

5.0

EFFECTS FOUND NOT TO BE SIGNIFICANT

5.1 Agricultural Resources

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?*

No Impact. The project site is not indicated on maps prepared pursuant to the Farmland Mapping and Monitoring Program as prime or unique farmland. Therefore, no impact would occur.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The project site is not zoned for agriculture and is not under a Williamson Act contract. Therefore, no impact would occur.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. The proposed project would not conflict with existing zoning and would not cause the rezoning of forest land, timberland or timberland production. As a result, no impacts would occur.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. The project site is not currently used for forest land, timberland, or timberland production. In addition, land in close proximity to the project site is not used for forest land, timberland, or timberland production. Therefore, no impact would occur.

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?*

No Impact. The project site is not currently used for agricultural purposes. Approval of the project would not convert farmland to non-agricultural use. Therefore, no impact would occur.

5.2 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 Game or U.S. Fish and Wildlife Service?*

Less Than Significant Impact. The proposed project would involve year-round mooring of the USS *Iowa* at Berth 87. Relocating the USS *Iowa* from San Francisco Bay in Northern California to the Port of Los Angeles (the Port or POLA) could introduce non-native and invasive species into the Port through hull fouling. Hull fouling is the attachment of physically attaching species and mobile organisms to the submerged portions of hard structures, including ship hulls. The Marine Invasive Species Act of 2003 (AB 433), Coastal Ecosystems Protection Act of 2006 (SB 497), and Amendments to the Marine Invasive Species Act of 2007 (AB 740), 2008 (SB1781), and 2009 (AB 248) regulate the spreading of invasive species on ship hulls and in ballast water. The Marine Invasive Species Program (MISP) is administered and enforced by the California State Lands Commission.

Additional regulations governing the transport of the USS *Iowa* include California Code of Regulations (CCR) Title 2, Division 3, Chapter 1, Article 4.6, which requires that ballast water be discharged/exchanged at no less than 50 nautical miles from the shoreline. However, the ballast tanks have been emptied, prior to the ship being “mothballed” in Suisun Bay. The ballast tanks would not be reopened unless the battleship is called back to active duty. California Public Resources Code (PRC) 71204(e) requires that the vessel’s anchor and anchor chain be rinsed before retrieving from the San Francisco Bay to remove fouling organisms at their place of origin. Additionally, California PRC 71204(f) requires removal of fouling organisms from the submerged portions of a vessel on a regular basis, with the term regular basis defined therein. The transport of the USS *Iowa* will comply with these regulations and all other applicable State and federal regulations.

The proposed project includes off-shore hull cleaning in the location depicted in Exhibit 2.0-6, *Off Shore Hull Cleaning Location*, prior to the battleship entering

the Port which would reduce the potential impact to less than significant. Hull cleaning will remove invasive and non-native species residing on the battleship's hull in accordance with U.S. Navy protocol as presented in S9086-CQ-STM-010, *Waterborne Underwater Hull Cleaning of Navy Ship*. It should be noted that the USS *Iowa* would not enter the Port before hull cleaning is performed. Muldoon Marine Services, Inc. will perform the hull cleaning utilizing a combination of underwater tools from hydraulic powered multi and single brushed machines, to divers utilizing hand scrapers and low pressure water. These methods will be used to clean the battleship as efficiently and as carefully as possible.

In addition, permanent docking of a vessel could have an effect on underwater plant species by restricting light sources. Natural habitats identified by the *San Pedro Waterfront EIS/EIR*, include ruderal, marsh, mudflat, eelgrass, and kelp; none of which except kelp have been identified in the Main Channel. The kelp identified in the main channel is not within the proposed project site or within the immediate vicinity. Eelgrass (*Zostera Marina*) populations are found within the Port area and are susceptible to shadowing. However, as stated in the *San Pedro Waterfront EIS/EIR*, known populations of eelgrass habitat occurs in shallow waters offshore Cabrillo Beach and within the Pier 300 Shallow Water Habitat in Los Angeles Harbor and are not documented in the deep water area of Berth 87.

The proposed project also includes the potential construction of a Visitor Center in Phase 2 on an existing portion of the parking lot. The project site is in an industrialized area and does not include any natural habitats. However, construction activities could impact nesting birds in the surrounding area. As stated in the *San Pedro Waterfront EIS/EIR*, the majority of terrestrial birds that may occur at the Port are migratory and would be present during fall, winter, and/or spring but are not expected to breed within the study area. In addition, these common species are adapted to urban and disturbed habitats. In accordance with the Migratory Bird Treaty Act, nesting bird surveys would be conducted prior to and during construction activities anticipated to occur during the nesting season. Appropriate action would be taken if nesting birds are found on site. Impacts to these species are anticipated to be less than significant. Therefore, impacts to habitats are considered less than significant.

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

Less than Significant Impact. The proposed project site is located in the Main Channel of the Port. No riparian habitats or other sensitive natural habitats, such as kelp beds, exist at Berth 87.

As identified in the *San Pedro Waterfront EIS/EIR*, the proposed project site is located within two fishery management plans (FMP): The Coastal Pelagics FMP

and Pacific Groundfish FMP. These FMP areas include *essential fish habitats (EFH)*, defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. Four of the five species in the Coastal Pelagics Species FMP are well represented in the San Pedro Waterfront project area, which includes Berth 87. These species were abundant or common throughout the harbor in a 2000 survey.

Los Angeles Harbor is also home to two groundfish species – the olive rockfish and the scorpionfish – listed in the Pacific Groundfish FMP. However, it is stated that these species are found in the kelp along the breakwater in the harbor.

Although the waters within the Port have been designated as EFH, there are no special aquatic habitats or significant ecological areas (SEAs) identified at Berth 87. However, since the area beneath the ship would be permanently shaded, creating the potential for reduction in the energy available for photosynthesis reducing the growth of algae or submerged vegetation, potential shading impacts relative to the ship's size and location were analyzed. It was determined that shading impacts to habitat and fish would be less than significant because the project does not alter the substrate and would provide additional shelter for fish. Therefore, the project would not adversely impact EFH and less than significant impacts would occur.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. There are no wetlands located within the project area as identified in the *San Pedro Waterfront EIS/EIR*. A freshwater marsh and coastal salt marsh are identified within the *San Pedro Waterfront EIS/EIR*; however they are located in the northern portion of the Outer Harbor, not within or adjacent to the project site. Therefore, no impacts would occur.

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?*

No Impact. The proposed project involves year-round mooring of the USS *Iowa* at Berth 87 and the potential construction of a Visitor Center in Phase 2 on an existing portion of the parking lot. The *San Pedro Waterfront EIS/EIR* states that all wildlife species having potential to occur and/or known to occur within the study area (which includes Berth 87) are adapted to human-disturbed landscapes.

The majority of terrestrial birds that may occur at the Port are migratory and would be present during fall, winter, and/or spring but are not expected to breed within the study area. Common species include rock pigeon, mourning dove, American crow, common raven, European starling, yellow-rumped warbler,

Brewer's blackbird, house finch, rough-winged swallow (*Stelgidopteryx serripennis*), cliff swallow (*Petrochelidon pyrrhonota*), barn swallow (*Hirundo rustica*), and house sparrow. Of these birds, rock pigeon, European starling, and house sparrow are non-native species. These common species are adapted to urban and disturbed habitats. Therefore, the proposed project would have no effect on wildlife movement or migration within the harbor.

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

No Impact. The proposed project site consists of a paved and developed area adjacent to the Main Channel. There are no trees, shrubs or grass on the project site. Any landscaping included as part of the proposed project would be required to conform to current local ordinances and policies, and would not conflict with any local policies or ordinances implemented to protect biological resources. Therefore, no impact would occur.

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. The proposed project is not located within an adopted Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP). The NCCP program, which began in 1991 under California's Natural Community Conservation Planning Act, is administered by the California Department of Fish and Game (CDFG), and is a cooperative effort between resource agencies and developers that takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. HCPs are administered by the U.S. Fish and Wildlife Service (USFWS) and are designed to identify how impacts would be mitigated when a project would impact endangered species. The proposed project would have no impact on NCCPs or HCPs.

5.3 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

No Impact. Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damage to or demolition of such resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and through indirect impacts, such as a change in the setting of a historic resource. Resources associated with Berth 87

were analyzed in the *San Pedro Waterfront EIS/EIR*. The document did not identify any historical resources at the site.

Commissioned in February 1943, the USS *Iowa* served in combat during World War II and Korea. Upon commission she served in the Atlantic and transported President Franklin Delano Roosevelt across the Atlantic to Casablanca, Morocco on the first leg of his journey to the Tehran Conference held in November of 1943. In January of 1944, the USS *Iowa* transited to the Pacific and supported the Fast Carrier Task Force for the duration of World War II. Decommissioned in 1949, the USS *Iowa* was recommissioned in 1951 and bombarded shore targets during the Korean War. After the Korean War she served with the Fleet, and was again decommissioned (1958) and then recommissioned (1984). In 1989, an explosion occurred within her number 2 main turret killing 47 sailors and damaging the ship. After repairs, the USS *Iowa* was decommissioned in 1990 and struck from the Navy Vessel Register in 2006. USS *Iowa* earned a total of 11 battle stars for her service during World War II and the Korean War.

The USS *Iowa* battleship is not listed on the National Register of Historic Places (NRHP). The battleship is also not registered at the State or local level through the California Historic Register or the through the City of Los Angeles. The criterion for listing in the National Register is weighed upon the resource's uniqueness, historical significance, and relevance to historic people and events. USS *Iowa* is the lead battleship of the four *Iowa* class battleships: USS *Iowa* (BB-61), USS New Jersey (BB-62), USS Missouri (BB-63), and USS Wisconsin (BB-64). All four *Iowa* class battleships are still intact and are substantially similar in construction and use. In addition, all *Iowa* class battleships are mandated by the Secretary of the Navy to be kept in a condition that would allow their recall to active service, if needed. Therefore, whether in storage or open to tourism, *Iowa* must remain available for reactivation at any time. This reserve status lessens the likelihood that *Iowa* could be a candidate for listing as a National historical resource.

The proposed project would not cause a substantial adverse change in the significance of a historical resource and while the battleship is not currently designated a historical resource its use as a museum ship will allow for its preservation and possible future listing. Therefore, impacts regarding historical resources are less than significant.

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

Less than Significant Impact. The proposed project site is located on a developed area adjacent to the Main Channel in the Port. No known archaeological resources exist onsite, however, this does not preclude the discovery of archaeological resources during construction of the landside museum. The historic 1859 shoreline lies beneath the parking lot of Berth 87

which raises the possibility of encountering unknown archaeological resources. At the time of construction of the landside visitor center in Phase 2 of the proposed project, archaeological monitoring requirements would be fulfilled. The project involves year-round mooring of the USS *Iowa* at Berth 87 and the potential construction of a Visitor Center in Phase 2 on the existing dock. The *San Pedro Waterfront EIS/EIR*, which analyzes the Berth 87 project site, does not identify any archaeological resources. Therefore, no archaeological resources are present on the project site or adjacent waters and as a result, no impacts would occur.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No Impact. The *San Pedro Waterfront EIS/EIR*, which analyzes the project site, does not identify any paleontological resources in this area. Therefore, no potential paleontological resources have been identified within the proposed project site or adjacent waters and no impact would occur.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

No Impact. No known formal gravesites have been identified within the project area as part of the *San Pedro Waterfront EIS/EIR* and due to the nature of the project, no impacts are anticipated.

5.4 Geology, Soils, and Seismicity

Would the project:

a) *Expose people or structures to 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.*

Less Than Significant Impact. Several earthquake faults are located near the project vicinity and extend through the Port, both on land and in the water channels. None of these faults are designated as a special study zone under the Alquist-Priolo Earthquake Zoning Act (City of Los Angeles, 1996). The implementation of standard engineering design measures is required by the State of California Uniform Building Code to minimize potential earthquake impacts. As a result, impacts to the USS *Iowa* and the temporary prefabricated structures/potential Visitor Center

- ii. *Strong seismic ground shaking?*

Less Than Significant Impact. Several principal active faults lie within 25 miles of the proposed project. These include the Palos Verdes, Newport-Inglewood, Elysian Park, Whittier-Elsinore, and Santa Monica-Raymond faults. These faults are capable of producing ground movements of a maximum moment magnitude 6.6 to 7.1. The implementation of standard engineering design measures is required by the State of California Uniform Building Code to minimize potential earthquake impacts. Impacts to the proposed project from strong seismic ground shaking are expected to be less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The proposed project involves year-round mooring of the USS *Iowa* at Berth 87, the placement of temporary prefabricated structures, and the potential construction of a Visitor Center on an existing portion of the dock. Seismic-related ground failure, including liquefaction would not have a significant impact on the USS *Iowa* but may impact the Visitor Center. Standard engineering design measures are required by the State of California Uniform Building Code to minimize potential earthquake impacts. Impacts to the proposed project from seismic-related ground failure are expected to be less than significant.

iv. Landslides?

Less Than Significant Impact. The topography surrounding the proposed project site is flat. As identified in the Safety Element of the Los Angeles General Plan, the proposed project site is not within the landslide inventory (City of Los Angeles, 1996). Therefore, less than significant impacts are anticipated as a result of the proposed project.

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

Less Than Significant Impact. The proposed project involves year-round mooring of the USS *Iowa* at Berth 87, the placement of temporary prefabricated structures, and the potential construction of a Visitor Center in Phase 2 on an existing portion of the dock. Site preparation for the Visitor Center in Phase 2 would involve the removal of a portion of the existing parking lot, and grading and compacting of soils. All construction within the Port is required to comply with LAHD Sustainable Construction Guidelines. Implementation of the proposed project and required Construction BMP's would protect the soil from erosion; therefore, impacts would be less than significant.

c) Be located on a geologic unit 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?

No Impact. The project is not located on a geological unit or soil that is unstable or would become unstable as result of the project. Therefore, no impacts would occur.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2004), creating substantial risks to life or property?*

No Impact. The proposed project involves year-round mooring of the USS *Iowa* at Berth 87, the placement of temporary prefabricated structures, and the potential construction of a Visitor Center on an existing portion of the dock. Standard engineering design measures are required by the State of California Uniform Building Code to minimize potential earthquake impacts. The proposed project would not be located on expansive soil and no impacts would occur.

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 Los Angeles Department of Public Works Bureau of Sanitation provides sewer service to all areas within its jurisdiction, including the proposed project site. There would be no use of septic tanks or alternative wastewater disposal systems; therefore, no impacts would occur.

5.5 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?*

Less Than Significant Impact. Potential short-term impacts from preparation of the battleship for visitors and the construction of the Visitor Center in Phase 2 may occur from the transportation of building materials, fuels, fluids, and solvents. However, construction would not involve the handling of significant amounts of these substances beyond those needed for proposed activities. Additionally, all storage, handling, and disposal of hazardous materials is regulated by the federal Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), Occupational Safety and Health Administration, the City fire department, and the County fire department. As such, all chemicals used during construction of the project would be used and stored in compliance with applicable requirements. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would minimize the potential for significant safety impacts to occur. Implementation of these laws and regulations in addition to the LAHD Sustainable Construction Guideline BMPs, would result in less than significant impacts.

The USS *Iowa* underwent reconfiguration and refurbishment in the 1980s before decommissioning, where known hazardous materials were removed under applicable regulations. The anti fouling hull paint's active ingredients (chemicals) are expired and would not be released unless the battleship was

raised onto dry dock and re-coated (with the new hull paint). Asbestos was one of the known hazardous materials that were removed from the battleship. Areas within the battleship that still contain asbestos are encapsulated. The use, storage, transport, and disposal of hazardous materials would adhere to all applicable local, State, and federal regulations. Adherence to these regulations would minimize the potential for hazardous materials impacts to the public and the environment. As a result, impacts in this regard would be less than significant.

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?

Less than Significant Impact. As described in response (a) above, all hazardous materials are required to be stored, handled, and disposed of in accordance with the LAHD Sustainable Construction Guideline BMPs, local, county, and State laws which protect public safety. There is a potential for hazardous materials to be encountered if the Navy fuel surge line is relocated within the project footprint and during the site preparation for the Visitor Center in Phase 2 when existing asphalt will be removed and the soil will be graded and compacted to support the new building. In addition, although a majority of the hazardous materials were removed from the USS *Iowa* in the 1980s, some asbestos is known to be encapsulated on board. If hazardous material or exposed asbestos is found on board, those materials would be removed according to regulations for that material. No hull maintenance would occur while the battleship is in harbor waters.

All hazardous materials that are encountered are required to be handled according to laws and regulations to protect public safety as well as Port leasing requirements related to site remediation and groundwater contamination contingency. These requirements include the following:

Site Remediation Lease Requirement. Unless otherwise authorized by the lead regulatory agency for any given site, the Applicant shall address all contaminated soils within proposed project boundaries discovered during demolition, excavation, and grading activities. Contamination existing at the time of discovery shall be the responsibility of the past and/or current property owner. Contamination as a result of the construction process shall be the responsibility of the Applicant and/or the Applicant's contractors. Remediation shall occur in compliance with local, state, and federal regulations and as directed by the lead regulatory agency for the site.

Soil removal shall be completed such that remaining contamination levels are below risk-based health screening levels for industrial sites established by the Office of Environmental Health Hazard Assessment (OEHHA) and/or applicable action levels (e.g., Environmental Screening Levels, Preliminary Remediation

Goals) established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments for industrial sites, but are subject to the review of the lead regulatory agency. Excavated contaminated soil shall be properly disposed of off-site unless use of such material on site is beneficial to construction and approved by the agency overseeing environmental concerns. All imported soil to be used as backfill in excavated areas shall be sampled to ensure that it is suitable for use as backfill at an industrial site.

Contamination Contingency Plan Lease Requirement. The following contingency plan shall be implemented to address contamination discovered during demolition, excavation, grading, and construction.

- a) All trench excavation and filling operations shall be observed for the presence of free petroleum products, chemicals, or contaminated soil. Soil suspected of contamination shall be segregated from other soil. In the event soil suspected of contamination is encountered during construction, the contractor shall notify the Applicant and the LAHD's environmental representative. The LAHD shall confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material. Continued work at a contaminated site shall require the approval of the LAHD Project Engineer.
- b) Excavation of VOC-impacted soil may require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.
- c) The remedial option(s) selected shall be dependent upon a suite of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and shall be determined on a site-specific basis. Both off-site and on-site remedial options may be evaluated.
- d) The extent of removal actions shall be determined on a site-specific basis. At a minimum, the impacted area(s) within the boundaries of the construction area shall be remediated to the satisfaction of the applicant, LAHD, and the lead regulatory agency for the site. The Port Project Manager overseeing removal actions shall inform the contractor when the removal action is complete.
- e) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials shall be submitted to the Port Project Manager within 60 days of project completion.
- f) In the event that contaminated soil is encountered, all on-site personnel handling or working in the vicinity of the contaminated material must be trained in accordance with EPA and Occupational Safety and Health Administration (OSHA) regulations for hazardous waste operations or

demonstrate they have completed the appropriate training. Training must provide protective measures and practices to reduce or eliminate hazardous materials/waste hazards at the work place.

- g) When impacted soil must be excavated, air monitoring will be conducted as appropriate for related emissions adjacent to the excavation.
- h) All excavations shall be backfilled with structurally suitable fill material that is free from contamination.

As such, impacts would be less than significant.

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

Less Than Significant Impact. The closest school to the proposed project site is the World Tots LA preschool, which is approximately 0.15 mile southwest of the proposed project site. Hazardous materials have previously been removed from the USS *Iowa* in the 1980s and if any remaining hazardous materials are found, they would be removed according to applicable regulations and LAHD BMPs. The inactive battleship would not emit hazardous emissions. Preparing the battleship for visitors and the potential relocation of the Navy fuel surge line and construction of the Visitor Center in Phase 2 would generate temporary construction emissions. Hazardous materials, if encountered, will be removed from the site according to Port lease requirements, BMPs and applicable local, state, and federal regulations and laws. Air emissions will be calculated, analyzed and mitigated in the EIR under the Air Quality and Greenhouse Gases section. Therefore, the emission of hazardous materials or substances within 0.25 miles of a school would be a less than significant impact.

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

No Impact. None of the uses on the proposed project site currently or historical have involved the storage, use or generation of hazardous materials. In addition, the project site is not located on a listed hazardous materials site pursuant to Government Code Section 65962.5. As a result, no impacts are anticipated.

- e) *For a project located within 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 result in a safety hazard for people residing or working in the project area?*

No Impact. The proposed project is not located within the vicinity of a public airstrip and is not within two miles of a public airport. The closest public airport, Long Beach Airport, is located approximately 9 miles to the northeast of the proposed project site. Therefore, no impact would occur.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area*

No Impact. The proposed project is not located within the vicinity of a private airstrip. The closest private use airport is the Torrance Municipal Airfield located approximately 5 miles to the northwest. Therefore, the proposed project would not result in a safety hazard to people working in the proposed project area. Therefore, no impact would occur.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The Los Angeles City Fire Department (LAFD) currently provides emergency medical and fire protection support, and the Port Police and the Los Angeles Police Department (LAPD) are responsible for coordinating law enforcement and traffic control operations in emergency situations. During construction activities, adequate vehicular access would be provided and maintained in accordance with LAFD requirements. LAFD would review all construction and design plans before development of the proposed project to ensure that access is provided for emergency equipment. The proposed project would not affect potential emergency response routes. The proposed project's proximity to the harbor may make it susceptible to impacts related to a tsunami and a seiche. Emergency evacuation, should a tsunami or seiche occur would require coordination with LAFD, LAPD, and Port Police. In addition, the U.S. Coast Guard coordinates efforts related to homeland security at the Port. Implementation of the proposed project would have a less than significant impact on emergency plans.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

No Impact. The proposed project site is located in an urban area. No wildlands are adjacent to the proposed project site and the proposed project would not affect nor be affected by wildland fires. As a result, no impacts would occur.

5.6 Hydrology and Water Quality

Would the project:

- a) *Violate any water quality standards or waste discharge requirements?*

Less Than Significant Impact. The proposed project includes towing the USS *Iowa* from Northern California to the Port, docking it at Berth 87 for the public to enjoy, and the potential construction of a Visitor Center. Restoration of the battleship and potential construction of the Visitor Center would be required to conform to the National Pollution Discharge Elimination System (NPDES) stormwater permit and to Section 13050 of the California Water Code (CWC).

Example construction BMPs for the proposed project to prevent contaminants from entering the storm drains/harbor waters would include:

- Erosion Control: dust control through watering and wind fencing;
- Sediment Control: storm drain inlet protection and construction entrance grates.

Example operational BMPs for the proposed project to prevent contaminants from entering the storm drains/harbor waters would include:

- Controlling roadway and parking lot contaminants by installing oil and grease separators at storm drain inlets;
- Cleaning parking lots on a regular basis;
- Incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping; and
- Implementing educational programs.

As previously stated, hull-cleaning would be performed before the battleship enters the Port, off the coast in compliance with the Marine Invasive Species Act. No hull cleaning activities would take place in the Port. Refer to section *f* below for information on hull cleaning. No permits are necessary. The proposed project would result in a less than significant impact related to the potential to violate water quality standards and/or waste discharge requirements under CEQA.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Impact. The City of Los Angeles area obtains water from the following three basic sources: the Owens Valley in the Sierras; groundwater wells in the Los Angeles Basin; and the Metropolitan Water District, which imports water from the Colorado and Feather Rivers. The proposed project would not result in the direct withdrawal of groundwater to provide water needed by the proposed project and would not include the development of new impervious surfaces as structures would be placed on land that is an existing asphalt-paved parking lot. In addition, the City does not pump the groundwater in the project area due to salt water intrusion. The proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge and no impacts would occur.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact. The proposed project would involve converting the USS *Iowa* into a tourist attraction and the potential construction of a Visitor Center. The addition of structures on the site would change existing drainage patterns, however, the site is paved and there are no stream or river courses on site. No substantial erosion or siltation would occur as a result of the construction of the proposed project as the site is paved. The proposed project would not result in substantial erosion or siltation on or off-site due to changes in the flow of surface water. As a result, the proposed project would have a less than significant impact.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on or off-site?

Less Than Significant Impact. The proposed project would include year-round mooring of the USS *Iowa* at Berth 87, opening the battleship to the public, and potentially building a Visitor Center on the existing berth. Any increases in flows would be similar to the runoff from the existing surfaces and considering the close proximity to the ocean, any potential increases in runoff would not result in flooding on- or off-site. The site is 100% impervious and the addition of another impervious surface, such as rooftops of new buildings, would not increase the risk of flooding on- or off-site. The proposed project would have a less than significant impact in this regard.

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact. The proposed project site is currently developed and is covered with an impervious surface. The proposed project would not increase the potential for flooding on site, or increase the runoff velocity. In addition, the proposed project would be required to adhere to the NPDES stormwater permit and would be required to conform to Section 13050 of the California Water Code (CWC). Implementation of the water quality control measures of stormwater runoff under these regulatory requirements would minimize the potential for any polluted runoff being transported off site. Water quality control measures may include those BMPs listed above in section 5.6a. Therefore, the proposed project would likely have a less than significant impact related to capacity of existing or planned stormwater infrastructure or additional sources of polluted runoff.

f) Otherwise substantially degrade water quality?

Less than Significant Impact. The proposed project would result in the year-round mooring of the USS *Iowa* at Berth 87 for public tours, and the potential construction of a Visitor Center. Water quality could be contaminated through

the toxins in anti-fouling paints from hulls of vessels. The hull paint on the *Iowa* does contain copper and the Los Angeles Harbor is listed as impaired due to elevated copper concentrations in sediment.

The anti-fouling capabilities on Ameron ABC3 Tin-free Anti-Fouling coating perform for five years.¹ Therefore, the antifouling coating on the hull of the *Iowa* is no longer active. Hull cleaning will need to be performed prior to the battleship entering the Port. A new anti-fouling coating would need to be applied the next time the battleship is dry-docked for maintenance. Further, in the case that the USS *Iowa* is dry docked, a new non-toxic anti-fouling coating would be applied. However, the hull of the *Iowa* was last painted approximately 20 years ago with Ameron ABC3 Tin-Free Anti-Fouling coating. Therefore, impacts regarding the degradation of water quality are less than significant.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact. The proposed project would not include the construction of housing and therefore no housing would be placed within a 100-year flood hazard area. As a result, no impacts would occur.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

No Impact. The proposed project site is currently developed and although implementation of the proposed project includes the construction of a visitor center, this structure would not impede or redirect flood flows. Therefore, no impacts would occur.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

Less Than Significant Impact. The proposed project site is located along the shoreline and therefore the Visitor Center could be subject to flooding effects as a result of rising sea levels. However, flooding that resulted from rising sea levels would occur over the course of decades, assuming that no actions are taken to prevent the flooding from occurring. There are no levees or dams in the area that could result in flooding of the project site. Therefore, this impact is considered less than significant.

j) *Inundation by seiche, tsunami, or mudflow?*

¹ Ameron Marine Coatings, ABC®3 - *The Tin-free Antifouling with a Unique Track Record* <http://ppgamercoatus.ppgpmc.com/marketsserved/docs/ABCWhitePaper.pdf> and Ameron Marine Coatings, *Ameron ABC3 Self-polishing TBT-free Antifouling* <http://ppgamercoatus.ppgpmc.com/marketsserved/docs/ABC3QA.pdf>

Less Than Significant Impact. Tsunamis are defined as gravity waves of long wavelengths generated by seismic activities that cause vertical motions of the earth's crust. This vertical motion can cause displacement of overlying waters that trigger transoceanic waves of water containing large amounts of energy. The proposed project site is located within an area that can potentially be impacted by a tsunami. Every use at the Port is at risk for tsunami should one occur. The *Iowa* is expected to bring an annual visitation of approximately 430,000 visitors in the opening year, which is expected to stabilize to approximately 386,000 visitors approximately 10 years after operations begin. However, current tsunami tracking devices give ample warning for tsunamis, unless they are the result of a local earthquake. Seiche and mudflow hazards are not likely to occur at the proposed project site; therefore, impacts are less than significant.

5.7 Land Use and Planning

Would the project:

a) *Physically divide an established community?*

No Impact. The proposed project site is located entirely within the Port at Berth 87, which has been used to load and unload cargo and cruise ships. The proposed project site is surrounded by Port-related uses and is adjacent to the World Cruise Center. The closest established community is San Pedro, located west of the proposed project site. The proposed project would be contained entirely within existing Port lands with no element of the proposed project being constructed or requiring any improvements within the neighborhoods of San Pedro. The proposed project would not divide an established community and no impacts would occur.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant Impact. Applicable land use plans, policies, and regulations of agencies with jurisdiction over the proposed project include the state *Tidelands Trust*, *Port Master Plan*, *City of Los Angeles Zoning Code*, *City of Los Angeles General Plan*, *Port of Los Angeles Community Plan*, *San Pedro Community Plan*, *Water Resources Action Plan*, and *San Pedro Bay Ports Clean Air Action Plan (CAAP)*. The *Port of Los Angeles Master Plan* is incorporated into the *Local Coastal Program* of the City of Los Angeles. Therefore, projects that are consistent with the *Port of Los Angeles Master Plan* are also consistent with the *City of Los Angeles Local Coastal Program*. The proposed project site is zoned for light and heavy industrial uses. Berth 87 was previously analyzed in the *San Pedro Waterfront Project EIS/EIR* and approved for the SS Lane Victory project, a similar project to the proposed project. This project did not conflict

with any applicable land use plan, policy, or regulation. Therefore, less than significant impacts are expected in this regard.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. The proposed project site is located within an industrialized area of the Port, and is not located within any habitat conservation plan or natural community conservation plan. Therefore, no impact will occur.

5.8 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?*

No Impact. The project site is located on an existing dock and would not result in the loss of availability of any known mineral resources of value. No impacts to mineral resources would occur.

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?*

No Impact. The proposed project site is not located in a mineral resource area and no impacts to mineral resources would occur.

5.9 Noise

Would the project result in:

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact. During construction of the Visitor Center, temporary noise levels would increase due to the operation of construction equipment. The *LA City CEQA Thresholds* guide uses the following screening criteria to determine if there would be a significant impact from the proposed project during construction:

- Would construction activities occur within 500 feet of a noise sensitive use?
- For projects located within the City of Los Angeles, would construction occur between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or at any time on Sunday?

The nearest noise sensitive use is a school located approximately 750 feet from the proposed project site. Construction activities would not occur between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or at any time on Sunday in accordance with the City of Los Angeles noise ordinance. Therefore, this impact has been determined to be less than significant.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. During construction of the Visitor Center, the public may be exposed to the generation of groundborne vibration or noise levels associated with the operation of construction equipment. No pile driving or vibratory equipment other than a jackhammer to remove asphalt would be used during construction. Based on the *LA City CEQA Thresholds* guide, screening criteria discussed in response (a) above, this impact would be less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. The proposed project includes towing the USS *Iowa* from Northern California to the Port, year-round mooring at Berth 87, and the potential construction of a Visitor Center. Beyond the temporary increase in noise during the construction of the Visitor Center, the project would not generate a permanent increase in ambient noise levels during operations. The *LA City CEQA Thresholds* guide uses the following screening criteria to determine if there would be a significant impact from the proposed project during operation:

- *Would the proposed project introduce a stationary noise source likely to be audible beyond the property line of the project site?*
- *Would the project include 75 or more dwelling units, 100,000 square feet (sf) or greater of nonresidential development or have the potential to generate 1,000 or more average daily vehicle trips?*

The project will not include equipment or processes that would produce noise levels above ambient at the property line. Any additional traffic noise resulting from an increase in visitors to the area would not be significant based on the *LA City CEQA Thresholds*, screening criteria discussed above. This impact would be less than significant.

Additionally, with concern for noise level increase due to sound reflection, the battleship is a low profile ship, therefore, it sits low in the water. Those parts of the battleship that are above water, specifically above the land side berth, are small (the tower) and do not have any large flat or concave surfaces which would contribute to noise reflection or vibration increases. In comparison to container ships and cruise ships which have previously docked at berth 87 intermittently,

the *Iowa* is much smaller in scale. The cruise ships and container ships have a greater surface area for noise vibrations and reflections like a wall. The surface of the *Iowa* has many curves, angles, and blank spaces. Therefore impacts would be less than significant.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Potential construction of the Visitor Center would increase ambient noise levels temporarily. This increase would only be temporary and would not be substantially greater than the ambient noise levels of an active port. Based on the screening criteria discussed in response (c) above, this impact would be less than significant.

e) For a project located within 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?

No Impact. The proposed project would not be located within an airport land use plan area or within two miles of a public airport or public use airport. The closest public airport, Long Beach Airport, is located approximately nine miles northeast of the proposed project site. Therefore, no impact would occur.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed project would not be located within the vicinity of a private airstrip. The closest private use airport is the Torrance Municipal Airfield located approximately 5.5 miles to the northwest. Therefore, the proposed project would not result in the exposure of people working in the proposed project area to excessive noise levels.

5.10 Population and Housing

Would the project:

a) Induce substantial 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 establish residential uses at the site and would not require substantial expansion of roads or other infrastructure. The proposed project involves the potential construction of a visitor center and mooring the USS *Iowa* year-round as a tourist attraction. The proposed project would not result in a major employment center that would require the relocation of a substantial number of people from outside of the region. Therefore, the

proposed project would not induce substantial population growth either directly or indirectly. No impact would occur.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no housing units on site. No housing would be displaced and therefore, no replacement housing would be constructed. No impact would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. There are no housing units on site. No individuals will be displaced by the implementation of the proposed project and no construction of replacement housing will be required. As a result, no impacts would occur.

5.11 Public Services

Would the project:

a) 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:

Fire protection?

Less Than Significant Impact. The Los Angeles Fire Department (LAFD) currently provides fire protection and emergency services for the proposed project area. LAFD facilities in the vicinity of the proposed project site include land-based fire stations and fireboat companies. Fire Station 112 is located adjacent to the project area, on Berths 85 and 86. Existing fire resources are adequate to serve proposed project. Impacts would be less than significant.

Police protection?

Less Than Significant Impact. The Los Angeles Harbor Department Port Police (Port Police) and the Los Angeles Police Department (LAPD) both provide police services to the Port. The Port Police is the primary responding agency in the Port and is responsible for operations within the Port's property boundaries. Port Police headquarters is located in the LAHD administration building at 425 South Palos Verdes Street in San Pedro, approximately 1,500 feet from the proposed project. The proposed project will not create a substantial amount of new development requiring police to patrol the area, existing police

resources are adequate to serve the proposed project and impacts are less than significant.

Schools?

Less Than Significant Impact. The proposed project would not involve residential development that would increase the demand for additional or modified school facilities. Therefore, no impact will occur.

Parks?

Less Than Significant Impact. The proposed project would provide visitors an opportunity to tour a WWII battleship and could potentially result in increased demand on Port services. Increases in tourism could increase the demands on the surrounding parks due to greater needs for facilities; however, these impacts would be considered less than significant.

Other public facilities?

Less Than Significant Impact. The proposed project is not expected to significantly increase the demands on other public facilities. Therefore, impacts are considered less than significant.

5.12 Recreation

Would the project:

- a) *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?*

Less Than Significant Impact. The proposed project would include new recreational amenities, including a Visitor Center and the USS *Iowa*. The demand for parks is generally associated with the increase of housing or population into an area. The proposed project would not include residential uses, however, visitors and workers at the proposed project site could potentially add to visitors of nearby parks and related recreational facilities. However, the increased “wear and tear” to recreational facilities relative to the increased number of visitors would not cause a significant impact.

5.13 Traffic

Would the project:

- a) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Air traffic patterns would not be affected by the proposed project since no airports or runways are located within the vicinity of the proposed project.

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

No impact. No construction of roadways is proposed as part of the project, therefore, no hazards related to design features or incompatible uses would occur.

5.14 Utilities and Service Systems

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project would be required to conform to all applicable wastewater standards set forth by the Los Angeles Regional Water Quality Control Board (LARWQCB). The proposed project would result in the generation of additional wastewater from the temporary structures and the Visitor Center. The project would tie into existing sewer lines that may or may not require capacity expansion. Wastewater would likely flow to the Terminal Island Treatment Plant, which is operated by the city's Department of Public Works Bureau of Sanitation. The Terminal Island Facility currently treat approximately 29 million gallons per day (mgd) of wastewater and has a peak design capacity of 50 mgd.² The proposed project would not alter the current discharge or wastewater treatment requirements. No population increase would result from the construction and operation of the proposed project. It would not provide new housing or a large number of employment opportunities. The proposed project would not exceed wastewater treatment requirements of the LARWQCB. The impact would be less than significant.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than Significant Impact. The proposed project would increase the demand for potable water and would increase the generation of wastewater. However, existing water supplies are sufficient to meet increased water demand and the existing wastewater treatment facilities could accommodate the increased generation of wastewater. According to the 2005 Urban Water Management Plan, under wet, average, and dry years throughout the 25-year projection period, Los Angeles Department of Water and Power's (LADWP) supply portfolio is expected to be reliable, with adequate supplies available to meet projected

² LA RWQCB Harbor Water Recycling Project – Nonpotable Reuse Project File No. 02-159 Order No. R4-2003-0025

demands through 2030 (DWP 2005). Impacts in this regard would be less than significant.

- c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant Impact. The existing storm drainage system at the project site allows for discharge of untreated runoff. The parcel is entirely asphalt paved and fenced. The proposed project would not require construction of new or improved stormwater culverts or drainage facilities, nor will it substantially increase the amount of stormwater runoff. Therefore, the construction of new stormwater drainage facilities is not necessary and any impacts would be less than significant.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Less Than Significant Impact. As discussed above, existing water supplies are sufficient to meet the water demands of the proposed project. Impacts would be less than significant.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact. Wastewater generated by the USS *Iowa* and Visitor Center is not likely to exceed the existing wastewater treatment provider's current capacity. This land use at this site was previously analyzed in the approved *San Pedro Waterfront EIS/EIR*. Therefore, this impact is expected to be less than significant.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Less Than Significant Impact. The USS *Iowa* and Visitor Center's waste disposal needs are not expected to exceed the permitted landfill capacity. As previously stated, this land use at this site was previously analyzed in the approved *San Pedro Waterfront EIS/EIR*. Project related impacts associated with the solid waste generated by the proposed project will be less than significant.

- g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

Less Than Significant Impact. All development would be required to comply with federal, state, and local statutes relative to solid waste disposal. Materials required to be hauled offsite, would comply with these statutes and regulations. Less than significant impacts would occur in this regard.