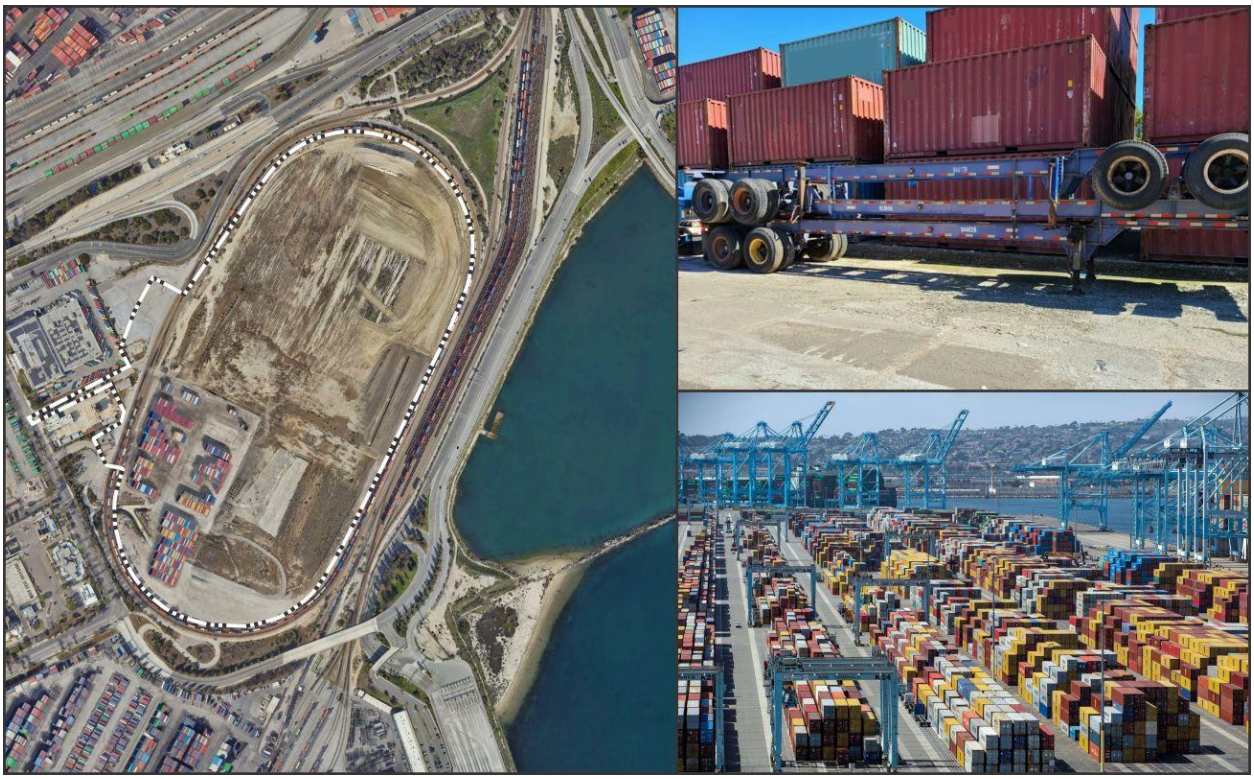
FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Terminal Island Maritime Support Facility Project



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TRANSMITTAL 2

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Chapter 1
Introduction

These Findings of Fact have been prepared by the Los Angeles Harbor Department (LAHD) as the Lead Agency pursuant to Section 21081 of the Public Resources Code (PRC) and Section 15091 of the State of California Environmental Quality Act (CEQA) Guidelines (14 Cal. Code of Regs. [CCR], § 15000 et. seq.), to support a decision to adopt the Terminal Island Maritime Support Facility (TIMSF) Project (Proposed Project) considered in the Environmental Impact Report (EIR). PCR Section 21081 and State CEQA Guidelines Section 15091 states that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant adverse environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. Lead Agencies must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other considerations, such as region-wide or statewide environmental benefits, of the project outweigh the unavoidable significant adverse environmental effects, thereby rendering them "acceptable" to the decisionmaker. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

These Findings of Fact are based on substantial evidence in the record of proceedings, including the evaluations and impact determinations made in the EIR prepared pursuant to CEQA. CEQA requires the decision-making agency, in this case the Board of Harbor Commissioners (Board), to state in writing the specific reasons to support approval of a project that outweigh the unavoidable significant environmental impacts. The CEQA Findings and Statement of Overriding Considerations must be supported by substantial evidence in the record. (PRC Section 21081(b); State CEQA Guidelines Section 15093).

Chapter 2
Project Overview

This chapter describes the Proposed Project which staff recommends for adoption as analyzed in the Terminal Island Maritime Support Facility (TIMSF) Project EIR. The EIR analyzes the reasonably foreseeable and potentially significant adverse environmental impacts of construction and operation of the Proposed Project.

2.1 Background

LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, §601) and the California Coastal Act (PRC Division 20, §30700 et seq.), which identify the Port and its facilities as a primary economic and coastal resource of the State of California and an essential element of the national maritime industry for the promotion of commerce, navigation, fisheries, and harbor operations. Activities should be water-dependent, and LAHD must give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce. LAHD is chartered to develop and operate the Port to benefit maritime uses. It functions as a landlord by leasing Port properties to more than 300 tenants.

2.2 Project Purpose

State CEQA Guidelines Section 15124(b) requires that an EIR's project description contain a statement of objectives sought by the proposed project, including the underlying purpose of the project. As explained in the EIR, the purpose of the Proposed Project is to develop and operate a chassis support facility, to reduce inefficiency in chassis trips and overall Port operations, and to provide a full-service depot that optimizes land use within the Port. To meet that purpose, the Proposed Project would construct and operate a chassis support facility on Terminal Island.

2.3 Project Objectives

To achieve its purpose, the Proposed Project has the following objectives:

- issue a Term Permit or Permits for the operation of a chassis support facility or facilities for up to 25 years;
- optimize the use of existing land to support chassis storage;

- reduce inefficient chassis trips: currently, bobtails (truck tractors) are sometimes not able to obtain a chassis in the terminal and need to go to another terminal to retrieve a chassis and then return to the same terminal to retrieve a container, thus resulting in additional inefficient truck trips and vehicle miles traveled;
- provide a full-service depot that would increase the efficiency of terminal operations by providing storage, maintenance, repair, and stop/start functions of chassis, and/or wheeled empty container storage;
- advance POLA's zero-emission cargo-handling equipment goals by requiring their exclusive use at the site by January 1, 2030.

2.4 Project Description

The approximately 89.2-acre Project site is located at 740 Terminal Way in San Pedro, CA 90731 on Terminal Island in the Port of Los Angeles (POLA or Port).

The Proposed Project would be constructed over a period of approximately 24 months. Construction activities would include:

- installation of asphalt concrete to pave approximately 73 acres of the 89.2-acre site for backland storage use;
- installation of stormwater drainage and sewage systems in compliance with the City of Los Angeles Low Impact Development (LID) Ordinance and City of Los Angeles Bureau of Sanitation (LA Sanitation & Environment) requirements;
- installation of approximately 7,000 linear feet (lf) of chain-link fencing for the perimeter of the site (additional chain link fencing on k-rails would be required to separate areas for different operators, if necessary);
- installation of approximately 3,600 chassis stalls (e.g., parking spaces) at 90 degrees, plus chassis/bombcart wheeled storage stalls, forklift, and utility tractor rig (UTR) parking;
- installation of 40 high mast light poles (maximum height of 100 feet);
- as-needed installation of vaults, switchgears, transformers, associated concrete pads/foundations, and conduit for electrical connections;
- installation of approximately 40 fire hydrants;
- installation of charging and fueling infrastructure;
- construction of a Los Angeles Department of Water and Power (LADWP) substation;
- construction of up to two approximately 10-foot by 40-foot office/welfare buildings;
- installation of up to four corrugated metal Maintenance and Repair (M&R) canopies;
- construction of up to four approximately 30-foot tall, 16,000 sf, neutral tone steel canopy structures above a concrete foundation for use as roadability canopies, an

accompanying roadability support area (roadability center), up to eight approximately 200-sf longshore restrooms, and up to eight approximately 300-sf guard booths; and

- interior modification (e.g., replace carpet, repair utilities, repaint interior, etc.) of an approximately 2,900-square-foot (sf) office building at 750 Eldridge Street that can be shared among multiple operating companies/tenants (existing potable water connection, toilets, sinks, and sanitary sewer are available).

Under the Proposed Project, a chosen operating company/tenant (or multiple companies/ tenants) would operate a chassis support facility, which could provide chassis storage, M&R facilities, and/or wheeled empty container storage, as noted above. Yard equipment to support operations would include fourteen 30,000-pound forklifts, fourteen 10,000-pound forklifts, and two UTRs. A total of 80 employees is estimated for operation of the Proposed Project in 2029, with approximately 105 employees under full buildout (year 2049) conditions. When operated entirely as a chassis yard, the TIMSF would serve up to an estimated 3,682 and 6,838 truck trips per day, under opening year (year 2029) and year 2049 conditions, respectively. Operations would occur under a new entitlement(s) for up to 25 years. The EIR's analysis of operations assumed a single operator, although it is possible that multiple operators may be proposed in the future.

As part of the Project, the existing vacant Eldridge Street office building (750 Eldridge Street, San Pedro) would also be refurbished to support operations. The Project includes a Port Master Plan (PMP) amendment as part of the necessary entitlements to change the land use designation within the "loop" to a dual designation of Container and Maritime Support.

Chapter 3
CEQA Findings

3.1 Environmental Impacts of the Proposed Project

The Findings of Fact are based on information contained in the Final EIR for the Proposed Project, as well as substantial evidence contained within the administrative record. The administrative record includes, but is not limited to, the Proposed Project application, Project staff reports, reports and technical studies referenced in the Draft EIR, Partially Revised and Recirculated Draft EIR, and Final EIR, Project public hearing records, Project public notices, written comments on the Project and responses to those comments, proposed decisions and findings on the Proposed Project, and other documents relating to the agency decision on the Project. The above referenced documents are in the care of the Director of Environmental Management, Los Angeles Harbor Department, 425 South Palos Verdes Street, San Pedro, California 90731. (State CEQA Guidelines, §15091, subd. (e)).

The Draft EIR identified and considered the reasonably foreseeable and potentially significant adverse environmental effects of the Proposed Project and was circulated for public review and comment for a period of 45 days. Comments were received from the California Air Resources Board (CARB), California Coastal Commission (CCC), California Department of Transportation (CALTRANS), California Department of Toxic Substances Control (DTSC), and South Coast Air Quality Management District (SCAQMD). After considering the comments received, including comments from CARB and SCAQMD, the LAHD directed the consultant team to conduct additional modeling and analysis which was circulated for an additional 45 days of public review and comment as part of the Partially Revised and Recirculated Draft EIR.

The Final EIR (also referred to as the "EIR") incorporates the Draft EIR, Partially Revised and Recirculated Draft EIR. The Final EIR also includes a list of persons, organizations, and public agencies that commented during the public review and comment periods; responses to all comments received during the public review periods (see Final EIR Chapter 10, *Responses to Comments*); and final revisions to the EIR resulting from the comments received on both documents.

The following sections provide a summary of the environmental impacts of the Proposed Project as discussed in the EIR and written findings for each of the significant impacts accompanied by a brief explanation of the rationale for each finding.

3.1.1. Environmental Impacts Found to Be Significant and Unavoidable

The EIR concludes that some, but not all, impacts of the Proposed Project in the following environmental resource area would remain significant and unavoidable despite incorporation of all feasible mitigation measures:

- Air Quality (operational nitrogen oxides [NOx])

The Board hereby finds that, despite the incorporation of all feasible mitigation measures, the Project's operational NOx emissions will remain significant and unavoidable as shown in Table 1. Table 1 includes the required mitigation measures (designated "MM") and project features (designated "PF") and lists the remaining impacts after mitigation.

Mitigation measures are measures that the CEQA lead agency (in this case, the LAHD) must impose "to substantially lessen or avoid [a project's] significant effects on the environment" (State CEQA Guidelines §15021(a)). CEQA imposes the duty on lead agencies not to approve projects unless there are feasible mitigation measures available that would avoid or substantially lessen any significant adverse effects that the project would have on the environment (State CEQA Guidelines §15021(a)(2)) and provides the lead agency with the authority to impose mitigation for significant impacts consistent with constitutional requirements. (State CEQA Guidelines §15041(a)). Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (State CEQA Guidelines §15126.4, subd. (a)(2)).

A project feature (PF) is imposed as a requirement within lease agreements issued by the LAHD to future tenant(s) of the proposed TIMSF. Project features are specific to a particular project and are enforced through lease agreements. As such, any future tenant that does not conform with the required project features would be in violation of the Permit/Lease. Project features generally function as conditions to project approvals and permit issuance and are therefore not necessarily adopted for the purpose of further mitigating a project-specific significant environmental impact.

Table 1. Significant and Unavoidable Adverse Environmental Impacts for the Proposed Project

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation	Project Features
Air Quality (operational NOx)				
AQ-3: The Proposed Project would result in operational emissions that exceed South Coast Air Quality Management District (SCAQMD) peak day regional emission thresholds of significance	Operation emissions would be significant for NOx in all operational years	**MM AQ-1:** Zero-Emission Cargo-Handling Equipment	Impacts would remain significant and unavoidable for NOx in all operational years	**PF AQ-1:** Zero-Emission Operational Equipment

3.1.2. Environmental Impacts Found to Be Less Than Significant after Mitigation

The EIR concludes that significant impacts of the Proposed Project to the following environmental resources would be less than significant after mitigation:

- Greenhouse Gas Emissions
- Hazards and Hazardous Materials

The Board hereby finds that the following environmental impacts of the Proposed Project would be less than significant after implementation of mitigation measures, as summarized in Table 2, which also lists the mitigation measures applied and the impacts after mitigation.

Table 2. Significant Environmental Impacts that Can be Mitigated to Less Than Significant for the Proposed Project

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation	Project Features
Greenhouse Gas Emissions				
GHG-1: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment	Significant	**MM GHG-1:** GHG Reduction Offsets **MM AQ-1:** Zero-Emission Cargo-Handling Equipment	Less Than Significant	**PF AQ-1:** Zero-Emission Operational Equipment
Hazards and Hazardous Materials				
HAZ-1: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and create a significant hazard to the public or the environment	Significant	**MM HAZ-1:** Characterize Soil, Soil Vapor, and Groundwater Contamination	Less Than Significant	N/A

3.1.3. Environmental Impacts Found to Be Less Than Significant without Mitigation

The Board finds that the following environmental impacts of the Proposed Project would be less than significant, or that there would be no impact, and hereby makes the same findings based on the conclusions in the Final EIR, as summarized in Table 3. No mitigation measures are required for impacts that are less than significant (State CEQA Guidelines §15126.4(3)(a)).

Table 3. Less Than Significant Environmental Impacts of the Proposed Project

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation	Project Features
Air Quality and Health Risk				
AQ-1: Result in emissions that exceed the SCAQMD regional thresholds of significance for construction emissions	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation	Project Features
AQ-2: Result in construction off-site ambient air pollutant concentrations that exceed the SCAQMD thresholds of significance	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A
AQ-4: Result in operational off-site ambient air pollutant concentrations that exceed SCAQMD thresholds of significance	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A
AQ-5: Expose receptors to significant levels of TACs	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A
AQ-6: Conflict with or obstruct implementation of an applicable air quality plan	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A
Energy				
EN-1: Wasteful, inefficient, or unnecessary consumption of energy resources	Less Than Significant	Mitigation Not Required **MM AQ-1:** Zero-Emission Cargo-Handling Equipment	Less Than Significant	**PF AQ-1:** Zero-Emission Operational Equipment
Greenhouse Gas Emissions				
GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions	Less Than Significant	Mitigation Not Required	Less Than Significant	N/A

3.2 Findings Regarding Environmental Impacts Found to Be Significant and Unavoidable

The EIR concludes that unavoidable significant impacts on the following environmental resources would occur if the Proposed Project is adopted and implemented:

- Air Quality (operational NOx)

All available feasible mitigation measures and project features have been incorporated into the Proposed Project to reduce this significant impact. However, even with the incorporation of all feasible mitigation measures and project features, impacts from regional operational NOx related air quality emissions would remain significant and unavoidable both on a direct and cumulative basis. In light of specific environmental, legal, technological, and other considerations, the Board intends to adopt a Statement of Overriding Considerations (see Chapter 1, *Introduction*, for additional details). The impacts, mitigation measures, project features, findings, and rationale for the findings are presented below for the significant and unavoidable impact identified in the Final EIR.

3.2.1. Air Quality and Health Risk

As discussed in the Final EIR Section 3.1, *Air Quality and Health Risk*, there would be one unavoidable significant impact to air quality related to operation of the Proposed Project; no significant unavoidable impacts related to health risk would occur. As discussed below, the identified feasible mitigation measure and project feature for the significant and unavoidable impact to air quality would not reduce the impact to a less-than-significant level.

Impact AQ-3: The Proposed Project would result in operational emissions that exceed South Coast Air Quality Management District (SCAQMD) peak day regional emission thresholds of significance [for NOx].

As shown in Final EIR Table 3.1-7, emissions from the Proposed Project's peak daily operations would exceed SCAQMD significance thresholds for NOx in years 2029 (opening year) and 2049 (full buildout year) prior to, and after, mitigation. The largest contributors to peak daily operational emissions in all analysis years would be vehicles traveling to the Project site and off-road equipment for cargo handling (on-site). Those emissions are not assumed to decline from year 2029 to 2049 as vehicle trips will increase at full buildout. Accordingly, air quality impacts associated with Proposed Project's daily peak operations would be significant for NOx in all analysis years prior to the application of mitigation and project features.

Finding

The Board hereby finds that changes or alterations have been required in or incorporated into the Proposed Project that would reduce the significant environmental impacts identified in the Final EIR to the extent feasible. The implementation of the following LAHD mitigation measures and project features would reduce Project-related emissions, but not to less-than-significant levels for NOx emissions.

- **PF AQ-1: Zero-Emission Operational Equipment.** All yard equipment would be required to be zero emissions by January 1, 2030. Any diesel operations would cease by December 31, 2029, and would be tracked and enforced once an entitlement is issued. A 100 percent transition to zero emissions by January 1, 2030, shall be required, and any non-conforming equipment used or acquired after this date would be considered a breach of the Permit/Lease conditions.
- **MM AQ-1: Zero-Emission Cargo-Handling Equipment.** At the start of operation, Tenant shall utilize zero-emission cargo-handling equipment (CHE) for Project operations. If the Tenant determines that specific CHE types cannot feasibly be deployed due to operational or infrastructure constraints, the Tenant shall provide a written report detailing the evidence and supporting documentation concerning feasibility and other relevant factors within 90 calendar days. The feasibility determination shall be subject to mutual agreement between the Board of Harbor Commissioners and Tenant, which shall not be unreasonably withheld by Tenant.

  All CHE operated on site shall be zero emissions starting January 1, 2030.

  In the event an applicable law comes into effect that requires the cargo-handling equipment used on site to be zero-emission equipment, the applicable law would govern.

The Final EIR also considers the mitigation measures suggested by public comments. The EIR's consideration of those measures is presented in Chapter 10, *Responses to Comments*, of the Final EIR and summarized in these Findings.

A suggested measure related to air quality included mandating a phased transition to an all zero-emission drayage truck fleet (see comment CARB-5). LAHD evaluated this proposed measure for feasibility, including whether it could be accomplished in a successful manner within a reasonable period of time, taking into account environmental, legal, and technological factors. In the responses to those comments, the Final EIR (Chapter 10, *Responses to Comments*) explained why the suggested measure related to on-road drayage trucks was infeasible; namely, because neither LAHD nor prospective Tenant(s) would own or control the drayage trucks that will utilize the proposed TIMSF.

Additionally, the Port has committed to a goal of transitioning the drayage fleet to zero-emissions technologies by 2035. The Final EIR also pointed out that PF AQ-1 (*Zero-Emission Operational Equipment*) and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*) would result in the incorporation of zero-emissions technologies into the Project's operational equipment and modified those measures to provide more certainty in their implementation.

The Board finds that specific environmental, legal, technological, or other considerations make infeasible additional mitigation measures or project features.

Rationale for Finding

Changes or alterations have been incorporated into the Proposed Project in the form of PF AQ-1 (*Zero-Emission Operational Equipment*) and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*), which would reduce the peak daily operational NOx emissions impact and represent feasible means to reduce air pollution impacts from the Proposed Project's operational sources. All mitigation measures and project features determined to be feasible by LAHD have been identified in the Final EIR.

3.3 Findings Regarding Environmental Impacts Found to Be Less than Significant after Mitigation

The Final EIR concludes that less-than-significant impacts would occur after mitigation on the following environmental resources if the Proposed Project was implemented.

- Greenhouse Gas Emissions
- Hazards and Hazardous Materials

The following Findings pertain to environmental impacts of the Proposed Project for which mitigation measures have been identified in the Final EIR that will avoid or substantially lessen the significant adverse environmental effects of the Project to less than significant.

3.3.1. Greenhouse Gas Emissions

As discussed in Final EIR Section 3.3, *Greenhouse Gas Emissions*, there would be one significant impact to Greenhouse Gas (GHG) emissions that would be reduced to a less-than-significant level as a result of a mitigation measure incorporated into the Proposed Project. The impact and the mitigation measure are discussed below.

Impact GHG-1: The Proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment with mitigation incorporated.

The Proposed Project would generate GHG emissions from construction activities, operational transportation, energy, waste disposal, and area sources (such as on-site equipment). The activities associated with the Proposed Project include mobilizing construction equipment, crews, and materials, and would require use of motor vehicles and off-road equipment during all construction activities and clean-up. These activities would cause GHG emissions due to fuels used by the construction vehicles and off-road equipment. The different sources include diesel-powered off-road equipment, gasoline-powered construction vehicles and equipment including on-highway trucks and autos for moving crews, equipment, materials, for water and fuel delivery, and helicopters. Equipment and motor vehicles would directly emit CO_2, CH_4, and N_2O due to fuel use and combustion.

Finding

The Board hereby finds that changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the environmental effect identified in the Final EIR to the extent feasible. Implementation of the following mitigation measures and project feature would reduce Project impacts from the generation of GHG emissions to a less-than-significant level.

- **MM GHG-1: GHG Reduction Offsets.** The Tenant(s) and/or LAHD shall be required to purchase and retire carbon offsets related to activities that reduce, avoid, destroy, or sequester an amount of GHG emissions in an off-site location to offset the equivalent amount of GHG emissions generated by the Project in excess of the LAHD's significance threshold of 10,000 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year. From the first year of the Permit, through the end of the term of the Permit, the Tenant(s) and/or LAHD shall purchase and retire carbon offsets each year in an amount that would be the equivalent of the Project's estimated residual GHG emissions. The estimated residual emissions for each calendar year shall be based upon the calculations in Appendix B1 of the Final EIR prepared for the Project except as adjusted in accordance with paragraph (a) or (b), below.

  The LAHD is in the process of developing a Greenhouse Gas Program. The Program shall be used for GHG-reducing projects and programs approved by the Port of Los Angeles. If that Program is established during the term of the Permit, the Tenant(s) and/or LAHD shall have the option to offset the required amount of GHG emissions through a funding contribution to the Greenhouse Gas Program rather than towards purchasing carbon offsets from a CARB-recognized registry.

While the LAHD Greenhouse Gas Program is currently under development, the Tenant(s) and/or LAHD shall purchase and retire carbon offsets from a CARB-recognized offset registry as follows:

Carbon offsets: The Tenant(s) and/or LAHD shall purchase and retire carbon offsets from a CARB-recognized registry to ensure that offsets will result in real, permanent, additional, quantifiable, verifiable, and enforceable reductions. The carbon offsets shall be verifiable and enforceable in accordance with the registry's applicable standards, practices, or protocols.

The order of priority for purchasing (any one or more) carbon offsets shall be considered as follows:

(i) Originating within the local area;

(ii) Originating within the South Coast Air Basin;

(iii) Originating within the state of California; or

(iv) If sufficient local and in-state offsets are not available, conforming national offsets registered with a CARB-recognized registry.

Adjustment of the Project's Required Offsets through Other Verified GHG Emission Reductions: The Tenant(s) and/or LAHD may pursue the following modifications to the Project's total estimated GHG emissions identified in this measure. These modifications may be pursued in conjunction with or independent of each other on an up to annual basis.

(a) Adjustment in GHG Emissions

In the event of changes in activities, efficiency, reduced operations, regulations or for any other purpose, an adjustment of the required carbon offsets may be requested based on an evaluation of actual GHG emissions rather than future projected GHG emission calculations in the Final EIR. If the actual GHG emissions do not exceed the significance threshold of 10,000 $MTCO_2e$ per year, no carbon offsets shall be required. To adjust the required number of carbon offsets for purchase by the Tenant(s), the Tenant(s) shall make a request in writing to the LAHD for review and approval for the calendar year under consideration and shall submit a report within 60 days that quantifies the actual GHG emissions by an expert or an independent, qualified third-party. The evaluation of actual GHG emissions must be performed using acceptable industry standards and protocols for all sources that were included in the Project's GHG emissions calculations under Impact GHG-1. LAHD review shall occur within 30 days of receipt of the submitted report. Any expenses incurred by LAHD in processing the request, including retaining an independent third-party verifier to peer review the report, shall be borne by the Tenant(s). Alternatively, LAHD may implement a review for its own purpose, subject to the same quantification process described above, to adjust GHG emissions at any time during the life of the Project.

or

(a) Implementation of Additional GHG Reduction Methods

In addition, the Tenant(s) may request a reevaluation of required carbon offsets to be purchased according to this paragraph. The Tenant(s) may implement different and additional GHG reduction methods if new technology and/or other feasible measures

become available during the term of the Permit. To adjust the required number of carbon offsets for purchase, the Tenant(s) shall identify such additional GHG reduction actions and must quantify the GHG emission reductions from these GHG reduction actions by an independent, qualified third-party verifier. Once the GHG reduction actions are found to be feasible and are reviewed and approved by LAHD staff, the Tenant(s) may request that LAHD reduce its required purchase of carbon offsets by the equivalent amount of demonstrated reduction. Any expenses incurred by LAHD in processing the request, including retaining a third-party verifier, shall be borne by the Tenant(s).

Additionally, to reduce air pollutant emissions, the Proposed Project would require the use of zero-emission operational equipment by January 1, 2030 with the following Project Feature, which would also reduce operational GHG emissions.

- **PF AQ-1: Zero-Emission Operational Equipment.** All yard equipment would be required to be zero emissions by January 1, 2030. Any diesel operations would cease by December 31, 2029, and would be tracked and enforced once an entitlement is issued. A 100 percent transition to zero emissions by January 1, 2030, shall be required, and any non-conforming equipment used or acquired after this date would be considered a breach of the Permit/Lease conditions.

Additionally, MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*) identified for air quality impacts in Section 3.1, *Air Quality and Health Risk*, would require early electrification of cargo-handling equipment, depending on feasibility, and reduce operational GHG emissions.

- **MM AQ-1: Zero-Emission Cargo-Handling Equipment.** At the start of operation, Tenant shall utilize zero-emission cargo-handling equipment (CHE) for Project operations. If the Tenant determines that specific CHE types cannot feasibly be deployed due to operational or infrastructure constraints, the Tenant shall provide a written report detailing the evidence and supporting documentation concerning feasibility and other relevant factors within 90 calendar days. The feasibility determination shall be subject to mutual agreement between the Board of Harbor Commissioners and Tenant, which shall not be unreasonably withheld by Tenant.

  All CHE operated on site shall be zero emissions starting January 1, 2030.

  In the event an applicable law comes into effect that requires the cargo-handling equipment used on site to be zero-emission equipment, the applicable law would govern.

Rationale for Finding

Changes or alterations have been incorporated into the Proposed Project in the form of MM GHG-1 (*GHG Reduction Offsets*), which requires the purchase of carbon offsets for the quantity of Project emissions generated in excess of LAHD's significance threshold of 10,000 $MTCO_2e$ per year. MM GHG-1 (*GHG Reduction Offsets*) would reduce GHG impacts to a less-than-significant level. Additionally, implementation of the zero-emission equipment requirements identified in PF AQ-1 (*Zero-Emission Operational Equipment*) and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*) would further reduce GHG emissions during Project operations.

3.3.2. Hazards and Hazardous Materials

As discussed in Final EIR Section 3.4, *Hazards and Hazardous Materials*, there would be one significant impact to Hazards and Hazardous Materials that would be reduced to a less-than-significant level as a result of a mitigation measure incorporated into the Proposed Project. The impact and the mitigation measure are discussed below.

Impact HAZ-1: The Proposed Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and create a significant hazard to the public or the environment.

The Project site is identified as being located within a City-defined methane zone and methane buffer zone. Ground-disturbing activities during construction may have the potential to encounter elevated levels of methane gas, which could create a hazardous condition for construction workers. This potential hazard impact to construction workers would be potentially significant before mitigation.

Finding

The Board hereby finds that changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the environmental effect identified in the Final EIR to the extent feasible. Implementation of the following LAHD mitigation measure and compliance with Los Angeles Department of Building and Safety General Methane Mitigation Requirements (Los Angeles Municipal Code Section 91.7103) would reduce Project impacts from contaminated soil, groundwater, and soil vapor to a less-than-significant level.

- **MM HAZ-1: Characterize Soil, Soil Vapor, and Groundwater Contamination.** Prior to construction, Los Angeles Harbor Department (LAHD) or its contractor shall conduct soil and groundwater sampling and testing in areas of Project ground disturbance. Soil and groundwater testing shall include, at a minimum, testing for total petroleum hydrocarbons (TPH), Title 22 metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), organochlorine pesticides, perfluoroalkyl and polyfluoroalkyl substances (PFAS), and any other contaminants of determined to be of concern. Analytical testing shall be performed by a laboratory certified by the Environmental Laboratory Accreditation Program. Any soil and groundwater determined to be contaminated would be handled, stored, transported, and reused or disposed of in compliance with the Soil Management Plan, and applicable California law, including as hazardous waste for soil meeting California's hazardous waste criteria. Contamination identified outside or along the boundaries of Project ground disturbance shall be managed only to the extent necessary to support construction activities, identify vapor intrusion potential at future buildings, and protect future occupants.

  Once the final building locations and dimensions are known and prior to design, subsurface vapor sampling of VOCs, oxygenates, methane, and gasoline range organics, at a minimum, shall be conducted at the final building locations in conformance with "DTSC/LARWQCB Site Characterization Advisory, Active Soil Gas Investigations" (2012, revision 2015). Vapor data should then be evaluated using DTSC 2011 "Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air" and the February 2023 "Supplemental Guidance: Screening

and Evaluating Vapor Intrusion" to determine if a vapor intrusion mitigation system (VIMS) should be installed at the building locations. Soil vapor sampling and evaluation shall be conducted by an experienced licensed professional. If a VIMS is determined to be required, the Project design shall be modified to incorporate a DTSC-approved VIMS in all buildings. Ongoing VIMS monitoring, such as quarterly sampling of vapor probes installed above and below barrier, shall be conducted and results reported to South Coast Air Quality Management District.

DTSC suggested the addition of perfluoroalkyl and polyfluoroalkyl substance (PFAS) testing as a mitigation measure to reduce potential impacts from hazardous materials known to exist in the vicinity of the Project site (see comments DTSC-1). LAHD would conduct PFAS testing at the Project site in accordance with DTSC's comment. MM HAZ-1 has been revised to specify PFAS testing as part of its requirements for characterization of the soil, soil vapor, and groundwater contamination.

Rationale for Finding

Changes or alterations have been incorporated into the Proposed Project in the form of **MM HAZ-1**, which would reduce potentially significant impacts to construction workers and operational employees to a less-than-significant level. **MM HAZ-1** requires characterization of contaminated soil, groundwater, and soil vapor in the area of Project disturbance, and where Project building and structures would be built to allow for implementation of appropriate handling, storage, reuse or disposal, including use of suitable personal protective equipment by workers, and proper design of a VIMS and vapor monitoring if needed.

3.4 Cumulatively Considerable Impacts

State CEQA Guidelines Section 15130 requires an analysis of the Project's contribution to significant and unavoidable cumulative impacts. Cumulative impacts include "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (State CEQA Guidelines §15355). According to State CEQA Guidelines Section 15130(b): "The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness..." The information presented in Final EIR Chapter 4, *Cumulative Analysis*, meets this criterion.

As shown on Final EIR Figure 4-1 and detailed in Final EIR Table 4-1, a total of 36 current or reasonably foreseeable future projects (approved or proposed) were identified in the Ports of Los Angeles and Long Beach as well as the community of San Pedro.

The discussion below identifies cumulatively significant impacts that can either be mitigated to a less-than-significant level or that cannot be mitigated to a less-than-significant level and represent significant unavoidable impacts. All feasible mitigation measures to reduce or avoid the cumulatively considerable contribution of the Proposed Project to these impacts have been required in, or incorporated into, the Proposed Project. However, even with the incorporation of all feasible mitigation and project features,

cumulative impacts to these environmental resources would remain significant and unavoidable.

The Board has determined that no additional feasible mitigation measures, project features, or project alternatives would reduce significant cumulative impacts to less-than-significant levels, and—in light of specific environmental, legal, technological, and other considerations—the Board intends to adopt a Statement of Overriding Considerations (see Chapter 1, *Introduction*, for additional details). The impacts, mitigation measures, project features, findings, and rationale for the findings for all significant and unavoidable cumulative impacts identified in the Final EIR are summarized in Table 4 and discussed below. The Final EIR (Chapter 4, *Cumulative Analysis*) determined that the Proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact in any resource areas other than air quality (Final EIR Table 4-2). A summary analysis of the cumulative impacts of resource areas for which the Notice of Preparation/Initial Study (NOP/IS) determined that the Proposed Project's potential impacts would be less than significant is included in Section 3.4.2.

Table 4. Summary Matrix of Significant and Unavoidable Cumulative Impacts, Mitigation Measures, and Residual Impacts for the Proposed Project

Resource Area	Environmental Impacts	Proposed Project Impacts	Applied Mitigation Measures/Project Features	Cumulative Analysis for Proposed Project
Air Quality (operational NOx)	**AQ-3**: Would operation of the Proposed Project or alternatives result in operational emissions that would make a cumulatively considerable contribution to a significant cumulative impact from exceedance of SCAQMD peak day regional emission thresholds of significance?	Operation emissions would be significant for NOx in all operational years	**PF AQ-1:** Zero-Emission Operational Equipment **MM AQ-1:** Zero-Emission Cargo-Handling Equipment	Cumulatively considerable contribution to an existing significant cumulative impact related to NOx emissions during operations for the Proposed Project

3.4.1. Air Quality

Cumulative Impact AQ-3: The Proposed Project's operation would make a cumulatively considerable contribution to a significant cumulative impact related to an exceedance of an SCAQMD peak day regional emission threshold of significance.

The Proposed Project's operational emissions would exceed SCAQMD significance thresholds for NOx in all of the analyzed years (Final EIR Table 3.1-7). These impacts would combine with impacts from nearby related projects. As a result, despite the implementation of mitigation measures, the Proposed Project's operational emissions would make a cumulatively considerable contribution to an existing significant cumulative impact for NOx.

Finding

The Board hereby finds that changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. The implementation of PF AQ-1 (*Zero-Emission*

Operational Equipment), and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*), would help reduce cumulatively considerable operational emissions.

Although this project feature and mitigation measure would reduce the cumulative effect of operational emissions, that reduction would not sufficiently reduce the Proposed Project's cumulatively considerable contribution of the impact to a less-than-significant level. In particular, these measures would not reduce NOx emissions to levels below thresholds in all operational years. The Board hereby finds that specific, environmental, legal, social, technological, or other considerations make infeasible additional mitigation measures or Proposed Project alternatives identified in the Final EIR. Even with the incorporation of a feasible project feature and mitigation measure, the Proposed Project would make a cumulatively considerable and unavoidable contribution to an existing significant cumulative impact related to NOx. The cumulative NOx emissions of the Proposed Project would therefore remain significant and unavoidable.

Rationale for Finding

The emissions from cumulative projects would be cumulatively significant if their combined operational emissions would exceed the SCAQMD daily operational emission thresholds. This would be the case for all analyzed criteria pollutants; therefore, the past, present, and future related projects would result in a significant cumulative air quality criteria pollutant impact and the Proposed Project's incremental contribution to that cumulatively significant impact would be cumulatively considerable. PF AQ-1 (*Zero-Emission Operational Equipment*), and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*), would help reduce operational emissions; however, they would not reduce the Proposed Project's contribution below a cumulatively considerable level. Consequently, emissions from operation of the Proposed Project would produce cumulatively considerable and unavoidable contributions to a significant cumulative impact for operational NOx.

3.4.2. Other Cumulative Impacts

The NOP/IS for the Proposed Project evaluated the environmental issues in accordance with State CEQA Guidelines Appendix G and concluded that the Proposed Project's impacts in a number of resource areas would be less than significant and eliminated those areas from further analysis in the Draft EIR. LAHD has determined that it is appropriate to consider the potential for those less-than-significant impacts to make cumulatively considerable contributions to existing significant cumulative impacts. Table 5 summarizes LAHD's conclusions in that regard. The analysis determined that none of the impacts identified as less than significant in the NOP/IS would result in the Proposed Project making a cumulatively considerable contribution to an existing significant cumulative impact.

Table 5. Findings Regarding Cumulative Environmental Impacts Found to Be Less Than Significant

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Aesthetics-1a	Have a substantial adverse effect on a scenic vista?	The existing cumulative condition of the general Project area is highly developed and characterized by industrial uses and does not consist of any protected or designated scenic vistas. The Proposed Project would not substantially alter these existing conditions, as yard equipment and stored chassis at the proposed Maritime Support Facility would not exceed the height of surrounding Port infrastructure. As such, impacts would not be cumulatively considerable.
Aesthetics-1d	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	The Project site is currently unoccupied and does not contain lighting. However, the existing cumulative condition of the general Project area is characterized by bright, intense lighting from adjacent terminal operations. High mast light poles to be constructed under the Proposed Project would not be as bright or intense as boom lights on adjacent terminals. As such, impacts would not be cumulatively considerable.
Air Quality-3d	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	The existing cumulative condition of the general Project area is characterized by industrial uses that result in a variety of emissions, including those leading to odors. Although construction and operations may temporarily cause odors (until the transition to zero-emissions equipment by 2030), there are no sensitive receptors (i.e., homes, hospitals, schools, nursing homes, etc.) located within 0.25 mile of the Project site. As such, impacts would not be cumulatively considerable.
Biology-4a	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?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses that provide very little wildlife or native plant habitat. No special-status plants were observed during surveys in early 2023 and none are expected to be present. As such, impacts would not be cumulatively considerable.
Biology-4b	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?	The existing cumulative condition of the general Project area is characterized by Port industrial uses, which preclude the existence of undisturbed riparian habitat and sensitive natural communities. Mulefat thickets were mapped within several low-lying areas within the Project site. This vegetation community is not considered sensitive by the California Department of Fish and Wildlife. No sensitive plant communities were observed in the study area of the Terrestrial Biological Characterization Survey. As such, impacts would not be cumulatively considerable.

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Biology-4c	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?	The existing cumulative condition of the general Project area is characterized by industrial uses that generally preclude the existence of protected wetlands, except in undisturbed areas. The Biological Characterization Survey prepared for the Project site evaluated two “freshwater ponds” and one “lake” that were observed on site. All water features were determined to be non-jurisdictional. As such, impacts would not be cumulatively considerable.
Biology-4d	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?	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. As such, impacts would not be cumulatively considerable.
Energy-6b	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	The existing cumulative condition of the general Project area consists of the same state and local plans for renewable energy and energy efficiency as discussed for the Proposed Project in Final EIR Section 3.2, *Energy*. The Proposed Project would include new charging stations and electric hook ups at the Project site and would be required to comply with applicable renewable energy and energy efficiency standards and regulations. As such, impacts would not be cumulatively considerable.
Geology-7a(ii)	Strong seismic ground shaking?	The existing cumulative condition of the general Project area consists of an area of generally high seismic activity and liquefaction hazard zones. However, Project design and construction would take geological risk factors into account, incorporating appropriate geotechnical and engineering methods. As such, impacts would not be cumulatively considerable.
Geology-7a(iii)	Seismic-related ground failure, including liquefaction?	
Geology-7b	Result in substantial soil erosion or the loss of topsoil?	
Geology-7c	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?	
Geology-7d	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?	

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Hazards-9a	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses that involve the regular transport, use, and disposal of hazardous materials. Routine control measures would be employed during construction and operation to control the small amounts of hazardous materials that would be used and to minimize potential releases of hazardous materials and hazardous wastes. As such, impacts would not be cumulatively considerable.
Hazards-9b	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?	The existing cumulative condition of the general Project area is characterized by industrial uses that involve the occasional accidental release of hazardous materials. Construction activities at the Project site would not disturb offsite contamination, and routine measures would be employed during construction to minimize the exposure of workers and the environment to hazardous waste at the Project site. The site was used by the U.S. Navy for munitions storage and as a practice range until 1980, and petroleum coke was also stored there. Soil and groundwater contamination may be present and could affect workers during construction. However, preliminary soil testing and remediation to meet regulations would occur before any ground disturbance, so impacts would not be cumulatively considerable.
Hazards-9f	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	The existing cumulative condition of the general Project area consists of the four Los Angeles Fire Department stations and dedicated Los Angeles Port Police Force for emergency response, as well as the National Incident Management System, California Standardized Emergency Management System, California Department of Conservation Tsunami Hazard Area mapping, and Port-designated Emergency Management Coordinators for emergency response and evacuation planning. 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 such, impacts would not be cumulatively considerable.
Hydrology and Water Quality-10a	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses. As a result, surface and groundwater quality is frequently degraded to levels below applicable standards. Construction-related controls required by the Construction General Permit and Waste Discharge Requirements, operational controls required by the Industrial General Permit, and structural controls required by the City's stormwater programs and permit would prevent substantial contamination from entering harbor waters or groundwater. As such, impacts would not be cumulatively considerable.
Hydrology and Water Quality-10c(i)	Result in substantial erosion or siltation on- or off-site?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses that must comply with the requirements of the Regional Water Quality Control Board and site-specific Stormwater Pollution Prevention Plans. 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 in-water work would not occur. As such, impacts would not be cumulatively considerable.

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Hydrology and Water Quality-10c(ii)	Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses including flat, paved surfaces that increase the likelihood of runoff and are located adjacent or near the ocean. 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 substantially increase flood flows. The Proposed Project may install a Low Impact Development (LID)-compliant drainage system or alternative artificial infiltration drainage system that would ensure additional flow capacity and proper conveyance of surface runoff. As such, impacts would not be cumulatively considerable.
Hydrology and Water Quality-10c(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?	The existing cumulative condition of the general Project area is characterized by heavily disturbed industrial uses that require site-specific stormwater infrastructure. LAHD would be required to obtain coverage under the State Water Resources Control Board Industrial General Permit (IGP), and as required under the IGP, a Stormwater Pollution Prevention Plan (SWPPP) would be developed and implemented to reduce pollution in runoff. The Proposed Project would not exceed the capacity of the new stormwater drainage systems nor create substantial additional sources of polluted runoff. As such, impacts would not be cumulatively considerable.
Hydrology and Water Quality-10d	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	The existing cumulative condition of the general Project area is characterized by industrial Port uses in close proximity to the Pacific Ocean. The Project site is not vulnerable to substantial flooding The *Tsunami Hazard Assessment for the Ports of Los Angeles and Long Beach* modeled the possibility of tsunami propagation into the Ports and concluded that a tsunami would be unlikely to occur more than once every 10,000 years. The most severe tsunami scenario modeled maximum tsunami wave heights that would not cause overtop the Project site. The Project has a low risk of releasing pollutants in the event of a seiche, as the site would be used for chassis operations and storage of empty containers. Hazardous materials, such as acetylene, diesel fuel, ethylene glycol, gasoline, motor oil, oxygen, and propane for maintenance and fueling activities would be properly stored on site. As such, impacts would not be cumulatively considerable.
Land Use-11b	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?	The existing cumulative condition of the general Project area is characterized by Port uses; as such, land use designations in the area are overwhelmingly industrial. While a Port Master Plan (PMP) amendment would be required, the Proposed Project would not conflict with any of the PMP Section 7.2 policies relating to land use or the location, design, and construction of development. As such, impacts would not be cumulatively considerable.

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Noise-13a	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?	The existing cumulative condition of the general Project area is characterized by industrial uses that regularly generate elevated ambient noise levels. The City of Los Angeles Noise Ordinance specifies a significance criterion for maximum construction noise of 75 A-weighted decibels (dBA) at a distance of 50 feet when operated within 500 feet of a residential zone. There are no residential receptors within 500 feet of the Project site. For increases over ambient noise levels, there is no numerical threshold during standard construction hours (7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. Saturday). All Project construction activities would occur within these hours. As such, impacts would not be cumulatively considerable.
Noise-13b	Generation of excessive groundborne vibration or groundborne noise levels?	The existing cumulative condition of the general Project area is characterized by industrial uses that experience groundborne vibration. However, these vibrations quickly dissipate, limiting the potential for cumulatively significant impacts. The closest source of groundborne vibration to the Project site would be trains delivering and removing cargo from the site. 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 can damage older residential structures and cause substantial annoyance to humans. Such vibration levels would not occur in any offsite location in the vicinity of the Project site. As such, impacts would not be cumulatively considerable.
Noise-13c	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?	The existing cumulative condition of the general Project area is characterized by multiple airports and heliports. The nearest public airports are Torrance Municipal Airport, located over 5 miles to the north-northwest, and Long Beach Airport, located over 7 miles to the northeast. Given the distance between the Project site and the identified airports, workers at the Project site would not be exposed to excessive noise levels from airplanes or helicopters. As such, impacts would not be cumulatively considerable.
Public Services-15a	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 fire protection?	The existing cumulative condition of the general Project area is characterized by industrial uses, some of which store and handle hazardous materials, that require nearby emergency services to maintain acceptable service ratios and response times. The existing Los Angeles Fire Department Station 40 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, impacts would not be cumulatively considerable.

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Transportation-17b	Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	The existing cumulative condition of the general Project area is characterized by industrial Port uses that necessitate heavy vehicle traffic for cargo handling purposes. The Los Angeles Department of Transportation vehicle miles traveled (VMT) Calculator estimates the Proposed Project to produce a maximum of 11.0 daily work VMT per employee at full buildout, which is below the threshold for the Harbor Area Planning Commission area. As such, impacts would not be cumulatively considerable.
Utilities and Service Systems-19a	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?	The existing cumulative condition of the general Project area is characterized by industrial Port uses that involve utilities such as water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications, and are currently accommodated by existing infrastructure. Water use on site during operations would be limited to the municipal water use of up to 80 employees between the office buildings and chassis yard restrooms in 2029, with approximately 105 employees under full buildout (year 2049) conditions. Thus, the Proposed Project would not require expanded wastewater treatment. The Proposed Project would pave approximately 73 acres of the 89.2-acre site, potentially increasing the rate or volume of stormwater runoff. However, the Proposed Project would improve the existing storm drain system on the site, installing a LID compliant system that would ensure sufficient drainage. As such, impacts would not be cumulatively considerable.
Utilities and Service Systems-19b	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	The existing cumulative condition of the general Project area is characterized by industrial Port uses, many of which require water to be supplied, and is currently accommodated by existing infrastructure. Project construction would require approximately 320,000 gallons of water for temporary grading, compacting, and dust suppression. Water use during operations would consist of typical municipal water use associated with the office building, restrooms, and fire hydrants. Up to 80 operational employees in 2029 and approximately 105 employees under full buildout (year 2059) would not substantially increase demand for water compared to the overall demand within the Port. As such, impacts would not be cumulatively considerable.
Utilities and Service Systems-19c	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?	The existing cumulative condition of the general Project area is characterized by industrial Port uses that treat industrial wastewater on-site and send municipal wastewater off-site for treatment, which is currently accommodated by existing infrastructure. Although the Proposed Project would be a new use at the existing unoccupied site, the Terminal Island Water Reclamation Plant, which currently treats an average of approximately 15 million gallons per day out of its 30 million gallon per day capability, would have adequate capacity to treat the temporary wastewater generated during construction and permanent domestic wastewater generated from the operation of an office building and employee restrooms during operations. As such, impacts would not be cumulatively considerable.

Appendix G Checklist Question	Would the Project	Basis for Findings of Less Than Significant
Utilities and Service Systems-19d	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?	The existing cumulative condition of the general Project area is characterized by industrial Port uses that generate solid waste and is currently accommodated by existing infrastructure. The Proposed Project would generate small amounts of solid waste during construction, which would be limited to waste associated with vegetation removal and removal of excavated soils. Waste from operations would include trash from on-site employees as well as chassis repair operations (i.e., discarded broken parts). The quantities of waste generated would be small from a regional perspective and would be adequately accommodated at landfill(s) with sufficient permitted capacity. As such, impacts would not be cumulatively considerable.
Utilities and Service Systems-19e	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Existing Port uses must comply with federal, state, and local management and reduction statutes and regulations related to solid waste Similarly, the Proposed Project would comply with federal, state, and city solid waste regulations and codes and with state and city waste minimization, diversion, and recycling regulations and policies, including the Solid Waste Integrated Resources Plan. As such, impacts would not be cumulatively considerable.

1

Chapter 4
The Proposed Project and Alternatives

Two alternatives were considered during the preparation of the EIR: (1) The No Project Alternative (Alternative 1), which is required under CEQA, and (2) the Reduced Project Alternative (Alternative 2) which consists of an approximately 50 percent reduction in Project site area. Final EIR Chapter 5, *Comparison of Alternatives,* contains an analysis of these alternatives because they were found to partially achieve the Project's objectives, are considered ostensibly feasible, and may reduce environmental impacts associated with the Proposed Project.

4.1 Reasonable Range of Alternatives

Lead agencies are required to evaluate a "reasonable range" of alternatives but are not required to evaluate every possible alternative: "an EIR need not consider every conceivable alternative to a project" (State CEQA Guidelines §15126.6(a)). The "range of alternatives required in an EIR is governed by a 'rule of reason' that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice" (State CEQA Guidelines §15126.6(f)).

Based on the primary purpose and objectives associated with the Proposed Project, the two alternatives analyzed in the Final EIR constitute a reasonable range of alternatives, which allows the decision makers to make a reasoned choice regarding Proposed Project approval (or approval of one of its alternatives), approval with modifications, or disapproval. Furthermore, CEQA does not require an EIR to consider multiple variations of the alternatives analyzed in the Final EIR. Similarly, "[a]bsolute perfection is not required; what is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned" (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors of Orange County* (1982) 134 Cal.App.3d 1022, 1029).

4.2 Alternatives Considered in the EIR

Under CEQA, the analysis of alternatives need not be as in-depth as the analysis for the Proposed Project but should be at a level that allows the decision-makers to make an informed determination regarding the difference in impacts between the Proposed Project and each of its alternatives. The two alternatives analyzed in Final EIR Chapter 5, *Comparison of Alternatives*, are summarized in Table 6, which also shows the Proposed Project for comparison.

Table 6. Summary of Proposed Project and Alternatives at Full Buildout (Year 2049)

Activity	2023	Full Buildout (Year 2046)		
	CEQA Baseline	Proposed Project	Alt 1: No Project	Alt 2: Reduced Project[1]
Construction workers	0	60	0	30[2]
Operational employees	0	105	0	53[2]
Total truck trips, one-way trips/day	0	6,838	0[3]	3,419
Project Site (Acres)	0	89.2	0	51.7
Chassis Stalls	0	3,600	0	1,800
High mast light poles	0	40	0	20
Re-grading export volume (CY)	0	270,000	0	135,000[4]

1- Values were extrapolated based on the reduced Project footprint.
2- Exact number of construction workers may vary depending on construction schedule of the Reduced Project Alternative (Alternative 2).
3- Under the No Project Alternative (Alternative 1), the number of truck trips is treated the same as the CEQA baseline and is therefore zero.
4- Exact re-grading export volume may vary depending on distribution of cut across the site under the Reduced Project Alternative (Alternative 2).

4.2.1. Alternative 1 – No Project Alternative

The No Project Alternative (Alternative 1) required by CEQA represents what would reasonably be expected to occur in the foreseeable future if the Proposed Project were not approved (State CEQA Guidelines §15126.6(e)). Under this alternative, the Project site would remain unused. Conditions under this alternative would remain the same as baseline conditions, as no construction or operational activities would occur. No other proposed development at the site has been permitted or approved. Any subsequent use of the site, once identified, would be subject to additional environmental review, but at this time the LAHD does not contemplate any other projects on the site.

4.2.1.1. Alternative 2 – Reduced Project Alternative

In the Reduced Project Alternative (Alternative 2), the Project site area would be reduced by about half, from 89.2 acres to 51.7 acres (71 acres [usable space]/2 + 16.2 acres other/outside loop). The number of buildings and structures to be constructed and operated at the site would be reduced by half (Final EIR Figure 1-1). This alternative would include the same modifications and use of the existing office building at 750 Eldridge Street and construction of a substation like the Proposed Project. Other construction and operational activities would be similar to the Proposed Project but with reduced intensity given the smaller area. For example, less asphalt concrete, stall striping, lighting, and fencing would be installed due to the reduced footprint.

4.3 Environmentally Superior Alternative

CEQA requires identification of an environmentally superior alternative. The No Project Alternative (Alternative 1) is the Environmentally Superior Alternative because it would have no impact to the resource area in which unavoidable significant impacts were identified in the Final EIR. However, none of the Proposed Project's objectives,

including the issuance of a Term Permit for the operation of a chassis support facility for up to 25 years, optimization of existing land use to support chassis storage, provision of a full-service depot that would increase the efficiency of terminal operations, or advancement of POLA's zero-emission cargo-handling equipment goals by January 1, 2030, would be met. State CEQA Guidelines Section 15126.6(e)(2) requires that in cases where the No Project Alternative (Alternative 1) is determined to be the environmentally superior alternative, another alternative must also be identified as environmentally superior.

As discussed in Final EIR Section 5.3.1, *CEQA Alternatives Comparison*, the Proposed Project would have significant unavoidable operational air quality impacts related to NOx emissions at full buildout (2049).

The Reduced Project Alternative (Alternative 2) would result in approximately half the construction emissions, construction workers, operational employees, container stalls, lighting, and exported material due to the reduced footprint compared to the Proposed Project, although it would not avoid the significant and unavoidable operational air quality impact from NOx emissions at full buildout (2049). Due to these reduced impacts and despite the remaining significant unavoidable impact, the Reduced Project Alternative (Alternative 2) is deemed to be the environmentally superior alternative. However, the Reduced Project Alternative (Alternative 2) does not provide the same amount of operational capacity as the Proposed Project due to the reduced acreage, which would accommodate half the number of chassis and/or wheeled empty containers compared to the Proposed Project. The Reduced Project Alternative (Alternative 2) would satisfy the Project objectives to a lesser degree, as it would reach capacity faster than the Proposed Project and would have a reduced ability to decrease container dwell time for empty containers at the marine terminal, inefficient chassis trips, double-handling of empty containers, and increase on-terminal efficiency by having sufficient readily available chassis. Improving efficiencies reduces the wasteful use of nonrenewable resources (e.g., fossil fuel), number of truck trips, and GHG emissions; therefore, the greater long-term operational efficiency of the Proposed Project would offset the Project-specific NOx emissions and greater short-term construction impacts making the Proposed Project the environmentally superior alternative.

4.4 CEQA Findings for the Alternatives Analyzed

4.4.1. Alternative 1 – No Project Alternative

The No Project Alternative (Alternative 1) is required under State CEQA Guidelines Section 15126.6(e) and would not result in any physical improvements to the existing site. Under the No Project Alternative (Alternative 1), construction and operation of a chassis support facility would not occur and the Port would not have increased access and efficiency in chassis operations. Under this alternative, the Project site would remain vacant.

Finding

The Board hereby finds that although the No Project Alternative (Alternative 1) would result in reduced construction and operationally related environmental impacts as compared to the Proposed Project, this alternative would not result in a chassis support facility, and thus it would not meet the underlying primary purpose and objectives of the Project of issuing a Term Permit for the operation of a chassis support facility for up to 25 years, optimizing existing land use to support chassis storage, providing a full-service depot that would increase the efficiency of terminal operations, or advancing POLA's zero-emission cargo-handling equipment goals. As a result, the Board finds that the No Project Alternative (Alternative 1) is not a feasible alternative to the Proposed Project because it would not accomplish the Project's primary purpose and objectives.

Facts in Support of the Finding

The No Project Alternative (Alternative 1) would result in reduced environmental impacts related to all issue areas as compared to the Proposed Project because this alternative would not include any construction or operational activity. While the No Project Alternative (Alternative 1) would result in reduced environmental impacts, it would not meet the underlying purpose and objective of the Proposed Project, which is to develop a chassis support facility that would improve operational efficiency within the Port.

4.4.2. Alternative 2 – Reduced Project Alternative

Under the Reduced Project Alternative (Alternative 2), all of the elements of the Proposed Project would be built, but the capacity of the facility to store chassis would be reduced. The facility would operate at a reduced operational capacity, resulting in lower activity levels compared to the Proposed Project.

Finding

The Board hereby finds that although the Reduced Project Alternative (Alternative 2) would feasibly meet the Project's underlying purpose and objectives, it would not provide the Port with the maximum amount of chassis storage and efficiency and thus would not fully realize the Proposed Project's benefit related to reducing inefficiency in chassis operations in the Port. In particular, the Reduced Project Alternative (Alternative 2) would only contain approximately 1,800 chassis stalls, rather than the 3,600 stalls under the Proposed Project. Thus, the Reduced Project Alternative (Alternative 2) does not provide the same amount of operational capacity as the Proposed Project due to the reduced acreage, which would accommodate half the number of chassis and/or wheeled empty containers compared to the Proposed Project. The Reduced Project Alternative (Alternative 2) would satisfy the Project objectives to a lesser degree, as it would reach capacity faster than the Proposed Project and would have a reduced ability to decrease container dwell time for empty containers at the marine terminal, inefficient chassis trips, double-handling of empty containers, and increase on-terminal efficiency by having sufficient readily available chassis. Improving efficiencies reduces the wasteful use of nonrenewable resources (e.g., fossil fuel), number of truck trips, and GHG emissions; therefore, the environmental considerations associated with the greater long-term operational efficiency of the Proposed Project would offset the Project-specific NOx emissions and greater short-term construction impacts. Thus, the Board finds that the

Reduced Project Alternative (Alternative 2) is not a feasible alternative to the Proposed Project because it would not accomplish the Project's goals and objectives as successfully as the Proposed Project, and would still result in significant and unavoidable operational NOx impacts at full buildout (2049) that would not be offset as effectively due to lower long-term operational efficiency.

Facts in Support of the Finding

The Reduced Project Alternative (Alternative 2) would result in reduced activity levels but would not substantially reduce environmental impacts relative to the Proposed Project. Like the Proposed Project, operational NOx emissions would be significant and unavoidable under the Reduced Project Alternative (Alternative 2). The long-term operational efficiency of the Proposed Project would offset the increased emissions and significant and unavoidable air quality impacts associated with the Proposed Project. Further, as described in Final EIR Chapter 5, *Comparison of Alternatives*, the Reduced Project Alternative (Alternative 2) would not fully meet the Project's objective of providing a full-service depot that would increase the efficiency of terminal operations. Accordingly, the Board finds that the Reduced Project Alternative (Alternative 2), while feasible, would not provide substantial environmental benefits compared to those provided by the Proposed Project, and would not meet the Project's objectives as successfully as the Proposed Project.

Chapter 5
Findings Regarding Irreversible Environmental Changes

Irreversible and irretrievable environmental changes caused by a project include long-term uses of non-renewable and non-recoverable resources during construction and operation (State CEQA Guidelines §15126.2(c)).

Finding and Rationale

The Proposed Project would require the use of non-renewable resources to develop the site for Port-related activities. Construction of the Proposed Project would require the use of non-renewable resources, such as fossil fuels, electrical energy, and some types of construction materials, such as steel, concrete, and rock. Fossil fuels and electrical energy would be consumed during the construction and the operational phases of the Proposed Project. Diesel and gasoline would continue to be used for facility operations and on-road vehicles (including trucks and employee automobiles) until 2030, when all operational equipment (excluding employee automobiles) would be required to be Zero-Emissions models. Those energy resources would for the most part be irretrievable and would cause irreversible changes in supplies of fossil fuel available for other uses. However, as described in Final EIR Section 3.2, *Energy*, some electricity provided by the Los Angeles Department of Water and Power is provided from renewable sources, and recently adopted legislation (Senate Bill 100) raises California's renewable portfolio requirements for retail electricity sales, so that future operation of the Proposed Project would consume less non-renewable electrical resources.

Non-recoverable materials would be used during construction and operation, but the amounts would be accommodated by existing supplies. In particular, apart from fossil fuels, non-recoverable material resources committed to the Proposed Project would include construction materials such as steel, concrete, and gravel. Although the amounts needed are considered minor relative to existing supplies and reserves, they would nevertheless be unavailable for other uses. The minimal irreversible changes would be justified by the benefits from the Proposed Project's increased efficiency of terminal operations that would advance POLA's zero-emission cargo-handling equipment goals. Therefore, the irreversible and irretrievable commitments of resources associated with the Proposed Project are justified under CEQA.

Chapter 6
Changes to the Draft EIR

The Partially Revised and Recirculated Draft EIR revised the Draft EIR in response to comments received during the public review period for the Draft EIR. After public review of the Partially Revised and Recirculated Draft EIR, the following additional changes were made in the Final EIR.

- Minor modifications were made throughout the EIR regarding the amount of restrooms (8), guard booths (8), and usable space within the "loop" (71 acres).
- The California Department of Transportation (Caltrans) was added as a permitting authority to EIR Table 2-1: Agencies That May Use This EIR.
- Editorial text modifications were made to PF AQ-1 (*Zero-Emission Operational Equipment*) and MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*) in Section 3.1, *Air Quality and Health Risk* and Section 3.2, *Energy*.
- In Section 3.2, *Energy*, quantities of CO_2e and gallons of diesel fuel were revised to reflect full buildout year conditions.
- Editorial text modifications were made to MM GHG-1 (*GHG Reduction Offsets*) in Section 3.3, *Greenhouse Gas Emissions*.
- In Section 3.4, *Hazards and Hazardous Materials*, MM HAZ-1 (*Characterize Soil, Soil Vapor, and Groundwater Contamination*) was revised to include perfluoroalkyl and polyfluoroalkyl substances and to clarify that contaminated soil may be reused on-site, and additional background information was added to the Environmental Setting regarding the Naval Air Base on Terminal Island, Former Long Beach Naval Complex, and Koch Carbon Inc/Reeves Field Bulk Site at 760 Ferry Street. A minor revision was made to clarify how appropriate landfills would be selected depending on the type of construction waste generated.
- Minor modifications were made in Chapter 5, *Comparison of Alternatives*, to revise the Reduced Project Alternative (Alternative 2) acreage. Impact AQ-3 for the Reduced Project Alternative (Alternative 2) was revised to significant and unavoidable.
- A minor modification was made in Chapter 7, *Growth Inducing Impacts*, to clarify the number of workers under 2029 operational conditions and full buildout 2049 conditions.
- Chapter 9, *References,* was updated to support the revisions made to Section 3.4, *Hazards and Hazardous Materials*.

Finding and Rationale

In response to comments received on the Draft EIR, the emissions basis used to calculate GHG emissions and other air pollutants during Proposed Project operations was revised, leading to the identification of a new significant unavoidable air quality impact and triggering recirculation of the Draft EIR. Per State CEQA Guidelines Section 15088.5, recirculation of a Draft EIR is required when: (1) A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented; (2) A substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance; and/or (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed were added that would clearly lessen the environmental impacts of the project (State CEQA Guidelines §15088.5(a)). As such, the Partially Revised and Recirculated Draft EIR was prepared to reflect the updated information contained in Section 3.1, *Air Quality and Health Risk,* and Section 3.3, *Greenhouse Gas Emissions,* and was circulated for an additional 45-day comment period.

Following public review of the Partially Revised and Recirculated Draft EIR, the Final EIR was prepared which reflects the Draft EIR, Partially Revised and Recirculated Draft EIR, and edits resulting from comments received on those documents. The changes and clarifications presented in the Final EIR were reviewed by the Board to determine whether they constitute "significant new information" requiring additional recirculation prior to certification of the Final EIR. The additional new information contained in the Final EIR was found to merely clarify or amplify the information presented in the Draft EIR and Partially Recirculated Draft EIR and makes insignificant modifications to the EIR (*Laurel Heights Improvement Assn. v. Regents of Univ. of California* (1992) 6 Cal.4th 112, 1129–1130). No new feasible alternatives or mitigation measures that are considerably different from others previously analyzed were identified that would clearly or substantively lessen the significant effects of the Proposed Project.

As a result, all clarifying information included in the Final EIR does not constitute significant new information requiring additional recirculation because the EIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the Proposed Project. The information presented in the Final EIR does not result in or disclose any new significant impacts or a substantial increase in the severity of any impact already identified in the EIR.

Therefore, additional recirculation of the Final EIR is not required, and the EIR can be certified without additional public review, consistent with Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5.

The Board finds that all information added to the Final EIR after public notice of the availability of the Draft EIR and Partially Revised and Recirculated Draft EIR for public review, but before certification, merely clarifies or makes insignificant modifications that do not require recirculation.

Chapter 7
Findings on Suggested Project Revisions in Comments on the Draft EIR

Comment letters were received on the Draft EIR suggesting mitigation modifications, mitigation additions, and impact determination revisions. Where the suggestions (1) requested minor modifications in adequate mitigation measures, (2) requested mitigation for impacts that the Draft EIR determined were less than significant, or (3) requested mitigation for impacts for which the Draft EIR already identified measures that would reduce the impact to less than significant, these requests were declined as unnecessary or not appropriate. Additionally, certain mitigation measures suggested in comments could reduce impacts that would otherwise be significant, but implementation of measures and/or alternatives would be infeasible due to specific environmental, legal, technological, or other considerations. LAHD has identified and proposes to incorporate all feasible mitigation measures, including feasible revisions to the existing mitigation measures recommended by commenters, or otherwise initiated by the Port. No additional mitigation measures to reduce significant impacts disclosed in the EIR have been determined to be feasible.

The suggested mitigation measures and revisions, and the reasons supporting why the recommendations were accepted or rejected, are found in Final EIR Chapter 10, *Responses to Comments*. The Board adopts and incorporates by reference the specific reasons for declining such measures contained in the responses to comments in the Final EIR as its grounds for rejecting those measures.

Additional comments received on the Draft EIR called into question the emissions basis used to calculate projected GHG emissions and other criteria air pollutants during Project operations. In response to these comments, the analysis presented in Section 3.1, *Air Quality and Health Risk,* and Section 3.3, *Greenhouse Gas Emissions,* of the Draft EIR was revised in a Partially Revised and Recirculated Draft EIR, including an updated emissions basis that resulted in a new significant unavoidable air quality impact for the Reduced Project Alternative (Alternative 2) and a new potentially significant but mitigable GHG emissions impact for the Proposed Project. The Partially Revised and Recirculated Draft EIR was circulated for additional comment over a 45-day public review period. One comment letter from the American Soybean Association (ASA) was received during the recirculation period. The comment acknowledged the need to improve air quality, meet State and federal air quality standards, and achieve State climate goals, and recommended the Final EIR acknowledge the role of low-carbon liquid fuels in reducing emissions. This comment is acknowledged and addressed in Response to Comment ASA-1 in Final EIR Chapter 10, *Responses to Comments*.

Chapter 8
Statement of Overriding Considerations

Pursuant to PRC Section 21081 and State CEQA Guidelines Section 15093, the Board must balance the benefits of the Proposed Project against unavoidable environmental risks in determining whether to approve the Proposed Project. As detailed in the Findings, the Proposed Project would result in significant unavoidable impacts to air quality. The Proposed Project would also result in cumulatively considerable contributions to significant cumulative impacts on air quality.

The Proposed Project offers several benefits that outweigh its unavoidable adverse environmental effects. The Board adopts the following Statement of Overriding Considerations. The Board recognizes that significant and unavoidable impacts will result from implementation of the Proposed Project, as discussed above. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible any alternatives that would avoid or reduce the significant impacts of the Proposed Project, as discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Proposed Project against the Proposed Project's significant and unavoidable impacts, the Board hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals, and objectives of the Proposed Project and provide the rationale for the benefits of the Proposed Project. The Board finds that any one of the environmental, legal, technological, and other considerations of the Proposed Project set forth below is sufficient by itself to warrant approval of the Proposed Project. These overriding considerations justify adoption of the Proposed Project and certification of the completed Final EIR. This determination is based on the findings herein and the evidence in the record. These benefits include the following:

- **Fulfills LAHD's legal mandates and objectives.** The Proposed Project would fulfill the LAHD's legal mandate under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601; California Tidelands Trust Act of 1911) to promote and develop commerce, navigation, fisheries, and other uses of statewide interest and benefit, including industrial, recreational, and transportation uses. It would also promote the mandates of the California Coastal Act (PRC Division 20, Section 30700, et seq.), which identifies the Port and its facilities as a primary economic/coastal resource of the State and an essential element of the national maritime industry and obligates LAHD to modernize and construct necessary facilities to accommodate the demands of foreign and domestic waterborne commerce and other traditional water-dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state. Further, the California Coastal Act provides that the LAHD should give highest

priority to the use of existing land space within harbors for Port purposes, including but not limited to navigational facilities, shipping industries, and necessary support and access facilities. The Project would also meet LAHD's strategic green growth objectives by maximizing the efficiency and capacity of facilities, while applying measures that adhere to and/or exceed those required by the San Pedro Bay Clean Air Action Plan (CAAP) and raise environmental standards.

- **Facilitates California's emissions and climate change goals.** By implementing PF AQ-1 (*Zero-Emission Operational Equipment*), MM AQ-1 (*Zero-Emission Cargo-Handling Equipment*), and MM GHG-1 (*GHG Reduction Offsets*), the Proposed Project would be required to transition to zero-emissions equipment (by January 1, 2030 per PF AQ-1 and by the start of Project operations per MM AQ-1), and obtain carbon offsets for the quantity of the Project's GHG emissions generated in excess of LAHD's significance threshold of 10,000 $MTCO_2e$ per year (MM GHG-1). As such, the Proposed Project would help meet California's 2030 emissions target of 40 percent below 1990 levels for GHGs. The Proposed Project would also improve the overall efficiency of operations within the Port. Development of the TIMSF would allow chassis to be stored off-terminal, thereby freeing additional space for storage of containers on-terminal. Additionally, development of the TIMSF would reduce inefficient chassis trips (whereby trucks travel to another terminal to retrieve a chassis before returning to retrieve a container), lowering the number of truck trips and, by extension, GHG emissions.
- **Optimizes land use.** The Proposed Project would maximize the utilization of Port lands by constructing a chassis storage facility on currently vacant Port land. The Proposed Project would be consistent with LAHD's public trust obligations under the tidelands grant to the City of Los Angeles for the purposes of commerce, navigation, fishery, and various public access, recreational, and commercial uses. The Proposed Project would optimize efficiency of chassis support operations across the Port, consistent with Port Master Plan policies 1.1 (develop new commercial or industrial projects in or near existing developed areas), 1.2 (protect coastal areas for port-related developments and water-dependent developments), 1.3 (modernize and construct necessary facilities within the boundaries of the Port), and 2.1 (locate, design, and construct port-related projects to minimize substantial impacts, and prioritize the use of existing space for port-purposes). Under baseline conditions, in a best-case scenario, a semi-truck without a trailer (bobtail) goes to a terminal, picks up a chassis, has a container loaded onto it, then exits the gate to make the delivery. In the worst-case scenario, if no chassis are available at the terminal, the bobtail must leave and visit another terminal to get one and return to the original terminal to collect a container and then exit the gate to make the delivery. The Proposed Project would provide a centralized location for trucks to retrieve chassis and containers thereby avoiding the additional truck trip(s) involved in going to additional terminal(s) in search of an empty chassis.
- **Implements the San Pedro Bay Clean Air Action Plan (CAAP).** The Proposed Project incorporates Project-specific environmental features that are consistent with CAAP requirements, along with implementation of additional standards and mitigation measures identified through the CEQA findings that meet CAAP

requirements and objectives (see Final EIR Section 3.1, *Air Quality and Health Risk*).

- **Economic Growth and Job Creation.** The Proposed Project would support regional and local economic growth by improving the efficiency and reliability of goods movement infrastructure essential to Port operations. The Proposed Project would generate short-term construction employment and long-term operational jobs while supporting indirect employment in transportation, logistics, and related industries. These economic and employment benefits would contribute to the stability and competitiveness of the regional and local economy.

In summary, the Proposed Project would allow LAHD to meet its legal mandates to accommodate growing international commerce, while maintaining compliance with important environmental programs and policies. The Board hereby finds that each of the benefits of the Proposed Project described above outweighs the significant and unavoidable environmental effects and are therefore considered acceptable.