

**MINUTES OF THE REGULAR MEETING OF THE  
PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE  
TUESDAY, SEPTEMBER 18, 2007, 5:30-8:00 P.M.  
CROWNE PLAZA/LA HARBOR HOTEL  
601 S. PALOS VERDES STREET  
SAN PEDRO, CALIFORNIA**

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**JAYME WILSON, CO-CHAIRPERSON**

**ATTENDEES**

Jayme Wilson, PCAC Co-Chair  
Joe Gatlin, Voting Member, Central San Pedro Neighborhood Council  
Richard Havenick, Voting Member, Coastal San Pedro Neighborhood Council  
Pat Nave, Voting Member, Northwest San Pedro Neighborhood Council  
Donna Ethington, Voting Member, Wilmington Neighborhood Council  
Richard Pavlick, Voting Member, Crescent Area Resident's Association  
June Burlingame Smith, Voting Member, Point Fermin Resident's Association  
Andrew Mardesich, Voting Member, San Pedro & Peninsula Homeowners Coalition  
Janet Gunter, Alternate for Noel Park, San Pedro & Peninsula Homeowners Coalition  
Dr. John Miller, Voting Member San Pedro & Peninsula Homeowners Coalition  
Skip Baldwin, Alternate for Jesse Marquez, Wilmington Citizens Committee  
Chuck Hart, Voting Member, At-Large (S.P.)  
Gary Kern, Voting Member, Wilmington Community Advisory Committee  
Scott Kurtz, Alternate for Edward Rogan, Harbor Association of Industry & Commerce  
Patrick Wilson, Voting Member, Wilmington Chamber of Commerce  
Kenneth Melendez, Voting Member, Wilmington Commercial District  
David Beeman, Voting Member, ILWU Local #13  
Linda Spink, Voting Member, Education At-Large  
Olivia Cueva Fernandez, Voting member, Education At Large  
Lanny Nelms, Voting Member, At-Large  
Andrew Fox, Voting Member, At-Large

**ABSENTEES**

Joeann Valle, Voting Member, Harbor City Neighborhood Council  
Noel Park, Voting Member, San Pedro & Peninsula Homeowners Coalition  
Jesse Marquez, Voting Member, Wilmington Citizens Committee  
Cathy Beauregard, Voting Member, At-Large (S.P.)  
Frank Herrera, Voting Member, Wilmington Community Advisory Committee  
Eleanor Montano, Voting Member, Wilmington Community Advisory Committee  
Anthony Misetich, Voting Member, Harbor Association Industry and Commerce  
Edward Rogan, Voting Member, Harbor Association of Industry and Commerce  
Mark Waronek, Voting Member, Harbor City/Gateway Chamber  
Frank O'Brien, Voting Member, LA Harbor/Watts EDC  
James Cross, Voting Member, San Pedro Peninsula Chamber of Commerce  
Michelle Grubbs, Voting Member, Pacific Merchant Shipping Association  
Gary Young, Voting Member, Non-I.L.W.U.

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**PORT STAFF IN ATTENDANCE**

Joy Crose, General Counsel

Thomas Russell, General Counsel

David Mathewson, Director of Planning and Research

Kathryn McDermott, Deputy Executive Director, Business Development

Dr. Ralph Appy, Director Environmental Management

Paul Johansen, Assistant Director, Environmental Management

- A. **CALL TO ORDER: 5:45PM**  
Jayme Wilson, the PCAC Co-Chair called the meeting to order.
- B. **OPENING STATEMENT - AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE (PCAC)**

AS PROVIDED BY THE BROWN ACT, PERSONS IN THE AUDIENCE MAY ADDRESS THE COMMITTEE IN CONNECTION WITH ANY AGENDA ITEM OR DURING THE PUBLIC COMMENT PERIODS. THE COMMITTEE, UNDER ITS RULES, SHALL NOT ADJOURN THE MEETING UNTIL ALL MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE COMMITTEE HAVE HAD THE OPPORTUNITY TO DO SO. ANYONE DESIRING TO SPEAK MUST COMPLETE A SPEAKER CARD AND SUBMIT IT TO THE PCAC SECRETARY

- C. **DETERMINATION OF A QUORUM BY ROLL CALL OF VOTING MEMBERS**  
Roll call was taken. There was a quorum of 20 members present.
- D. **APPROVAL OF THE MINUTES OF THE AUGUST 21, 2007 PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE MEETING**  
ON MOTION OF RICHARD PAVLICK, SECOND BY LINDA SPINK, IT WAS RESOLVED THAT THE MINUTES OF THE AUGUST 21, 2007 PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE MEETING BE APPROVED.

The Minutes were approved with 20 Ayes, 0 Nays, and 0 Abstentions.

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**E. GENERAL PUBLIC COMMENTS (3 minutes per speaker)**

Jayne Wilson, PCAC Co-Chair, opened the floor for public comments. The following individuals addressed the Committee:

Andrew Mardesich, representing the San Pedro Peninsula Homeowners Coalition, reminded the committee that recently he made a presentation to the committee with regard to the State Land Commission. He stated that the San Pedro Homeowners United and the San Pedro Peninsula Homeowners Coalition would be submitting an application for a project under the mitigation funds to do a quality of life study. This is a beneficial fact finding study that will identify impacts and in itself create a nexus.

**F. REPORTS OF CO-CHAIRPERSON AND PORT OF LOS ANGELES STAFF**

David Mathewson reported that:

- The Board of Harbor Commission meeting on September 20<sup>th</sup> had been changed to 6:00PM in the POLA Boardroom.
- A Board report will move forward to the Board requesting approval for changes to the PCAC membership. (Changes relate to the representatives for the Wilmington Citizen's Committee, Wilmington Chamber of Commerce, the Harbor Association of Industry & Commerce, and the ILWU.)
- Motions # 46, 47 and 55 that were originally scheduled to go to the BHC on the 20<sup>th</sup> have been push back to the October 4<sup>th</sup>.
- At the September 20<sup>th</sup> BHC meeting Dr. John Husing would be giving a presentation on the Economic Analysis of the Proposed Clean Truck Program
- As a reminder, the close of the public comment period for the TraPac EIS/EIR is Wednesday, September 26, 2007.

Co-Chair Wilson reported that the request from PCAC to have a report from Port Police on the enforcement of Wilmington truck regulations had been deferred to the October PCAC meeting.

Pat Nave reminded the committee that he had requested a status report on the environmental review of Knoll Hill and that Kathryn McDermott would get back to Carrie Scoville with a report. This was on August 21<sup>st</sup>.

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In fact on August the 8<sup>th</sup>, the Port had filed a categorical exemption. The comment period for it expired on September the 8<sup>th</sup>, and in the meantime Central Neighborhood Council had asked under the Public Record Act, for information on it and did not discover that the categorical had been filed at a time when they could have commented on it. The minutes don't reflect who from Port staff attended the last meeting, but if somebody from Environmental knew that the categorical exemption had been filed it should have been mentioned.

David Mathewson responded that he didn't believe that there was anyone from Environmental at last months meeting. Kathryn McDermott stated that she and Tony Gioiello were the only staff present at that meeting.

For the record, the committee requested that all future PCAC minutes note the attendance of Port staff who are at the head table.

**G. ACTIONITEM:**

1. TRAPAC EIR Comments from the Air Quality Subcommittee and the EIR /Aesthetic Mitigation Subcommittee.

**PROPOSED MOTION:**

The PCAC concurs that the comments from the Air Quality Subcommittee and the EIR Subcommittee be forwarded to the Port and to the U.S. Army Corp of Engineers.

Richard Havenick introduced the motion. Both subcommittees looked at the project over the past couple of months. Resulting from numerous discussions with the Air Quality Subcommittee and their Consultants Ed Avol and Dave Howekamp, as well as the California Air Resources Board, and the South Coast Air Quality Management District, is the attached final comment letter for the Army Corp of Engineers and the Port of LA.

Primarily the issues of concern were:

- The failure to implement the measures in the Clean Air Action Plan (CAAP) specifically applicable to ocean going vessels, measures 3 & 4

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- And ocean going vessel measures applicable to slide valves
- Short comings in harbor craft and trucks
- Proceeding with a project prior to having completed the health risk assessment and establishing the San Pedro Bay Standards, health standards as planned and to be implemented in the CAAP

The CAAP includes a requirement for a yearly review. The Air Quality Subcommittee recommends that the project include a requirement for a periodic review, to verify throughput numbers projected in the EIR are accurate, and to ensure the implementation of technological advancements resulting from the CAAP.

Dr. John Miller spoke in support of the Air Quality Subcommittee's comments. However, with regard to the EIR Subcommittee comments, he withdrew them from the agenda, stating that the comment letter that had been distributed was not the most up to date version. The Subcommittee would submit their final comments as an administrative action, as they have done in the past. Dr. Miller requested that the action item be amended to reflect the withdrawn EIR Subcommittee comments.

Discussion resulted in the following comments:

Scott Kurtz, stated for the record, that the Harbor Association was in support of the TraPac Terminal / EIR.

Pat Nave stated that the Air Quality Subcommittee's document was a good start and that consistency with the CAAP was a beginning. He was concerned with the transport distribution drawing 3.10-2 in the document, depicting 38% of truck related traffic utilizing the I-110. This is 1.88 million trucks a year from the project, not total, not including the baseline. This is more than the TEUs that are going to be added on the project (3.26 trucks a minute on the I-110). This is not part of the assessment. He urged the subcommittees to consider submitting the Air Quality comments as their own.

Kenneth Melendez stated that 3 or 4 years ago, the Wilmington

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**Waterfront Development Subcommittee worked on the EIR with Frank O'Brien from the EIR Subcommittee and submitted comments for the EIR. He was not in support of this motion.**

**Janet Gunter reemphasized Pat's comment and stated that with those kinds of numbers, we had to take responsibility for outrageous levels of pollution that are severely out of attainment. This doesn't go far enough. She encouraged the PCAC to support this motion and make the Port adhere to a policy that would make sense for all of us.**

**Donna Ethington was concerned with the impact on truckers and trucking companies and the volume that could go out of business. She does not agree with all of the Air Quality comments.**

**Andrew Mardesich clarified that this motion was not asking for a vote against any project. No one is saying that TraPac shouldn't go forward. This motion ensures that critical data and community concerns are evaluated under CEQA and that people are made aware of the issues.**

**Linda Spink requested confirmation on the fact that the motion was to move the Air Quality Subcommittee comments forward. She was confused as everyone has a right to respond to an EIR.**

**Co-Chair Wilson stated that the intent of the motion was to have PCAC concur that the comments go forward, not to have PCAC endorse the comments. PCAC can choose not to concur and the comments will still go to the Port/Army Corp of Engineers, directly from the Subcommittee.**

**Chuck Hart spoke in favor of moving the comments forward and having the comments evaluated.**

**Olivia Cueva Fernandez agreed with the comments, but was concerned with the traffic coming through Figueroa and the traffic getting off the Harbor Freeway at PCH that was never considered in the EIR. This traffic will continue to exist.**

**Joe Gatlin commented on how this clarification swayed his vote. He**

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would support the motion.

Dr. Ralph Appy specified that comments on the EIR needed to be forwarded in writing to the Port and to the Army Corp of Engineers and that verbal comments from this meeting were not on the record.

Co-Chair Wilson read the motion as amended. A roll call vote was taken.

**MOTION:**

The PCAC concurs that the comments from the Air Quality Subcommittee be forwarded to the Port and to the U.S. Army Corp of Engineers.

The motion carried with 12 Ayes, 4 Nays and 3 Abstentions

**Ayes:** Joe Gatlin, Richard Havenick, Pat Nave, Richard Pavlick, June Smith, Andrew Mardesich, Janet Gunter, John Miller, Chuck Hart, Dave Beeman, Linda Spink, and Olivia Cueva Fernandez

**Nays:** Gary Kern, Scott Kurtz, Patrick Wilson, & Kenneth Melendez

**Abstentions:** Andrew Fox, Donna Ethington, and Jayme Wilson

**H. REPORTS FROM SUBCOMMITTEE**

1. **Port Master Plan Subcommittee – The Port Master Plan Subcommittee has not met for several months. There was no report.**

2. **Air Quality Subcommittee  
Richard Havenick had nothing further to report.**

3. **San Pedro Coordinated Plan Subcommittee  
June Burlingame Smith reported that the Coordinated Plan Subcommittee met on September 12, 2007. It was a very informative meeting. The Port went through its extensive revisions of the project description in the EIR/EIS. There was a lot of interest in the discussion on Kaiser Point, and the outer cruise ship terminal.**

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With regard to Knoll Hill, there was outrage with the revelation, that first, the Port had declared a categorical exemption for what was being done on Knoll Hill. Secondly, when the Central Neighborhood Council asked for public records on what was transpiring at Knoll Hill, they didn't receive the documentation or notification of a categorical exemption from the Port until after the challenge period had expired.

Ms. Burlingame Smith stated that this was a gross injustice to the community, and asked how this could be remedied in lieu of a lawsuit.

Attorney Tom Russell explained that there was absolutely nothing abnormal about this categorical exemption. The categorical exemption process is a process in which the Environmental Division makes a determination that there isn't the kind of impact in a project that necessitates a public process, and is therefore exempt from the CEQA review process. The notice of exemption is publicly posted with the County (normal routine).

Pat Nave remarked on the plan that Dr. Knatz had presented to the Board for PCAC, stating that she visualized the PCAC as a responsive group providing input on specific issues, such as, what to do with Knoll Hill? What happened? Mr. Nave asked if the categorical exemption could be withdrawn and that the project be reevaluated for perhaps a Negative Dec, a Mitigated Negative Dec. or even a Supplemental to the previous EIR.

Attorney Russell's response was that the process contemplated by the categorical exemption was already underway (the grading work and so forth). Legally they've gone beyond the point of withdrawing.

Co-Chair Wilson called for public comments on the issue.

Carrie Scoville spoke on behalf of the Central San Pedro Neighborhood Council, and stated that in August she had notified the PCAC that the Neighborhood Council had issued a resolution asking

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for public records on Knoll Hill (on August 14th) and hand delivered the request to the Port on August 15<sup>th</sup>. For the record, she submitted copies of that request at this meeting, as well as a supporting resolution for public process that had been passed by the Coastal San Pedro Neighborhood Council (dated August 20/attached at the end of these minutes). The Neighborhood Council asked many times for these records. They received the documents on September 12th; including the August 8<sup>th</sup> filing for a categorical exemption by the Port. This documentation was received after the deadline to appeal. For the record, I am submitting a copy of our appeal, dated September 18, 2007 (copy can be found at the end of these minutes).

Kathleen Woodfield requested that the PCAC adopt an emergency motion to support the Central San Pedro Neighborhood Council challenge to the categorical exemption. Janet Gunter moved to invoke an emergency motion onto the agenda.

Attorney Russell stated that according to the Brown Act the Committee either needed a two-thirds vote of its members or if less than two thirds of the Committee was present, the members present needed a unanimous vote to add the motion to the agenda. The Committee found that there was a need to take immediate action, and that the need for action came to the attention of the Committee after the agenda had been posted.

Motion moved by: Ms. Gunter, Second by: Skip Baldwin Ms. Gunter requested a roll call vote. Co-Chair Wilson called for the vote.

Ayes - Richard Havenick, Pat Nave, Richard Pavlick, June Burlingame Smith, Janet Gunter, John Miller, Chuck Hart, Dave Beeman, Linda Spink, Olivia Cueva Fernandez, and Skip Baldwin.

Nays - Joe Gatlin, Donna Ethington, Gary Kern, Scott Kurtz, Patrick Wilson, and Ken Melendez

Abstentions - Jayme Wilson, PCAC Co-Chair

The motion failed. There was not a unanimous vote.  
11 Ayes, 6 Nays, and 1 Abstention

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**Ms. Burlingame Smith readdressed the need for PCAC to amend their by-laws to resolve the issue that abstentions were considered to be negative votes.**

**Ms. Burlingame Smith completed her Chair report. She stated that she was concerned that Port staff was not participating and not working with the Coordinated Plan Subcommittee.**

**Mr. Mathewson responded to her concern and stated that it was an oversight that Port staff was absent from her last meeting. He apologized and stated that staff would be at the next meeting. He further stated that the Coordinated Plan Subcommittee was made aware of the Knoll Hill situation at their subcommittee meeting in either June or July when Councilwoman Janice Hahn attended the meeting to discuss the use of Knoll Hill.**

**4. Water Quality Subcommittee**

**The Subcommittee met on August 28<sup>th</sup>. Port staff is working on the framework for the clean water action plan and all of the water quality testing. A statewide data base is being put together. The next WQ Meeting will be held on Wednesday, September 19, 2007 at the POLA Charter High School, at 5:00PM. Agenda Items will include discussion on Prop 84.**

**5. EIR/Aesthetic Mitigation Subcommittee**

**Dr. John Miller requested that all additional comments for the TraPac EIR be e-mailed to Ms. Babcock-Doherty.**

**He further reported that there had been some delays and some issues with regard to State Lands receiving the Wilmington Mitigation Proposals for review and evaluation. He read an e-mail from Ms. Teresa Scognamillo and elaborated on the lack of action taken by the Port to move these proposals forward to the State Lands Commission. The subcommittee requested that Dr. Miller write a letter to Dr. Knatz, Ms. Scognamillo, and the Wilmington Mitigation Applicants regarding the delay in the process.**

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Dr. Miller was notified that the proposals had been sent to State Lands on August 27<sup>th</sup> and received by State Lands on August 27<sup>th</sup>. However, in a later correspondence they found out that State Lands had not received the proposals on August 27<sup>th</sup>. The proposals were resent and received by State Lands on September 7<sup>th</sup>, at which time the 30 day review period began. Dr. Miller was concerned that the Port was deliberately stalling the proposal process.

The next EIR Subcommittee meeting will be September 27, 2007, at 4:00PM.

6. **Wilmington Waterfront Development Subcommittee**  
Ken Melendez reported that the Wilmington Waterfront project was moving along.

The regular Wilmington Waterfront Development Subcommittee meetings are being changed from the 1<sup>st</sup> Tuesday of the month to the second Tuesday of the month. The next meeting will be Tuesday, October 9, 2007, at 5:30PM at the Wilmington Senior Citizen Center.

- I. **GENERAL PUBLIC COMMENT (3 MINUTES PER SPEAKER)**  
Co-Chair Wilson stated that no speaker cards had been submitted.
- J. **DISCUSSION OF AGENDA ITEMS FOR TUESDAY, OCTOBER 16, 2007, PCAC MEETING**
- Presentation on Enforcement of Wilmington Truck Regulations

**NON-AGENDA ITEMS:**

- Update on the Wilmington Youth Sailing Center  
Mr. Mathewson stated that the Port has been working to secure a site for the Center. Staff has presented the draft land use plan which identified the area along the channel for recreational use. Staff is also looking at some synergies that could be pursued with regard to existing facilities in the area with the USC Row House. Once this has been determined, a RFP for the site will be developed.

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There may be a need to extend the deadline for the allocation of the funding for the Youth Sailing Center. Co-Chair Wilson asked that the EIR Subcommittee discuss this issue and bring forward a motion for PCAC.

**K. ADJOURNMENT:**

**THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 7:15PM THE TUESDAY, SEPTEMBER 21, 2007 MEETING OF THE PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE WAS ADJOURNED.**

**Signature on File**

**\_\_\_\_\_  
Jayme Wilson, Chair  
Port of Los Angeles Community Advisory Committee**

**Signature on File**

**\_\_\_\_\_  
Debra Babcock-Doherty, PCAC Executive Assistant**

September 18, 2007

Dr. Geraldine Knatz  
Port Administration Building  
425 S. Palos Verdes Street  
San Pedro, CA 90731

**Subject: Challenge to Port of Los Angeles Project 070629-124-LAHD filed with the Los Angeles City Clerk on August 8, 2007**

Over the past year, the Central San Pedro Neighborhood Council (CSPNC) has formally expressed an interest in the use of Knoll Hill through several letters and formal resolutions mailed to the Port and through board member testimony at the Port's public meetings. Not once did the Port meet with the neighborhood council or with the community at large at a publicly-announced meeting to explore options for the use of this land.

On August 15, CSPNC filed a Public Records Act request along with a protest of the Port's actions for the dual purpose of gaining insight into the Port's current plans and in order to review the appropriateness and legitimacy of these actions. For the benefit of any readers unfamiliar with State law, California Government Code Sections 6250 - 6276.48 provides 10 days to provide records, with the possibility to give itself an additional 14 days in unusual cases or if the request is "voluminous." On August 28, 2007, POLA wrote to CSPNC stating that an extension of time would be required due to "the vast amount of record information you have requested," estimated at an additional 10 days.

On the morning of September 11th, prior to that night's Stakeholder Meeting, CSPNC Boardmember Sue Castillo visited Diana Henderson, Public Relations & Legislative Affairs Division, at POLA Headquarters, and was granted a few minutes of discussion with Ms. Henderson in the lobby of the building. When asked for an update on the Public Records Act request, Ms. Henderson replied that "there was nothing to report" (no estimated delivery date). When Ms. Castillo asked to at least be given a copy of the CEQA filing for the little league development on Knoll Hill on the basis of the public nature of this document, Ms. Henderson responded that she had no idea as to how to accommodate this request. She offered no suggestion as to how the CSPNC could acquire a copy of this public document in a timely manner.

On September 12th, following the CSPNC Stakeholder Meeting where POLA representatives Molly Campbell and Bent Christensen listened to expressions of CSPNC displeasure on this state of affairs, CSPNC finally received notice that the Public Records Act response material could be picked up at POLA Headquarters (subject to a \$3.37 fee for copying the vast amount of material collected; said fee is transmitted herein). Although construction documents were requested, none were provided.

As Sept 12th was 28 days after the request was submitted, the Port is in violation of Government Code Sections 6250 - 6276.48 as described above. This might be considered a minor matter if not for the fact that a delayed response could protect the Port from challenges against their

Categorical Exemption for project 070629-124-LAHD, filed on August 8, 2007. State law provides for a 35 day statute of limitations on legal challenges to an agency's decision that a project is exempt from CEQA. The materials requested were conveniently provided 36 days after the filing, which we consider a deliberate withholding of information in an attempt to evade challenges to the Port's invalid claim of exemption to CEQA.

Pursuant to CSPNC's long-standing history of interest in Knoll Hill, the Port's bad faith behavior in this matter, and the obvious inaccuracies in the filing, this letter constitutes a formal challenge to POLA's determination on this project and a request for superior agencies to take corrective action. This challenge is based on (A) an inaccurate project description, (B) the inappropriate application of exemption classes, (C) the Port's failure to consider specified categories of impacts within the Guidelines, (D), the characterization of the ball parks as temporary, and (E) the controversial nature of this project. Due to the extreme shortage of review time provided to us and our inability to refer to construction plans as these were not provided to us as requested in a timely manner, it is possible that additional flaws may be found in this CEQA determination.

(A)

The CEQA determination reads as follows: "As this project involves the temporary use of an existing parking area for a special event and will not have a permanent effect on the environment, it is exempt from CEQA under Article III, Section 4(2&10) and 11(3) of the City of Los Angeles CEQA Guidelines.

***Significant cut and fill grading to construct of 3 ball fields and the widening of an approximately 1,000-foot long, steep and winding roadway should not be characterized as the temporary use of an existing parking area for a special event.***

(B)

Looking at the exemption classes claimed in detail:

Class 4: Minor Alterations to Land - "Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes"

***This project does involve the removal of mature, scenic trees.***

- 2) Grading on land with a slope of fifteen percent (15%) or more, and/or involving grading in excess of 20,000 cubic yards.

***This City exemption class is an anomaly which does not exist in State Law. The classification of an exempt project based on exceeding a minimum threshold of slope and removal quantities makes no sense.***

- 10) Grading and/or paving of existing rights of way for parking where zoning laws permit such use, street access exists, and the project does not significantly impact local drainage patterns, cultural resources, or trees.

Class 11: Accessory Structures - "Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities."

- 3) Game courts, play equipment, drinking fountains, restrooms, fences, walks, visual screens, or single tennis courts constructed in residential areas.

***This is not an existing use and this class does therefore not apply.***

(C)

***We object to the Port's failure to appropriately consider and evaluate these categories within the Guidelines: aesthetics; the exposure of sensitive receptors to substantial pollutant concentrations; impacts on cultural resources, including the uncovering of potential paleontological artifacts; conflicts with applicable land use plans and policies; noise; impacts on public services; recreational expansion impacts, and traffic.***

(D)

The project overview states that "LAHD is providing the site to the Little League group until permanent facilities can be secured."

***There is no plan to secure other facilities for the Eastview Little League.***

Expenditures to construct this project are estimated at \$2,000,000, comprised of both public and private funds.

***A project construction cost of 2 million dollars would not be considered temporary by any reasonable person***

The installation or relocation of underground utilities is often considered a hallmark of a "permanent project."

***If construction plans were disclosed in a timely fashion as requested, we suspect that we would find that underground utilities are being relocated.***

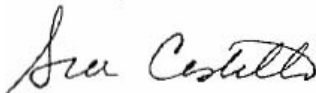
(E)

***Public controversy surrounding a project is a factor in determining whether CEQA applies.***

***No one could deny that this project has been controversial, making it ineligible for a Categorical Exemption.***

It is appropriate for POLA to withdraw their determination of exemption from CEQA regulations and properly carry out their legal obligations as a public trust agency by performing the appropriate environmental review prior to constructing this project.

Sincerely,



Sue Castillo  
Central San Pedro Neighborhood Council  
Board Member and Land Use Committee Chairperson  
c/o 809 S. Grand Avenue, San Pedro, CA 90731

Copies to:

Central San Pedro Neighborhood Council Board Members (via email)

Dr. Ralph Appy, Port of Los Angeles, 425 S. Palos Verdes Street, San Pedro, CA 90731

Diana Henderson, Port of Los Angeles, 425 S. Palos Verdes Street, San Pedro, CA 90731

Board of Harbor Commissioners, 425 S. Palos Verdes Street, San Pedro, CA 90731

City Councilmember Janice Hahn, 638 S. Beacon Street, Room 552, San Pedro, CA 90731

Mayor Antonio Villaraigosa, 200 N. Spring Street, Room 303, Los Angeles, CA 90012

Rocky Delgadillo, Office of the City Attorney, 800 City Hall East, 200 N. Main Street, Los Angeles, CA 90012

Los Angeles Environmental Affairs Dept., 200 N. Spring St, Suite 2005, Los Angeles, CA 90012

Los Angeles County Clerk, 12400 Imperial Highway, Norwalk, CA 90650

The Governor's Office of Planning and Research, P.O. Box 3044, Sacramento, CA 95812-3044

Dan Dixon, President, NW San Pedro Neighborhood Council, 638 S. Beacon Street, #688, San Pedro, CA 90731

Doug Epperhart, President, Coastal San Pedro Neighborhood Council, 1536 W. 25th Street, St. 223, San Pedro 90732-4415

**Resolution Regarding Knoll Hill and Lack of Consideration for Central San Pedro Neighborhood Council**

Whereas the City of Los Angeles created neighborhood councils to provide stakeholders a stronger voice in the decisions that affect their lives; and

Whereas the City Charter requires that neighborhood councils be given the opportunity for input before decisions are made by the city; and

Whereas the neighborhood councils have a responsibility to their stakeholders to monitor and investigate significant land use development proposals, and

Whereas, the use of Knoll Hill has a history of controversy, and

Whereas, the Port of Los Angeles has indicated its long term plan for Knoll Hill is as a passive community park and view site of the Port and its operations, and

Whereas, Knoll Hill is located within the boundaries of the Central Neighborhood Council; and

Whereas, the Central Neighborhood Council previously sent a letter to the Port asking to be included in all discussions related to Knoll Hill; and

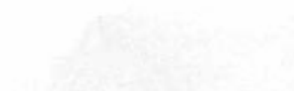
Whereas, the Port now seeks to accommodate a Little League organization at Knoll Hill; and

Whereas, neither the Port nor the Councilwoman Janice Hahn or her staff have consulted with the Central Neighborhood Council regarding this use;

Whereas, the Coastal San Pedro Neighborhood Council firmly supports its fellow councils' role in examining development projects, and the process surrounding the project, and the assurance that all planning and environmental rules will be observed;

Be it resolved that the Central San Pedro Neighborhood Council be given the opportunity to provide timely input with regard to any changes proposed at Knoll Hill.

Motion adopted August 20, 2007 by the Coastal San Pedro Neighborhood Council



**Letter of Protest regarding Knoll Hill development to the Port of Los Angeles,  
the Offices of Mayor Antonio Villaraigosa and Councilwoman Janice Hahn,  
and the Neighborhood Councils of the City of Los Angeles**

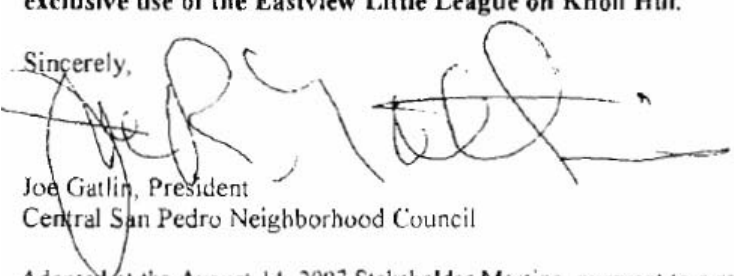
The City of Los Angeles created neighborhood councils in order to give neighborhoods a stronger voice in the decisions that affect their lives. The City Charter mandates that neighborhood councils be given advance notice of significant land use development proposals and the opportunity to advise the City of their concerns.

Currently, Knoll Hill is accessible to the general public without fee, appointment or membership requirements. Without consulting the neighborhood council with jurisdiction over this area, the Port of Los Angeles is currently pursuing the development of a four-plus acre ballpark on this last relatively natural open hilltop in downtown San Pedro. This hilltop is not original tidelands, but within the Community Plan area of the City of Los Angeles and this neighborhood council in particular. The proposed development includes a road widening, the removal of mature trees, further grading and flattening of the hilltop, and the installation of facilities such as a parking lot for 150 cars, fencing, accessory buildings such as restrooms and a food service concession building, lighting, plumbing and irrigation systems. Development of this scale cannot be categorized as temporary, for two reasons: there is no attainable plan to relocate Eastview at the end of 3 years; and the effects of grading, tree removal and other construction will irrevocably degrade the character of Knoll Hill as natural community open space. The California Environmental Quality Act (CEQA) is not being observed, as this development is over and above what can be addressed with a Categorical Exemption. The controversy generated by the proposed ballpark provides additional evidence that additional CEQA-directed review is required.

**In order to comply with State Law and a City Charter requirement that that City Boards and Commissions provide notice of upcoming decisions to the affected neighborhood councils, with formal opportunities for input before decisions are made, the Port of Los Angeles must postpone this development until CEQA compliance and proper community input take place.**

**Furthermore, we hereby make a Public Records Act request for all documents in the Port's possession that relate to the proposed construction of a ballpark for the exclusive or semi-exclusive use of the Eastview Little League on Knoll Hill.**

Sincerely,



Joe Gatlin, President  
Central San Pedro Neighborhood Council

Adopted at the August 14, 2007 Stakeholder Meeting, pursuant to a resolution of the Land Use Planning Committee adopted on July 25, 2007, and further refined at a special meeting of that committee on August 6, 2007.