

### MOTION

I HEREBY MOVE that Council ADOPT the following recommendations relative to the proposed Site Preparation and Access Agreement (SPAA) with BNSF Railway Company for the construction, operation and maintenance of the Southern California International Gateway (SCIG) facility (Item No. 10, Council file No. 13-0398):

1. ADOPT the determination by the Los Angeles Harbor Department that the project and the proposed 50-year Permit were assessed in an EIR prepared in accordance with the California Environmental Quality Act (CEQA), which was certified by action of the Board of Harbor Commissioners on March 7, 2013.
2. APPROVE the SPAA and Permit 901 with BNSF Railway Company for the construction, operation and maintenance of the SCIG facility.

PRESENTED BY \_\_\_\_\_

TOM LABONGE  
Councilmember, 4th District

SECONDED BY \_\_\_\_\_

MITCHELL ENGLANDER  
Councilmember, 12th District

May 8, 2013

CF: 13-0398