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## REQUEST FOR RESPONSE

California Penal Code Sections<sup>3</sup> §933 (c) and §933.05 requires a written response to all Recommendations contained in this Report which shall be made no later than ninety (90) days after the Civil Grand Jury publishes its Report (filed with the Clerk of the Court).

Respond to:

Presiding Judge  
Los Angeles County Superior Court  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple Street  
Eleventh Floor, Room 11-506  
Los Angeles, CA 90012

All responses for the 2010-2011 CGJ Report's Recommendations must be submitted to the above address on or before the end of business **September 30, 2011**.

Responses are required from:

<u>Recommendation Number(s)</u>	<u>Responding Agency</u>
1	Los Angeles County Board of Supervisors (Sheriff's Department)
2	Los Angeles County Board of Supervisors (Sheriff's Department)

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<sup>3</sup> Reference California Penal Code Sections §933(c) and §933.05 at the beginning of this 2010-2011 Civil Grand Jury Report

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# PORT OF LOS ANGELES



## Committee Members

Chairperson: Gloria J. Williams  
Co-Chairperson: Virginia Smith-Rader  
Solomon Hailpern  
George A. Lyles  
Alfred E. Orozco



Source: Los Angeles Port Authority

# PORT OF LOS ANGELES

## SUMMARY

The mandates that affect the Port's relations with its neighboring communities include the California Environmental Quality Act (CEQA) which requires environmental impact reports for Port projects. Other mandates include Board resolutions and judicial orders that require the Port to work with a community-based organization called the Port Community Advisory Committee (PCAC). PCAC was created in 2001 to provide an efficient method for collecting and organizing community input regarding Port operations and projects. PCAC is not a separate entity and functions as an advisory committee to the Board of Harbor Commissioners (BOHC). PCAC also had a role in identifying environmental mitigation projects that would benefit the community.

For the most part, the Port has complied with these mandates. In the intervening years, the PCAC and the BOHC have addressed most community concerns though not always to the satisfaction of the community. PCAC has also registered many successes. It has accumulated issues such as weak attendance, light agendas, entrenched interests, lack of participation from the business community, and inactive member organizations. Either because of these weaknesses, or due to neglect of the Board, the Port has bypassed the PCAC in conducting community relations for certain projects or formed additional organizations for dealing with mitigation projects. While the PCAC has its flaws, it does offer a degree of legitimacy and objectivity that these other avenues lack. This Report contains several recommendations for restructuring PCAC to strengthen its role in providing an independent, objective voice for the community.

The Port is subject to thirty-seven (37) different environmental mandates handed down by twenty-three (23) separate agencies. These mandates cover the impacts from air and water pollution, traffic congestion, hazardous waste, excessive light and noise. The Port is in compliance with these mandates and has adopted a self-imposed mandate called the Clean Air Action Plan (CAAP) with another water-related plan to follow in the next year. The Port should expand the scope of emissions targeted and measured to include total particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) in addition to diesel particulate matter (DPM).

The Ports of Los Angeles and Long Beach share many resources such as transportation infrastructure, waterways and labor force. The two ports also cooperate widely on a variety of issues and initiatives including the CAAP and the upcoming Water Resources Action Plan (WRAP). As separate entities, the ports have duplicative management structures and governance systems. While the ports do cooperate on certain initiatives, the process is hindered by the separate governance and decision making processes.

Historically, the two (2) ports have not competed much for shipping traffic or lessees, as there was usually a waiting list for leasing terminal space. Recently, and potentially in the future, this has changed with the downturn in cargo volumes. Since the two ports are similar in so many ways there is not enough to differentiate them should the ports have to compete for shippers and terminal lessees. This could result in a transfer of economic value, i.e. subsidy, from the publicly owned ports to privately owned lessees.

For these reasons, BOHC should propose to the City of Long Beach and regional policy makers to commission a study examining the costs and benefits of port consolidation. Consolidation

may result in more efficient use of port properties; more streamlined governance, management and decision making; more effective environmental management; and maximization of the value of port properties and the financial benefits to the citizens and taxpayers of the region.

Mandates related to homeland security are entirely within the jurisdiction of the Federal government. The Port of Los Angeles, through its Port Police, is responsible for enforcement of local and State laws and the Port Tariff. The Port is in compliance with its mandate to enforce these laws. The history of security breaches at the Port is sparse with only two (2) incidents in the last five (5) years, both involving fake Coast Guard-issued identification cards.

## **PURPOSE**

This report has four (4) purposes:

1. Assess the status of community relations between the Port of Los Angeles (POLA) and neighboring communities; e.g., San Pedro, Wilmington. Recommend ways to improve community relations and methods for incorporating neighborhood concerns into POLA decision making.
2. Assess POLA environmental mitigation programs, especially as they pertain to neighboring communities.
3. Evaluate the benefits of port consolidation
4. Assess the integrity of POLA security infrastructure

## **BACKGROUND**

### Description of the Port of Los Angeles

POLA is the busiest port in North America and the sixteenth (16<sup>th</sup>) largest in the world when measured by cargo throughput. Along with the adjacent Port of Long Beach, the San Pedro Bay ports process over 30% of the containerized cargo imported into the U.S. each year. The port complex occupies 7,500 acres along forty-three (43) miles of waterfront. The port is predominantly a container port. Sixty-nine (69) container cranes handled 7.2 million TEUs (a common metric for containerized cargo) in FY 2009-2010. The Port also hosts a major cruise terminal. The Port is a major economic engine for Southern California and helps sustain tens of thousands of jobs in trade, distribution and transportation.

### Background on Community Relations

Success in the maritime supply chain has come at a cost for neighboring communities. The advent of containerized cargo has greatly reduced the transportation costs for imports and has been a major factor in the growth of Asian trade in the last thirty (30) years. The growth in number and size of container vessels calling on the Port has prompted the construction of larger container terminals, taller container cranes, bigger, brighter lights for 24-hour operations, and significantly more truck traffic on area roads and freeways to connect the port with rail yards and distribution points throughout the region. The ensuing air, water and visual pollution has steadily eroded the patience of the surrounding communities.