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MOTION

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I MOVE the matter of the ADMINISTRATIVE EXEMPTION and TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT relative to setting aside Council action approving the Site Preparation and Access Agreement and Permit with the BNSF Railway Company for the construction, operation and maintenance of the Southern California International Gateway (SCIG) facility, Item No. 24 on today's Council Agenda (CF 13-0295-S9), **BE AMENDED** to adopt the following in lieu of the recommendations in the Report:

1. ADOPT the determination by the Board of Harbor Commissioners that the proposed action is administratively exempt under the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(b)(f) and (h) of the Los Angeles City CEQA Guidelines.
2. RESCIND, pursuant to the order of the court in the case Fast Lane Transportation, Inc., et al. v. City of Los Angeles, et al., Contra Costa Superior Court Case No. CIVMSN 14-0300 (consolidated cases), to set aside Council Actions, Resolutions and Orders relative to Council's May 8, 2013 approval of the determination by the Port of Los Angeles that the BNSF Railway Company for the construction, operation, and maintenance of the SCIG facility project and the proposed 50-year permit were assessed in an Environmental Impact Report prepared in accordance with the CEQA, under Council File Nos. 13-0295, 13-0295-S1, 13-0295-S2, 13-0295-S3, 13-0295-S4, 13-0295-S5, 13-0295-S6, 13-0295-S7, and 13-0295-S8; pursuant to Board of Harbor Commissioners Resolution No. 18-8333 and Order No. 18-7243.

PRESENTED BY Joe Buscaino
JOE BUSCAINO
Councilmember, 15th District

SECONDED BY [Signature]

September 18, 2018
majs

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