer to Appendix A .						

Table II below shows peak daily operations emissions of pollutants in pounds/day at Long Beach Cruise Terminal – showing emissions from different Carnival vessels.

**Table II. PEAK DAILY OPERATIONS EMISSIONS OF POLLUTANTS
IN POUNDS/DAY AT LONG BEACH CRUISE TERMINAL
WITH CARNIVAL CRUISE LINE SHIPS**

	Pollutants (pounds/day)					
2013-2017	PM10	PM2.5	NOx	SOx	CO	VOC
Carnival Inspiration/Carnival Imagination combined Max Day (numbers provided in CEQA document)	113	104	5,308	174	479	218
Carnival Miracle (estimated as noted in text as equal to approximately either the Inspiration or Imagination)	57	52	2,654	87	240	109
2018-2019 with Splendor and Imagination and Inspiration (from CEQA document Table 4.3-4)						
Carnival Splendor Max Day	141	130	6,607	217	596	271
Carnival Inspiration/Carnival Imagination Max Day	113	104	5,308	174	479	218
2020 if Terminal Improvement Project goes forward and Panorama is home-berthed (from CEQA document Table 4.3-4)						
Claimed Carnival Panorama Max Day	80	73	3,211	122	336	152
Carnival Inspiration/Carnival Imagination Max Day	113	104	5,308	174	479	218

Panorama incremental emissions from on-road and off-road vehicles	21	7	51	1	164	20

Table III below shows the estimated peak daily operations NOx emissions of each Carnival vessel. Because ships come in and out of the Cruise Terminal on different times and days, it is difficult to do accurate calculations on total emissions per day – in part because of the lack of precise data in the MND. We have instead chosen to show a comparison of NOx estimates among the Inspiration, Imagination, Miracle, Splendor and Panorama for operations at the terminal.

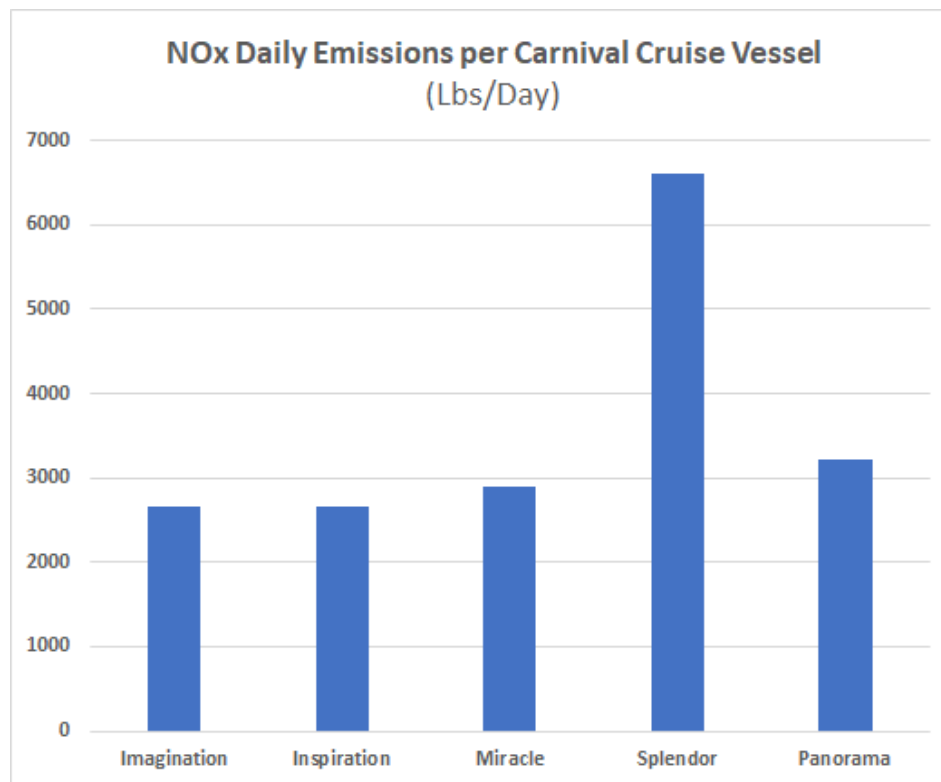


Table III

We note the Panorama weighs 133 GT -- nearly twice as large as either the Imagination and Inspiration (each 70 GT in weight). Even though the new construction of the Panorama means it would have a more efficient engine and therefore lower NOx

emissions, we find it hard to believe that the emissions of such a large vessel are only anticipated to be 1.2 times larger than a vessel half its size.

Panorama NOx emissions: 3211 pounds/day

Imagination NOx emissions: 2654 pounds/day

Difference: 557 more pounds of NOx daily from Panorama – which is only 1.2 times higher than emissions from Imagination or Inspiration, which are each half the size of the Panorama.

We request that in a revised air analysis there be much more detailed information about engine efficiency and estimated emissions so that accurate comparisons can be made and documented.

Finally, we again reiterate our request that the CEQA analysis for air quality be redone and resubmitted for public comment in a reissued and recirculated CEQA document and that our other requests be considered.

Thank you.

Signatories:

Coalition for Clean Air (TBD): Jerilyn Lopez Mendoza, Senior Policy Advocate
(jerilyn@ccair.org)

Concerned Academics from USC and UCLA:

Andrea Hricko, Clinical Professor of Preventive Medicine Emerita, Keck School of Medicine - KSOM (ahricko@usc.edu);

Ed Avol, Clinical Professor of Preventive Medicine, KSOM (avol@usc.edu);

Rob McConnell, Professor of Preventive Medicine, KSOM (rmconne@usc.edu);

John Froines, Professor Emerita of Environmental Health, UCLA Fielding of Public Health (jfroines@ucla.edu)

East Yard Communities for Environmental Justice: Taylor Thomas, Research and Policy Analyst
(taylorteycej@gmail.com)

Friends of the Earth: Marcie Kever, Oceans and Vessels Program Director
(MKeeper@FOE.org)

Long Beach Alliance for Children with Asthma: Sylvia Betancourt, Project Manager
(sbetancourt@memorialcare.org)

Long Beach 350: Alice Stevens, Co-founder and organizer (alicestevens1@gmail.com)

DSA Long Beach Climate and Environmental Justice Committee: Kirsten Lanham
(kirsten.lanham@gmail.com)

Coalition for a Safe Environment: Jesse Marquez, Executive Director
(jnm4ej@yahoo.com)

Community Dreams: Richardo Pulido, Executive Director

=====

ATTACHMENTS

Carnival Cruise Lines press release



Carnival Cruise Line and City of Long Beach Start Renovations at the Long Beach Cruise Terminal

Carnival Foundation donates \$25,000 to the Mayor's Fund for Education

NEWS PROVIDED BY
Carnival Cruise Line

Apr 12, 2017, 16:54 ET

LONG BEACH, Calif., April 12, 2017 /PRNewswire/ -- Carnival Cruise Line marked the beginning of a multimillion-dollar renovation of its Long Beach Cruise Terminal facility to accommodate larger ships and enhance terminal operations. A "FUNstruction" groundbreaking ceremony today included remarks by City of Long Beach Mayor Robert Garcia, President and CEO of Long Beach Convention & Visitors Bureau Steve Goodling and Carnival Cruise Line Vice President Strategic and Commercial Port Development Carlos Torres de Navarra among others.

Carnival unveiled its design plans for the terminal during the celebration. The renovation will increase the space Carnival currently occupies in the terminal facility from approximately 66,000 square feet to 142,000 square feet. The expansion and new design will allow for a dramatically enhanced passenger experience and operational flow within the terminal. In addition, the project includes the expansion of portside "cold-ironing" to enable larger ships to plug into the local electric grid to reduce exhaust emissions while docked. Further enhancements to the area surrounding the geodesic dome which houses the cruise terminal and the adjacent Queen Mary attraction are also planned.

"The start of construction on this project further cements our commitment to the City of Long Beach and the outstanding relationships we have built with the leaders and people of this community," said Carnival's Torres de Navarra. "Our operations bring tremendous economic benefit to this area and expose hundreds of thousands of people a year to this great city. These new terminal enhancements will further grow that positive impact," he added.

Carnival has run the Long Beach Cruise Terminal — the United States' only privately operated cruise terminal — since 2003. It is one of the busiest terminals in North America, with ships docking at the facility five days per week resulting in a more than 70% utilization rate. Carnival has used just a portion of the geodesic dome that housed Howard Hughes' "Spruce Goose" museum attraction for customs and guest check-in activities. The renovation will make 100 percent of the dome available for Carnival's cruise operations.

"The expansion of the Carnival Cruise terminal is great news for Long Beach and great news for visitors to our city," said Long Beach Mayor Robert Garcia. "The added capacity will bring more tourism and economic activity to Long Beach, and we're pleased to continue working with Carnival for many years to come."

Currently, Carnival operates three ships from the Long Beach Cruise Terminal -- Carnival Inspiration and Carnival Imagination, which offer three- and four-day Baja cruises, and Carnival Miracle which operates week-long Mexican Riviera voyages along with 14- and 15-day cruises to Hawaii and Alaska. In 2018 when the

larger Carnival Splendor replaces Carnival Miracle, the line will carry more than 700,000 guests annually from Southern California, operating nearly 250 three- to 14-day cruises a year.

In addition to marking the start of the renovation of the cruise terminal, Torres de Navarra announced a donation of \$25,000 to the Mayor's Fund for Education. The donation, made jointly by Carnival Cruise Line and Carnival Foundation, is part of Carnival Corporation's ongoing support for nonprofit educational and charitable organizations in the homeport communities where its brands operate.

To learn more about Carnival Cruise Line, visit www.carnival.com. For reservations, contact any travel agent or call 1-800-CARNIVAL. Carnival can also be found on: [Facebook](#), [Instagram](#), [Twitter](#) and [YouTube](#).

Journalists also can visit Carnival's media site, <http://www.carnival-news.com/> or follow the line's PR department on Twitter at <http://www.twitter.com/CarnivalPR>.

NEWS STORY IN LB Press Telegram, April 12, 2017

BUSINESS

Carnival launches project to double space at Long Beach facility

•



-
-
- Carnival Cruise Line has begun its project to expand the Long Beach Cruise Terminal facility to accommodate larger ships and enhance its terminal operations. The project will nearly triple the size of Carnival's current terminal facility from 66,000 square feet to 142,000 square feet, using the former Spruce Goose building, according to the cruise line. 2016 file photo. (Chuck Bennett/Press-Telegram/SCNG)



From left, Mayor Robert Garcia and Carlos Torres de Navarra, vice president, commercial port operations for Carnival Cruise Lines, broke through a ceremonial wall to launch a multimillion-dollar renovation of the Long Beach Cruise Terminal facility to accommodate larger ships and enhance terminal operations. Long Beach, April 12, 2017. (Brittany Murray, Press Telegram/SCNG)

By [Courtney Tompkins](#) |

PUBLISHED: April 12, 2017 at 8:05 pm | UPDATED: September 1, 2017 at 12:05 pm

The nation's busiest cruise terminal is about to get a little busier.

Carnival Cruise Line on Wednesday embarked on a terminal expansion project in Long Beach that will more than double the size of its arrival and departure facility, allowing 100,000 more passengers to move through the terminal each year.

The multimillion-dollar renovation involves Carnival taking over the 142,000-square-foot Geodesic Dome that once housed Howard Hughes' famed Spruce Goose. Carnival currently uses about 40 percent of the space to process passengers, a restriction that has limited the size of ships that could call on Long Beach.

During a kickoff ceremony inside the Dome, Carlos Torres de Navarra, Carnival's vice president of strategic and commercial port development, said the project will do a lot for the local economy, but more importantly, it will create a better customer experience.

"One of the challenges we've always had here, as we've brought in larger ships, is the one-way terminal, meaning everybody needs to get off the ship and out of the terminal before we could let one guest through to get on the ship," he said. "With these new improvements, all of those guests that want to come into the terminal, check in, sit down and relax, while other guests are coming off the ship, can wait in a comfortable environment."

The project is slated for completion late this year, and comes just in time for a larger cruise ship, Carnival Splendor, to call Long Beach home.

Currently, two ships — Carnival Imagination and Inspiration — offer three- and four-day cruises to Baja, Mexico, year round. A third ship, Carnival Miracle, operates weeklong Mexican Riviera voyages and 14- and 15-day cruises to Hawaii and Alaska.

In January 2018, Carnival Splendor will embark on a 13-day cruise from the East to the West Coast, offering passengers a journey through the Panama Canal's new lock system en route to Long Beach. Splendor can carry nearly 900 more passengers than Miracle, the ship it will be replacing.

When Carnival first came to Long Beach in 2003, it was a one-ship operation. And now, the expanded terminal will allow 1.4 million travelers to pass through each year, up from the current 1.3 million.

An important element of the project, Navarra said, is increasing the capacity of the shore-side electrical grid that allows ships to plug in. California requires ship operators to use shore power, known as "cold-ironing," to reduce pollutants caused by fuel emissions while docked.

Speaking inside the Dome on Wednesday, Mayor Robert Garcia called the project "a special moment for Long Beach."

"This is a space that truly has been underutilized and not really had full operations since the airplane that was in this building left," he said. "When you think about Long Beach and when you think about the skyline or the Queen Mary ... this dome is almost always in the photo; it's almost always a part of Long Beach. Everyone knows

that, and I think it's a great way for Carnival to grow their presence and their brand in this city."

Navarra also announced Wednesday a \$25,000 donation from The Carnival Foundation to the [Mayor's Fund for Education](#), cementing its commitment to the community, officials said.

The expansion is part of [a deal reached with the city and Urban Commons](#), a real estate firm that recently took over the Queen Mary and announced plans for a [\\$250 million shore-side development](#) called Queen Mary Island. The sprawling complex would feature restaurant and retail options paired with an outdoor amphitheater and California's first indoor adventure park.

"We've seen many landlords come and go with grandiose ideas, but I can tell you, in dealing with these guys with negotiations on the lease, they're committed," Navarro said. "They have a clear vision, and we can't wait to be part of that story as it develops."

Los Angeles Times - Advertisement by Carnival Cruise Lines 2/11/2018

[TRAVEL](#)

At opening of the expanded Long Beach cruise terminal, Carnival also announces a new ship will sail from that port in 2019.

Carnival Cruise executives celebrate the opening of the new Long Beach cruise terminal.

(Carnival Cruise Line)

By ROSEMARY MCCLURE

FEB. 11, 2018

It started with a grand opening at [Carnival Cruise Line](#), a razzle-dazzle new [Port of Long Beach](#) terminal.

In honor of the expanded facility, the Miami-based cruise giant moved the 3,012-passenger [Carnival Splendor](#), one of its jazziest ships, to Long Beach to sail weeklong Mexican Riviera cruises.

But then came the big news: The cruise line plans to send the new 3,954-passenger ship [Carnival Panorama](#) to Long Beach in 2019.

ADVERTISEMENT

“For the first time in 20 years, a brand new ship will sail straight from the yard to Long Beach,” Christine Duffy, the line’s president, said during the opening ceremony Saturday.

Then came another announcement: Carnival will spend millions on a major port development project in Ensenada, Mexico, featured on the line’s three- and four-day cruises from Long Beach. The project will provide new dining and retail experiences besides new attractions.

All the changes are aimed at “building the Long Beach cruising market,” said Duffy, noting that there is a “significant population of people who can drive to this port within a half-day or less.”

“Carnival’s Long Beach Cruise Terminal, already one of the busiest in North America, with ships docking five days a week, has been operated by Carnival since 2003,” Duffy added. “Three- to 13-day voyages depart from here, usually bound for Mexico, bringing about 650,000 passengers a year into the port for embarkation and debarkation.”

ADVERTISEMENT

The Long Beach facility is unlike any other terminal in the world. Its geodesic dome, originally built to house Howard Hughes’ Spruce Goose seaplane, soars to 13 stories at its highest point.

With its multimillion-dollar expansion, Carnival took over the entire dome for its terminal operations, doubling the space for passengers.

Splendor, christened in 2008, features an over-the-top design with pink walls covered with polka dots and black tile with lime green grout. It arrived in Long Beach in late January and will sail Mexican itineraries, for the most part, until 2019, when it will move to Sydney, Australia, when Carnival Panorama arrives.

Besides the Splendor, the 2,056-passenger Carnival Inspiration and the Carnival Imagination will continue to sail from Long Beach, mainly on three- to four-day cruises that visit Catalina and Ensenada. Rates for these cruises start at \$239 per person, double occupancy, for an inside cabin.

Carnival Splendor’s weeklong sailings to the Mexican Riviera start at \$439; the ship will also sail round trip to Hawaii on two-week voyages, from \$1,229, and 14-day Alaska trip that starts at \$1,339.

Reservations for Carnival Panorama are expected to open in late March.

Friends of the Earth Action Alert

FOE action alert

To Whom it may concern:

I am requesting that you reject the Mitigated Negative Declaration for the Long Beach Cruise Terminal Improvement Project until the significant environmental impacts from the project are adequately mitigated. In addition, the City should extend the comment period for at least 20 more days in order to remedy the failure to notify the public during the current 30-day comment period. I oppose this project as proposed for the following reasons:

- The NOI document was not easily accessible to the public online until late last week or earlier this week. In fact, it took more than 10 minutes of digging to find it on your website because the link took you to the City of Long Beach home page.
- The Carnival Panorama is scheduled to dock at the Port of Long Beach in December 2019. Carnival Cruise Lines recently announced the ship's new home port and is already accepting bookings. This should not be allowed unless there are clear plans to require the ship to plug in to available shore-side power on every visit, additional mitigation is added to the NOI for increased air pollution and the planned dredging for the project, and the environmental review is completed with appropriate and improved mitigation for the entire project.
- Carnival Corp. -- the parent company of Carnival Cruise Lines -- is currently on federal criminal probation for some of the worst environmental violations in the industry. Hundreds of additional environmental violations were committed during their probation in 2017 and 2018, and expansion operations should be carefully reviewed with an eye to Carnival's criminal behavior before proceeding.

The community needs more time to assess this project, and additional mitigation needs to be put in place in order for the project to comply with the California Environmental Quality Act.

Thank you.

U.S. DEPARTMENT OF JUSTICE PRESS RELEASE RE RECENT CRIMINAL CHARGES AGAINST CARNIVAL FOR ENVIRONMENTAL VIOLATIONS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Monday, June 3, 2019

PRINCESS CRUISE LINES AND ITS PARENT COMPANY PLEAD GUILTY TO ENVIRONMENTAL PROBATION VIOLATIONS, ORDERED TO PAY \$20 MILLION CRIMINAL PENALTY

Today, Princess Cruise Lines Ltd. (Princess) and its parent, Carnival Cruise Lines & plc (together **“Carnival”**) were ordered to pay a \$20 million criminal penalty and will be subject to enhanced supervision after admitting to violations of probation attributable to senior Carnival management in a case in which Princess had already paid \$40 million.

Princess was convicted and sentenced in April 2017, after pleading guilty to felony charges stemming from its deliberate dumping of oil-contaminated waste from one of its vessels and intentional acts to cover it up. While serving 5 years of probation, all Carnival related cruise lines vessels eligible to trade in U.S. ports were required to comply with a court approved and supervised environmental compliance plan (ECP), including audits by an independent company and oversight by a Court Appointed Monitor. **Numerous violations have been identified by the company, the outside auditor, and the court’s monitor during the first two years of probation, including “major non-conformities” as defined by the ECP.**

Carnival admitted it was guilty of committing six violations of probation. Two of the violations involved **interfering with the court’s supervision of probation by sending undisclosed teams to ships to prepare them for the independent inspections required during probation.** When this was first discovered in December 2017, U.S. District Court Judge Patricia Seitz directed that the practice cease and ordered additional inspections as a consequence. However, without seeking court approval, a second undisclosed program was started shortly thereafter. Documents filed in court showed that a purpose of the vessel visit programs was to avoid adverse findings during the inspections.

“This case demonstrates the importance of identifying and correcting compliance problems at their source. Carnival sought to avoid the discovery of problems during the audits rather than learn from them. Carnival’s deliberate deception undermined the court’s supervision of probation,” said Assistant Attorney

General Jeffrey Bossert Clark for the Justice Department's Environment and Natural Resources Division. "I want to take this opportunity to thank and commend the Office of Probation and the Court Appointed Monitor for the close attention that they have devoted to this important matter post-conviction."

Carnival's Chairman of the Board, Chief Executive Officer and Chief Financial Officer attended the hearing pursuant to court's order and were asked to personally pledge their commitment to correcting the company's compliance issues and corporate culture. In addition, senior management of each operating cruise line of Carnival Corporation & plc were present for the court proceedings.

The company admitted to other violations of probation today including:

- Failing to establish a senior corporate officer as a corporate compliance manager with responsibility and sufficient authority for implementing new environmental measures required during probation;
- Contacting the Coast Guard seeking to re-define the definition of what constitutes a major non-conformity under the ECP without going through the required process and after the government had rejected the proposal and told the company to file a motion with the court if it wanted to pursue the issue;
- Deliberately falsifying environmental training records aboard two cruise ships; and
- Deliberately discharging plastic in Bahamian waters from the Carnival Elation and failing to accurately record the illegal discharges. Prosecutors advised the Court that this particular instance was an example of a more widespread problem, identified by the external audits, in failing to segregate plastic and non-food garbage from waste thrown overboard from numerous cruise ships.

Under the terms of the settlement, Carnival will do the following:

- Pay a \$20 million criminal penalty;
- **Issue a statement to all employees in which Carnival's CEO accepts management's responsibility** for the probation violations;
- **Restructure the company's corporate compliance efforts, including appointing a new chief** Corporate Compliance Officer, creating an Executive Compliance Committee across all cruise lines, adding a new member to the Board of Directors with corporate compliance expertise, and train its Board of Directors;
- Pay up to \$10 million per day if it does not meet deadlines for submitting and implementing needed changes to its corporate structure;
- Pay for 15 additional independent audits per year conducted by the third-party auditor and Court Appointed Monitor (on top of approximately 31 ship audits and 6 shore-side audits currently performed annually);

- Comply with new reporting requirements, including notifying the government and court of all future violations, and specifically identifying foreign violations and the country impacted; and
- Make major changes in how the company uses and disposes of plastic and other non-food waste to urgently address a problem on multiple vessels concerning illegal discharges of plastic mixed with other garbage.

The revised sentence imposed by Judge Seitz also requires that Princess remain on probation for a period of three years.

The case is being prosecuted by Richard A. Udell, Senior Litigation Counsel with the Environmental Crimes Section of the Department of Justice and Assistant U.S. Attorney Thomas Watts-FitzGerald, Deputy Chief, Economic & Environmental Crimes Section for the Southern District of Florida, with assistance from Lt. Commander Anton DeStefano of the U.S. Coast Guard.

Topic(s):

Environment

Component(s):

[Environment and Natural Resources Division](#)

[USAO - Florida, Southern](#)

CRUISELAWNEWS NEWS STORY

Published by [Jim Walker](#)

Federal Judge Threatens to Imprison Carnival Executives for Continued Environmental Crimes

By [Jim Walker](#) on April 11, 2019

POSTED IN [POLLUTION](#)

Calling Carnival Corporation a “criminal defendant,” United States Federal District Judge Patricia Seitz threatened to send the “members of Carnival’s executive committee” to a “detention center for a couple of days” for violation of the terms of its probation for environmental crimes, according to the [Miami Herald](#). The newspaper also reported that the Court at a hearing yesterday threatened to temporarily block cruise ships operated by Carnival Corporation from calling on U.S. ports.

In December of 2016, Judge Seitz placed [Carnival Corporation on probation and fined it a record \\$40,000,000](#) for widespread pollution and obstruction of justice. Carnival has a long history of getting caught committing environmental crimes dating back to 2002 when it pled guilty to numerous felonies for discharging oily waste into the sea. The U.S. Government leveled a \$18,000,000 fine and placed Carnival on probation back at that time. In both 2002 and 2016, Carnival pled guilty of routinely falsifying its oil record books in order to conceal its illegal discharge of oil into the seas.

As part of the felony plea agreement in 2016, cruise ships from eight Carnival cruise line companies (Carnival Cruise Line, Holland America Line N.V., Seabourn Cruise Line Ltd. and AIDA Cruises) were placed under a court supervised Environmental Compliance Program (ECP) for five years. An outside entity and a court appointed monitor independently audited the ECP.

The Miami Herald reported that “court filings showed that Carnival Corp. and its subsidiary cruise lines have sought to avoid unfavorable findings by preparing ships in advance of court-ordered audits, falsified records, dumped plastic garbage into the ocean and illegally discharged gray water into Glacier



Bay National Park in Alaska. The company also has tried to lobby the U.S. Coast Guard through a back channel to change the terms of the settlement, prosecutors allege. The company has acknowledged these incidents.”

On March 8, 2019, the Office of Probation filed a motion to revoke probation on the grounds that the cruise corporation implemented a “brazen and secret” scheme to send “SWAT teams” to the cruise ships to “scrub” them before the third party auditors performed their compliance inspections. These illegal pre-audit programs were carried out to avoid adverse audits findings and violations of probation, even after the Court ordered them to stop. Emails between HAL and Princess revealed that even though the Carnival subsidiaries knew that the Department of Justice prohibited them from conducting “Pre-TPA audit ship visits,” they continued doing so, in criminal contempt of Court. They even called them “Environmental Excellence Program Visits.”

The government also brought to the Court’s attention that the cruise corporation continued to fail to establish a senior corporate officer with authority and responsibility for environmental compliance as required by the environmental compliance plan.

A third grounds for revoking probation was that Carnival-owned ships falsified training records aboard the *Diamond Princess* and the *Costa Luninosa*. The government also informed the Court that the following ships violated environmental laws while Carnival Corporation was under court-supervised probation:

- Princess’ *Sun Princess* – an engineer falsified maintenance records in June 2017;
- HAL’s *Nieuw Amsterdam* had been continuously discharging gray water for several years in Alaska (as of June 2017) and knowingly failed to notify the state of Alaska;
- *Carnival Valor* – engineering team falsified an oil record book regarding the oily water separator system in October 2017;
- HAL’s *Westerdam* – a second engineer falsified maintenance records involving the oil content monitoring system in September 2018;
- Holland America’s *Westerdam* – illegally dumped 26,000 gallons of gray water into Glacier Bay National Park in Alaska on September 11, 2018;
- *Carnival Conquest* illegally dumped 66,000 gallons of ballast water in November 2018 (in Bahamian archipelagic waters where Carnival ships previously made other unlawful discharges); the ship’s engineer offered to falsify records to make it look like the dump happened at open sea; and
- Princess’ *Sea Princess* (December 2017) and *Ruby Princess* (February 2018), *Carnival Dream* (August 2018), and *Carnival Elation* (December 2018) dumped plastic overboard.

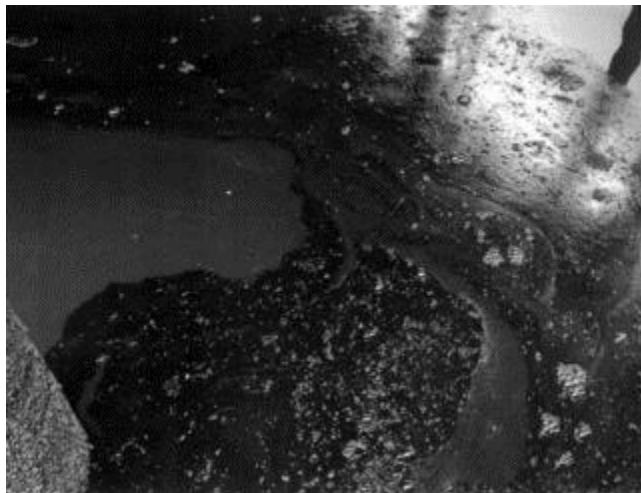
The government informed Judge Seitz that, regarding the *Carnival Elation*, Carnival knowingly and deliberately discharged plastic which was a significant violation of probation.

Regarding the *Sea Princess*, the auditor witnessed that the “food waste chute had several unauthorized items in the food waste that is going down the chute and overboard, items such as plastic straws, corn on the cob holders, wooden stir sticks, plastic tea bag packages, and plastic knives. The unauthorized waste was not being segregated at the early stage of the collecting the food waste. This was noted during the galley inspection as it was found that there is plastic straws, paper, wood stir sticks and rubber bands in the pulpers.”

Regarding the *Ruby Princess*, a compliance auditor “witnessed 55-gallon containers (which) held several unauthorized items destined to go down the waste chute and overboard. These items were plastic straws, plastic corn on the cob holders, wooden stir sticks, toothpicks, wooden steak identifiers, paper, paper clips and aluminum foil wrappers.”

Regarding the *Carnival Dream*, the auditor noted that the following items were “ready to be discharged down the chute and then overboard while at sea. These items are but not limited to: aluminum bottle caps, broken plastic cups, cotton swabs (Q-tips), emery cloth, plastic straws, napkins, paper and umbrellas for drinks.”

Last year, we reported that four Holland America Line (HAL) cruise ships and two Princess Cruises ships [violated Alaska's air quality standards](#) throughout the cruise season's summer months (June-August) in Alaska. The Alaska Department of Environmental Conservation (DEC) cited HAL's *Eurodam*, *Westerdam*, *Amsterdam*, and *Nieuw Amsterdam* and Princess' *Emerald Princess* and *Golden Princess*. The DEC also found that nine cruise ships



operated by Carnival Corp. brands

violated Alaska's water quality standards. Five Princess cruise ships violated water quality standards, including the *Emerald Princess*, *Island Princess*, *Golden Princess*, *Ruby Princess* and *Star Princess*. The DEC also issued wastewater discharge violations to HAL's *Eurodam*, *Noordam*, and *Voledam*, as well as Seabourn Cruise Line's *Sojourn*.

We [reported that Princess Cruises' *Star Princess* discharged sludge from its exhaust system scrubbers](#) last year in the port of Ketchikan, as originally reported by [KRBD Community Radio](#). Princess denied the reports, claiming that "our experts believe what was viewed and photographed is most likely sea foam discolored by natural microorganisms such as algae in the seawater, which is commonly experienced in northern climates in the summer season."

I wrote last fall that the air and water violations by HAL and Princess Cruises appeared to be in direct violation of the [guilty plea agreement](#) where Carnival Corp. promised not to commit further violations of international, federal, state, and local environmental laws. (There is no indication that these air or water violations in Alaska or the scrubber discharges were brought to the Court's attention).

Judge Seitz stated at the hearing yesterday, according to the Miami Herald, that Carnival "right now it is a criminal defendant and this is not the first time nor is it the second time." The Court characterized the last fine (\$40,000,000) to be a "drop in the bucket."

The Court ordered the parties to confer and file, by April 22, 2019, agreed dates to appear at a "Revocation Hearing" (to be held by June 24, 2019) at which time the Court will decide whether Carnival violated the terms of its probation and how it should be further punished. The Court suggested that Carnival's chairman, Micky Arison, and president, Donald Arnold, as well as Holland America executives Stein Kruse, Keith Taylor and retired Rear Admiral Joseph Servidio and Carnival Cruise Line president Christine Duffy attend the June hearing.

Coalition for Clean Air
East Yard Communities for Environmental Justice
Friends of the Earth
Coalition for a Safe Environment
Community Dreams
Long Beach Alliance for Children with Asthma
Long Beach 350
DSA Long Beach Climate and Environmental Justice Committee
Concerned Academics from USC and UCLA

**Comments to the City of Long Beach and Port of Long Beach
about the “Long Beach Cruise Terminal Improvement Project’s”
Notice of Intent and
CEQA Mitigated Negative Declaration Posted on June 22, 2019 and
found at the following URL links:
[NOI](#) and [MND NEG NEC](#)**

Date: July 22, 2019

Dear City of Long Beach (Amy Harbin, AICP, Project Manager:
LBDS-EIR-Comments@longbeach.gov)
and Port of Long Beach (Rick Cameron; Heather Tomley and Matthew Arms)

We respectfully submit these comments to both the City of Long Beach (LB) and Port of Long Beach (POLB) because there are jurisdictional issues between the two entities and because we are concerned about adherence to the POLB’s Clean Air Action Plan (CAAP) and the accuracy of POLB’s Emissions Inventories, which are led by/conducted by the Port of Long Beach. These CEQA documents were submitted for consideration by the City of Long Beach.

The following comments are regarding the proposed “Long Beach Cruise Terminal Improvement Project” that would allow the largest class of Carnival ships in the world to dock at the POLB cruise terminal.

Several groups wrote to the City of Long Beach requesting an extension of the Comment Period on this proceeding – and were summarily denied.

As background, we note that the proposed cruise terminal *improvement* project follows the 2017-2018 cruise terminal *renovation* project, which – according to Carnival – more than doubled the size of the cruise terminal and enhanced its capabilities to allow larger ships to plug in to electricity. That renovation project was completed with an “exemption” from CEQA filed by POLB. (See *news story and Carnival advertisement about the new terminal in the Attachments at end of this document*).

We are concerned the Carnival Panorama is already taking cruise bookings starting in December out of Long Beach and that Carnival’s urgency may be playing a role in the City of LB’s decision to not grant extensions for the comment period. For the Panorama to operate out of the Long Beach Cruise Terminal starting less than six months from now, this project (with its flawed MND) would have to start construction and dredging immediately. Carnival’s timeline should not control the CEQA process.

OUR REQUESTS:

1. First and foremost, we ask the MND be withdrawn and that the air quality analysis be redone, considering the problems detailed in our comments. If the project is shown to have a significant impact on the environment, then we request that the City prepare and circulate for comment a Draft Environmental Impact Report, as required by CEQA.
2. We (again) request an extension of the comment period in order to remedy the failure to notify the public during the current 30-day comment period.
 - a. In our comment extension requests, we pointed out that the NOI was flawed because its URL for reading the CEQA documents was inaccurate. We requested that it be fixed. We noted that as of July 13, the URL had been fixed, but we believe it was inaccurate for more than a week or possibly two weeks after publication of the NOI.
 - b. Subsequently, we have noticed that the email for comments ALSO contains an error – an extra space which makes the email unsendable. As noted above, the email address in the NOI for comments is noted as LBDS-EIR-Comments @longbeach.gov) with an extra space before the @ sign, thereby making it unsendable. This is another sloppy mistake in a legal document, making it difficult for many commenters to figure out how to comment.
3. We are concerned about the fact that the largest Carnival Cruise ship in the world will be home-berthed in the future at the Long Beach Cruise Terminal if this project is approved. That ship is the Panorama, owned by Carnival Cruise Lines – a shipping line that has the worst environmental record for cruise ships in the world. (See *attached alert sent by Friends of the Earth and U.S. Justice Department press release regarding criminal charges against Carnival*). We

request that the long-term future of excess emissions and other environmental issues at the Long Beach Cruise Ship terminal with Carnival ships be diligently scrutinized, in light of the size of the ship that would be home-berthed in LB for years to come and the egregious environmental record of Carnival. (See *CruiseLawNews newstory, attached*)

4. We request that any revision to the IS/MND or a DEIR reconsider the way the City of LB has selected a baseline. There are several different issues that indicate the comparison of the Panorama's future emissions to the Splendor's current emissions is inappropriate.
 - a. The baseline the City selected is for the previous two years, 2018-2019, after the first Cruise Ship Terminal renovation project was completed and after arrival of the polluting Carnival Splendor, which does not plug into electricity. For five years (2013-2017) prior to arrival of the Splendor, emissions were much lower than during 2018-2019. The POLB received a CEQA exemption for the cruise terminal renovation in 2016 because the Splendor had previously been berthed at the Cruise Terminal from 2010-2012. Thus – the City of LB compared emissions for the *current terminal improvement project* with the previous two years, but the POLB compared emissions for the *renovation project* to those six years earlier when the Splendor docked there. We would argue that the City and the Port cannot just choose the “baselines” which give them the best result.
 - b. New CARB rules will require greater use of shore power – and therefore, the Splendor would have to be moved to another location or be outfitted with shore power capabilities, meaning that any comparison between future Panorama emissions and current Splendor emissions is faulty because the Splendor could not continue to operate at the LB Cruise Terminal after 2020 without shore power. For that reason alone, the air quality analysis needs to be redone.
5. We believe that mitigation measures are going to be required when the air quality analysis is revised. Therefore, we request that the City of LB mandate (rather than have as voluntary) that the Panorama follow the VSR rules. Without providing any explanation, Appendix B shows that the Carnival Panorama does not plan on meeting the VSR voluntary rules at the 40 nm location. We note that the Port of Los Angeles (POLA) requires cruise ships to provide detailed analyses analyzed by Port staff about cruise ship claims that “going faster” = lower emissions. Why is the City of Long Beach simply accepting that the Panorama will go 15 knots in the 40 nm area when coming in and out of port? An modeling of emissions must be presented by Carnival, analyzed by POLB/City of Long Beach and the full air analysis redone and resubmitted for comment. POLB staff have more expertise in analyzing such documents than do City of LB staff.

6. We request that if the revised air quality analysis shows that mitigation measures will be required, the Panorama be mandated to plug in to electricity during all visits and that this be included in the draft EIR.
7. POLB planning to finish its 2018 Emissions Inventory in October of 2019. We request that the POLB include in that Emissions Inventory information showing that emissions at the LB Cruise Terminal went up dramatically in 2018-2019 when the Carnival Splendor was allowed to home berth there.
8. We request that any documents that are redone on the air quality analyses also redo the GHG emissions for the Terminal Improvement Project and if they are higher than they were previously that the City of LB include any increases in its Climate Action and Adaptation Plan (CAAP) Greenhouse Gas (GHG) Inventory, for baseline purposes, anticipated GHG emissions from the berth and operation of the Carnival Panorama (which according to Carnival's website, is already being booked for Long Beach to Mexico cruises starting in December 2019). As knowledge of the Panorama has already been available to the City prior to the release of the GHG inventory, and the Panorama is to begin operation prior to the 2020 anticipated adoption of the City's CAAP, omission of the ship's emissions would mislead trajectories, making net zero emissions targets more difficult. To ignore and omit these GHG emissions simply due to CAAP protocol cut-off dates would be irresponsible.
9. We believe that the dredging for this project should be subject to a full EIR especially regarding the proposed mitigation for biological impacts – impacts to marine mammals and birds in particular. In addition, this dredging will be conducted for the benefit of Carnival Corporation in order for it to bring in its largest ship. Carnival Corporation has a criminal record and the cruise line's behavior over the past decade or more indicates lack of care for the environments or communities in which its ships travel. The dredging provides a huge subsidy to Carnival Corporation with fewer benefits to the Long Beach region, especially in light of past pollution that the community has not been made whole for. The City of Long Beach should not be subsidizing the dredging for this project and the environmental impacts from this activity require the higher scrutiny of an EIR. (*See Friends of the Earth action alert and news story from the U.S. Department of Justice, attached*).

DETAILED COMMENTS RE BASELINE COMPARISONS AND CONCERNS ABOUT HEALTH EFFECTS OF POTENTIALLY INCREASED AIR POLLUTION

The comments below primarily address the City of Long Beach's argument that air pollution will decrease as a result of the Carnival Panorama replacing the Carnival Splendor, which has been home-berthed at the terminal only since February 2018 and which the POLB allowed to regularly dock at the terminal despite the fact that it does not plug in to electricity. As noted above, we believe that this is an inappropriate comparison for an emissions analysis.

A more accurate comparison is between what the emissions from the cruise terminal are expected to be if the Panorama is home-berthed there along with the Inspiration and the Imagination and what the level of emissions were between 2013-2017, before the highly polluting Splendor was allowed to "home-berth" there (without any environmental evaluation or notice to the public). During 2013-2017, there were three Carnival ships operating out of the Cruise Terminal and all plugged into electricity: Imagination, Inspiration and Miracle.

We argue that it is inappropriate for the POLB/City of LB to fail to notify the public or do a CEQA evaluation about a terminal renovation project in 2017-2018 that was followed immediately by Carnival's introduction of a highly polluting cruise ship – and then turn around and claim CEQA "benefits" in reducing air pollution when that polluting ship (the Splendor) leaves less than two years later!

Further, if a revised air quality analysis shows that the Panorama's arrival will increase pollution, then the goals of the Clean Air Action Plan will be undermined and there will be additional health risks. The short- and long-term effects of exposure to high levels of ambient air pollution on children in port adjacent communities is a major concern based on a large body of research documenting associations between exposure to diesel pollution from transportation-related sources and illness. *(See list of references about the health effects of diesel exhaust at this URL:*

<https://envhealthcenters.usc.edu/infographics/infographic-living-near-diesel-exhaust/references-living-near-diesel-exhaust>). For Long Beach residents, in particular, this concern is evident in the 2011 Los Angeles County Health Survey, which found an estimated 13.3% of children with current prevalence of asthma, higher than the County at 9%.

(<http://www.publichealth.lacounty.gov/ha/hasurveyintro.htm>) Increased port operations is a boon for the economy but there are also fiscal and quality of life burdens to the health of fence line communities – particularly children whose lungs are still developing.

CHRONOLOGY OF THE LB CRUISE TERMINAL RELEVANT TO THE AIR QUALITY ANALYSIS

Prior to 2010

Three Carnival ships were operating: Carnival Inspiration, Imagination and Miracle. All plugged in to electricity.

2010-2012

The Miracle was replaced by the much larger Carnival Splendor which begins operating out of the LB Cruise Terminal – not plugging in to electricity. The ship had a major fire in 2010 requiring it to be out of operation for 1+ month in 2010 and 2+ months in 2012. 2013: Carnival Splendor leaves for a home berth in NYC.

2013 – 2017

Three Carnival Cruise Line ships operate cruises out of Long Beach with the following vessel weights: Carnival Inspiration (70 G tons of weight); Carnival Imagination (70 G tons of weight) and Carnival Miracle (86 G tons of weight). We do know emissions from the Miracle, so in the graph below we are showing the Miracle as having somewhat higher daily NOx emissions. We note that the Miracle goes on 13/14-day cruises as opposed to 3-4 day cruises for the other two ships – and therefore is not in port as often. All three ships apparently are capable of plugging in to electricity.

The CEQA table below combines the emissions for the Carnival Inspiration and Carnival Imagination. The bar chart below compares NOx peak daily emissions for each Carnival ship being considered in this document.

2016

In late 2016, Carnival announces a massive renovation to occur at the cruise terminal during 2017 and 2018, with a celebration attended by the Mayor of Long Beach and Carnival executives. (*See attachments*). Carnival says that the terminal would more than double in size and make accommodations for larger ships to “plug in” to electricity after the renovation is completed.

All three other Carnival Cruise ships (Imagination, Inspiration and Miracle) continue to operate at the cruise terminal but Carnival announces that the Splendor will be returning. (*See Carnival press release and advertisement*).

The POLB applies for a CEQA exemption for the Cruise Terminal Renovation (with no public announcement at the time). We learn about the CEQA exemption in 2019.

2017-2018

Cruise Terminal Renovation underway and completed in 2018. On July 11, 2019, Andrea Hricko submitted a request for any CEQA documents about the terminal renovation during 2017 - 2018 to both the POLB and City of LB. She received a

response from Heather Tomley (POLB) stating that the POLB had received a CEQA exemption for that project – meaning there were no estimated significant impacts of the project.

We learned from POLB that environmental staff had taken into account that the Splendor had previously docked at the LB Cruise Terminal from 2010-2012 – and that POLB concluded that pollution levels would not be higher than it was when Splendor had docked there earlier. For the CEQA exemption, in other words, the POLB did not compare future emissions to the most recent situation of lower emissions – but instead to several years earlier when the Splendor had been operating.

February 2018

The renovation is completed. The cruise ship Carnival Miracle is sent elsewhere and is replaced by the Carnival Splendor which starts coming to Long Beach. Splendor does NOT plug in to electricity when at berth, which the Miracle did.

Neither the POLB nor the City of LB tells the public that the arrival of the Splendor would increase emissions at the newly renovated terminal. The result: an “improved terminal,” but with more pollution.

June 2019

City of Long Beach releases a Mitigated Negative Declaration for a new “terminal improvement project” at the Cruise terminal.

The MND concludes that there would be a positive impact on air emissions because a ship called the Carnival Panorama would replace the Carnival Splendor, which has created significant pollution because it does not plug in to electricity. Panorama can plug in to shore power. CEQA documents claim there would be “less pollution” once the Panorama arrives. But they fail to say that the pollution would be higher than it had been during the 5 years prior to the arrival of the polluting Splendor ship.

The City of LB and POLB cannot have it both ways. In 2016, it sought a CEQA exemption and went “back” for a baseline to 5-6 years earlier. In this case, the City of LB has chosen a more favorable recent baseline that show high emissions from the Carnival Splendor during 2018 – 2019 and lower emissions after the Panorama arrives.

June 2019

The Coalition for Clean Air, Friends of the Earth, and Andrea Hricko of USC/UCLA Concerned Academics each request an extension of the 30-day comment period concerning the Mitigated Negative Declaration (MND) for the Cruise Terminal Improvement Project, which the City of Long Beach denied. We learn that the California Air Resources Board also requested an extension of the comment period and were denied.

July 2019

We ask the POLB why staff requested an Exemption from CEQA on the 2017-2018 renovation and learned that they considered the fact that the Carnival Splendor (which came back to the LB Cruise Terminal in 2018-2019) had earlier been berthed at the POLB LB Cruise Terminal (during 2010-2012).

Below we show maximum peak operations daily NO_x emissions by years of different ships operating (estimated for the Miracle).

Table I below is from the Draft Initial Study/Mitigated Neg Dec and Application Summary Report with calculations by the Port of LB and an environmental consultant. Table I aims to show that there will be DECREASE in pollution at the Long Beach Cruise Terminal in the future when compared to 2018-2019, when the polluting Carnival Splendor was allowed to home-berth there.

Table 1. CEQA document table showing Peak Daily Operation Emissions when Carnival Splendor is operating compared to when the Panorama arrives and (and after Splendor leaves)



LONG BEACH CRUISE TERMINAL IMPROVEMENT PROJECT
Draft Initial Study/Mitigated Negative Declaration and Application Summary Report

Table 4.3-4
Peak Daily Operation Emissions

Emissions Source	Pollutant (pounds/day) ¹					
	PM ₁₀	PM _{2.5}	NO _x	SO _x	CO	VOC
Existing Cruise Ship Maximum Daily Emissions						
<i>Carnival Splendor</i> Max Day	141	130	6,607	217	596	271
Proposed Project						
<i>Carnival Panorama</i> Max Day	80	73	3,211	122	336	152
<i>Carnival Inspiration/Carnival Imagination</i> Max Day	113	104	5,308	174	479	218
Carnival Panorama Additional Incremental Emissions Sources						
Parking Garage	<1	<1	<1	<1	<1	<1
On-Road Vehicles	21	7	50	1	160	20
Off-Road	<1	<1	1	<1	4	<1
Total Other Carnival Panorama Incremental Emissions	21	7	51	1	164	20
Net Maximum Day Change	-28	-26	-1,299	-43	-117	-53
Net Saturday Change	-40	-50	-3,345	-93	-95	-98
<i>Significance Threshold</i>	150	55	55	150	550	55
<i>Is Threshold Exceeded?</i>	No	No	No	No	No	No
Source: Aspen Environmental Group, Long Beach Cruise Terminal Improvement Project Air Quality and Greenhouse Gas Assessment, Table 6-7, Peak Daily Operation Emissions (lbs/day) - Unmitigated, June 2019; refer to Appendix A .						

Table II below shows peak daily operations emissions of pollutants in pounds/day at Long Beach Cruise Terminal – showing emissions from different Carnival vessels.

**Table II. PEAK DAILY OPERATIONS EMISSIONS OF POLLUTANTS
IN POUNDS/DAY AT LONG BEACH CRUISE TERMINAL
WITH CARNIVAL CRUISE LINE SHIPS**

	Pollutants (pounds/day)					
2013-2017	PM10	PM2.5	NOx	SOx	CO	VOC
Carnival Inspiration/Carnival Imagination combined Max Day (numbers provided in CEQA document)	113	104	5,308	174	479	218
Carnival Miracle (estimated as noted in text as equal to approximately either the Inspiration or Imagination)	57	52	2,654	87	240	109
2018-2019 with Splendor and Imagination and Inspiration (from CEQA document Table 4.3-4)						
Carnival Splendor Max Day	141	130	6,607	217	596	271
Carnival Inspiration/Carnival Imagination Max Day	113	104	5,308	174	479	218
2020 if Terminal Improvement Project goes forward and Panorama is home-berthed (from CEQA document Table 4.3-4)						
Claimed Carnival Panorama Max Day	80	73	3,211	122	336	152
Carnival Inspiration/Carnival Imagination Max Day	113	104	5,308	174	479	218

Panorama incremental emissions from on-road and off-road vehicles	21	7	51	1	164	20

Table III below shows the estimated peak daily operations NOx emissions of each Carnival vessel. Because ships come in and out of the Cruise Terminal on different times and days, it is difficult to do accurate calculations on total emissions per day – in part because of the lack of precise data in the MND. We have instead chosen to show a comparison of NOx estimates among the Inspiration, Imagination, Miracle, Splendor and Panorama for operations at the terminal.

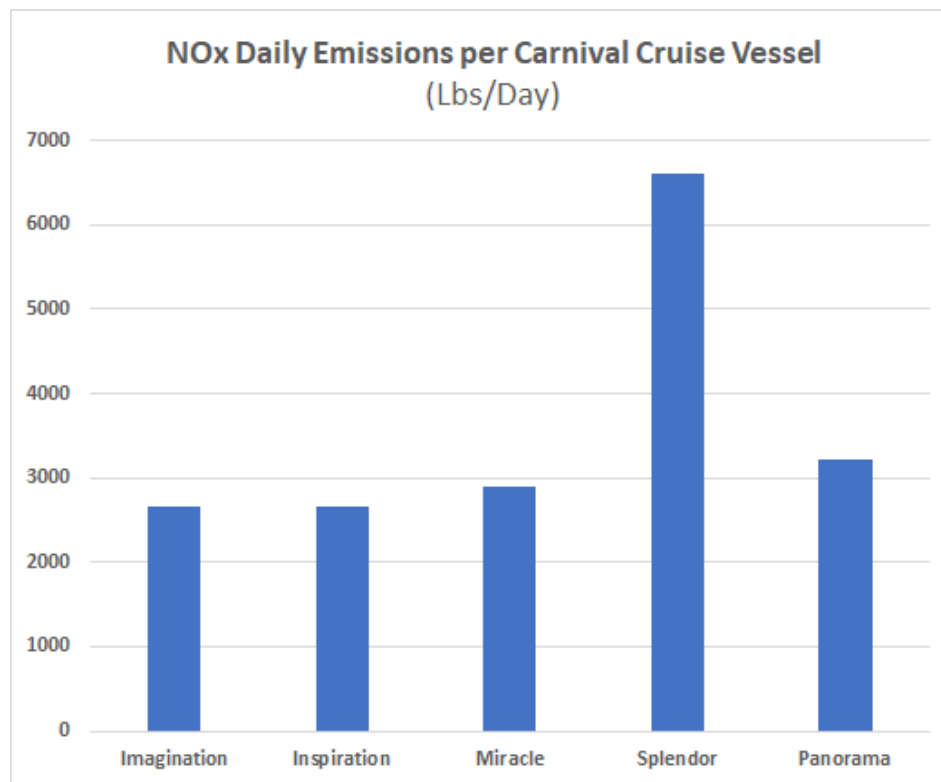


Table III

We note the Panorama weighs 133 GT -- nearly twice as large as either the Imagination and Inspiration (each 70 GT in weight). Even though the new construction of the Panorama means it would have a more efficient engine and therefore lower NOx

emissions, we find it hard to believe that the emissions of such a large vessel are only anticipated to be 1.2 times larger than a vessel half its size.

Panorama NOx emissions: 3211 pounds/day

Imagination NOx emissions: 2654 pounds/day

Difference: 557 more pounds of NOx daily from Panorama – which is only 1.2 times higher than emissions from Imagination or Inspiration, which are each half the size of the Panorama.

We request that in a revised air analysis there be much more detailed information about engine efficiency and estimated emissions so that accurate comparisons can be made and documented.

Finally, we again reiterate our request that the CEQA analysis for air quality be redone and resubmitted for public comment in a reissued and recirculated CEQA document and that our other requests be considered.

Thank you.

Signatories:

Coalition for Clean Air (TBD): Jerilyn Lopez Mendoza, Senior Policy Advocate
(jerilyn@ccair.org)

Concerned Academics from USC and UCLA:

Andrea Hricko, Clinical Professor of Preventive Medicine Emerita, Keck School of Medicine - KSOM (ahricko@usc.edu);

Ed Avol, Clinical Professor of Preventive Medicine, KSOM (avol@usc.edu);

Rob McConnell, Professor of Preventive Medicine, KSOM (rmconne@usc.edu);

John Froines, Professor Emerita of Environmental Health, UCLA Fielding of Public Health (jfroines@ucla.edu)

East Yard Communities for Environmental Justice: Taylor Thomas, Research and Policy Analyst
(taylortheycej@gmail.com)

Friends of the Earth: Marcie Kever, Oceans and Vessels Program Director
(MKeeper@FOE.org)

Long Beach Alliance for Children with Asthma: Sylvia Betancourt, Project Manager
(sbetancourt@memorialcare.org)

Long Beach 350: Alice Stevens, Co-founder and organizer (alicestevens1@gmail.com)

DSA Long Beach Climate and Environmental Justice Committee: Kirsten Lanham
(kirsten.lanham@gmail.com)

Coalition for a Safe Environment: Jesse Marquez, Executive Director
(jnm4ej@yahoo.com)

Community Dreams: Richardo Pulido, Executive Director

=====

ATTACHMENTS

Carnival Cruise Lines press release



Carnival Cruise Line and City of Long Beach Start Renovations at the Long Beach Cruise Terminal

Carnival Foundation donates \$25,000 to the Mayor's Fund for Education

NEWS PROVIDED BY
Carnival Cruise Line

Apr 12, 2017, 16:54 ET

LONG BEACH, Calif., April 12, 2017 /PRNewswire/ -- Carnival Cruise Line marked the beginning of a multimillion-dollar renovation of its Long Beach Cruise Terminal facility to accommodate larger ships and enhance terminal operations. A "FUNstruction" groundbreaking ceremony today included remarks by City of Long Beach Mayor Robert Garcia, President and CEO of Long Beach Convention & Visitors Bureau Steve Goodling and Carnival Cruise Line Vice President Strategic and Commercial Port Development Carlos Torres de Navarra among others.

Carnival unveiled its design plans for the terminal during the celebration. The renovation will increase the space Carnival currently occupies in the terminal facility from approximately 66,000 square feet to 142,000 square feet. The expansion and new design will allow for a dramatically enhanced passenger experience and operational flow within the terminal. In addition, the project includes the expansion of portside "cold-ironing" to enable larger ships to plug into the local electric grid to reduce exhaust emissions while docked. Further enhancements to the area surrounding the geodesic dome which houses the cruise terminal and the adjacent Queen Mary attraction are also planned.

"The start of construction on this project further cements our commitment to the City of Long Beach and the outstanding relationships we have built with the leaders and people of this community," said Carnival's Torres de Navarra. "Our operations bring tremendous economic benefit to this area and expose hundreds of thousands of people a year to this great city. These new terminal enhancements will further grow that positive impact," he added.

Carnival has run the Long Beach Cruise Terminal — the United States' only privately operated cruise terminal — since 2003. It is one of the busiest terminals in North America, with ships docking at the facility five days per week resulting in a more than 70% utilization rate. Carnival has used just a portion of the geodesic dome that housed Howard Hughes' "Spruce Goose" museum attraction for customs and guest check-in activities. The renovation will make 100 percent of the dome available for Carnival's cruise operations.

"The expansion of the Carnival Cruise terminal is great news for Long Beach and great news for visitors to our city," said Long Beach Mayor Robert Garcia. "The added capacity will bring more tourism and economic activity to Long Beach, and we're pleased to continue working with Carnival for many years to come."

Currently, Carnival operates three ships from the Long Beach Cruise Terminal -- Carnival Inspiration and Carnival Imagination, which offer three- and four-day Baja cruises, and Carnival Miracle which operates week-long Mexican Riviera voyages along with 14- and 15-day cruises to Hawaii and Alaska. In 2018 when the

larger Carnival Splendor replaces Carnival Miracle, the line will carry more than 700,000 guests annually from Southern California, operating nearly 250 three- to 14-day cruises a year.

In addition to marking the start of the renovation of the cruise terminal, Torres de Navarra announced a donation of \$25,000 to the Mayor's Fund for Education. The donation, made jointly by Carnival Cruise Line and Carnival Foundation, is part of Carnival Corporation's ongoing support for nonprofit educational and charitable organizations in the homeport communities where its brands operate.

To learn more about Carnival Cruise Line, visit www.carnival.com. For reservations, contact any travel agent or call 1-800-CARNIVAL. Carnival can also be found on: [Facebook](#), [Instagram](#), [Twitter](#) and [YouTube](#).

Journalists also can visit Carnival's media site, <http://www.carnival-news.com/> or follow the line's PR department on Twitter at <http://www.twitter.com/CarnivalPR>.

NEWS STORY IN LB Press Telegram, April 12, 2017

BUSINESS

Carnival launches project to double space at Long Beach facility

•



-
-
- Carnival Cruise Line has begun its project to expand the Long Beach Cruise Terminal facility to accommodate larger ships and enhance its terminal operations. The project will nearly triple the size of Carnival's current terminal facility from 66,000 square feet to 142,000 square feet, using the former Spruce Goose building, according to the cruise line. 2016 file photo. (Chuck Bennett/Press-Telegram/SCNG)



From left, Mayor Robert Garcia and Carlos Torres de Navarra, vice president, commercial port operations for Carnival Cruise Lines, broke through a ceremonial wall to launch a multimillion-dollar renovation of the Long Beach Cruise Terminal facility to accommodate larger ships and enhance terminal operations. Long Beach, April 12, 2017. (Brittany Murray, Press Telegram/SCNG)

By [Courtney Tompkins](#) |

PUBLISHED: April 12, 2017 at 8:05 pm | UPDATED: September 1, 2017 at 12:05 pm

The nation's busiest cruise terminal is about to get a little busier.

Carnival Cruise Line on Wednesday embarked on a terminal expansion project in Long Beach that will more than double the size of its arrival and departure facility, allowing 100,000 more passengers to move through the terminal each year.

The multimillion-dollar renovation involves Carnival taking over the 142,000-square-foot Geodesic Dome that once housed Howard Hughes' famed Spruce Goose. Carnival currently uses about 40 percent of the space to process passengers, a restriction that has limited the size of ships that could call on Long Beach.

During a kickoff ceremony inside the Dome, Carlos Torres de Navarra, Carnival's vice president of strategic and commercial port development, said the project will do a lot for the local economy, but more importantly, it will create a better customer experience.

"One of the challenges we've always had here, as we've brought in larger ships, is the one-way terminal, meaning everybody needs to get off the ship and out of the terminal before we could let one guest through to get on the ship," he said. "With these new improvements, all of those guests that want to come into the terminal, check in, sit down and relax, while other guests are coming off the ship, can wait in a comfortable environment."

The project is slated for completion late this year, and comes just in time for a larger cruise ship, Carnival Splendor, to call Long Beach home.

Currently, two ships — Carnival Imagination and Inspiration — offer three- and four-day cruises to Baja, Mexico, year round. A third ship, Carnival Miracle, operates weeklong Mexican Riviera voyages and 14- and 15-day cruises to Hawaii and Alaska.

In January 2018, Carnival Splendor will embark on a 13-day cruise from the East to the West Coast, offering passengers a journey through the Panama Canal's new lock system en route to Long Beach. Splendor can carry nearly 900 more passengers than Miracle, the ship it will be replacing.

When Carnival first came to Long Beach in 2003, it was a one-ship operation. And now, the expanded terminal will allow 1.4 million travelers to pass through each year, up from the current 1.3 million.

An important element of the project, Navarra said, is increasing the capacity of the shore-side electrical grid that allows ships to plug in. California requires ship operators to use shore power, known as "cold-ironing," to reduce pollutants caused by fuel emissions while docked.

Speaking inside the Dome on Wednesday, Mayor Robert Garcia called the project "a special moment for Long Beach."

"This is a space that truly has been underutilized and not really had full operations since the airplane that was in this building left," he said. "When you think about Long Beach and when you think about the skyline or the Queen Mary ... this dome is almost always in the photo; it's almost always a part of Long Beach. Everyone knows

that, and I think it's a great way for Carnival to grow their presence and their brand in this city."

Navarra also announced Wednesday a \$25,000 donation from The Carnival Foundation to the [Mayor's Fund for Education](#), cementing its commitment to the community, officials said.

The expansion is part of [a deal reached with the city and Urban Commons](#), a real estate firm that recently took over the Queen Mary and announced plans for a [\\$250 million shore-side development](#) called Queen Mary Island. The sprawling complex would feature restaurant and retail options paired with an outdoor amphitheater and California's first indoor adventure park.

"We've seen many landlords come and go with grandiose ideas, but I can tell you, in dealing with these guys with negotiations on the lease, they're committed," Navarro said. "They have a clear vision, and we can't wait to be part of that story as it develops."

Los Angeles Times - Advertisement by Carnival Cruise Lines 2/11/2018

[TRAVEL](#)

At opening of the expanded Long Beach cruise terminal, Carnival also announces a new ship will sail from that port in 2019.

Carnival Cruise executives celebrate the opening of the new Long Beach cruise terminal.

(Carnival Cruise Line)

By ROSEMARY MCCLURE

FEB. 11, 2018

It started with a grand opening at [Carnival Cruise Line](#), a razzle-dazzle new [Port of Long Beach](#) terminal.

In honor of the expanded facility, the Miami-based cruise giant moved the 3,012-passenger [Carnival Splendor](#), one of its jazziest ships, to Long Beach to sail weeklong Mexican Riviera cruises.

But then came the big news: The cruise line plans to send the new 3,954-passenger ship [Carnival Panorama](#) to Long Beach in 2019.

ADVERTISEMENT

“For the first time in 20 years, a brand new ship will sail straight from the yard to Long Beach,” Christine Duffy, the line’s president, said during the opening ceremony Saturday.

Then came another announcement: Carnival will spend millions on a major port development project in Ensenada, Mexico, featured on the line’s three- and four-day cruises from Long Beach. The project will provide new dining and retail experiences besides new attractions.

All the changes are aimed at “building the Long Beach cruising market,” said Duffy, noting that there is a “significant population of people who can drive to this port within a half-day or less.”

“Carnival’s Long Beach Cruise Terminal, already one of the busiest in North America, with ships docking five days a week, has been operated by Carnival since 2003,” Duffy added. “Three- to 13-day voyages depart from here, usually bound for Mexico, bringing about 650,000 passengers a year into the port for embarkation and debarkation.”

ADVERTISEMENT

The Long Beach facility is unlike any other terminal in the world. Its geodesic dome, originally built to house Howard Hughes’ Spruce Goose seaplane, soars to 13 stories at its highest point.

With its multimillion-dollar expansion, Carnival took over the entire dome for its terminal operations, doubling the space for passengers.

Splendor, christened in 2008, features an over-the-top design with pink walls covered with polka dots and black tile with lime green grout. It arrived in Long Beach in late January and will sail Mexican itineraries, for the most part, until 2019, when it will move to Sydney, Australia, when Carnival Panorama arrives.

Besides the Splendor, the 2,056-passenger Carnival Inspiration and the Carnival Imagination will continue to sail from Long Beach, mainly on three- to four-day cruises that visit Catalina and Ensenada. Rates for these cruises start at \$239 per person, double occupancy, for an inside cabin.

Carnival Splendor’s weeklong sailings to the Mexican Riviera start at \$439; the ship will also sail round trip to Hawaii on two-week voyages, from \$1,229, and 14-day Alaska trip that starts at \$1,339.

Reservations for Carnival Panorama are expected to open in late March.

Friends of the Earth Action Alert

FOE action alert

To Whom it may concern:

I am requesting that you reject the Mitigated Negative Declaration for the Long Beach Cruise Terminal Improvement Project until the significant environmental impacts from the project are adequately mitigated. In addition, the City should extend the comment period for at least 20 more days in order to remedy the failure to notify the public during the current 30-day comment period. I oppose this project as proposed for the following reasons:

- The NOI document was not easily accessible to the public online until late last week or earlier this week. In fact, it took more than 10 minutes of digging to find it on your website because the link took you to the City of Long Beach home page.
- The Carnival Panorama is scheduled to dock at the Port of Long Beach in December 2019. Carnival Cruise Lines recently announced the ship's new home port and is already accepting bookings. This should not be allowed unless there are clear plans to require the ship to plug in to available shore-side power on every visit, additional mitigation is added to the NOI for increased air pollution and the planned dredging for the project, and the environmental review is completed with appropriate and improved mitigation for the entire project.
- Carnival Corp. -- the parent company of Carnival Cruise Lines -- is currently on federal criminal probation for some of the worst environmental violations in the industry. Hundreds of additional environmental violations were committed during their probation in 2017 and 2018, and expansion operations should be carefully reviewed with an eye to Carnival's criminal behavior before proceeding.

The community needs more time to assess this project, and additional mitigation needs to be put in place in order for the project to comply with the California Environmental Quality Act.

Thank you.

U.S. DEPARTMENT OF JUSTICE PRESS RELEASE RE RECENT CRIMINAL CHARGES AGAINST CARNIVAL FOR ENVIRONMENTAL VIOLATIONS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Monday, June 3, 2019

PRINCESS CRUISE LINES AND ITS PARENT COMPANY PLEAD GUILTY TO ENVIRONMENTAL PROBATION VIOLATIONS, ORDERED TO PAY \$20 MILLION CRIMINAL PENALTY

Today, Princess Cruise Lines Ltd. (Princess) and its parent, Carnival Cruise Lines & plc (together “Carnival”) were ordered to pay a \$20 million criminal penalty and will be subject to enhanced supervision after admitting to violations of probation attributable to senior Carnival management in a case in which Princess had already paid \$40 million.

Princess was convicted and sentenced in April 2017, after pleading guilty to felony charges stemming from its deliberate dumping of oil-contaminated waste from one of its vessels and intentional acts to cover it up. While serving 5 years of probation, all Carnival related cruise lines vessels eligible to trade in U.S. ports were required to comply with a court approved and supervised environmental compliance plan (ECP), including audits by an independent company and oversight by a Court Appointed Monitor. Numerous violations have been identified by the company, the outside auditor, and the court’s monitor during the first two years of probation, including “major non-conformities” as defined by the ECP.

Carnival admitted it was guilty of committing six violations of probation. Two of the violations involved interfering with the court’s supervision of probation by sending undisclosed teams to ships to prepare them for the independent inspections required during probation. When this was first discovered in December 2017, U.S. District Court Judge Patricia Seitz directed that the practice cease and ordered additional inspections as a consequence. However, without seeking court approval, a second undisclosed program was started shortly thereafter. Documents filed in court showed that a purpose of the vessel visit programs was to avoid adverse findings during the inspections.

“This case demonstrates the importance of identifying and correcting compliance problems at their source. Carnival sought to avoid the discovery of problems during the audits rather than learn from them. Carnival’s deliberate deception undermined the court’s supervision of probation,” said Assistant Attorney

General Jeffrey Bossert Clark for the Justice Department's Environment and Natural Resources Division. "I want to take this opportunity to thank and commend the Office of Probation and the Court Appointed Monitor for the close attention that they have devoted to this important matter post-conviction."

Carnival's Chairman of the Board, Chief Executive Officer and Chief Financial Officer attended the hearing pursuant to court's order and were asked to personally pledge their commitment to correcting the company's compliance issues and corporate culture. In addition, senior management of each operating cruise line of Carnival Corporation & plc were present for the court proceedings.

The company admitted to other violations of probation today including:

- Failing to establish a senior corporate officer as a corporate compliance manager with responsibility and sufficient authority for implementing new environmental measures required during probation;
- Contacting the Coast Guard seeking to re-define the definition of what constitutes a major non-conformity under the ECP without going through the required process and after the government had rejected the proposal and told the company to file a motion with the court if it wanted to pursue the issue;
- Deliberately falsifying environmental training records aboard two cruise ships; and
- Deliberately discharging plastic in Bahamian waters from the Carnival Elation and failing to accurately record the illegal discharges. Prosecutors advised the Court that this particular instance was an example of a more widespread problem, identified by the external audits, in failing to segregate plastic and non-food garbage from waste thrown overboard from numerous cruise ships.

Under the terms of the settlement, Carnival will do the following:

- Pay a \$20 million criminal penalty;
- Issue a statement to all employees in which Carnival's CEO accepts management's responsibility for the probation violations;
- Restructure the company's corporate compliance efforts, including appointing a new chief Corporate Compliance Officer, creating an Executive Compliance Committee across all cruise lines, adding a new member to the Board of Directors with corporate compliance expertise, and train its Board of Directors;
- Pay up to \$10 million per day if it does not meet deadlines for submitting and implementing needed changes to its corporate structure;
- Pay for 15 additional independent audits per year conducted by the third-party auditor and Court Appointed Monitor (on top of approximately 31 ship audits and 6 shore-side audits currently performed annually);

- Comply with new reporting requirements, including notifying the government and court of all future violations, and specifically identifying foreign violations and the country impacted; and
- Make major changes in how the company uses and disposes of plastic and other non-food waste to urgently address a problem on multiple vessels concerning illegal discharges of plastic mixed with other garbage.

The revised sentence imposed by Judge Seitz also requires that Princess remain on probation for a period of three years.

The case is being prosecuted by Richard A. Udell, Senior Litigation Counsel with the Environmental Crimes Section of the Department of Justice and Assistant U.S. Attorney Thomas Watts-FitzGerald, Deputy Chief, Economic & Environmental Crimes Section for the Southern District of Florida, with assistance from Lt. Commander Anton DeStefano of the U.S. Coast Guard.

Topic(s):

Environment

Component(s):

[Environment and Natural Resources Division](#)

[USAO - Florida, Southern](#)

CRUISELAWNEWS NEWS STORY

Published by [Jim Walker](#)

Federal Judge Threatens to Imprison Carnival Executives for Continued Environmental Crimes

By [Jim Walker](#) on April 11, 2019

POSTED IN [POLLUTION](#)

Calling Carnival Corporation a “criminal defendant,” United States Federal District Judge Patricia Seitz threatened to send the “members of Carnival’s executive committee” to a “detention center for a couple of days” for violation of the terms of its probation for environmental crimes, according to the [Miami Herald](#). The newspaper also reported that the Court at a hearing yesterday threatened to temporarily block cruise ships operated by Carnival Corporation from calling on U.S. ports.

In December of 2016, Judge Seitz placed [Carnival Corporation on probation and fined it a record \\$40,000,000](#) for widespread pollution and obstruction of justice. Carnival has a long history of getting caught committing environmental crimes dating back to 2002 when it pled guilty to numerous felonies for discharging oily waste into the sea. The U.S. Government leveled a \$18,000,000 fine and placed Carnival on probation back at that time. In both 2002 and 2016, Carnival pled guilty of routinely falsifying its oil record books in order to conceal its illegal discharge of oil into the seas.

As part of the felony plea agreement in 2016, cruise ships from eight Carnival cruise line companies (Carnival Cruise Line, Holland America Line N.V., Seabourn Cruise Line Ltd. and AIDA Cruises) were placed under a court supervised Environmental Compliance Program (ECP) for five years. An outside entity and a court appointed monitor independently audited the ECP.

The Miami Herald reported that “court filings showed that Carnival Corp. and its subsidiary cruise lines have sought to avoid unfavorable findings by preparing ships in advance of court-ordered audits, falsified records, dumped plastic garbage into the ocean and illegally discharged gray water into Glacier



Bay National Park in Alaska. The company also has tried to lobby the U.S. Coast Guard through a back channel to change the terms of the settlement, prosecutors allege. The company has acknowledged these incidents.”

On March 8, 2019, the Office of Probation filed a motion to revoke probation on the grounds that the cruise corporation implemented a “brazen and secret” scheme to send “SWAT teams” to the cruise ships to “scrub” them before the third party auditors performed their compliance inspections. These illegal pre-audit programs were carried out to avoid adverse audits findings and violations of probation, even after the Court ordered them to stop. Emails between HAL and Princess revealed that even though the Carnival subsidiaries knew that the Department of Justice prohibited them from conducting “Pre-TPA audit ship visits,” they continued doing so, in criminal contempt of Court. They even called them “Environmental Excellence Program Visits.”

The government also brought to the Court’s attention that the cruise corporation continued to fail to establish a senior corporate officer with authority and responsibility for environmental compliance as required by the environmental compliance plan.

A third grounds for revoking probation was that Carnival-owned ships falsified training records aboard the *Diamond Princess* and the *Costa Luninosa*. The government also informed the Court that the following ships violated environmental laws while Carnival Corporation was under court-supervised probation:

- Princess’ *Sun Princess* – an engineer falsified maintenance records in June 2017;
- HAL’s *Nieuw Amsterdam* had been continuously discharging gray water for several years in Alaska (as of June 2017) and knowingly failed to notify the state of Alaska;
- *Carnival Valor* – engineering team falsified an oil record book regarding the oily water separator system in October 2017;
- HAL’s *Westerdam* – a second engineer falsified maintenance records involving the oil content monitoring system in September 2018;
- Holland America’s *Westerdam* – illegally dumped 26,000 gallons of gray water into Glacier Bay National Park in Alaska on September 11, 2018;
- *Carnival Conquest* illegally dumped 66,000 gallons of ballast water in November 2018 (in Bahamian archipelagic waters where Carnival ships previously made other unlawful discharges); the ship’s engineer offered to falsify records to make it look like the dump happened at open sea; and
- Princess’ *Sea Princess* (December 2017) and *Ruby Princess* (February 2018), *Carnival Dream* (August 2018), and *Carnival Elation* (December 2018) dumped plastic overboard.

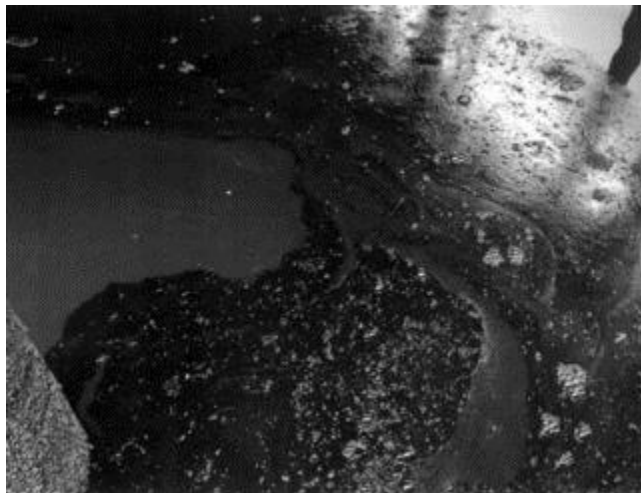
The government informed Judge Seitz that, regarding the *Carnival Elation*, Carnival knowingly and deliberately discharged plastic which was a significant violation of probation.

Regarding the *Sea Princess*, the auditor witnessed that the “food waste chute had several unauthorized items in the food waste that is going down the chute and overboard, items such as plastic straws, corn on the cob holders, wooden stir sticks, plastic tea bag packages, and plastic knives. The unauthorized waste was not being segregated at the early stage of the collecting the food waste. This was noted during the galley inspection as it was found that there is plastic straws, paper, wood stir sticks and rubber bands in the pulpers.”

Regarding the *Ruby Princess*, a compliance auditor “witnessed 55-gallon containers (which) held several unauthorized items destined to go down the waste chute and overboard. These items were plastic straws, plastic corn on the cob holders, wooden stir sticks, toothpicks, wooden steak identifiers, paper, paper clips and aluminum foil wrappers.”

Regarding the *Carnival Dream*, the auditor noted that the following items were “ready to be discharged down the chute and then overboard while at sea. These items are but not limited to: aluminum bottle caps, broken plastic cups, cotton swabs (Q-tips), emery cloth, plastic straws, napkins, paper and umbrellas for drinks.”

Last year, we reported that four Holland America Line (HAL) cruise ships and two Princess Cruises ships [violated Alaska's air quality standards](#) throughout the cruise season's summer months (June-August) in Alaska. The Alaska Department of Environmental Conservation (DEC) cited HAL's *Eurodam*, *Westerdam*, *Amsterdam*, and *Nieuw Amsterdam* and Princess' *Emerald Princess* and *Golden Princess*. The DEC also found that nine cruise ships



operated by Carnival Corp. brands

violated Alaska's water quality standards. Five Princess cruise ships violated water quality standards, including the *Emerald Princess*, *Island Princess*, *Golden Princess*, *Ruby Princess* and *Star Princess*. The DEC also issued wastewater discharge violations to HAL's *Eurodam*, *Noordam*, and *Voledam*, as well as Seabourn Cruise Line's *Sojourn*.

We [reported that Princess Cruises' *Star Princess* discharged sludge from its exhaust system scrubbers](#) last year in the port of Ketchikan, as originally reported by [KRBD Community Radio](#). Princess denied the reports, claiming that "our experts believe what was viewed and photographed is most likely sea foam discolored by natural microorganisms such as algae in the seawater, which is commonly experienced in northern climates in the summer season."

I wrote last fall that the air and water violations by HAL and Princess Cruises appeared to be in direct violation of the [guilty plea agreement](#) where Carnival Corp. promised not to commit further violations of international, federal, state, and local environmental laws. (There is no indication that these air or water violations in Alaska or the scrubber discharges were brought to the Court's attention).

Judge Seitz stated at the hearing yesterday, according to the Miami Herald, that Carnival "right now it is a criminal defendant and this is not the first time nor is it the second time." The Court characterized the last fine (\$40,000,000) to be a "drop in the bucket."

The Court ordered the parties to confer and file, by April 22, 2019, agreed dates to appear at a "Revocation Hearing" (to be held by June 24, 2019) at which time the Court will decide whether Carnival violated the terms of its probation and how it should be further punished. The Court suggested that Carnival's chairman, Micky Arison, and president, Donald Arnold, as well as Holland America executives Stein Kruse, Keith Taylor and retired Rear Admiral Joseph Servidio and Carnival Cruise Line president Christine Duffy attend the June hearing.

APPENDIX B

**Behested payments to Mayor of Long Beach Educational
Foundation from Carnival or its Foundation**

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member (Last name, First name)

Robert Garcia

Agency Name

City of Long Beach

Agency Street Address

333 W. Ocean Blvd

Designated Contact Person (Name and title, if different)

Mark Taylor

Area Code/Phone Number

562-570-6801

E-mail (Optional)

mayor@longbeach.gov

Date Stamp

17 AUG -4 PM 3: 04

California Form 803

For Official Use Only

☐ Amendment (See Part 5)

Date of Original Filing: _____
(month, day, year)

2. Payor Information (For additional payors, include an attachment with the names and addresses.)

Carnival Cruise Foundation

Name

3655 N.W. 87th Ave

Miami

FL

33178

Address

City

State

Zip Code

3. Payee Information (For additional payees, include an attachment with the names and addresses.)

Community Partners- Mayor's Fund for Education

Name

65 Pine Ave. #898

Long Beach

CA

90802-4718

Address

City

State

Zip Code

4. Payment Information (Complete all information.)

Date of Payment: 4/12/2017
(month, day, year)

Amount of Payment: (In-Kind FMV) \$ 25,000.00
(Round to whole dollars.)

Payment Type: ☐ Monetary Donation or ☐ In-Kind Goods or Services (Provide description below.)

Brief Description of In-Kind Payment: A competitive grant award applied for and received during open solicitation process.

Purpose: (Check one and provide description below.) ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: To support educational efforts in Long Beach

5. Amendment Description and/or Comments

Notice of payment received on 6/15/2017

6. Verification

I certify, under penalty of perjury under the laws of herein is true and complete.

Executed on 8-4-17
DATE

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member (Last name, First name) Robert Garcia		Date Stamp 19 MAY 14 PM 3:25	California Form 803 For Official Use Only
Agency Name			
City of Long Beach Agency Street Address 333 W. Ocean Blvd			
Designated Contact Person (Name and title, if different) Mark Taylor		<input type="checkbox"/> Amendment (See Part 5) Date of Original Filing: _____ (month, day, year)	
Area Code/Phone Number 562-570-6801	E-mail (Optional) mayor@longbeach.gov		

2. Payor Information (For additional payors, include an attachment with the names and addresses.)

Carnival Foundation

Name

3655 N.W. 87th Ave.

Address

Miami

City

FL

State

33178

Zip Code

3. Payee Information (For additional payees, include an attachment with the names and addresses.)

Community Partners Mayor's Fund for Education

Name

1000 North Alameda Street, Suite 240

Address

Los Angeles

City

CA

State

90012

Zip Code

4. Payment Information (Complete all information.)Date of Payment: 6/22/2018
(month, day, year)Amount of Payment: (In-Kind FMV) \$ 25,000.00
(Round to whole dollars.)Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services (Provide description below.)

Brief Description of In-Kind Payment: _____

Purpose: (Check one and provide description below.) ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: To support educational efforts of the Mayor's Fund for Education and "Cradle to Career Initiative".

5. Amendment Description and/or Comments

Payment notification received 5/13/2019.

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 5/14/19
DATE

By

APPENDIX C

Key CPRA requests by Hricko and responses from City of LB

Communication between Hricko and City of Long Beach Public Records Center

On 8/1/2019 Hricko wrote:

Service Area:	City Manager
Type of Record(s) Requested:	Describe Below...
Describe the Record(s) Requested:	<p>Time range: January 2016 to present Under the CPRA, I hereby request any and all communications (emails, notes of phone messages, documents) between parties and any other communications between anyone at Carnival Cruise lines or consultants working for Carnival Cruise lines and the Mayor of Long Beach, any City Councilpersons, any City staff and any consultant contracted with the City of LB, pertaining to having the Carnival Panorama berthed there, the Long Beach Cruise Terminal Improvement Project; its need; the need for dredging, the need for additional parking lots and changes to roadways, etc. I request any communications that request an expedited timeline for finishing the project before the slated first voyage of the Carnival Panorama on December 11, 2019. I request any communications that mention donations of any sort in return for an expedited timeline. Thank you for your consideration.</p>

✓ On 9/9/2019 10:53:54 AM, Long Beach Public Records Center wrote:

Subject: Public Records Request :: C004859-080119

Body:

RE: Public Records Request Reference Number: C004859-080119

City staff is working on compiling and reviewing the appropriate documents and will produce them promptly within a reasonable time frame. We are still searching records across 15 offices, including five City departments, all nine City Council Offices, and the Mayor's Office. I estimate another 4-6 weeks to gather all documents, review, and produce. Staff will notify you upon producing records if portions of documents will be withheld from disclosure due to exemptions in accordance with law.

Thank you for contacting the City of Long Beach. If you have any questions, please contact the Records Coordinator Office at (562) 570-6711.

Andrew Vialpando

CITY OF
LONG BEACH

✓ On 10/3/2019 11:29:36 AM, Long Beach Public Records Center wrote:

CC:

Subject: Public Records Request :: C004859-080119

Body:

Dear Ms. Hricko,

Thank you for reaching out. City staff has gathered roughly 1,500 to 2,000 pages worth of documents in response to this request across multiple departments and bureaus. Staff has conducted an initial review and determined additional time is needed. Some pages may not be responsive to your request and others still need to be reviewed by legal counsel.

I anticipate an additional 2-4 weeks. We will provide you an update when the documents are ready.

Thank you for your patience.

Sincerely,
Andrew Vialpando

✓ On 10/22/2019 11:17:47 AM, Andrea Hricko wrote:

Based on your idea of timing, 2-4 weeks, I would anticipate receiving the public records responding to my request in the next week to 10 days, certainly with 2 weeks. This request is even more urgent now that a public hearing by the City of LB Planning Commission has been scheduled for Nov. 7. It has been 2 1/2 weeks since you last responded. By Nov. 7 -- it will have been 3 MONTHS since my request was submitted. Andrea Hricko, USC

Public Records Request :: C004866-080119



Long Beach Public Records Center <longbeachca@mycusthelp.net>

To: Andrea Hricko

① Links and other functionality have been disabled in this message. To turn on that functionality, move this message to the Inbox.
This message was marked as spam using a junk filter other than the Outlook Junk Email filter.
We converted this message into plain text format.

Reply Reply All Forward ...

Mon 9/9/2019 10:59 AM

--- Please respond above this line ---

<<https://uploads.mycusthelp.com/WEBQASUPPORT/PoweredByGovQALogo.png>>

Ms. Hricko,
We will upload them as soon as final review is completed. I anticipate this week sometime. Thank you.

Dionne Bearden

From: David Sharp [REDACTED]
Sent: Wednesday, November 06, 2019 6:53 AM
To: Dionne Bearden
Subject: Full EIR

Dear Planning Commissioners

I humbly request this commission reconsider the decision to not include a full EIR Inquiry regarding the Carnival cruise terminal . Long Beach is putting dollar signs before their environmental responsibilities. As we have seen in the past from accidents like the Exxon oil spill, not taking the extra steps to protect the environment, can forever link a brand name with a tragedy. It is in the best interest of both the ocean around the terminal, the community of Long Beach, and Carnival cruise lines to take that extra step with a full EIR report!

Please reconsider!

Thank you.

Karey Sharp

Long Beach resident

Sent from my iPad

Dionne Bearden

From: [REDACTED]
Sent: Wednesday, November 06, 2019 9:51 AM
To: Dionne Bearden
Subject: Carnival Cruise Line before Planning Commission

As much as I love to cruise, and am happy that we will be having Carnival Cruise Lines in Long Beach, I do have some comments to make.

In this petition I urge you to make a condition that the ship must "plug" into the port instead of burning fossil fuels. There is obviously a "lag time" but other ships do this all the time and they are set up to meet the criterion of Europe.

Waste Disposal has been a big issue with this Line. Make sure there is an inspection on a frequent basis, and make the fine so onerous that they will not ignore the mandate.

There will be some impact on the existing wildlife in the area, so I urge you to ask the Cruise line to make some sort of mitigation effort to keep our few remaining wild life species intact. (I am actually not sure how to do that, but it sort of seems important)

I would set a time line (FIRM) for the construction of facilities, for the installation of all equipment necessary and the integration of the line into our infrastructure. Without a time line they might turn out to be a patchwork quilt of compliance. Fines of course for non-compliance.

Having witnessed the total disregard by Urban Commons for the contract signed with the City for the Queen Mary and its adjacent land, we are forewarned about how companies will not comply if not supervised in a strict and honest manner.

I hope you will take these concepts into consideration at the hearing.

Respectfully

Robert Fox

[REDACTED]
Long Beach, Ca [REDACTED]
[REDACTED]