

**MINUTES OF A SPECIAL MEETING OF THE INTERMODAL CONTAINER
TRANSFER FACILITY JOINT POWERS AUTHORITY GOVERNING BOARD HELD AT
THE BANNING'S LANDING COMMUNITY CENTER, 100 E. WATER STREET,
WILMINGTON, CALIFORNIA, ON WEDNESDAY, MARCH 4, 2009, AT 6:00 P.M.**

Board Members present:

S. David Freeman, Port of Los Angeles
Geraldine Knatz, Port of Los Angeles
Nick Sramek, Port of Long Beach
Richard D. Steinke, Port of Long Beach

Board Members absent:

None

Also present:

Sam Joumblat, Port of Long Beach
Doug Thiessen, Port of Long Beach
Thomas A. Russell, General Counsel

CHAIRPERSON FREEMAN PRESIDED AS CHAIR.

APPROVAL OF MINUTES

Mr. Sramek moved, seconded by Ms. Knatz and unanimously carried, the minutes of the special meeting of September 3, 2008, were approved.

Chairperson Freeman recommended the minutes of future meetings be summarized.

NEW BUSINESS

**1. AMENDMENT TO AGREEMENT BETWEEN THE INTERMODAL CONTAINER
TRANSFER FACILITY JOINT POWERS AUTHORITY AND ESSENTIA
MANAGEMENT SERVICES LLC FOR PROJECT MANAGEMENT SERVICES -
APPROVED.**

Communication from Sam Joumblat, Executive Director, dated March 4, 2009, recommending the Governing Board approve the Amendment to the Agreement between the ICTF JPA and Essentia Management Service LLC changing the name of the contractee from Essentia to E2 ManageTech Inc. and authorize the Executive Director to execute the Amendment to the Agreement, changing the name of the

contractee, was presented to the Governing Board.

Ms. Knatz moved, seconded by Mr. Steinke, that the item be approved as recommended. Carried by the following vote:

AYES: Members: Steinke, Knatz, Sramek, Freeman
NOES: None
ABSENT: None

Chairperson Freeman recommended, and unanimously approved by the Governing Board Members, that Agenda Item No. 2 be reviewed after Agenda Item No. 3.

3. RECOMMENDATION TO APPOINT DOUGLAS A. THIESSEN AS EXECUTIVE DIRECTOR – APPROVED.

Communication from Sam Joumblat, Executive Director, dated March 4, 2009, recommending the Governing Board appoint Mr. Douglas A. Thiessen as Executive Director of the ICTF JPA Governing Board, replacing Mr. Sam Joumblat, was presented to the Governing Board.

Mr. Steinke moved, seconded by Mr. Sramek, that the item be approved as recommended. Carried by the following vote:

AYES: Members: Steinke, Knatz, Sramek, Freeman
NOES: None
ABSENT: None

2. PROGRESS/STATUS REPORT ON ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROPOSED ICTF MODERNIZATION PROJECT – INFORMATION ITEM.

Mr. Ed Rogan, Principal, E2 Manage Tech, gave a presentation on the scoping meeting that was held on February 11, 2009. Mr. Rogan gave an update and schedule overview on the progress of the EIR for the proposed ICTF Modernization Project.

The following individuals spoke regarding the Proposed ICTF Modernization Project:

Carmen Rivera, Interfaith Community Organization
Mary Rubenmaker, Interfaith Community Organization
Maria Trujillo, Interfaith Community Organization
Mary Hernandez, Interfaith Community Organization
George Hulbert, LBUSD Teacher
Evelyn Knight, Interfaith Community Organization
Alan Terwey, Westside Neighborhood Clinic

Geoff Shidler, LBUSD Teacher
Joan Greenwood, Wrigley Area Neighborhood Alliance, Inc.
John Cross, West Long Beach Neighborhood Association
Suzanne Arnold, Hudson School Nurse
Lara Balajadia, Interfaith Community Organization
Chris Bientajado, Interfaith Community Organization
John Thomas
Teresa Trujillo, Interfaith Community Organization
Alexandra Martinez, Interfaith Community Organization, Cabrillo High School
Jesse Marquez, Coalition for a Safe Environment
James Larson, West Side Long Beach Resident
Alina Lazarte, St. Lucy Church
Hilario Balajadia, Jr., St. Lucy Church, Interfaith Community Organization
Martha Cota, Huntington Beach Resident, near Long Beach
Ana (last name not given), St. Lucy School
Elena Rodriguez, West Long Beach Resident
Mary Rubenmaker, Interfaith Community Organization

Public comments referenced on the attached California Deposition Reporters transcription report.

ADJOURNMENT

At 7:50 p.m., Mr. Sramek motioned, seconded by Mr. Steinke, that the meeting be adjourned sine die.

JOINT POWERS AUTHORITY

GOVERNING BOARD

of the

INTERMODAL CONTAINER TRANSFER FACILITY

SPECIAL MEETING

WEDNESDAY, MARCH 4, 2009

BANNINGS LANDING COMMUNITY CENTER,

WILMINGTON, CALIFORNIA

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1 CHAIRMAN FREEMAN: Good evening. If everybody
 2 would have a seat. Thank you.
 3 Please call the roll.
 4 MS. MITCHELL: Mr. Steinke.
 5 MR. STEINKE: Here.
 6 MS. MITCHELL: Mr. Sramek.
 7 MR. SRAMEK: Here.
 8 MS. MITCHELL: President Freeman.
 9 CHAIRMAN FREEMAN: Here.
 10 MS. MITCHELL: Ms. Knatz.
 11 MS. KNATZ: Here.
 12 MS. MITCHELL: We have a quorum.
 13 CHAIRMAN FREEMAN: Thank you.
 14 We have speaker cards for people going to
 15 speak, or how does that process work?
 16 MR. JOUMLAT: Yes, sir, Mr. Chairman, we do.
 17 CHAIRMAN FREEMAN: Could we have a look -- as
 18 far as the business is concerned, let me just make a
 19 comment. These are the most extensive, detailed minutes
 20 I have ever seen in my life. Ah, I think it records --
 21 you know, the jokes are not really funny when they are
 22 printed, and each phrase we utter -- we think it's a
 23 pearl of wisdom, but they don't look all that astute
 24 when printed. Minutes are to summarize, in my view, the
 25 actions that we have taken, and the transcript that is

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1 kept for the meeting is another thing.
 2 I've got to compliment the staff on these set
 3 of minutes. But my reaction, if we're going to
 4 improve these minutes in the future, I think you could
 5 save yourself a lot of time and serve our purposes just
 6 as well by summarizing the significant actions. But we
 7 thank you.
 8 Do I have a motion to approve?
 9 MR. SRAMEK: Move approval.
 10 MS. KNATZ: Second.
 11 CHAIRMAN FREEMAN: All those in favor?
 12 BOARD MEMBERS: Aye (all).
 13 CHAIRMAN FREEMAN: I think most of you are
 14 probably here for item 2. I'm just wondering if we can
 15 take items 1 and 3 and then get into public comment? Is
 16 there any problem with that?
 17 That's yes.
 18 You want to make a presentation on item 1?
 19 MR. JOUMLAT: Very briefly, this action is
 20 administrative in nature. It's, for the most part, a
 21 name change in the contract, as I mentioned to some of
 22 you, is to change the name from Essentia who has been
 23 providing program management services among other things
 24 to the JPA to a new name, E2 ManageTech, which is the
 25 result of two firms merging. We will continue to have

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1 the same group of professionals doing the same thing on
 2 the account, and we would have the same hourly fees and
 3 the fee contract amount. So there is no financial
 4 impact or otherwise.
 5 Therefore, it's requested that the governing
 6 board authorize the executive director to execute the
 7 management action attached to the board minutes.
 8 CHAIRMAN FREEMAN: Any comments on this?
 9 MS. KNATZ: I move it.
 10 MR. STEINKE: Second.
 11 CHAIRMAN FREEMAN: All in favor?
 12 BOARD MEMBERS: Aye (all).
 13 CHAIRMAN FREEMAN: We'll take item 3 for the
 14 moment.
 15 MR. JOUMLAT: Item 3 is, given the workload
 16 and the loss of key personnel in my division at the Port
 17 of Long Beach, I find myself prepared to resign as the
 18 executive director of the JPA. I recommend the
 19 governing board appoint Mr. Doug Thiessen, engineering
 20 management director at the Port of Long Beach, to
 21 replace me here.
 22 CHAIRMAN FREEMAN: What if we don't accept your
 23 recommendation?
 24 MR. JOUMLAT: Then I'm stuck.
 25 CHAIRMAN FREEMAN: That sounds like a pretty

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1 good option to me -- add to that, he's doing a great
 2 job, but you don't like the job?
 3 MR. JOUMLAT: Thank you. I do. I have
 4 enjoyed it. It's been my pleasure to serve the board.
 5 But it's executive demands at my day job that is
 6 compelling me to make this request.
 7 MS. KNATZ: So Doug has lots of free time?
 8 MR. STEINKE: I would just say, given the
 9 changes in his responsibilities as we move forward, I
 10 think that Mr. Thiessen is well positioned to be the
 11 executive director. And Sam has done a great job, but
 12 his other job as CFO at the Port of Long Beach and the
 13 increase in some of the challenging times that we have,
 14 so I think that I would make a motion that we accept
 15 Doug Thiessen as staff.
 16 MR. SRAMEK: I'll second.
 17 I also want to thank Sam for being our man in
 18 action, so thank you. And I also agree that we're
 19 really moving into a different part of the program.
 20 We're moving into the EIR and engineering parts of it,
 21 so I think Doug is well positioned to do that.
 22 CHAIRMAN FREEMAN: Greater insight of our
 23 colleagues.
 24 MS. KNATZ: He used to work for me, so I know.
 25 I would say, yes, he's a good pick.

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1 CHAIRMAN FREEMAN: Very good. So we have a
 2 motion and a second.
 3 All in favor?
 4 BOARD MEMBERS: Aye (all).
 5 CHAIRMAN FREEMAN: Okay. That does take us,
 6 apparently, to the main business. Is there a
 7 presentation that the staff needs to make here?
 8 MR. JOUMLAT: Yes. Mr. Ed Rogan, principal in
 9 Essentia, will be making the staff presentation.
 10 MR. ROGAN: Good evening. I'm Ed Rogan with
 11 Essentia, now E2 ManageTech.
 12 THE REPORTER: I don't think anything's on.
 13 MR. ROGAN: Good evening.
 14 THE REPORTER: There.
 15 MR. ROGAN: I'm Ed Rogan now with E2
 16 ManageTech. We have a very brief presentation, a couple
 17 of slides summarizing the scoping meeting we just had a
 18 couple weeks ago -- three weeks ago actually tonight. A
 19 little bit of general progress and a schedule overview,
 20 and then we'll just open it up for questions.
 21 As I mentioned, we had a scoping meeting on
 22 February 11th, three weeks ago tonight, generally in the
 23 middle of the review period during which the Notice of
 24 Preparation about the project, the initial study was
 25 circulated for review -- public and agency review during

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1 the period of January 9th to February 25th. This
 2 comment period just closed last Wednesday, and those
 3 comments have been summarized and provided to the AQMD
 4 who is preparing the EIR as most people in the room
 5 know.
 6 The goal and purpose was to procure comments
 7 from the agencies and the public to aid in focusing and
 8 directing the overall emphasis of the EIR. It was held
 9 at the Stephens Middle School. We had a total of 37
 10 speakers. It turned out that 28 of them expressed
 11 concerns about the project, and 9 of them expressed
 12 support for the project.
 13 The comments, the summary -- actually the
 14 transcript of the comments will be posted on the Web
 15 site for those 37 speakers so they can see what
 16 specifically they said.
 17 What I should summarize here is a couple of
 18 quick slides with an excerpt with some literary
 19 licensing highlighted some things like asthma problems
 20 will be compounded, jobs will be created, value of homes
 21 will go down, et cetera. You can read these for
 22 yourself, and the entire comment will be provided in the
 23 summary that is on the listing that is provided on the
 24 Web site.
 25 Continuing on with the services to try to give

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1 people the flavor of what was discussed that evening,
 2 near-dock is not the answer, need more on-dock capacity
 3 and utilization, commendable use of green technology,
 4 very significant negative traffic issues, investment in
 5 infrastructure benefits the economy, and we need more
 6 done right now.
 7 So that again, I just wanted to provide a
 8 flavor for those of you who could not make it to the
 9 meeting three weeks ago to see what kinds of things we
 10 were listening to. I thought the evening went very well
 11 and very well presented by the different speakers.
 12 And an issue that is always on the agenda at
 13 these meetings is the overall schedule. For those of
 14 you who might recall, the general schedule published
 15 probably six or nine months ago when we first started
 16 the project, was to complete the bottom line item there,
 17 the ICTF-JPA consideration of the Final EIR in November
 18 of '09. We are approximately one month behind schedule
 19 right now, which isn't as bad as it seems because we
 20 utilized about eight to ten weeks late last year trying
 21 to make sure this project was being evaluated
 22 consistently with the SCIG project.
 23 So the alternatives and the transportation
 24 assumptions, the cumulative analysis, which is totally
 25 logical that we would sit down for a little while and

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1 make sure that everybody was on the same page since
 2 these two facilities are relatively close to each other.
 3 So there was about an eight- to ten-week period where
 4 the AQMD, as the consultant for the JPA and the Port of
 5 L.A. on the state side, sat down, and technical people
 6 from both within the ports and on the consultant team
 7 generated consistent assumptions that we can both use.
 8 So the good news is we had about eight to ten
 9 weeks that we did that, but we're trying to manipulate
 10 different things to make sure we only lose about a month
 11 in total. The AQMD is being very cooperative in trying
 12 to expedite things they can. They began turning in
 13 draft chapters for us to review and pass along to the
 14 JPA staff and technical staff at either port, so they're
 15 working very well with us to try to keep this thing
 16 moving toward that November/December time frame.
 17 CHAIRMAN FREEMAN: Let me just stop you a
 18 second. What is the target date for getting the Draft
 19 EIR out to the public for comment?
 20 MR. ROGAN: July of this year.
 21 CHAIRMAN FREEMAN: That's a firm date?
 22 MR. ROGAN: Yes, sir. We're in the process of
 23 we certify. Mid-April have a Draft EIR --
 24 administrative draft for the port staff to look at, get
 25 the document together, and send it out in -- we're

1 looking at July and August for the public review period,
 2 publishing the document approximately June 30th for the
 3 public period.
 4 CHAIRMAN FREEMAN: Okay. That's really the
 5 date that's most crucial will be under your control.
 6 MR. ROGAN: Yes, sir.
 7 CHAIRMAN FREEMAN: You're saying that we will
 8 almost certainly have a draft out in July of this year?
 9 MR. ROGAN: That's the current plan.
 10 CHAIRMAN FREEMAN: That will be very important.
 11 Go ahead.
 12 MR. ROGAN: Yes, sir. The April review draft
 13 within the port and the JPA staff is July and August
 14 public review period. We're trying to schedule -- we're
 15 right now scheduling a public review meeting in August,
 16 giving people about 30 days to look at the document and
 17 be prepared to come and offer comment. Publish the
 18 Final EIR in November of '09, and have the ICTF board
 19 consider the document.
 20 CHAIRMAN FREEMAN: Well, with all due respect,
 21 we can control the dates you finish the draft. Dates
 22 after that are going to depend upon comments and upon
 23 this body, so we won't hold you responsible for this.
 24 But we will hold you for getting the draft out in July.
 25 MS. KNATZ: Are we going to have some sort of

1 Just to remind everyone, we do have a Web site
 2 dedicated to the project. We regularly post calendars,
 3 meeting notices. You can sign up and put your e-mail
 4 address if you have one, and you'll get automatic
 5 notices of meetings like this or other publishing of
 6 documents on the Web site. And at the bottom of the
 7 slide or the bottom of the handout that everyone should
 8 have been able to get out front is the phone number for
 9 Mr. Greg Alexander sitting over here in the corner, and
 10 the actual if you want to submit a question to the Web
 11 site, either to myself or Greg or either one that are
 12 answering the questions.
 13 With that, that's the general update on where
 14 we are.
 15 CHAIRMAN FREEMAN: Thank you.
 16 MR. ROGAN: You're welcome.
 17 CHAIRMAN FREEMAN: Anybody have any questions?
 18 I think we're now open for public comment. Is
 19 there some order here?
 20 MR. THIESSEN: Mr. Chairman, we've received a
 21 number of speaker request cards from the audience,
 22 probably 20 to 25. We generally go through them in the
 23 order we received them, call the names.
 24 We would request the speakers limit their
 25 comments to three minutes in consideration of the rest

1 preview before July on what we're talking about in terms
 2 of mitigation and what's going to be in the document?
 3 MR. ROGAN: We -- the board --
 4 MS. KNATZ: Yeah.
 5 MR. ROGAN: -- or the public?
 6 MS. KNATZ: A preview of what we're coming out
 7 with.
 8 MR. ROGAN: That was not planned. The plan was
 9 to submit the document through the two ports and the JPA
 10 staff for review and then issue it for public comment.
 11 I'm open to suggestions if you're willing to have a
 12 sit-down session where we can present to you
 13 individually what the document looks like and the
 14 alternatives that are being considered, but I don't --
 15 CHAIRMAN FREEMAN: Work within the limits of
 16 the law.
 17 MR. ROGAN: Yes. That was my concern. I was
 18 looking towards Mr. Russell because I'm not sure that a
 19 private viewing of the document . . .
 20 MS. KNATZ: I thought we had talked earlier
 21 when you expressed the thought that there had been some
 22 discussion of mitigations for this project, so . . .
 23 MR. ROGAN: I don't recall that.
 24 MS. KNATZ: Maybe I'm wrong.
 25 MR. ROGAN: I think that -- last slide.

1 of the audience because they may want to speak about.
 2 The first card I received is a little difficult
 3 to read the handwriting, but the street address is 1531
 4 West Summit Street in Long Beach, California. It may be
 5 Carmen. Would you please come forward to the
 6 microphone, please. And following that speaker will be
 7 Mary Rubenaker of Sacramento, California, and the third
 8 would be Maria Trujillo of Long Beach, California.
 9 CHAIRMAN FREEMAN: We ought to be sensitive to
 10 protecting the privacy of people, and I prefer you not
 11 read out anyone else's address.
 12 MR. THIESSEN: Okay.
 13 MS. RIVERA: Hi. My name is Carmen Rivera. I
 14 live here in Long Beach. I have kids, and I come here
 15 for my house. For long time 30 -- 12 years -- the kids
 16 for the asthma, I coming in here. Now working but the
 17 cost of medicine for my asthma. My kids -- my
 18 grandkids, my three grandkids now is very kids with
 19 asthma. Now, they're supposed to go outside for playing
 20 in my yard for my asthma. Outside is very, very scary.
 21 For even in here, and you're breathing in here
 22 what in the night for the very smoking -- it makes
 23 possible -- the eyes hurt. Now, it's over. It's over.
 24 I was reading in the pollution. It said what happened
 25 to the 200 people? We need to move. Why? Really why

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1 for the same people for my -- my neighbors leaving
 2 because the house is not comfortable now. The kids --
 3 everybody in the -- my neighbors living in Long Beach
 4 for the asthma. My friends -- many passed away -- four
 5 friends from the asthma. Please help.
 6 No need to tell me we need more jobs. The
 7 economy is still bad. No need to tell me there is a
 8 need for more jobs. Thank you. (Unintelligible) was my
 9 friend, he still . . .
 10 CHAIRMAN FREEMAN: Thank you.
 11 MS. RIVERA: Thank you.
 12 CHAIRMAN FREEMAN: I'm going to make these
 13 comments. The mask makes a symbolic point. The way it
 14 is designed, I just want to say to you, it's very hard
 15 to hear what you have to say with your mask on. I just
 16 make that comment to try to be helpful. You can proceed
 17 any way you like.
 18 MS. RUBENAKER: Thank you. I'll get rid of it.
 19 First of all before I begin, I wanted to know
 20 if there's any translator or if it's possible because, I
 21 think, by law if anybody here doesn't speak English,
 22 then is it possible that we could have for them to
 23 understand what I have to make a point across. If
 24 that's okay?
 25 MR. THIESSEN: I don't believe we have a

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1 translator present.
 2 MS. RUBENAKER: We have one if anybody is here
 3 that would need to translate for us here on the behalf
 4 of our community in Long Beach.
 5 MR. THIESSEN: If the board is pleased to
 6 accept that translation.
 7 CHAIRMAN FREEMAN: It's fine with us.
 8 MS. RUBENAKER: Just so they would know also
 9 what I'm trying to make a point across as well. I think
 10 it would be best. Okay.
 11 SPANISH TRANSLATOR: I can do it.
 12 MS. RUBENAKER: Okay. Hello, my name is Mary
 13 Rubenaker. I have two boys. My oldest goes to Cabrillo
 14 High School, and my youngest son goes to Hudson.
 15 I'm here to voice my concerns on behalf of the
 16 community of Long Beach as well as everybody present
 17 with the concerns with the ICTF expansion. I ask, Is
 18 all the money for the expansion worth my son's health?
 19 My youngest son has chronic asthma, and this is one of
 20 the reasons why I bring my son's inhaler. He has six
 21 medications altogether in addition to this (indicating).
 22 We came from West Covina; I'm a single parent.
 23 And once I got here in the year 2005, my youngest got
 24 pneumonia due to the air quality that we're breathing
 25 here in Long Beach. I'm asking for both my sons to have

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1 a chance for clean air and to stop the railroad
 2 expansion. Again, my youngest son is only nine years
 3 old, and he does not weigh more than 60 pounds.
 4 And also again, I have here a card on behalf of
 5 all the community that are voicing their opinions as
 6 well. Thank you.
 7 CHAIRMAN FREEMAN: Thank you for coming.
 8 MR. THIESSEN: Next speaker is Maria Trujillo.
 9 MS. MARIA TRUJILLO: Good evening. My name is
 10 Maria Trujillo, and the reason that I'm here is because
 11 of my daughter, and my daughter has asthma. She got
 12 asthma when she was five months. And up to now I've
 13 been really struggling with her and her health.
 14 I'm opposed to the expansion project because of
 15 the health of my daughter, and not just for -- because
 16 of my daughter, but everybody else is suffering because
 17 of it. This is my daughter.
 18 MS. ALEXIS TRUJILLO: Hi, my name is Alexis. I
 19 go to Stephens Middle School. And P.E. is cut off for
 20 us because it's kind of hard to breathe because of the
 21 bad air. So many kids in my school have asthma, and
 22 many of them have to carry inhalers, but it is tough for
 23 us to do too many activities because of the bad air.
 24 And what I want is to have clean air, so we can do more
 25 things and more activities. I'm just asking you guys to

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1 please give us more clean air, please. Thank you.
 2 CHAIRMAN FREEMAN: Thank you.
 3 MR. THIESSEN: The next speaker is Mary
 4 Hernandez.
 5 And Mr. Chairman, we do have a translator
 6 available, Cecelia Moreno, who is made available if
 7 other translators are needed, or you know.
 8 Following Mary is George Hulbert.
 9 MS. HERNANDEZ: My name is Mary Hernandez. I
 10 live at the west side of Long Beach. I live where the
 11 terminal island freeway, south of Willow, and there's
 12 Webster and Hayes. I live on Hayes.
 13 I have a problem with my arteries, heart
 14 disease, and sometime the smells are awful. But the
 15 thing is, is the trucking coming. I can hear all the
 16 time the terminal island freeway. But when the -- when
 17 you put the facility in, they're going to be idling, and
 18 the smell is terrible when they're idling, and they
 19 smell so much.
 20 And the thing is -- the problem is -- and
 21 there's also the trains. Sometime I hear them at night,
 22 clinking together, banging together. Can you imagine
 23 how it's going to be when you have this facility?
 24 Terrible.
 25 I take about ten medications now. I've been

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1 living there many, many, many years. I hope to live
 2 more longer than that. Thank you very much.
 3 CHAIRMAN FREEMAN: Thank you.
 4 MR. THIESSEN: George Hulbert. Following
 5 Mr. Hulbert is Evelyn Knight.
 6 MR. HULBERT: How you doing? I'm George
 7 Hulbert. I'm here on behalf of myself and my colleague,
 8 Danielle Garcia. We were both physical education
 9 teachers at Hudson Middle School.
 10 I have a statement from this lady here. It
 11 says, I, Danielle Garcia, former physical education
 12 teacher at Hudson Middle School, requested an
 13 interdistrict and basically Steinhauser transfer to
 14 another campus for health reasons. We were both there
 15 from 2001 to 2007, so that's six school years. Some of
 16 the health problems she had and some of myself, but I'll
 17 read hers first.
 18 And I'll be very frank with you, some of the
 19 health reasons include lost my voice and had multiple
 20 sore throats throughout the year. Along with the above
 21 problem, my eyes were often dry, making it hard to work
 22 outdoors. I also would get headaches, stomachaches
 23 throughout the school year due to the odor both indoors
 24 and out. I had to attend emergency room and urgent care
 25 room during the school year multiple times. During

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1 those visits I received steroid treatments, and one was
 2 a breathing treatment. I was diagnosed with asthma and
 3 needed to be given prescriptions.
 4 Currently I'm teaching in Lakewood, which is
 5 still in the Long Beach Unified School District, away
 6 from that area, freeways, trains, and have yet to need
 7 my prescriptions. Headaches are less frequent, and have
 8 no stomach aches.
 9 And as for myself, I had the same problem, not
 10 as much as needing medication. I was constantly in the
 11 nurse's office which sounds kind of funny. I was in the
 12 nurse's office a lot for my eyes which are somewhat
 13 irritated. I had trouble breathing. I felt sick,
 14 nauseous, and it was hard to go to work every day and
 15 having to deal with that. My clothes smell. So I was
 16 there.
 17 After I was there for six years -- after two
 18 years I put transfers in, and finally after six years
 19 there, I was finally transferred out, so I had to
 20 basically go up to the top to get myself out of that
 21 situation. So it's a tough situation for myself. I've
 22 been gone from there for two years. I don't have any
 23 eye problems anymore. I breathe great. I'm healthy.
 24 So I'm here to support my fellow students that
 25 I had to keep hearing that process every day and go with

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1 there out. And the young lady that came up and talked
 2 about how she was unable to participate fully in
 3 physical education and as she would like cleaner air, so
 4 I appreciate that and some of my former students back
 5 there, too, as well. Please listen to us and take it to
 6 heart. Thank you.
 7 (Interruption from the audience.)
 8 CHAIRMAN FREEMAN: Please be quiet, sir. Sir,
 9 you'll get -- sir, you'll get your turn.
 10 UNIDENTIFIED SPEAKER: I just had a question
 11 for him.
 12 CHAIRMAN FREEMAN: It's out of order.
 13 Yes, ma'am.
 14 MS. KNIGHT: My name is Evelyn Knight, and I'm
 15 a 49-year resident of the west side of Long Beach. I
 16 have health concerns for myself and my family. We were
 17 suffering from asthma for years, and my niece was
 18 already coming down and asking -- help getting something
 19 to breathe.
 20 But I want to talk about in addition to that --
 21 and I'm concerned about that. I'm concerned about the
 22 fact that I was -- three meetings ago when Chairman
 23 Freeman, you know, requested that Union Pacific really
 24 engage the community and really getting input of the
 25 concerns for prevention and mitigation for the

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1 conditions that are going to be affected by this
 2 project. Real communication affects the project, and
 3 the only thing that happened was the scoping meeting.
 4 The only community contact has been from the contracted
 5 public relations firm.
 6 You know, we pay somebody to do a certain kind
 7 of job, they should do that certain kind of job. It's
 8 not really engagement, but we're concerned about the
 9 real process by which we feel we have not had an
 10 opportunity to talk to decision-makers who can really
 11 make a difference for us in our community.
 12 So the community is still waiting for a meeting
 13 with the decision-makers from the Union Pacific. And
 14 this scoping meeting is the only community process so
 15 far. There has not been real community relations. But
 16 maybe this is kind of the time that we really need that
 17 engaging in this movement, but nobody will talk to me
 18 about -- you know, I think we really need to have --
 19 before this comes for a final decision, we really need
 20 some real interest. So I would appreciate us having
 21 some real, you know, not just something that somebody
 22 says and, you know, rolled over, and well, you die. And
 23 thank you.
 24 CHAIRMAN FREEMAN: Thank you.
 25 MR. THIESSEN: Alan Terwey is the next speaker

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1 followed by Geoff Shidler. Alan Terwey.
 2 MR. TERWEY: Hi, my name is Alan Terwey. I'm
 3 the executive director of Westside Neighborhood Clinic.
 4 And I'm just here to share what information that I have.
 5 My facility serves approximately 2500
 6 individuals, 10,000 visits per year. Three hundred of
 7 those visits or 3 percent of those visits are for asthma
 8 treatment. These particular visits for multiple
 9 medications --
 10 CHAIRMAN FREEMAN: Three percent?
 11 MR. TERWEY: Three percent. That seems really
 12 high, but if you consider that our target population is
 13 150,000, that tells you we've got 45 -- that's more than
 14 4500 asthma patients in the target area. That's a lot.
 15 This room couldn't hold them; that's for sure.
 16 Other than the numbers, there's an added
 17 expense to their visit. They're on multiple
 18 medications. Specifically, there's one medication that
 19 is fairly common to all. Seventy percent of our
 20 patients use a medication called Qvar. It is a
 21 steroidal breathing treatment, and it costs my
 22 facility -- because our patients can't afford to pay for
 23 it -- it costs our facility \$75 per atomizer, a small
 24 breathing thing that you've seen asthma victims use.
 25 It's \$75. It's for one month, and that's our price.

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1 The added medication, the breathing treatments that are
 2 required in the clinic raises the cost to these
 3 individuals immeasurably.
 4 Everyone knows about asthma and what it can do.
 5 Asthma can cause death. I have lost a dear friend
 6 because of asthma. And I'm not here to choose sides. I
 7 just want to be sure that you understand that not only
 8 are these people who are here due to the high percentage
 9 of pollutants in the air, there is also -- their family
 10 members are affected by it. There's a cost that goes
 11 with it. People do not -- a lot of people do not have
 12 disposable income to cover the cost of their medications
 13 and may be under-medicated because of that, exacerbating
 14 the situation. Thank you.
 15 MR. THIESSEN: Following Geoff Shidler is Joan
 16 Greenwood and John Cross.
 17 MR. SHIDLER: My name is Geoff Shidler. I am a
 18 teacher at Elizabeth Hudson. I teach middle school out
 19 on where the PE field is or the concrete, whatever you
 20 want to call it. I have been there for seven years, and
 21 I've seen more and more students with more asthma than
 22 my previous school up at Hamilton which is North Long
 23 Beach which is far from the port over here and from the
 24 terminal island freeway.
 25 My concerns are great due to the community, the

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1 voice of my parents, students, and many couldn't be here
 2 tonight, but I'm here speaking on behalf of them. We
 3 have been given filters to -- by Superintendent
 4 Steinhauser, but unfortunately, it's not the solution at
 5 this stage. The filters are -- have a shelf life of a
 6 thousand hours or something, and the majority of the
 7 filters that are being used in our classrooms are
 8 useless at this stage; they're just pumping bad air.
 9 The district has put forth a replacement of the air
 10 filters that circulate a lot of dirty air into our
 11 classrooms.
 12 On a daily basis there is a dust layer of
 13 particulate matter of whatever it may be, but it is
 14 something that is atrocious on a daily basis. I wipe
 15 off my computer, and I wipe off my desk. I wipe off the
 16 digital projector, and it is a disgusting fact that it's
 17 going into my lungs as well.
 18 I've been at a couple of schools in my career
 19 of teaching, and I can tell you I love the population I
 20 teach with a passion. I refuse to leave because of the
 21 air quality. I felt I'm in fine shape, but I've watched
 22 colleagues leave at my school. Approximately 50 percent
 23 of my staff has left due to the air quality, and I don't
 24 want to see any more of my fellow teachers that have
 25 retired. Just recently one teacher passed away last

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1 year from cancer due to the air quality, 25 years at
 2 Hudson School.
 3 And I would appreciate if there would be less
 4 trucks, and because they line up right outside of our PE
 5 field, and the diesel emissions, as you are aware, are
 6 ones that cause asthma. And I've got students that miss
 7 two days to three days a week due to the asthma rate.
 8 I've called the AQMD multiple times. And I think it's
 9 time to come to the reality that the environmental
 10 impact of this expansion is going to cost many more
 11 lives than it's worth. Thank you very much.
 12 MS. GREENWOOD: Good evening. My name is Joan
 13 Greenwood. I live in Long Beach in the Wrigley Area.
 14 I'm the environmental chair of the Wrigley Area
 15 Neighborhood Alliance.
 16 Unfortunately, I didn't see a couple of
 17 technical articles that were recently published in the
 18 Journal of Chemical and Health and Safety until after
 19 the due date for submission in response to the NOI
 20 scoping meeting. However, this information is very
 21 important, and I would like to submit them to you for
 22 appropriate review by the technical staff. I've given
 23 one copy to the people sitting at the back, but I have
 24 copies for each of you.
 25 These articles address why nano materials like

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1 diesel exhaust are considerably more toxic than the
 2 comparable bulk materials upon which most environmental
 3 assessments are based. There is no question that the
 4 weight of scientific evidence submitted in response to
 5 the Notice of Intent indicates that diesel emissions are
 6 a serious health concern, and that even an 80 percent
 7 reduction is still significant. And these articles are
 8 really written from the perspective of occupational
 9 health and safety, the concern of these nano materials.

10 What triggered it were all the studies that
 11 were done on soluble asbestos. And as a result of that,
 12 in this volume of technology of nano materials in the
 13 chemical industry, production is being held up until
 14 they thoroughly evaluate it to implications to worker
 15 health and safety. So starting in 2004, they're
 16 building an incredible body of knowledge that perhaps
 17 some of the people doing the health-related studies are
 18 not fully aware of.

19 But I think again, as you look back at the
 20 history of soluble asbestos, what happens is these ultra
 21 fine particles get into your body, and then they move
 22 through your body and accumulate in different parts of
 23 the body. The larger particles do not do that. There
 24 are surface areas where the activities are different.

25 It is a very, very serious problem, and quite

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1 truthfully with the way they have defined the baseline
 2 for the CEQA as no more than ten -- plus or minus ten --
 3 this is a travesty. And I am appalled that people who
 4 are not coming, are not -- are taking this in such a
 5 lackadaisical position where they can come in and say
 6 what's more important are the jobs. I mean, this --
 7 this absolutely appalls me, and those comments in the
 8 NOI -- as far as I'm concerned, they should not be part
 9 of the administrative record. It has nothing to do with
 10 the Environmental Impact Report. These are business
 11 community people who want more jobs, and they did not
 12 specifically address the content of the EIR, so that is
 13 not an important context.

14 So I'm going to hand these out to you and ask
 15 you that you make sure your staff and your consultants
 16 bring them up during the time that they are working on
 17 this Draft EIR, even though they were submitted after
 18 the closing date. Thank you.

19 CHAIRMAN FREEMAN: Thank you.

20 MR. THIESSEN: Following John Cross will be
 21 Suzanne Arnold.

22 MR. CROSS: Good evening. My name is John
 23 Cross. I'm the current vice president of West Long
 24 Beach Neighborhood Association which encompasses
 25 everything west of the L.A. River.

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1 I've been opposed to this project since day
 2 one, and I'm still opposed to the project. The health
 3 risk it imposes on our community is great, and you see
 4 it every day with kids in school, coming out of school.
 5 Their parents pick them up. I had to pick up my
 6 grandson a couple times from school because he had
 7 problems breathing. He had some problems.

8 I've been a resident of Long Beach since 1961.
 9 I've been in my current residence basically since 1964.
 10 My parents bought the house. I live within a quarter of
 11 a mile of the ICTF terminal.

12 As I said before, they have never been a good
 13 neighbor. A couple weeks ago I was at a meeting where
 14 the ICTF rep was there, and basically he told us not to
 15 bring in witnesses -- there's a couple in the room right
 16 now -- that he was going to let us spend \$450 million to
 17 clean up our yard, or you can live with it for the next
 18 20 years the way it is. He made that comment in front
 19 of a group of people. That's the kind of neighbors we
 20 don't want in our neighborhood. I've been there before
 21 they moved in; the school was there before they moved
 22 in.

23 With the down-growth in the cargo coming
 24 through the Port of L.A. and the Port of Long Beach,
 25 maybe we don't need any expansion right now. Maybe they

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1 just need to roll up the hill and keep what they've got
 2 and clean up the mess they've got instead of worrying
 3 about expanding.

4 And I don't think, once -- what scares me,
 5 ladies and gentlemen up there, when it gets built, you
 6 guys can put all kind of conditional uses on this
 7 project, but what scares me is once it's in and
 8 operational and you're no longer around, who's going to
 9 enforce those rules and regulations? They won't be
 10 enforced because there's a big dog on the block.
 11 They're the railroad; they don't care. And nobody is
 12 going to shut them down and interfere with commerce.

13 What we got to do is keep this project right
 14 this time, and right is putting more on-dock rails. If
 15 it's leaving the state of California, it comes off a
 16 ship, it goes on the dock, and it goes out of the state.
 17 The railroads do not want to go down in the harbor
 18 because they don't have control of the railroads in the
 19 harbor. You guys have control of them. And if you fill
 20 the rail yards, you've got total control. They don't
 21 have control. You can make sure it stays clean. You
 22 can make sure everything is done right because it's
 23 coming out of your yard. And near-dock yard is not in
 24 your yard. You don't have total control of it. All you
 25 can do is put stipulations on it, and down the road it's

1 going to be whatever they want to do when you're all
 2 gone. And we're going to be living with it.
 3 I've been living with it since '86. There is
 4 one family in our neighborhood that's three generations,
 5 actually four generations. The grandparents never had a
 6 problem with asthma. The kids never had problems with
 7 asthma. The grandkids never had problems with asthma,
 8 but all the four great grandkids -- they all have
 9 asthma, and they all were born after 1986. Four
 10 generations -- the first two generations do not have any
 11 asthma whatsoever, but the grandkids -- the great
 12 grandkids rather have -- all four of them come out with
 13 asthma after they were born, and they go from ages of
 14 four all the way up to teenagers.
 15 So we don't need this project. Look at it down
 16 road -- find more alternative methods to move cargo.
 17 Take time to be out there and look at it. Let's don't
 18 go with this, drive spikes in the ground, put a rail
 19 yard on it, and run trains up and down it. It's not
 20 going to work, and it won't work. And we're going to be
 21 living with it -- just like I said, our neighborhood.
 22 We're not a third-world country; okay? The
 23 West Long Beach is one of the most diverse neighborhoods
 24 in the area. We're not a third-world country. We don't
 25 want rail yards next to us anymore. We don't want to

1 You're going too fast; I can't hear you.
 2 MS. ARNOLD: Does that stop right there?
 3 CHAIRMAN FREEMAN: We'll give you another --
 4 MS. ARNOLD: Let me pick up right there.
 5 THE REPORTER: Thank you.
 6 MS. ARNOLD: Okay. Do I start over?
 7 CHAIRMAN FREEMAN: Go right ahead.
 8 MS. ARNOLD: All right. I'm the school nurse
 9 at Hudson School and the Transitional Center, a school
 10 for homeless children in Long Beach. Both facilities
 11 are adjacent to the terminal island freeway. They are
 12 in an area that has the worst pollution in the entire
 13 city. Our school has approximately 1100 students; 185
 14 of them have asthma. That would be about 17 percent. I
 15 have got 55 inhalers in my office which are used most
 16 periods among those students.
 17 Asthma inhalers don't cure asthma. The
 18 inhalers really help to treat bronchi and inflammation
 19 is how an inhaler works. Actually inhalers open or
 20 widen airways, allowing them to be able to inhale even
 21 greater numbers of particulates in the air.
 22 At Hudson we can truthfully and proudly say
 23 that we are what we breathe. Most of these ultra fine
 24 particulates that we continually breath in will
 25 literally become part of our bodies. They will cross

1 expand the ICTF. We don't want an ICTF -- a skate park
 2 put there. So please think about what you're doing.
 3 Think and think about the future because you won't be
 4 here in the future. Thank you.
 5 MR. THIESSEN: Following Suzanne Arnold is Lana
 6 Balajadia.
 7 MS. ARNOLD: Hi, I'm Suzanne Arnold, and I'm
 8 the school nurse at Hudson School and the Transitional
 9 Center, school for homeless children in Long Beach. Our
 10 facilities are adjacent to the terminal island freeway
 11 in an area that has the worst pollution in the entire
 12 city. Hudson has approximately 1100 students; 185 of
 13 them have asthma. That's about 17 percent. I have
 14 about 55 inhalers in my office for some of my student
 15 medications and students that come (unintelligible).
 16 Two or three of them (unintelligible) right there.
 17 Asthma inhalers don't cure asthma. The asthma inhalers
 18 really help reduce swelling on occasions when children
 19 have irritated airways. Actually inhalers --
 20 CHAIRMAN FREEMAN: I want to hear what you're
 21 saying. If you could go just a little slower.
 22 MS. ARNOLD: I'm just afraid --
 23 THE REPORTER: Thank you.
 24 CHAIRMAN FREEMAN: I've give you another
 25 minute. I just want to hear what you have to say.

1 right over from our lungs into our bloodstream,
 2 traveling throughout our bodies and ultimately lodge in
 3 our organs and blood vessels, never to leave us and
 4 forever be a part of us.
 5 In February 2007, and a week of a visit by the
 6 preventative medicine at USC tech school of medicine,
 7 they visited our campus with a group of people
 8 participating in smart growth and local trade scores.
 9 They had a particulate meter or P trap which was like a
 10 handheld vacuum cleaner with them during their visit
 11 which was measuring the number of particulates per cubic
 12 centimeter in the air roughly the volume of a sugar
 13 cube.
 14 While we were in the classroom with
 15 participants, the meter was registering 8,000
 16 particulates per cubic centimeter. When we went outside
 17 towards the playground, the meter was registering 40,000
 18 particulates and climbing. We did not go to the fence
 19 next to the freeway because the children were on the
 20 playground during their recess. At the fence the meter
 21 registered 10,000 and much higher.
 22 At Hudson we have done everything that we could
 23 possibly do for children's safety by providing in-room
 24 portable air filters for all of our classrooms. These
 25 children were typically in their classrooms for five

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1 hours each day, and happily during that time they're
 2 able to breathe clean, filtered air. It's the remaining
 3 19 hours of each day that we worry about when children
 4 are at play, at home, sleeping, continually breathing
 5 polluted air. Unfortunately, our filters are starting
 6 to clog up and are going to need replacement. However,
 7 we don't have the hundreds of dollars for each unit to
 8 purchase replacement filters. The district has been
 9 kind enough to give us \$48,000 for the safety of in-room
 10 portables, but now there is no money for the play
 11 center.

12 This is a precious community filled with
 13 citizens of all races who have every right to expect
 14 that the air that they breathe will not eventually kill
 15 them. These people are not expendable, unfortunate
 16 casualties or collateral damage resulting from the rail
 17 yard growth and expansion. Each and every one of this
 18 community is precious. We need to do all that we can to
 19 be sure that everyone who lives, works, and goes to
 20 school here will be able to live long, happy, and
 21 healthy lives.

22 CHAIRMAN FREEMAN: Thank you.

23 MR. THIESSEN: Next speaker is Lara Balajadia.
 24 Following her is Chris Bientajado. I hope I pronounced
 25 that right.

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1 MS. BALAJADIA: Balajadia. My name is Lara
 2 Balajadia. I go to Cabrillo High School. I went to
 3 Hudson Elementary in (unintelligible).

4 I know about what my former teachers and nurse
 5 was talking about because I've been living here. I have
 6 been living on the west side of Long Beach ever since I
 7 was born. I'm the only one of my friends that has not
 8 had asthma. I was born in the Philippines, and I was
 9 brought here very young.

10 My brothers -- both have respiratory problems
 11 at a young age -- sitting back there. My brother --
 12 he's not here at the moment, but he has a hard time
 13 building up muscle and doing stuff because he's small,
 14 actually quite small, and he has asthma. And he had
 15 pneumonia. He got pneumonia a couple years ago; it took
 16 him months to recover from it. He still has problems
 17 working out at school because you have to breathe.

18 Actually in the morning right now, and
 19 sometimes when they are finally and the railroads are
 20 running, you can smell it no matter where you are in the
 21 classroom. You can smell it even in the classrooms.
 22 And because there is not enough education and a lot of
 23 the times people keep on doing this, and by the time
 24 we're notified of it, we've been breathing it since the
 25 morning, and we didn't find out until maybe after lunch,

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1 which means about 12 o'clock. Maybe it's 1:00 o'clock.
 2 Because of that, we have to face that all of us are
 3 breathing in and unable to concentrate, and our classes
 4 become stuffy even with air conditioning, and it ruins
 5 concentration because of the lack of clean or relatively
 6 clean air that's coming in.

7 And I'm very much against the rail expansion
 8 because I live not even maybe 20 yards from the freeway.
 9 I can point out from campus where everything is. I can
 10 show you the refineries. I can show you the trucks that
 11 are bringing in cargo, and I don't even have to show you
 12 where the trucks are. You can see them, and you can
 13 smell them, and you can hear them no matter where you
 14 are on campus.

15 And I also have something from the community.
 16 Some of them are from students. Some of them are from
 17 Cabrillo and St. Lucy's.

18 MR. THIESSEN: The next speaker is Chris
 19 Bientajado. Following Chris will be John Thomas and
 20 Teresa Trujillo.

21 MR. BIENTAJADO: Good evening. My name is
 22 Chris Bientajado. I attend St. Anthony's High School in
 23 Downtown Long Beach. I was born in Moreno Valley and
 24 was a resident there, and then we moved to the Long
 25 Beach area not too long after I was born, probably a

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1 couple months.

2 And I had, like -- nobody in my family had any
 3 breathing problems or asthma or anything like that, so I
 4 had no idea what it was. I was concerned about it. It
 5 was around when I was around, probably around age seven,
 6 where a couple of my friends would have to stop and take
 7 breaths to recover and some kind of asthma inhalers, and
 8 I don't know. I didn't feel cool because I was the only
 9 one that didn't have it.

10 Here in Long Beach so many people have asthma
 11 at St. Lucy's have asthma, but at my other school,
 12 probably half my class had asthma. I felt myself left
 13 out. But now that I'm in high school, that's still lots
 14 of people around me have asthma.

15 In middle school I had a close friend that has
 16 been diagnosed with diabetes, and she has a lot of
 17 illnesses already, and she has an air filter running
 18 both day and night in her house because of the change
 19 resulting from trucks expelling diesel fumes. And how
 20 do you think that expansion is going to make her living
 21 situation any better? And that we should clean up now
 22 and not wait for expansion. Thank you.

23 MR. THOMAS: Before I start, I'd like to start
 24 off with a couple questions.

25 CHAIRMAN FREEMAN: This is not a

