



February 24, 2009

VIA OVERNIGHT MAIL

Sam A. Joumblat, Executive Director
Intermodal Container Transfer Facility Joint Powers Authority
925 Harbor Plaza
Long Beach, CA 90802

Re: California Environmental Quality Act (CEQA) Comments on the Intermodal Container Transfer Facility (ICTF) Notice of Preparation/Initial Study (NOP/IS) for the Proposed ICTF Modernization and Expansion Project

Dear Mr. Joumblat:

Thank you for providing the Riverside County Transportation Commission (RCTC) with the opportunity to review and comment on the ICTF Modernization and Expansion Project (Project) NOP/IS. RCTC is responsible for regionwide transportation planning in Riverside County. As you may be aware, traffic congestion is a serious problem in the Inland Empire, which includes portions of Riverside and San Bernardino Counties. One of the main causes of traffic congestion is traffic from the Ports of Los Angeles and Long Beach (Ports). More railcars are being added to trains to make room for increased numbers of cargo containers, making the trains longer and resulting in extended automobile and truck wait times at at-grade train crossings. More train trips are being added as well. Additionally, increased numbers of trucks carrying port cargo containers also add to congestion on Riverside County freeways. Moreover, only a fraction of the cargo from the Ports is handled or used in the Inland Empire, while the majority merely passes through.

In addition, the Ports are located within the South Coast Air Basin (SCAB), which includes the Inland Empire. The SCAB is in non-attainment for several criteria pollutants and emissions from the Ports train and truck traffic contribute to the degraded air quality of the SCAB, particularly in the Inland Empire. Thus, Riverside County is forced to subsidize this increased rail and truck traffic in a manner that is onerous and disproportionate to the benefits that Riverside County receives from the Ports. These significant adverse impacts have been extensively reported on, analyzed, and discussed by numerous private and public entities.

As you may know, CEQA is intended to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities." (State CEQA Guidelines, § 15002, subd. (a)(1).) An Environmental Impact Report (EIR) achieves this objective by "identifying possible ways to minimize the significant effects, and

describe reasonable alternatives to the project” for consideration by the public and the lead agency approving the project. (State CEQA Guidelines, § 15121, subd. (a).) Significant effect on the environment means a substantial, or potentially substantial, adverse change in the environment or in any of the physical conditions within the area affected by the project including land, air, and ambient noise. (Pub. Res. Code, § 21068; State CEQA Guidelines, § 15382, *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1333.)

The NOP/IS states that the ICTF is a rail yard operated by the Union Pacific that currently transfers containerized cargo from the terminals of the Ports to trains for distribution throughout the United States, and transfers cargo to the Ports from locations throughout the United States for export abroad. The proposed Project would increase the number of containers handled at the ICTF from the current annual average of 725,000 to an estimated 1.5 million annual average. Additionally, it would increase truck traffic from the currently estimated 1.1 million one-way truck trips per year to about 2.268 million one-way truck trips per year. Furthermore, the proposed Project will increase the number of annual rail trips from 4,745 to about 9,490. These increased truck and trains trips will be using freeways and rail lines in Riverside County. As such, the proposed Project will cause foreseeable significant impact to transportation and air quality in Riverside County, individually and cumulatively.

The transportation/traffic and air quality sections of the forthcoming EIR for the Project must describe and analyze these foreseeable Project impacts in Riverside County and propose mitigation to reduce or eliminate the level of impacts. Similarly, the cumulative impacts section of the EIR must discuss and evaluate the cumulative development that would occur independent of, but during the same timeframe as, the proposed project, or in the reasonably foreseeable future. It must further discuss and analyze whether project-level incremental contributions to impacts to traffic and air quality in Riverside County are cumulatively considerable and provide mitigation for these impacts.

RCTC urges the ICFT JPA to diligently consider and analyze all of the Project’s potential environmental impacts in Riverside County in the forthcoming EIR. RCTC staff would be pleased to further discuss the impacts that the proposed Project will have on Riverside County and to work with the ICTF JPA to develop feasible mitigation.

Finally, RCTC requests to be added to the ICTF JPA mailing list and to receive copies of all CEQA and public meeting/hearing notices as is permitted under CEQA and the Ralph M. Brown Act. Again, I would like to thank you for providing RCTC with this opportunity to comment on the Project NOP/IS. Please contact me should you wish to discuss these concerns further.

Sincerely



Robert E. Magee, Chair
Riverside County Transportation Commission