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TRANSPORTATION

Wilmington hauls off and hits truck expressway plan with lawsuit

Residents worry that the project will bring more cargo traffic and with it more pollution and illnesses.

By Ronald D. White

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California transportation officials say that a new truck expressway is needed to handle an expected post-recession trade boom at the ports of Los Angeles and Long Beach, the nation's busiest seaport complex. But the neighborhood that has already borne the brunt of port pollution is setting up a legal roadblock to stop it.

"There are at least 21 days to 28 days a year when the air is so bad here that we do not let the children go outside to play," said Elva Carrillo, who helps her husband, Alfred, run a small private school affiliated with his Apostolic Faith Church in Wilmington, just 750 feet from the proposed truck expressway. "You can feel the trucks rumble, day and night. How much more should we endure?"

The Carrillos are backing the Natural Resources Defense Council and two community groups in their court fight against Caltrans and the diesel-dependent cargo movement industry. The battle could determine whether neighborhoods have the legal clout to divert a major transportation project away from their homes or demand the use of alternative energy vehicles. The outcome could signal whether Southern California will retain its status as the

nation's preeminent gateway for international trade.

The lawsuit, filed in late September in Los Angeles Superior Court, challenges the plan to replace the 61-year-old Schuyler Heim Bridge, an aging structure that rises and lowers to allow ships to pass. It is a critical cargo link over the Cerritos Channel that connects Terminal Island and Wilmington.

The project would include a four-lane elevated roadway connection to Alameda Street that would bypass three intersections with stoplights and five railroad crossings. The completed expressway would be owned, operated and maintained by Caltrans.

John Doherty, chief executive of the Alameda Corridor Transportation Authority, said that officials have made the best choice among six alternatives and one that is in the best interests of surrounding communities.

The truck expressway "would reduce freeway truck congestion by as much as 10% and also reduce truck congestion and emissions caused by trucks that idle along nearby surface streets -- all while creating 11,000 construction jobs and \$47 million in state and local taxes," Doherty said.

"We have proactively pledged to install sound walls in the area and special air-filtering systems in the several affected homes to mitigate impacts of the expressway segment."

But the plaintiffs in the case say that the environmental review was flawed and underestimates the project's truck traffic. They also say that no serious effort was made to look at another expressway route or assess the possibility of using only alternative energy vehicles along the route.

"If you build this thing, it's like building a power plant. It will be there for 50 years and it will be polluting the community every day," said David Pettit, a senior attorney with the Natural Resources Defense Council and director of its Southern California air program.

The lawsuit argues that "already high cancer rates" in the surrounding community will increase if the project is built.

The amount of exposure to diesel particulates is already so high that "any increased risk there is unacceptable," Pettit said.

Doherty said the lawsuit was "without merit. The environmental document in question meets all legal requirements and provides a comprehensive and detailed analysis of the project."

At issue in the legal fight is a level of cargo movement that would be difficult for many Angelenos to grasp. In 2007, their busiest year to date, the ports of Los Angeles and Long Beach handled 15.7 million cargo containers and about 320 million metric tons of freight.

Cargo traffic insinuates itself into every aspect of life in surrounding neighborhoods, making it impossible to forget the proximity of the ports even in the midst of the worst global recession in more than 60 years.

The sound of diesel truck engines of varying size and age is always in the background. Soot coats cars and trucks. Tall stacks of damaged cargo containers in storage yards loom above homes and churches like a rusty skyline. People's clothes smell of diesel fumes after only a few hours of walking neighborhood streets.

People who live near the project recite a litany of respiratory problems. Some they blame entirely on the diesel pollution that already exists. They suspect pollution as the cause of a host of other problems, including severe allergies and sleep apnea.

Raymond Luevanos, 18, suffers from asthma. "I don't think I would have it if I didn't live so close to all of these trucks," he said.

Jesse N. Marquez, executive director of the Wilmington-based Coalition for a Safe Environment, lives four blocks from the Port of Los Angeles. He is a fixture in the neighborhood, chronicling new reports of illness and teaching residents how to collect air samples.

Marquez was an engineer in the aerospace industry, working on rocket guidance systems. When that industry collapsed after the end of the Cold War, he became an electrician. Marquez says he's not anti-business; three of his brothers are longshoremen and one of his nieces works at the docks part time.

But for the last few years, Marquez has been thinking about his three children, each of whom suffer from asthma. Marquez also blames his chronic sinusitis on the truck pollution.

"Everything moving along this route ought to be powered by natural gas or electricity. Communities like ours, that suffer the most impact, ought to have the cleanest trucks," Marquez said.

But what the ports are facing is on another scale entirely.

By 2020, the ports can expect to move about 22 million containers, according to a recent report by the consulting firms IHS Global Insight and the Tioga Group. That figure jumps to about 27.5 million containers in 2025. It approaches 35 million containers, an increase of 122.9% over the port's record year, by 2035, the report said.

If not for the global recession, the report said, those 35 million containers would have arrived by 2025.

Proponents argue that the time to prepare for that trade surge is now.

"One of the things that is talked about in some quarters is that Los Angeles and Long Beach are losing market share to other ports because of the constant difficulties in getting decisions made," said John Husing, an economist who follows international trade and its effect on the Inland Empire.

"Are the ports going to be an economic engine or are we going to drive that business to other ports?" he said. "Unemployment is a health issue too."

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