

**AGENDA**

**ENVIRONMENTAL COMMISSION  
REGULAR MEETING**

**701 EAST CARSON STREET  
EXECUTIVE CONFERENCE ROOM, 2<sup>ND</sup> FLOOR  
CARSON, CALIFORNIA 90745**

**Wednesday, January 4, 2012 – 6:30 PM**

1. **CALL TO ORDER**
  2. **PLEDGE OF ALLEGIANCE**
  3. **ROLL CALL**
  4. **AGENDA POSTING CERTIFICATION**

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at 310-952-1720 at least 48 hours prior to the meeting. (Government Code Section 54954.2)
  5. **AGENDA APPROVAL**

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  6. **MINUTES APPROVAL**
    - a. None

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  7. **NEW BUSINESS**
    - a. BNSF Railway SCIG Project – Draft Environmental Impact Report (EIR) Comments / Proposed Recommendation - Presentation

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  8. **UNFINISHED BUSINESS**
    - a. Discussion of the Goals and Objectives of the Environmental Commission
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**9. WRITTEN COMMUNICATIONS**

- a. Climate deal mostly maintains status quo – Tulsa World article dated December 12, 2011
  - b. Solar industry booming, but problems loom – Los Angeles Times article dated December 14, 2011
  - c. Safety seemed to be an afterthought before the BP oil spill – Los Angeles Times article dated December 14, 2011
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**10. ORAL COMMUNICATIONS**

- a. Audience
  - b. Commission
    - Updates
      - CARE
      - AQMD
  - c. Staff
    - Updates
- 

**11. ADJOURNMENT**

Upcoming Meetings

February 1, 2012

March 7, 2012

April 4, 2012

May 2, 2012

CITY OF CARSON

STAFF COMMUNICATION TO  
THE ENVIRONMENTAL COMMISSION

NEW BUSINESS

January 4, 2012

SUBJECT: BNSF Railway SCIG Project – Draft Environmental Impact Report (EIR) Comments / Proposed Recommendation - Presentation

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REPORT

At the December 7, 2011 Environmental Commission meeting, representatives from BNSF and the Port of Los Angeles (L.A.), City of Carson, and the Coalition For A Safe Environment presented information regarding the BNSF Railway SCIG project to the Environmental Commission. At the conclusion of the meeting City representatives recommended that the Commission provide comments on the draft EIR for the SCIG project at tonight's meeting.

Tonight's speakers include Jesse Marquez and Richard Pulido from the Coalition For A Safe Environment, Zak Gonzalez from the City of Carson and representatives from BNSF and the Port of L.A.

Representatives from BNSF and the Port of L.A. have also been invited to give an overview of the project. Mr. Gonzalez will discuss the City of Carson's current review of the project and overall role. Mr. Marquez and Mr. Pulido will discuss a proposed resolution to oppose the SCIG project (Exhibit No. 1). Following the presentation, all speakers will answer any questions you may have.

Prior to reviewing the attached resolution, please review the draft Environmental Impact Report for the SCIG (Southern California International Gateway Project). Information can be found at: [http://www.portoflosangeles.org/EIR/SCIG/DEIR/deir\\_scig.asp](http://www.portoflosangeles.org/EIR/SCIG/DEIR/deir_scig.asp). This website includes an electronic version of the draft EIR as well as public locations where the document is available for review.

City staff is currently reviewing the draft EIR and will provide the City's formal response to the Port of Los Angeles by February 1, 2012. Comments received from the Commission tonight will be incorporated into the City's formal response. The Coalition For A Safe Environment has prepared a draft resolution presenting

ITEM NO. 7A



their opinions and position on the project. The Environmental Commission may wish to have staff consider this resolution, to the extent applicable, in the formulation of the City's formal response. Commissioners may also submit individual comments to the draft EIR as private citizens.

Also attached for your reference are the Municipal Code sections defining Environmental Commission duties and responsibilities (Exhibit No. 2).

### **RECOMMENDATION**

That the Environmental Commission:

- **PROVIDE** comments on the draft EIR for the proposed SCIG Project; **OR**
- **RECOMMEND** to the City Council to not support the proposed ICTF Modernization Project unless green technologies are implemented by ICTF

### **EXHIBITS**

1. Resolution – Coalition For A Safe Environment - To Oppose the BNSF Railway Southern California International Gateway Project
2. Municipal Code Sections – Environmental Commission



# DRAFT

## City of Carson

Resolution No. \_\_\_\_\_ January 4, 2012

A resolution of the City Council of the City of Carson to oppose the BNSF Railway Southern California International Gateway (SCIG) proposed intermodal railyard, and to establish a taskforce to identify alternative locations, healthier, safer and less polluting alternative green technologies to the aforementioned proposed project.

WHEREAS, BNSF Railway has applied to the Port of Los Angeles for a permit to construct and operate the BNSF Southern California International Gateway (SCIG) near-dock intermodal railyard on approximately 96 acres of Los Angeles Housing Department (LAHD) Property and approximately 57 acres of adjacent non-LAHD Property for a total 153 acres; and

WHEREAS, the proposed SCIG project would be primarily located on the State of California owned property administered by Los Angeles Harbor Department in the City of Los Angeles, however, portions of the project would also be located on private properties located in the Cities of Carson and Long Beach which are not owned by the Port of Los Angeles which would have to be purchased or eminent domained; and

WHEREAS, the BNSF SCIG proposal estimates to process up to 1.5 million truck trips each year by 2016 and two million truck trips by 2023; and the California Air Resources Board (CARB) has assumed that BNSF SCIG would have similar levels of drayage truck air pollution emissions as the Union Pacific Intermodal Container Transfer Facility (ICTF), UP ICTF and BNSF SCIG combined then would have railyard diesel PM emissions of about 5 tons per year in 2016; and

WHEREAS, the City Council for the City of Carson believes that the proximity of the BNSF Railroad SCIG Project and truck routes to residences, parks and schools in the City of Carson is an incompatible land-use and could negatively impact the quality of life of all residents and children in Carson; and

WHEREAS, the City of Carson is committed to promoting the protection of human health, Carson residents health and the environment as a priority, that all of its residents receive equal protection under the law; enjoy a healthy environment; safe community and give opportunities for constituent input into governmental decision-making; and

WHEREAS, the City Council for the City of Carson aims to minimize adverse health effects, truck traffic congestion, green house gas global warming impacts and maximize benefits for local residents; and

WHEREAS, asthma rates among Carson children are among the highest in the state, asthma is linked in part to poor air quality, and the proposed BSNF SCIG railyard will increase air pollution in Carson and surrounding areas by 2 million more diesel truck trips per year at capacity; and

WHEREAS, there are significant community problems associated with the proposed BNSF SCIG project such as land use, increased noise, diesel and NOx emissions, truck traffic congestion, public safety risks and other negative health impacts; and

WHEREAS, if the proposed project is approved, a long-term lease, approximately 50 years, will be granted to operate the BNSF SCIG railyard; and



WHEREAS, current cargo forecasts expect an 8 year delay to reach previously estimated cargo levels for 2011 which offsets the urgency of building the SCIG project off-port property to meet future capacity needs and allows time to select a safer on-port property alternative location; and

WHEREAS, the Port of Los Angeles chose not to have a public hearing in the City of Carson and therefore did not allow for adequate public notification and comment in Carson, knowing that Carson residents and city would also be negatively impacted by the BNSF SCIG Project;

NOW, THEREFORE, be it resolved that the City Council of the City of Carson is opposed to the proposed BNSF Railway Southern California International Gateway (SCIG) project because of these concerns, and want to establish a stakeholder group comprised of City of Carson local residents and organizational leaders. By establishing a stakeholder group, we will be able to explore all opportunities to focus on real green jobs, a healthy community, safer community, zero emissions freight transportation systems, eliminating truck traffic congestion and compatible land-use.

1. The City Council of the City of Carson hereby requests that the Port of Los Angeles Board of Harbor Commissioners not approve the proposed BNSF Southern California International Gateway project and not certify the deficient Draft Environmental Impact Report.
2. The City of Carson requests that the Environmental Impact Report include a comprehensive Health Impact Assessment (HIA) to determine all negative public health, public safety, community and social-economic impacts.
3. Recognizing the significant community impacts from incompatible land-use, environmental impacts, and socio-economic impacts the City of Carson shall develop a taskforce comprised of a majority of local Carson residents, organizational leaders, and Port staff that will identify strategies and recommendations for alternative site locations, zero emission transportation technologies, maximum pollution control technologies and appropriate mitigation to the proposed BNSF SCIG project.
4. The City of Carson will invite Port of Los Angeles staff to participate in this taskforce.
5. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

## F. Environmental Commission

### § 2750 Environmental Commission – Establishment of.

There is hereby established an Environmental Commission. Said Environmental Commission may be known and referred to as the "Carson Environmental Commission" or as the "Environmental Commission." (Ord. 70-128, § 1)

### § 2751 Members.

The Environmental Commission shall consist of seven (7) members, each of whom shall be and remain a resident of the City of Carson. All members shall be appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. The tenure of any member of the Commission shall be terminable at any time by removal by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. Subject to the provisions of this Section, the tenure of Commission members appointed on or after April 1, 1997, shall expire at midnight on the last day of the calendar month in which the next general municipal election after the member's appointment is held for seats on the Carson City Council. Each Commission member shall continue to serve until a successor has been appointed by the Mayor with the approval of a majority of the entire City Council present, including the Mayor, and has qualified unless the City Council declares the position to be vacant. Should any vacancy exist on the Commission, an appointment shall be made by the Mayor with the approval of a majority of the entire City Council present, including the Mayor. All appointments shall be made in an open meeting of the City Council. (Ord. 71-128, § 1; Ord. 71-153, § 1; Ord. 72-207, § 1; Ord. 74-307, § 3; Ord. 80-542, § 2; Ord. 84-694, § 3; Ord. 97-1113, § 1; Ord. 04-1325, § 4; Ord. 04-1330, § 4)

### § 2752 Regular Meetings.

At least one (1) regular meeting of the Environmental Commission shall be held every month. Said meeting shall be held at the hour of 6:30 p.m. in the Carson City Hall, on the first Wednesday or on the next succeeding day which is not a holiday. Regular meetings may be adjourned by public announcement to a specific date, and any such adjourned meeting shall be deemed a regular meeting. All meetings shall be open to the public. (Ord. 70-128; Ord. 77-416, § 1; Ord. 94-1029)

### § 2753 Duties.

The Environmental Commission shall have the power and duty, except as otherwise provided by law, to:

(a) Undertake investigation and studies, and to hold hearings concerning the pollution of the City's environment, and to make recommendations to the City Council of reasonable and practical means of creating and maintaining a desirable, healthy environment in and throughout the City of Carson. Said investigations and studies may be made by committees created by the



Commission, chaired by a member of the Commission and comprised of Commission members, citizens of the City of Carson and any other individuals having experience or expertise which would be helpful in the accomplishment of the committee's purposes.

(b) Consult and advise with public officials and agencies on the local, state and federal level, with members of the industrial, civic, educational and professional communities, either individually or in concert, towards the goal of accomplishment and execution of the environmental plans, programs and policies approved by the City Council.

(c) Endeavor to promote public interest in and understanding of the problems of environmental pollution and remedies therefor.

(d) Recommend to the City Council the adoption of standards or guidelines relating to permitted levels of noise, air pollution and water pollution.

(e) Act as the City Underground Utilities Advisory Committee.

(f) Coordinate enforcement by, and cooperative efforts between, other concerned governmental agencies, private firms and organizations and the several departments of the City.

(g) Review proposed legislation, Federal, State and local, which may have a bearing upon environmental factors affecting the City, and make recommendation to the City Council as to any position or action to be taken with respect thereto. (Ord. 70-128, § 1; Ord. 72-207, § 2)

#### **§ 2754 Records.**

The Environmental Commission shall cause proper records to be kept of all its official acts and proceedings, and shall make reports to the City Council as provided for by the City Council. (Ord. 70-128, § 1)

#### **§ 2755 Organization.**

The Environmental Commission shall elect a Chairman, a Vice-Chairman and a Secretary from among its members, for a term of one (1) year, at its first regular meeting in July of each year. The Commission may also appoint such other officers as may be necessary for the administration of its business, at the same time and for like terms. Said officers shall enter in the duties of their office at the first regular meeting in July of each year. The Commission shall adopt rules and regulations for the transaction of its business and shall keep a record of all its minutes, resolutions, actions, findings, and determinations. Minutes, resolutions and official records shall be filed with the City Clerk and the City Administrator. (Ord. 70-128, § 1; Ord. 74-307, § 6)

#### **§ 2756 Compensation and Expenses.**

«Link to amended section»

Each member of the Environmental Commission shall receive compensation at the rate of \$35.00 for each meeting of the Environmental Commission attended by such member, not to exceed a total compensation of \$70.00 in any one (1) month. Such compensation shall be paid on the first payroll date following the end of each calendar month. No additional compensation shall be paid for expenses incurred by the members of the Commission in the performance of

their duties, except that the City Council may from time to time authorize in advance expenditures for attendance at seminars, institutes or other meetings which the City Council may find to be beneficial to the Commissioners in the performance of their duties, and in the best interests of the City. Claims for such expenses shall be filed with the Finance Director and shall be subject to audit and approval by the City Council. (Ord. 70-128, § 1; Ord. 73-268, § 1)

**§ 2757 Absence from Meetings.**

If a member of the Environmental Commission is absent from three (3) successive regular meetings without being excused by the Commission, or is absent for any reason for more than six (6) regular meetings in any twelve (12) month period, the office of such member shall be vacated and the chair shall immediately notify the City Manager, who shall notify the City Council that said office is vacant. Upon such notification, a successor for the remainder of the term of such member shall be appointed by the appointing authority for the member whose position is vacated. (Ord. 84-694, § 3; Ord. 92-983, § 2; Ord. 97-1113, § 1)



**CITY OF CARSON**  
**STAFF REPORT TO**  
**THE ENVIRONMENTAL COMMISSION**

**UNFINISHED BUSINESS**

January 4, 2012

**SUBJECT: DISCUSSION OF THE GOALS AND OBJECTIVES OF THE ENVIRONMENTAL COMMISSION**

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At tonight's meeting each subcommittee will discuss priorities within their designated topic. In the future, each subcommittee will provide a report at each Environmental Commission meeting regarding their progress.

**RECOMMENDATION**

That the Environmental Commission:

- **DISCUSS** subcommittee priorities; and
- **PROVIDE** an update on the progress of each subcommittee

# Climate deal mostly maintains status quo

Tulsa World, 2011-12-12

By ARTHUR MAX; KARL RITTER

JOHANNESBURG, South Africa - The hard-fought deal at a global climate conference in South Africa keeps talks alive but doesn't address the core problem: The world's biggest carbon polluters aren't willing to cut emissions of greenhouse gases enough to stave off dangerous levels of global warming, scientists say.

"We avoided a train wreck and we got some useful incremental decisions," said Alden Meyer, of the Washington-based Union of Concerned Scientists. "The bad news is that we did very little here to affect the emissions curve which is accelerating, and the impacts of climate change which are climbing day by day."

Scientists say that if levels of greenhouse gases continue to rise, eventually the world's climate will reach a tipping point, with irreversible melting of some ice sheets and a several-foot rise in sea levels.

They cannot pinpoint exactly when that would happen, but the two-decade-long climate negotiations have been focused on preventing global temperatures from rising more than 2 degrees Fahrenheit above current levels by the end of this century.

A report released before the Durban talks by the U.N. Environment Programme said greenhouse gas emissions need to peak before 2020 for the world to have a shot of reaching that target. It said that's doable only if nations raise their emissions pledges.

In Durban, they did not.

Sunday's deal extends by five years the Kyoto Protocol, the 1997 agreement that has binding emissions targets for some industrial countries but not the world's biggest carbon polluters, China and the United States.

The Durban agreement also envisions a new accord with binding targets for all countries to take effect in 2020. And it sets up the bodies that will collect, govern and distribute tens of billions of dollars to poor countries suffering the effects of climate change.

"But the core question of whether more than 190 nations can cooperate in order to peak and bring down emissions to the necessary level by 2020 remains open - it is a high-risk strategy for the planet and its people," UNEP chief Achim Steiner said.

Climate talks have been bogged down by rifts between rich and poor, between fully industrialized nations and emerging economies, about how to share the burden of reducing



greenhouse emissions.

Held back by a skeptical Congress, the U.S. doesn't want to commit to any binding deal unless it also imposes strict emissions targets on China and India. The latter insist their targets should be more lenient because, historically, the West has a bigger share of the blame.

Originally published by ARTHUR MAX & KARL RITTER Associated Press.

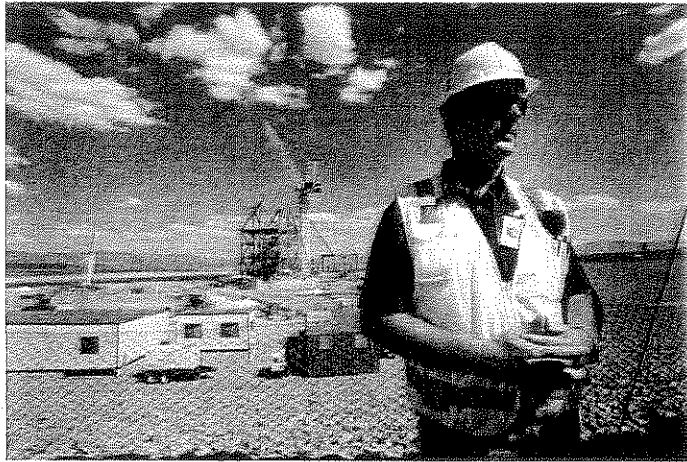
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# Solar industry booming, but problems loom

December 14, 2011 | 10:11 am - Los Angeles Times



Solar power is a booming business in the U.S., according to a report released today by GTM Research and the Solar Energy Industries Assn. (SEIA). The study said there were more domestic solar installations completed in the third quarter of this year than during all of 2009.

"The U.S. solar industry is on a roll, with unprecedented growth in 2011," said Rhone Resch, president and chief executive of SEIA, at an event announcing the release of the report. "Solar is now an economic force in dozens of states, creating jobs across America."

SEIA is the national trade association of the U.S. solar energy industry, and it has 1,100 member companies.

Some 449 megawatts of power were installed in various parts of the U.S. in the third quarter in a variety of projects that ranged in size from large, utility-scale facilities to small residential systems, the report said. One MW or megawatt is the equivalent of 1 million watts of power.

The record third quarter, which was a 140% increase over the same period a year ago, also boosted the number of domestic solar installations in 2011 past the 1,000 MW mark, surpassing the 887 MW completed during all of 2010. The projects contributed to the 100,237 solar related jobs in the U.S., a figure that has doubled since 2009, SEIA said.

The bulk of those third-quarter installations were in California, which accounted for 44% of the total or nearly as much as the next six states combined. California has 25,575 solar-related jobs, or more than one-quarter of the national total.

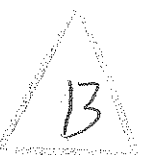
But the report also warned that the U.S. solar industry faces considerable uncertainty in 2012 and beyond because of the coming expiration of the Section 1603 Treasury Program. SEIA said the program had awarded over 3,600 grants totaling \$1.5 billion for more than 22,000 individual solar projects in 47 states, as of November of this year.

SEIA also said that 1603 Treasury program supported over \$3.5 billion in private investment. But the program expires at the end of the year, which has many in the industry worried and clamoring for an extension.

"Our industry needs stable policy on which to make business decisions, said Resch, later adding, "To keep the industry growing and creating jobs in the U.S., we need Congress to extend the 1603 program. The 1603 program has done more to expand the use of renewable energy than any other policy in U.S. history."

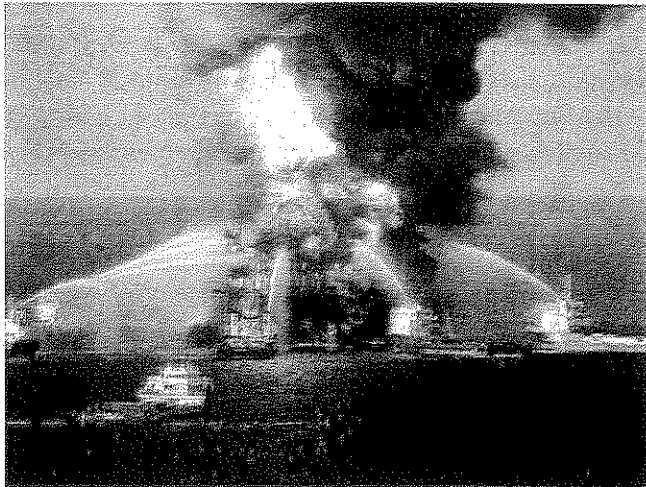
— Ronald D. White

*Photo: Ivanpah Site Compliance Manager Douglas Davis talks to reporters during Phase 1 of the 370-megawatt Ivanpah Solar Electric Generating System construction project, currently underway in California's Mojave Desert. The domestic solar industry is booming, but advocates say problems loom. Credit: Josie Lepe / San Jose Mercury News / MCT*



# Safety seemed to be an afterthought before the BP oil spill

In the years leading up to last year's Deepwater Horizon explosion in the Gulf of Mexico, the petroleum industry and federal regulators put exploration and production first, according to an independent report.



Fire boat response crews battle the blazing remnants of the Deepwater Horizon oil rig in the Gulf of Mexico on April 21, 2010. (Handout, U.S. Coast Guard / October 22, 2011)

- By Neela Banerjee, Washington Bureau

*December 15, 2011*

Reporting from Washington—

The petroleum industry and federal regulators focused more on exploration and production than safety in the years leading up to the 2010 Gulf of Mexico oil spill, helping to set the stage for the worst offshore environmental disaster in U.S. history, according to a new independent report by the National Academy of Engineering and the National Research Council.

Conducted at the behest of Interior Secretary Ken Salazar, the report said the "multiple flawed decisions that led to a blowout" on the Deepwater Horizon rig resulted from "a deficient overall systems approach to safety" among the corporations that ran the drilling of the Macondo well, including BP, Transocean and Halliburton.

The report, titled "Macondo Well — Deepwater Horizon Blowout, Lessons for Improving Offshore Drilling Safety," echoed many findings from previous studies of the disaster. But it added new levels of detail and put the nation's top engineering peer group behind a call for redesigning a massive set of valves, rams and hydraulic devices once thought to be fail-safe: the blowout preventer that failed to stem the flow of more than 200 million gallons into the Gulf of Mexico.

"There were numerous warnings to both industry and regulators about potential failures of existing BOP [blowout preventer] systems" over the previous decade, according to the report, which demanded greater emphasis on safety than industry and regulators have shown, and questioned industry and regulatory norms that could erode safety.

The fragmented nature of offshore oil drilling, with different companies responsible for highly specialized tasks, means that few people on a rig may have a complete sense of the risks involved in the drilling operation, the report concluded.

The report committee's chairman, former Navy Secretary Donald C. Winter, said that improvements in regulatory oversight and in industry response to offshore disasters gave him confidence that offshore drilling should continue. But he stressed that more work needed to be done.

"Our concern is whether this is a good first step in the right direction," Winter said in a conference call, "or whether these changes represent a transient response in the aftermath of the Deepwater Horizon."

The Interior Department said in a statement that it welcomed the report's findings, which it said backed the regulatory policies it has pursued since the Deepwater Horizon explosion on April 20, 2010.

The department introduced more stringent environmental and safety regulations, and the industry responded by developing new oil spill response and containment systems, incorporating lessons from the gulf disaster.

But the report expressed concerns about how serious and sustained industry efforts might be, given that its research and development efforts over the last 20 years have been shrunk and outsourced. And most of those efforts have "been focused disproportionately on exploration, drilling, and production technologies as opposed to safety."

Erik Milito of the American Petroleum Institute trade group defended the industry's research focus. "The industry is leading the way in applying the best elements of the most successful existing safety programs, including the use of independent auditing and certification by third parties," Milito said.

Complacency about safety, particularly in the case of blowout preventers, became apparent in testimony before the committee that showed "a misplaced confidence that blowout preventers could provide a guarantee, an insurance policy to the blowout," Winter said.

The industry seems to have tempered its confidence in the reliability of blowout preventers, said Roger L. McCarthy, a private engineering consultant from Palo Alto and a member of the report committee. Still, there is no uniform standard for blowout preventers and no independent certification of their efficacy, McCarthy said.

"You can't buy a circuit breaker for your home that hasn't been independently certified by Underwriters Laboratories," McCarthy said, "while a BOP is kind of a circuit breaker for an incredible amount of power that comes up the drill string, and it's not certified to any standard."

Deep offshore oil drilling is becoming more common, as evidenced by the \$337 million in bids offered Wednesday in the Interior Department's first auction of federal leases in the western Gulf of Mexico since the BP spill.

In such an environment, the industry needs to approach safety through a "proactive" system that articulates all the risks inherent to each particular process and puts in place steps to prevent them, the report recommended. Although that approach was adopted in the North Sea in the wake of disasters there a generation ago, not all companies use the approach beyond their North Sea operations.

*neela.banerjee@latimes.com*

