UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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December 9, 2013

John W. Markham
U.S. Army Corps of Engineers
Los Angeles District, Ventura Field Office
2151 Alessandro Drive, Suite 110
Ventura California 93001
Attention: File Number SPL–2006–2062

Subject: Pier S Marine Terminal + Back Channel Improvements Project Final Environmental Impact Statement / Final Environmental Impact Report Los Angeles County, California (CEQ # 20130328)

The U.S. Environmental Protection Agency is providing comments on the Pier S Marine Terminal + Back Channel Improvements Project Final Environmental Impact Statement. Our comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review responsibility under Section 309 of the Clean Air Act. Our comments are also prepared under the authority of, and in accordance with, the provisions of the Federal Guidelines promulgated at 40 CFR 230 under Section 404(b)(1) of the Clean Water Act.

In our December 11, 2011 letter, EPA rated the Draft Environmental Impact Statement Environmental Objections – Insufficient Information (EO-2) based on potential air quality and human health impacts to an environmental justice community. The Final EIS identifies the Two Berth Alternative as the preferred alternative. We recognize and appreciate that the priority pollutant emissions and corresponding health risks of the Two Berth Alternative are greatly reduced compared to those of the Three Berth Alternative, which was the proposed alternative in the DEIS; however, even those lesser emissions would result in increased health impacts to an already overburdened local community. For this reason, our objections to the project, as it is described in the FEIS, remain. We are aware that the Port is pursuing many efforts to further reduce air emissions. Continued and aggressive pursuit of such measures, with a focus on ensuring that they are effective in reducing the health burdens on the local community, is needed.

We have keenly followed the Port's effort to reduce emissions. From a 2005 baseline, the Port reports that emissions have been reduced by 88% for sulfur oxides, 81% for diesel particulates, 54% for nitrogen oxides and 24% for greenhouse gases.[1] As we noted in our comments on the DEIS, the Port has also created an innovative grant program to partially offset the impacts of the alternatives on the local community. We appreciate the FEIS discussion on the effectiveness of the grant projects, and we further encourage evaluation of

[1] Air Emissions Inventory – 2012, Port of Long Beach Air Quality Improvements, July 2013, <http://www.polb.com/environment/air/emissions.asp>

the grant program's ability to change health outcomes (e.g. tracking indicators of asthma rates).

We commend the Port for committing to a zero emission grant program in the FEIS, which includes demonstrating wayside power drayage, conducting operational and durability testing for zero emission drayage, and providing incentive funding for zero emission on-dock equipment. Zero emission technologies offer a means for the Port to continue to demonstrate environmental leadership and substantially reduce the health impacts of the Pier S preferred alternative that are estimated in the FEIS.

EPA appreciates the Port's inclusion of electrified rubber tired gantry cranes as a mitigation measure (AQ-4). EPA also thanks the Corps and the Port for the clarifications provided in response to our comments on water resources, climate change, and groundwater, as well as the inclusion of a map showing nitrogen dioxide impacts. For the general conformity determination, we recommend the Corps work with the South Coast Air Quality Management District to ensure that the State Implementation Plan emissions inventory includes this project.

We also appreciate the opportunity to review this FEIS. Please let us know when the Record of Decision has been signed. If you have questions, contact me at (415) 972-3311, or contact Tom Kelly, the lead NEPA reviewer for this project, at (415) 972-3856 or kelly.thomasp@epa.gov.

Sincerely,

for Jeff Scott
Director, Waste Management Division and
Communities and Ecosystems Division

cc: Rick Cameron, Port of Long Beach
Doug Drummond, Port of Long Beach Harbor Commissioners
Mayor Bob Foster, City of Long Beach
Christopher Cannon, Port of Los Angeles
Susan Nakamura, South Coast Air Quality Management District
Cynthia Marvin, California Air Resources Board