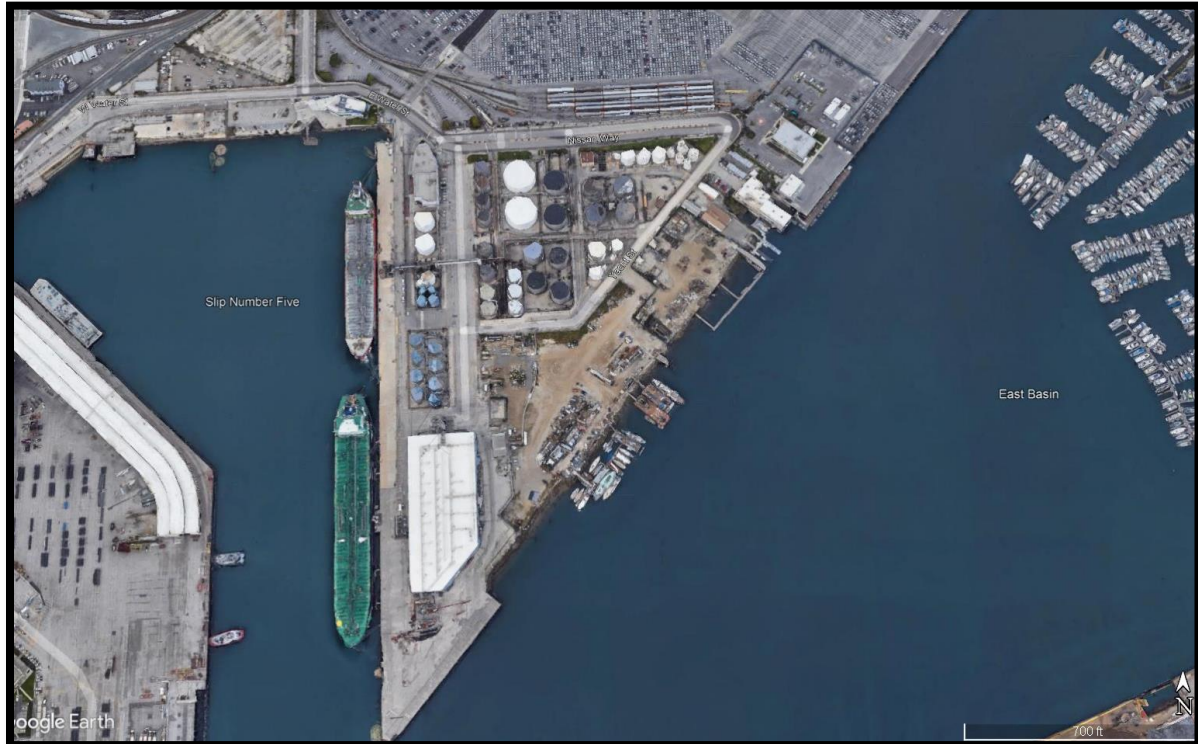


Appendix A Notice of Preparation (NOP)/Initial Study (IS)

Berth 191-194 (Ecocem) Low-Carbon Cement Processing Facility Project



Prepared by:

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

with assistance from:



March 2022

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Berth 191-194 (Ecocem) Low-Carbon Cement Processing Facility Project

Notice of Preparation/Initial Study

1.0 Project Overview and Background

1.1 Project Overview

This Notice of Preparation (NOP) and Initial Study (IS) is to inform responsible and trustee agencies, public agencies, and the public that the Los Angeles Harbor Department (LAHD) as the lead agency for the proposed Project under the California Environmental Quality Act (CEQA), has independently determined that there are potentially significant environmental impacts associated with the proposed Berth 191-194 (Ecocem) Low-Carbon Cement Processing Facility (proposed Project) and an Environmental Impact Report (EIR) is required. The Project site is located on backlands at Berth 192-194, adjacent to the East Basin in Los Angeles Harbor, and includes access to nearby Berth 191. The LAHD has prepared, as part of this NOP, an Initial Study Checklist for the EIR in accordance with CEQA (California Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.). The Initial Study Checklist is attached to this NOP for public review and comment.

The LAHD administers the Port of Los Angeles (Port) under the Tidelands Trust Act of 1911 and the Los Angeles City Charter. The LAHD develops and leases Port property to tenants who operate the facilities thereon. The Port encompasses 7,500 acres of land and 43 miles of waterfront and provides a major gateway for international goods and services. The Port comprises approximately 25 major cargo terminals, including dry and liquid bulk, container, breakbulk, automobile, and passenger facilities. In calendar year 2020 the Port handled approximately 207 million metric revenue tons of cargo (LAHD, 2021), including 9.2 million TEUs of containerized cargo, and saw 1,654 vessel arrivals. In addition to cargo business operations, the Port is home to commercial fishing vessels, shipyards, and boat repair facilities, as well as recreational, community, and educational facilities.

Ecocem Materials Ltd (“Ecocem”), through its subsidiary Orcem California Inc., proposes to construct and operate a new facility on the backlands adjacent to Berth 192-194 that would import raw materials by ship and truck, produce a low-carbon binder (ground granulated blast furnace slag [GGBFS]) as an alternative to ordinary portland cement in a processing facility on site, and load third-party trucks that would transport the GGBFS to local consumers.

1.2 Project Background

GGBFS is a low-carbon binder designed as a partial substitute to traditional ordinary portland cement (OPC) and portland limestone cement (PLC). Cement is a strategic commodity that modern societies need to produce concrete for the construction of homes, schools, commercial buildings as well as infrastructure, including transportation, water and energy. Accordingly, cement is a vital component of the construction industry in Southern California, being used in all concrete and in a variety of other construction applications. In 2020, approximately 6.5 million metric tons of cement were shipped for consumption in Southern California (USGS, 2021).

The production of cement is carbon-intensive: one estimate is that cement production is responsible for approximately 8% of worldwide carbon dioxide (CO₂) emissions (Ellis et al., 2019) and nearly 2% of California’s emissions (CARB 2021). Despite its relatively high carbon emissions, cement will continue to be one of the most consumed resources in the world. A reliable supply of cement is, therefore, important for sustained economic growth. Shortages, such as the one in 2020 and early 2021, inhibit that growth.

In September 2021, California passed SB-596 Greenhouse Gases: (“*Cement Sector: Net-zero Emissions Strategy*”) that requires achievement of net-zero emissions of greenhouse gases from cement as soon as possible, but no later than December 31, 2045.

Ecocem has a process for making a low-carbon-intensity binder as a partial substitute to cement (Ecocem estimates the energy consumption of their process to be approximately 10% of the cement process). Ecocem is a world leader in low-carbon binder technologies and a European leader in production of the lowest-carbon binder, GGBFS (ASTM C-989), which is used as a partial substitute for cement. As part of the proposed Project, Ecocem is proposing to build a facility that will produce this binder for the Southern California building industry, helping the region avoid shortages of a vital material and California to reach its carbon reduction and net-zero emissions goals.

2.0 Project Description

2.1 Project Objectives

The purpose of the proposed Project is to supply the Southern California construction industry with the lowest-carbon binder (GGBFS) and use Ecocem’s technologies to help the State of California:

- i) Meet its net-zero emissions target for the cement industry by 2045, and
- ii) Construct resilient and eco-efficient infrastructure.

To achieve this purpose, the Project has the following objectives:

- Maximize production of the lowest-carbon binder to replace a substantial fraction of the cement consumed in California, thereby helping the state achieve its target more economically, where this objective is fundamental;
- Provide necessary raw material import capacity that is competitive and environmentally sustainable, to support the first objective;
- Establish a processing facility to produce the binder at a deep-water berth in Southern California, with permanent local union manufacturing jobs that is:
 - Capable of adapting to changes in raw material sources while maintaining the lowest possible transport emissions;
 - Capable of providing storage capacity for efficient offloading of bulk ships delivering raw materials and loading product on bulk tanker trucks;
 - Located near the center of the Southern California market to minimize road transport, traffic burden, road wear, and energy requirements.
- Facilitate the development and use of improved low-carbon, high-performance binders by the region’s construction industry using Ecocem’s innovative GGBFS technology. This will

be supported by local California-based research and development, in order to optimize reductions in greenhouse gas emissions compared to traditional cement production.

2.2 Project Location

2.2.1 Project Setting

The Project site is located within the Port of Los Angeles adjacent to the community of Wilmington (Figure 2-1). The Port of Los Angeles is located on San Pedro Bay approximately 20 miles south of downtown Los Angeles. As mentioned above, the Port encompasses approximately 7,500 acres of land and water and features 24 major cargo terminals. The Port also includes a cruise ship terminal, commercial fishing and ship repair uses, extensive recreational boating facilities, and a variety of coastal-related visitor-serving and recreational facilities. The overall character of the surrounding area is primarily marine cargo handling (liquid and dry bulk, automobiles) and other water-related uses.

2.2.2 Project Site

The Project site, located at Berths 191-194, occupies approximately 5.8 acres adjacent to the East Basin of Los Angeles Harbor, and is generally bounded by the Vopak liquid bulk terminal to the north and west; and the USC rowing facility and the East Basin to the south and east, as shown in Figures 2-2 to 2-4. Formerly occupied by a succession of water-related uses, the site is now largely vacant, although a small portion of the site is occupied by a boat restoration operation, loading and unloading of supplies for barges, tugs, and work vessels, and a Port equipment storage site. Berth 191, where oceangoing vessels would berth to unload raw materials, is southwest of, and immediately adjacent to, the main portion of the site. Berth 191 would be connected to the main site by an easement along which the Orcem facility's vessel unloading conveyor system would be deployed. Local access is provided by Avalon Boulevard, Canal Street, and Yacht Street.

2.2.3 Land Use and Zoning

The Project site is located in the Port of Los Angeles, City of Los Angeles Community Plan Area. The site is part of Assessor Parcel Number 7440010910. It has a General Plan land use designation of General Bulk Cargo (Non-Hazardous Industrial and Commercial) and is zoned [Q] M3-1 ("Qualified Heavy Industrial") by the City of Los Angeles Zoning Ordinance (City of Los Angeles, 2022).

The Port Master Plan (PMP) (LAHD 2018) establishes policies and guidelines to direct the future development of the Port. The Project site is in Planning Area 2 of the Port Master Plan, which encompasses the West Basin and Wilmington areas between the intersection of Harbor Freeway and Harry Bridges Boulevard to Commodore Schuyler F. Helm Bridge along the boundary of the Port and the Port of Long Beach. Planning Area 2 extends from Berths 96 to 204 and includes a range of land use activities (LAHD 2018a). The Port Master Plan designates the Project site for liquid bulk uses.

2.3 Existing Conditions

As of 2021, much of the Project site was vacant, but temporary uses related to boat storage and restoration and Harbor Department equipment storage occupied a small portion of the site.

Collections of abandoned small craft and marine-related debris, as well as small storage and office structures, characterized the land area, and small craft moored to temporary floating docks were present along the shoreline adjacent to the Project site. Although soil and groundwater are known to be contaminated by heavy metals, petroleum hydrocarbons, and volatile organic compounds, the site is not on the state's Cortese list of contaminated sites, is not under regulatory cleanup oversight, and is not proposed for remediation.

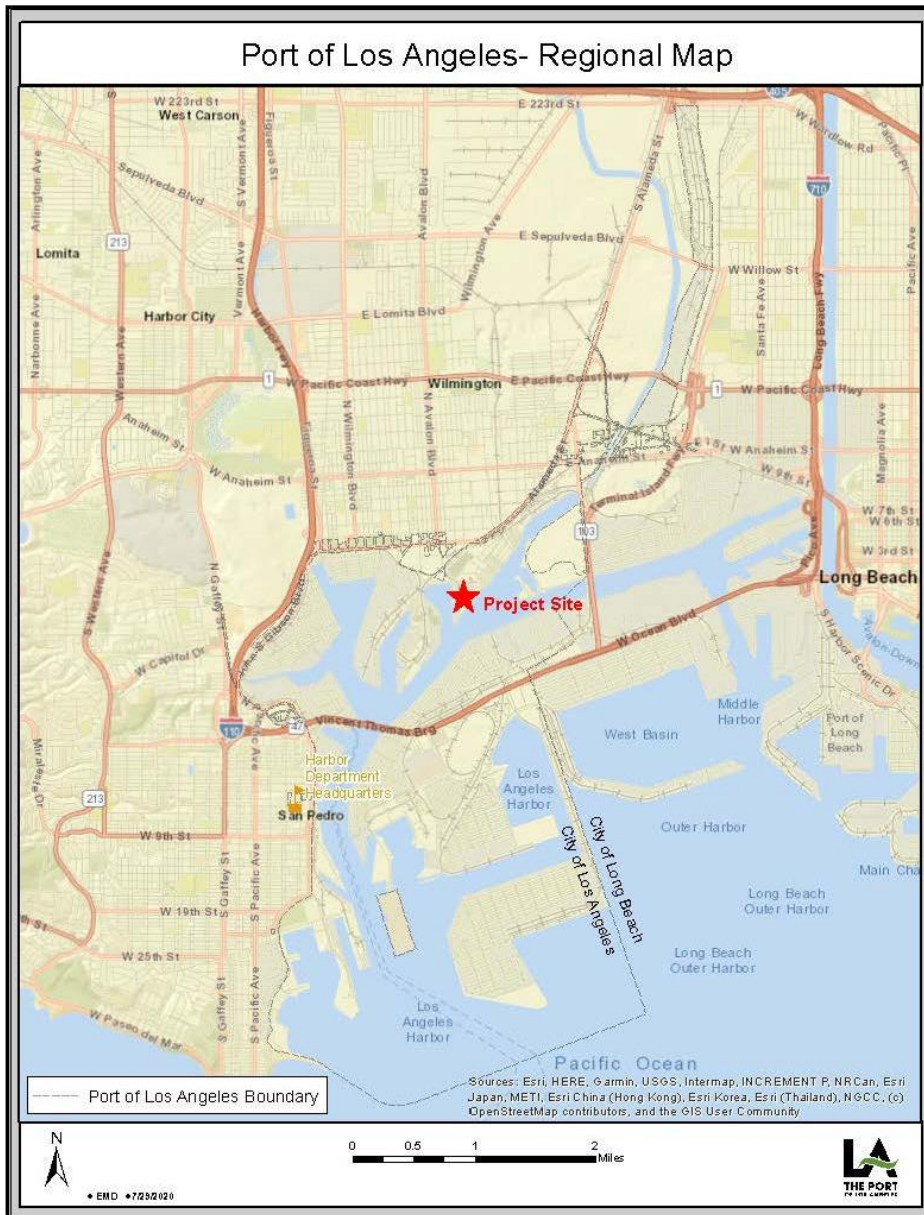


Figure 2-1 Proposed Project Site Regional Setting.

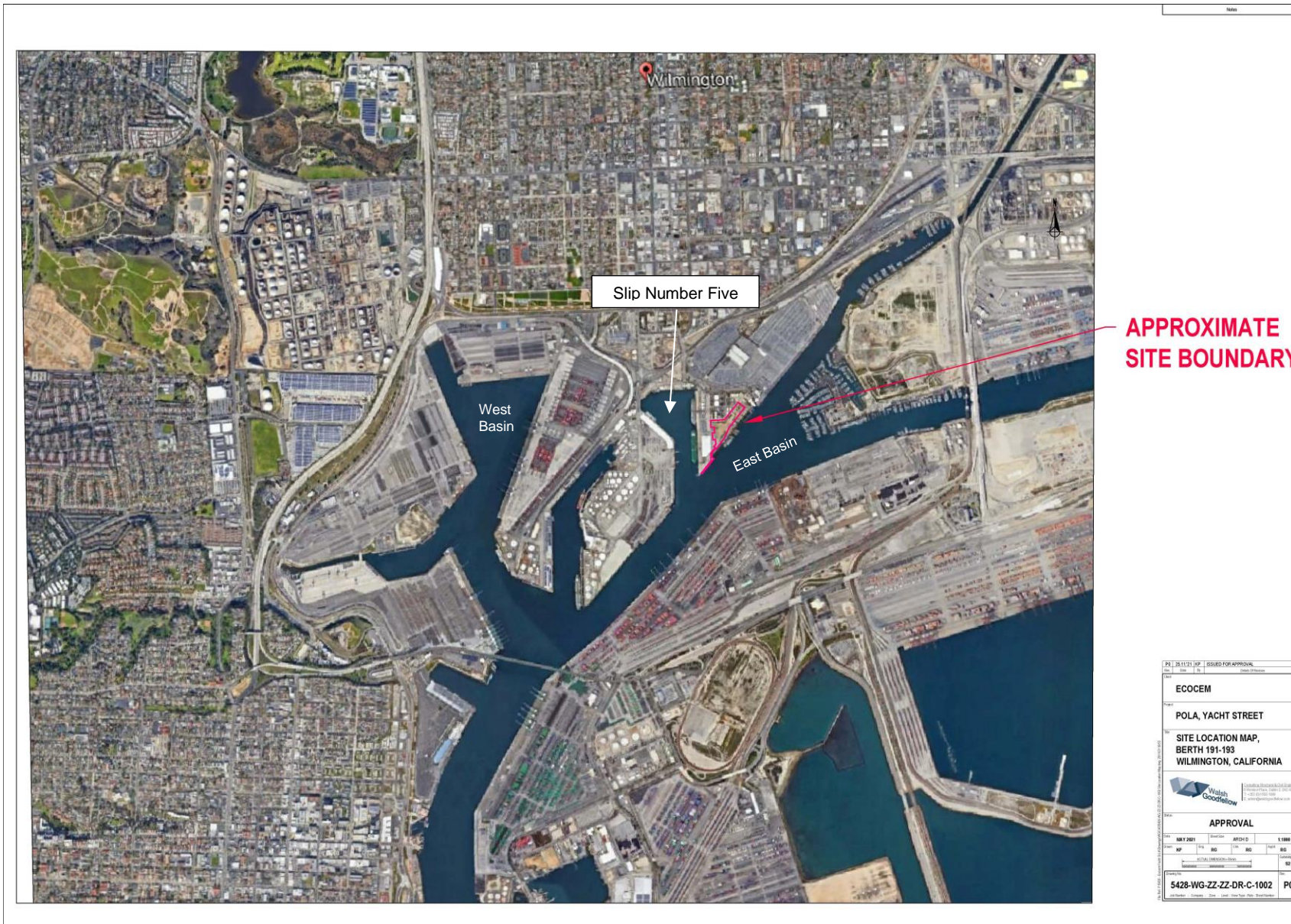
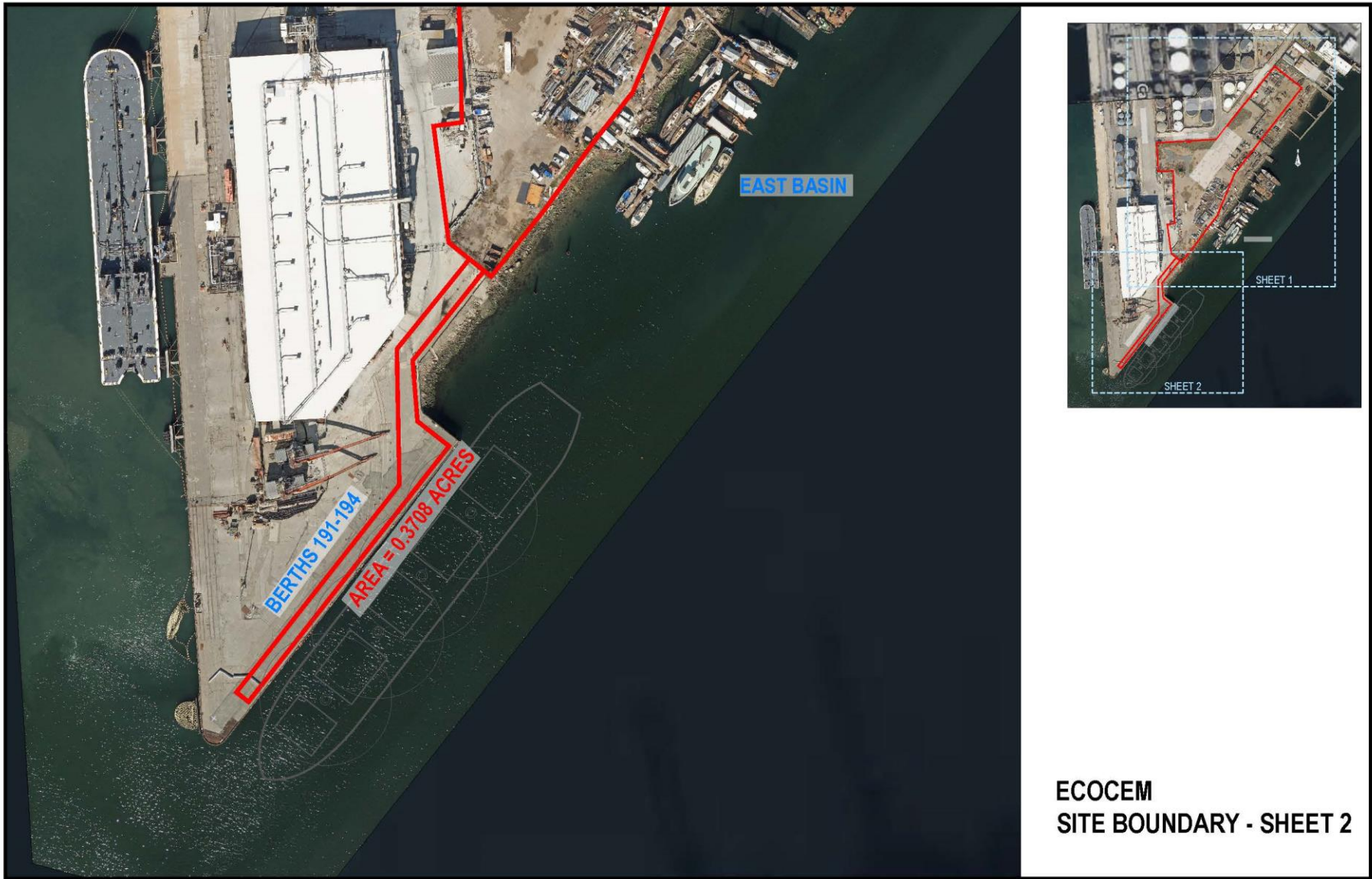


Figure 2-2 Proposed Project Site Location.



**ECOCEM
SITE BOUNDARY - SHEET 1**

Figure 2-3 Existing Project Site (Berths 192-194 view, north side)



**ECOCEM
SITE BOUNDARY - SHEET 2**

Figure 2-4 Project Site (adjacent Berth 191 view, south side)

2.4 CEQA Baseline

CEQA Guidelines, Section 15125, subdivision (a), provides that an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The LAHD's normal practice is to define the baseline as the conditions in the first full year calendar year preceding publication of the NOP, which was 2021. Given that the NOP was released late in 2021, the LAHD has determined that 2021 is the baseline year for the CEQA analysis. In 2021, activity at the Project site consisted of operation of the boat restoration and equipment storage uses. That activity involved operation of a few light- and medium-duty vehicles and equipment such as lifts and powered tools, and use of small amounts of chemicals and materials associated with marine repair operations.

2.5 Proposed Project Elements

2.5.1 Summary

The facility would produce the GGBFS by grinding granulated blast furnace slag (GBFS) with natural gypsum minerals in the proportions of approximately 97% GBFS and 3% gypsum. GBFS is a material produced in steel plants by quenching blast furnace slag in water, resulting in a material resembling damp coarse sand. The Project site (Figure 2-5) would be occupied by process buildings and conveyors, administration and maintenance buildings, material storage silos and piles, and truck loading facilities.

The GBFS would arrive by ship and the gypsum by truck. Conveyor systems would transfer the GBFS to outdoor storage piles; the gypsum would be offloaded from trucks to an outdoor storage pile. The GBFS and the gypsum would be ground together in a mill. Ambient air, heated by a natural gas-fueled burner, would be used to dry the material and separate the finer from the coarser material. The GGBFS product would be filtered through a bank of bag filters and conveyed to enclosed storage silos before loading onto trucks for offsite delivery to customers.

2.5.2 Project Construction

Construction of the proposed Project would consist of the following primary elements:

- site preparation, including minor site clearance and ground improvements;
- development of the enclosed milling plant, including buildings, storage facilities including silos, open-storage yard, conveyance systems and processing equipment;
- construction of ancillary buildings (workshop and plant office); and
- improvement of site infrastructure and supporting facilities, including fire hydrants, stormwater management improvements, and equipment for loading of customer trucks.

Following site clearance and preparation, ground improvements would be installed to enhance the load-bearing capability of the soil mass, particularly liquefiable soils, and provide sufficient capacity for intended uses to meet building code requirements. Structures bearing significant loads, such as the mill buildings and silos, would be supported on piled foundations. Non-settlement-sensitive structures would be supported on concrete mat foundations. Piling would be installed using a

conventional piling rig. Mass concrete foundations would then be poured to support the equipment and structures. The majority of Project construction would be land-based. However, the Project would include fenders at Berth 191, which may or may not require minor modifications to Berth 191 in the form of a few pilings driven along the wharf face to support fenders. It is also possible that fenders would be supported by existing pilings, eliminating the need for in-water work or wharf modifications; this NOP/IS considers the potential impacts of piling installation and/or replacement at Berth 191. Minor landside work may be needed at Berth 191 in conjunction with the installation of fenders and moorings.

Buildings would generally be constructed of structural steel and concrete with suitable cladding to the exterior. Conventional construction techniques, e.g., cranes and mobile access platforms, would be employed, and equipment would be installed in conjunction with the erection of the structural steelwork. Electrical and instrumentation installations would follow the equipment installation, and lighting, utilities, paving, landscaping, and fencing would also be installed. Testing and commissioning of the equipment would be the final stage of the construction phase in advance of the plant becoming operational.

To minimize potential impacts to surface water resources from increased surface water runoff and/or stormwater contaminants, permanent stormwater control systems would be provided based on a phased or comprehensive program. All permanent stormwater control system(s) for future development at the site would be developed and constructed in accordance with the National Pollutant Discharge Elimination System (NPDES) Industrial General Permit (IGP, for areas that would generate runoff related to industrial activities) or the Los Angeles County MS4 Permit (for non-industrial related areas). A small portion of the site (approximately 0.5 acre) around the workshop and office building would be subject to the City's Low Impact Development (LID) requirements under the MS4 permit; the remainder of the site, including the stockpiles, material handling areas, areas under the conveyors, and the mill, silo, and truck loading areas, would be covered by the IGP (see Figure 2-5). Consistent with the requirements of the LID, the stormwater system(s) would include grading, berms, and vegetated swales to manage water flow and promote infiltration and bioretention in the LID area. In the IGP areas, grading, berms, and an underground detention system, a hydrodynamic separator system, and pre-filtration units would capture and treat stormwater runoff.

Construction would last approximately 18 months and require up to 75 unionized construction workers on a peak construction day. Construction-phase traffic would include worker vehicles and a variety of medium- and heavy-duty vehicles hauling debris and excavated material and bringing in imported soil, supplies, equipment, and construction materials.

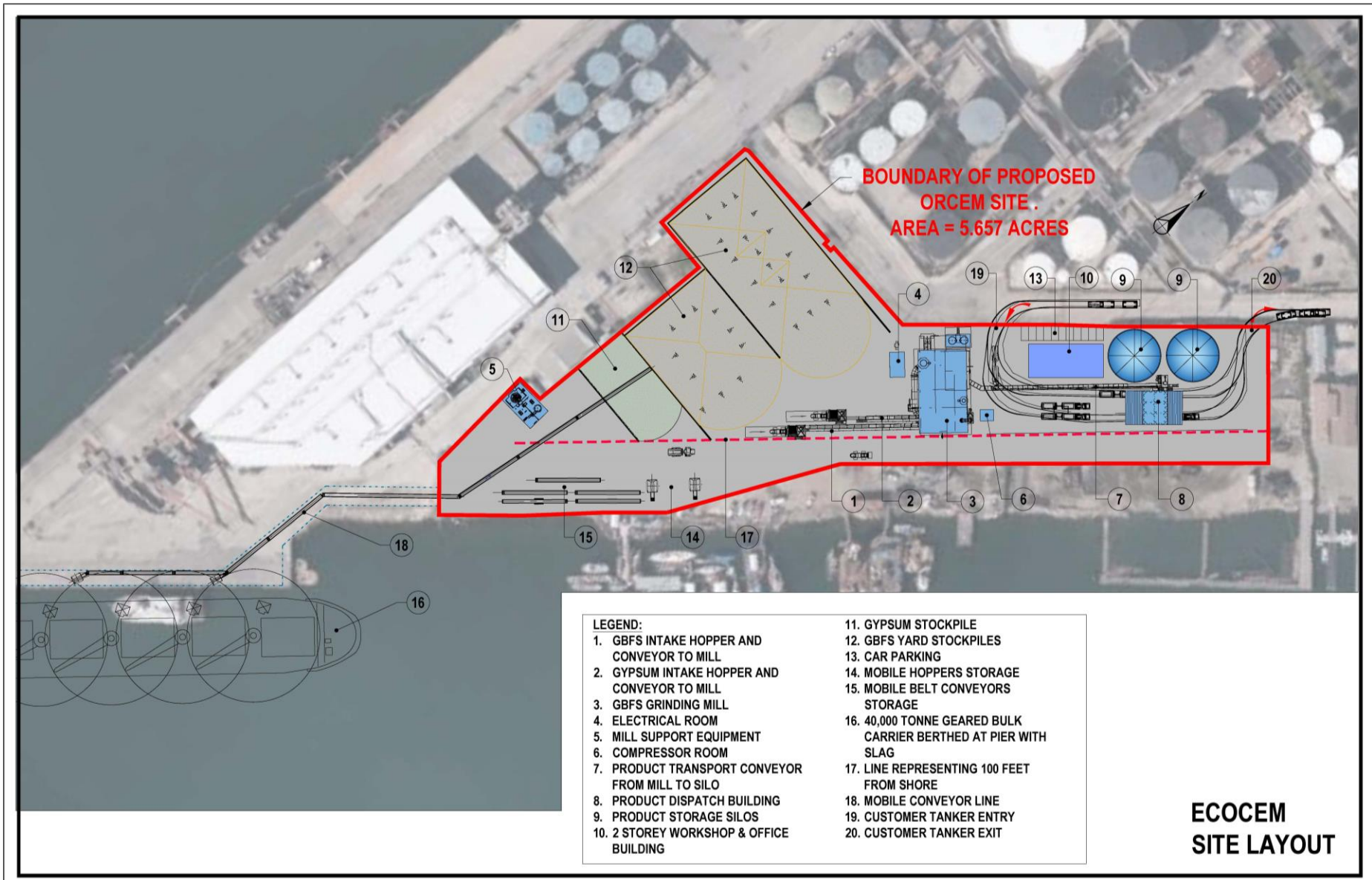


Figure 2-5 Proposed Project Site Layout.

2.5.3 Project Operations

The facility is projected to begin operation in 2025 and reach full operation by 2027 (Table 2-1). At full operation, projected to be 97% of capacity, the facility would produce approximately 750,000 metric tons of GGBFS per year (note that all tonnage figures in this document are metric tons [1 metric ton = 2204 pounds]), requiring approximately 800,000 metric tons of GBFS and 23,000 metric tons of gypsum (the difference between the quantities of raw materials and the quantity of product is due to moisture loss during processing). At that level of activity, the facility would have 27 vessel calls per year delivering GBFS and approximately 35,000 trucks per year (112 per day, 6 days per week) distributing GGBFS to customers and receiving gypsum. The facility would operate up to 24 hours per day, 7 days per week, but trucks carrying product would arrive and depart 6 days per week. No rail operations would be conducted.

Table 2-1. Estimated Operational Activity of the Ecocem GGBFS Facility Under the Proposed Project

Activity	2025	2026	2027 and thereafter
GBFS Import, metric tons/yr	400,000,	600,000	800,000
Gypsum Import, metric tons/yr	11,500	17,000	23,000
Vessel calls per year ¹	14	20	27
GGBFS production, metric tons/yr	375,000	560,000	750,000
GGBFS and gypsum truck trips ² /yr	17,000	25,000	35,000
Employees on site	20	20	26

Notes: 1) Vessel call = arrival transit, time at berth, departure transit, and possible anchorage time (only a fraction of the calls will experience anchorage)

2) Truck or vehicle trip = round trip, visit

3) Differences in mass balance between raw materials (GBFS and Gypsum) and product (GGBFS) is related to moisture content in raw materials.

Vessel Operations: GBFS would be delivered by moderate-size oceangoing bulk vessels of “Handy-size” with a capacity of up to 45,000 deadweight tons and a length of 500 to 625 feet, powered by marine diesel engines. The vessels would arrive from Asia or Mexico and would transit the approaches to LA Harbor, the Precautionary Zone outside the harbor entrances, the Angel’s Gate entrance to Los Angeles Harbor, and the Main Channel up to the East Basin.

Vessels would dock at Berth 191, the lease for which would be shared between the Orcem and neighboring Vopak liquid bulk terminals. Each vessel would be escorted by one or two tugboats, depending on conditions, that would help the ship maneuver within the harbor. Once at berth, each vessel would typically spend approximately five days (120 hours) unloading its cargo. While at berth the vessels would run auxiliary diesel engines to provide power for the unloading gear and general vessel needs such as lights, air conditioning, and miscellaneous machinery. Once unloaded, the vessels would transit back out of the Port with tug assistance. Each pair of one-way transits and the time at berth is a vessel call.

Facility Operations: A covered, electric-powered conveyor belt system would be deployed for each vessel call to transport raw material from Berth 191 to the open stockpiles in the facility. Within the facility, both diesel-powered mobile and electric-powered stationary equipment would handle raw materials and final product. The mobile units (an excavator and a front-end loader)

would configure the raw material stockpiles and load raw materials into hoppers attached to the conveyor system. Stockpile management would include water sprays to control entrainment of the material during high-wind events, and areas near the stockpiles would be graded to collect and convey stormwater runoff into a modern storm drainage system to capture and treat water runoff during rain events. A small electric forklift for general maintenance activities would also be on site.

The stationary equipment would consist of hoppers, electric-powered conveyor belts, a mill, bag filters (a main filter for product collection and smaller filters on hoppers and conveyors), an air heater, fans, and storage and loading silos. Covered conveyors would move raw materials from the hoppers to the mill and between the mill and the product silos. The covered conveyors would minimize the escape of particulates that could enter stormwater. The electric-powered mill would grind the GBFS and gypsum into the product (GGBFS) in a continuous process. Particles fine enough to meet product specifications would pass to a bag filter while coarser material would be returned to the mill. The GGBFS would be dried from its incoming moisture content of 6-12% to less than 0.2% moisture by the incoming air preheated by the air heater. The moist spent air would be discharged through a vent stack. Material collected on the bag filter would be transported by a closed conveyor to a bucket elevator that would lift it into the product storage silos. Air injection systems at the bottom of the product storage silos would fluidize the product into a powder for discharge into an enclosed conveyor that would transport the product to loading silos. The loading silos would be located above scales to weigh trucks during the loading process to control load weights.

Truck loading would be carried out within a building located below the product dispatch silos. The truck loading equipment would be of the latest design, each unit having an automated control system and dedicated filtration unit. Together, these features would ensure an efficient, safe, and dust-free loading process. The dust control measures during loading would also minimize the escape of particulates that could enter stormwater.

The facility would consume water for process and office uses; natural gas for heating process air; diesel fuel for onsite mobile equipment, and electricity for operating process equipment and facility lighting and office uses.

Truck Operations: The GGBFS would be shipped in contracted, third-party, sealed dry-bulk pneumatic tanker trailer trucks. Orcem would not have ownership or control of the truck fleet. The trailer/tractors would be diesel- or alternative fuel-powered, 18-wheel semi-trailer rigs, compliant with California's Truck and Bus Rule, each capable of carrying up to approximately 24 metric tons of GGBFS. Gypsum would be delivered to the facility by truck. Gypsum trucks would likely be hopper trucks and would be compliant with the Truck and Bus Rule. Inbound and outbound trucks would use Caltrans-designated truck routes in the Port area. It is anticipated that trucks would arrive at the facility by traveling down either Alameda Street (SR 47) or State Route 103 to Henry Ford Avenue, then west on the POLA's planned Berth 200 Roadway Extension, then south on Avalon Boulevard, and finally Water Street and Yacht Street to the facility. Once in the facility, the empty trucks destined to load GGBFS would enter an enclosed loading area and be positioned on weighbridges to be precisely loaded through their opened hatches, thereby reducing the risk of dust release during loading. When loading is complete, the hatches would be sealed and the trucks would then use the same routes in reverse to arrive at customer locations throughout Southern California and Nevada.

3.0 Project Alternatives

According to State CEQA Guidelines Section 15126.6, an EIR need only examine in detail those alternatives that could reasonably meet most of the basic objectives of the proposed Project. The primary objectives of the proposed Project are, as described in Section 2.1, to help supply the Southern California construction industry with sufficient amounts of a specific, lower-carbon binder to replace cement. Only alternatives that would meet most of those objectives will be considered in the EIR. Those alternatives include, but are not limited to, the No Project Alternative, the Reduced Project Alternative, and the Product Import Terminal Alternative. Each of these alternatives is summarized below.

3.1 No Project Alternative

The No Project Alternative required by CEQA represents what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. Under this alternative, the Project site would remain largely unused. The small craft salvage and demolition activity currently taking place would likely be terminated within a few years, but LAHD has not developed a proposal to install any other use at the site.

3.2 Alternative 2 – Reduced Project

In the Reduced Project Alternative, all of the elements of the proposed Project described above would be built, but the capacity of the facility to produce GGBFS would be reduced due to utilizing a smaller class of vessels (30,000 metric tons of cargo) arriving at regular intervals, resulting in the construction of a smaller storage area and a smaller mill. Under this alternative, the maximum capacity of the Orcem facility would be 501,000 metric tons/yr of GGBFS product, derived from 540,000 metric tons/yr of GBFS raw material received per year. The facility would generate approximately 22,000 truck trips and 18 vessel calls per year, and employ 26 full-time workers on site.

3.3 Alternative 3 – Product Import Terminal

In the Product Import Terminal Alternative, all of the elements of the proposed Project described above would be built outside of the USA at a single source of raw material near a deep-water berth. The finished powder product would be transported by sea-going bulk vessels to Berth 191, where it would be off-loaded to a 60,000-ton bulk storage structure by an enclosed vacuum suction conveyor system. The office building, truck-loading silos, and weighbridges in the proposed Project would remain the same, but there would be no open storage piles for GBFS and gypsum and none of the mobile equipment needed to manage the storage piles. Construction would be similar to the proposed Project, as the bulk storage facility would require similar ground improvements and foundations. Under this alternative, the maximum capacity of the Ecocem facility would be unchanged at 750,000 metric tons of GGBFS per year. The facility would generate approximately 34,000 truck trips, receive 27 vessel calls per year, and have 12 employees.

4.0 Anticipated Project Approvals and Permits

The environmental approvals or permits that could be required for the Project would likely include, but not be limited to:

U.S. Army Corps of Engineers

- Section 404/Section 10 Construction Permit

Los Angeles Regional Water Quality Control Board (LARWQCB)

- Section 401 (Clean Water Act) Water Quality Certification
- Storm Water Pollution Prevention Plan (SWPPP)
- National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities
- Individual NPDES Permit (if full capture of storage pile material cannot be ensured).

Los Angeles Harbor Department

- Coastal Development Permit
- Harbor Engineer Permit
- Real Estate permit (lease).

City of Los Angeles Department of Sanitation

- Industrial sewer connection permit

California Coastal Commission

- Port Master Plan Amendment

South Coast Air Quality Management District (SCAQMD)

- Permits to construct and operate.

5.0 Initial Study Checklist

1.	Project Title:	Berth 191-194 Ecocem Processing Facility Project
2.	Lead Agency Name and Address:	LAHD Environmental Management Division 425 South Palos Verdes Street San Pedro, California 90731
3.	Contact Person and Phone Number:	Lisa Wunder (310) 732-7688
4.	Project Location:	100 Yacht Street Wilmington, CA 90744
5.	Project Sponsor's Name and Address	Orcem California 21 Waterway Avenue, Suite 300 The Woodlands, TX 77380
6.	Port Master Plan Designation:	Liquid Bulk Cargo

7.	Zoning:	Qualified Heavy Industrial Zone [Q] M3-1
8.	Description of Project:	The proposed Project consists of constructing and operating a new facility on the backlands adjacent to Berth 191-194 that would import raw materials by ship and truck, produce a specific alternative low- carbon concrete binder (ground granulated blast furnace slag [GGBFS]) in a new manufacturing facility on site, and load third-party trucks that would transport the GGBFS to local consumers.
9.	Surrounding Land Uses/Setting:	The Project site is located within the Port of Los Angeles (Figure 2-1). The Port of Los Angeles is located on San Pedro Bay approximately 20 miles south of downtown Los Angeles. As mentioned above, the Port encompasses approximately 7,500 acres of land and water, and features 24 major cargo terminals. The Port also includes a cruise ship terminal, commercial fishing and shipbuilding uses, extensive recreational boating facilities, and a variety of coastal-related visitor-serving and recreational facilities. The Project site is located within the Port of Los Angeles Community Plan area in the City of Los Angeles, adjacent to the community of Wilmington. The overall character of the surrounding area is primarily marine cargo handling (liquid and dry bulk, automobiles) and other water-related uses.
10.	Other Public Agencies Whose Approval Is Required:	<ul style="list-style-type: none"> • USACE • LARWQCB • CSLC • SCAQMD • LADBS • LAFD
11.	Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code 21808.3.1?	No (see Section 6.18) – Pending consultation with Native American Heritage Commission.

The Port uses an environmental checklist as part of its Initial Study/Notice of Preparation of an EIR; accordingly, presenting the preliminary analysis in the general form of the checklist is an efficient approach. This checklist has been adopted by the City of Los Angeles, including the Harbor Department, and is based, with some modifications, upon the checklist contained in Appendix G of the CEQA Guidelines. The determinations summarized in the checklist are supported by the narrative analyses in Section 4.

5.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project (i.e., the proposed Project would involve at least one impact that is a “potentially significant impact” prior to mitigation, as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input checked="" type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation and Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfires | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

5.2 Determinations

On the basis of this initial evaluation:

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

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

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

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

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

Signature
Chris Cannon, Director
Environmental Management Division
City of Los Angeles Harbor Department

Date

6.0 Environmental Checklist

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “no impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “no impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “no impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially significant impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “potentially significant impact” entries when the determination is made, an EIR is required.
4. “Negative declaration: less than significant with mitigation incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “potentially significant impact” to a “less than significant impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063[c][3][D]). In this case, a brief discussion should identify the following:
 - (a) Earlier analysis used. Identify and state where earlier analyses are available for review.
 - (b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation measures. For effects that are “less than significant with mitigation incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:

- (a) the significance criteria or threshold, if any, used to evaluate each question, and
- (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.

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

Potential impacts associated with the proposed Project are addressed in the Initial Study Checklist and impact discussions below.

6.1 Aesthetics

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a.	Have a substantial adverse effect on a scenic vista?			X	
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?				X
c.	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality??			X	
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

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

Less Than Significant Impact. The Conservation Element of the City of Los Angeles General Plan defines a scenic vista as a panoramic public view with access to natural features, including views of the ocean, striking or unusual natural terrain, or unique urban or historic features (City of Los Angeles, 2001). The Project site is industrial in nature, is located inside a working port, and is not within or near any protected or designated scenic vistas.

The Port of Los Angeles Master Plan Update Draft Environmental Impact Report (LAHD, 2013) identifies important and representative public views, including panoramic views of the Pacific

Ocean and near and distant views that are representative of a working port environment, including vessels, wharves, cranes, and other dockside facilities. These critical views occur from points including the Main Channel and the San Pedro Waterfront, Harbor Freeway, Banning’s Landing, San Pedro Bluffs and Lookout Point Park, Wilmington Waterfront Park, and “C” Street residential area in Wilmington. Due to the combination of topography, intervening development, and distance, visibility of the Project site from many of these locations, or from higher locations, is limited. The critical views would not be obstructed by any of the elements of the proposed Project such as the storage piles or silos.

The Project site is surrounded by other port uses, including liquid bulk terminals, tank farms, and container terminals, in an area of the Port rarely visited by the general public (i.e., along Slip 5 and the East Basin), and it is not an individually prominent feature from any scenic vista in the area. Furthermore, the new conveyors, silos, and ancillary structures would be similar in character to surrounding facilities (i.e., industrial); thus, the Project improvements would not result in a substantive change in the visual character or quality of the site. Significant impacts to the surroundings are not anticipated because the proposed Project would not substantially alter the basic character of the view (port industrial); accordingly, this issue will not be discussed further in the EIR.

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

No Impact. The nearest State-designated scenic highway to the Project site is State Highway 1 (Pacific Coast Highway) southward from the traffic circle in Long Beach (Caltrans 2022), which is approximately four miles east of the Project site. Accordingly, the Project site is not located near or visible from an eligible or designated state scenic highway, nor are scenic resources located at the Project site; therefore, the Project activities would not have the potential to damage scenic resources.

The City of Los Angeles has City-designated scenic highways that are considered for local planning and development decisions which include several streets that are in the vicinity of the Project (City of Los Angeles, 1999). John S. Gibson Boulevard, Pacific Avenue (from Crescent Avenue to Paseo del Mar), Front Street, and Harbor Boulevard (between Front Street and Crescent Avenue) are City-designated scenic highways because they afford views of the Port and the Vincent Thomas Bridge. However, views of the Project site from the City-designated scenic highways are either very limited or non-existent due to topography and/or intervening development, including buildings, gantry cranes, and stacked containers. The visual elements associated with the Project would be consistent with surrounding developments (tank farms, cranes), and would not have any impact on the views of the Vincent Thomas Bridge or from a City-designated scenic highway. Therefore, this issue will not be considered in the EIR.

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

Less Than Significant Impact. The Project site is within an urbanized area and would not conflict with the applicable zoning at the site or surrounding areas, which is [Q] M3-1 (Qualified-Heavy Industrial). The appearance of the facilities in the area of the Project site is functional in nature and is characterized by exposed infrastructure, open storage, the use of unfinished or unadorned building materials, and the use of safety-conscious, high-visibility colors for mobile

equipment such as cranes, containers, and railcars. The proposed Project would constitute a new use for the site, but that use is consistent with the zoning of the site and would maintain the visual character of the site and its vicinity. The elements of the Project that would be visible from off-site would be the storage piles, conveyor systems, grinding mill, and silos. These features would be similar in appearance to surrounding port industrial facilities, which include tall cranes, liquid bulk storage tanks, and multi-story industrial structures, and would not result in a substantive change in the overall visual character or quality of the site. Accordingly, impacts are expected to be less than significant, and this issue will not be discussed further in the EIR.

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

Less Than Significant Impact. The Project site has little existing nighttime lighting on the property and along the wharf, but it is in an area of generally high ambient lighting from surrounding industrial uses, including a nearby container terminal. Under the proposed Project, an industrial facility with bright night lighting (to support 24/7 operations) would be constructed. The new lighting levels would be substantially higher than existing levels. However, that light would be similar to that on existing vessels and trucks and would therefore be consistent with nearby terminal operations and a working port. Furthermore, the new lighting would conform to the requirements of the LAHD Harbor Engineer Permit to install modern lights designed to minimize light spillover.

The only potential for an adverse effect due to nighttime lighting would be for the live-aboards at the nearby marinas; no other sensitive receptors are close enough to be affected by night lighting. However, the live-aboards would experience the proposed Project as a cluster of bright lighting in the foreground of a vista dominated by the bright lights of container terminals, notably the Yusen terminal across the East Basin from the Project site. Because the new lighting associated with the proposed Project would not add substantially to the existing nighttime light environment, impacts would be less than significant and this issue will not be considered further in the EIR.

6.2 Agriculture and Forest Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2.	AGRICULTURE AND FOREST RESOURCES. In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland				X

	Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b.	Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)) or timberland (as defined Government Code section 51104(g))?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

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

No Impact. There is no farmland as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation in the Port of Los Angeles (DOC 2019). Accordingly, this issue will not be considered in the EIR.

b) Would the proposed Project conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

No Impact. There are no lands with Williamson Act contracts within the Port of Los Angeles (DOC 2019). Accordingly, this issue will not be considered in the EIR.

c) Would the proposed Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)) or timberland (as defined Government Code section 51104(g))?

No Impact. There is no land zoned as timberland or forest land, as defined in applicable codes, within the Port of Los Angeles. Accordingly, this issue will not be considered in the EIR.

d) Would the proposed Project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Because there is no forest land within the Port of Los Angeles, the proposed Project would not adversely affect any forest land. Accordingly, this issue will not be considered in the EIR.

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

No Impact. Because, as described in a) and c), above, there is no farmland or forest land in the Port of Los Angeles, the proposed Project would not result in the conversion of such lands to other uses. Accordingly, this issue will not be considered in the EIR.

6.3 Air Quality

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3.	AIR QUALITY. When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?	X			
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment area under an applicable federal or state ambient air quality standard?	X			
c.	Expose sensitive receptors to substantial pollutant concentrations?	X			
d.	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

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

Potentially Significant Impact. The South Coast Air Quality Management District’s 2016 Air Quality Management Plan (AQMP) is based, in part, on port cargo and activity forecasts provided to the Southern California Association of Governments (SCAG). SCAQMD uses SCAG’s data to develop emissions inventories and projections, which in turn support the AQMP’s control measures.

In 2017, the LAHD adopted the San Pedro Bay Ports 2017 Clean Air Action Plan (CAAP) Update (SPBP 2017). The scope and framework of the 2017 CAAP Update provides new and updated strategies and emission-reduction targets to cut emissions from sources operating in and around the Ports, plan for zero-emissions infrastructure, encourage freight efficiency, and address energy resources.

The proposed Project’s consistency with the AQMP and the CAAP cannot be verified at this time; accordingly, this issue will be considered in the EIR.

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

Potentially Significant Impact. National and California Ambient Air Quality Standards (NAAQS and CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone, sulfur dioxide, nitrogen dioxide, particulate matter of less than 10 microns (PM₁₀), particulate matter of less than 5 microns (PM_{2.5}), and lead. Areas are classified under the federal Clean Air Act (CAA) as attainment, nonattainment, or maintenance for each criteria pollutant based on whether the NAAQS have been achieved. Similarly, areas are classified under the state CAA as to whether CAAQS have been achieved. Despite the improvements in air quality in recent decades, the County is designated as a federal nonattainment area for ozone, lead, and PM_{2.5} and state nonattainment area for ozone, PM₁₀, and PM_{2.5}. SCAQMD has developed maximum daily emissions significance thresholds for all criteria pollutants for the assessment of both construction and operation impacts. Because the proposed Project would not use leaded fuels or handle lead-containing materials, lead is not a pollutant of concern for the EIR.

The proposed Project would result in emissions of criteria pollutants during construction from construction equipment exhaust and earthmoving activities, and during operation from sources such as raw material and product hauling trucks, ocean-going vessels (OGVs), associated tugboat activities, process equipment including a natural gas-fueled air heater, worker vehicles, fugitive dust, and on-site mobile equipment such as loaders. Due to the elevated concentrations of air pollutants that currently occur in the SCAB and Port region, the proposed Project, in conjunction with other related projects, has the potential to make a substantial contribution to significant cumulative air quality impacts. Accordingly, this issue will be further considered in the EIR.

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

Potentially Significant Impact. Sensitive receptors represent members of the population that are more susceptible to health impacts from air emissions. Sensitive receptor groups include children, the elderly, and the acutely and chronically ill. The locations of these groups include residences, schools, daycare centers, convalescent homes, and hospitals. The nearest sensitive receptors are:

- Fire Station 49 with sleeping quarters, approximately 350 feet north of the northern boundary of the site, located in a heavy industrial zone;
- A marina with live-aboard residents, approximately 1,015 feet east of the site, located in a heavy industrial zone;
- The Monterey Inn, approximately 2,900 feet north of the site, located in a commercial zone;
- Residences in the residential zone in Wilmington, approximately 3,700 feet north of the site.

Construction activities may expose sensitive receptors in those areas to air pollution in the form of dust and equipment emissions, including criteria pollutants and toxic air contaminants (TACs) from diesel exhaust from construction equipment. The closest off-site workers would be located to the north and west of the site in the Vopak Terminal.

Operational activities may also expose nearby sensitive receptors to increased levels of criteria air pollutants. In addition, there is the potential for the proposed Project to result in increased

TACs associated with diesel emissions from ships, trucks, and operational process equipment. In view of the proximity of the Project site to sensitive receptors, these issues will be further evaluated in the EIR.

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

Less Than Significant Impact. Odors from operation of the proposed Project would be similar to the odors produced from surrounding terminal operations and would be primarily associated with vessels moored at Berth 191 and trucks accessing the facility (dust from storage piles would have no odor). The distances between proposed Project emission sources and the nearest sensitive receptors, i.e., Fire Station 49, 350 feet (110 meters) to the northeast and residences in the marinas, located approximately 1,015 feet (310 meters) to the east are far enough to allow for adequate dispersion of these emissions to below objectionable odor levels. Accordingly, impacts are expected to be less than significant, and this issue will not be evaluated in the EIR.

6.4 Biological Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4.	BIOLOGICAL RESOURCES. Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c.	Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?				X

a) Would the project 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?

Less Than Significant Impact. Federal and state endangered species are found in the harbor area (Table 6.4-1). The endangered California least tern (*Sterna antillarum browni*), which is on the federal and state endangered species list, nests and forages within the Port. A 15-acre California least tern nesting area is located on Pier 400, about three miles south of the proposed project site. Belding’s savannah sparrows (*Passerculus rostratus/sandwichensis beldingi*) have also been found in the Port area (although not recently and not near the proposed Project site) and are on the state endangered species list. The delisted California brown pelican (*Pelecanus occidentalis californicus*) uses the outer breakwaters as resting habitat, and the delisted peregrine falcon (*Falco peregrinus*) nests on certain bridges within the Port Complex (i.e., the combined ports of Los Angeles and Long Beach), including the nearby Vincent Thomas Bridge.

Other non-listed special-status species (Table 6.4-1) with the potential to occur near the proposed Project site include black-crowned night heron (*Nycticorax nycticorax*), great blue heron (*Ardea herodias*), and black oystercatcher (*Haematopus bachmani*) along the shoreline, and black skimmer (*Rynchops niger*), Caspian tern (*Hydroprogne caspia*), elegant tern (*Thalasseus elegans*), and double-crested cormorant (*Phalacrocorax auritus*) on the open waters of the East Basin and Cerritos Channel (Wood E&IS 2021). Previous surveys have observed burrowing owls (*Athene cunicularia*) in Los Angeles Harbor, although not near the Project site (SAIC 2010). Several of these species are known to nest within the Port Complex.

No candidate, sensitive, or special-status bird or terrestrial species are known to occur on the Project site. Due to its industrialized nature, the project site is unlikely to serve as nesting habitat for any sensitive species, and the harbor waters adjacent to the Project site are not considered critical foraging habitat for California least tern or the other listed marine bird species. Because the site is largely vacant and unvegetated, bats or nesting birds are unlikely to be present.

Table 6.4-1. Special Status Species (Designated by CDFW and USFWS) Observed in the Port Area

Species	Agency/Designation	Notes
Birds		
Belding’s Savannah Sparrow (<i>Passerculus sandwichensis</i>)	CDFW – SE	Inhabits coastal salt marches of southern California. Not observed in 2018 POLA and POLB Biosurveys and previous biosurveys since 2000.

Table 6.4-1. Special Status Species (Designated by CDFW and USFWS) Observed in the Port Area

Species	Agency/Designation	Notes
Black Oystercatcher (<i>Haematopus palliatus</i>)	USFWS – BCC	Known to nest in the Port Complex. 320 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Species observed along Middle Breakwater.
Black Skimmer (<i>Rhyncops niger</i>)	USFWS – BCC CDFW – SCC	Year-round species. Known to nest annually at Pier 400. 184 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Most observations at Cabrillo Beach.
Black-crowned Night Heron (<i>Nycticorax nycticorax</i>)	CDFW – SA	Year-round species. No nesting was observed during the 2018 POLA and POLB Biosurvey, but 37 individuals sighted in the Port Complex.
Brant (<i>Branta bernicla</i>)	CDFW – SA	Uncommon in the Port, but found regionally. No known nesting has occurred in the Port Complex. 1 individual observed during the 2018 POLA and POLB Biosurvey.
Brown Pelican (<i>Pelecanus occidentalis</i>)	CDFW – FP	No known nesting site in the Port Complex. 2,780 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Observation primarily recorded in Outer Harbor along breakwaters and shallow water habitats.
Burrowing Owl (<i>Athene cunicularia</i>)	USFWS – BCC	Primarily transient. Last observed nesting in Port Complex during the 2008 POLA and POLB Biosurvey. Not observed during the 2018 POLA and POLB Biosurvey. However, they are occasionally observed transiting during their migration season.
California Gull (<i>Larus californicus</i>)	CDFW – WL	Year-round species. 261 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.
California Least Tern (<i>Sterna antillarum browni</i>)	USFWS – FE CDFW – SE, FP	Migratory species. Designated nesting site at Pier 400. 90 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Foraging occurs primarily around Pier 400, the breakwater and shallow water habitats.
Caspian Tern (<i>Hydroprogne caspia</i>)	USFWS – BCC	Migratory species. Known to nest at Pier 400 CLT nesting site. 210 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Most observations at Pier 300, Pier 400, and Cabrillo Beach.

Table 6.4-1. Special Status Species (Designated by CDFW and USFWS) Observed in the Port Area

Species	Agency/Designation	Notes
Common Loon (<i>Gavia immer</i>)	CDFW – SCC	Migratory species. Not known to nest in the Port complex. 3 individuals observed roosting in the Port complex during the 2018 POLA and POLB Biosurvey.
Double-crested Cormorant (<i>Phalacrocorax auratus</i>)	CDFW – WL	Year-round species. Known to nest in Port Complex. 1,894 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Observed primarily along the Middle Breakwater.
Elegant Tern (<i>Thalasseus elegans</i>)	CDFW – WL	Migratory species. Known to nest at the Pier 400 CLT nesting site. 5,127 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Observed regularly foraging at the shallow water habitat at Cabrillo Beach and Seaplane Lagoon during the 2018 POLA and POLB Biosurvey.
Great Blue Heron (<i>Ardea herodias</i>)	CDFW – SA	Resident species. Known to nest in trees near POLA Main Channel Wilmington marinas. 704 individuals recorded throughout the Port Complex during the 2018 POLA and POLB Biosurvey.
Great Egret (<i>Ardea alba</i>)	CDFW – Sensitive	Resident species but rare in the Port Complex. Not known to nest in the Port Complex. 6 individuals recorded in the Port complex during the 2018 POLA and POLB Biosurvey.
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	USFWS – BCC	Migratory species. Last observed in Port Complex during 2000 POLA and POLB Biosurvey. Not observed in 2018 POLA and POLB Biosurvey.
Long-billed Curlew (<i>Numenius americanus</i>)	USFWS – BCC	Migratory species. Not known to nest in the Port Complex. 2 individuals recorded in the Port complex during the 2018 POLA and POLB Biosurvey.
Marbled Godwit (<i>Limosa fedoa</i>)	USFWS – BCC	Migratory species. 3 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Observed primarily at Cabrillo Beach.
Osprey (<i>Pandion halieatus</i>)	CDFW – WL	Migratory species. Known to nest at Pier E-D in POLB. 43 observations in the Port Complex during the 2018 POLA and POLB Biosurvey.

Table 6.4-1. Special Status Species (Designated by CDFW and USFWS) Observed in the Port Area

Species	Agency/Designation	Notes
Peregrine Falcon (<i>Falco occidentalis</i>)	USFWS – BCC CDFW – FP	Resident species. Known to nest on Schuyler F. Heim Bridge and former Gerald Desmond Bridge in POLB. 1 individual recorded at Pier 400 during the 2018 POLA and POLB Biosurvey.
Scripps’s Murrelet (<i>Synthliboramphus scrippsii</i>)	USFWS – BCC	Ocean-dwelling species rarely observed on land. Not observed in 2018 POLA and POLB Biosurvey. Last observed in Port Complex during 2013 POLA and POLB Biosurvey.
Snowy Egret (<i>Egretta thula</i>)	CDFW – SA	Known to nest in the Port Complex. 145 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey, primarily at Cabrillo Beach.
Tufted Puffin (<i>Fratercula cirrhata</i>)	CDFW – SSC	Not observed in the 2018 POLA and POLB Biosurvey. Last observed in the Port Complex during the 2000 POLA and POLB Biosurvey.
Western Snowy Plover (<i>Charadrius nivosus nivosus</i>)	USFWS – BCC, ESA Threatened	Migratory. Not observed in POLA and POLB Biosurveys performed from 2000 to present (2018)
Whimbrel (<i>Numenius phaeopus</i>)	USFWS – BCC	Migratory species. 42 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey. Observed primarily at Cabrillo Beach.
White-faced Ibis (<i>Plegadis chihi</i>)	CDFW – WL	Resident species. Not observed in 2018 POLA and POLB Biosurvey. Last observed in the Port Complex during the 2000 POLA and POLB Biosurvey.
Marine Mammals		
California Sea Lion (<i>Zalophus californianus</i>)	USFWS, NMFS MMPA Protected	– Common resident species. 587 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.
Common Bottlenose Dolphin (<i>Tursiops truncatus</i>)	USFWS, NMFS MMPA Protected	– 18 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.
Common Dolphin (<i>Delphinus</i> spp.)	USFWS, NMFS MMPA Protected	– 40 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.
Gray Whale (<i>Eschrichtius robustus</i>)	USFWS, NMFS MMPA Protected	– Transitory. 1 observation recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.

Table 6.4-1. Special Status Species (Designated by CDFW and USFWS) Observed in the Port Area

Species	Agency/Designation	Notes
Harbor Seal (<i>Phoca vitulina</i>)	USFWS, NMFS MMPA Protected	– Common resident species. 223 individuals recorded in the Port Complex during the 2018 POLA and POLB Biosurvey.
Other		
Green Sea Turtle (<i>Chelonia mydas</i>)	USFWS, NMFS ESA Protected	– Not observed in 2000, 2008, 2013, and 2018 POLA and POLB Biosurveys. Known in region.

Notes: USFWS = United States Fish and Wildlife Service; NMFS = National Marine Fisheries Service; CDFW = California Department of Fish and Wildlife; CDF = California Department of Forestry and Fire Protection; MMPA = Marine Mammal Protection Act; ESA = Endangered Species Act; BCC = Bird of Conservation Concern; SA= Special Animal; SSC = Species of Special Concern; FP = Fully Protected; FE = Federally Endangered; WL = Watch List; SE = State Endangered

All marine mammals (Table 6.4-1), which include sea otters, pinnipeds (sea lions and seals), and cetaceans (whales and dolphins), are protected under the Marine Mammal Protection Act (MMPA) of 1972, and some are also protected by the Endangered Species Act (ESA) of 1973. However, only California sea lions (*Zalophus californianus*) and harbor seals (*Phoca vitulina*) were abundant during the recent biological surveys of the Port Complex (SAIC 2010; MBC 2016; Wood E&IS 2021). Sea lions are abundant throughout the Port, including near Berth 191, while harbor seals are largely limited to Outer Harbor waters. Neither species is endangered and there are no designated significant ecological areas for either species within the Port. Common dolphins (*Delphinus* spp) and bottlenose dolphins (*Tursiops truncatus*) are occasionally observed in the Outer Harbor, but not near the Project site, and a single gray whale (*Eschrichtius robustus*) was observed in the Outer Harbor during the 2018 Biosurvey (Wood E&IS 2021). Various marine mammals use nearshore waters outside the breakwater, including the gray whale and several species of dolphin and porpoises.

The Project site is located in an area designated as Essential Fish Habitat (EFH) for federally managed species under two Fishery Management Plans (FMPs): the Coastal Pelagics FMP and the Pacific Coast Groundfish FMP. Only 21 of the 89 managed fish species are known to occur in the Port, and most of those have been collected only sporadically and in very low numbers in the Port (SAIC 2010, MBC 2016, Wood E&IS 2021). The exception is one species of the Coastal Pelagics FMP, northern anchovy (*Engraulis mordax*), which has consistently been the most abundant fish in the Port Complex (Wood E&IS 2021).

The proposed Project could affect marine mammals through vessel collisions and underwater noise. However, the proposed Project’s vessel traffic in the harbor (up to 27 per year at full build-out) is negligible in the context of total vessel activity in Los Angeles Harbor (1,654 vessel calls in 2020), and no in-water construction would occur; furthermore, the oceangoing vessels associated with the proposed Project would comply with the Port’s Vessel Speed Reduction Program requiring them to proceed at no more than 12 knots within 40 miles of the harbor entrance, which would further reduce the risk of collisions with marine mammals. Accordingly, the proposed Project would not be likely to have a substantial adverse effect on marine mammals related to vessel collisions.

If fender piles need to be installed at Berth 191, the in-water construction would result in turbidity and underwater noise from pile removal and driving, which could adversely affect marine mammals and managed fish species. The effects of turbidity would be very localized and temporary given that only a few piles would be installed, and impacts would be less than significant. However, pile driving has the potential to produce underwater noise levels that would exceed the criteria for Level B harassment of marine mammals (NOAA 2016), and to result in injury or mortality to managed fish species in the Coastal Pelagics FMP such as northern anchovy, Pacific sardines, and topsmelt. Although measures to mitigate underwater noise are available, this issue is considered a potentially significant impact.

The proposed Project would add lighting to a site that currently has little lighting. There is some evidence that nighttime lighting could affect sensitive species in a number of ways, including disrupting diurnal cycles and altering predator-prey interactions. However, new lighting at the proposed Project would, through permit requirements, conform to the Port's standards designed to minimize light spillover. Furthermore, the lighting would not shine directly on harbor waters because the project site is set back from the shoreline, so that effects such as attracting bait fish (e.g., northern anchovies) into an area where they would be more vulnerable to predation would not occur. Given that the Project site is unlikely to support substantial numbers of sensitive bird species, the new lighting would not have substantial adverse effects on those species.

Although most impacts on federal and state sensitive species would be less than significant, in-water construction has the potential to cause a significant impact. Accordingly, this issue will be further evaluated in the EIR.

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

Less Than Significant Impact. There is no riparian habitat at the Project site or in the vicinity, and no terrestrial sensitive communities exist in the vicinity of the Project site. Vegetation on the Project site consists of weeds, patches of grass, and a few ornamental or weedy trees and shrubs. No candidate, sensitive, or special-status plant species are known to occur on the Project site and there is no habitat that would support such species. Accordingly, construction, which would occur entirely on land, would not be expected to have adverse effects on special-status plants or other sensitive communities. Operation of the proposed Project would result in a small increase in vessel traffic in the harbor (up to 27 vessels per year versus 1,654 vessel calls to the Port in 2020) and would therefore have limited potential to affect riparian or other sensitive habitats.

Sensitive natural habitat in the vicinity of the Project site consists of small patches of eelgrass (*Zostera marina*) in shallow waters of the Berths 201-205 marinas, approximately 1,200 feet (370 meters) east of the Project site (Wood E&IS 2021). Eelgrass is identified as a special aquatic site in the Clean Water Act. In-water work to install fender piles at Berth 191 could result in localized turbidity, but the small scale of construction and its distance from eelgrass mean that the impacts would be less than significant. Vessel operations already occur at terminals adjacent to and across the Cerritos Channel from the Project site and have permitted eelgrass to become established in the area; accordingly, the small increase represented by the proposed Project's vessels is not expected to have a significant effect on that habitat.

Invasive non-native marine species can arrive in San Pedro Bay as biofouling organisms attached to hulls and fittings and in ballast water discharged into the harbor as part of vessel loading operations. There are at least 46 non-native aquatic species in the Port Complex (Wood E&IS,

2021). Many of these species are present at the Project site in the benthic infauna and riprap community.

State and federal programs are in place to reduce the likelihood that harmful non-native species will be introduced into California bays and harbors. California State Lands Commission has developed the Marine Invasive Species Program, with biofouling management requirements that became effective in 2018 for vessels arriving in California ports (Title 2, California Code of Regulations, Section 2298.1 et seq.), and now apply to all new and existing vessels. The United States Coast Guard also regulates the management of ballast water, as outlined in 33 CFR 151 Subpart D – Ballast Water Management for Control of Non-Indigenous Species in Waters of the United States, and Section 151.2030 establishes ballast water discharge standards, including limits on the concentration of various organisms per cubic meter in discharged ballast water. In 2021 California adopted the federal performance standards and implementation schedule into its Marine Invasive Species Program. With implementation of these programs, the small increase in overall vessel traffic associated with the proposed Project, and the fact that the proposed Project vessels would arrive loaded, rather than in ballast, the increase in the risk of introducing non-native species would be minimal.

Accordingly, impacts to sensitive natural habitats and communities would be less than significant, and this issue will not be considered further in the EIR.

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

No Impact. The proposed Project would not affect federally protected wetlands (as defined by Section 404 of the Clean Water Act) because there are no designated wetlands in the Project area. The only wetlands in the Los Angeles Harbor are the Anchorage Road Salt Marsh and the Cabrillo Salt Marsh, approximately 0.6 and 3.7 miles, respectively, from the Project site (LAHD 2018a). Neither of these wetlands would be affected or otherwise disturbed by the proposed Project. This issue will not be considered in the EIR.

d) Would the project 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 wildlife nursery sites?

No Impact. There are no known terrestrial migration corridors within the Port Complex, including the Project site. Numerous bird species, including a number of sensitive species, nest in the Port Complex, but the Project site is developed and offers minimal habitat for wildlife or bird nesting. The nearest designated wildlife nesting area, the California least tern nesting area on Pier 400, is located 2.9 miles southeast of the Project site; accordingly, the proposed Project would have no direct or indirect impacts to this nesting area. Only a few species of fish in Southern California undertake true migrations (salmonids and white sturgeon), and they are not known to occur in the Port Complex (Miller and Lea, 1972; SAIC, 2010; Wood E&IS, 2021).

Project construction could result in temporary avoidance of the construction areas by resident fish species; however, these effects would be temporary, lasting for a few days at a time. Construction activities within the study area would not block or interfere with migration or movement of any of the species covered under the Migratory Bird Treaty Act (MBTA), because the work would be in a small portion of the Harbor area and any birds present could easily fly around or over the work. Therefore, the proposed Project would not interfere substantially with the movement of native

resident or migratory fish or wildlife, or wildlife corridors or nursery areas, and this issue will not be considered in the EIR.

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

No Impact. The only biological resources protected by City of Los Angeles ordinance are certain tree species, none of which occurs on or near the Project site. Accordingly, the proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This issue will not be considered in the EIR.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other approved local, regional, or state habitat conservation plan?

No Impact. The Project site is not located within an adopted Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP) or near such an area. There is only one NCCP approved near the Port, located approximately four miles to the southwest of the proposed Project in the City of Rancho Palos Verdes, and it was designed to protect coastal scrub habitat (CDFW 2015). There are no HCPs in place for the Port.

The least tern nesting site on Terminal Island (Pier 400) is designated as a Significant Ecological Area (SEA) by the County of Los Angeles (County of Los Angeles, Department of Regional Planning, 2015), but the proposed Project would have no adverse effects on that site. This issue will not be considered in the EIR.

6.5 Cultural Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5.	CULTURAL RESOURCES. Would the project:				
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
c.	Disturb any human remains, including those interred outside of formal cemeteries?				X

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines Section 15064.5?

Less Than Significant Impact. Because the Project site is currently vacant, there are no extant historical resources that could be adversely affected by construction or operation of the proposed Project. However, the site is in the general vicinity of potentially historical resources. Specifically, as described in the cultural resources survey of the proposed Project by GPA (2022), Fireboat 4

at nearby Fire Station 49 and the Matson Passenger Terminal Remnants along East Water Street are eligible for designation as Historical-Cultural Monuments under City of Los Angeles guidelines, and a Transit Shed at Berths 180-181 (approximately 250 meters west of the Project site, across Slip 5) is eligible for listing in the California Register of Historic Resources and designation as a City of Los Angeles Historical-Cultural Monument.

The GPA study (2022) concluded that “the Project does not appear to have the potential to cause direct impacts to historical resources” for the following reasons. First, because the Project site is located outside the physical boundaries of the known and potential historical resources, construction would not destroy, relocate, or alter those resources. Second, vibration generated by construction of the proposed Project would not be likely to adversely affect the historical resources in the vicinity because they were constructed to withstand ongoing activities within the Port. Third, new visual elements introduced by the Project would not materially alter the characteristics of the historical resources that convey their significance, and the visual character of the proposed new buildings and facilities would be similar to existing improvements in the vicinity, so that the overall setting of the historical resources would not be adversely affected. The GPA study also found no potential for indirect impacts on nearby historical resources or for a cumulative impact on historical resources.

Because the proposed Project is unlikely to substantially affect known and potential historical resources in the vicinity, impacts would be less than significant, and this issue will not be considered in the EIR.

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

Less Than Significant Impact. The Project site is composed of both natural land mass and artificial fill. The proposed Project would involve ground-disturbing activities (i.e., installation of building and silo pilings and excavation for foundations and conveyor tunnels). However, because the site consists largely of engineered fill placed early in the 20th Century, archaeological resources are not likely present. Accordingly, this issue will be not considered in the EIR.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

No Impact. No known cemeteries or burials are known to have occurred at the Project site, and the Project area is composed of both disturbed natural areas and man-made engineered material constructed in the early 20th Century. Therefore, construction is not expected to encounter human remains and operation could not do so. This issue will not be considered in the EIR.

6.6 Energy

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
6.	ENERGY. Would the project:				
a.	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	X			
b.	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

In accordance with CEQA Guidelines Appendix F, agencies must consider the energy consumption and conservation aspects of proposed projects. Accordingly, the EIR will address CEQA Appendix F requirements.

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

Potentially Significant Impact. The proposed Project would consume substantial quantities of natural gas for process purposes, although, as discussed in Section 2, the proposed process would consume considerably less natural gas per ton of product than standard cement manufacturing processes. Furthermore, the proposed Project would be required to comply with current state energy efficiency standards and regulations pursuant to the California Building Code (CBC), California Green Building Standards (CALGreen), and City of Los Angeles Green Building Code (LAGBC) that would reduce long-term energy demand. The proposed Project would also be required to comply with the Port Climate Action Plan, Executive Directive No. 10, the Sustainable City pLAn, LAHD's Sustainable Construction Guidelines, and the San Pedro Bay Clean Air Action Plan (CAAP). Because an accurate estimate of the Project's energy consumption cannot be determined at this time, this issue will be considered further in the EIR.

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

Less Than Significant Impact. The proposed Project would be required to comply with current state energy efficiency standards and regulations pursuant to the California Building Code (CBC), California Green Building Standards (CALGreen), and City of Los Angeles Green Building Code (LAGBC) that would reduce long-term energy demand. The proposed Project would also be required to comply with the Port Climate Action Plan, Executive Directive No. 10, the Sustainable City pLAn, LAHD's Sustainable Construction Guidelines, and the San Pedro Bay Clean Air Action Plan (CAAP). The proposed Project would likely not conflict with any of those plans or policies, and impacts would be less than significant. Accordingly, this issue will not be considered further in the EIR.

6.7 Geology and Soils

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
7.	GEOLOGY AND SOILS. Would the project:				
a.	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
	ii) Strong seismic ground shaking?			X	
	iii) Seismic-related ground failure, including liquefaction?			X	
	iv) Landslides?				X
b.	Result in substantial soil erosion or the loss of topsoil?			X	
c.	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X
f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

a) **Would the project directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:**

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or

based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

(ii) Strong seismic ground shaking?

(iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Southern California is one of the most seismically active areas in the United States. Numerous active faults and fault zones are located within the general region, including the active Palos Verdes Fault that traverses the harbor area, as well as the Newport-Inglewood, Elysian Park, Whittier-Elsinore, and Santa Monica-Raymond faults, which are all within 25 miles of the Project site. The harbor area, as with the southern California region as a whole, cannot avoid earthquake-related hazards, such as liquefaction, ground rupture, ground acceleration, and ground shaking. Although no faults within the Port area are currently zoned under the Alquist-Priolo Act, potential hazards exist due to seismic activities associated with the Palos Verdes Fault Zone and the presence of man-made engineered fill. The exposure of people to seismic ground shaking is a potential risk with or without the proposed Project.

The harbor area, including the Project site, is identified as an area susceptible to liquefaction in the City of Los Angeles General Plan Safety Element (City of Los Angeles 1996) because of the presence of recent alluvial deposits and groundwater less than 30 feet below ground surface. The exposure of people and structures to seismic ground shaking and ground failure is a potential risk with or without the Project.

The proposed Project would put heavy storage piles and silos on land consisting largely of engineered fill. However, the proposed Project's design would comply with the applicable engineering standards, Port engineering criteria, and applicable sections of the Los Angeles Building Code. Although the proposed Project could experience strong seismic ground shaking, the Project site is not likely susceptible to surface rupture. Additionally, the proposed Project would not construct any habitable or large permanent structures that would increase the risk of loss, injury, or death in the event of surface rupture.

The proposed Project would comply with applicable engineering standards and building codes, including Port engineering criteria and applicable sections of the Los Angeles Building Code. Emergency planning and coordination would also contribute to reducing injuries to onsite personnel during seismic activity. With incorporation of emergency planning and compliance with current regulations and standard engineering practices, seismic ground shaking would not be likely to result in substantial adverse effects from seismic ground shaking and soil liquefaction. Impacts from the proposed Project would be less than significant. Accordingly, this issue will not be considered in the EIR.

(iv) Landslides?

No Impact. The proposed Project would be constructed and operated on a flat site with no significant natural or graded slopes and is not located near any landslide hazard areas (City of Los Angeles, 1996). This issue will not be considered in the EIR.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The Project site is currently largely unpaved, although portions have degraded pavement from former uses. Construction of the proposed Project would include implementation of standard erosion control BMPs such as temporary berms and haybales, minimization of the extent of disturbed soils at any given time, wind screens and surface watering, and other control measures as specified by the construction SWPPP. These measures and the

flat topography of the site would minimize erosion and loss of topsoil. Following construction, the site would be largely paved and most operations would take place on paved surfaces, which would prevent the disturbance of exposed topsoil. That fact, and operational-phase control practices required by the SWPPP, would prevent substantial soil erosion from the site. This issue will not be considered in the EIR.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. The Project site consists of artificial fill that could be subject to lateral spreading, subsidence, liquefaction, or collapse. Orcem’s geotechnical evaluation of the site and the engineering design, which will be completed prior to completion of the EIR, would verify that the proposed improvements would meet seismic requirements. Although impacts would likely be less than significant because of the nature of the proposed improvements on the site, this issue will be addressed further in the EIR.

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

Less Than Significant Impact. Expansive soils are defined as soils that contain minerals (such as certain clays that, when they absorb water, increase in volume. This change in volume can exert enough force on a building or other structure to cause damage (King 2022). Clay minerals in geologic deposits within the Project area and in previously imported fill material could be expansive. However, the proposed Project’s features would be constructed and operated in accordance with design and engineering criteria, including applicable building and safety requirements (such as the building standards contained in the most recent edition of the Los Angeles Municipal Code [LAMC] and California Building Code [CBC]) as discussed in Section VI(a)(i) above. All Project features would be industrial facilities that would not include habitable structures. As a result, the potential for substantial risks to life or property from expansive soils would be minimal, and this issue will not be considered in the EIR.

e) Would the project have soils that are incapable of supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project site is connected by sanitary sewer system to the City of Los Angeles Bureau of Sanitation’s Terminal Island Water Reclamation Plant (TIWRP), and the proposed Project’s wastewater, which would not include process water, would be conveyed to and treated by the TIWRP. Therefore, the use of septic tanks would not be necessary. Accordingly, this issue will not be considered in the EIR.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The Project site was created in the early 20th Century by dredging to create channels and placing dredged and imported fill material to create upland areas suitable for port-related facilities. Since its creation, the Project area has been repeatedly redeveloped, thereby destroying the stratigraphy of the Project area along with any unique paleontological resources and any unique geologic features. Accordingly, development of the proposed Project would have little

chance of encountering paleontological resources and virtually no chance of encountering such resources in their original context. This issue will not be considered in the EIR.

6.8 Greenhouse Gas Emissions

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
8.	GREENHOUSE GAS EMISSIONS. Would the project:				
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b.	Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

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

Potentially Significant Impact. The proposed Project would result in direct greenhouse gas emissions from construction equipment and from operational sources including OGVs, tugboats, the natural gas-fueled air heater, product hauling trucks, worker vehicles, on-site mobile equipment and indirect greenhouse gas emissions from on-site electricity consumption. Greenhouse gas emissions from the Project have the potential to have significant impacts. Accordingly, this issue will be further evaluated in the EIR.

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

Less than Significant Impact. As previously noted (see Section 1.2), the production of cement is carbon-intensive, and it has been estimated that cement production is responsible for nearly 2% of California’s emissions (CARB 2021). Despite its relatively high carbon emissions, cement will continue to be a highly consumed resource in the state. Ecocem has a process for making a low-carbon-intensity binder as a partial substitute to cement (approximately 10% of energy usage compared to regular cement process). Supply of Ecocem’s cement alternative will help California meet its future cement demands at a lower carbon footprint than cement. In addition, the proposed Project would be required to comply with the Port Climate Action Plan, the Sustainable City pLAn, LAHD’s Sustainable Construction Guidelines, and the San Pedro Bay Clean Air Action Plan (CAAP). Therefore, the proposed Project is not expected to conflict with any applicable plan, policy, or regulation related to GHGs, and impacts would likely be less than significant. However, the EIR will include an evaluation presenting state and local GHG reduction targets and compliance trajectories and a discussion of compliance of the proposed Project with those future plans and policies.

6.9 Hazards and Hazardous Materials

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS.	Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d.	Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				X

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Construction activities associated with the proposed Project are not likely to involve the use of substantial quantities of hazardous materials; the most likely source of hazardous materials would be vehicles and construction equipment. The storage and use of those hazardous materials would comply with Federal and state regulations, the State General Permit for Storm Water Discharges Associated with Construction Activity, and a Project-specific Storm Water Pollution Prevention Plan. SWPPP requirements could include, but are not limited to, controls for vehicle and equipment fueling and maintenance; material delivery, storage, and use; spill prevention and control; and solid and hazardous waste management. Implementation of these construction standards would minimize the potential for an accidental release of

petroleum products, hazardous materials, and/or explosion that could create a significant hazard during construction activities at the Project site.

In compliance with the State General Permit for Storm Water Discharges Associated with Construction Activity and a Project-specific Storm Water Pollution Prevention Plan (SWPPP), standard BMPs would be used during construction activities to minimize runoff of contaminants and clean-up any spills. Applicable BMPs include but are not limited to controls for vehicle and equipment fueling and maintenance; material delivery, storage, and use; spill prevention and control; and solid and hazardous waste management. Therefore, implementation of construction standards would minimize the potential for an accidental release of petroleum products, hazardous materials, and/or explosion during construction activities at the Project site.

Groundwater and soils at the Project site is known to be contaminated by diesel-range petroleum hydrocarbons, volatile organic compounds (VOCs), and selected heavy metals (Leighton 2018). Contamination at most of the Project site does not exceed regulatory limits, but a few areas have petroleum hydrocarbon and VOC concentrations above those limits. That contamination would likely be encountered during construction, particularly in soil. However, the concentrations involved were deemed by a site-specific health risk analysis to pose no significant risk or hazard to off-site receptors; risks to operational on-site workers were identified at only localized portions of the Project site and could be addressed by structural vapor control measures such as an impermeable membrane, passive venting, and paving (Enviro-Tox 2018); the proposed Project would install the appropriate controls.

Contaminated groundwater beneath the Project site is not expected to pose a risk to the public or workers from proposed Project construction due to the minimal potential for exposure. Construction of the proposed Project would involve installing stone columns by means of drilling, but because open excavation to groundwater would not occur, groundwater would not be drawn or extracted to the surface. Accordingly, installation of stone columns would not create a significant hazard to the public or the environment related to the release of groundwater contaminants. Other construction would not involve excavation sufficiently deep to encounter groundwater, although if contaminated groundwater were to be encountered, it would be managed in accordance with standard removal and disposal/treatment protocols. Contaminated soils that may be encountered during construction would be tested and managed in accordance with standard removal and treatment/disposal protocols.

Hazardous materials that may be used or transported at the Project site during operation would include small amounts of refined petroleum products and chemicals used in on-site equipment and facility maintenance activities. The facility would not handle radioactive or unstable materials, and only nominal quantities of corrosive or oxidizing materials.

Given the controls that would be in place, as described above, construction and operation of the Project would not create a significant hazard to the public through routine use, transport, or disposal of hazardous substances and impacts would be less than significant. Accordingly, this issue will not be evaluated in the EIR.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. During construction and operation, spills of non-product materials, e.g., cleaning agents, lubricants, and other maintenance-associated materials, could occur, but as the quantities kept on site would be small (a few gallons) and construction BMPs to minimize and address spills (e.g., offsite fueling, drip pans and absorbent pads, berms and

enclosures around hazardous materials, designated, contained maintenance areas, on-site spill response capabilities; Caltrans 2003) would be implemented, the frequency, extent, and consequences of such spills would be very limited. The proposed Project would handle non-flammable, non-explosive, and non-toxic materials, and would not constitute a new potential target for terrorist action.

Operational vessel traffic would not create a substantial risk of release of hazardous materials to the environment. Vessel traffic in and near Los Angeles Harbor follows established traffic lanes to separate inbound and outbound vessels, proceeds at reduced speeds within 40 miles of the harbor entrance, and coordinates movements with the U.S. Coast Guard through the Marine Exchange. Within the harbor, Port Pilots navigate vessels, with tug assistance, to and from their berths. These navigational safety requirements and practices minimize the potential for collisions, allisions, or groundings that could result in a spill of fuel (the granulated blast furnace slag cargos would be non-hazardous). Thus, although the proposed Project would slightly increase vessel traffic in Los Angeles Harbor (by 27 vessels per year), with the existing navigational safety requirements and practices, the Project would not substantially increase the likelihood or consequences of a release from oceangoing vessels.

Given these controls on construction and operational activities involving hazardous materials, the proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable accident or upset conditions. This issue will not be considered in the EIR.

c) Would the project emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school?

No Impact. There is no existing or proposed school within 0.25-mile of the Project site. This issue will not be considered in the EIR.

d) Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. Government Code § 65962.5 was originally enacted in 1985 and directed the California Department of Toxic Substances Control (DTSC) to compile and update as appropriate lists of various hazardous waste facilities, including those subject to corrective action, leaking underground storage tanks, solid waste disposal facilities that involve hazardous waste releases, and cease-and-desist and cleanup and abatement orders. DTSC maintains these lists, which constitute “the Cortese List”, in several databases, including Envirostor, Geotracker, and the Water Boards’ CDO-CAO database (CaEPA 2022). The Project site does not appear on any of the hazardous waste databases that constitute the “Cortese List”; the nearest Cortese List site is Fire Station 49, which is listed as having a closed case involving a leaking underground storage tank. There would be no impact, and this issue will not be considered in the EIR.

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

No Impact. The Project site is not located within an airport land use plan or within two miles of a public airport or a public use airport. The closest airport is Zamperini Field in Torrance, approximately five miles from the Project site. The Long Beach Airport and Los Angeles International Airport are approximately eight miles and 15 miles, respectively, from the Project

site. A helicopter-landing pad for Island Express is located at Berth 95 (Catalina Air and Sea Terminal Helicopter) approximately one mile southwest of the Project site. Only small helicopters operate from this location and transit primarily via the Main Channel. The proximity of the heliports would not result in a safety hazard for people working in the Project area. Accordingly, there would be no impact, and this issue will not be considered in the EIR.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed Project does not include any physical changes to roadways or access points outside the Project site, and all construction would take place on the Project site; therefore, construction would not affect existing emergency evacuation routes or impair implementation of evacuation plans. During construction, the construction contractor would prepare and implement an emergency response plan that would include coordination with the Port Police and the Los Angeles Police and Fire departments. The plan would specify procedures, such as traffic control measures for construction and worker vehicles and advance notice of wide load and other heavy equipment movements, for avoiding interference with emergency response activities, including the adjacent Fire Station 49.

As is required of all facilities in the Port, the Orcem facility would prepare and implement an operational emergency response action plan that would include coordination with the Port Police and the Los Angeles Police and Fire departments. In addition, the U.S. Coast Guard (USCG), Port Police, and Los Angeles Fire Department have emergency plans in place. Vessel traffic to and from Berth 191 would be coordinated through the Marine Exchange to avoid conflicts and would be too infrequent (on average, approximately once every two weeks) to interfere with Coast Guard emergency measures related to shipping activity or with fireboat access to Fire Station 49. Furthermore, the Port Pilot service has confirmed that since Berth 191 is north of the 750-foot wide entrance to the 1500-foot diameter East Basin there is more than adequate room for the safe transit of all vessels past a vessel docked at Berth 191 in the event of an emergency. Truck activity related to the proposed Project's operations would not interfere with Fire Station 49's landside response activities because Yacht Street, Nissan Way, and connecting roadways have sufficient capacity to accommodate emergency vehicle traffic along with ordinary traffic.

Accordingly, construction and operation of the proposed Project would not impede implementation of any emergency response or emergency evacuation plans. There would be no impacts, and this issue will not be considered in the EIR.

g) Would the project expose people or structures to the risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. There are no wildlands at or near the Project site (City of Los Angeles, 1996). The majority of the Project site and surrounding area is industrial in nature and paved, and no increase in wildland fire would occur as a result of the proposed Project. Therefore, there would be no impact and this issue will not be considered in the EIR.

6.10 Hydrology and Water Quality

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
10.	HYDROLOGY AND WATER QUALITY. Would the project:				
a.	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b.	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				X
	i) Result in substantial erosion or siltation on- or off-site;				X
	ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;				X
	iii) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or?			X	
	iv) Impede or redirect flood flows?				X
d.	In flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation?			X	
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

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

Less Than Significant Impact. Construction could result in spills of fuel, lubricants, or hydraulic fluid from construction equipment and releases of soils and construction debris. However, experience with this type of work in the harbor indicates that such incidences have a very low probability of occurring. Large volumes of chemicals are not used or stored at construction sites. Furthermore, their storage and use would be controlled by the BMPs specified in the Project-

specific SWPPP that would be prepared in accordance with the Construction General Permit (CGP), and by standard Port construction contract requirements and the USACE and LARWQCB permits. The SWPPP would be submitted to the Port by the construction contractor prior to the notice to proceed with construction operations. In addition to specifying BMPs for construction activities, the SWPPP would establish efficient responses to spill events to minimize the magnitude of the spill and extent of impacts. Accordingly, spills and other releases of contaminants during proposed Project construction would not substantially affect beneficial uses of harbor waters or result in violations of water quality standards.

In-water work involving pile driving, if undertaken, could cause sediment resuspension during piling removal and/or installation, which could result in increased turbidity, nutrients, and sediment contamination and decreased dissolved oxygen concentrations in the water column. Sediment resuspension would be brief and localized. Furthermore, the construction contractor must comply with water quality requirements in permits issued from the LARWQCB (such as Waste Discharge Requirements/Section 401 Water Quality Certification). These requirements could include testing and monitoring to ensure that turbidity does not extend beyond the permitted limits. Accordingly, sediment resuspension from in-water work would not be expected to cause substantial detrimental effects to water quality in the East Basin.

During operation, the proposed Project's vessel calls to Berth 191 could result in discharges related to risk of upset, accidental discharges, hull coatings, and ballast water discharges to harbor waters. However, the number of vessels (up to 27 per year) would be insubstantial compared to total traffic at the Port (1,654 oceangoing vessels in 2020). Furthermore, operations would adhere to the Vessel General Permit.

The proposed Project would increase the amount of impervious surface area on the site, and it would introduce potentially substantial sources of small particulate matter from the raw material storage piles. That particulate matter could contain elements that are considered pollutants. Currently, stormwater from the site flows directly to the harbor, raising the potential for water pollution. The new storm drain system at the proposed facility would feature modern stormwater management features consistent with the NPDES Industrial General Permit (IGP), including an underground detention system, vegetated swales, a hydrodynamic separator system, pre-filtration units, Best Management Practices (BMPs such as good housekeeping, preventive maintenance, employee training, and on-site response capabilities), and stormwater testing provisions. The non-industrial portion of the site (approximately 0.5 acre around the administration facilities) would comply with the City's Low Impact Development (LID) requirements, which would require the installation of features to promote infiltration, capture and re-use, and biofiltration as appropriate and feasible.

The structural controls and BMPs associated with the areas covered by the IGP would capture, retain, and treat generated runoff, thereby minimizing the possibility that contaminated stormwater would enter the harbor. The systems in place under the areas covered by LID, by retaining stormwater onsite, would likewise prevent contaminated stormwater from reaching the harbor. Furthermore, the GBBFS material in stockpiles naturally forms a crust that further reduces the potential for erosion from wind and water. Accordingly, it is unlikely that stormwater associated with the proposed Project would violate water quality standards or permit requirements. Therefore, impacts would be less than significant and this issue will not be considered further in the EIR.

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

Less Than Significant Impact. Groundwater at the Project site is affected by saltwater intrusion (salinity) and contaminated by petroleum hydrocarbons, and is therefore unsuitable for use as drinking water. Recharge of the shallow aquifers could be somewhat reduced by the increased amount of paving at the Project site (approximately 3 acres, resulting in approximately 70% of the site being paved), but as the groundwater has no beneficial uses, no groundwater management plan would be affected. This issue will not be considered in the EIR.

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

i) result in substantial erosion or siltation or flooding on- or offsite;

No Impact. The Project site is flat and less than 20% of the site is paved. The proposed Project would include structures and additional paving, with the result that approximately 70% of the site would be paved, but that would not substantially change existing conditions with respect to site topography or drainage patterns. The proposed Project would also not change the course or configuration of any water body because there are no streams, rivers, or other water bodies on the site and no shoreline improvements would be implemented. Construction would comply with the storm water-related requirements in the NPDES Permit, including the use of BMPs, which would minimize the amount of runoff and the potential for substantial erosion or siltation to occur.

Once in operation, the proposed Project's drainage would be handled by the new storm drain system, which would comply with the IGP requirements (see criterion a), above). Because more than 500 square feet of paving would be installed, the non-industrial portion of the site would comply with applicable LID requirements (as described in criterion a) that would minimize off-site erosion and siltation. In summary, because the site's topography would be unchanged and an improved storm drainage system would be installed, the proposed Project would not increase erosion or result in flooding either on- or offsite. Accordingly, this issue will not be considered in the EIR.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

No Impact. The proposed Project would not change the vulnerability of the Project site to flooding because it would not lower the site's elevation, remove barriers to flooding, or install features that could increase flood flows. Surface runoff would increase somewhat because of the increased amount of paving (see c) i), above). However, the proposed Project would install a modern storm drainage system that would improve storm water management compared to existing conditions, thereby reducing the potential for flooding on or offsite and improving the capacity of the stormwater drainage system. Accordingly, this issue will not be considered in the EIR.

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

Less Than Significant Impact. The proposed Project would include a new storm drain system that would be designed to accommodate anticipated flood flows. Accordingly, runoff would not exceed the capacity of the new drainage system. Stormwater runoff from the open raw material

storage piles, the conveyor belt area, and the truck loading area could contain particulate matter that could enter harbor waters through the storm drain. However, those areas would be managed in accordance with the structural and operational BMPs described in a), above, thereby minimizing the release of such particulates. With these measures, the proposed Project would not represent a substantial additional source of polluted storm water. Accordingly, this issue will not be considered in the EIR.

iv) impede or redirect flood flows?

No Impact. According to the Federal Emergency Management Agency’s (FEMA’s) Flood Hazard Map FM06037C1944G,⁴ the Project site is located in Zone AE, which is identified as a Special Flood Hazard Area subject to inundation by the one percent annual chance flood (also known as the base flood), which has a one percent chance of being equaled or exceeded in any given year. The proposed Project would include structures and additional paving, but those features would not change existing conditions with respect to site topography or the vulnerability of the site to flooding. Accordingly, this issue will not be considered in the EIR.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Less Than Significant Impact. Tsunamis are high, long-period sea waves caused by earthquakes, submarine landslides, or other large disturbances that, when they reach land, cause water level rise and can cause devastating flooding. Seiches are water waves that surge back and forth in an enclosed basin; seiches can result from earthquakes or other disturbances such as high winds. A computer model of Los Angeles-Long Beach Harbor that assessed tsunami and seiche scenarios determined that in each case modeled, impacts from a tsunami were equal to or more severe than those from a seiche (Moffatt and Nichol, 2007). As a result, the discussion below refers to tsunamis as the worst case of potential impacts; potential impacts related to seiches would be the same as or less than those identified below. In addition, this discussion considers the impacts of 100-year storm tides combined with projected sea level rise.

The proposed Project would increase the potential risk of pollutant release related to tsunami and seiche damage because new structures would be built and storage piles would exist on a site that is currently largely vacant. According to the City of Los Angeles Safety Element of the General Plan (City of Los Angeles, 1996), the Project site is within an area susceptible to impacts from a tsunami and subject to possible inundation. However, in the period since publication of the Safety Element, the modeling in the Tsunami Hazard Assessment for the Ports of Los Angeles and Long Beach (Moffatt and Nichol, 2007) indicated that under various tsunami scenarios the Project area would not experience inundation or flooding. Under the maximum future tsunami scenarios, the Port Complex model predicts a maximum tsunami wave height of 9.1 feet along the East Basin Channel (near the Project site) (Table 4-1 in Moffatt and Nichol, 2007).

With respect to potential flood hazard due to potential sea level rise, two studies are relevant: updated guidance from the State of California (OPC 2018) and the Port of Los Angeles’ Sea Level Rise Adaptation Study (LAHD 2018b). Both studies recognize the uncertainty of SLR projections, particularly beyond approximately 2050, and offer multiple potential future scenarios of SLR under different assumptions of GHG emissions, ice cap melting, and other factors. The State’s study recommends selecting a level of risk aversion (low, medium-high, extreme) in order to select an appropriate future SLR scenario (for the proposed Project, low risk aversion would be appropriate, given that the Orcem facility would not involve critical infrastructure or hazardous materials for which SLR impacts would be serious). The State’s study uses a high-emissions assumption through 2050 to estimate SLR. The Port’s SLR estimates, which are based on an earlier National

Research Council study, do not include a consideration of risk aversion levels but do incorporate a high-emissions scenario. The Port's study considers horizon years of 2030, 2050, and 2100 and three scenarios of global warming (low, mid-range, high). The Port's study focuses on Port infrastructure by predicting inundation and flooding under various scenarios of SLR, high tides, and storm tides, whereas the State's study is a more general consideration of SLR alone along the California coast.

The State's study for the low-risk aversion level, high-emissions scenario at the Los Angeles tide gauge predicts SLR of approximately 12 inches (1.0 ft) higher than the 2000 level by 2050 and 38 inches (3.2 ft) by 2100 (see OPC [2018] Appendix 3 Table 28). That prediction is based on the 66% probability for SLR, but a less likely outcome (the 1-in-200 chance) predicts SLR in 2050 of 22 inches (1.8 ft). The Port's study projects that under the high-emissions scenario, sea level at the Port could rise 24 inches above the 2000 level by 2050, and between 37 inches (the mid-point estimate) to as much as 66 inches (the high scenario) above the 2000 level by 2100. To evaluate the effects of SLR on a proposed project, the State's study recommends considering project life when selecting horizon years and SLR scenarios. The proposed Project would be expected to have a maximum service life of 50 years, and would therefore operate at least until 2050 but not until 2100.

Under the 24-inch estimate of SLR for 2050, the Port's study concludes that SLR alone would not cause permanent inundation, even at normal high tide, and therefore would not threaten the facilities at the Project site until, at the earliest, near the end of the projected service life. However, allowing for a 2.6-foot 100-year storm tide LAHD (2018b), water levels at the Project site under storm tide conditions could result in temporary flooding up to 2 feet deep, with concomitant interruption of terminal activities. Although traffic would be blocked by water depths of more than a few inches, vehicle movement should be able to resume quickly after waters have receded.

Construction and operation of the proposed Project would not increase the potential for release of pollutants due to tsunami or storm tide flooding damage. Under the proposed Project, the risk of raw material or product release in the very unlikely event of inundation would be minimized by the heavy nature of the raw material piles, the crust that forms on the piles, and the design and construction of the structures, including the storage silos. Furthermore, the raw materials and product GGBFS do not represent toxic or hazardous materials. Therefore, the proposed Project would not substantially increase risks associated with the release of pollutants due to tsunami or seiche, and this issue will not be considered further in the EIR.

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

No Impact. Responsibility for the protection of surface water and groundwater quality in California rests with the SWRCB and nine Regional Water Quality Control Boards (RWQCB). Region-specific water quality regulations are contained in Water Quality Control Plans that recognize regional beneficial uses, water quality characteristics, and water quality problems. The proposed Project would improve stormwater management on the site and would not involve new discharges to harbor waters. Accordingly, the potential for conflict with implementation of water quality control plans is insubstantial. The Project area is not located in an area designated for a water quality control plan or sustainable groundwater management plan. Although construction of the proposed Project could encounter groundwater, that resource, as described above, is not suitable for beneficial uses, and the proposed Project would not alter or otherwise affect groundwater under the project site. Accordingly, the proposed Project is not expected to conflict with any groundwater management plans, and this issue will not be considered in the EIR.

6.11 Land Use and Planning

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Physically divide an established community?				X
b.	Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	X			

a) Would the project physically divide an established community?

No Impact. The Project site is located in a heavy industrial area of the Port that does not contain any established communities. Live-aboard tenants are located approximately 0.4 mile east of the Project site in the recreational boating marinas located in the East Basin, but no other residential areas or communities are in the vicinity. The proposed Project would be confined to the proposed facilities at the Project site and would not physically divide an established community. Therefore, no impacts involving physically dividing an established community would occur. This issue will not be considered in the EIR.

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

Potentially Significant Impact. As a water-dependent industrial facility, the proposed Project is consistent with surrounding existing uses and with the land use designations and zoning of the City of Los Angeles General Plan. The Project site has a Non-Hazard Industrial and Commercial land use designation and is zoned [Q] M3-1 (Qualified-Heavy Industrial) by the City of Los Angeles Zoning Ordinance, and the proposed Project would be consistent with that use and zoning. However, the Project site is designated in the Port Master Plan for liquid bulk uses. Accordingly the proposed use as a dry bulk facility is not consistent with the Port Master Plan, and would require an amendment to the Port Master Plan. This issue will be considered further in the EIR.

6.12 Mineral Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
12.	MINERAL RESOURCES. Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

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

No Impact. The only known mineral resource in the project area is crude petroleum oil. According to the California Department of Conservation, Geologic Energy Management Division (CalGEM), the Project site is located just beyond the southwestern border of the Wilmington Oil Field and approximately 0.5 mile from the edge of the major drilling area (CalGEM 2021). Extensive oil extraction facilities are in place throughout the Port and are acknowledged and protected through the Port Master Plan and other regulatory programs. There are no active oil wells on the Project site, although approximately 20 plugged wells were located near the northwest corner of the Project site (CGEM 2021). Because the proposed Project would not be located within an active oil drilling area and because construction would be at the surface or shallow depths relative to the oil field, the proposed Project would not remove or interfere with any oil extraction facilities or activities. This issue will not be considered in the EIR.

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

No Impact. As described in a), the only important mineral resource in the Port area is oil. The oil extraction sites and facilities are designated in Port planning documents and are protected by various local and state regulations, plans, and policies. Neither construction nor operation of the proposed Project would affect such facilities or the underlying oil resource because construction would be at the surface or shallow depths relative to the oil field and there are no active extraction facilities near the Project site (CalGEM, 2021). This issue will not be considered in the EIR.

6.13 Noise

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
13.	NOISE. Would the project result in:				
a.	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	X			
b.	Generation of excessive groundborne vibration or groundborne noise levels?	X			
c.	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?				X

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

Potentially Significant Impact. The project site is located within the City of Los Angeles and is subject to the City of Los Angeles noise regulations (Chapter XI of the Los Angeles Municipal Code (LAMC) and the Noise Element of the Los Angeles City General Plan. Chapter XI of the LAMC limits increases in equipment noise received at nearby properties to 5 dBA or less over presumed ambient noise levels. LAMC 41.40a prohibits loud noise from construction equipment affecting sleeping quarters in any dwelling hotel, apartment, or place of residence between the hours of 9 PM and 7 AM. LAMC 41.40c further restricts construction activities within 500 feet of land developed with residential buildings to between 8 AM and 6 PM on Saturdays and not allowed on Sundays, and to a maximum noise level of 75 dBA.

The nearest sensitive receivers to the site are:

- Fire Station 49 with sleeping quarters, approximately 350 feet north of the northern boundary of the site, located in a heavy industrial zone;
- A marina with live-aboard residents, approximately 1,015 feet east of the site, located in a heavy industrial zone;
- The Monterey Inn, approximately 2,900 feet north of the site, located in a commercial zone; and

- Residences in the residential zone in Wilmington, approximately 3,700 feet north of the site.

Construction of the proposed Project would include pile driving to install support for silos and other structures. Because of the proximity of sensitive receivers (the fire station and, possibly, live-aboards in the nearby marinas), construction noise could have a significant impact.

With respect to operational noise, results of a noise study conducted for a similar proposed Orcem facility in Vallejo, California, were used to estimate noise levels that would be generated by the proposed Project. That analysis indicated that noise levels from the proposed Project during worst-case operations would not result in noise increases greater than 5 dBA at the sensitive receivers, and operation of the proposed Project is expected to comply with the City of Los Angeles' noise ordinance. However, the site-specific analysis that would be conducted in support of an EIR could reach a different conclusion.

Because of the possibility that construction noise could exceed permissible levels and in view of the need for a site-specific analysis of construction noise, this issue will be considered in the EIR.

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

Potentially Significant Impact. Construction equipment and activities associated with the proposed Project, such as drill rigs, pile installation and driving equipment, compaction equipment, and haul trucks, would generate vibrations that could result in groundborne noise or vibration. Transient vibration levels greater than 0.5 inches per second (in/sec) and continuous/frequent intermittent vibration levels greater than 0.3 in/sec have the potential to damage older residential structures. Transient vibration levels greater than 2.0 in/sec, or continuous sources greater than 0.4 in/sec, would cause severe annoyance to a human (Caltrans, 2013b). In addition, continuous vibration levels of 0.08 in/sec would be “readily perceptible” to humans, whereas transient vibration levels of 0.035 in/sec would be “barely perceptible” to humans.

Given the possibility that the proposed Project could increase groundborne vibration or noise, the EIR will consider this issue.

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

No Impact. The Project site is not located within two miles of a public airport or private use airport. Accordingly, the proposed Project would not expose people residing or working in the area of the Project site to excessive noise related to a public or private airport or airstrip. Therefore, this issue will not be considered in the EIR.

6.14 Population and Housing

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
14.	POPULATION AND HOUSING. Would the project:				
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b.	Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere?				X

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

No Impact. The proposed Project would not establish new residential uses within the Port or require extension of roads or other growth-accommodating infrastructure. The proposed Project would employ up to approximately 26 workers and therefore would not result in the relocation of substantial numbers of people from outside of the region that would constitute substantial unplanned population growth. The product of the proposed Project would replace traditional cement in a portion of future construction projects, but because construction is driven by demand for facilities, not supply of materials, it would not induce additional construction or otherwise induce growth in the region. Accordingly, there would be no impacts and this issue will not be considered in the EIR.

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

No Impact. There is no housing within the Port that would be displaced as a result of the proposed Project. No replacement housing would be needed associated with implementation of the proposed Project. Accordingly, there would be no impact and this issue will not be considered in the EIR.

6.15 Public Services

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
15.	PUBLIC SERVICES. Would the project:				
a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
	i) Fire protection?				X
	ii) Police protection?				X
	iii) Schools?				X
	iv) Parks?				X
	v) Other public facilities?			X	

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

i) Fire Protection

No Impact. The City of Los Angeles Fire Department (LAFD) provides fire protection and emergency services to the Project site and surrounding area. LAFD facilities in the Port include land-based fire stations and fireboat companies. The nearest station with direct fireboat access is Fire Station No. 49, adjacent to the Project site at Berth 194. This station is equipped with a single engine company and two boats (Fire Boats Nos. 3 and 4). The next closest station is Fire Station No. 38, located at 124 East I Street approximately one mile north of the Project site, which would provide fire service by land. Fire Station No. 112, on the Main Channel approximately two miles southwest of the Project site, is equipped with a single engine company and one boat (Fire Boat No. 2).

Construction of the proposed Project would not increase the need for expanded services. Furthermore, construction would occur within the Project site and harbor and would not affect service ratios, response times, or other performance objectives of the LAFD. Proposed Project improvements would, as a standard practice, be reviewed by the LAFD, and any recommendations would be incorporated into proposed Project design. Operation of the proposed Project would not involve activities or substances that would result in a substantial increase in demand for LAFD personnel, equipment, facilities, or firefighting capabilities, nor would it affect

response times that could lead to a substantial adverse physical impact. Accordingly, this issue will not be considered in the EIR.

ii) Police Protection

No Impact. The Los Angeles Harbor Department Port Police (Port Police) and the Los Angeles Police Department (LAPD) both provide police services to the Port. The Port Police is the primary law enforcement agency within the Port of Los Angeles and is responsible for patrol and surveillance within the Port property boundaries, including Port-owned properties within the communities of Wilmington, San Pedro, and Harbor City. The Port Police maintains 24-hour land and water patrols and enforces federal, state, and local public safety statutes, Port tariff regulations, as well as environmental and maritime safety regulations. The LAPD Harbor Division is located at 2175 John S. Gibson Boulevard in San Pedro, which is approximately 1.5 miles west of the Project site. The proposed Project would not involve activities that would increase demand for police services and would not increase long-term employment or result in indirect growth that would result in need for additional police protection. Accordingly, the proposed Project would not increase the demand for additional law enforcement officers and/or facilities such that the Port Police or LAPD would not be able to maintain an adequate level of service without additional facilities. Therefore, this issue will not be considered in the EIR.

iii) Schools

No Impact. The demand for new schools is generally associated with increases in the school-aged population or decreases in the accessibility and availability of existing schools. The proposed Project would not involve schools or include residential development or result in population growth that could increase the school age population. Therefore, this issue will not be considered in the EIR

iv) Parks

No Impact. The proposed Project would not include the creation of new parks or reduction in existing park facilities. In addition, improvements would be confined to the Project site within the Port and would not induce growth that could result in increased demand for parks beyond that which currently exists. Accordingly, this issue will not be further considered in the EIR.

v) Other Public Facilities

Less Than Significant Impact. The USCG is a federal agency responsible for a broad range of regulatory, law-enforcement, humanitarian, and emergency-response duties. The 11th USCG District maintains a post on Terminal Island, south of the Project site. The USCG's mission includes maritime safety, maritime law enforcement, protection of natural resources, maritime mobility, national defense, and homeland security. The USCG's primary responsibility is to ensure the safety of vessel traffic in the channels of the Port and in coastal waters.

The proposed Project's vessel traffic would represent an increase in overall traffic in the Port. However, because the increased number of vessels (a maximum of 27 per year) would be insubstantial relative to total vessel traffic in the Port (1,654 vessel calls in 2020), and the operation of USCG vessel traffic safety facilities such as the Marine Exchange and the Vessel Traffic Information System would not be adversely affected. Accordingly, this issue will not be considered in the EIR.

6.16 Recreation

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
16.	RECREATION. Would the project:				
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X

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

No Impact. There are no recreational facilities in the Port's industrial areas. The proposed Project would not directly or indirectly result in physical deterioration of parks or other recreational facilities because it is not near any such facilities, and because employment would be minimal, would not induce population increases that would increase use of recreational facilities. Accordingly, this issue will not be considered in the EIR.

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

No Impact. The proposed Project would not include recreational facilities or new residential development that would require construction or expansion of existing recreational facilities. Accordingly, this issue will not be considered in the EIR.

6.17 Transportation/Traffic

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
17.	TRANSPORTATION/TRAFFIC. Would the project:				
a.	Conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b.	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X

c.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d.	Result in inadequate emergency access?			X	
e.	Result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	

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

No Impact. The 2020 Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines state that a project that “generally conforms with and does not obstruct the City’s development policies and standards will generally be considered to be consistent” and not in conflict. The 2020 LADOT Transportation Assessment Guidelines include three screening criteria questions that are answered in order to help guide whether the project conflicts with City circulation system policies. If the answer is “no” to all of the following questions, a “no impact” determination can be made.

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

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

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

The proposed Project would not alter existing transportation routes or transportation options, nor would it alter access to public safety. Direct landside access to the Project site is provided via Yacht Street. The proposed Project would not require any modifications or closures to the public right-of-way and there would be no in-street construction activities. Therefore, the proposed Project would not directly conflict with a transportation plan, policy or program adopted to support multimodal transportation options or public safety.

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

The proposed Project does not include any modifications to existing roadways that support current or future bike lanes or bus stops and is not required to make any voluntary or required modifications to the public right-of-way. The proposed Project does not propose to include dedications or physical modifications to the public right-of-way, nor is it required to make such modifications. There would be no in-street construction activities as a results of the Project.

Accordingly, the proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant and this issue will not be considered in the EIR.

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

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

The intent of Section 15064.3 and Threshold T-2.1 in the 2020 LADOT Transportation Assessment Guidelines is to assess whether a land use or office project would have a potential impact. Two screening criteria questions must be answered in order to determine consistency with Section 15063.3, and the 2020 LADOT Transportation Assessment Guidelines state that if the answer is “no” to either question, then further analysis will not be required for this threshold, and a “no impact” determination can be made.

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

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

The LADOT threshold of 250 daily vehicle trips was proposed for automobiles (as OPR does not require VMT analysis of commercial trucks in CEQA documents). Therefore, based on OPR verbal guidance, heavy-duty truck trips are not included in this transportation analysis, but are analyzed in other resource areas, such as Air Quality, Greenhouse Gas Emissions, Noise, and Energy (OPR, 2020).

Construction of the proposed Project would generate approximately 75 automobile vehicle trips from construction workers during a peak day and operation would not generate more than 60 additional automobile trips per day from the maximum of 26 employees and visitors to the site (not counting heavy-duty trucks). Therefore, the proposed Project would not generate a net increase of 250 or more daily automobile or light duty vehicle trips during construction or operation, and this issue will not be considered in the EIR.

c) Would the project substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The 2020 LADOT Transportation Assessment Guidelines provide two screening criteria questions that must be answered in order to assess whether the Project would result in impacts due to geometric design hazards or incompatible uses.

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

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

The proposed Project is not proposing new driveways or introducing new vehicle access to the property from the public right-of-way. Also, as previously discussed above, the proposed Project is not proposing or required to make any voluntary or required modifications to the public right-of-way. Therefore, this issue will not be considered in the EIR.

d) Would the project result in inadequate emergency access?

Less than Significant. The proposed Project would not alter the existing configuration of local access roads, or block any access points. Truck traffic could potentially affect access to the nearby fire station, although given the capacity of the roadways in the area the impact is expected to be less than significant. This issue will not be considered in the EIR.

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

Less Than Significant Impact. The proposed Project’s vessel traffic, up to 27 vessels per year, would be added to the overall vessel traffic in the Port of Los Angeles, but it would constitute a small fraction of anticipated future Port vessel traffic. For example, in 2020 the Port received 1,654 cargo vessels. Accordingly, traffic to and from Berth 191 would be too infrequent to interfere with Coast Guard emergency measures related to shipping activity or with fireboat access to Fire Station 49. Furthermore, since Berth 191 is north of the 750-foot wide entrance to the 1500-foot diameter East Basin, there is more than adequate room for the safe transit of all vessels past a vessel docked at Berth 191 in the event of an emergency. Given the navigational safety procedures and systems currently in place, the addition of 27 vessels would not require a change in vessel traffic patterns or increase safety risks. This issue will not be considered in the EIR.

6.18 Tribal Cultural Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
18.	TRIBAL CULTURAL RESOURCES.				
a.	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	X			
	ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	X			

This section evaluates impacts to tribal cultural resources associated with the implementation of the proposed Project. Pursuant to Assembly Bill (AB) 52, a lead agency is required to consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the Project if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area. As part of Native American consultation associated with the proposed Project, the Native American Heritage Commission (NAHC) has been contacted, and a consultation list received, of tribes that are traditionally and culturally affiliated with the geographic area of the proposed Project. These identified tribes have been contacted to provide them with an opportunity to consult.

- a) **Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is**
 - i) **listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?**

Potentially Significant Impact. The proposed Project is located on artificial fill material that was constructed in the early twentieth century. The proposed Project would involve ground-disturbing activities, but because the site was previously disturbed, tribal cultural resources are not likely present. However, because consultation with the potentially affected Native American tribes has not been completed, this issue will be addressed in the EIR.

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

Potentially Significant Impact. As described in Section 2.2.2 and Section 6.18, the Project site has undergone approximately 100 years of development, and tribal cultural resources are not likely present. However, because consultation with the potentially affected Native American tribes has not been completed, this issue will be addressed in the EIR.

6.19 Utilities and Service Systems

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
19.	UTILITIES AND SERVICE SYSTEMS. Would the project:				
a.	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects??			X	
b.	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d.	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e.	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

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

Less Than Significant Impact. The Project site is located in a developed area that is served by existing utilities. The wastewater that would be generated at the Project site would be conveyed to and treated at the Terminal Island Water Reclamation Plant (TIWRP), which treats wastewater to RWQCB requirements and currently operates at approximately 50% of capacity (LASAN 2020). Accordingly, the proposed Project would not require or result in an expansion or relocation of wastewater conveyance and treatment facilities.

The proposed Project would reconstruct the stormwater management system in order to modernize it, but that reconstruction would occur entirely on site and would not be of sufficient magnitude to result in significant environmental impacts.

The proposed Project would use natural gas in its operational processes. That issue is considered in Section 6.6, Energy, as is the proposed Project's use of electricity. In both cases it is possible that minor construction in the form of trenching may be needed to bring adequate energy supplies to the Project site, but that construction would occur entirely in the developed, industrialized Port area and would not cause substantial environmental impacts. The proposed Project would not require additional telecommunications infrastructure. Accordingly, this issue will not be considered further in the EIR.

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

No Impact. Water is supplied to the Project site by Los Angeles Department of Water and Power, which has indicated that it has the capacity to meet the future water demands of its service area (LADWP 2021). Construction of the proposed Project could result in a slight increase in water demand during construction as a result of worker consumption and other uses such as dust control, but that would be temporary. Once in operation, the proposed Project would increase the demand for potable water as a result of the increase in employment at the site (a maximum of 26 workers) and some process water used for cooling purposes, but not to an extent requiring LADWP to develop new water or supply facilities or expand existing facilities. Accordingly, existing water supplies are available to serve the proposed Project, and this issue will not be considered in the EIR.

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

No Impact. The City of Los Angeles Department of Public Works, Bureau of Sanitation, provides sewer service to all areas within its jurisdiction, including the Project site. Wastewater from the proposed Project would be conveyed through existing sewer and wastewater infrastructure to the Bureau of Sanitation's Terminal Island Water Reclamation Plant (TIWRP). The TIWRP currently operates at approximately 50 percent of its capacity of 30 million gallons per day (LASAN, 2020). A small increase in on-site personnel associated with construction (estimated at up to 75 per day) and operation (estimated at up to 26 per day) would generate minor increases in wastewater flows. Accordingly, the existing system has excess capacity, and the minor increases in wastewater inputs to the City's sewer and treatment systems as a result of construction and operation (estimated at 250 gallons per day) of the proposed Project would be insubstantial. This issue will not be considered in the EIR.

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

Less Than Significant Impact. Solid waste from construction and operation of the proposed Project that could not be recycled would be disposed of at Chiquita Canyon Landfill or Sunshine Canyon Landfill, or possibly at other local or regional disposal facilities that could accept waste from the proposed Project.

Sunshine Canyon Landfill (Sunshine Canyon) is located at 14747 San Fernando Road in Sylmar, CA, approximately 50 miles from the proposed project site. Sunshine Canyon is owned and operated by Browning-Ferris Industries (BFI), which is owned by Allied Waste and is a wholly owned subsidiary of Republic Services, Inc. Sunshine Canyon has a maximum permitted throughput of 12,100 tons per day, a remaining capacity of approximately 55 million tons, and an

estimated remaining operational life, at current actual disposal rates, of 18 years (LADPW 2020). The waste types accepted at this facility include construction and demolition debris, green materials, industrial, inert, and mixed municipal.

Chiquita Canyon Sanitary Landfill (Chiquita Canyon) is located at 29201 Henry Mayo Drive in Castaic, CA, approximately 65 miles from the proposed project site. This facility is owned and operated by Chiquita Canyon, Inc., and has a maximum permitted throughput of 12,000 tons per day, a remaining capacity of 57 million tons, and an estimated remaining operational life, at current actual disposal rates, of 28 years (LADPW 2020). The waste types accepted at this facility include mixed municipal, green materials, construction and demolition debris, industrial, and inert.

Construction of the proposed Project would generate solid waste in the form of debris from the current structures and abandoned boats on the site. Construction waste would be hauled by the construction contractor and/or private firms under subcontract, either to an offsite recycling facility or to a landfill authorized to accept construction debris, such as Sunshine Canyon or Chiquita Canyon.. Metal debris would be salvaged for scrap by the construction contractor. In view of the limited size of current facilities at the site, the amount of construction debris would not be substantial relative to regional landfill capacity.

Solid waste generated by facility operations would consist primarily of small amounts of nonhazardous materials, such as food and beverage containers, paper products, and other miscellaneous personal trash disposed of by on-site employees. The total amount of solid waste is unlikely to exceed 100 pounds per day, given the employee force of 26 workers. Solid waste requiring disposal at a landfill would be hauled from the Project site and disposed of by Athens Services.

Given the remaining capacity at the Sunshine Canyon and Chiquita Canyon landfills of over 100 million tons and the small amount of waste that the proposed Project would generate during operations (less than 20 tons per year), there is currently sufficient solid waste disposal capacity available in Los Angeles County. Accordingly, this issue will not be considered in the EIR.

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

Less Than Significant Impact. The proposed Project would be required to comply with all applicable regulations and codes pertaining to solid waste disposal, notably the City of Los Angeles' Solid Waste Integrated Resources Plan (SWIRP), Chapter VI Article 6 Garbage, Refuse Collection of the City of Los Angeles Municipal Code, Part 13 Title 42 - Public Health and Welfare of the California Health and Safety Code, and Chapter 39 Solid Waste Disposal - of the United States Code. The proposed Project would also be compliant with AB 939, the California Solid Waste Management Act, and AB 341, which establish waste stream diversion and recycling goals. Because the Project would implement and be consistent with the procedures and policies detailed in the codes identified above, Port-wide standard conditions of approval requiring recycling of construction materials, the City's recycling and solid waste diversion efforts, and related laws pertaining to solid waste disposal, impacts related to compliance with solid waste statutes and regulations are expected to be less than significant. This issue will not be considered in the EIR.

6.20 Wildfire

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
20	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a.	Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b.	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c.	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d.	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

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

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**
- b) **Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?**
- c) **Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**
- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

No Impact. Public Resources Code sections 4201-4204 direct the California Department of Forestry and Fire Protection to map fire hazard based on relevant factors such as fuels, terrain, and weather. According to CalFire (2022), the Port is in a CalFire Local Responsibility Area (LRA) and is not located in or near a state responsibility area or lands classified as a Very High Fire Severity Zone; the nearest State Responsibility Zone is on the Palos Verdes Peninsula, more than three miles west of the Project site. Accordingly, the proposed Project would not impair an

emergency evacuation plan, exacerbate fire risks, require the installation or maintenance of associated infrastructure, or expose people or structures to significant risks related to wildfires. This issue will not be considered in the EIR.

6.21 Mandatory Findings of Significance

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
21.	MANDATORY FINDINGS OF SIGNIFICANCE				
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b.	Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	X			
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X			

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

Potentially Significant Impact. Although the site is already developed and disturbed and most project activities that could affect biological resources would be insubstantial, the potential for adverse effects on sensitive species from in-water construction constitutes a potentially significant impact. Accordingly, this issue will be further evaluated in the EIR.

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

Potentially Significant Impact. Several other development projects, including marine terminal developments, industrial developments, and other waterfront plans, are currently under construction, are planned, or have recently been completed within the Port. Notably, an environmental review of improvements for the adjacent Vopak marine oil terminal at Berths 187–190 to comply with Marine Oil Terminal Engineering and Maintenance Standards and structural upgrades to the Berth 191 wharf is currently under preparation. These projects and other present and/or foreseeable future projects are required to comply with CEQA requirements, including implementation of mitigation measures to reduce or avoid environmental impacts, as well as with applicable laws and regulations at the federal, state and local level, including but not limited to the Los Angeles City Municipal Code and local ordinances governing land use and development.

As discussed under each issue area, the proposed Project would not result in potentially significant impacts to aesthetics, agricultural and forestry resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services, recreation, transportation and traffic, utilities and services systems, or wildfires.

Construction and operation of the Project could make substantial contributions to cumulatively considerable impacts related to air quality, energy, greenhouse gases, tribal resources, and noise but would not likely make considerable contributions to significant cumulative impacts in any other resource area. Accordingly, these issues will be further evaluated in the EIR.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Potentially Significant Impact. Substantial adverse impacts on human beings related to air quality, energy, greenhouse gases, land use and planning, noise, and tribal cultural resources could occur as a result of the proposed Project. These issues will be further evaluated in the EIR.

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