Notice of Preparation/Initial Study

Berth 44 Boatyard Project

Prepared By:

Environmental Management Division
Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90731

with assistance from:

Aspen Environmental Group
5020 Chesebro Rd. Suite 200
Agoura Hills, CA 91301

January 2024

APP# 210323-048
APP# 210524-089

This page is intentionally blank.

Contents

Figures

Appendices

Acronyms and Abbreviations

AB	Assembly Bill
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
BMP	best management practice
Caltrans	California Department of Transportation
CCC	California Coastal Commission
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CGP	Construction General Permit
CNEL	Community Noise Equivalent Level
CRHR	California Register of Historical Resources
CY	cubic yards
DDT	di-chloro-diphenyl-trichloroethane
DOC	California Department of Conservation
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
HP	horsepower
IGP	Industrial General Permit
IS	Initial Study
LADOT	Los Angeles Department of Transportation
LAFD	Los Angeles Fire Department
LAHD	Los Angeles Harbor Department
LAMC	Los Angeles Municipal Code
LAPD	Los Angeles Police Department
LASAN	Los Angeles Sanitation and Environment
LID	low impact development
MBTA	Migratory Bird Treaty Act
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
No.	number
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
PMP	Port Master Plan
RWQCB	Regional Water Quality Control Board
SR	State Route
SWIRP	Solid Waste Integrated Resources Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAG	Transportation Assessment Guidelines
TIWRP	Terminal Island Water Reclamation Plant
U.S.	United States
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
VMT	vehicle miles traveled

NOTICE OF PREPARATION/INITIAL STUDY

Pursuant to the California Environmental Quality Act (Division 13, Public Resources Code)

1.0 PROJECT OVERVIEW AND BACKGROUND

This Notice of Preparation (NOP)/Initial Study (IS) is to inform responsible and trustee agencies, public agencies, and the public that the Los Angeles Harbor Department (LAHD), as the Lead Agency under the California Environmental Quality Act (CEQA), has independently determined that there are potential significant environmental impacts associated with the proposed Berth 44 Boatyard Project (Proposed Project), and an Environmental Impact Report (EIR) is required. The Project site is approximately 4.75 acres located at 2945 Miner Street, San Pedro at Berth 44 at the Port of Los Angeles (Port) Outer Harbor. LAHD has prepared, as part of this NOP, an Initial Study Checklist for the EIR determination in accordance with current City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 (Article I): the State CEQA Guidelines (Title 14, California Code of Regulations); and the California Public Resources Code (Section 21000, et seq.).

LAHD administers the Port under the California Tidelands Trust Act of 1911 and the Los Angeles City Charter. LAHD develops and leases Port property to tenants who operate the facilities. The Port provides a major gateway for international goods and services. The Port includes 23 major cargo terminals, including dry and liquid bulk, container, breakbulk, automobile, and passenger facilities. In addition to cargo business operations, the Port is home to commercial fishing vessels, shipyards, boat repair facilities, and recreational, community, and educational facilities.

The Proposed Project is organized into two components: (1) site preparation consisting of demolition, soil remediation, grading, repairs, and dredging to be completed by LAHD and (2) construction and operation of a commercial boatyard proposed by Bellwether Financial Group, doing business as LA Shipyard LLC (Applicant). The Applicant would operate the boatyard for up to 40 years, and the boatyard would be used to service vessels. LAHD would demolish existing structures, buildings, and utilities on site; backfill, compact, and regrade the ground surface to generally match existing elevations (with slight modifications to retain stormwater on site), pre-remediation grades (there would still be an elevation difference across the site); repair the existing seawall, riprap, and storm drain; construct a new seawall segment along the existing marine way inlet; and conduct dredging prior to Applicant activities.

Following LAHD activities, the Applicant would pave the site and construct concrete pads, docks, gangways, slips (i.e., small floating pier structures separating boats), underground utilities, water treatment systems, fencing, lighting, and buildings to support boatyard operations. The Applicant would also install equipment including a 400-ton travel lift, sanding systems, and scissor lifts.

1.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT PROCESS

One of the main objectives of CEQA is to disclose the potential environmental effects of proposed activities to the public and decision-makers. CEQA requires that the potential environmental effects of a project be evaluated prior to implementation. Under CEQA, the lead agency is the public agency with primary responsibility over approval of a proposed project. Pursuant to Section 15367 of the CEQA Guidelines (14 CCR 15000 et seq.), LAHD is the lead agency for the Proposed Project. As the lead agency, LAHD must complete an environmental review to determine if implementation of the Proposed Project would result in significant adverse environmental impacts. To fulfill the purpose of CEQA and assist in making that determination in accordance with CEQA Guidelines Section 15063, an IS was prepared in accordance with CEQA (California Public Resources Code, Section 21000 et seq.), the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.), and the City of Los Angeles CEQA Guidelines.

This NOP/IS, along with public comments received during the scoping period, will determine what environmental impact areas may be adversely impacted by the Proposed Project. These issue areas will be assessed in the EIR prepared for the Proposed Project. The EIR will determine the nature and extent of any potential environmental impacts and establish any necessary and appropriate mitigation measures. The EIR will also include an evaluation of alternatives to the Proposed Project that would reduce or avoid significant impacts, including a No Project Alternative. A preliminary evaluation of the potentially affected environmental resources is included in Section 5.0, Environmental Analysis.

Consistent with State CEQA Guidelines Section 15082(a)(1), LAHD has identified the following potentially significant environmental effects of the Proposed Project, which will be addressed in the EIR: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Transportation.

In accordance with CEQA and the State CEQA Guidelines, this NOP/IS will be circulated for a period of 45 days for public comment and scoping. The public comment period for this NOP/IS is scheduled to begin on January 11, 2024, and will conclude on February 26, 2024. This NOP/IS will be distributed to responsible and trustee public agencies and other interested or involved agencies, organizations, and private individuals for review. The NOP/IS is also available for review online at https://www.portoflosangeles.org/ceqa. Copies of the NOP/IS are available for public review at the Harbor Department Environmental Management Division, located at 425 South Palos Verdes Street, San Pedro, CA 90731. Please send your request to ceqacomments@portla.org or call (310) 732-3615 to schedule an appointment to pick up a copy.

During the 45-day public scoping period, the public has an opportunity to provide written comments on the information contained within this NOP/IS. Comments on the NOP/IS should be submitted in writing prior to the end of the 45-day public review period and must be postmarked by February 26, 2024.

Please submit written comments to: Director of Environmental Management
City of Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, California 90731

Written comments may also be sent via email to ceqacomments@portla.org. Comments sent via email should include the project title (Berth 44 Boatyard Project) in the subject line of the email. For additional information, please contact Nicole Enciso at (310) 732-3615 or ceqacomments@portla.org.

A virtual public scoping meeting for the Proposed Project will be held via Zoom at 4:00 p.m. on January 25, 2024.

1.2 DOCUMENT FORMAT

This NOP/IS contains the following five sections:

- **Section 1.0. Project Overview and Background.** This section provides an overview of the Proposed Project and the CEQA environmental documentation process.
- **Section 2.0. Project Description.** This section provides a detailed description of the Proposed Project's objectives and components.
- **Section 3.0 Project Permits and Approvals.** This section lists approvals and permits that could be required for the Proposed Project.
- **Section 4.0 Initial Study Checklist.** This section presents the CEQA checklist for all impact areas and mandatory findings of significance.
- **Section 5.0. Environmental Analysis.** This section presents the environmental analysis for each issue area identified on the environmental checklist. If the Proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no or less-than-significant impacts are expected. If the Proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and the issue area will be evaluated further in the EIR.
- **Section 6.0. Preparers and Contributors.** This section lists professional staff involved in the preparation of the NOP/IS.
- **Section 7.0 References.** This section provides a list of reference materials used during preparation of the NOP/IS.

The environmental analysis included in Section 5.0, Environmental Analysis, is consistent with the CEQA IS format presented in Section 4.0, Initial Study Checklist. Impacts are separated into the following categories:

- **Potentially Significant Impact.** This category is only applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less-than-significant level. Issues considered potentially significant will be further analyzed in the EIR.

- **Less-than-Significant Impact With Mitigation Incorporated.** This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less-than-Significant Impact." The lead agency must describe the mitigation measure(s) and briefly explain how they would reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced). Given that this is an IS, potentially significant impacts that require mitigation will be carried forward to the EIR for further analysis.
- **Less-than-Significant Impact.** This category is identified when the Proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required. Issues considered less than significant are discussed in this IS and will not be carried forward to the EIR.
- **No Impact.** This category applies when the Proposed Project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency that show that the impact does not apply to the specific project (e.g., the project falls outside of a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors and general standards (e.g., the Proposed Project would not expose sensitive receptors to pollutants based on a project-specific screening analysis). Issues considered to have no impact are discussed in this IS and will not be carried forward to the EIR.

2.0 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

This Initial Study (IS)/Checklist has been prepared to evaluate the reasonably foreseeable and potentially significant adverse environmental impacts associated with development and operation of a boatyard to serve commercial and leisure vessels (Proposed Project). The Proposed Project would include site preparation such as demolition of on-site structures, soil remediation, grading, dredging, compacting, and paving; construction of buildings, utilities, and accessory structures to support repair services for vessels such as tugboats, commercial fishing boats, recreational vessels, and ferries; and commercial sales of vessel supplies. The site is located to the west of Miner Street[1], San Pedro, CA 90731 on the Port of Los Angeles Outer Harbor. Miner Street is the only street leading to the Project site and would be the only access road during construction and operations.

The Proposed Project would be operated as a boatyard by the Applicant, who would enter into a long-term lease with LAHD for the land and water areas at the Project site (LAHD, 2019). This IS/Checklist assumes 40 years of operation for the analysis.

This section discusses the location, description, background, and objectives of the Proposed Project. This document has been prepared in accordance with the California Environmental Quality Act (CEQA), (Pub. Resources Code, § 21000 et seq.) as implemented by the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.).

2.1.1 Existing Conditions

The Project site is within Planning Area 1 of the Port, with visitor-serving uses such as marinas, parks, waterfront recreational centers, and yacht clubs. Cabrillo Way Marina and Los Angeles Fire Department Station 110 are located directly north of the Project site, and Berth 46 is located to the east and southeast. Berth 46 consists of an asphalt lot that is used as an outdoor venue for concerts, festivals, and sporting events (LAHD, 2022a). Cruise terminals also exist adjacent to the Project site to the south and east. The Project site at Berth 44 was formerly leased by San Pedro Boat Works for boatyard operations. The Project site has remained unoccupied after the site was abandoned in 2002. Most of the former buildings and structures have been abandoned and left in place, such as a shed, storage building, various mechanic shops, and remnants of a 25-slip marine way turntable (DTSC, 2016; LAHD, 2021a). Existing utility systems, fencing, and some vegetation also remain on site (LAHD, 2021a). The Electrical Shop, Paint Shop, and Storage Building (all non-contributing buildings to the Historic District) were removed from the site in August 2020. The demolition of these buildings was previously assessed under the Former San Pedro Boat Works Miner Street, Berth 44 Project (SCH# 2019079033) prepared by the California Department of Toxic Substances Control (DTSC). In 2020, LAHD discovered that a sinkhole had formed under the Main Building at the San Pedro Boat Works Facility. LAHD's Engineering Division determined that the sinkhole posed an imminent risk to human health and safety. Therefore, the demolition of the Main

[1] On January 10, 2019, the Board of Harbor Commissioners adopted Resolution No. 19-8414, renaming a section of Miner Street as "Dave Arian Way." The application for private street name change is being processed by the City Bureau of Engineering pursuant to Los Angeles Municipal Code §18.09 Private Street Names.

Building was determined to be exempt from CEQA under State CEQA Guidelines, Section 15269(b). Demolition was completed in June 2021.

2.1.2 Project Location

Regional Setting

The Proposed Project would be located at the Port's Outer Harbor, approximately 20 miles south of downtown Los Angeles (Figure 2-1). The Port encompasses approximately 7,500 acres, including 3,300 acres of water and 43 miles of waterfront. It has approximately 270 commercial berths and 27 terminals, including leased facilities to handle containers, automobiles, dry bulk, breakbulk and liquid bulk products, and cruise ships, as well as extensive transportation infrastructure for intermodal cargo movement by truck and rail.

The Port also accommodates boat repair yards and provides slips for 3,800 recreational vessels, 78 commercial fishing boats, 35 miscellaneous types of small-service craft, and 15 charter vessels for sport fishing and harbor cruises. The Port also accommodates water-dependent recreational, visitor-serving, community, and educational facilities, such as a public beach, the Cabrillo Beach Youth Waterfront Sports Center, Cabrillo Marine Aquarium, Los Angeles Maritime Museum, 22nd Street Park, and Wilmington Waterfront Park.

LAHD, a proprietary department of the City of Los Angeles (City), is charged with operation, maintenance, and management of the Port. As landlord, LAHD leases properties to more than 300 tenants, including private terminal, tug, marine cargo, and cruise industry operators. LAHD administers the Port under California Constitution Article X, California PRC Section 6306 ("Tidelands Trust Statute"), and grants to the City from the California legislature. LAHD is chartered to develop and operate the Port in a manner that benefits maritime uses, including the support and access facilities needed to accommodate the demands of import and export waterborne commerce.

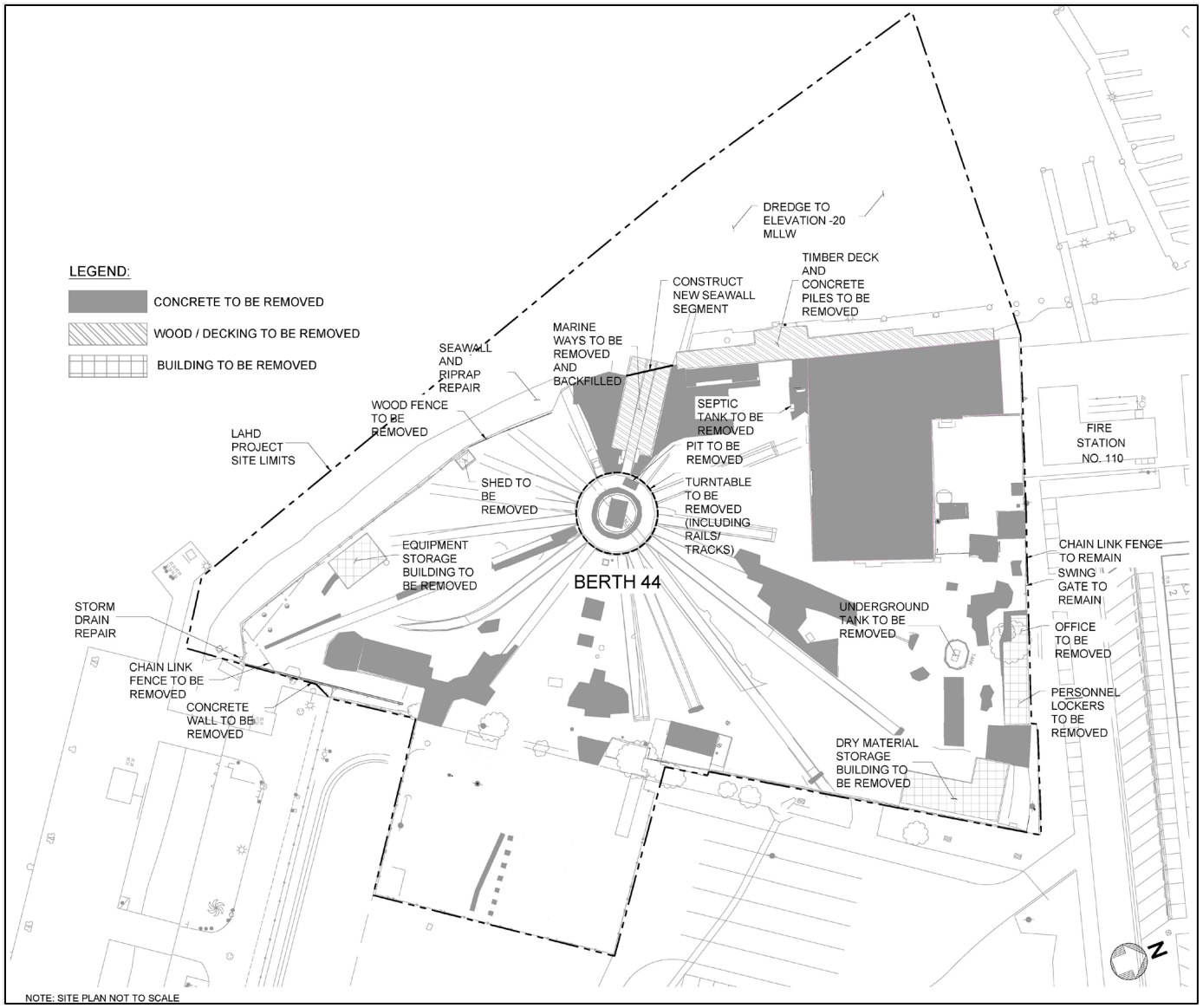
Project Setting

The Project site is located at 2945 Miner Street, San Pedro, CA 90731 at Berth 44. The site is bounded by West Channel to the west and south, Los Angeles Fire Department Station 110 (2945 Miner Street, Berth 44-A) to the north, and Berth 46 (large asphalt parking lot) to the east (Figure 1). The Cabrillo Marina (224 Whalers Walk, Los Angeles, CA) and Cabrillo Way Marina (2293 Miner St, San Pedro, CA) are located immediately west and north of the Project site, respectively. Regional access to the Proposed Project is provided by State Route (SR) 47 to the north, with local access provided by Miner Street to the east and 22nd Street to the north (Figure 2-1).

The Project site is comprised of approximately 4.75 acres. Approximately 1.25 acres of the Project site would occur within the West Channel harbor to accommodate seven floating docks and two fixed piers (LA Shipyard LLC, 2021). The site is currently unoccupied and contains most of the former buildings and remnants of a 25-slip marine way turntable (Figure 2-2) (DTSC, 2016).

Figure 2-1. Regional Location of the Proposed Project

Figure 2-2. LAHD Proposed Site Plan



Source: LAHD, 2023a.

Land Use and Zoning

The Project site is within an area covered by the Port Master Plan (PMP) (LAHD, 2018).

The PMP establishes policies and guidelines to direct future development of the Port. The original plan became effective in April 1980, after it was approved by the Board of Harbor Commissioners and certified by the California Coastal Commission (CCC). The PMP includes five planning areas. The Project site falls into Planning Area 1 – San Pedro (LAHD, 2018).

Planning Area 1 encompasses the San Pedro Waterfront, from the breakwater to the Vincent Thomas Bridge along the western boundary of the Port. The area extends from Berths 19 to 95 and includes cruise operations, institutional uses, and recreational activities. Planning Area 1 primarily includes land uses focused on public access to the waterfront but also has limited cargo operations and commercial fishing activities. The Project site is subject to the Recreational Boating land use designation as indicated in the PMP. The Project site is on Assessor's Parcel Number (APN) 7440039910, the majority of which is designated Recreation and Commercial, with a small portion of Miner Street designated General/Bulk Cargo – Non Hazardous (Industrial and Commercial) and is zoned qualified-light industrial ([Q]M2-1) under the City of Los Angeles Zoning Ordinance (City of Los Angeles, 2022a).

2.1.3 Project Background and Objectives

Project Background

The Project site at Berth 44 was formerly leased by San Pedro Boat Works for boatyard operations. San Pedro Boat Works provided full-service marine craftsmanship for private, commercial, and government vessels. The site once contained facilities including an office, carpenter, machine, electric, welding, paint, and fiberglass shops, marine railways, and an open paved yard (Tetra Tech, 1994). San Pedro Boat Works abandoned the facility in 2002, and control of the property was returned to LAHD in 2003 (Tetra Tech, 2014). When LAHD regained control of the property, several site assessments indicated that the site contained potential environmental impairments. DTSC and US Environmental Protection Agency (USEPA) are requiring LAHD to complete soil remediation at the site to remove contaminants prior to construction and operation of the site (LAHD, 2021b). These activities are being completed to comply with a cleanup order issued by DTSC and related to a previously adopted (2019) DTSC IS/ND for the Former San Pedro Boat Works Project, State Clearinghouse No. 2019079033 (DTSC, 2019a, 2019b). All additional remediation activities required under this order and outside of the initial scope of the 2019 IS/ND are included in the Proposed Project. As such, DTSC and USEPA are considered Responsible Agencies for the Proposed Project.

The Proposed Project is described in detail in Section 2.3.

Project Objectives

The primary objectives of the Proposed Project are listed as follows.

1. Prepare the existing site, including soil remediation under regulatory oversight, to support the construction and operation of a boatyard.

2. Optimize use of existing land at the site in a manner that is consistent with existing land uses in Outer Harbor.
3. Construct a boatyard that provides maintenance, repairs, custom construction, and similar services to marine vessels up to 200 feet long with a max beam (width) of up to 39 feet.
4. Ensure reliable boatyard services to help meet the demands of local recreational and commercial marine vessels.

2.2 CEQA BASELINE

CEQA provides for an EIR to assess the significance of a project's impacts in comparison to a baseline that consists of the existing physical environmental conditions at and near the Project site. Baseline conditions are normally measured at the time of commencement of environmental review of a proposed project. CEQA Guidelines, Section 15125, subdivision (a), provides:

> *An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.*

Currently, no boatyard operations occur at the Project site, and therefore, no employee trips occur. The Proposed Project would represent a new use at the site and generate new commercial and recreational vessel activity, boatyard activities, and passenger vehicle trips.

2.3 PROJECT DESCRIPTION

2.3.1 Overview

Project construction would be achieved in two distinct components: (1) site preparation to be completed by LAHD (Figure 2-2) and (2) boatyard construction to be completed by the Applicant (Figure 2-3). Figure 2-4 depicts the combined site plan showing the Project site limits for both LAHD and Applicant scopes of work. Section 2.3.2 provides more details on Project construction.

2.3.2 Construction

Site Preparation (LAHD)

LAHD would prepare the site prior to construction and operation of the proposed boatyard. Existing structures and buildings would be demolished; soil remediation as required by DTSC to clean up the site would be completed, and the site backfilled, compacted, and graded to generally match existing (with slight modifications to retain stormwater on site) pre-remediation grades; the existing seawall, riprap, and storm drain repaired and new seawall segment constructed along the existing marine way inlet; and the slip area dredged to ensure proper access for boats to the proposed slips (to be constructed by the Applicant – see below).

Figure 2-3. Boatyard Site Plan

Source: LA Shipyard LLC, 2023a.

Figure 2-4. LAHD and Applicant Site Boundary

Source: LAHD, 2023a.

Existing structures to be removed include buildings, a marine way turntable and inlet, asphalt and concrete, rails, abandoned septic tanks, and a leach chamber (Figure 2-2). LAHD would demolish and remove the buildings, structures, utilities, and the marine way turntable and backfill the marine way inlet with imported fill. Backfilling the marine way inlet, which is underlain by seawater, would result in the loss of approximately 0.0344 acres (about 1,500 square feet) of waters of the United States (U.S.) (LAHD, 2023b). Loss of waters of the U.S. would require a Clean Water Act Section 404 Permit. The existing rails, septic tanks, and leach chamber would also be removed. Removal of the septic tanks would require backfilling with imported fill (LAHD, 2021b). Approximately 150 cubic yards (CY) of imported fill would be used to fill the marine way inlet (LAHD, 2022b).

Seawall repairs and construction of a new approximately 40-foot section of seawall along the existing marine way inlet, would require approximately 60 CY of concrete (LAHD, 2022b). Seawall repairs are anticipated to be conducted from the land side; however, marine vessels may also be used. If marine vessels are used for seawall repairs, they would not be used concurrently with dredging vessels (LAHD, 2022c). As discussed in Section 2.1.2, approximately 1.25 acres of the Project would occur in the water. This area includes the dredge footprint for the proposed development, which would requiring dredging of approximately 11,000 CY of sediment to approximately -20 Mean Lower Low Water (LAHD, 2023b). LAHD would use a clamshell derrick barge, a dredge scow barge, and a tug for each barge to dredge. Dredged material would undergo sediment characterization to identify a suitable disposal location. Water turbidity would be monitored at stations within the Project boundary as well as downstream of the Project to control sediment movement. If construction turbidity exceeds existing conditions, in-water construction would be halted until turbidity is controlled (LAHD, 2022c).

During on-site demolition activities, the construction contractor would use a meter to obtain water from the municipal water supply. The contractor may apply for a permit to discharge wastewater directly into the sewer or temporarily stored on site for off-site disposal. Although high groundwater levels (approximately 10 feet deep) exist at the site, the majority of demolition activities would be conducted above the groundwater table. Demolition and backfill of the marine way inlet, however, may encounter tidal (seawater)/groundwater; this work can be done in the wet without the need for dewatering. The compaction of backfill can be achieved by utilizing bridging materials without dewatering (LAHD, 2023b).

Construction-generated waste would likely be hauled and disposed of at a County of Los Angeles-approved waste disposal facility (LAHD, 2022c). It is anticipated that approximately 80 percent of the dredged material can be disposed of at the Berths 243-245 Confined Disposal Facility, and approximately 20 percent of the dredged material may be disposed offsite at a hazardous waste facility. The final amounts to be disposed of would be dependent on a sediment characterization report (LAHD, 2023b). Due to the potentially hazardous nature of existing fill on site, construction waste is not anticipated to be recycled.

Soil remediation activities are anticipated to follow a dig and haul approach to remove contaminated soils from the site and dispose of them at an off-site hazardous waste facility.

All earthwork activities would follow the Soil Management Plan prepared for the site in coordination with DTSC and USEPA. Construction activities would comply with the requirements of the National Pollution Discharge Elimination System (NPDES) Stormwater Program, which requires obtaining coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity, and the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). An existing SWPPP compliant with the requirements of the SWRCB IGP Order No. 2014-0057-DWQ and CGP Order 2009-0009-DWQ and the NPDES Permit would be expanded to cover the Project, or a new Project-specific SWPPP would be developed.

Construction equipment for site preparation is anticipated to include the following (LAHD, 2021c):

- 80-foot boom lift
- Large and small generators
- Water trucks
- Skid steer loader
- Forklift (long-reach)
- Excavators
- Concrete saw
- Clamshell derrick barge
- Dredge scow barge
- Tug for each barge

Boatyard Construction (Applicant)

Once the site has been prepared by LAHD, the Applicant would pave the site, construct concrete pads, construct an approximately 80-space parking lot (includes use of the existing parking lot on the north side of Miner Street at the dead-end), install approximately 1,000 linear feet of fencing, lighting, and other underground utilities, and construct buildings. These buildings would include an office space, ship store and chandlery (retail shop selling supplies and equipment for marine vessels), specialty carpentry, fabrication, engine repair and maintenance areas (Figure 2-3). The buildings would not exceed 30 feet in height and would total approximately 21,000 square feet (LA Shipyard LLC, 2022a). The Applicant would also install accessory equipment such as dustless sanding systems, scissor lifts, up to 400-ton travel lift with associated travel lift way (see green structure in Figure 2-3), slips, docks and associated pile, and a water collection and treatment system.

The water collection and treatment system would consist of two systems connected to sumps and underground plumbing. The first system would be a zero-discharge surface water collection and treatment system that would collect and treat the Project's industrial wastewater to meet the City of Los Angeles Sanitation District's (LASAN) local discharge limits and then discharge to the sewer. The water collection and treatment systems would have a capacity of approximately 45,000 gallons with five tanks approximately 10,000 gallons each. Excavation between 5 and 10 feet deep may be needed for construction of the water collection and treatment system (see "Water Filtration System and Storage" in Figure 2-3) (LA Shipyard LLC, 2022b). As such, excavation may encounter tidally influenced groundwater between varying depths of approximately 3.5 to 13.5 feet below ground surface (Tetra Tech, 2006; Tetra Tech, 2009). The second system would collect stormwater from non-industrial activities at the remainder of the Project site and would be designed to meet Regional Water Quality Control Board (RWQCB) discharge limits for stormwater and standards for discharge to the ocean (LA Shipyard LLC, 2022a). Stormwater from the second system would be treated and discharged to the storm drain

system (to be repaired/replaced by LAHD as part of the site preparation activities to ensure proper connections) then to the ocean. City of Los Angeles low impact development (LID) requirements would be implemented by the Applicant as required throughout the site to minimize off-site erosion and siltation. For this area, the LID Ordinance requires treatment of the 85th percentile storm or 0.75-inch storm, whichever is greater (LAHD, 2023b).

In addition, ten new light poles would be installed. The lights would be a maximum of 3,000 Kelvin and would be dimmed 90 percent when not in use (LA Shipyard LLC, 2022a). The design would follow backlight (light directed behind a fixture), up-light (light directed upward above the horizontal plane of the light), and glare (amount of light emitted at high angles) (collectively referred to as "BUG") requirements, building code requirements, and Title 24 requirements which restrict lighting on the water.

The site would include a total of approximately 17,000 square feet of docks. In-water structures would include the following:

- Seven up to 12-foot-wide slips (blue in Figure 2-3),
- Two 9-foot-wide fixed piers (green in Figure 2-3),
- One up to 12-foot-wide headwalk (blue in Figure 2-3) connecting to all the slips generally along the length of the seawall excluding the 45-foot-wide bay for the travel lift,
- Three gangways (white on Figure 2-3), one north of the lift and two south of the lift, and
- Approximately 179 up to 24-inch-diameter piles to support the docks and would be up to 100 feet in length (LA Shipyard LLC, 2022b).

In-water construction would utilize a debris boom and turbidity curtains.

Equipment to construct the boatyard is anticipated to include the following (LA Shipyard LLC, 2022a):

- Backhoe
- Boom crane
- Grader
- Skid loader
- Excavator
- Forklift
- Generator
- Pile driver
- Crane
- Aerial lift
- Barge

Up to 50 construction workers would be required for construction (LA Shipyard LLC, 2022a).

Fuel would be stored on site to allow for on-site refueling of construction equipment. Industry-standard best management practices (BMPs) would be developed to ensure safe storage, prevent hazardous conditions, and minimize accidents. Refueling BMPs as part of the SWPPP may include avoiding "topping-off" of fuel tanks, providing absorbent spill cleanup materials and spill kits on site and on fueling trucks, using drip pans or absorbent pads, designating fueling areas, and training employees on proper fueling and cleanup procedures (LA Shipyard LLC, 2023b). All equipment would be serviced and inspected before in-water work. Cranes and other equipment working in water would use biodegradable oil where possible (LA Shipyard LLC, 2022b).

2.3.3 Construction Schedule

Construction of the Proposed Project is anticipated to take approximately 30 months in total for the two portions of the Project. Additional details regarding construction are provided below.

Site Preparation (LAHD). Construction work associated with site preparation includes four phases: (1) demolition, soil remediation, and removal, (2) backfilling and grading, (3) seawall repair and construction, and (4) dredging. Construction would typically occur Monday through Friday during daylight hours between approximately 7:00 a.m. and 5:00 p.m. Schedule adjustments may occur depending on various factors. Work on the first three phases would be sequential and would take approximately 12 months to complete. Dredging would be performed on a 24-hour basis and is anticipated to occur over the span of no more than two weeks and may be performed simultaneously with other construction activities (LAHD, 2022c).

Boatyard Construction (Applicant). Boatyard construction is anticipated to occur for approximately 18 months. Boatyard construction includes four phases: (1) water treatment system (2) paving and concrete pads, (3) building construction, and (4) in-water construction. The estimated timeline of construction is as follows:

- Water treatment system: 3 months
- Paving and concrete pads: 2 months
- Building construction: 12 months
- In-water construction: 4 months

Construction sequencing would include overlap between the phases such that construction would take up to 18 months to complete. Construction would occur Monday through Friday during daylight hours between 7:00 a.m. and 5:00 p.m. (LA Shipyard LLC, 2022a).

2.3.4 Operation

The Applicant would operate the Project site for 40 years. Up to 65 full-time and part-time employees would work at the site in one shift during operations, and an estimated 10 to 15 customers or vendors are anticipated to visit the site per day (LA Shipyard LLC, 2022a). The site would be open for operations Monday through Saturday between 7:00 a.m. and 5:00 p.m. Employees and customers would use the proposed parking lot. It is anticipated that up to 40 vessels would be accommodated in the facility throughout the course of a given business day, and up to 40 percent of the vessels would be serviced on a daily basis. The boatyard would service vessels up to 200 feet long with a max beam (width) of 39 feet (LAHD, 2022). The following equipment would be needed for operations (LAHD, 2021d):

- One 400-ton travel lift
- One travel lift pier system
- One zero discharge surface water collection and treatment system
- One water treatment system (filtration and storage)
- Two scissor lifts

Potentially hazardous materials including paint thinners, paint strippers, acids, antifouling boat paint, and other cleaning materials would be stored and utilized during operations. These materials would be transported, stored, handled, and disposed of as per industry standard BMPs and California Division of Occupational Safety and Health standards. BMPs and other specifications would be included in a Project-specific Health and Safety Plan to ensure adherence to all permit requirements of the State Water Resources Control Board (SWRCB), including the Industrial General Permit (IGP) which regulates stormwater discharges (LA Shipyard LLC, 2022a). Operations would require coverage under the IGP, which requires development of a new Project-specific SWPPP. SWPPP BMPs would include spill containment measures, such as drip pans or absorbent materials to prevent fuel spills from reaching the ground or water.

The travel lift would have a gasoline engine (LA Shipyard LLC, 2022a). Transport of the travel lift would include BMPs such as properly securing it for transport, verifying that the transport vehicle and trailer are in good condition and compliant with local transportation guidelines, and complying with weight limits and permitting requirements for transport. Operators and handlers of the travel lift would be trained on proper lifting techniques and safety procedures, obtain the necessary certifications, and wear appropriate personal protective equipment (LA Shipyard LLC, 2023c). Fuel trucks would deliver fuel to the site, or fuel would be stored on site. Equipment would be refueled in an area away from high-traffic areas near a spill kit or containment kit area. BMPs, including appropriate containment, would be determined for the storage of fuel and refueling activities (LA Shipyard LLC, 2023c). Equipment would be regularly inspected and maintained according to a schedule and maintenance log to address wear and tear, replace worn parts, and ensure equipment remain in good working condition (LA Shipyard LLC, 2023c).

3.0 PROJECT PERMITS AND APPROVALS

Under CEQA, the lead agency is the public agency with primary responsibility over approval of a proposed project. Pursuant to the CEQA Guidelines (14 CCR 15367), the CEQA lead agency for the Proposed Project is LAHD.

Approvals or permits that could be required for the Proposed Project include, but are not limited to, the following actions by the identified agencies:

- U.S. Army Corps of Engineers (USACE) (Section 404 and Section 10 permits)
- USEPA (Disposal Permit, Remedial Action Plan)
- DTSC (Remedial Action Plan)
- California Coastal Commission (PMP Amendment)
- South Coast Air Quality Management District (travel lifts, tugboats, forklift permits)
- SWRCB Stormwater Permits (Construction General Permit [CGP]; Industrial General Permit [IGP]; Commercial, Industrial & Institutional Permit, as applicable)
- RWQCB (Waste Discharge Requirements, Section 401 Water Quality Certification)
- LASAN (Industrial Wastewater Permit)
- City of Los Angeles (Building and Safety Permit)
- LAHD (Coastal Development Permit, Harbor Engineer Permit, Entitlement)

4.0 INITIAL STUDY CHECKLIST

1	**Project Title:**	Berth 44 Boatyard Project
2	**Lead Agency Name and Address:**	Los Angeles Harbor Department (LAHD) Environmental Management Division 425 South Palos Verdes Street San Pedro, California 90731
3	**Contact Person and Phone Number:**	Nicole Enciso (310) 732-3615
4	**Project Location:**	Berth 44, Port of Los Angeles 2945 Miner Street San Pedro, California 90731
5	**Project Sponsor's Name and Address:**	LAHD (Site Preparation) 425 South Palos Verdes Street San Pedro, CA 90731 LA Shipyard LLC (Boatyard Construction/Operation) 610 Newport Center Drive Newport Beach, CA 92660
6	**Port Master Plan Designation:**	Planning Area 1, Recreational Boating
7	**Zoning:**	Qualified Light Industrial ([Q] M2-1)
8	**Description of Project:**	The Proposed Project consists of two components: (1) site preparation including demolition, soil remediation, grading, repairs, and dredging to be completed by LAHD, and (2) construction and operation of a commercial boatyard proposed by Bellwether Financial Group (LA Shipyard LLC or Applicant). LAHD would demolish existing structures and buildings on site; grade the site; repair the existing seawall and construct a new 40-foot seawall segment; and conduct dredging prior to Applicant activities. Following LAHD activities, the Applicant would pave the site and construct concrete pads, docks, gangways, slips, underground utilities, water treatment systems, fencing, lighting, and buildings to support boatyard operations. The Applicant would also install equipment including a 400-ton travel lift, sanding systems, and scissor lifts.
9	**Surrounding Land Uses/Setting:**	The Project site is surrounded by cruise operations, institutional uses, recreational activities, limited cargo operations, and fishing activities. Los Angeles Fire Department Station 110 is located adjacent to the north.

10	**Other Public Agencies Whose Approval May be Required:**	▪ USACE (Section 404 and Section 10 permits) ▪ USEPA (Disposal Permit, Remedial Action Plan) ▪ California Coastal Commission (PMP Amendment) ▪ California Department of Toxic Substances Control (Remedial Action Plan) ▪ South Coast Air Quality Management District (travel lifts, tugboats, forklift permits) ▪ SWRCB Stormwater Permits (Construction General Permit; Industrial General Permit; Commercial, Industrial & Institutional Permit, as applicable) ▪ RWQCB (Waste Discharge Requirements, Section 401 Water Quality Certification) ▪ LASAN (Industrial Wastewater Permit) ▪ City of Los Angeles (Building and Safety Permit) ▪ LAHD (Coastal Development Permit, Harbor Engineer Permit, Entitlement) ▪
11	**Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code 21808.3.1?**	No (refer to Section 5.18, Tribal Cultural Resources)

4.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project (i.e., the Proposed Project would involve at least one impact that is a "Potentially Significant Impact"), as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology and Soils	☒ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials
☒ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☒ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☒ Transportation	☐ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

4.2 DETERMINATION

On the basis of this initial evaluation:

I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☐

I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☒

I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required. ☐

01/08/24

Signature
Date

Lisa Wunder, Acting Director
Environmental Management Division
City of Los Angeles Harbor Department

4.3 ENVIRONMENTAL CHECKLIST

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “no impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “no impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “no impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially significant impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “potentially significant impact” entries when the determination is made, an EIR is required.
4. “Negative declaration: less than significant with mitigation incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “potentially significant impact” to a “less-than-significant impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level.
5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063[c][3][D]). In this case, a brief discussion should identify the following:
    (a) Earlier analysis used. Identify and state where earlier analyses are available for review.
    (b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    (c) Mitigation measures. For effects that are “less than significant with mitigation incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting information sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   (a) the significance criteria or threshold, if any, used to evaluate each question, and

   (b) the mitigation measure identified, if any, to reduce the impact to a less-than-significant level.

10. The evaluations with this IS assume compliance with all applicable federal, state, and local laws, regulations, rules, and codes. In addition, the evaluation assumes that all conditions in applicable agency permits are complied with, including but not limited to local permits, air quality district permits, water quality permits and certifications, USACE permits, and other agency permits, as applicable.

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, **would the project:**				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland-zoned Timberland Production (as defined by Government Code §51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the city or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?	☐	☐	☐	☒
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☒	☐	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☒	☐	☐	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☒	☐	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	☒	☐	☐	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;	☒	☐	☐	☐
(ii) substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;	☐	☐	☒	☐
(iii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☒	☐	☐	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒
11. LAND USE PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
16. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒
e. Would the project result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☒	☐	☐	☐
18. TRIBAL CULTURAL RESOURCES				
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or	☐	☐	☐	☒

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
(ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒
21. MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☐
c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

5.0 ENVIRONMENTAL ANALYSIS

5.1 AESTHETICS

Discussion:

a. Would the project have a substantial adverse effect on a scenic vista?

Less-than-Significant Impact. The Conservation Element of the City of Los Angeles General Plan defines a scenic vista as a panoramic public view with access to natural features, including views of the ocean, striking or unusual natural terrain, or unique urban or historic features (City of Los Angeles, 2001). There are no sensitive public viewpoints or scenic vistas in the immediate Project vicinity; however, panoramic views of the Port and Pacific Ocean are available from distant public vantages, including panoramic views from hillside residential areas of San Pedro. The general Project area is highly developed and characterized by recreational uses and does not consist of any protected or designated scenic vistas. Furthermore, there are distant views of industrial and cargo activities at nearby terminals. The Project site is located at the Port's Outer Harbor, which primarily supports visitor-serving uses such as marinas, parks, waterfront recreational centers, and yacht clubs. The Project site is currently unoccupied, and the Proposed Project would include new structures and activities. The Project site would be used for boatyard operations, which involves recreational and commercial vessel activity, the use of boat lifts, boat repairs and maintenance, and passenger vehicle trips. These activities would be visible primarily from adjacent marinas to the north and along Miner Street to the east. Because the Project site is approximately 0.4 mile east of the San Pedro coastline, views from sites such as Cabrillo Beach Youth Waterfront Sports Center and Cabrillo Beach would be limited. Nearby sensitive onshore historic resources such as Fort MacArthur would have no public views of the Project site because the approximate 0.75-mile distance and other buildings such as the DoubleTree by Hilton San Pedro would obscure views of the site. The tallest proposed structure at the Project site would be the 400-ton lift (approximately 44 feet tall), which would not substantially obscure public views of the Pacific Ocean and would be consistent with the general views of adjacent marinas.

Project construction would include dredging, backfilling, grading, compacting, installation of equipment and buildings to support boatyard operations, followed by operation of the boatyard, none of which would have any substantial adverse effects on a scenic vista. The Proposed Project would result in activities consistent with those that currently exist within the Port. Impacts to a scenic vista would be less than significant, and this issue will not be addressed further in the EIR.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. The Project site is not visible from an eligible or designated State scenic highway. The nearest designated State scenic highway is located approximately 29 miles northwest of the Project (State Highway 27 post miles 1.0-3.5). The nearest eligible State scenic highway (State Highway 1 from State Highway 19 near Long Beach to I-5 south of San Juan Capistrano) is approximately 9 miles northeast of the Project site (Caltrans, 2022). In addition to California Department of Transportation (Caltrans)-designated State scenic highways, the City of Los Angeles has city-designated scenic highways, but the Project site is not visible from any of these highways (City of Los Angeles, 2016). As such, there are no scenic resources, including but not limited to trees, rock outcroppings, or historic buildings, within a State scenic highway that could be substantially damaged by the Project. No impact would occur. This issue will not be addressed further in the EIR.

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project site is located in an urbanized area and would not conflict with any applicable zoning and land use regulations governing scenic quality. The Project site is currently zoned for light industrial use, and the Proposed Project would not require any changes to the existing zoning. The Proposed Project does not involve the construction of any large obtrusive structures that would conflict with or degrade the existing visual character or quality of the surrounding area. The proposed approximately 44-foot-tall travel lift would be consistent with the surrounding marina uses and would not conflict with light industrial zoning. No impacts to existing visual character or quality would result from the Proposed Project, and the Proposed Project would not conflict with applicable zoning and other regulations governing scenic quality. This issue will not be addressed further in the EIR.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less-than-Significant Impact. The Project site is currently unoccupied and does not contain lighting. As described in the Project Description, ten new light poles would be installed as part of the Proposed Project, which would be dimmed 90 percent when not in use. The nighttime lighting environment in the Project vicinity consists mainly of ambient light produced from street lighting adjacent to the Project site, marinas, parking lots, and other facility lighting at the Port. The primary source of nighttime illumination at the Port is the extensive system of down lights and flood lights attached to the tops of tall light poles throughout the terminals. Bright, high-intensity boom lights are attached on top of shipping cranes along the edge of terminals and channels along the harbor. The Proposed Project

would not introduce any high-intensity boom lights during construction or operation. Furthermore, the lights would be dimmed Monday through Saturday between the hours of 5:00 p.m. and 7:00 a.m. when the site is not in use. Therefore, while the Proposed Project would install new lighting structures, the design would follow backlight, up-light, and glare (collectively referred to as "BUG") requirements, building code requirements, and Title 24 requirements which restrict lighting on the water. As such, the Proposed Project would not produce substantial light or glare which would affect day or nighttime views of the area. Impacts would be less than significant. This issue will not be addressed further in the EIR.

5.2 AGRICULTURE AND FORESTRY RESOURCES

Discussion:

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The California Department of Conservation's (DOC) Farmland Mapping and Monitoring Program identifies the Project site within Urban and Built-Up Land, which is defined as land occupied by residential, industrial, commercial, institutional, or other similar structures with a building density of approximately six structures to a ten-acre parcel (DOC, 2016). The Project site is located within an industrial area, and does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance that would be converted to accommodate the Proposed Project. Therefore, no impact on designated farmland would occur, and this issue will not be addressed further in the EIR.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Williamson Act aims to preserve agricultural and open space lands by restricting use to farming and ranching uses through a contract between local governments and private landowners (DOC, 2019). The Project site is zoned qualified-light industrial ([Q]M2-1), and there are no agricultural zoning designations or agricultural uses within the Project limits or adjacent areas. No agricultural or open space land with Williamson Act contracts is located within the Project site. As such, no impact on existing zoning for agricultural use or a Williamson Act contract would occur, and this issue will not be addressed further in the EIR.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?

No Impact. As discussed in Section 5.2(b) above, the Project site is zoned for qualified-light industrial uses ([Q]M2-1), and no forest land is within or near the Project site. Therefore, the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact on land zoned for forest land would occur, and this issue will not be addressed further in the EIR.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project site is located at the Port's Outer Harbor which does not include forest land. As such, the Proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact on forest land would occur, and this issue will not be addressed further in the EIR.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed in Sections 4.2(a) through (d) above, no farmland or forest land is within the Project site or the surrounding area. The Project site is located in a highly urbanized and industrial area. As such, the Proposed Project would not involve changes in the existing environment that could result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, no impact on agricultural or forest land uses or activities would occur, and this issue will not be addressed further in the EIR.

5.3 AIR QUALITY

Discussion:

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. The Proposed Project would result in increased emissions of criteria air pollutants associated with site preparation, boatyard construction, and boatyard operations, which would include additional vessel calls and the activities related to servicing vessels. Project construction activities by LAHD and the Applicant are estimated to take approximately 30 months. Emissions from operations would occur over the duration of the lease term (40 years). The EIR will evaluate whether the Proposed Project would conflict with applicable air quality plans, including the Air Quality Management Plan for the South Coast Air Basin and the Clean Air Action Plan.

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

Potentially Significant Impact. The South Coast Air Basin has a history of non-attainment conditions and violations of the ambient air quality standards. The Proposed Project, in conjunction with other related projects, has the potential to make a substantial contribution to significant cumulative air quality impacts. Therefore, the EIR will evaluate whether the Proposed Project would result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. Sensitive receptors are members of the population that are particularly susceptible to adverse health impacts from air contaminants. The following are land uses where sensitive receptors are typically located: residences, schools, playgrounds, childcare centers, and health care facilities.

Construction activities may expose sensitive receptors to air pollution in the form of combustion exhaust and fugitive dust. Operational activities, including the additional vessel calls and activities related to servicing vessels, may also expose sensitive receptors to increased levels of criteria air pollutants. In addition, site preparation, boatyard construction, and boatyard operational activities would involve sources of diesel particulate matter and emissions from coatings and metalworking that could expose sensitive receptors to increased levels of toxic air contaminants. Therefore, the EIR will evaluate whether the Proposed Project would expose sensitive receptors to substantial pollutant concentrations.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Potentially Significant Impact. Construction of the Proposed Project may cause odors from the use of diesel-powered heavy equipment and tugs, as well as from dredged sediment. Odors from operation of the Proposed Project could be caused by the servicing of vessels at the site. Therefore, the EIR will evaluate whether the Proposed Project would result in emissions such as odors that may adversely affect a substantial number of people.

5.4 BIOLOGICAL RESOURCES

Discussion:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Potentially Significant Impact. The Project involves both in-water and on-land construction. In-water construction would include dredging, repairing existing riprap, driving new piles, and repairing and constructing a portion of the seawall. On-land construction would include backfilling (including the area below the marine way inlet, which is currently underlain by seawater), compacting, grading, paving, minor trenching and excavation, installing and relocating utilities and pipelines, removing existing buildings and structures, and constructing concrete pads, a parking lot, and buildings and structures to support shipyard operations.

Special-Status Plants. The land-based portion of the Project site consists largely of paved surfaces surrounding industrial facilities and remnants of recently demolished buildings. During a site visit on November 29, 2022, Aspen biologists noted the presence of a small amount of vegetation consisting of weedy and ornamental species such as spreading pellitory (*Parietaria judaica*), smilo grass (*Stipa miliacea*), bristly ox-tongue (*Helminthotheca echioides*), stinkwort (*Dittrichia graveolens*), New Zealand Christmas tree (*Metrosideros excelsa*), carrotwood (*Cupaniopsis anacardioides*), and pampas grass (*Cortaderia* sp.). No listed, candidate, sensitive, or special-status plant species are known to occur on the Project site and there is no habitat that would support such species within the Project site. Accordingly, no impacts would occur to special-status plants.

Special-Status Wildlife. The developed nature of the industrial facilities and remnants of recently demolished buildings provides limited habitat for terrestrial wildlife. During a site visit on November 29, 2022, Aspen biologists noted limited wildlife use including rock pigeon (*Columba livia*), American kestrel (*Falco sparverius*), Western gull (*Larus occidentalis*), American crow (*Corvus brachyrhynchos*), and several burrows of California ground squirrel (*Otospermophilus beecheyi*). Prior to visiting the site, Aspen biologists conducted a search of the California Natural Diversity Database for special-status species known from the Long Beach, San Pedro, and Torrance US Geological Survey (USGS) topographic quads; this list of special-status wildlife known from the region is included in Appendix A. Additionally, previous biological surveys conducted in the Port Complex do not indicate the presence of special-status species in the vicinity of the Project site (MEC, 2002; SAIC, 2010; MBC, 2016, Wood E&IS, 2021). None of these species have any potential to be present or be impacted by the Proposed Project.

Beyond the breakwater, approximately 1.5 miles from the Project site, a variety of marine mammals are known to use the nearshore waters. The most common whale species is

the gray whale (*Eschrichtius robustus*), which migrates from the Bering Sea to Mexico and back each year, as well as several species of dolphin and porpoise. During the 2018-2019 biological survey, a gray whale mother-calf pair was observed in the vicinity of Cabrillo Beach (Wood E&IS, 2021), and gray whales have been observed in the Cabrillo Shallow Water Habitat. Bottlenose and common dolphins are most frequently observed in the open water of the Outer Harbor; however, the 2008 and 2018-2019 biological surveys also observed bottlenose dolphins in the Main Channel and the East Basin. None of these species are endangered or threatened, and there are no designated significant ecological areas for these species within the Port.

Turbidity caused by dredging and in-water construction would be temporary and localized in the vicinity of the Project area. Construction activities would use equipment including a clamshell derrick barge, dredge scow barge, and tugboat, and would drive piles to support docks and slips. Underwater noise from these activities would likely exceed criteria for Level B harassment (i.e., the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns; NMFS, 2018) of marine mammals that could be present at the Project site, and could potentially result in Level A injury (i.e., the potential to injure a marine mammal or marine mammal stock in the wild) if animals were to get very close to the driving operation. Pile-driving could also result in temporary avoidance of the construction area and cause mortality of some fish in the Coastal Pelagic Fish Management Plan, especially smaller fish such as northern anchovy, which are very abundant in the Harbor, as well as Pacific sardine and topsmelt. Turbidity and underwater noise from pile driving would affect some individuals of managed fish species, and impacts may be potentially significant. Additionally, operations of the boatyard may attract additional large vessels to the area, potentially increasing impacts to marine mammal species. Accordingly, impacts to marine mammal species during construction and operation may be potentially significant and will be analyzed further in the EIR.

As part of the Proposed Project and in compliance with state and federal regulations, LAHD would conduct various pre-construction surveys, monitoring, and other BMPs to reduce potentially significant impacts to special-status species, including protected marine mammals. These surveys, monitoring, and other BMPs will be presented in the EIR to support the biological resources analysis.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the city or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Potentially Significant Impact. There is no riparian habitat at the Project site or in the vicinity. As such, there would be no impacts during construction or operation to sensitive terrestrial habitats or natural communities. This issue will not be addressed further in the EIR.

Project demolition and construction activities would have temporary adverse effects on marine biota through resuspension of sediments and disturbance of benthic communities. Eelgrass (*Zostera marina*), which is identified as a special aquatic site in the Clean Water Act, occurs in several locations of the Los Angeles and Long Beach Harbors, primarily Cabrillo Beach and the Pier 300 Seaplane Lagoon area, that are shallow enough (i.e., less than 14 feet) to support it (MBC, 2016). Eelgrass was observed adjacent to the site during the 2018 Biological Surveys of the Los Angeles And Long Beach Harbors (Wood EI&S, 2021). Increased turbidity during construction of the Proposed Project could have temporary adverse effects on eelgrass patches. Impacts to sensitive aquatic communities and habitats will be analyzed further in the EIR.

There are at least 27 non-native aquatic species in the Port Complex and another 95 of uncertain origin (MBC, 2016). Many of these species are likely to be present at the Project site in the benthic and riprap communities. Construction activities have the potential to redistribute non-native species locally within the Port through disturbance of bottom sediments and riprap repair.

The invasive algae Caulerpa (*Caulerpa taxifolia*) is listed as a federal noxious weed under the U.S. Plant Protection Act. In areas outside its native range, it can grow very rapidly, causing ecological devastation by overwhelming local seaweed species and altering fish distributions. Although this species has never been observed in the Port Complex, it is a threat in Southern California, having been found in two Southern California coastal lagoons in 2000 (MBC, 2016). This has prompted regulatory control measures described in the Caulerpa Control Protocol which are required prior to specific underwater activities such as bulkhead repair, dredging, and pile driving (NOAA Fisheries, 2008; NMFS, 2018). Impacts relating to the spread of non-native aquatic species will be analyzed further in the EIR. It is expected that a Caulerpa survey would be conducted at the Project site prior to the start of construction activities, as required by the US Army Corps of Engineers Rivers and Harbors Act Section 10 permit and the Caulerpa Control Protocol.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Proposed Project would not affect state or federally protected wetlands because there are no state or federally protected wetlands in the Project area. The Proposed Project would backfill the marine way inlet, which is underlain by seawater, resulting in a loss of approximately 0.0344 acres of waters of the U.S. However, this is not considered a federal wetland, and no federal wetlands are present elsewhere on site. The nearest federally protected wetland in the Los Angeles Harbor is the Cabrillo Salt Marsh, approximately 1 mile from the Project site. This wetland would not be affected or otherwise disturbed by the construction or operation of the Proposed Project. Therefore, no impacts to state or federally protected wetlands would occur, and this issue will not be addressed further in the EIR.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-than-Significant Impact. There are no known terrestrial or marine mammal migration corridors within the Port Complex, including the Project site, because the Port is not located between natural resource areas that terrestrial wildlife would need to traverse. Therefore, the Proposed Project would not interfere with terrestrial wildlife migration, and no impacts would occur. This issue will not be addressed further in the EIR.

Project activities within the Project site may impact nesting birds protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code. The MBTA prohibits the take (including killing, capturing, selling, trading and transport) of protected migratory bird species, including active nests, without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. California Fish and Game Code Section 3503.5 prohibits take or possession of birds of prey or their eggs; and Section 3513 prohibits take or possession of any migratory nongame bird. Most birds on the Project site could easily fly around or over the work area, but nesting birds in the vegetation, old structures, or on the ground may be impacted if Project activities start during the nesting season (February 15 – September 1).

As part of the Proposed Project and in compliance with state and federal laws protecting nesting birds, LAHD would conduct pre-construction surveys and monitoring for nesting birds if construction activities are conducted between February 15 and September 1. If nesting birds are detected, LAHD would implement no-disturbance buffers until the nests have fledged. The size of the buffers would be based on the judgment of a qualified biologist. The biologist would determine the buffer based on the species' ecology, its tolerance to disturbance, and the type of construction activity that is occurring. Periodic monitoring would be conducted to ensure the nest is not disturbed. Potential impacts to wildlife nursery sites, specifically nesting bird habitat, would be less than significant. This issue will not be addressed further in the EIR.

Many species of fish are known from the Port; however, there are only a few species of fish in southern California with true migrations (salmonids and white sturgeon), and they are not known to occur in the Port Complex (SAIC, 2010; Wood E&IS, 2021). Therefore, the Proposed Project would not interfere with migratory fish. Project construction could result in avoidance of the construction areas by resident fish species during in-water work, which would occur over a period of approximately 16 months; however, these effects would be temporary, lasting for a few days at a time as specific Project elements (riprap and seawall repair, dredging, and construction of slips, piers, docks, and piles) are implemented.

Given the limited extent of the Project area, the absence of wildlife corridors and nesting habitat, and the short duration of construction activities, the Proposed Project's impacts on the movement of any native resident or migratory fish or wildlife species would be less than significant. This issue will not be addressed further in the EIR.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project site is located in a highly developed area with very little vegetation present. A limited number of non-native plants and ornamental trees may be removed as part of the Proposed Project. The only biological resources protected by the City Ordinance (Ordinance No. 177404) pertain to specific tree species including oak trees, Southern California black walnut, Western sycamore, and California Bay. All trees observed onsite are non-native, none of which are protected by City Ordinance. Therefore, the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impacts would occur, and this issue will not be addressed further in the EIR.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

No Impact. There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other similar plans that overlap with the Project area (USFWS, 2022). The nearest conservation plan area is the Rancho Palos Verdes Natural Community Conservation Plan area, which is located approximately 4 miles west of the Project area (City of Rancho Palos Verdes, 2019). The County of Los Angeles (County) has established official, designated areas, referred to as Significant Ecological Areas (SEAs), within the County that contain rare or unique biological resources. The Terminal Island (Pier 400) California least tern nesting site is the only SEA in the Port and is located 1.5 miles east of the Project site. The Proposed Project would have no impact on Pier 400. As such, the Proposed Project would not conflict with adopted conservations plans related to biological resources, and this issue will not be addressed further in the EIR.

5.5 CULTURAL RESOURCES

Discussion:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?

No Impact. The Proposed Project would not result in a substantial adverse change in the significance of a historical resource pursuant to §15064.5. Although previous studies determined that the San Pedro Boat Works buildings on the Project site were eligible to the California Register of Historical Resources (CRHR), many alterations to the site, including demolition of structures and buildings, took place in 2021 after the most recent CRHR eligibility determination in 2017. These alterations were conducted due to deterioration of the site, damage, and vandalism (e.g., removal of signage and entrance gate); emergency actions essential for public health, safety, or welfare (e.g., removal of the Main Building due to a sinkhole beneath the building); and per the Removal Action

Workplan for the San Pedro Boat Works site approved by DTSC in 2019 (DTSC, 2019a), which includes removal of the electrical shop, paint shop, and storage shed. As a result of these substantial alterations, it was recommended that San Pedro Boat Works does not qualify as eligible to the CRHR in accordance with Status Code 6Z. This includes consideration of the entire property as a CRHR eligible District, and consideration of each remaining built environment feature as individually eligible to the CRHR. Additionally, it was recommended that San Pedro Boat Works is not eligible as a Los Angeles Historic-Cultural Monument. Thus, the Proposed Project would not adversely affect any historical resource, as none of the remaining structures on site are eligible historical resources. Therefore, no impact would occur, and this issue will not be addressed in the EIR (LAHD, 2023c).

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

Potentially Significant Impact. The Proposed Project may result in a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. It is unlikely that the Project would cause substantial adverse change to prehistoric-age resources as the Project site and Project area are built on man-made fill planned for and created in the early 20th century in an area known historically as Miners Fill (ICF, 2011). Construction of the historic San Pedro Boat Works property began in 1928, and potentially significant subsurface historic-age archaeological resources on land or underwater resources adjacent to the seawall next to the property could exist. The EIR will evaluate and determine the significance of these impacts.

c. Disturb any human remains, including those interred outside of dedicated cemeteries?

No Impact. No known cemeteries or burials are known to have occurred at the Project site, and the Project site and the Project area are composed of man-made fill. Adjacent to the Project site where dredging would occur is underlain by recent marine sediments. Neither of these deposits are considered sensitive for human remains, historically or prehistorically. Therefore, no impact would occur, and this issue will not be addressed in the EIR.

5.6 ENERGY

Discussion:

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less-than-Significant Impact. The Proposed Project would consume energy resources in the form of non-renewable fossil fuels and electricity for site power. Construction would involve the short-term use of transportation fuels and electricity by various equipment, such as off-road equipment and vessels, including a clamshell derrick barge, dredge scow barge, and tugboat, as described in the Project Description. Construction would take approximately 30 months. Construction would not require a substantial use of electricity as most equipment would be powered by diesel, gasoline, or propane.

Operations would require electric power and transportation fuels, primarily gasoline and diesel, due to equipment and vehicles accessing the site and the additional vessel calls and the boatyard activities related to servicing vessels over the duration of the lease term (40 years).

Statewide policies and programs promote the use of renewable resources in the electricity supply and reduction in the carbon-intensity of transportation fuels. Implementation of the State of California's Low-Carbon Fuel Standard regulations and the State's long-term goal for carbon neutrality by 2045 or earlier require transportation fuels used in California to transition to renewable fuel sources or zero-emission technologies. The electricity supply is on a long-term trend of decarbonization as a result of California’s Renewable Portfolio Standard. Over time, increasing portions of the Project's on-site and off-site energy use would be provided from renewable supplies that would decrease the Project's use of non-renewable fuels.

Construction and operation of the proposed boatyard would occur on the site in a manner consistent with existing land uses in the Port’s Outer Harbor and would provide boatyard services to help meet the demands of the Port and its water-dependent facilities. As such, the Proposed Project would not generate wasteful, inefficient, or unnecessary boatyard or vessel activity, nor would the Proposed Project introduce unnecessary energy consuming equipment or processes. The Proposed Project would not use non-renewable energy resources in a wasteful or inefficient manner during construction or operation. Use of energy resources to support the Proposed Project would not constitute wasteful, inefficient, or unnecessary consumption; therefore, impacts are less than significant, and no mitigation is required. This issue will not be addressed further in the EIR.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less-than-Significant Impact. The Proposed Project would result in the construction and operation of facilities to support repair services for vessels. The Proposed Project would not conflict with adopted state or local renewable energy or energy plans. Additionally, the Proposed Project would not conflict with any of the Port's energy plans, including the Energy Management Action Plan. The Proposed Project would not require the removal of any existing renewable energy infrastructure, such as solar or wind-powered electric generating facilities.

The City of Los Angeles would need to issue Building and Safety Permits for new buildings and would ensure compliance with energy efficiency requirements under the California Green Building Code and Appliance Efficiency Regulations (Title 24 and Title 20 of the California Code of Regulations, respectively). LAHD is responsible for design, inspection, management, and oversight of construction projects to ensure projects comply with energy efficiency requirements. Energy necessary to develop and operate the proposed facilities would be used efficiently and would represent a negligible portion of state-wide energy consumption. Therefore, the Proposed Project would not conflict with plans for renewable energy or energy efficiency, and this impact would be less than significant, and no mitigation is required. This issue will not be addressed further in the EIR.

5.7 GEOLOGY AND SOILS

Discussion:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. No known faults cross or are immediately adjacent to the Project site. The closest known active fault is the Palos Verdes fault zone, located approximately 1.5 miles east of the Project site (USGS, 2022a), and the closest Alquist-Priolo zoned fault is the Newport-Inglewood fault zone approximately 8 miles northeast of the Project site (CGS, 2022). No impact would occur, and this issue will not be addressed further in the EIR.

ii) Strong seismic ground shaking?

Less-than-Significant Impact. The Proposed Project is located in a seismically active area of southern California with numerous on- and offshore active faults capable of generating large earthquakes and significant seismic ground shaking in the Project area. Onshore faults in the Project area include the Palos Verdes fault

zone, Newport-Inglewood fault zone, Santa Monica fault, Hollywood fault, Malibu Coast fault, Sierra Madre fault zone, Elsinore fault zone, Puente Hills Blind Thrust, and Lower Elysian Park Blind Thrust. Offshore faults in the Project area include the offshore sections of the Palos Verdes and Newport-Inglewood fault zones, San Diego Trough fault, San Clemente fault, Oceanside fault, Santa Cruz-Catalina Ridge fault, and Thirty Mile Bank fault. The Project site may experience strong to very strong ground shaking from a large earthquake on any of these faults. The exposure of people and structures to seismic ground shaking is a potential risk with or without the Proposed Project and cannot be avoided. However, incorporation of modern standard engineering and safety standards in Project design and compliance with LAHD engineering criteria and current Los Angeles Building and Municipal Codes would minimize adverse effects to people and structures. Emergency planning and coordination would also reduce injuries to on-site personnel during seismic activity. With incorporation of emergency planning and compliance with current regulations and standard engineering practices, this impact is considered less than significant. This issue will not be addressed further in the EIR.

iii) Seismic-related ground failure, including liquefaction?

Less-than-Significant Impact. The Proposed Project is located within a mapped California Geological Survey liquefaction hazard zone (CGS, 2022). Hydraulic and alluvial fill are common in the Port and harbor areas, and in conjunction with shallow groundwater levels, are subject to liquefaction and lateral spreading in the event of large earthquakes. However, incorporation of modern standard engineering and safety standards in Project design, and compliance with LAHD engineering criteria and current Los Angeles Building and Municipal Codes would minimize adverse effects to people and structures. Therefore, this impact is considered less than significant. This issue will not be addressed further in the EIR.

iv) Landslides?

No Impact. The topography of the Project site and surrounding area is primarily flat to gently sloping. The Project site consists of two areas, a larger lower flat area (the main Project site) and a smaller upper flat area with an elevation difference of about 2-3 feet between the two and are connected by a short gentle slope. A short retaining wall separates portions of the main Project site from the adjacent property which is several feet higher in elevation. The Project site and immediately surrounding area would not be subject to landslides or other slope failures due to natural causes, Project construction, or seismic events. As such, there is no impact related to landslides, and this issue will not be addressed further in the EIR.

b. Result in substantial soil erosion or the loss of topsoil?

Less-than-Significant Impact. The Proposed Project would include grading and excavation activities during construction that would loosen soils and could contribute to surface erosion. The Proposed Project would be subject to the requirements of the NPDES Stormwater Program, which requires obtaining coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity, and the development and implementation of a SWPPP. An existing SWPPP compliant with the requirements of the SWRCB IGP Order No. 2014-0057-DWQ and CGP Order 2009-0009-DWQ and the NPDES Permit would be expanded to cover the Project, or a new Project-specific SWPPP would be developed. Compliance with NPDES and SWPPP requirements, including any erosion and sediment controls identified in the SWPPP, would further reduce potential impacts. After construction, the Project site would be completely paved which would prevent erosion. The impact would be less than significant, and this issue will not be addressed further in the EIR.

c. Be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less-than-Significant Impact. As discussed in Section 5.7(a), the Project site would not be subject to landslides; however, it would be subject to liquefaction or lateral spreading in the event of a large earthquake on nearby or regional faults. Adverse effects due to liquefaction or lateral spreading would be minimized due to incorporation of modern standard engineering and safety standards in Project design, and compliance with LAHD engineering criteria and current Los Angeles Building and Municipal Codes. Therefore, this impact is considered less than significant. The Proposed Project is located in an area of regional subsidence due to groundwater and oil extraction (USGS, 2022b); however, the Proposed Project does not include a groundwater supply well or oil wells. Groundwater extraction for construction activities with excavations may be required due to the presence of shallow tidally influenced groundwater. However, this groundwater extraction would be limited and temporary. Therefore, the Proposed Project would not contribute to subsidence in the area. The impact would be less than significant. This issue will not be addressed further in the EIR.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less-than-Significant Impact. Expansive soils may exist at the Project site that could result in adverse impacts to Project structures such as cracking and distress of foundations. The required geotechnical investigation to comply with County of Los Angeles and LAHD building codes and design requirements would identify any expansive soils, and appropriate design measures would be incorporated as part of Project design. Recommendations from the geotechnical investigation regarding expansive soils would be implemented in compliance with City of Los Angeles and LAHD design guidelines,

LAHD Engineering review recommendations, and the Los Angeles Building and Municipal Codes. Compliance with geotechnical recommendations, standard engineering practices, and design guidelines and regulations would minimize impacts related to expansive soils. Therefore, the impact would be less than significant. This issue will not be addressed further in the EIR.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Proposed Project would be connected to municipal sanitary sewer lines. Septic tanks and alternative wastewater disposal would not be used. No impact would occur, and this issue will not be addressed further in the EIR.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The onshore portion of the Project site is underlain by artificial fill, and the offshore portion where dredging would occur is underlain by recent marine sediments. These units have no paleontological sensitivity, and therefore, proposed ground disturbing activities have no potential to damage or destroy unique paleontological resources. No impact would occur, and this issue will not be addressed further in the EIR.

5.8 GREENHOUSE GAS EMISSIONS

Discussion:

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. Construction and operation activities would result in temporary direct and indirect GHG emissions from use of fuels and electricity by various equipment, such as off-road equipment and vessels, including a clamshell derrick barge, dredge scow barge, and tugboat, as described in the Project Description. Construction would take approximately 30 months. Operations would include additional vessel calls and activities related to servicing vessels that would result in GHG emissions over the duration of the lease term (40 years). The EIR will evaluate whether the direct and indirect GHG emissions of the Proposed Project may have a significant impact on the environment.

b. Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. The sources of GHG emissions caused by the Proposed Project during site preparation and boatyard construction and operation may have the potential to conflict with plans or policies adopted for the purpose of achieving GHG emission reductions. This impact will be discussed in the EIR.

5.9 HAZARDS AND HAZARDOUS MATERIALS

Discussion:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Potentially Significant Impact. The Proposed Project would involve limited transport, storage, use, and disposal of hazardous materials during construction and operation. Some examples of hazardous materials handling during construction include the transport of fuels, lubricants, and solvents associated with construction equipment, as well as the transport of contaminated soils excavated from the Project site. Contaminated soil would be encountered during Project construction and would be handled and disposed of as hazardous waste. Hazardous materials that could be used during Proposed Project operation include lubricants, solvents, acids, paints, and fuels. When not in use, these hazardous materials would be stored in approved containers and in a proper manner to prevent drainage or accidents as required by State and local regulations. Construction and operational equipment would be refilled or refueled in areas away from high-traffic areas and near a spill containment kit or containment kit area. However, leaks or spills could cause adverse effects if not cleaned up quickly or completely. Project construction may expose sensitive receptors and the environment, including soil, groundwater, and the harbor, to hazardous materials. During storm events, spills or leaks of hazardous materials could infiltrate soils causing contamination of underlying soil or the groundwater, or runoff into the harbor and adversely affect harbor water quality and marine life. During Project operation, spills or leaks would not infiltrate soils, as all land-based operations would occur on paved surfaces. The EIR will evaluate whether the Proposed Project would expose sensitive receptors or the environment (soil, groundwater, or the harbor) to adverse impacts from hazardous materials/waste.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Potentially Significant Impact. As described under the discussion for Section 5.9(a), Project construction and operation activities would require removal and disposal of contaminated soil and the limited use of hazardous materials, such as fuels, lubricants, and solvents. The storage and use of hazardous materials during construction and operation could result in the accidental release of hazardous materials typically associated with minor spills or leaks. Spills and leaks of hazardous materials during construction or operation could result in contamination of soil, groundwater, or seawater. Therefore, the EIR will evaluate whether the Proposed Project would expose sensitive receptors or the environment to adverse impacts from releases of hazardous materials.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. There are no schools within one-quarter mile of the Proposed Project. No impact would occur, and this issue will not be addressed further in the EIR.

d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Potentially Significant Impact. The Proposed Project site is currently listed on the DTSC Envirostor website as an active cleanup site due to contamination from the previous tenant, San Pedro Boat Works, which abandoned the site in 2002 (DTSC, 2022). The Proposed Project site is also regulated under the Toxic Substances Control Act by the USEPA. Contamination includes elevated concentration of petroleum hydrocarbons, metals, benzo(a)pyrene, and polychlorinated biphenyls (PCBs) (DTSC, 2022). As stated in Project Description Section 2.2, CEQA Baseline, LAHD has taken responsibility for the environmental cleanup of the site and will be conducting remediation of the site under the oversight of both the DTSC and USEPA. The remediation activities would occur as part of the Proposed Project. The site would not be cleaned up to unrestricted use standards, but instead to commercial/industrial standards which require less stringent cleanup requirements. Upon completion of remediation activities, remnant and residual levels of soil and groundwater contamination that would result in adverse impacts to sensitive receptors would be capped in place. All future earthwork activities would be required to follow a Soil Management Plan (SMP), which would be prepared for the site in coordination with DTSC and USEPA. The SMP would summarize handling and disposal requirements when encountering any residual contaminated soils following the remediation efforts.

Offshore sediment data for the Port identifies localized areas of sediment contamination “hotspots,” which are often localized in back channels, along wharf faces, and near stormwater outfalls (LAHD, 2009). Much of the sediment pollution in the harbors is so-called “legacy contamination” left over from past Port activities and watershed inputs. Copper, lead, zinc, mercury, silver, and various organics occur at elevated concentrations in localized hotspots. Chlordane, di-chloro-diphenyl-trichloroethane (DDT), and PCBs are widespread at elevated concentrations, chlordane near storm drain outfalls and DDTs and PCBs at a number of areas throughout the harbor (LAHD, 2009). The sediment adjacent to the site would be assessed under direction of the USEPA to determine whether historical/past activities on the site have resulted in concentrations that require remediation. This could result in dredging an expanded footprint and volume from the site. Dredging in the area of the existing slips under the Proposed Project could result in adverse effects to sensitive receptors from exposure to environmentally contaminated sediments. Dredged material would undergo sediment characterization to identify suitable disposal. It is anticipated that approximately 80 percent of dredged material can be disposed of at the Berths 243-245 Confined Disposal Facility, and approximately 20

percent of the dredged material may be disposed of off site to a hazardous waste site. The final amounts to be disposed of would be dependent on a sediment characterization report (LAHD, 2023b). Due to the potentially hazardous nature of existing fill on the Project site, construction waste is not anticipated to be recycled.

The EIR will evaluate whether the Proposed Project would expose sensitive receptors to adverse impacts from existing environmentally contaminated soil, groundwater, or offshore sediments.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The closest airports to the Proposed Project site are the Torrance Municipal Airport - Zamperini Field, located over 6 miles to the north-northwest, and the Long Beach Airport, located approximately 9 miles to the northeast. No impact would occur, and this issue will not be addressed further in the EIR.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less-than-Significant Impact. While most construction activities would take place outside of public roadways, periodic temporary construction or maintenance activities may temporarily block or close local access routes. The Proposed Project would not physically interfere with an adopted emergency response plan, as coordination with both the Los Angeles Fire Department and the Los Angeles Port Police would occur prior to construction activities. Emergency access in the vicinity of the Project site would be maintained for emergency service vehicles during construction activities, as construction traffic would be intermittent and temporary, and any road closures would be temporary during construction activities. The Proposed Project is not expected to substantially affect traffic circulation or increase demand on existing emergency response services during construction or operation. Therefore, the Proposed Project would not interfere or impair implementation of emergency response or evacuation plans, and impacts would be less than significant. This issue will not be addressed further in the EIR.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

No Impact. The Proposed Project is not located within a wildland area. Additionally, the Port and Project area is listed as “not burnable” on the US Forest Service Wildfire Hazard Potential website (USFS, 2022). The Los Angeles Fire Department (LAFD) provides fire protection services within the Port. No impact would occur, and this issue will not be addressed further in the EIR.

5.10 HYDROLOGY AND WATER QUALITY

Discussion:

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?

Potentially Significant Impact. In-water work, including seawall repair, riprap repair, dredging, backfilling of the marine way inlet, and boatyard construction adjacent to the water could result in discharges to harbor waters that could cause temporary water quality impacts such as turbidity and resuspension of sediments. Best management practices (BMPs), including turbidity monitoring and use of sediment curtains (see Section 2.3.2, Construction; LAHD, 2022c), would be implemented during in-water work in accordance with USACE and RWQCB requirements related to dredging, dredged material disposal, and construction.

As part of site preparation, LAHD would repair/replace the existing storm drain system, including ensuring capacity of the portion of Berth 46 that currently drains to the Project site. Following boatyard construction, the Applicant would install two new modern water collection and treatment systems: the first system would collect and treat the Project's industrial wastewater to meet LASAN local discharge limits and then discharge to the City's sewer system through an LASAN Industrial Wastewater Permit, to be obtained by the Applicant. Project operations have the potential to mobilize contaminants from vessel hull coatings and to result in accidental discharges to harbor waters. However, Project operations would adhere to the NPDES General Industrial Activities Stormwater Permit to reduce the potential of accidental or incidental discharges to the storm drain and harbor waters.

The second system would collect stormwater from non-industrial activities at the Project site and treat it to meet RWQCB discharge limits for stormwater (see Section 2.3.2, Construction, for further detail; LA Shipyard LLC, 2022a). This new drainage and treatment system would reduce stormwater-related impacts to marine water quality. Additionally, LID requirements would be implemented by the Applicant as required, which would minimize off-site erosion and siltation.

Despite the controls employed during construction and operation, the Proposed Project has the potential to affect water quality standards or waste discharge requirements. This issue will be further evaluated in the EIR.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. Groundwater in the harbor area is located south of the Dominguez Gap Barrier and experiences seawater intrusion from San Pedro Bay, rendering it unsuitable for potable uses. Further, the Project site is not used or designated for groundwater recharge. Excavation may be necessary to construct the water collection and treatment system, which may require dewatering of groundwater. Because the Project site is not used for groundwater recharge or other groundwater-related beneficial uses, paving of the site would not interfere with groundwater recharge. While some groundwater may be withdrawn from the local groundwater supply, the local groundwater is unsuitable for potable uses. Thus, if dewatering is required, it would not affect potable water supplies. The Project would have no impact on groundwater supplies or recharge, and no mitigation is required. This issue will not be addressed further in the EIR.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

Potentially Significant Impact. The Proposed Project would have no impact on the course or configuration of any waterbody because there are no streams or rivers on the site and the waterside work would be minimal compared to the overall Outer Harbor.

The Proposed Project would increase impervious areas through new paved surfaces. The Project site would be compacted and graded as part of site preparation, which also could alter the existing draining pattern. The marine way inlet would also be backfilled after removal of the marine way turntable. Construction would comply with the stormwater-related requirements in the NPDES Permit, including the use of BMPs, which would minimize the amount of runoff and the potential for substantial erosion or siltation to occur. During construction, LAHD contractors would develop and follow a SWPPP compliant with the requirements of the latest version of the SWRCB CGP. Compliance with this construction SWPPP, including any erosion and sediment controls identified in the SWPPP, would further reduce potential impacts. However, backfilling of the marine way inlet may cause siltation and temporarily increase turbidity during construction activities. This issue will be addressed in the EIR.

During operation, the Applicant would obtain coverage under the latest version of the SWRCB Industrial General Permit (IGP), and as required under the IGP, a SWPPP would be developed and employed. During operations, the Proposed Project's drainage would be handled by the new storm drain water collection and treatment system, which would comply with the IGP requirements. LID

requirements would be implemented as required, which would minimize off-site erosion and siltation. Although the SWPPP and new stormwater drainage plan would likely reduce impacts below significance, this issue will be considered in the EIR to evaluate the efficacy of the SWPPPs and other plans.

(ii) substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;

Less-than-Significant Impact. The Proposed Project would not change the vulnerability of the Project site to flooding because it would not lower the site's elevation, remove barriers to flooding, or install features that could increase flood flows. Surface runoff would increase because of the increased amount of impervious paving. However, the Proposed Project would install a modern storm drain system and a water treatment system that would improve stormwater management compared to existing conditions, thereby reducing the potential for flooding on or off site and improving the capacity of the stormwater drainage systems. This issue will not be further addressed in the EIR.

(iii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less-than-Significant Impact. The Proposed Project has the potential to increase stormwater runoff with the addition of new impervious areas, and stormwater runoff may contain particulate matter or industrial chemicals that could enter harbor waters. There is a potential for hazardous material to enter harbor water during construction. The Proposed Project would be subject to the requirements of the NPDES Stormwater Program, which requires obtaining coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity, and the development and implementation of a SWPPP. Compliance with NPDES and SWPPP requirements would reduce potential impacts related to polluted runoff. LAHD would also grade the Project site such that storm flows would not enter harbor water as runoff during Applicant construction and operations. Additionally, the Project includes new water collection and treatment systems that would be designed to accommodate anticipated flood flows and properly contain, treat, and release water to appropriate systems with capacity for Project-treated runoff during operations. The treatment systems would be designed to treat the entire Project site. The Proposed Project would not exceed the capacity of the new stormwater drainage systems nor create substantial additional sources of polluted runoff. Therefore, impacts would be less than significant, and this issue will not be further addressed in the EIR.

(iv) impede or redirect flood flows?

Less-than-Significant Impact. Portions of the Project site are within Federal Emergency Management Agency (FEMA) Zone AE, in which there is a one-percent annual chance of flooding (i.e., the 100-year flood zone) (FEMA, 2021). The site is currently relatively flat with a slight downwards slope to the west, and a slight incline to the east. The Proposed Project would grade and compact the site to generally match (with slight modifications to retain stormwater onsite), pre-remediation grades (there would still be an elevation difference across the site) and include new structures, pavement, and concrete pads. These features would not increase the vulnerability of the site to flooding and would not substantially affect flood flows. Accordingly, this impact would be less than significant. This issue will not be further addressed in the EIR.

d. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Potentially Significant Impact. Although there are no lakes or other enclosed waterbodies near the Project site, small seiches have occurred within the San Pedro Bay Port Complex. However, because the Project site is within the Outer Harbor, which is more open than the Inner Harbor, the Project site would not likely be susceptible to seiche.

According to the California Department of Conservation (DOC), the Project site is located within a tsunami inundation area (DOC, 2021). Portions of the Project site are within FEMA Zone AE, as discussed under Section 5.10(c)(iv) (FEMA, 2021). However, the *Tsunami Hazard Assessment for the Ports of Los Angeles and Long Beach* (Moffatt and Nichol, 2007) modeled the possibility of tsunami propagation into the Ports and concluded that a tsunami caused by local seismic activity, or an underwater landslide would be unlikely to occur more than once every 10,000 years. Under the most severe tsunami scenario modeled, the Port Complex model predicts a maximum tsunami wave height of approximately 2.28 meters in the West Channel near the Project site (Moffatt and Nichol, 2007, Table 4-1). This wave height would not cause overtopping of the site but could swamp construction equipment during dredging and riprap repair, and vessels during operations, potentially causing release of pollutants such as gas, oil, and lubricants. Although risks of releases are expected to be low, because the Port has historically been subject to seiches and tsunamis, this issue will be evaluated further in the EIR.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. Responsibility for the protection of surface water and groundwater quality in California rests with the SWRCB and nine RWQCBs. According to regulatory requirements and as part of its management of stormwater runoff, construction of the Proposed Project would require a SWRCB CGP, and operations would require coverage under the IGP and development of a new Project-specific SWPPP. LID requirements would also be implemented as required. These regulatory requirements would minimize pollutant loading. The Proposed Project would not interfere with any water quality or groundwater management plan, and no impact would occur. This issue will not be further addressed in the EIR.

5.11 LAND USE PLANNING

Discussion:

a. Would the project physically divide an established community?

No Impact. The Project site is located in a light industrial area that does not contain any established communities. The physical division of an established community typically refers to the construction of a linear feature, such as a major highway or railroad tracks or removal of a means of access, such as a local road or bridge that would impair mobility within an existing community or between a community and outlying area. Under the existing conditions, the Project site is not used as a connection between established communities. Instead, connectivity in the surrounding area is facilitated via local roadways, such as State Route (SR)-47 and Interstate 110. The Proposed Project would occur on an existing unoccupied parcel and includes construction and operation activities that remain consistent with the surrounding uses. The Proposed Project would not physically divide an established community or any existing uses. Therefore, no impacts would occur, and no mitigation is required. This issue will not be addressed further in the EIR.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less-than-Significant Impact. The Proposed Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Project parcel is zoned qualified light industrial ([Q]M2-1) under the City of Los Angeles Zoning Ordinance and would not conflict with zoning (City of Los Angeles, 2022b). The Project site is located in the PMP's Planning Area 1 and encompasses the San Pedro Waterfront. This planning area includes cruise operations, institutional uses, and recreational activities. Planning Area 1 primarily includes land uses focused on public access to the waterfront, but also has limited cargo operations and commercial fishing activities. Planning Area 1 emphasizes waterfront access through a

waterfront promenade, parks, museums, academic uses, and visitor-serving commercial uses and attractions (LAHD, 2018). The Project site is located within the Recreational Boating land use designation as indicated in the PMP (LAHD, 2018).

A PMP Amendment would be necessary to change the land use from Recreational Boating to Maritime Support. Per the PMP, a Plan amendment is required if a new land use is proposed on a site that is inconsistent with its land use designation(s). Operations associated with the boatyard would be consistent with the Maritime Support land use, which is defined as "water-dependent and non water-dependent operations necessary to support cargo handling and other maritime activities" (LAHD, 2018). Operational activities would be consistent with the examples of Maritime Support land use described in the PMP, which includes boatyard and ship repair (LAHD, 2018). Although Planning Area 1 emphasizes institutional and recreational uses, it also has limited maritime support land uses. Furthermore, the Proposed Project would not conflict with any of the following applicable policies relating to land use (PMP Section 7.2, Policies). The rationale for each policy is provided below:

Policy 1.1 – Develop new commercial or industrial projects within, contiguous with, or in close proximity to existing developed areas able to accommodate it with adequate public services. (California Coastal Act Section 30250)

Rationale: The Proposed Project would develop a boatyard adjacent to existing developed areas and on a site that was historically used as a boatyard. As discussed in Section 5.19, Utilities and Service Systems, the Project site contains existing utility connections. The existing developed surroundings and urban setting would accommodate the Proposed Project.

Policy 1.2 – Protect coastal areas for port-related developments and water-dependent developments. (California Coastal Act Section 30255)

Rationale: The Proposed Project would be constructed in a developed area of the Port to support water-dependent maritime uses.

Policy 1.3 – The Port is encouraged to modernize and construct necessary facilities within the boundaries of the Port in order to minimize or eliminate the necessity for future dredging and filling to create new ports in new areas of the state. (California Coastal Act Section 30701)

Rationale: The Proposed Project would be constructed within the Port. Although dredging is required, the dredge footprint would occur within the limits of the Port and would not disturb new areas outside of the Port.

As such, under a Plan Amendment, the Proposed Project would not conflict with the land use of the site or its surroundings and would not conflict with the PMP land use policies (LAHD, 2018) or any applicable land use plans. Therefore, impacts would be less than significant, and this issue will not be addressed further in the EIR.

5.12 MINERAL RESOURCES

Discussion:

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact. According to the DOC Geologic Energy Management Division, the Project site is not within an oil field, and no oil and gas wells are located within the site boundaries (DOC, 2022). According to the City of Los Angeles General Plan Conservation Element, the Project site is not located in a Mineral Resource Zone (City of Los Angeles, 2001). The nearest well, Lighthouse Oil Company Well Number 1, is located approximately 1 mile southwest of the Project site (DOC, 2022). The Proposed Project would not conflict with existing oil extraction land uses or prevent future oil extraction. As such, the Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Therefore, no impacts would occur, and this issue will not be addressed further in the EIR.

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. As described in Section 5.12(a), the Project site is not located within a Mineral Resource Zone, oil field, or an area that contains oil and gas wells. The Proposed Project would not conflict with existing oil extraction land uses or prevent future oil extraction. As such, the Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, no impacts would occur, and this issue will not be addressed further in the EIR.

5.13 NOISE

Discussion:

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Potentially Significant Impact. The City of Los Angeles adopted a Noise Element as part of the General Plan (City of Los Angeles, 1998). The Noise Element provides an overview of various noise sources (current and anticipated) along with standards and policies. The following policies are applicable to the Proposed Project:

- Policy 2.2: Enforce and/or implement applicable city, state and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance.

- Policy 3.1: Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts.

Section 41.40 of the Los Angeles Municipal Code limits construction activities, including the delivery of construction materials, to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 AM to 6:00 PM on Saturday (no work is allowed on Sundays or national holidays) (City of Los Angeles, 2022b). Construction activities to prepare the site (completed by the Port) would typically occur Monday through Friday between 7:00 a.m. and 5:00 p.m., which would comply with the Los Angeles Municipal Code time restrictions; however, dredging activities would occur 24 hours per day requiring a variance. Construction activities to build the boatyard would occur Monday through Friday between 7:00 a.m. and 5:00 p.m., which would comply with Los Angeles Municipal Code time restrictions.

The Los Angeles Municipal Code Section 112.05, Maximum Noise Level of Powered Equipment or Powered Hand Tools, details that the maximum noise level from construction, industrial, and agricultural machinery (e.g., crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, wagons, pavement breakers, compressors and pneumatic or other powered equipment) as well as powered equipment of 20 horsepower (HP) or less intended for infrequent use (e.g., chain saws, log chippers and powered hand tools) produced in or within a distance of 500 feet from a City residential zone is 75 A-weighted decibels (dBA) at a distance of 50 feet, unless compliance is technically infeasible. Technically infeasible means that the noise limitations cannot be attained during use of the equipment even with the use of mufflers, shields, sound barriers and/or other noise reduction devices or techniques.

The City's CEQA Thresholds Guide (City of Los Angeles, 2006) provides screening criteria if construction activities occur within 500 feet of a noise sensitive land use and if construction occurs during the hours specified in LAMC, Section 41.40. The CEQA Threshold Guide also specifies that construction activities that last more than 10 days in a three-month period are less than significant if the existing ambient exterior noise levels at a noise sensitive use are not exceeded by 5 dBA or more during construction. Furthermore, the CEQA Threshold Guide states that Project operations would normally be significant if the ambient noise level measured at the property line of affected uses increases the Community Noise Equivalent Level (CNEL) by 3 dBA or to within the "normally unacceptable" or "clearly unacceptable" category (generally over 70 decibels), or any noise increase of 5 dBA or greater.

Project construction activities by the Port and Applicant are estimated to take over two years to complete. Construction activities could result in temporary increases in ambient

noise levels in the Project area from use of various equipment, such as a clamshell derrick barge, dredge scow barge, tugboat (these are for dredging operations), trucks, forklift, excavator, loader, backhoe, grader, crane, boom lift, pile driver, generators, concrete saw, etc. as described in the Project Description. Maximum noise from these types of equipment ranges from 101 dBA (impact pile driver) to 76 dBA (dump truck) at 50 feet from the source (FHWA, 2006). The nearest potential residential receptors are liveaboard tenants at the marinas to the north and west of the Project site (Cabrillo Way Marina and Cabrillo Marina), the closest of which is approximately 300 feet away (based on nearest slip). Considering the relatively close proximity of sensitive receptors, and the potential for 24-hour construction, noise impacts during construction may be potentially significant and will be analyzed in detail in the EIR.

Operations of the boatyard would occur Monday through Saturday between 7:00 a.m. and 5:00 p.m. Operational activities would include employee and customer trips to the site and servicing up to five vessels per day, involving the use of equipment such as a 400-ton travel lift, 75-ton travel lift, scissor lifts, and a 30-ton crane, as well as other miscellaneous hand tools for maintenance and repairs. As no activities currently occur at the site, operations of the boatyard would represent an increase in the ambient noise conditions of the area and therefore may result in a substantial increase in permanent noise levels. This potentially significant impact will be analyzed in detail in the EIR.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. Vibration-sensitive land uses include high-precision manufacturing facilities or research facilities with optical and electron microscopes. None of these occur in the Project area. Therefore, the significance threshold for “excessive ground-borne vibration” depends on whether a nuisance, annoyance, or physical damage to any buildings could occur. The City of Los Angeles does not specify a significance criterion of vibration, but Caltrans developed guidelines for construction activities and estimates that vibration levels exceeding 0.3 inches per second (in/sec) can damage older residential structures and cause substantial annoyance to humans (Caltrans, 2020). Existing modular buildings are located immediately adjacent to the site at Berth 43. Due to the proximity of these buildings and the level of construction activities anticipated to occur, vibration impacts may be potentially significant and will be analyzed in detail in the EIR.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less-than-Significant Impact. The Project site is not located within an airport land use plan. The nearest public airports are Torrance Municipal Airport – Zamperini Field Airport, located over 6 miles to the north-northwest, and Long Beach Airport, located

approximately 9 miles to the northeast. Although not considered a private airstrip, a private heliport, Catalina Sea and Air Terminal Heliport, is located at Berth 95, slightly over 2 miles north of the Project site. The helicopters fly primarily north-south over the Main Channel to Catalina Island. Given the distance between the Project site and the identified airports and heliport, and the infrequent nature of helicopter operations, workers at the Project site would not be exposed to excessive noise levels from airplanes or helicopters. Less-than-significant impacts would occur, and this impact will not be addressed further in the EIR.

5.14 POPULATION AND HOUSING

Discussion:

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The Proposed Project would not develop any new residential facilities, extend any roads, or develop other growth-accommodating infrastructure. Approximately 50 workers would be employed for the 30-month construction period, and up to 65 full-time and part-time workers would be employed for operation of the Proposed Project. The Project site is within the Port and proximate to a well-established, heavily populated urban community that provides sufficient existing housing stock and established infrastructure. Additionally, there is an adequate supply of workers in the vicinity of the Project given the urban setting. The population of the City of Los Angeles is expected to grow by approximately eight percent between 2020 and 2030, and this growth has been planned for in the General Plan Housing Element (City of Los Angeles, 2021). The majority of the Project's workers would likely come from the existing local workforce, and the number of new workers requiring relocation would be negligible compared to the City's projected population growth. As such, the Proposed Project would not induce substantial unplanned population growth in the area either directly or indirectly. Therefore, no impacts on housing would occur, and this issue will not be addressed further in the EIR.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. No housing is present within the boundaries of the Project site that would be displaced, and no replacement housing would be necessary. There is no formal housing within the Port, although there are liveaboard tenants at the marinas to the north and west of the Project site. The Proposed Project would not displace the marina liveaboards. As such, the Proposed Project would not result in the displacement of any people or housing or necessitate the construction of replacement housing elsewhere. No impacts on housing would occur, and this issue will not be addressed further in the EIR.

5.15 PUBLIC SERVICES

Discussion:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a. Fire Protection?

Less-than-Significant Impact. LAFD provides fire protection and paramedic services within the City and the Port. LAFD Station 110 (2945 Miner Street), which is located immediately adjacent and north of the Project site, provides fire protection and paramedic services to the Project site. Emergency access in the vicinity of the Project site would be maintained for emergency service vehicles during construction and operation activities, as construction traffic would be intermittent and temporary, and road closures, if necessary, would also be temporary during construction activities. No substantial adverse physical impacts for new or altered fire protection services would occur during construction and operations. As discussed in Section 5.14(a), the Proposed Project would not directly or indirectly induce unplanned population growth in the City, and thus would not necessitate new or altered fire protection facilities. Therefore, it is anticipated that existing LAFD Station 110 would be able to adequately serve the Proposed Project. Although the Proposed Project could potentially result in a slight increase in demand for emergency service due to the new activities at the site, this increase is expected to be limited as operational activities would comply with State and City fire codes, standards, and regulations. As such, the Proposed Project would not result in the need for new or physically altered governmental facilities that would cause significant environmental impacts. Impacts would be less than significant, and this issue will not be addressed further in the EIR.

b. Police Protection?

No Impact. The Los Angeles Port Police (Port Police) provides the primary law enforcement and security for the Port including 7,500 acres along 43 miles of waterfront (POLA, 2022). The Port Police headquarters is located approximately 1.7 miles north of the Project site at 330 South Centre Street, Los Angeles. The Port Police Dive Unit facility boats and offices/lockers are located approximately 1.4 miles northeast of the Project site at 954 South Seaside Avenue, Los Angeles. Additionally, the Los Angeles Police Department (LAPD) provides law enforcement for 21 community areas including San Pedro (LAPD, 2022). The Project site is located within the LAPD Harbor Division Area, which covers 27.5 square miles including Harbor City, Harbor Gateway, San Pedro, Wilmington, and Terminal Island (LAPD, 2021).

Similar to fire protection services, the Project site is already within the Port Police and LAPD service areas, and once operational, would continue to be served. As discussed in Section 5.14(a), the Proposed Project would not directly or indirectly induce unplanned population growth in the City, and therefore would not increase the demand for new police protection services. Additionally, operation of the Proposed Project would be similar to past uses of the property. As such, the Proposed Project would not increase the demand for police services, require the expansion of existing police facilities, or necessitate the construction of new police facilities. Therefore, no impact would occur, and this issue will not be addressed further in the EIR.

c. Schools?

No Impact. The need for new schools is generally associated with an increase in the school-aged population or a decrease in the accessibility and availability of existing schools. The additional employees hired for construction and operation of the Proposed Project would likely come from the local regional area, and any of the employees' school-age children would likely already attend schools in the vicinity. An increase in school-age children requiring public education is not expected to occur as a result of the Proposed Project. Therefore, no impacts to existing schools, or need for new school facilities would occur, and this issue will not be addressed further in the EIR.

d. Parks?

No Impact. The Proposed Project would not develop new parks or reduce existing park facilities. Furthermore, the Project site would be confined to the Port and would not induce population growth that would increase demand for parks. Therefore, no impacts to existing parks, or need for new parks would occur, and this issue will not be addressed further in the EIR.

e. Other Public Facilities?

No Impact. As previously discussed in Section 5.14(a), the Proposed Project does not include development that would induce substantial unplanned population growth that would increase the use of libraries, community centers, hospitals, or other public facilities. As such, a substantial increase in use of these public facilities is not anticipated. Therefore, no impacts on other public facilities would occur, and this issue will not be addressed further in the EIR.

5.16 RECREATION

Discussion:

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. An increased demand for neighborhood or regional parks and other recreational facilities is generally associated with an increase in permanent residents. As discussed in Section 5.14(a) the Proposed Project would not include the development of new residential facilities, and no substantial population growth would occur. As such, no increase in the use of existing neighborhood and regional parks or other recreational facilities is anticipated, and no substantial physical deterioration of existing facilities would occur. Therefore, no impacts would occur to recreational facilities, and this impact will not be addressed further in the EIR.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

No Impact. The Proposed Project would construct buildings, utilities, and accessory structures to support repair services for a wide range of vessels including recreational vessels. One of the Proposed Project's primary objectives is to help meet the demands for servicing local recreational marine vessels. Although the Proposed Project would support marine recreation, it would not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts would occur, and this impact will not be addressed further in the EIR.

5.17 TRANSPORTATION

Discussion:

a. Would the project conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

No Impact. The 2022 Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines (TAG) state that a project that "generally conforms with and does not obstruct the City's development policies and standards will generally be considered to be consistent" and not in conflict. The 2022 LADOT TAG includes three screening criteria questions to help determine whether a project conflicts with the City's circulation system

policies. If the answer is “no” to all of the following questions, a “no impact” determination can be made for this threshold (LADOT, 2022).

(i) Does the project require discretionary action that requires the decision maker to find that the project would substantially conform to the purpose, intent, and provisions of the general plan?

The Proposed Project requires approval by the Board of Harbor Commissioners, which is a discretionary action. However, this discretionary action does not require the decision maker to amend any project component to conform to the purpose, intent, or provision of any existing general plan. Therefore, the Proposed Project would comply with all required City of Los Angeles circulation system policies and does not deviate from any general plan.

(ii) Is the project known to directly conflict with a transportation plan, policy, or program adopted to support multimodal transportation options or public safety?

The Proposed Project would not substantially alter existing transportation routes or options, nor would it affect public safety. There are roadway modification projects that are planned for completion prior to commencement of the operations associated with the Proposed Project. Based on preliminary design and schedule, LAHD does not foresee these roadway projects conflicting with the Proposed Project. Further, the development and operation of the Proposed Project would not prevent street closures that result from the construction of other projects.

(iii) Is the project required to or proposing to make any voluntary or required modifications to the public right-of-way (e.g., dedications and/or improvements in the right-of-way, reconfigurations of curb line)?

The Proposed Project does not include any modifications to existing roadways that support current or future bike lanes or bus stops and is not required to make any voluntary or required modifications to the public right-of-way. The Proposed Project would not include dedications or physical modifications to the public right-of-way, nor is it required. The Proposed Project does not include any in-street construction activities.

The 2022 LADOT TAG includes a “Plan Consistency Worksheet” which provides questions that must be answered in order to help guide whether the project conflicts with City circulation policies (see Appendix B). The worksheet, along with the discussion above, demonstrate that the Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. No impacts would occur, and this impact will not be evaluated further in the EIR.

b. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)(1)?

No Impact. CEQA Guidelines Section 15064.3 subdivision (b)(1), provides criteria for analyzing transportation impacts. The guidelines state that a significant impact may occur if vehicle miles traveled (VMT) exceed an applicable threshold of significance.

The intent of CEQA Guidelines Section 15064.3 and Threshold T-2.1 in the 2022 LADOT TAG is to assess whether a land use or office project would have a potential impact on transportation. Per the 2022 LADOT TAG, two screening criteria questions must be answered to determine consistency with CEQA Guidelines Section 15064.3. If the answer is "no" to either question, then further analysis is not required and a "no impact" determination can be made for this threshold.

(i) Would the land use project generate a net increase of 250 or more daily vehicle trips?

(ii) Would the project generate a net increase in daily VMT?

The LADOT threshold of 250 daily vehicle trips was proposed for automobiles (the Office of Planning and Research [OPR] does not require VMT analysis of commercial trucks in CEQA documents; therefore, this analysis focuses on operations). OPR has confirmed that heavy-duty truck trips do not need to be included in this transportation analysis but need to be analyzed in other resource areas, such as air quality, GHG emissions, energy, and noise (OPR, 2020).

The 2022 LADOT TAG prescribes the use of their VMT Calculator Tool to answer the two questions above. The VMT Calculator Tool estimates 73 net daily trips for this industrial – manufacturing type land use; however, the Port normally estimates each Port area worker to produce 3 daily vehicle trips per day. Given the 65 full- and part-time employees, the Project is expected to produce 195 net daily commute trips. The Project is also expected to have up to 15 customers or vendors per day, which is expected to produce another 30 daily vehicle trips. Therefore, the Project is expected to produce 225 total daily vehicle trips, which is below the 250 daily vehicle trip threshold. Construction of the Proposed Project would generate approximately 100 vehicle trips from employees during a peak day, which is also below the 250 daily vehicle trip threshold. Therefore, as the VMT Calculator Tool and daily vehicle trip calculation shows, the Proposed Project is not required to perform a VMT analysis and a "no impact" determination can be made.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The 2022 LADOT TAG provide two screening criteria questions that must be answered to assess whether the project would result in impacts due to geometric design hazards or incompatible uses. If the project requires a discretionary action, and the answer is "yes" to either of the following questions, further analysis will be required to assess

whether the project would result in impacts due to geometric design hazards or incompatible uses:

(i) Is the project proposing new driveways, or introducing new vehicle access to the property from the public right-of-way?

(ii) Is the project proposing to make any voluntary or required modifications to the public right-of-way (i.e., street dedications, reconfigurations of curb line, etc.)?

The Proposed Project is not proposing new driveways or introducing new vehicle access to the Project site from the public right-of-way. Also, as previously discussed, the Proposed Project is not proposing or required to make any voluntary or required modifications to the public right-of-way.

In addition to the screening questions above, if the answer is “yes” to all of the following questions, further analysis will be required to assess whether the project would result in impacts due to queuing from a freeway off-ramp that could lead to unsafe differential travel speeds:

(i) Does the land use project involve a discretionary action that would be under review by the Department of City Planning?

(ii) Would the land use project generate a net increase of 250 or more daily vehicle trips?

(iii) Would the land use project add 25 or more trips to any off-ramp in either the morning or afternoon peak hour?

As discussed above, the VMT Calculator Tool shows that the Proposed Project is expected to produce 225 net daily trips during operation and 100 net daily trips during construction, which is below the 250 daily vehicle trip threshold (ii). Therefore, no impacts would occur, and the Project does not warrant any further evaluation under this threshold.

d. Result in inadequate emergency access?

No Impact. The Proposed Project would not alter the existing configuration of local access roads or block an access point. The Project operations would not affect access to nearby emergency services and the roadways in the surrounding area have sufficient capacity to ensure adequate emergency access. Therefore, there will be no impact and no further analysis is required.

e. Would the project result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Potentially Significant Impact. Marine components of the Proposed Project include dredging to appropriate depths required for the installation of new slips, piers, and floating docks, seawall repairs, and operation of a shipyard. Construction of the proposed development would include dredging of approximately 11,000 CY of sediment, which would require the use of barges, specifically a derrick barge, a dredge scow barge, and a tug for each barge. The Project would also include seawall repairs, which may require the use of marine vessels. In addition, marine vessels would need to access the Project site during operation for maintenance, repairs, and other services. Because marine vessels would be used to construct the marine components of the Project and to access the site during operations, the Project may result in changes to marine vessel traffic patterns, including an increase in traffic levels or a change in the location of marine vessel traffic that could pose safety risks. Potential impacts of the Proposed Project could include restricting the movements of coastguard or lifeguard vessels such that there would be no reasonable alternative access routes available, creating a navigational hazard to marine traffic; or resulting in inconsistency with applicable laws, regulations, or practices related to marine traffic. Therefore, this issue is considered potentially significant and will be further analyzed in the EIR.

5.18 TRIBAL CULTURAL RESOURCES

Discussion:

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

(i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or

No Impact. On April 27, 2021, notification letters were sent to California Native American Tribes with cultural affiliations with the Project site. No requests for consultation were received from any of the notified tribes within the 30-day response time. It is unlikely that the Project would cause substantial adverse change to tribal cultural resources, as the Project site and Project area are built on man-made fill planned for and created in the early 20th century in an area known historically as Miners Fill (ICF, 2011). Previous Project related NAHC, and Tribal consultations have resulted in negative findings (DTSC, 2016). Due to the unlikely chance of encountering historical resources and no additional resources were identified by tribes, no impact would occur, and this issue will not be addressed further in the EIR.

(ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact. As discussed in Section 5.18(a)(i), no requests for consultation were received from any of the notified tribes within the 30-day response time, and the Project site has a low likelihood of containing historical resources due to the man-made fill on site. No impact would occur, and this issue will not be addressed further in the EIR.

5.19 UTILITIES AND SERVICE SYSTEMS

Discussion:

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less-than-Significant Impact. The Proposed Project would not require any new or expanded wastewater treatment, stormwater drainage, electrical power, natural gas, or telecommunications facilities. The Project site is located on an unoccupied parcel that contains existing utility connections (LAHD, 2021a). The surrounding area is also highly developed and already served by utility facilities. Paving of the Project site would result in increased impermeable surfaces that could increase the rate or volume of stormwater runoff. Additionally, operation of the boatyard would generate wastewater. The Proposed Project includes installation of a water collection and treatment system to properly dispose of or discharge wastewater and stormwater. As discussed in Section 2.3, Project Description, the proposed water collection and treatment system would consist of two systems. The first system would collect and treat the Project's industrial wastewater and discharge it to the sewer. The Project would require the Applicant to obtain an LASAN Industrial Wastewater Permit to ensure compliance with the conditions, obligations, and responsibilities of an industrial wastewater discharger. Thus, the Proposed Project would not require expanded wastewater treatment systems. The second system would collect stormwater accumulated on the Project site and discharge it to the ocean. The Proposed Project would not substantially increase the rate or volume of stormwater runoff that would adversely affect the storm flow system. As such, no new or expanded stormwater runoff systems would be necessary.

The Proposed Project would require electricity for lighting and equipment and connection to the municipal water supply. Site preparation would include installation of new utility systems to support the increased demand for electricity and municipal water. Although the Project constitutes an increased use in electricity, water, and wastewater treatment services, it would not substantially increase the area's population such that these service systems would require relocation or expansion. Existing on-site electrical equipment may

need to be upgraded to support the Proposed Project, but existing power supply infrastructure would be adequate to serve the proposed uses. Therefore, the Proposed Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. Impacts would be less than significant, and this impact will not be addressed further in the EIR.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less-than-Significant Impact. The Proposed Project would construct a boatyard that would require water supplies. Water would be temporarily used for compaction, grading, and dust suppression. Water use during operations would consist of typical municipal water use in the office space and light industrial use such as the painting and cleaning of boats. Up to 65 operational employees would not substantially increase demand for water compared to the overall demand within the Port. Therefore, the Proposed Project would have a less-than-significant impact on water supplies. This impact will not be addressed further in the EIR.

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less-than-Significant Impact. The Project site is serviced by the LASAN Terminal Island Water Reclamation Plant (TIWRP). The TIWRP serves the Harbor Area (San Pedro, Harbor City, and Wilmington) in the City of Los Angeles and has the capability of treating up to 30 million gallons of municipal and industrial flows daily (LASAN, 2022a). The Proposed Project involves industrial processes such as painting and cleaning operations that would generate industrial wastewater, requiring an Industrial Wastewater Permit from the LASAN (LASAN, 2022b). The Proposed Project would also generate domestic wastewater from restrooms and offices. A maximum of 50 workers are anticipated on any given day during construction, and a maximum of 65 employees are anticipated per day in one shift during operations. This increase in wastewater production would not be substantial given the TIWRP's treatment capacity and the Project's compliance with the Industrial Waste Permit. Additionally, as previously discussed in Section 5.14(a), the Proposed Project would not directly or indirectly induce population growth in the area. Therefore, the Proposed Project would not exceed or substantially alter wastewater treatment requirements of the City's sewage collection and treatment system per the Los Angeles Municipal Code Industrial Waste Control Ordinance (LASAN, 2022c). Although the Project would be a new use at the existing unoccupied site, the TIWRP would have adequate capacity to treat the temporary wastewater generated during construction and permanent wastewater generated during operations. The Proposed Project would not result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the Proposed Project's projected demand. Impacts would be less than significant, and this impact will not be addressed further in the EIR.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less-than-Significant Impact. The Proposed Project would temporarily generate solid waste associated with dredging, grading, riprap repair, and removal of existing abandoned buildings and structures. Construction would generate the majority of solid waste. This waste would be hauled and disposed of at a County of Los Angeles-approved waste disposal facility. Due to the potentially hazardous nature of existing fill on site, exported fill is not anticipated to be recycled and would be disposed of at a suitable hazardous waste disposal site. Approximately 8,800 of dredged material from seawall repairs and in the proposed slip area may be disposed of at the Berths 243-245 Confined Disposal Facility, and approximately 2,200 CY of the dredged material may be disposed of offsite to a hazardous waste site. The final amount to be disposed of would be dependent on a sediment characterization report (LAHD, 2023b). During operations, solid waste generated by the Project would be limited to trash from on-site employees and customers as well as boat repair operations that would be adequately serviced by a landfill with sufficient permitted capacity. Boatyard waste would generate approximately three standard Dumpster loads per day. As discussed in Section 2.3.4, Operation, up to 15 customers are anticipated to visit the site per day. The relatively small number of daily customers would result in negligible amounts of solid waste, some of which would be recyclable. The Proposed Project would not generate solid waste in excess of State or local standards or impair solid waste reduction goals. Impacts would be less than significant, and this impact will not be addressed further in the EIR.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less-than-Significant Impact. The Proposed Project would be required to conform to the policies and programs of the Solid Waste Integrated Resources Plan (SWIRP). The SWIRP proposes an approach for the City to achieve a goal of 90 percent solid waste diversion by 2025 (LASAN, 2022c). Compliance with the SWIRP would ensure sufficient permitted capacity to service the Proposed Project. As discussed in Section 5.19(d), solid waste associated with construction activities would be disposed of at a County of Los Angeles-approved waste disposal facility. The Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste, as construction-generated waste would be disposed of at suitable facilities. More specifically, the Proposed Project would be compliant with all applicable codes pertaining to solid waste disposal. These codes include Chapter VI Article 6 Garbage, Refuse Collection of the LAMC, Part 13 Title 42 - Public Health and Welfare of the California Health and Safety Code, and Chapter 39 Solid Waste Disposal - of the United States Code. The Proposed Project would also be compliant with AB 939, the California Solid Waste Management Act, which requires each city in the state to divert at least 50 percent of its solid waste from landfill disposal through source reduction, recycling, and composting. AB 341 builds upon AB 939 and requires jurisdictions to implement mandatory commercial recycling with a

statewide 75 percent diversion rate from landfill disposal. The Proposed Project would implement and be consistent with the procedures and policies detailed in these codes, the City's recycling and solid waste diversion efforts, and related laws pertaining to solid waste disposal. Therefore, the impact would be less than significant, and this impact will not be addressed further in the EIR.

5.20 WILDFIRE

Discussion:

If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. PRC Sections 4201-4204 direct the California Department of Forestry and Fire Protection to map fire hazard based on relevant factors such as fuels, terrain, and weather. The Port is not located in or near a state responsibility area or lands classified as a Very High Fire Severity Zone within its Local Responsibility Area (CAL FIRE, 2022). Additionally, as discussed in Section 5.9(g), the Port and Project area are listed as "not burnable" on the US Forest Service Wildfire Hazard Potential website (USFS, 2022). Therefore, the Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones. No impacts would occur, and this issue will not be addressed further in the EIR.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

Discussion:

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Impact. As discussed in Section 5.4 (Biological Resources), the Project site is disturbed and contains a small amount of non-native plant species. No listed, candidate, sensitive, or special-status plant species are known to occur on the Project site, and there is no habitat that would support such species within the Project site. A site visit conducted on November 29, 2022, a search of the California Natural Diversity Database, and previous biological surveys did not detect special-status wildlife species on the Project site. Furthermore, LAHD would conduct pre-construction surveys for nesting birds as part of the Proposed Project and in compliance with State and federal laws protecting nesting birds. Pre-construction surveys for nesting birds would minimize potential impacts to nesting birds that may occur on the site. Construction activities would comply with the MBTA and Fish and Game Code to avoid disturbing any active nests on site. Therefore, the Proposed Project would not reduce the habitat of any plant or terrestrial wildlife species. However, in-water construction activities may adversely affect marine mammals, fish, and marine habitat due to the presence of construction equipment, underwater noise, and turbidity. Impacts to marine species during construction and operation may be potentially significant and will be analyzed further in the EIR.

The Proposed Project would involve ground disturbing activities. The area being developed has been previously disturbed, and the onshore portion of the site is underlain by artificial fill. As discussed in Section 5.5, Cultural Resources, potentially significant subsurface historic-age archaeological resources on land or underwater resources adjacent to the Project site may be affected during construction. The EIR will evaluate and determine the significance of major examples of California history.

Although the Proposed Project would have less-than-significant impacts regarding the potential to degrade the quality of the environment, reduce habitat and wildlife populations, eliminate plant or animal communities, or reduce the range of special-status species within the terrestrial portion of the site, it may have significant impacts to marine habitat quality and marine wildlife populations. Potentially significant impacts to marine biological resources and California historical resources will be analyzed in detail in the EIR.

b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Potentially Significant Impact. As discussed in Section 5, Environmental Analysis, the Proposed Project would have potentially significant impacts to Air Quality, Biological Resources (marine), Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Transportation. These potentially significant impacts of the Proposed Project would be potentially cumulatively considerable. Generally, contributions to air quality and greenhouse gas emissions impacts are cumulative due to the regional and global nature of air pollution and climate change, respectively. As described in Sections 5.3, Air Quality, and 5.8, Greenhouse Gas Emissions, the Proposed Project would have potentially significant impacts to these issue areas. Therefore, the Proposed Project would potentially have a cumulatively considerable impact regarding these issues, and cumulative impacts will be evaluated further in the EIR.

c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. As discussed in Section 5.21(b), the Proposed Project may have potentially significant impacts to Air Quality, Biological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Transportation that may constitute an adverse direct or indirect effect on human beings. These potentially significant impacts will be analyzed further in the EIR.

6.0 PREPARERS AND CONTRIBUTORS

Per State CEQA Guidelines Section 15063(d)(6), this Initial Study was prepared by LAHD with assistance by Aspen Environmental Group. Members of the professional staff are listed below.

6.1 LOS ANGELES HARBOR DEPARTMENT

- Lisa Wunder, Acting Director of Environmental Management
- Teresa Pisano, Marine Environmental Supervisor, Air
- Nicole Enciso, Marine Environmental Supervisor, CEQA
- Sarah Workman, Environmental Specialist, CEQA
- Rita Brenner, Marine Environmental Supervisor, Site Restoration
- Kat Prickett, Marine Environmental Supervisor, Water
- Pauling Sun, Environmental Specialist, Site Restoration
- Rachel McPherson, Environmental Specialist, Water
- Melissa Harne, Senior Civil Engineer, Engineering
- Rosario Lauro, Civil Engineering Associate, Engineering
- Kerry Cartwright, Director, Goods Movement
- Shozo Yoshikawa, Transportation Engineer, Goods Movement
- Derek Jordan, Harbor Planning and Research Director, Planning
- Chris Brown, Assistant Chief Harbor Engineer, Engineering
- Christina Sar, Harbor Engineer, Engineering
- Taji Abdullah, Senior Real Estate Officer, Waterfront and Commercial Real Estate

6.2 ASPEN ENVIRONMENTAL GROUP TEAM

- Lisa Blewitt – Project Manager, Noise
- Brewster Birdsall, P.E. – Air Quality, Energy, GHG
- Rachael Dal Porto – Air Quality, Energy, GHG
- Justin Wood – Biological Resources
- Lauren DeOliveira – Cultural Resources, Tribal Cultural Resources
- Aurie Patterson – Geology and Soils, Hazards and Hazardous Materials
- Stephanie Tang – Aesthetics, Hydrology and Water Quality, Land Use and Planning, Utilities and Service Systems, Wildfire, Mandatory Findings of Significance
- Avery Robinson – Agriculture and Forestry Resources, Mineral Resources, Population and Housing, Public Services, Recreation

7.0 REFERENCES

CAL FIRE (California Department of Forestry and Fire Protection). 2022. FHSZ Viewer. Accessed November 10, 2022. https://egis.fire.ca.gov/FHSZ/.

Caltrans (California Department of Transportation). 2020. Transportation and Construction Vibration Guidance Manual. April. Accessed October 27, 2022. https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf.

_____. 2022. California State Scenic Highway System Map. Accessed November 9, 2022. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.

CGS (California Geological Survey). 2022. Regulatory Maps Geo Application. Accessed November 16, 2022. https://maps.conservation.ca.gov/cgs/EQZApp/app/.

City of Los Angeles. 1998. Noise Element of the Los Angeles City General Plan. Accessed October 27, 2022. https://planning.lacity.org/odocument/b49a8631-19b2-4477-8c7f-08b48093cddd/Noise_Element.pdf.

_____. 2001. Conservation Element of the City of Los Angeles General Plan. Accessed November 9, 2022. https://kentico.portoflosangeles.org/getmedia/adf788d8-74e3-4fc3-b774-c6090264f8b9/port-master-plan-update-with-no-29_9-20-2018.

_____. 2006. L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles. Accessed October 27, 2022. https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/A07.pdf

_____. 2016. Mobility Plan 2035 An Element of the General Plan. Accessed November 9, 2022. https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf.

_____. 2021. Housing Element of the City of Los Angeles General Plan. Accessed November 1, 2022. https://planning.lacity.org/odocument/bde50bc0-5f1f-4e88-a5cf-06a12e1d8078/Chapter_1_-_Housing_Needs_Assessment_(Adopted).pdf.

_____. 2022a. ZIMAS. Accessed: October 13, 2022. http://zimas.lacity.org/.

_____. 2022b. City of Los Angeles Municipal Code. Section 41.40, Noise Due to Construction, Excavation Work – When Prohibited and Section 112.05, Maximum Noise Level of Powered Equipment or Powered Hand Tools. Accessed October 27, 2022. https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-128777.

City of Rancho Palos Verdes. 2019. Final Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP). Accessed December 14, 2022.https://rpvca.gov/DocumentCenter/View/17121/NCCPHCP

DOC (California Department of Conservation). 2016. California Important Farmland Finder. Accessed November 1, 2022. https://maps.conservation.ca.gov/DLRP/CIFF/.

_____. 2019. Williamson Act Program Overview. Accessed November 1, 2022. https://www.conservation.ca.gov/dlrp/wa/Pages/wa_overview.aspx.

_____. 2021. Tsunami Hazard Area Map, Los Angeles County; produced by the California Geological Survey and the California Governor's Office of Emergency Services; mapped at multiple scales. Accessed November 7, 2022. https://www.conservation.ca.gov/cgs/tsunami/maps/los-angeles.

_____. 2022. Well Finder CalGEM GIS. Accessed November 1, 2022. https://maps.conservation.ca.gov/doggr/wellfinder/#/-118.27736/33.70992/13.

DTSC (Department of Toxic Substances Control). 2016. California Environmental Quality Act Initial Study – Former San Pedro Boat Works, Miner Street, Berth 44. Accessed November 18, 2022. https://files.ceqanet.opr.ca.gov/253284-2/attachment/yx8NKkxsJUMH-GHw9rWrQtuE30TjQzUYIdSHLPR9MwQ_Xkh6V9jo7UEkvtI-mdxlYXYCGuhR6Yjp9Ah30.

_____. 2019a. Former San Pedro Boat Works Miner Street, Berth 44, California Environmental Quality Act Negative Declaration. October 2.

_____. 2019b. Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code, California Environmental Quality Act Notice of Determination. October 3.

_____. 2022. EnviroStor website, San Pedro Boat Works (70000023). Accessed November 2002. https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=70000023.

FEMA (Federal Emergency Management Agency), 2021. National Flood Insurance Program Flood Insurance Rate Map, Los Angeles County, California And Incorporated Areas. Panels 2032 and 2034. Accessed November 7, 2022. https://msc.fema.gov/portal/home.

FHWA (Federal Highway Administration). 2006. FHWA Highway Construction Noise Handbook. Final Report. August. Accessed October 27, 2022. https://www.fhwa.dot.gov/Environment/noise/construction_noise/handbook/.

ICF (ICF International). 2011. San Pedro Boat Works Historic Documentation, Port of Los Angeles, Los Angeles, California. Prepared for Los Angeles Harbor Department. Los Angeles, CA, December.

LA Shipyard LLC (Bellwether Financial Group). 2021. Application for Port Permit APP ID#: 210323-048 – Attachment: Lot Coverage.

_____. 2022a. Berth 44 Boatyard Project, Data Request #1 for Applicant – June 8, 2021, updated October 12, 2022

_____. 2022b. Berth 44 Boatyard Project, Data Request #2 for Applicant – July 30, 2021, updated September 26, 2022.

_____. 2023a. Port of Los Angeles Berth 44 Boatyard Development Opportunity, San Pedro, CA, General Arrangement SK2. March 28.

_____. 2023b. Construction Equipment BMPs. California Stormwater BMP Handbook – Construction. PDF.

_____. 2023c. Berth 44 Equipment Operation BMPs. PDF.

LADOT (Los Angeles Department of Transportation). 2022. Transportation Assessment Guidelines. August. Accessed May 5, 2023. https://ladot.lacity.org/sites/default/files/documents/2020-transportation-assessment-guidelines_final_2020.07.27_0.pdf.

LAHD (Los Angeles Harbor Department). 2009. Port of Los Angeles and Port of Long Beach Water Resources Action Plan (WRAP), Final Report, August 2009. https://kentico.portoflosangeles.org/getmedia/d5b77f8e-46e0-46d1-a2b9-8cc15bca75cb/WRAP_Final.

_____. 2018. Port Master Plan. September. Accessed October 13, 2022. https://kentico.portoflosangeles.org/getmedia/adf788d8-74e3-4fc3-b774-c6090264f8b9/port-master-plan-update-with-no-29_9-20-2018.

_____. 2019. Subject: Request to Environmental Management and Engineering for Estimate of Dredging Costs at Berth 44.

_____. 2021a. Application for Port Permit APP ID#: 210524-089. May 24.

_____. 2021b. Application for Port Permit APP ID#: 210524-089 – Attachment: Berth 44 On-Call Remediation Design – 40% Design.

_____. 2021c. Berth 44 Boatyard Project, Data Request #1 for Port of Los Angeles – June 3, 2021, updated October 6, 2022, Attachment No. 4 – POLA On-Call – Specification 2796 – Berth 44 Main Building Demolition Equipment List. June 11.

_____. 2021d. Attorney Client Privilege – Privileged and Confidential: Berth 44 Additional Info. Email from Leah Kohler, LAHD to Justin Houterman, LAHD, Lisa Blewitt, Aspen Environmental Group, Lisa Wunder, LAHD, and Nicole Enciso, LAHD. Dated Monday 24.

_____. 2022a. Outer Harbor, Berths 45-49. Accessed October 18, 2022. https://www.portoflosangeles.org/business/terminals/multi-use/outer-harbor.

_____. 2022b. Berth 44 Boatyard Project, Data Request #1 for Port of Los Angeles – June 3, 2021, updated October 6, 2022, Attachment No. 2 – Response to Memo “Request to Environmental Management and Engineering for Estimate of Dredging Costs at Berth 44” Dated March 12, 2020.

_____. 2022c. Berth 44 Boatyard Project, Data Request #1 for Port of Los Angeles – June 3, 2021, updated October 6, 2022.

_____. 2023a. Berth 44 POLA Site Plan 12.23 and Berth 44 Combined Site Plan 12.23. PDF.

_____. 2023b. Berth 44 Status/Dredge Footprint Responses. August 30.

_____. 2023c. Cultural Resources Assessment Berth 44 Boatyard Project. Prepared for Los Angeles Harbor Department. Prepared by Aspen Environmental Group. December.

LAPD (Los Angeles Police Department). 2021. Harbor Division Map. Accessed November 2, 2022. https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2021/03/HARB11x17.pdf.

_____. 2022. LAPD Organization Chart. Accessed November 2, 2022. https://www.lapdonline.org/lapd-organization-chart/.

LASAN (Los Angeles Sanitation and Environment). 2022a. Terminal Island Water Reclamation Plant. Accessed November 10, 2022. https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-tiwrp?_adf.ctrl-state=8cih3ctnn_755&_afrLoop=292082652391834#!.

_____. 2022b. Required Permit and Reporting. Accessed November 15, 2022. https://www.lacitysan.org/san/faces/wcnav_externalId/s-lsh-wwd-cw-iwm-rpr?_adf.ctrl-state=94lw10jd6_5&_afrLoop=711295368194305#!.

_____. 2022c. Solid Waste Integrated Resources Plan (SWIRP). Accessed November 14, 2022. https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-zwswirp?_afrLoop=20106575683104040&_afrWindowMode=0&_afrWindowId=null&_adf.ctrl-state=2gx54ew1m_143#!%40%40%3F_afrWindowId%3Dnull%26_afrLoop%3D20106575683104040%26_afrWindowMode%3D0%26_adf.ctrl-state%3D2gx54ew1m_147.

MBC (MBC Applied Environmental Sciences). 2016. 2013-2014 Biological Surveys of Long Beach and Los Angeles Harbors. Prepared for the Ports of Long Beach and Los Angeles. In Association with Merkel & Associates and Thomas Johnson Consultant LLC. June.

MEC (MEC and Associates). 2002. Ports of Long Beach and Los Angeles Year 2000 Biological Baseline Study of San Pedro Bay. Prepared for Port of Long Beach and Port of Los Angeles.

Moffatt & Nichol, 2007. Tsunami Hazard Assessment for the Ports of Long Beach and Los Angeles. Final Report. Prepared for the Port of Long Beach and Port of Los Angeles. M&N File No. 4839-169. April 2007.

NMFS (National Marine Fisheries Service). 2018. 2018 Revisions to: Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 2.0): Underwater Thresholds for Onset of Permanent and Temporary Threshold Shifts. U.S. Dept. of Commerce, NOAA. NOAA Technical Memorandum NMFS-OPR-59, 167 p.

NOAA (National Oceanic and Atmospheric Administration) Fisheries. 2008. Technical Guidance Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 2.0). Underwater Thresholds for Onset of Permanent and Temporary Threshold Shifts. Office of Protected Resources, National Marine Fisheries Service. April.

OPR (The Office of Planning and Research). 2020. Webinar: Implementing SB 743: What You Need to Know. April. Accessed May 2023. https://youtu.be/q3xaw2bz8-4?t=7902.

POLA (Port of Los Angeles). 2022. Los Angeles Port Police. Accessed November 2, 2022. https://www.portoflosangeles.org/about/employment/join-the-los-angeles-port-police.

SAIC (Science Applications International Corporation). 2010. Final 2008 Biological Surveys of Los Angeles and Long Beach Harbors. In association with Seaventures, Keane Biological Consulting, Tenera Environmental, ECORP Consulting Inc., and Tierra Data Inc. April.

SWCA Environmental Consultants. 2017. DPR 523 San Pedro Boat Works. Prepared for Port of Los Angeles, California. May 4.

Tetra Tech. 1994. Preliminary Site Assessment (PSA) for San Pedro Boat Works, Berths 44 and 57, San Pedro, California. November. PDF.

_____. 2006. Final Preliminary Endangerment Assessment for Port of Los Angeles Former San Pedro Boat Works Berth 44 Miner Street San Pedro, California. July. PDF.

_____. 2009. Remedial Investigation Report Addendum, Berth 44, Former San Pedro Boat Works, San Pedro, California. February 10. PDF.

_____. 2014. Final Revised Feasibility Study, Former San Pedro Boat Works, Miner Street, Berth 44, San Pedro, California. May 16. PDF.

USFS (United States Forest Service). 2022. Wildfire Hazard Potential Image Service. https://usfs.maps.arcgis.com/apps/mapviewer/index.html?layers=55226e8547f84aae8965210a9801c357. Accessed November 18, 2022.

USFWS (United States Fish and Wildlife Service). 2022. Environmental Conservation Online System (ECOS). Habitat Conservation Plans. [Online]: https://ecos.fws.gov/ecp/report/conservation-plans-region-summary?region=8&type=HCP. Accessed December 8, 2022.

USGS (United States Geological Survey). 2022a. U.S. Quaternary Fault and Fold Database of the United States Interactive website. Accessed November 16, 2022. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

_____. 2022b. Areas of Land Subsidence in California. Accessed November 16, 2022. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.

Wood E&IS (Wood Environment and Infrastructure Solutions). 2021. 2018 Biological Surveys Of The Los Angeles And Long Beach Harbors. Prepared for Port of Los Angeles (Agreement #: 17- 3509), Port of Long Beach (Contract #: HD-8803). April.

Appendix A

California Department of Fish and Wildlife –
California Natural Diversity Database Results

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (San Pedro (3311863) OR Long Beach (3311872) OR Torrance (3311873))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S1S2	SSC
Anniella stebbinsi Southern California legless lizard	ARACC01060	None	None	G3	S3	SSC
Aphanisma blitoides aphanisma	PDCHE02010	None	None	G3G4	S2	1B.2
Astragalus hornii var. hornii Horn's milk-vetch	PDFAB0F421	None	None	GUT1	S1	1B.1
Atriplex coulteri Coulter's saltbush	PDCHE040E0	None	None	G3	S1S2	1B.2
Atriplex pacifica south coast saltscale	PDCHE041C0	None	None	G4	S2	1B.2
Atriplex parishii Parish's brittlescale	PDCHE041D0	None	None	G1G2	S1	1B.1
Atriplex serenana var. davidsonii Davidson's saltscale	PDCHE041T1	None	None	G5T1	S1	1B.2
Bombus crotchii Crotch bumble bee	IIHYM24480	None	Candidate Endangered	G2	S1S2	
Centromadia parryi ssp. australis southern tarplant	PDAST4R0P4	None	None	G3T2	S2	1B.1
Centromadia pungens ssp. laevis smooth tarplant	PDAST4R0R4	None	None	G3G4T2	S2	1B.1
Chloropyron maritimum ssp. maritimum salt marsh bird's-beak	PDSCR0J0C2	Endangered	Endangered	G4?T1	S1	1B.2
Cicindela hirticollis gravida sandy beach tiger beetle	IICOL02101	None	None	G5T2	S2	
Cicindela latesignata western beach tiger beetle	IICOL02110	None	None	G2G3	S1	
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
Crossosoma californicum Catalina crossosoma	PDCRO02020	None	None	G3	S3	1B.2
Danaus plexippus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	Candidate	None	G4T1T2	S2	
Dudleya virens ssp. insularis island green dudleya	PDCRA040S2	None	None	G3?T3	S3	1B.2
Glaucopsyche lygdamus palosverdesensis Palos Verdes blue butterfly	IILEPG402A	Endangered	None	G5T1	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Glyptostoma gabrielense San Gabriel chestnut	IMGASB1010	None	None	G2	S2	
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S1S2	
Habroscelimorpha gabbii western tidal-flat tiger beetle	IICOL02080	None	None	G2G4	S1	
Isocoma menziesii var. decumbens decumbent goldenbush	PDAST57091	None	None	G3G5T2T3	S2	1B.2
Lasionycteris noctivagans silver-haired bat	AMACC02010	None	None	G3G4	S3S4	
Lasthenia glabrata ssp. coulteri Coulter's goldfields	PDAST5L0A1	None	None	G4T2	S2	1B.1
Lycium brevipes var. hassei Santa Catalina Island desert-thorn	PDSOL0G0N0	None	None	G5T1Q	S1	3.1
Nama stenocarpa mud nama	PDHYD0A0H0	None	None	G4G5	S1S2	2B.2
Navarretia prostrata prostrate vernal pool navarretia	PDPLM0C0Q0	None	None	G2	S2	1B.2
Nemacaulis denudata var. denudata coast woolly-heads	PDPGN0G011	None	None	G3G4T2	S2	1B.2
Neotoma lepida intermedia San Diego desert woodrat	AMAFF08041	None	None	G5T3T4	S3S4	SSC
Nyctinomops femorosaccus pocketed free-tailed bat	AMACD04010	None	None	G5	S3	SSC
Nyctinomops macrotis big free-tailed bat	AMACD04020	None	None	G5	S3	SSC
Orcuttia californica California Orcutt grass	PMPOA4G010	Endangered	Endangered	G1	S1	1B.1
Pelecanus occidentalis californicus California brown pelican	ABNFC01021	Delisted	Delisted	G4T3T4	S3	FP
Pentachaeta lyonii Lyon's pentachaeta	PDAST6X060	Endangered	Endangered	G1	S1	1B.1
Perognathus longimembris pacificus Pacific pocket mouse	AMAFD01042	Endangered	None	G5T1	S2	SSC
Phacelia stellaris Brand's star phacelia	PDHYD0C510	None	None	G1	S1	1B.1
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G3G4	S4	SSC
Polioptila californica californica coastal California gnatcatcher	ABPBJ08081	Threatened	None	G4G5T3Q	S2	SSC
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S2	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Siphateles bicolor mohavensis Mohave tui chub	AFCJB1303H	Endangered	Endangered	G4T1	S1	FP
Southern Coastal Bluff Scrub Southern Coastal Bluff Scrub	CTT31200CA	None	None	G1	S1.1	
Spea hammondii western spadefoot	AAABF02020	None	None	G2G3	S3S4	SSC
Sternula antillarum browni California least tern	ABNNM08103	Endangered	Endangered	G4T2T3Q	S2	FP
Streptocephalus woottoni Riverside fairy shrimp	ICBRA07010	Endangered	None	G1G2	S2	
Suaeda esteroa estuary seablite	PDCHE0P0D0	None	None	G3	S2	1B.2
Symphyotrichum defoliatum San Bernardino aster	PDASTE80C0	None	None	G2	S2	1B.2
Tryonia imitator mimic tryonia (=California brackishwater snail)	IMGASJ7040	None	None	G2	S2	

Record Count: 48

Appendix B

Los Angeles Department of Transportation – Transportation Assessment Guidelines Plan Consistency Worksheet

LADOT

Attachment D: Plan, Policy, and Program Consistency Worksheet

Plans, Policies and Programs Consistency Worksheet

The worksheet provides a structured approach to evaluate the threshold T-1 question below, that asks whether a project conflicts with a program, plan, ordinance or policy addressing the circulation system. The intention of the worksheet is to streamline the project review by highlighting the most relevant plans, policies and programs when assessing potential impacts to the City's circulation system.

> ***Threshold T-1***: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?

This worksheet does not include an exhaustive list of City policies, and does not include community plans, specific plans, or any area-specific regulatory overlays. The Department of City Planning project planner will need to be consulted to determine if the project would obstruct the City from carrying out a policy or program in a community plan, specific plan, streetscape plan, or regulatory overlay that was adopted to support multimodal transportation options or public safety. LADOT staff should be consulted if a project would lead to a conflict with a mobility investment in the Public Right of Way (PROW) that is currently undergoing planning, design, or delivery. This worksheet must be completed for all projects that meet the Section I. Screening Criteria. For description of the relevant planning documents, **see Attachment D.1.**

For any response to the following questions that checks the box in **bold text** ((i.e.□ **Yes** or □ **No**), further analysis is needed to demonstrate that the project does not conflict with a plan, policy, or program.

I. SCREENING CRITERIA FOR POLICY ANALYSIS

If the answer is 'yes' to any of the following questions, further analysis will be required:

Does the project require a discretionary action that requires the decision maker to find that the project would substantially conform to the purpose, intent and provisions of the General Plan?

○ Yes ◉ No

Is the project known to directly conflict with a transportation plan, policy, or program adopted to support multimodal transportation options or public safety?

○ Yes ◉ No

Is the project required to or proposing to make any voluntary modifications to the public right-of-way (i.e., dedications and/or improvements in the right-of-way, reconfigurations of curb line, etc.)?

○ Yes ◉ No

II. PLAN CONSISTENCY ANALYSIS

A. Mobility Plan 2035 PROW Classification Standards for Dedications and Improvements

These questions address potential conflict with:

LADOT

Plan, Policy, and Program Consistency Worksheet

Mobility Plan 2035 Policy 2.1 *– Adaptive Reuse of Streets. Design, plan, and operate streets to serve multiple purposes and provide flexibility in design to adapt to future demands.*

Mobility Plan 2035 Policy 2.3 *– Pedestrian Infrastructure. Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.*

Mobility Plan 2035 Policy 3.2 – *People with Disabilities. Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right-of-way.*

Mobility Plan 2035 Street Designations and Standard Roadway Dimensions

A.1 Does the project include additions or new construction along a street designated as a Boulevard I, and II, and/or Avenue I, II, or III on property zoned for R3 or less restrictive zone? ○Yes ◉No

A.2 If **A.1 is yes**, is the project required to make additional dedications or improvements to the Public Right of Way as demonstrated by the street designation. ○Yes ○No ◉N/A

A.3 If **A.2 is yes**, is the project making the dedications and improvements as necessary to meet the designated dimensions of the fronting street (Boulevard I, and II, or Avenue I, II, or III)?

○Yes ○No ○N/A

If the answer is to **A.1 or A.2 is NO, or to A.1, A.2 and A.3. is YES**, then the project does not conflict with the dedication and improvement requirements that are needed to comply with the Mobility Plan 2035 Street Designations and Standard Roadway Dimensions.

A.4 If the answer to **A.3. is NO**, is the project applicant asking to waive from the dedication standards?

○**Yes** ○**No** ◉N/A

Lists any streets subject to dedications or voluntary dedications and include existing roadway and sidewalk widths, required roadway and sidewalk widths, and proposed roadway and sidewalk width or waivers.

Frontage 1 Existing PROW'/Curb' : Existing _____Required_____Proposed_____

Frontage 2 Existing PROW'/Curb' : Existing _____Required_____Proposed_____

Frontage 3 Existing PROW'/Curb' : Existing _____Required_____Proposed_____

Frontage 4 Existing PROW'/Curb' : Existing _____Required_____Proposed_____

If the answer to **A.4 is NO**, the project is inconsistent with Mobility Plan 2035 street designations and must file for a waiver of street dedication and improvement.

If the answer to **A.4 is YES**, additional analysis is necessary to determine if the dedication and/or improvements are necessary to meet the City's mobility needs for the next 20 years. The following factors may contribute to determine if the dedication or improvement is necessary:

Is the project site along any of the following networks identified in the City's Mobility Plan?

- Transit Enhanced Network
- Bicycle Enhanced Network
- Bicycle Lane Network
- Pedestrian Enhanced District
- Neighborhood Enhanced Network

To see the location of the above networks, see **Transportation Assessment Support Map**.[1]

Is the project within the service area of Metro Bike Share, or is there demonstrated demand for micro-mobility services?

If the project dedications and improvements asking to be waived are necessary to meet the City's mobility needs, the project may be found to conflict with a plan that is adopted to protect the environment.

B. Mobility Plan 2035 PROW Policy Alignment with Project-Initiated Changes

B.1 Project-Initiated Changes to the PROW Dimensions

These questions address potential conflict with:

> ***Mobility Plan 2035 Policy 2.1*** *– Adaptive Reuse of Streets. Design, plan, and operate streets to serve multiple purposes and provide flexibility in design to adapt to future demands.*
>
> ***Mobility Plan 2035 Policy 2.3*** *– Pedestrian Infrastructure. Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.*
>
> ***Mobility Plan 2035 Policy 3.2 –*** *People with Disabilities. Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right-of-way.*
>
> ***Mobility Plan 2035 Policy 2.10*** *– Loading Areas. Facilitate the provision of adequate on and off-site street loading areas.*
>
> **Mobility Plan 2035 Street Designations and Standard Roadway Dimensions**

B.1 Does the project propose, above and beyond any PROW changes needed to comply with Section 12.37 of the LAMC as discussed in Section II.A, physically modify the curb placement or turning radius and/or physically alter the sidewalk and parkways space that changes how people access a property?

Examples of developer-initiated physical changes to the public right-of-way include:

- widening the roadway,
- narrowing the sidewalk,
- adding space for vehicle turn outs or loading areas,
- removing bicycle lanes, bike share stations, or bicycle parking

[1] LADOT Transportation Assessment Support Map https://arcg.is/fubbD

- modifying existing bus stop, transit shelter, or other street furniture
- paving, narrowing, shifting or removing an existing parkway or tree well

◯ Yes ◉ No

B.2 Driveway Access

These questions address potential conflict with:

Mobility Plan 2035 Policy 2.10 *– Loading Areas. Facilitate the provision of adequate on and off-site street loading areas.*

Mobility Plan 2035 Program PL.1. Driveway Access. *Require driveway access to buildings from non-arterial streets or alleys (where feasible) in order to minimize interference with pedestrian access and vehicular movement.*

Citywide Design Guidelines - Guideline 2*: Carefully incorporate vehicular access such that it does not degrade the pedestrian experience.*

Site Planning Best Practices:

- *Prioritize pedestrian access first and automobile access second. Orient parking and driveways toward the rear or side of buildings and away from the public right-of-way. On corner lots, parking should be oriented as far from the corner as possible.*
- *Minimize both the number of driveway entrances and overall driveway widths.*
- *Do not locate drop-off/pick-up areas between principal building entrances and the adjoining sidewalks.*
- *Orient vehicular access as far from street intersections as possible.*
- *Place drive-thru elements away from intersections and avoid placing them so that they create a barrier between the sidewalk and building entrance(s).*
- *Ensure that loading areas do not interfere with on-site pedestrian and vehicular circulation by separating loading areas and larger commercial vehicles from areas that are used for public parking and public entrances.*

B.2 Does the project add new driveways along a street designated as an Avenue or a Boulevard that conflict with LADOT's Driveway Design Guidelines (See Sec. 321 in the Manual of Policies and Procedures) by any of the following:

- locating new driveways for residential properties on an Avenue or Boulevard, and access is otherwise possible using an alley or a collector/local street, or
- locating new driveways for industrial or commercial properties on an Avenue or Boulevard and access is possible along a collector/local street, or
- the total number of new driveways exceeds 1 driveway per every 200 feet[2] along on the Avenue or Boulevard frontage, or
- locating new driveways on an Avenue or Boulevard within 150 feet from the intersecting street, or
- locating new driveways on a collector or local street within 75 feet from the intersecting street, or

[2] for a project frontage that exceeds 400 feet along an Avenue or Boulevard, the incremental additional driveway above 2 is more than 1 driveway for every 400 additional feet.

- locating new driveways near mid-block crosswalks, requiring relocation of the mid-block crosswalk

○ Yes ◉ No

If the answer to **B.1 and B.2 are both NO**, then the project would not conflict with a plan or policies that govern the PROW as a result of the project-initiated changes to the PROW.

Impact Analysis

If the answer to either **B.1 or B.2 are YES**, City plans and policies should be reviewed in light of the proposed physical changes to determine if the City would be obstructed from carrying out the plans and policies. The analysis should pay special consideration to substantial changes to the Public Right of Way that may either degrade existing facilities for people walking and bicycling (e.g., removing a bicycle lane), or preclude the City from completing complete street infrastructure as identified in the Mobility Plan 2035, especially if the physical changes are along streets that are on the High Injury Network (HIN). The analysis should also consider if the project is in a Transit Oriented Community (TOC) area, and would degrade or inhibit trips made by biking, walking and/ or transit ridership. The streets that need special consideration are those that are included on the following networks identified in the Mobility Plan 2035, or the HIN:

- Transit Enhanced Network
- Bicycle Enhanced Network
- Bicycle Lane Network
- Pedestrian Enhanced District
- Neighborhood Enhanced Network
- High Injury Network

To see the location of the above networks, see **Transportation Assessment Support Map**.[3]

Once the project is reviewed relevant to plans and policies, and existing facilities that may be impacted by the project, the analysis will need to answer the following two questions in concluding if there is an impact due to plan inconsistency.

B.2.1 Would the physical changes in the public right of way or new driveways that conflict with LADOT's Driveway Design Guidelines degrade the experience of vulnerable roadway users such as modify, remove, or otherwise negatively impact existing bicycle, transit, and/or pedestrian infrastructure?

○ Yes ○ No ◉ N/A

B.2.2 Would the physical modifications or new driveways that conflict with LADOT's Driveway Design Guidelines preclude the City from advancing the safety of vulnerable roadway users?

○ Yes ○ No ◉ N/A

If either of the answers to either **B.2.1 or B.2.2 are YES**, the project may conflict with the Mobility Plan 2035, and therefore conflict with a plan that is adopted to protect the

[3] LADOT Transportation Assessment Support Map https://arcg.is/fubbD

environment. If either of the answers to both **B.2.1. or B.2.2. are NO**, then the project would not be shown to conflict with plans or policies that govern the Public Right-of-Way.

C. Network Access

C. 1 Alley, Street and Stairway Access

These questions address potential conflict with:

Mobility Plan Policy 3.9 *Increased Network Access: Discourage the vacation of public rights-of-way.*

C.1.1 Does the project propose to vacate or otherwise restrict public access to a street, alley, or public stairway?

○ Yes ○ No

C.1.2 If the answer to C.1.1 is Yes, will the project provide or maintain public access to people walking and biking on the street, alley or stairway?

○ Yes ○ **No** ◉ N/A

C.2 New Cul-de-sacs

These questions address potential conflict with:

Mobility Plan 2035 Policy 3.10 *Cul-de-sacs: Discourage the use of cul-de-sacs that do not provide access for active transportation options.*

C.2.1 Does the project create a cul-de-sac or is the project located adjacent to an existing cul-de-sac?

○ Yes ◉ No

C.2.2 If yes, will the cul-de-sac maintain convenient and direct public access to people walking and biking to the adjoining street network?

○ Yes ○ **No** ◉ N/A

If the answers to either C.1.2 or C.2.2 are YES, then the project would not conflict with a plan or policies that ensures access for all modes of travel. If the answer to either **C.1.2 or C.2.2 are NO**, the project may conflict with a plan or policies that governs multimodal access to a property. Further analysis must assess to the degree that pedestrians and bicyclists have sufficient public access to the transportation network.

D. Parking Supply and Transportation Demand Management

These questions address potential conflict with:

Mobility Plan 2035 Policy 3.8 *– Bicycle Parking, Provide bicyclists with convenient, secure and well maintained bicycle parking facilities.*

Mobility Plan 2035 Policy 4.8 – *Transportation Demand Management Strategies. Encourage greater utilization of Transportation Demand Management Strategies to reduce dependence on single-occupancy vehicles.*

LADOT

Plan, Policy, and Program Consistency Worksheet

Mobility Plan 2035 Policy 4.13 *– Parking and Land Use Management: Balance on-street and off-street parking supply with other transportation and land use objectives.*

D.1 Would the project propose a supply of onsite parking that exceeds the baseline amount[4] as required in the Los Angeles Municipal Code or a Specific plan, whichever requirement prevails?

○ Yes ◉ No

D.2 If the answer to D.1. is YES, would the project propose to actively manage the demand of parking by independently pricing the supply to all users (e.g. parking cash-out), or for residential properties, unbundle the supply from the lease or sale of residential units?

○ Yes ○ **No** ◉ N/A

If the answer to **D.2. is NO** the project may conflict with parking management policies. Further analysis is needed to demonstrate how the supply of parking above city requirements will not result in additional (induced) drive-alone trips as compared to an alternative that provided no more parking than the baseline required by the LAMC or Specific Plan. If there is potential for the supply of parking to result in induced demand for drive-alone trips, the project should further explore transportation demand management (TDM) measures to further off-set the induced demands of driving and vehicle miles travelled (VMT) that may result from higher amounts of on-site parking. The TDM measures should specifically focus on strategies that encourage dynamic and context-sensitive pricing solutions and ensure the parking is efficiently allocated, such as providing real time information. Research has demonstrated that charging a user cost for parking or providing a 'cash-out' option in return for not using it is the most effective strategy to reduce the instances of drive-alone trips and increase non-auto mode share to further reduce VMT. To ensure the parking is efficiently managed and reduce the need to build parking for future uses, further strategies should include sharing parking with other properties and/or the general public.

D.3. Would the project provide the minimum on and off-site bicycle parking spaces as required by Section 12.21 A.16 of the LAMC?

◉ Yes ○ **No**

D.4. Does the Project include more than 25,000 square feet of gross floor area construction of new non-residential gross floor?

○ Yes ◉ No

D.5 If the answer to D.4. is YES, does the project comply with the City's TDM Ordinance in Section 12.26 J of the LAMC?

○ Yes ○ **No** ◉ N/A

If the answer to **D.3. or D.5. is NO** the project conflicts with LAMC code requirements of bicycle parking and TDM measures. If the project includes uses that require bicycle parking (Section 12.21 A.16) or TDM (Section 12.26 J), and the project does not comply with those Sections of the LAMC, further analysis is required to ensure that the project supports the intent of the two LAMC sections. To meet the intent of

[4] The baseline parking is defined here as the default parking requirements in section 12.21 A.4 of the Los Angeles Municipal Code or any applicable Specific Plan, whichever prevails, for each applicable use not taking into consideration other parking incentives to reduce the amount of required parking.

bicycle parking requirements, the analysis should identify how the project commits to providing safe access to those traveling by bicycle and accommodates storing their bicycle in locations that demonstrates priority over vehicle access.

Similarly, to meet the intent of the TDM requirements of Section 12.26 J of the LAMC, the analysis should identify how the project commits to providing effective strategies in either physical facilities or programs that encourage non-drive alone trips to and from the project site and changes in work schedule that move trips out of the peak period or eliminate them altogether (as in the case in telecommuting or compressed work weeks).

E. Consistency with Regional Plans

This section addresses potential inconsistencies with greenhouse gas (GHG) reduction targets forecasted in the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) / Sustainable Communities Strategy (SCS).

E.1 Does the Project or Plan apply one the City's efficiency-based impact thresholds (i.e. VMT per capita, VMT per employee, or VMT per service population) as discussed in **Section 2.2.3** of the TAG?

◉ Yes ○ No

E.2 If the Answer to **E.1 is YES**, does the Project or Plan result in a significant VMT impact?

○ **Yes** ◉ No ○ N/A

E.3 If the Answer to **E.1 is NO**, does the Project result in a net increase in VMT?

○ **Yes** ○ No ◉ N/A

If the Answer to **E.2 or E.3 is NO**, then the Project or Plan is shown to align with the long-term VMT and GHG reduction goals of SCAG's RTP/SCS.

E.4 If the Answer to **E.2 or E.3 is YES**, then further evaluation would be necessary to determine whether such a project or land use plan would be shown to be consistent with VMT and GHG reduction goals of the SCAG RTP/SCS. For the purpose of making a finding that a project is consistent with the GHG reduction targets forecasted in the SCAG RTP/SCS, the project analyst should consult **Section 2.2.4** of the Transportation Assessment Guidelines (TAG). **Section 2.2.4** provides the methodology for evaluating a land use project's cumulative impacts to VMT, and the appropriate reliance on SCAG's most recently adopted RTP/SCS in reaching that conclusion.

The analysis methods therein can further support findings that the project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to Section 65080(b)(2)(H) of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

References

BOE Street Standard Dimensions S-470-1
http://eng2.lacity.org/techdocs/stdplans/s-400/S-470-1_20151021_150849.pdf

LADCP Citywide Design Guidelines.
https://planning.lacity.org/odocument/f6608be7-d5fe-4187-bea6-20618eec5049/Citywide_Design_Guidelines.pdf

LADOT Transportation Assessment Support Map https://arcg.is/fubbD

Mobility Plan 2035
https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf

SCAG. Connect SoCal, 2020-2045 RTP/SCS, https://www.connectsocal.org/Pages/default.aspx

ATTACHMENT D.1: CITY PLAN, POLICIES AND GUIDELINES

The Transportation Element of the City's General Plan, Mobility Plan 2035, established the "Complete Streets Design Guide" as the City's document to guide the operations and design of streets and other public rights-of-way. It lays out a vision for designing safer, more vibrant streets that are accessible to people, no matter what their mode choice. As a living document, it is intended to be frequently updated as City departments identify and implement street standards and experiment with different configurations to promote complete streets. The guide is meant to be a toolkit that provides numerous examples of what is possible in the public right-of-way and that provides guidance on context-sensitive design.

The Plan for A Healthy Los Angeles (March 2015) includes policies directing several City departments to develop plans that promote active transportation and safety.

The City of Los Angeles Community Plans, which make up the Land Use Element of the City's General Plan, guide the physical development of neighborhoods by establishing the goals and policies for land use. The 35 Community Plans provide specific, neighborhood-level detail for land uses and the transportation network, relevant policies, and implementation strategies necessary to achieve General Plan and community-specific objectives.

The stated goal of Vision Zero is to eliminate traffic-related deaths in Los Angeles by 2025 through a number of strategies, including modifying the design of streets to increase the safety of vulnerable road users. Extensive crash data analysis is conducted on an ongoing basis to prioritize intersections and corridors for implementation of projects that will have the greatest effect on overall fatality reduction. The City designs and deploys Vision Zero Corridor Plans as part of the implementation of Vision Zero. If a project is proposed whose site lies on the High Injury Network (HIN), the applicant should consult with LADOT to inform the project's site plan and to determine appropriate improvements, whether by funding their implementation in full or by making a contribution toward their implementation.

The Citywide Design Guidelines (October 24, 2019) includes sections relevant to development projects where improvements are proposed within the public realm. Specifically, Guidelines one through three provide building design strategies that support the pedestrian experience. The Guidelines provide best practices in designing that apply in three spatial categories of site planning, building design and public right of way. The Guidelines should be followed to ensure that the project design supports pedestrian safety, access and comfort as they access to and from the building and the immediate public right of way.

The City's Transportation Demand Management (TDM) Ordinance (LA Municipal Code 12.26.J) requires certain projects to incorporate strategies that reduce drive-alone vehicle trips and improve access to destinations and services. The ordinance is revised and updated periodically and should be reviewed for application to specific projects as they are reviewed.

The City's LAMC Section 12.37 (Waivers of Dedication and Improvement) requires certain projects to dedicate and/or implement improvements within the public right-of-way to meet the street designation standards of the Mobility Plan 2035.

The Bureau of Engineering (BOE) Street Standard Dimensions S-470-1 provides the specific street widths and public right of way dimensions associated with the City's street standards.