

**PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE
LIGHT, AESTHETICS AND NOISE SUBCOMMITTEE**

Monday, July 14, 2008
425 S. Palos Verdes Street
San Pedro, Ca 90731

LOCATION OF MEETING:
POLA Charter High School
5:00 PM

NOTICE AND AGENDA

- A. Call to Order – Peter M. Warren, Chair – 5 Minutes for First Three Items
- B. Sign-In/Introductions
- C. Approval of Minutes: May 23, 2006
- D. Public Comment
- E. Port Request for Committee to Meet During Weekday Working Hours – 10 Minutes
- F. Reorganization of the Committee; Discussion of Protocols, Areas of Interest, Assignments, Community Needs and Committee Direction – 20 Minutes
- G. Consultant Hiring; Action Item – 10 Minutes
- H. Motion on 90-Day Comment Period and/or Extension for DEIRs, Including those that are Pending – 5 Minutes
- I. China Shipping DEIR and Possible Action Item – 15 Minutes
- J. Pier 400/Supertanker DEIR/DEIS and Possible Action Item – 15 Minutes
- K. Update on 2005 Noise Study from PORT Staff – 10 Minutes
- L. Update on Port Light Retrofits Piers 300, 400 from Port Staff – 10 Minutes
- M. Agenda Items for Next Meeting, August 11, 2008 – 10 Minutes
- N. Adjournment

Pier 400 Motion

1. The DEIR/DEIS requires revision. The document provides no assessment of noise impacts during operations. This revision must assess what are likely to be very significant impacts and offer mitigation. This mitigation is particularly necessary in the residential areas that already are significantly impacted by noise from Port of LA (POLA) operations. These operational noise impacts are not adequately mitigated.
2. The DEIR/DEIS requires revision to fully assess significant noise impacts to residents and recreational areas that would occur during construction. These currently are not adequately mitigated.
3. The DEIR/DEIS requires revision to fully assess visual impacts. The document relies on a baseline created by the existence of PIER 400. But the Pier 400 EIR said "loss of views of open water" would be mitigated by tree and vegetation planting on Pier 400, which has not been done. The Pier 400 EIR did not adequately assess visual impacts.
4. The DEIR/DEIS requires revision to adequately assess light spillage and loss of nighttime sky views in the residential and public recreation areas west of the project. There has been a dramatic change in night sky since the construction of Pier 400, which was not adequately discussed in the Pier 400 EIR. Further light intrusion on the night sky of Point Fermin would compound this serious error and is unacceptable. The current document also fails to adequately assess light pollution and its impacts because it accepts as a baseline the existing impacts from intrusive and poorly designed lighting at Pier 400. This baseline was and remains unacceptable. The baseline results from a previous and continuing injury, the failure by POLA to adequately identify and mitigate light spillage from Pier 400 in the 1992 EIR/EIS.
5. The DEIR/DEIS requires revision because it fails to adequately analyze alternatives to the current project. Items 1 through 4 (above) discuss a variety of unmitigated impacts. These impacts would be mitigated, eliminated or reduced if the so-called Face E Project alternative, which calls for building the supertanker berthing on the East face of Pier 400, were adequately assessed. Currently, that alternative is dismissed, largely for reasons of navigation. This is asserted without supporting information.
6. The DEIR/DEIS requires revision because it fails to adequately analyze the Face E Project alternative. Items 1 through 4 (above) discuss a variety of unmitigated impacts. These impacts would be mitigated, eliminated or reduced by the Face E alternative. In evaluating Face E, the document does not consider either: having tankers enter through the Long Beach gate with a dredged channel to Pier 400 or

altering the width of the breakwater at the mouth of Angels Gate to reduce or eliminate the navigational issues.

In conclusion, we also note that the DEIR/DEIS process has had serious deficiencies and may not comply with federal and state law. There have been problems with the public process. Both the POLA and the Army Corps of Engineers have shown a lack of commitment to openness and public dialogue.

We site below a few examples. We ask the agencies to agree to extend the comment period on the DEIR/DEIS by 90 days and immediately propose remedies for the other process errors now, so they may be undertaken and accomplished for this Project during the extended comment period; and to publicly commit to incorporate such improvements in the EIR/EIS process for all future projects.

Examples of process problems:

- A flawed public hearing process, in which the single public hearing was held on the same evening as a hearing into another controversial land-use project in San Pedro. The competing hearing, convened by another agency of the City of Los Angeles, drew approximately 500-700 people, including many residents who otherwise would have testified on the Pier 400/Supertanker proposal
- The refusal by the POLA to continue funding of Port Community Advisory Committee (PCAC) consultants who assist unpaid community representatives in understanding the 4200-page DEIR/DEIS
- The refusal by POLA and Corps to extend the 60-day comment period for this voluminous document, which took more than two years to draft;
- The timing of the release of the document so that the bulk of comment period takes place during the summer months;
- The refusal by POLA of direct requests from community and PCAC members to print and distribute additional printed copies of the DEIR/DEIS.

We look forward to your rectifying the above cited deficiencies of content and process.