Berths 238–239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project

~~Draft~~ Final Initial Study/Mitigated Negative Declaration
APP No. 161208-173
SCH #2018031006

Prepared by:

Environmental Management Division
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

With assistance from:

Dudek
~~March~~ June 2018

TRANSMITTAL 1

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FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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

PROPOSED PROJECT

The Los Angeles Harbor Department (LAHD) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the proposed Project consisting of marine oil terminal improvements to allow compliance with MOTEMS at the PBF Energy Terminal at Berths 238 and 239. It also includes issuance of a 30-year lease to PBF Energy for continued operation of the Berth 238–239 marine oil terminal, PBF Energy's tank farm located approximately 3,500 feet northeast of the marine oil terminal, and several underground pipelines (hereafter "proposed Project"). LAHD is the Lead Agency under the California Environmental Quality Act (CEQA). The Project site consists of two facilities; the marine oil terminal (Southwestern Terminal Area I [SWT-I]) and the Terminal Island Tank Farm (Southwestern Terminal Area II [SWT-II]), as well as several underground pipelines in various locations within the Port of Los Angeles. SWT-I, a short-term storage and transfer facility for petroleum products, includes approximately 20.54 acres of land located at 799 South Seaside that has 19 active tanks with a total shell capacity of 946,344 barrels in refined product service. SWT-II is a tank farm approximately 16.62 acres located approximately 3,500 feet northeast of SWT-I at 401 Ferry Street/551 South Pilchard.

DETERMINATION

Based on the analysis provided in this Final IS/MND, LAHD finds that the proposed Project would not have a significant effect on the environment with the incorporation of mitigation.

FINAL IS/MND ORGANIZATION

This Final IS/MND has been prepared in accordance with the requirements of CEQA (California Public Resources Code [PRC] 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] 15000 et seq. The Final IS/MND includes the following discussion including responses to comments on the Draft IS/MND as well as clarifications and modifications provided in strikeout and underline format.

Response to Comments: This section describes the distribution of the Draft IS/MND for public review, comments received on the Draft IS/MND by LAHD and LAHD's responses to these comments. Table RTC-1 lists the commenters. As shown in the table, five comment letters were received. Following the table is the comment letters and LAHD's responses.

Clarifications and Modifications: The Final IS/MND is provided in strikeout and underline format to identify changes made since the release of Draft IS/MND. Only minor revisions have been made. There were no modifications to the document that constitute a significant change or significant new information. Therefore, no recirculation is required.

The following sections were included in the Draft IS/MND and are included in this final document:

Section 1. Introduction. This section provides an overview of the proposed Project and the CEQA environmental documentation process.

Section 2. Project Description. This section provides a detailed description of the proposed Project objectives and components.

Section 3. Initial Study Checklist. This section presents the CEQA IS checklist for all impact areas and mandatory findings of significance.

Section 4. Potential Impacts and Mitigation Measures. This section presents the environmental analysis for each issue area identified on the environmental checklist. If the proposed Project does not have the potential to significantly impact a given resource area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. This document is an IS/MND because there are no impacts associated with the proposed Project that cannot be mitigated below significance thresholds.

Section 5. Proposed Finding. This section presents the proposed finding regarding environmental impacts.

Section 6. References. This section provides a list of reference materials used during the presentation of the IS/MND.

Section 7. Preparers and Contributors. This section provides a list of key personnel involved in the preparation of the IS/MND.

Section 8. Acronyms and Abbreviations. The section provides a list of acronyms and abbreviations used throughout the IS/MND.

RESPONSE TO COMMENTS

DISTRIBUTION OF THE DRAFT IS/MND

In accordance with the CEQA statutes and Guidelines, the Draft IS/MND was circulated for a period of 30 days for public review and comment. The public review period for the Draft IS/MND began on March 2, 2018 and closed on April 2, 2018.

The Draft IS/ND was specifically distributed to interested and/or involved public agencies, organizations, neighbors, and private individuals for review. The Draft IS/MND was also made available for public review at the following locations:

- LAHD Environmental Management Division at 222 West 6th Street, Suite 900, San Pedro, California;
- Los Angeles City Library, San Pedro Branch at 931 South Gaffey Street, San Pedro, California; and
- Los Angeles City Library, Wilmington Branch at 130 North Avalon, Wilmington, California.

In addition, the Draft IS/MND was filed with the Los Angeles County Clerk, City of Los Angeles Clerk, the State Clearinghouse and made available online at http://www.portoflosangeles.org.

COMMENTS ON THE DRAFT IS/MND

During the 30-day public review period, Responsible Agencies and the public had an opportunity to provide written comments on the information contained within the Draft IS/MND. These comments and responses are included in the record and shall be considered by the LAHD during deliberation as to whether or not necessary approvals should be granted for the proposed Project. As stated in Section 21064.5 of the CEQA Guidelines, a project would only be approved when LAHD "finds that there is no substantial evidence that the Project will have a significant effect on the environment and that the IS/MND reflects the Lead Agency's independent judgement and analysis." The LAHD received five written comment letters during the review period as presented in Table RTC – 1.

Table RTC-1
Received Comment Letters

Letter Number	Date	Organization/ Entity
1	March 20, 2018	Johnson P. Abraham - Department of Toxic Substances Control (DTSC)
2	March 22, 2018	Ali Poosti - Los Angeles Bureau of Sanitation (LASAN)
3	March 30, 2018	Elizabeth Yura - California Air Resources Board (CARB)
4	March 30, 2018	Lijin Sun, J.D. - South Coast Air Quality Management District (SCAQMD)
5	April 2, 2018	Cy R. Oggins - California State Lands Commission (CSLC)

The LAHD has evaluated these comments and prepared a written response and incorporated minor revisions to the Final IS/MND, as necessary.

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

March 20, 2018

Mr. Christopher Cannon
Director of Environmental Management
City of Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731
ceqacomments@portla.org

INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION (ND) FOR THE BERTHS 238-239 (PBF ENERGY) MARINE OIL TERMINAL WHARF IMPROVEMENTS PROJECT (SCH# 2018031006)

Dear Mr. Cannon:

The Department of Toxic Substances Control (DTSC) has reviewed the subject ND. The following project description is stated in the ND: "The proposed Project involves the construction and operation of a new, MOTEMS-compliant wharf structure (herein referred to as a loading platform) at Berth 238. The proposed Project would consist of the demolishing and removing the existing Berth 238 platform, construction of a new marine platform and associated mooring and breasting dolphins at Berth 238, construction of a new marine oil terminal platform at Berth 238, construction of two new breasting dolphins and four new upland mooring dolphins, installation of tenant topside improvements, and demolition of the concrete platform at Berth 239. The new loading platform at Berth 238 would have an approximate 740-foot- long berth area (approximate dimensions 130 feet long by 60 feet wide) to accommodate Panamax class vessels along with various barges at its existing fender line elevation." DTSC - 1

Based on the review of the submitted document DTSC has the following comments:

1. The ND should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction. DTSC - 2

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2. If planned activities include building modifications/demolitions, lead-based paints or products, mercury, and asbestos containing materials (ACMs) should be investigated and mitigated/disposed of in accordance with all applicable and relevant laws and regulations. In addition, evaluate whether polychlorinated biphenyls (PCBs) containing materials is present in onsite buildings and address as necessary to protect human health and the environment. DTSC - 3

3. DTSC recommends evaluation, proper investigation and mitigation, if necessary, on onsite areas with current or historic PCB-containing transformers. DTSC - 4

4. The ND states, "Soil and groundwater beneath the Project site are known to be impacted with petroleum hydrocarbons due to site operations. Historical and current contaminants of concern include total petroleum hydrocarbons, volatile and extractible ranges, benzene, toluene, ethylbenzene, and xylenes, methyl tertiary-butyl ether, and lead. The groundwater and soil at the Project site are being monitored for contamination of floating hydrocarbon products (FHPs) and other pollutants of concern under an active Cleanup and Abatement Order (CAO) (No. 99-003) issued by the Los Angeles Regional Water Quality Control Board (LARWQCB)." DTSC recommends soil gas sampling and vapor intrusion risk evaluation on sites with releases of volatile organic compounds (VOCs). DTSC recommends soil gas sampling after removal action/cleanup to confirm no residual VOC contamination remain onsite and/or risk is acceptable based on applicable and relevant state guidelines. DTSC - 5

5. The ND further states, "Every effort would be made to avoid areas of known soil or groundwater contamination; however, if contaminated soils or groundwater are encountered, LARWQCB will be notified and all regulatory procedures will be followed." Excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. If the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination. DTSC - 6

If you have any questions regarding this letter, please contact me at (714) 484-5380 or by email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,

for

Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program – Cypress

cc: See next page.

Mr. Christopher Cannon
March 20, 2018
Page 3

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program – Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2018031006

From:	Laliberte, Kelly@DTSC
To:	Cegacomments
Cc:	State.clearinghouse@opr.ca.gov; Kereazis, Dave@DTSC; Haddad, Shahir@DTSC
Subject:	Initial Study and Proposed Negative Declaration - Berths 238-239 (PBF Energy) Marine Oil Terminal Wharf Improvements Project (SCH# 2018031006)
Date:	Tuesday, March 20, 2018 3:49:38 PM
Attachments:	image001.png Berths 238-239 Marine Oil Terminal Wharf Improvements Project_POLA_ND_Comments_03.20.18.pdf

Good afternoon:

Attached for your file is the PDF copy of the comments on the 'Initial Study and Proposed Negative Declaration' for the Berths 238-239 (PBF Energy) Marine Oil Terminal Wharf Improvements Project (SCH# 2018031006). The original signed document will be sent via regular mail. If you have any questions, please contact Mr. Johnson Abraham, Project Manager, at 714.484.5380 or at email address Johnson.Abraham@dtsc.ca.gov.

Thank you,

Kelly Laliberte
Brownfields Restoration and School Evaluation Branch
Cal EPA | Department of Toxic Substances Control
5796 Corporate Ave | Cypress, CA | 90630
Tel: 714.484.5475 | Fax: 714.484.5411

FORM GEN. 160 (Rev. 8-12)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: March 22, 2018

TO: Christopher Cannon, Director of Environmental Management
Los Angeles Harbor Department

FROM: Ali Poosti, Division Manager
Wastewater Engineering Services Division
LA Sanitation

SUBJECT: **BERTHS 238-239 [PBF ENERGY] MARINE OIL TERMINAL WHARF IMPROVEMENTS PROJECT - NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

This is in response to your March 1, 2018 Notice of Intent to Adopt a Mitigated Negative Declaration for Berths 238-239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review, it has been determined that the project is unrelated to wastewater conveyance and does not require any hydraulic analysis. Please notify our office in the instance that additional environmental review is necessary for this project. LASAN - 1

If you have any questions, please call Christopher DeMonbrun at (323) 342-1567 or email at chris.demonbrun@lacity.org

CD/AP: al

c: Kosta Kaporis, LASAN
Christopher DeMonbrun, LASAN

CITY OF LOS ANGELES
MAR 27 2018
ENV MGMT DIV
HARBOR DEPARTMENT

File Location: CEQA Review\FINAL CEQA Response LTRs\FINAL DRAFT\Berths 238-239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project - NOI to Adopt a MND.doc

CALIFORNIA
AIR RESOURCES BOARD

Mary D. Nichols, Chair
Matthew Rodriquez, CalEPA Secretary
Edmund G. Brown Jr., Governor

March 30, 2018

Mr. Christopher Cannon
Director of Environmental Management
City of Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

Dear Mr. Cannon:

Thank you for providing the California Air Resources Board (CARB) the opportunity to comment on the City of Los Angeles Harbor District's (LAHD) Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the Berths 238 – 239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project (Project). Based on the MND, LAHD has determined that the proposed Project will not cause significant air quality or other negative impacts on the environment after implementation of their mitigation measures.

However, to align with the goals of California's Sustainable Freight Action Plan, the State Implementation Plan, and CARB efforts to reduce vessel at-berth emissions, we encourage the LAHD to design the new terminal and associated infrastructure to accommodate zero or near-zero emissions technology. Incorporating the suggested measures outlined in this letter into the terminal design plan at this point in time would be the most cost-effective method to implement these measures in the proposed Project.

CARB - 1

Project Description:

The proposed Project is located within the Port of Los Angeles boundaries. It consists of various wharf improvements to Berth 238 and 239 on Marine Oil Terminal SWT-I, in order to comply with the California State Lands Commission's Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS). MOTEMS are comprehensive engineering standards for the analysis, design, inspection, and maintenance of existing and new marine oil terminals.

In general, the proposed Project would replace existing Berth 238 with a brand new Berth 238 (New Berth 238) wharf, followed by the demolition of Berth 239. Improvements associated with the new loading platform at Berth 238 includes an access ramp, berthing and mooring dolphins, landside mooring anchors, catwalks, topside equipment, landside piping, and other necessary utilities to support operations

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at Berth 238. In addition, the proposed Project would also include a new long-term (30 year) lease to reflect on the updated owner of the facilities previously owned by Exxon Mobil.

CARB - 1 cont.

General Recommendations:

1) CARB staff (Staff) is currently considering folding into the Ocean-going Vessels At-Berth Regulation (At-Berth Regulation) additional vessel types not currently covered, including tankers. Tankers are a high priority for California's efforts to reduce air emissions because they are a large emissions source while at-berth, both statewide and in the South Coast Air Basin. CARB's statewide emissions inventory indicate tankers now contribute more at-berth carbon dioxide (CO_2) and particulate matter (PM) emissions than any other vessel type, and are the second largest source of at-berth nitrogen oxides (NOx) emissions after container ships. Emission reductions are necessary from this source to attain ambient air quality standards and to better protect nearby communities from the harmful effects of fine PM. Therefore, Staff recommends LAHD to explore the adoption of the following alternative emissions control measures and include them in your design plans prior to construction instead of conducting retroactive fixes that may run into difficulties of already established infrastructure.

CARB - 2

2) Given the availability of alternative emissions reductions technologies such as the following: (1) Capture and control systems, (2) shore-side electric booster pumps, and (3) shore-side (grid-based) power, LAHD and PBF Energy should consider including these technologies in their design plans. Staff also encourages the Port to continue to explore new control strategies in addition to the ones described here.

   With regard to the first control strategy, capture and control systems are already in use for container ship auxiliary engines that could potentially be scaled up to accommodate the combined emissions from tanker boilers and auxiliary engines. In this case, a barge with the system would be towed to a position alongside the vessel, where the capture and control equipment would be connected to the vessel with a barge-mounted crane. Another capture and control option would consist of a land-based system where the emission control devices and ducting system are located on the wharf. There are two projects under development that will be using this type of system. For either type of capture and control system, it would be easier to construct a new terminal designed to accommodate these systems (loading on the wharf from the barge or on-land equipment, footprint for the land-based system, etc.), rather than retrofitting later.

CARB - 3

With regard to the second control strategy, the electric booster pump, a land-based pump could be used to reduce the load on the vessel boiler or other diesel-powered driver for the vessel pumps used to offload crude or other products. For this option, there would need to be an adequate footprint at the terminal or nearby for the electric motor and pump, and the electrical capacity to provide the necessary power. Even if the electric motor and pump are not included as part of the proposed Project itself, it may be worthwhile to provide space for this option in case it is pursued at a later time. CARB - 3 cont.

Finally, shore-power may be an option for the terminal if the operator expects to receive vessels that visit frequently, especially if they use electrically-driven pumps to offload their product. At this early stage in developing the Project, the terminal has the opportunity to better plan the layout of vaults, conduits, and electrical lines around the physical restrictions of the berth layout.

3) In section 4.3 of page 4-9 of the report, there is a discussion on lease measure AQ-1 which Staff is pleased to see that the LAHD is encouraging the testing of at-berth control technologies at this facility. As mentioned above, Staff is working on amendments to the At-Berth Regulation which are expected to address the emissions from new categories of vessels including tankers. While some of the potential control technologies for tankers, such as shore-power and shore-side electric booster pumps are already demonstrated, other technologies such as capture and control systems, are not yet used for tanker vessels, and pilot tests would be very helpful here.

Staff appreciates the inclusion of the voluntary mitigation measure, however Staff has concerns with some of the terms of lease measure AQ-1, which could conflict with our regulatory efforts. Lease measure AQ-1 includes a statement that cost-effectiveness values for control systems exceeding $18,262/ton (from the Carl Moyer Program) shall not be considered feasible. We do not believe this cost-effectiveness threshold is appropriate for several reasons. First, the cost-effectiveness value for the Carl Moyer Program is for a different purpose – a funding program. Staff notes that the estimated cost-effectiveness values for the current At-Berth Regulation, as estimated in the staff report, significantly exceeded this threshold (see page X-19 here: https://www.arb.ca.gov/regact/2007/shorepwr07/tsd.pdf). CARB - 4

Also, the current cost-effectiveness threshold under the Carl Moyer program is now $30,000/ton, or up to $100,000/ton for advanced technology projects. Further, PM emissions are weighted at twenty times under Carl Moyer, meaning

that the allowable costs can be commensurately higher for PM control strategies, while the AQ-1 measure specifically states that there is no pollutant weighting. In addition, measure AQ-1 lays out a timeline for pilot studies and eventual use of control technologies that could potentially far exceed 5 years. CARB staff is currently working with all stakeholders in developing amendments to the At-Berth Regulation, which includes implementation timelines for the potential regulatory requirements. It is possible that the timelines in AQ-1 could conflict with the implementation schedule that Staff will ultimately propose for the At-Berth Amendments. CARB - 4 cont.

4) In table 4.3-4 of page 4-17 of the report, the peak daily operational emissions for the 2032, and 2048 baseline totals are compared with the 2016 baseline total emissions. The net difference ("Project Minus CEQA Baseline") with the 2016 baseline is compared with the significance thresholds shown on table 4.3-1 in page 4-11 of the report. LAHD should provide emissions estimates for the interim period between 2016 and 2032. CARB - 5

5) LAHD should clarify the timeline and dates for the start and completion of construction, followed by the operation start date and estimated date when the berth would reach full build. In addition, LAHD should analyze emissions associated with construction emissions that overlap with the emissions associated with new berth operations, if new operations commence prior the completion of construction activities. CARB - 6

Closing

CARB staff appreciates the opportunity to comment on the NOI for the proposed Project. We hope the LAHD will take advantage of this opportunity to incorporate alternative technologies into the design, or the capability to design the Project to allow easy installation of these new and innovative technologies in the future. CARB - 7

Please include CARB on your State Clearinghouse list of selected State agencies that will receive the final MND, as approval of your project. If you have any questions, please contact Ms. Angela Csondes, Manager, in our Marine Strategies Section, at (916) 323-4882 or via email at: angela.csondes@arb.ca.gov. CARB - 8

Sincerely,

Elizabeth Yura, Chief
Freight Activity Branch
Transportation and Toxics Division

cc: Morgan Capilla
NEPA Reviewer – Ports, Housing Development
Air Division, Region 9
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105-3920

Lijin Sun
Program Supervisor-CEQA
South Coast Air Quality Management District
21865 Copley Drive
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State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Ms. Angela Csondes, Manager
Marine Strategies Section
Transportation and Toxics Division

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SENT VIA E-MAIL AND USPS: March 30, 2018
ceqacomments@portla.org
Tara Tisopulos
City of Los Angeles Harbor Department
Environmental Management Division
425 S. Palos Verdes Street
San Pedro, CA 90731

Mitigated Negative Declaration (MND) for the Proposed Berths 238-239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comment is meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Proposed Project consists of demolition of existing platforms at Berths 238 and 239, and construction of marine platform and associated mooring and breasting dolphins, marine oil terminal platform, two new breasting dolphins, four new upland mooring dolphins, and installation of tenant topside improvements on 20.54 acres (Proposed Project). Construction is expected to take approximately 21 months.

SCAQMD - 1

SCAQMD Staff's Comments

The Proposed Project's operational emissions were estimated for the 2016 CEQA baseline year, the 2032 buildout year, and the 2048 future year[1]. The 2016 existing conditions were held constant (i.e. using emission rates from 2016) and compared to future years (i.e. using emission rates from future years). This approach using a comparison between the Proposed Project's impacts in future years (using emission rates from those years) and a 2016 baseline (using emission rates from 2016) improperly credits the Project with emission reductions that will occur independent of the Proposed Project due to adopted state and federal rules and regulations, since these rules and regulations are expected to improve air quality, even in the absence of the Proposed Project. For example, the California Air Resources Board's (CARB) current regulations for ocean-going vessels and tugboats, for example, will provide significant near-term and long term emissions reductions. The strategies for ocean-going vessels, barges, terminal equipment, and harbor craft such as tugboats outlined in the 2017 Clean Air Action Plan Update[2] are also expected to reduce emissions over time. Therefore, the use of the 2016 baseline may have led to an under-estimation of emission increases from the Proposed Project. As shown in Table A, the use of the 2016 baseline comparison is misleading because it showcases the Proposed Project as an emissions reduction project without any emissions reductions project design features or mitigation measures.

SCAQMD - 2

[1] MND. Page 4-15.
[2] San Pedro Bay Ports. *Final Clean Air Action Plan 2017*. Accessed at: http://www.cleanairactionplan.org/documents/final-2017-clean-air-action-plan-update.pdf.

Table A: Copy of Table 4.3-4 Peak Daily Operational Emissions – Proposed Project

(Pounds per Day)

Source Category	PM_{10}	$PM_{2.5}$	NO_X	SO_X	CO	VOC
2016 Baseline						
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	2	1	33	0	19	2
Fugitives	—	—	—	—	—	—
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56
Terminal Equipment	33	33	578	3	156	31
2016 Baseline Total	**96**	**91**	**2,781**	**177**	**374**	**491**
Year 2032						
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	0	0	9	0	19	1
Fugitives						
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56
Terminal Equipment	33	33	578	3	156	31
2032 Total	**94**	**90**	**2,757**	**177**	**374**	**490**
CEQA Impacts						
CEQA Baseline Emissions	96	91	2,781	177	374	491
Project Minus CEQA Baseline	(1)	(1)	(24)	0	0	(1)
Significance Threshold	150	55	55	150	550	55
Significant?	**No**	**No**	**No**	**No**	**No**	**No**
Year 2048						
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	0	0	9	0	19	1
Fugitives						
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56

Terminal Equipment	33	33	578	3	156	31
2048 Total	**94**	**90**	**2,757**	**177**	**374**	**490**
CEQA Impacts						
CEQA Baseline	96	91	2,781	177	374	491
Project Minus CEQA	(1)	(1)	(24)	0	0	(1)
Significance Threshold	150	55	55	150	550	55
Significant?	**No**	**No**	**No**	**No**	**No**	**No**

In *Neighbors for Smart Rail v. Exposition Metro Line Construction (2013) 57 Cal.4th 439*, the California Supreme Court held that using a future baseline is proper in some cases. The purpose of CEQA is to disclose environmental impacts from the Proposed Project to the public and decision makers in order to provide the public and decision makers with the actual changes to the environment from the activities involved in the Proposed Project. By taking credit for future emission reductions from existing air quality rules, regulations, and emissions reductions strategies, the Proposed Project's air quality impacts are likely underestimated. Therefore, SCAQMD staff recommends that the Lead Agency revise the air quality analysis to include a comparison between the emissions in year 2032 and year 2048 with the Proposed Project and the emissions in the same respective years without the Proposed Project, and use this comparison to determine the level of significance. SCAQMD - 2 cont.

Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and the public who are interested in the Proposed Project. SCAQMD - 3

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS
LAC180306-04
Control Number

STATE OF CALIFORNIA — EDMUND G. BROWN JR., *Governor*

CALIFORNIA STATE LANDS COMMISSION
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***Contact Phone:* (916) 574-1890**
***Contact FAX:* (916) 574-1885**

April 2, 2018

File Ref: SCH #2018031006

Christopher Cannon,
Director of Environmental Management
City of Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90731

VIA REGULAR & ELECTRONIC MAIL (ceqacomments@portla.org)

Subject: Initial Study/Mitigated Negative Declaration (IS/MND) for the Berths 238-239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project, Los Angeles County

Dear Mr. Cannon:

The California State Lands Commission (Commission) staff has reviewed the subject IS/MND for the Berths 238-239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project (Project), which is being prepared by the City of Los Angeles Harbor Department (Harbor Department). The Harbor Department, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect sovereign land and their accompanying Public Trust resources or uses. The Commission is also a regulatory agency that oversees the Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS).

CSLC - 1

Commission Jurisdiction, Public Trust Lands, and Regulatory Authority

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; and 6306). For this Project, the city of Los Angeles (City), acting by and through the Port of Los Angeles (Port), is trustee of sovereign tide and submerged lands granted by the Legislature pursuant to Chapter 656, Statutes of 1911, and Chapter 651, Statutes of 1929, and as amended, no minerals reserved to the State.

All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine. The Commission also has regulatory authority over MOTEMS, which are codified in California Code of Regulations, title 24, California Building Code, Chapter 31F—Marine Oil Terminals.

Project Description

The primary goal of the proposed Project is to comply with MOTEMS to protect public health, safety, and the environment. The primary elements of the proposed Project include:

- Demolition of the existing unloading platform at Berth 238, which measures approximately 225 feet in length and 60 feet in width, berthing and mooring dolphins, and landside mooring anchors
- Construction of a new MOTEMS compliant unloading platform at Berth 238, including an access ramp, berthing and mooring dolphins, landside mooring anchors, and catwalks
- Utilization of the existing unloading platform at Berth 239 during the construction of the new Marine Oil Terminal at Berth 238
- Demolition of the existing unloading platform at Berth 239, which measures approximately 225 feet in length and 60 feet in width, berthing and mooring dolphins following successful commissioning of new Marine Oil Terminal at Berth 238

CSLC - 1

Improvements associated with the new loading platform at Berth 238 include an access ramp, berthing and mooring dolphins, landside mooring anchors, catwalks, topside equipment, landside piping, and other necessary utilities to support Berth 238 operations.

Environmental Review

Commission staff requests that the Harbor Department consider the following comments on the Project's IS/MND.

General Comments

1. Commission staff suggests that the Harbor Department review the Chevron Long Wharf Maintenance and Efficiency Project MND for consistency with similar projects (State Clearinghouse # **2016082014**; CSLC File Ref: MND #790). This MND was prepared and adopted by the Commission for similar marine oil terminal wharf improvements, including MOTEMS compliance work and can be found at http://www.slc.ca.gov/Info/CEQA/Chevron_LongWharf.html.

CSLC - 2

Mr. Cannon Page 3 April 2, 2018

Biological Resources, Section 4.4, Page 4-21

2. Commission staff suggests you use the terminology "non-native species" rather than "invasive or exotic species." CSLC - 3

3. There are two federal ballast water management programs implemented through the U.S. Coast Guard under authority of the National Invasive Species Act, and the U.S. Environmental Projection Agency through the Clean Water Act. The paragraph only references a single "federal Ballast Water Management Program." Please clarify. CSLC - 4

4. Commission staff recommends that you replace the words "hull husbandry" with "biofouling management" in the sentence "California also has regulations regarding *hull husbandry*…." Biofouling management is a more modern phrase with specific legal meaning. See biofouling management regulations for reference (Cal. Code Regs., tit. 12, §§ 2298.1 et seq.) at: http://www.slc.ca.gov/Laws-Regs/Regulations.html. CSLC - 5

5. California's Marine Invasive Species Act does not specifically require cleaning of niche areas; rather the regulations require management of these areas. Please replace the wording accordingly. See biofouling management regulations for reference (Cal. Code Regs., tit. 12, §§ 2298.1 et seq.) at: http://www.slc.ca.gov/Laws-Regs/Regulations.html. CSLC - 6

6. Commission staff recommends that you replace the word "enforced" with "adopted" in the following sentence: "In addition, by 2032, all ships should be meeting performance standards *enforced* by U.S. Coast Guard…." CSLC - 7

Hazards and Hazardous Materials, Section 4.9, Page 4-38

7. The IS/MND indicates that spill prevention and response measures are included in the facility's Spill Prevention, Control, and Countermeasure (SPCC) Plan. The SPCC should be reviewed and updated if necessary to cover hazardous materials that will be used during construction. In addition, a program of employee training on the SPCC is advisable. Please see the Chevron Long Wharf Maintenance and Efficiency Project MND Section 3.8 for consistency (State Clearinghouse **# 2016082014**; CSLC File Ref: MND #790). CSLC - 8

Hydrology and Water Quality, Section 4.10, Page 4-47

8. The IS/MND discusses inundation by seiche, tsunami or mudflow. While sea-level rise of 2 feet has been accounted for, no reference is provided for the assumed maximum tsunami wave height of 7.2 feet at the Project Area. The MND concludes that: "No overtopping at the Project Site is anticipated as a result of a tsunami." Commission staff cannot verify this conclusion without further details regarding berth elevation. Please discuss the berth's elevation as compared to these projected wave impacts. CSLC - 9

Thank you for the opportunity to comment on the IS/MND for the Project. As a trustee and regulatory agency, Commission staff requests that you consider our comments prior to adoption of the MND. Please send copies of future Project-related documents, including electronic copies of the adopted MND, Mitigation Monitoring and Reporting Program, and Notice of Determination when they become available. CSLC - 10

Please refer questions concerning environmental review to Sarah Mongano, Senior Environmental Scientist, at (916) 574-1889 or via email at sarah.mongano@slc.ca.gov. For questions concerning the MOTEMS review, please contact Avinash Nafday, Senior Engineer, Petroleum Structures, at (562) 499-6316 or via email at avinash.nafday@slc.ca.gov.

Sincerely,

Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
S. Mongano, Commission
A. Nashday, Commission
N. Dobroski, Commission
J. Fabel, Commission

Comment Letter #1: Johnson P. Abraham - Department of Toxic Substances Control

DTSC – 1 Thank you for your comment. The comment is noted.

DTSC – 2 Comment noted. No backland improvements are anticipated as part of this project. No contaminated groundwater and/or soil is anticipated to be encountered during construction. However, if contamination is found, it would be characterized, handled, transported, and disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agencies' (e.g., USEPA, DTSC, LARWQCB, LACFD, and LAHD) requirements. Any soil import will adhere to LAHD's Environmental Guidance for Import Soil Requirements (June 2016). Therefore, no additional information or analysis is required.

DTSC – 3 Comment noted. None of the activities mentioned are anticipated as a result of the proposed project.

DTSC – 4 Comment noted. Current construction activities are not within an area that would have historically used PCB-containing transformers or electrical equipment.

DTSC – 5 The comment is noted. No contaminated groundwater and/or soil is anticipated to be encountered during construction. However, if contamination is found, it would be characterized, handled, transported, and disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agencies' (e.g., USEPA, DTSC, LARWQCB, LACFD, and LAHD) requirements. Any soil import will adhere to LAHD's Environmental Guidance for Import Soil Requirements (June 2016). Therefore, no additional information or analysis is required.

DTSC – 6 The comment is noted. No contaminated groundwater and/or soil is anticipated to be encountered during construction. However, if contamination is found, it would be characterized, handled, transported, and disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agencies' (e.g., USEPA, DTSC, LARWQCB, LACFD, and LAHD) requirements. Any soil import will adhere to LAHD's Environmental Guidance for Import Soil Requirements (June 2016). Therefore, no additional information or analysis is required.

Comment Letter #2: Ali Poosti – Los Angeles Bureau of Sanitation

LASAN – 1 Thank you for your comment. The comment is noted and appreciated and will be before the decision-makers for their consideration prior to taking any action on the project. The comment indicates that the proposed Project is unrelated to wastewater conveyance and does not require any hydraulic analysis.

Comment Letter #3: Elizabeth Yura - California Air Resources Board

CARB – 1 Thank you for your comment. The comment is noted.

CARB – 2 The Los Angeles Harbor Department (LAHD) agrees with the comment. This project includes a Lease Measure requiring the tenant to evaluate potentially feasible emission reduction technologies.

CARB – 3 LAHD is encouraging the research and demonstration of at-berth technologies at this facility. Emission reduction technologies to be evaluated include, but are not limited to the following: a capture and control system, shore-side electric booster pumps and shore-side (grid based) power.

CARB – 4 LAHD agrees with the commenter that at-berth control technologies should be evaluated at the facility (See RTC CARB-3).

LAHD will be retaining its use of the Carl Moyer Program Guidelines as its cost-effectiveness threshold; however, LAHD agrees with CARB on the current applicable cost/ton threshold and has amended the Lease Measure language to delete the reference to $18,262 per ton. LAHD has further clarified that the version of the Carl Moyer Program Guidelines adopted as of the Effective Date of the Lease shall be utilized for determining the precise cost-effectiveness.

PM_{10} weighting will not be included in the cost-effectiveness threshold as it was not an agreed-upon component of this lease measure and is not appropriate for the purposes of a feasibility study or Pilot Study. A voluntary demonstration project is not representative of an actual At-Berth Regulation and CARB is able to set or calculate any cost-effectiveness threshold in its regulation that it deems appropriate. The CARB regulation, when adopted, is not voluntary and LAHD tenants will all be required to comply as applicable.

LAHD agrees that LM AQ-1 allows for several years for its feasibility study and pilot program. LAHD has to allow the tenant time to determine what technologies are available within three months after the effective date of the lease and then allow the appropriate time (i.e., one year from effective date of lease) to conduct a thorough assessment. It is not anticipated that a tenant will request additional time as there are no compelling reasons obvious and this extension would have to be evaluated and approved by the Board of Harbor Commission. LAHD staff is willing to shorten its own evaluation time of the feasibility study to expedite development of the technologies. LM AQ-1 has been amended as follows:

> "City shall have ~~1 year~~ six months to review and comment on the Report unless the Board reasonably determines that additional time is needed as

a result of unanticipated events or any events beyond the reasonable control of the City."

LAHD does not believe it is appropriate to shorten the three-year time allowed for a full Pilot Study if it is determined that a control system is feasible. The design of the Pilot Study and potential permitting and applicable laws that may need to be met prior to implementation may be time consuming. The tenant needs to gather significant data, test the performance of the control systems on various different vessel types, evaluate cost, safety and consider any other aspects of the technology on the facility and the vessels. In order to be thorough and accurate, LAHD believes that three years is appropriate.

CARB – 5 The analysis reflects the highest potential emitting day in the baseline as compared to the highest potential emissions in the peak year of 2032. Peak operational emissions would be the essentially the same for the time period between 2016 and 2032 which is why it was deemed unnecessary to evaluate an additional interim year. The project is not growth-inducing by nature; rather, operational growth would be occurring based on economic demands and not as a result of the MOTEMS project.

CARB – 6 Construction is assumed to occur over a period of 21 months beginning in late 2018. As indicated in Table 4.3-4, operational emissions decrease slightly over time throughout the life of the project. As indicated in CARB-5 above, the project is not growth inducing by nature. Operational emissions occurring at the time of construction would not increase as a result of the proposed project and, therefore, are identical (if not lower) than the baseline. Therefore, peak construction emissions alone from 2018 represent the worst case day and no overlapping of construction and operation is necessary.

Peak construction emissions are below all of SCAQMD's CEQA significant thresholds, and therefore less than significant.

CARB – 7 Thank you for your comment.

CARB – 8 Thank you for your comment. We will ensure that CARB is on the State Clearinghouse list for Final MND circulation.

Comment Letter #4: Lijin Sun, J.D. - South Coast Air Quality Management District

SCAQMD – 1 Thank you for your comment.

SCAQMD – 2 The comment is noted. The commenter contends that a comparison between the proposed Project's impacts in future years (using emission rates from those years) and a 2016 baseline (using actual equipment operations in 2016) improperly credits the proposed Project with emission reductions that will occur independent of the proposed Project due

to adopted state and federal rules and regulations, since these rules and regulations are expected to improve air quality, even in the absence of the proposed Project.

The analysis uses the most recent year of actual confirmed data available at the time of document preparation (i.e., 2016). This is the most accurate baseline available and is appropriate for the analysis. There is no mitigation credit given nor is the assumption that the project is an environmental benefit. Regardless of how the emission reductions occur, the analysis reflects a fair and accurate portrayal of what the emissions profile in the study years would be. As pointed out in the comment letter, CARB's current regulations for vessels and tugboats will provide significant near-term and long-term emissions reductions. Future project years show a negative number or an emissions benefit. This is a result of compliance with CARB's tugboat regulation. So, although the project does not have specific emission reduction design features or mitigation measure, CARB's regulations result in lower emissions over time.

Although there were no significant adverse air quality impacts identified, LAHD has still required the tenant to study any and all feasible technologies available to reduce at-berth emissions from tankers in a Lease Measure. (LM-AQ-1).

Using existing conditions as the baseline is appropriate for the proposed Project air quality analysis because, in part, the analysis is based on a comparison of the baseline with construction emissions and with operational emissions at several discrete points in time for specific analysis years. This approach is consistent with *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439. In that case, the Court held that the lead agency erred because there was not sufficient justification in the administrative record to justify its decision to use *only* a baseline of conditions projected to exist in the year 2030.

LAHD believes that the analysis performed comports with CEQA requirements and does not underestimate the Project's air quality impacts. LAHD will not be revising its air quality analysis to provide a future or hypothetical baseline that does not include compliance with existing regulations.

SCAQMD – 3 Thank you for your comment. The comment is noted.

Comment Letter #5 : Cy R. Oggins - California State Lands Commission

CSLC – 1 Thank you for your comment. The comment is noted.

CSLC – 2 Thank you for your comment. The comment is noted.

CSLC – 3 Thank you for your comment. The comment is noted and change has been made.

CSLC – 4 Thank you for your comment. The comment is noted and change has been made.

CSLC – 5 Thank you for your comment. The comment is noted and change has been made.

CSLC – 6 Thank you for your comment. The comment is noted and change has been made.

CSLC – 7 Thank you for your comment. The comment is noted and change has been made.

CSLC – 8 The facility maintains a current SPCC Plan. At this time, it is not anticipated that construction activities would significantly increase on-site oil storage. Employee training will be conducted in accordance with current applicable laws.

CSLC – 9 The current engineering drawings for this project show the top of the deck at 15.5 feet MLLW. Drawings were made with the Moffat & Nichol Sea Level Rise Study. (Basis of Design for POLA Berths 238-239 PBF Energy Marine Oil Terminal MOTEMS Improvements, July 2017.)

CSLC – 10 Thank you for your comment. The comment is noted.

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1.0 INTRODUCTION

The Los Angeles Harbor Department (LAHD) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the proposed Berths 238–239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project (proposed Project) located at 799 South Seaside and 401 Ferry Street/551 South Pilchard on Terminal Island in the Port of Los Angeles (Port). LAHD is the lead agency under the California Environmental Quality Act (CEQA).

The primary objective of the proposed Project is to comply with the Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) at the PBF Energy Terminal at Berths 283 and 239. The proposed Project also includes issuance of a 30-year lease to PBF Energy Western Region LLC (PBF Energy) for continued operation of the Berth 238–239 marine oil terminal, as well as PBF Energy's tank farm located approximately 3,500 feet northeast of the marine oil terminal.

1.1 CEQA PROCESS

This document was prepared in accordance with CEQA (California Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.), and the City of Los Angeles CEQA Guidelines (2006a). One of the main objectives of CEQA is to disclose the potential environmental effects of proposed activities to the public and decision makers. CEQA requires that the potential environmental effects of a project be evaluated prior to implementation. This IS/MND includes a discussion of the proposed Project's effects on the existing environment, including the identification of avoidance, minimization, and mitigation measures. This document is an IS/MND because all impacts associated with the proposed Project can be mitigated to be below applicable significance thresholds.

Under CEQA, the lead agency is the public agency with primary responsibility over approval of a proposed project. Pursuant to Section 15367 of the CEQA Guidelines (14 CCR 15000 et seq.), LAHD is the lead agency for the proposed Project. LAHD prepared this environmental document to comply with CEQA. LAHD will consider the information in this document when determining whether to approve the proposed Project.

The preparation of an IS guided by Section 15063 of the CEQA Guidelines, while Sections 15070–15075 of the CEQA Guidelines direct the process for the preparation of a Negative Declaration or an MND (14 CCR 15000, et seq.). Where appropriate and supportive, references will be made to CEQA, the CEQA Guidelines, or appropriate case law.

This IS/MND meets CEQA content requirements by including a project description; a description of the environmental setting, potential environmental impacts, and mitigation measures for any significant effects; discussion of consistency with plans and policies; and names of the document preparers.

In accordance with CEQA and the CEQA Guidelines, this IS/MND will be circulated for a period of 30 days for public review and comment. The public review period for this IS/MND is scheduled to begin on

March 2, 2018, and will conclude on April 2, 2018. This IS/MND has specifically been distributed to interested or involved public agencies, organizations, and private individuals for review. The IS/MND has been made available for general public review at the following locations:

- LAHD Environmental Management Division at 222 West 6th Street, San Pedro, California 90731
- Los Angeles City Library, San Pedro Branch at 931 South Gaffey Street, San Pedro, California 90731
- Los Angeles City Library, Wilmington Branch at 1300 North Avalon, Wilmington, California 90744

The document is also available online at https://www.portoflosangeles.org/environment/public_notices.asp.

Approximately 140 notices were sent to community residents, stakeholders, and local agencies.

During the 30-day public review period, the public has an opportunity to provide written comments on the information contained within this IS/MND. The public comments on the IS/MND and responses to public comments will be included in the record and considered by LAHD during deliberation as to whether or not necessary approvals should be granted for the proposed Project. A project will only be approved when LAHD finds "that there is no substantial evidence that the proposed Project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis" (14 CCR 15070).

In reviewing the IS/MND, affected public agencies and interested members of the public should focus on the sufficiency of the document in identifying and analyzing potential project impacts on the environment and ways in which the potential significant effects of the proposed Project are proposed to be avoided or mitigated. Comments on the IS/MND should be submitted in writing prior to the end of the 30-day public review period and must be postmarked by April 2, 2018.

Please submit written comments to:

Chris Cannon, Director
City of Los Angeles Harbor Department
Environmental Management Division
425 South Palos Verdes Street
San Pedro, California 90731

Written comments may also be sent via email to ceqacomments@portla.org. Comments sent via email should include the project title in the subject line.

For additional information, please contact the LAHD Environmental Management Division at 310.732.3675.

1.2 DOCUMENT FORMAT

This IS/MND contains the following eight sections:

Section 1.0. **Introduction.** This section provides an overview of the proposed Project and the CEQA environmental documentation process.

Section 2.0. Project Description. This section provides a detailed description of the proposed Project's objectives and components.

Section 3.0. Initial Study Checklist. This section presents the CEQA checklist for all impact areas and mandatory findings of significance.

Section 4.0. Impacts and Mitigation Measures. This section presents the environmental analysis for each issue area identified on the environmental checklist. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts and the appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less-than-significant level.

Section 5.0. Proposed Finding. This section presents the proposed finding regarding environmental impacts.

Section 6.0. Preparers and Contributors. This section provides a list of key personnel involved in the preparation of the IS/MND.

Section 7.0. Acronyms and Abbreviations. This section provides a list of acronyms and abbreviations used throughout the IS/MND.

Section 8.0. References. This section provides a list of reference materials used during the preparation of the IS/MND.

The environmental analysis included in Section 4.0, Impacts and Mitigation Measures, is consistent with the CEQA Initial Study format presented in Section 3.0, Initial Study Checklist. Impacts are separated into the following categories:

Potentially Significant Impact. This category is only applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less-than-significant level. Given that this is an IS/MND, no impacts were identified that fall into this category.

Less-than-Significant Impact After Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less-than-Significant Impact." The lead agency must describe the mitigation measure(s) and briefly explain how they would reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).

Less-than-Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a proposed Project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency that show that the impact does not apply to the specific project (e.g., the project falls outside of a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors and general standards (e.g., the proposed Project would not expose sensitive receptors to pollutants based on a project-specific screening analysis).

2.0 PROJECT DESCRIPTION

This IS/MND is being prepared to evaluate the potential environmental impacts that may result from the proposed Project. The proposed Project consists of marine oil terminal improvements to allow compliance with MOTEMS at the PBF Energy Terminal at Berths 238 and 239. It also includes issuance of a 30-year lease to PBF Energy for continued operation of the Berth 238–239 marine oil terminal, PBF Energy's tank farm located approximately 3,500 feet northeast of the marine oil terminal, and several underground pipelines.

This section discusses the location, description, background, and objectives of the proposed Project. This document has been prepared in accordance with CEQA (California Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.).

2.1 PROJECT LOCATION

2.1.1 Regional Setting

The Port is located in San Pedro Bay, 20 miles south of downtown Los Angeles (Figure 2-1, Regional Map, and Figure 2-2, Vicinity Map). The Port encompasses 7,500 acres and 43 miles of waterfront and features approximately 270 commercial berths and 27 passenger and cargo terminals. Port operations are predominantly centered on shipping activities, including containerized, breakbulk, dry bulk, liquid bulk, automotive, and intermodal rail shipping. In addition to the large shipping industry, the Port also supports a cruise ship industry and a commercial fishing fleet. The Port also accommodates boat repair yards and provides slips for approximately 3,800 recreational vessels, 150 commercial fishing boats, 35 miscellaneous small-service crafts, and 15 charter vessels that handle sport fishing and harbor cruises. The Port has retail shops and restaurants primarily located along the west side of the Main Channel. It also accommodates recreation, community, and educational facilities, such as a public swimming beach, Cabrillo Beach Youth Waterfront Sports Center, the Cabrillo Marine Aquarium, the Los Angeles Maritime Museum, 22nd Street Park, and the Wilmington Waterfront Park.

The LAHD is a proprietary department of the City of Los Angeles (City) charged with the operation, maintenance, and protection of the Port. The LAHD is a landlord port that leases properties to more than 300 tenants, including private terminal, tug, and marine cargo and cruise industry entities. The LAHD administers the Port under the California Tidelands Trust Act of 1911 and the Los Angeles City Charter. The LAHD is chartered to develop and operate the Port to benefit maritime uses.

2.1.2 Project Setting

The Project site consists of two facilities; the marine oil terminal (Southwestern Terminal Area I [SWT-I]) and the Terminal Island Tank Farm (Southwestern Terminal Area II [SWT-II]), as well as several underground pipelines in various locations within the Port of Los Angeles (Figure 2-3, Lease Areas). SWT-I, a short-term storage and transfer facility for petroleum products, includes approximately 20.54

acres of land located at 799 South Seaside that has 19 active tanks with a total shell capacity of 946,344 barrels in refined product service. SWT-II is a tank farm approximately 16.62 acres located approximately 3,500 feet northeast of SWT-I at 401 Ferry Street/551 South Pilchard. Land access to both sites is provided by a network of freeways and arterial routes. The freeway network consists of the Harbor Freeway (Interstate [I] 110), the Long Beach Freeway (I-710), the San Diego Freeway (I-405), and the Terminal Island Freeway (State Route 103/State Route 47).

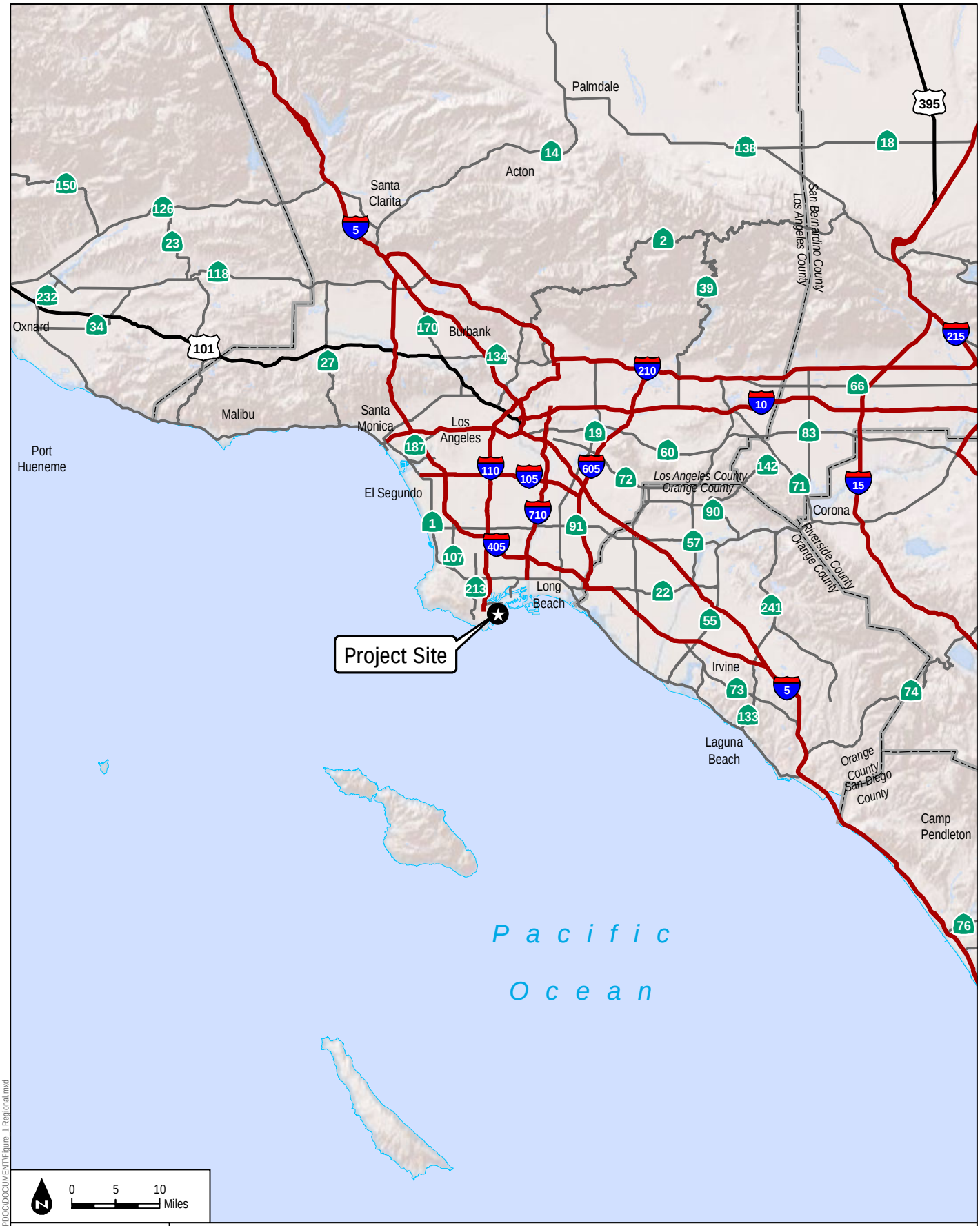
SWT-I is generally bounded by the Main Channel and the San Pedro Public Market to the south and west, the former Southwest Marine Shipyard to the southeast, the Evergreen Container Terminal (Berth 236) to the north, and from the northerly limits of LAHD's jurisdiction between Figueroa Street and Marine Avenue south across the east basin channel into Terminal Island. Local access is provided by Ferry Street and South Seaside Avenue. Access to the Project site is via Wharf Street.

SWT-II is generally bounded by the Evergreen Container Terminal to the north and west, Ferry Street to the east, and the Terminal Island Water Reclamation Plant to the south. Local access is provided by Ferry Street and Earle Street. Access to the Project site is via Pilchard Street.

2.1.3 Land Use and Zoning

The proposed Project is located in the Port of Los Angeles, City of Los Angeles Community Plan Area. The Project site has a General Plan designation of Port of Los Angeles (Maritime Support) (POLA 2014). The Project site is zoned for heavy industrial uses ([Q] M3-1) by the City of Los Angeles Zoning Ordinance for "quasi-heavy industrial" uses (City of Los Angeles 2017a). They are also designated as within the "ZI No. 2130 Harbor Gateway State Enterprise Zone (EZ)." EZs provide economic incentives to stimulate local investment and employment through tax and regulation relief and improvement of public services. The properties adjacent to the Project sites are also zoned as [Q] M3-1. The overall character of the surrounding area is primarily marine cargo handling (liquid, dry bulk, and container).

The Port Master Plan (PMP) (POLA 2014) establishes policies and guidelines to direct the future development of the Port. The original plan became effective in April 1980 after it was approved by the Board of Harbor Commissioners and certified by the California Coastal Commission. The 2014 PMP is a comprehensive update and is the 28th Amendment to the 1980 PMP. The updated PMP (POLA 2014) includes five planning areas. SWT-I and SWT-II are located in Planning Area 3, Terminal Island. Planning Area 3 is the largest planning area, consisting of approximately 1,940 acres and more than 9.5 miles of usable waterfront. It consists of all of Terminal Island except Fish Harbor. Of the Port's nine container terminals, six are located in Planning Area 3. SWT-I is designated for liquid bulk uses under the 2014 PMP. Before the PMP Update of 2014, the SWT-II area was designated for liquid bulk uses. After the update, the area was designated for container uses. As an existing operation, the tank farm at SWT-II is allowed to continue operations (grandfathered) under the updated PMP.



SOURCE: ESRI 2016

FIGURE 2-1

Regional Map

DUDEK

POLA MOTEMS

Path: Z:\Projects\10016\03\MAPDOC\DOCUMENT\Figure_1 Regional.mxd

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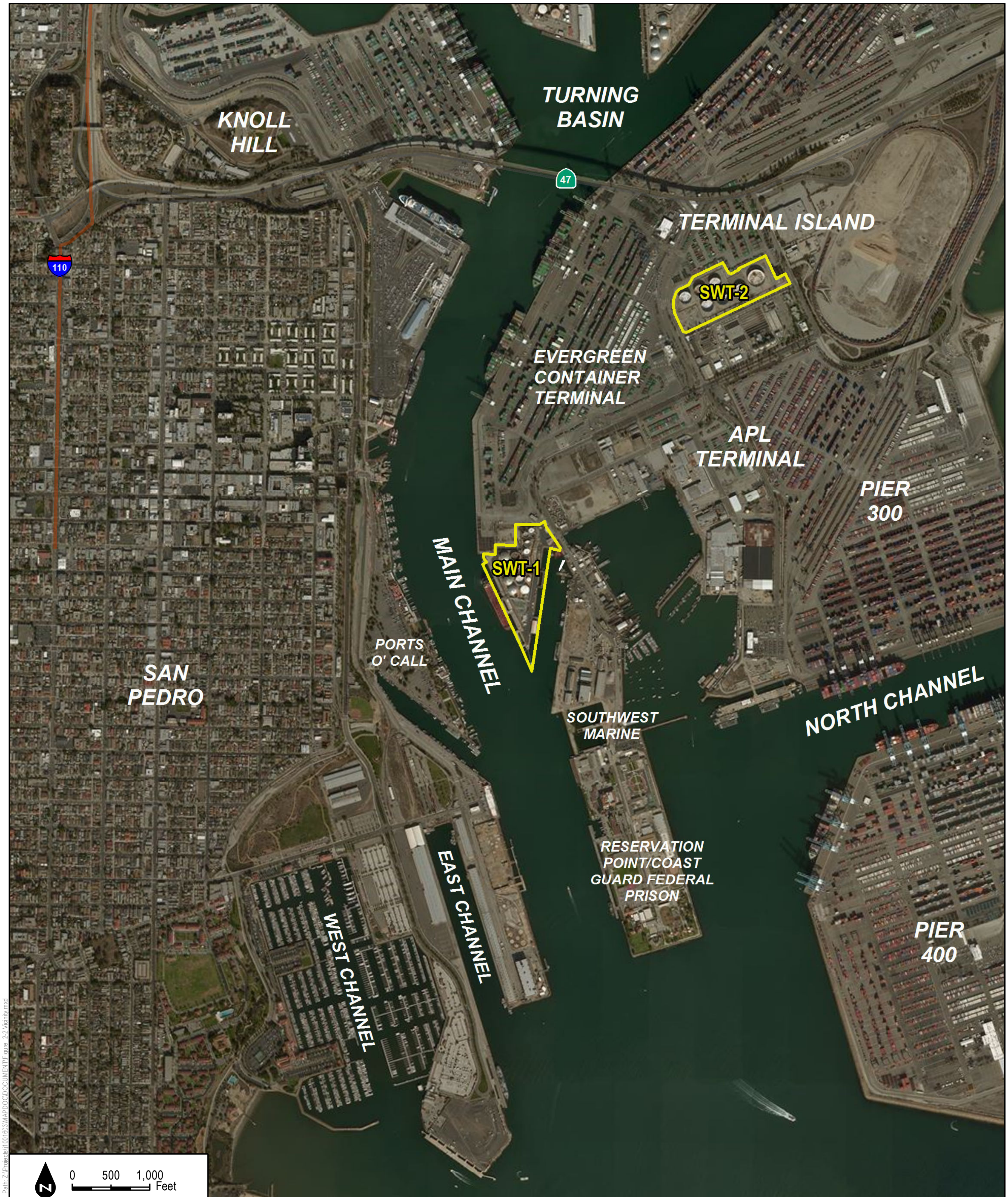

SOURCE: USGS 7.5-Minute Series San Pedro Quadrangle

DUDEK

FIGURE 2-2
Vicinity Map

POLA MOTEMS

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SOURCE: Bing Maps, 2017

FIGURE 2-3
Lease Areas

DUDEK

POLA MOTEMS

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2.2 PROJECT BACKGROUND AND OBJECTIVES

2.2.1 Project Background

Entitlement

The Project site consists of two facilities; the marine oil terminal (SWT-I) and the Terminal Island Tank Farm (SWT-II), as well as several subsurface pipelines. SWT-I, a short-term storage and transfer facility for petroleum products, includes approximately 20.54 acres of land located at 799 South Seaside Avenue that has 19 active tanks with a total capacity of 946,344 barrels in refined product service. SWT-II is a tank farm approximately 16.62 acres in size located approximately 3,500 feet northeast of SWT-I at 401 Ferry Street/551 South Pilchard. SWT-I (Berths 238, 239, 240a, 240b, and 240c) has been in operation since 1923 as a marine liquid bulk terminal (unloading and loading of crude oil and petroleum products). SWT-II was constructed in 1961 and has six active storage tanks in crude oil service with a total capacity of 1,018,039 barrels. Both facilities are serviced by approximately 21.98 miles of existing pipelines operated and maintained within LAHD's jurisdiction. Three bi-directional pipelines serve SWT-I: 10-inch-diameter M-54 refined products, 10-inch-diameter M-19 intermediate products pipelines to/from the refinery in Torrance, and 36-inch-diameter M-137 crude oil pipeline to/from SWT-II. Two bi-directional pipelines serve SWT-II: 24-inch-diameter M-146 crude oil pipeline to/from the refinery in Torrance and 36-inch-diameter M-137 crude oil pipeline to/from SWT-I.

SWT-I and SWT-II were operated by ExxonMobil Oil Corporation (ExxonMobil) from January 1, 1991, to May 31, 2016, under Harbor Department Permit No. 704. ExxonMobil also maintained rights to construct, operate, and maintain subsurface pipelines under Permit No. 418 and several Revocable Permits. The various permits were combined into a new 5-year permit (Permit No. 914), effective June 1, 2016. On July 1, 2016, PBF Energy acquired ExxonMobil's California downstream assets including the refinery in Torrance and related logistical assets, including the Project site and related infrastructure (pipelines), which provide access to sources of crude oil and refined products and Permit No. 914 was assigned to PBF Energy at that time.

The proposed Project includes a new 30-year lease between the Port and PBF Energy for continued operation of the facilities currently covered under Permit No. 914.

Marine Oil Terminal Engineering and Maintenance Standards

The primary goal of the proposed Project is to comply with MOTEMS to protect public health, safety, and the environment. The MOTEMS are comprehensive engineering standards for the analysis, design, inspection, and maintenance of existing and new marine oil terminals. The MOTEMS were approved by the California Building Standards Commission on January 19, 2005, and are codified as part of California Code of Regulations Title 24, Part 2, Marine Oil Terminals, Chapter 31F.

These standards apply to all existing marine oil terminals in California and include criteria for inspection, structural analysis and design, mooring and berthing, geotechnical considerations, fire, piping, mechanical and electrical systems. MOTEMS became effective on January 6, 2006 (CSLC 2005). The California State Lands Commission oversees the MOTEMS program. Through ongoing discussions with the California State Lands Commission Marine Facilities Division, the LAHD developed an implementation strategy to complete the necessary MOTEMS requirements. The marine oil terminal at Berths 238–240 is one of the seven existing marine oil terminals at the Port that requires upgrades to its facility.

The MOTEMS require each marine oil terminal to conduct an audit to determine the level of compliance and an evaluation of the continuing fit-for-purpose of the facility. Depending on the results, the terminal owner and/or operators must then determine what actions are required to meet the standards, and provide a schedule for implementation of deficiency corrections and/or rehabilitation. The standards define criteria in the following areas:

- Audit and Inspection
- Structural Loading Criteria
- Seismic Analysis and Structural Performance
- Mooring and Berthing Analysis and Design
- Geotechnical Hazards and Foundations
- Structural Analysis and Design of Components
- Fire Prevention, Detection and Suppression
- Piping and Pipelines
- Mechanical and Electrical Equipment
- Electrical Systems

MOTEMS audits continue through the life of a marine oil terminal. Updated and new analyses and documentation are required for any significant changes to the facility. Based on results of these investigations, marine oil terminal owners and/or operators must then determine what compliance actions are necessary, and provide a schedule for implementation of deficiency corrections and/or rehabilitation.
The Initial MOTEMS Audit performed by ExxonMobil in 2008 for the existing marine oil terminal at active Berths 238 and 239 identified existing infrastructure deficiencies that require upgrading. The structural, mooring, berthing, and piping evaluations all demonstrated the need for upgrades to their respective systems. Berths 240A, 240B, and 240C have been out of service for vessel activity for years, and all associated piping has been drained of product and isolated from onshore piping. PBF Energy has no intention of returning these berths and piping to active service.

MOTEMS regulations require Terminal Operating Limits, which are terminal-specific restrictions that address vessel size, berthing, mooring, gravity loading and other operating limitations. MOTEMS also requires that each marine oil terminal have a Tsunami Plan that includes far-field versus near-field tsunami events, notifications and communications, tsunami warning system and notification details, tsunami response actions, tidal levels, currents and seiche conditions, loss of utilities, tsunami plan accessibility and training, and post-event inspection.

The primary elements of the proposed Project are as follows:

1. Demolition of the existing unloading platform at Berth 238, which measures approximately 225 feet in length and 60 feet in width, berthing and mooring dolphins, and landside mooring anchors
2. Construction of a new MOTEMS compliant unloading platform at Berth 238, including an access ramp, berthing and mooring dolphins, landside mooring anchors, and catwalks
3. Utilization of the existing unloading platform at Berth 239 during the construction of the new Marine Oil Terminal at Berth 238
4. Demolition of the existing unloading platform at Berth 239, which measures approximately 225 feet in length and 60 feet in width, berthing and mooring dolphins following successful commissioning of new Marine Oil Terminal at Berth 238

Improvements associated with the new loading platform at Berth 238 includes an access ramp, berthing and mooring dolphins, landside mooring anchors, catwalks, topside equipment, landside piping, and other necessary utilities to support operations at Berth 238. The proposed Project is described in more detail in Section 2.3.

2.2.2 Existing Conditions

Southwestern Terminal Area I

The existing SWT-I marine terminal occupies a land area of approximately 20.54 acres and has two active dedicated berths (Berths 238 and 239), which are immediately adjacent to the Everport Container Terminal facility. Southwest Marine is on the east side (see Figure 2-4, Existing Condition and Proposed Improvements SWT-1).

The existing marine terminal also includes 19 active storage tanks of various sizes with a total capacity of 946,344 barrels, parking, and several ancillary buildings. Typically, the existing marine terminal operates 24 hours a day, 7 days a week, with 12 employees working on site during the day shift and a smaller crew working the evening and night shifts.

The existing Berths 238 and 239 have a design width of approximately 60 feet and a length of approximately 225 feet, allowing for the berthing of vessels of up to 70,000 deadweight tons (DWT), which is the maximum size that currently calls at the terminal.

Each berth has a concrete pile, concrete-decked, offshore wharf. Each wharf has a 57-foot by 227-foot concrete loading platform and a 30-foot by 27-foot concrete approach to each end of the wharf with an adjacent breasting dolphin (BD). Due to its location adjacent to Slip 240, Berth 239 has an exterior waterside mooring dolphin (MD). The two wharves are spaced approximately 238 feet apart. The terminal has been in operation since the 1920s, and the existing wharves at Berths 238 and 239 were upgraded in the 1960s.

The marine oil terminal includes a vehicle access road, piping and manifolds to convey product to and from the shoreside tanks, and minor ancillary equipment for handling ship-to-shore connection apparatus and on-water oil spill containment gear. Each wharf has one steel tower supporting the pipeline-manifold connections, hoses and electric hoists for handling hoses.

The existing wharves at Berths 238 and 239 can only accommodate one vessel at a time at each berth, whether it is a barge or a tanker. The terminal primarily handles petroleum products, including crude, marine diesel, alkylates, gasoline, naphtha, and vacuum gas oils. While the marine terminal had not handled crude oil for approximately 10 years, crude vessel activity resumed in 2017 and is expected to continue in future years.

In 2016, there were 36 tanker calls and 363 barge calls. Nearly all barge calls were harbor barges originating in or near the Port of Los Angeles. The terminal's operation consists of importing and exporting crude, feed stock and refined product. In 2016, approximately 2 million barrels of product were unloaded and 7.5 million barrels reloaded (i.e., exported). The terminal does not currently handle rail traffic or load trucks.

For purposes of this analysis, 2016 vessel calls and throughput is the baseline for evaluations herein. Table 2-1 shows the actual vessel calls and projected vessel calls for future years (2032 and 2048).

Table 2-1
Summary of Terminal Vessel Activity Number of Vessel Calls

Year	Barges	Ships	Total
2016	363[1]	36	399
2032	429[2]	59	488
2048	429[2]	59	488

Source: PBF Energy 2017. Ship call totals include loading and unloading.

Notes:

1 Number includes 306 in Port barges used as mobile fuelers

2 Number includes 365 in Port barges used as mobile fuelers

Marine terminal operations have fluctuated through the years depending on the refinery's operations at the time. The proposed Project would not affect those operations, and it is expected that marine terminal operations would continue to fluctuate commensurate with refinery operations and market conditions.

2.2.3 Project Objectives

The proposed Project would address the Project objectives, as summarized below:

- Comply with MOTEMS requirements, which would ensure better resistance to earthquakes, reduce the potential for an oil spill, and consequently maintain the operation and viability of the marine oil terminal facility (primary objective).
- Optimize the use of existing land at the terminal and associated waterways in a manner that is consistent with LAHD's Tidelands Trust obligations by maintaining the existing facility's throughput capabilities and operational parameters through a new, 30-year lease.
- Ensure continued reliability and availability of fuel supplies to help meet Southern California's energy needs given evolving market conditions and business cycle variability.

2.3 PROJECT DESCRIPTION

2.3.1 Overview

The proposed Project involves the construction and operation of a new, MOTEMS-compliant wharf structure (herein referred to as a loading platform) at Berth 238. The proposed Project would consist of the demolishing and removing the existing Berth 238 platform, construction of a new marine platform and associated mooring and breasting dolphins at Berth 238, construction of a new marine oil terminal platform at Berth 238, construction of two new breasting dolphins and four new upland mooring dolphins, installation of tenant topside improvements, and demolition of the concrete platform at Berth 239. The new loading platform at Berth 238 would have an approximate 740-foot-long berth area (approximate dimensions 130 feet long by 60 feet wide) to accommodate Panamax class vessels along with various barges at its existing fender line elevation. Figure 2-4 shows the existing conditions and proposed improvements at the Project site, SWT-1, and Figure 2-5 shows existing conditions at SWT-2. Figure 2-6 presents the plan view of the proposed improvements. In addition, the proposed Project also includes renewed rights under a long-term (30-year) lease between the LAHD and PBF Energy. The proposed Project is described in more detail below.

2.3.2 Construction

Demolition and construction activities of the proposed Project are expected to take approximately 21 months. Due to the nature of the proposed Project, the primary construction work front will be marine-based with smaller secondary work front used for the land work. The schedule is based on working five 8-hour days per week. The maximum number of workers on site during construction at any time will be dependent upon the number of concurrent work fronts. Up to 50 workers would be required at the site at any given time, depending on the construction phase.

The basic elements of the new MOT at Berth 238 will consist of an unloading platform flanked by breasting/mooring dolphins, access ramp, catwalks, and landside mooring dolphins. The terminal will continue

to receive marine vessels throughout the entire demolition and construction period. During this time, Berth 238 would be out of commission, and all vessel would be diverted to Berth 239. After the topside equipment and upland components (e.g., piping, hose rack) are supplied, installed and the new MOT at Berth 238 is successfully commissioned by the tenant, the unloading platform, access ramp, catwalks, and the associated berthing and mooring dolphins at Berth 239 will be demolished. For additional information regarding construction phasing and equipment, please refer to the Appendix A.

The following seven construction phases would occur:

- Phase I: Demolition at Berth 238
- Phase II: Pile Driving for New Marine Platform and Associated Mooring and Breasting Dolphins at Berth 238
- Phase III: Marine Oil Terminal Platform Construction at Berth 238
- Phase IV: Breasting Dolphin Construction at Berth 238
- Phase V: Mooring Dolphin Construction at Berth 238
- Phase VI: Tenant Topside Improvements and commissioning of new MOT at Berth 238
- Phase VII: Demolition at Berth 239 with no replacement

SOURCE: Bing Maps, 2017

FIGURE 2-4

Existing Condition and Proposed Improvements SWT-1

DUDEK

POLA MOTEMS

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SOURCE: Bing Maps, 2017

FIGURE 2-5
Existing Conditions SWT-2

DUDEK

POLA MOTEMS

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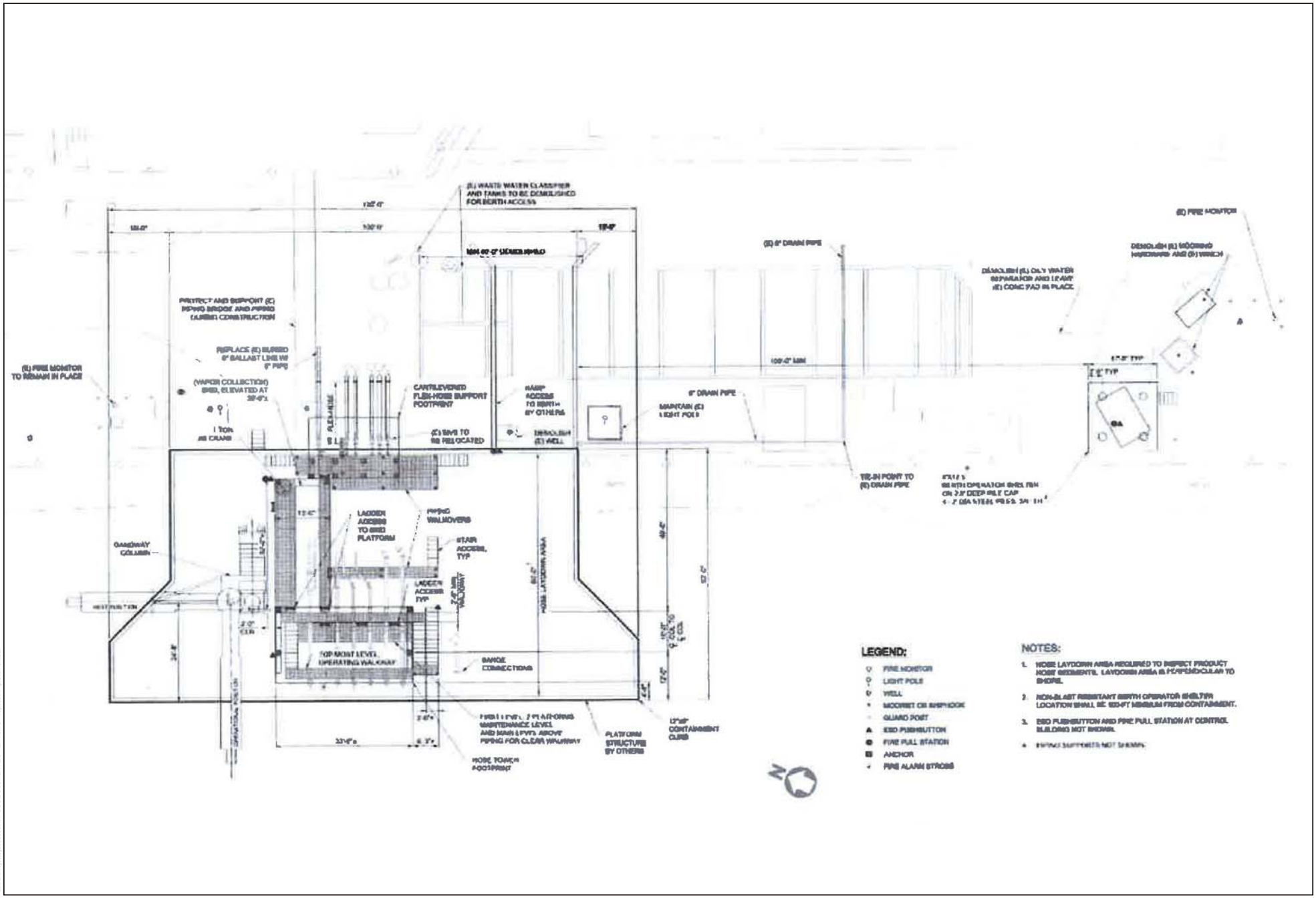

SOURCE: The Port of Los Angeles, 2016

FIGURE 2-6

Plan View of Proposed Improvements

POLA MOTEMS

DUDEK

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2.3.3 Operation

The proposed Project is required in order to bring the existing terminal into compliance with MOTEMS. Although the proposed Project would allow the terminal to remain in operation during the term of the renewed rights under a long-term (30-year) lease, operational activity would continue to remain similar to that experienced under existing conditions. Thus, to assess peak operational activity over the 2016 baseline year, the analysis will rely on an estimate of future potential vessel calls.

Vessels expected to call on this facility range in size, from small barges (5,000 DWT) up to Panamax (70,000 DWT) sized tankers. The terminal would only be able to accommodate one vessel at a time and would no longer be capable of simultaneously handling liquid bulk cargo from two vessels at a time via secondary use of Berth 239. The berthing fender and layout would be designed to accommodate the large range of vessels. Mooring of smaller barges would be accommodated by supplemental barge cleats on the deck of the loading platform.

Since the proposed Project would not increase the existing terminal's capacity to handle petroleum products or affect the types of products handled, the proposed Project would not require installation of any other pipeline, storage, or refining projects. The proposed Project, therefore, would not affect the operations of any other facilities, including those that are connected via pipelines (e.g., the Torrance Refining Company LLC).

The proposed Project would continue to have both land-based and in-water operational activities. In-water operational activities would include ocean-going vessels (OGV) such as articulated and integrated ocean tugs, and tankers. These vessels transport product to and from the facility. OGV activity is anticipated to increase by approximately 23 vessels per year as compared to the baseline, and remain at 2032 levels through the end of the 2048 lease. Re-fueling barges are loaded with fuel at the facility and are used to distribute the fuel to other OGVs in the Port. Re-fueling barge activity is expected to increase from approximately 306 activities per year to 365 activities per year. Tugboats are used to assist barges and OGVs. Tugboat activity is expected to increase proportionate to the increase in tanker activity. Product unloading from incoming vessels is anticipated to increase by approximately 11,400,000 barrels per year compared to Baseline, and remain at 2032 levels through 2048. Loading of product onto vessels is anticipated to decrease by approximately 2,000,000 barrels per year compared to baseline, and remain at 2032 levels through 2048. The proposed Project is not anticipated to affect the activity of landside equipment used to operate the terminal. Future operational activities would require the same number of staff as existing operational activities.

2.4 PROJECT PERMITS AND APPROVALS

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

Anticipated permits and approvals that may be required to implement the proposed Project include but are not limited to those found below:

- U.S. Army Corps of Engineers
- Los Angeles Regional Water Quality Control Board (LARWQCB) Section 401 (Clean Water Act) Water Quality Certificate
- LARWQCB Storm Water Pollution Prevention Plan (SWPPP)
- LARWQCB National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities
- SCAQMD Permit to Construct/Operate
- California State Lands Commission
- City of Los Angeles Fire Department
- City of Los Angeles Building Permit
- City of Los Angeles Grading Permit
- City of Los Angeles Electrical Permit
- LAHD 30-Year Permit
- LAHD Harbor Engineer Permit
- LAHD Coastal Development Permit

3.0 INITIAL STUDY CHECKLIST

1.	**Project Title:**	Berth 238–239 [PBF Energy] Marine Oil Terminal Wharf Improvements Project
2.	**Lead Agency Name and Address:**	Los Angeles Harbor Department (LAHD) Environmental Management Division 425 South Palos Verdes Street San Pedro, California 90731
3.	**Contact Person and Phone Number:**	Tara Tisopulos 310.732.7713
4.	**Project Location:**	Berth 238–239 (Terminal Island), Port of Los Angeles 799 South Seaside Avenue San Pedro, California 90731
5.	**Project Sponsor's Name and Address**	LAHD Engineering Division 425 South Palos Verdes Street San Pedro, California 90731
6.	**Port Master Plan Designation:**	Liquid Bulk Cargo (SWT-I)
7.	**Zoning:**	[Q] M3-1
8.	**Description of Project:**	The proposed Project consists of various wharf improvements to Berth 238 on Terminal Island, in order to comply with MOTEMS. In general, the proposed Project would demolish the existing concrete wharves at Berth 238 and 239 and replace the structures at Berth 238 with a new MOTEMS-compliant loading platform, access trestle (to the platform), fendering and breasting dolphins, landside mooring anchors, catwalks, and topside equipment replacement and construction. The proposed Project would also include a new long-term (30-year) lease to PBF Energy for the marine oil terminal as well as an existing tank farm and various pipelines.
9.	**Surrounding Land Uses/Setting:**	The overall character of the surrounding area is primarily industrial. The properties to the north, south, east, and west are all zoned for heavy industrial uses ((Q) M3-1), similar to the Project site. West of the Harbor Freeway (I-110), properties are zoned Light Industrial (M-2) according to the Los Angeles City Zoning Ordinance. The nearest sensitive receptors are residential areas within the community of San Pedro, approximately 0.4 miles to the west. These include properties zoned One-Family (R-1) and Restricted Density Multiple Dwelling (RD). The permitted uses include one- and two-family dwellings, multiple dwellings, apartments, and park playgrounds or community centers.
10.	**Other Public Agencies Whose Approval Is Required:**	• United States Army Corps of Engineers • Regional Water Quality Control Board • South Coast Air Quality Management District • City of Los Angeles

3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

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

3.2 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

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

02-22-18

Date

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

Environmental Checklist

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
1. AESTHETICS. 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 within a state scenic highway?			x	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			x	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			x	
e. Create a new source of substantial shade or shadow that would adversely affect daytime views in the area?			x	
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				x
b. Conflict with existing zoning for agricultural use, or a Williamson act contract?				x
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				x

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
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
3. AIR QUALITY. Where 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 or clean air programs?			x	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			x	
c. 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			x	
d. Expose sensitive receptors to substantial pollutant concentrations?			x	
e. Create objectionable odors affecting a substantial number of people?			x	
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, 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, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			x	

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				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
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. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				x
d. Disturb any human remains, including those interred outside of dedicated cemeteries?				x
6. ENERGY. Would the project:				
a. Conflict with adopted energy conservation plans?			x	
b. Use non-renewable resources in a wasteful and inefficient manner?			x	
c. Result in a need for new systems, or substantial alterations to power or natural gas?				x

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
7. GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			x	
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 geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			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 waste water disposal systems where sewers are not available for the disposal of waste water?				x
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	
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	

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
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 handle 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 which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			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 for people residing or working in the project area?				x
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				x
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			x	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				x
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?			x	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				x

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				x
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				x
e. 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?				x
f. Otherwise substantially degrade water quality?			x	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				x
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				x
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				x
j. Inundation by seiche, tsunami, or mudflow?			x	
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?				x
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			x	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				x
12. MINERAL RESOURCES. Would the project:				

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
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
13. NOISE. Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			x	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			x	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			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 expose people residing or working in the project area to excessive noise levels?				x
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				x
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				x
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				x
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				x

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
15. PUBLIC SERVICES.				
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			x	
ii) Police protection?			x	
iii) Schools?				x
iv) Parks?				x
v) Other public facilities?			x	
16. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				x
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?				x
17. TRANSPORTATION AND TRAFFIC. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			x	

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			x	
c. Result in a change in marine traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			x	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				x
e. Result in inadequate emergency access?				x
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				x
18. TRIBAL CULTURAL RESOURCES. 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, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. 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	
b. 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 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				x
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			x	

	Potentially Significant Impact	*Less-than-Significant Impact After Mitigation Incorporated*	*Less-than-Significant Impact*	*No Impact*
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			x	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				x
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				x
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				x
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			x	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			x	
20. 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 which will cause substantial adverse effects on human beings, either directly or indirectly?			x	

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4.0 IMPACTS AND MITIGATION MEASURES

4.1 AESTHETICS

Would the Project:

a) Have a substantial adverse effect on a scenic vista?

Less-than-Significant Impact. The Project site is industrial, is located inside a working port, and is not within or near any protected or designated scenic vistas. The Project site consists of two concrete wharves that are surrounding by a number of large storage tanks, and low-profile buildings. The Project site is surrounded by other port uses, including container terminals and other industrial facilities. All site improvements and alterations would be at the same location as the existing features on Berth 238 and would be similar in appearance and height; thus, the Project improvements would not result in a substantive change in the visual character or quality of the site. In addition, due to topography and intervening development, visibility of the Project site is limited from many public viewing areas or from higher locations.

There is a Key Observation Point (KOP) visible to the Project site from the Ports O' Call Village. The Ports O' Call Village commercial and recreational complex, approximately less than 0.5 miles west of the Project site across the Main Channel, includes 15 acres of shops, restaurants, and recreational attractions.

Viewers from these vantage points are generally tourists, Village staff and people enjoying recreation. These groups would potentially be sensitive to substantial visual changes at the Project site.

The view from the Ports O' Call Village while looking west across the Main Channel provides a direct view of the Project site, which is in the foreground where the existing concrete wharves currently exist. The large storage tanks are situated directly behind the Project site and can easily be seen from the Ports O' Call Village. The Project site is largely indistinguishable from other Port facilities in this viewshed.

Construction activities and heavy construction equipment (cranes and barges) would be partially visible from Ports O' Call Village. However, these views would only be temporarily altered and would be consistent with industrial activities within the Port.

In the operational stage, there would be fewer structures due to the demolition of the structures at Berth 239 (e.g., removal of the concrete platform and associated structures). The installation and operation of a dock house and other infrastructure on the new loading platform at Berth 238 would be similar in height and appearance to the existing gangway towers and will not obstruct views or alter views from the Ports O' Call Village. In addition, the terminal would not

accommodate larger vessels than those that are currently accommodated under baseline conditions (vessels up to a Panamax-class tanker).

The proposed Project would allow the terminal to operate for 30 years and would accommodate an increase in vessel calls at the terminal. However, operation of the proposed Project would occur at Berth 238 with a maximum of only one vessel at the terminal at one time, whether it is a barge or a tanker. These vessels would be consistent in height, length and scale as those that currently berth at the PBF Energy terminal. Since any additional vessels that visit the terminal would be consistent with existing terminal operations and a working port, increased vessel calls would not result in a significant impact to views of the site or any scenic vista.

In summary, the proposed Project would not introduce new visual elements that could alter or obstruct recognized and valued views and would not have a substantial adverse effect on a scenic vista. Any increase in vessel calls, would include vessels of a similar height, length and scale as those currently calling on this facility. Therefore, impacts to scenic vistas from the proposed Project would be less than significant. No mitigation is required.

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

Less-than-Significant Impact. The Project site is not located near an eligible or designated state scenic highway, nor are there scenic resources located at the Project site; therefore, the proposed Project activities would not have the potential to damage scenic resources within a state scenic highway. The California Department of Transportation (Caltrans) is responsible for the official nomination and designation of eligible scenic highways. The nearest officially designated state scenic highway is located approximately 32 miles north of the proposed Project (State Highway 2, from approximately 3 miles north of I-210 in La Cañada to the San Bernardino County Line) (Caltrans 2013a). The nearest eligible state scenic highway is approximately 8 miles northeast of the proposed Project (State Highway 1, from State Highway 19 near Long Beach to I-5 south of San Juan Capistrano) (Caltrans 2013a). The Project site is not visible from either of these locations; therefore, proposed Project activities would not affect the quality of the scenic views from these locations.

The City of Los Angeles has City-designated scenic highways that are considered during local planning and development decisions, several of which are in the vicinity of the proposed 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. Harbor Boulevard is the closest scenic highway to the Project site. Harbor Boulevard is heavily landscaped in the vicinity of the Port to encourage pedestrian use.

The Project site is either partially or fully obscured depending on the viewing angle and is not distinguishable from the other surrounding facilities within the viewscape.

In addition, future years could result in an increase in vessel calls to the terminal above baseline conditions due to business fluctuation. However, the proposed Project would have no effect on the size of vessels calling at these berths. The additional vessels would not have an impact on the fleeting views from the Vincent Thomas Bridge or City-designated scenic highways. To be conservative, this increase was calculated for future year operational impacts.

The Project site is an existing marine oil terminal. No scenic trees or rock outcroppings exist at the Project site. Improvements associated with the proposed Project, including the loading platform, catwalks, and topside equipment would look almost identical to the existing facilities, would be consistent with the existing visual context of a working port and would not alter scenic resources visible from a City-designated scenic highway. Therefore, impacts to scenic resources from the proposed Project would be less than significant. No mitigation is required.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less-than-Significant Impact. The landscape at the Port is highly engineered as required to support Port operations. The appearance of many Port operations 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 existing visual quality at and in the vicinity of Berths 238 and 239 is low due to the dominance of equipment and facilities used in marine oil terminal activities. The existing features of the Project site include the existing concrete wharves, aboveground oil and product storage tanks, warehouse building and other associated infrastructure. Construction activities associated with the proposed Project would be temporary, are common within the harbor environment, and would generally resemble the existing setting in character; thus, construction of the proposed Project would not be incompatible with the general character of the surrounding areas.

The proposed Project would demolish the wharf, catwalks and topside equipment at Berth 239, and the features at Berth 238 would be at the same location as the existing features, would be similar in appearance, and would not result in a substantive change in the visual character or quality of the site. Other project elements, such as the breasting dolphins, would not be visually prominent and would not affect the site's visual character.

Future operational years could result in an increase in vessel calls to the terminal beyond baseline conditions; however, those additional vessels would be consistent in height, length and scale as those that currently moor at the terminal wharf. Because the additional vessels that visit the terminal would be consistent with existing terminal operations and a working port, there would be no significant

impact to the visual character of the site or its surroundings. Further, the proposed Project would be aesthetically consistent with the existing visual context of the working Port.

The proposed features at Berth 238 would be at the same location as the existing features, would be similar in appearance, and would not result in a substantive change in the visual character or quality of the site. Therefore, the proposed Project would not degrade or otherwise significantly impact the existing visual character or quality of the sites and surroundings. Therefore, impacts to existing visual character or quality from the proposed Project would be less than significant. No mitigation is required.

d) 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 on-site lighting and operates during nighttime hours; however, the illumination level is lower compared to the brightly illuminated Port landscape.

The Project site has existing security and general nighttime lighting on the property and along the wharf, but lighting levels are generally lower than in nearby container terminals. Mobile light sources at the Project site include ships berthed at the wharf, trucks, and cars on the site and on the access road leading to the site. Proposed Project construction would not occur during nighttime hours, and thus, no construction lighting would be required.

Under the proposed Project, existing wharf lighting would be removed from the wharf facility at Berth 239 and replaced with new lighting at Berth 238. At Berth 238, lights would be placed along the new loading platform, the catwalks, and on some topside equipment. The overall new lighting levels would be slightly less than existing levels because of the removal of the facility at Berth 239. Further, the new lighting would comply with the standards of the Port of Los Angeles Terminal Lighting Design Guidelines and Port of Los Angeles Energy Management Action Plan (POLA 2012, 2014), including the requirement to direct light toward the interior to minimize off-site spillover. Thus, the proposed Project would not result in a substantive increase in light.

Future operational years could result in an increase in vessel calls to the terminal above baseline conditions; however, the additional vessels would have safety lighting, would be similar to that on existing vessels, and would not represent a substantial new light source. Further, the vessels would be consistent with existing terminal operations and a working port.

The proposed Project would not include elements that can cause glare, such as windows, light-color building surfaces, or metal or other reflective surfaces. Therefore, the proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, impacts to nighttime or daytime views from light or glare from the proposed Project would be less than significant. No mitigation is required.

e) Create a new source of substantial shade or shadow that would adversely affect daytime views in the area?

Less-than-Significant Impact. The proposed Project involves the demolition of the two existing wharf structures at Berths 238 and 239 and the construction of a new loading platform at Berth 238. The project components would be consistent with existing terminal features (topside improvements), and would not create a new source of substantial shade or shadow that would impact daytime views in the area. Therefore, impacts to daytime shade or shadow from the proposed Project would be less than significant. No mitigation is required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Would the Project:

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

No Impact. The California Department of Conservation's Farmland Mapping and Monitoring Program develops maps and statistical data to be used for analyzing impacts on California's agricultural resources. The Farmland Mapping and Monitoring Program categorizes agricultural land according to soil quality and irrigation status; the best quality land is identified as Prime Farmland. According to the Farmland Mapping and Monitoring Program, the Project site is an area designated as Urban and Built-Up Land, which is defined as land occupied by structures that have a variety of uses including industrial, commercial, institutional facilities, railroad or other transportation yards (California Department of Conservation 2011a, 2013). There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance in the Project vicinity or on the Project site. Therefore, the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use. No impacts would occur, and no mitigation is required.

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

No Impact. The Project site is zoned for heavy industrial uses ([Q] M3-1), and there are no agricultural zoning designations or agricultural uses within the Project limits or adjacent areas. The Williamson Act applies to parcels consisting of at least 20 acres of Prime Farmland or at least 40 acres of land not designated as Prime Farmland. The Project site is not located within a Prime Farmland designation, nor does it consist of more than 40 acres of farmland (California Department of Conservation 2011a, 2013). No Williamson Act contracts apply to the Project site. As such, the proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impacts would occur, and no mitigation is required.

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

No Impact. The Project site is currently designated as Heavy Industrial Zone (M3) and ZI-2130 Harbor Gateway State Enterprise Zone. The Project site does not support timberland or forest land. Therefore, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact would occur, and no mitigation is required.

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

No Impact. The proposed improvements would occur at an existing marine oil terminal, which has no forest land. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur and no mitigation is required.

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?

No Impact. As discussed above, no farmland or forest land is located within the surrounding area or at the Project site. The proposed Project would not involve the disruption or damage of the existing environment that would result in the loss of Farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur and no mitigation is required.

4.3 AIR QUALITY

Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan or clean air programs?

Less-than-Significant Impact.

Air Quality Management Plan. The federal Clean Air Act (CAA) of 1969 and its subsequent amendments form the basis for the nation's air pollution control effort. The U.S. Environmental Protection Agency (EPA) is responsible for implementing most aspects of the CAA. A key element of the CAA is the national ambient air quality standards (NAAQS) for major air pollutants. The CAA delegates enforcement of the NAAQS to the states. In California, the California Air Resources Board (CARB) is responsible for enforcing air pollution regulations. CARB, in turn, delegates to local air agencies the responsibility of regulating stationary emission sources.

The South Coast Air Quality Management District (SCAQMD) monitors air quality within the Project site and the South Coast Air Basin (Basin), which includes Orange County and portions of Los Angeles, Riverside, and San Bernardino Counties. The Basin is bounded by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. For regions that do not attain the NAAQS, the CAA requires the preparation of a State Implementation Plan.

The 2016 Air Quality Management Plan (AQMP) focuses on attainment of the ozone and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) NAAQS through the reduction of ozone and $PM_{2.5}$ precursor nitrogen oxides (NOx), as well as through direct control of $PM_{2.5}$.

The 2016 AQMP reported that although the population in the Southern California Association of Governments region has increased by more than 20% since 1990, air quality has improved due to air quality control programs at the local, state, and federal levels. In particular, 8-hour ozone levels have been reduced by more than 40%, 1-hour ozone levels by close to 60%, and annual $PM_{2.5}$ levels by close to 55% since 1990 (SCAQMD 2016a).

The AQMP proposes emission-reduction measures that are designed to bring the Basin into attainment of the national and state AAQS. AQMP attainment strategies include mobile source control measures and clean fuel programs that are enforced at the state and federal levels on engine manufacturers and petroleum refiners and retailers. As a result, the proposed Project construction and operational activities would be required to comply with these regulations as they are developed. Compliance with AQMP requirements would further ensure that the proposed Project's activities would not obstruct implementation of the AQMP. Therefore, the proposed Project would not conflict with or obstruct implementation of the AQMP, the State Implementation Plan, and the CAA. Impacts would be less than significant, and no mitigation is required.

Clean Air Action Plan. The LAHD, with the cooperation of SCAQMD, CARB, and EPA, adopted the Clean Air Action Plan (CAAP) on November 20, 2006 (LAHD 2006), and adopted an updated CAAP in November 2010 (LAHD 2010). The CAAP is a plan designed to reduce the health risks posed by air pollution from all port-related emissions sources, including ships, trains, trucks, terminal equipment, and harbor craft.

In 2016, the Ports began the process of updating the CAAP. The scope and framework of the draft 2017 CAAP Update provides new and updated strategies and emission-reduction targets to cut emissions from sources operating in and around the Ports (LAHD 2017a), setting the Ports firmly on the path toward zero-emissions goods movement. The CAAP 2017 Update contains strategies to reduce emissions from sources in and around the Ports, plan for zero-emissions infrastructure, encourage freight efficiency, and address energy resources.

The Final CAAP 2017 Update was approved by the Boards of Harbor Commissioners for both the Port of Long Beach and the Port of Los Angeles on November 2, 2017. While the proposed

Project is a less-than-significant impact for obstructing the implementation of applicable air quality plan or clean air programs, LAHD has included Lease Measure AQ-1 to allow for feasibility testing of At-Berth Control Technologies. The following Lease Measure is consistent with the CAAP 2017 Update, as it would ensure additional technologies are tested for feasibility within the Port complex.

LM AQ-1: At-Berth Vessel Emissions Capture and Control System
The Tenant shall begin to evaluate the financial, technical, and operational feasibility of operating barge and land-based vessel emissions capture and control systems and any other systems associated with emission reductions (hereinafter "Control Systems") that are available within three (3) months after the Effective Date ~~of the Lease~~. The City of Los Angeles (City) and Tenant will decide jointly which systems should be considered for the reduction of emissions from all vessels calling at the P~~p~~remises. The evaluation of feasibility shall consider any potential impacts upon navigation, safety, and emission reductions. Cost Effectiveness (as defined below), and any other factors reasonably determined by Tenant and the City to be relevant shall also be considered. For purposes of the feasibility evaluation, "Cost Effectiveness" shall be defined as the annualized cost (in Dollars per year) of the Control Systems ("Annualized Cost") based on an agreed time period (the duration of such period determined with reasonable consideration of the Carl Moyer grant guidelines), divided by the annual net emission reductions (unweighted aggregate of net emissions reduction in tons per year of VOC, NOx, and PM_{10}) over the same time period during use of the Control Systems ("Net Annual Emission Reductions"). Annualized Cost shall include all costs associated with the Control Systems, including without limitation, all capital costs associated with design, permitting and construction of the Control Systems and all costs associated with system evaluation, operations and maintenance. Cost Effectiveness (dollars per ton) may be calculated pursuant to the formulas below.

- Cost Effectiveness ($/ton) = Annualized Cost ($/year) / Net Annual Emission Reductions (tons/year)
- Net Annual Emission Reductions = Annual Vessel Emission Reductions – Annual Emissions Generated by Control System and Associated Equipment Operations

If Cost Effectiveness is greater than ~~$18,262/ton (based on Appendix G of t~~he Carl Moyer Program ~~G~~grant G~~g~~uidelines, as approved by the California Air Resources Board ~~in effect~~ as of the Effective Date~~)~~, then implementation of the Control Systems shall not be considered feasible.

Tenant shall provide the Director of Environmental Management Division for the Harbor Department with a written report (the "Report") documenting the findings and conclusions of the feasibility analysis within one year of the Effective Date ~~of the Lease~~. The Report's feasibility conclusion shall include but not be limited to specific findings in the following areas: (1) size constraints~~,~~; (2) allowance for articulation of the recovery crane/device to service a variety of ship sizes that may reasonably call at the premises during the term of the proposed permit~~,~~; (3) navigation for terminal operations as well as those of adjacent terminals~~,~~; (4) compliance with

Marine Oil Terminal Engineering and Maintenance Standards~~;~~, (5) operational safety issues~~;~~, and (6) compliance with the rules and orders of any applicable regulatory agency. The deadline for Tenant to submit the Report may be extended with the approval of the Board of Harbor Commissioners (Board), provided that such approval shall not be unreasonably withheld. City shall have ~~1 year~~six months to review and comment on the Report unless the Board reasonably determines that additional time is needed as a result of unanticipated events or any events beyond the reasonable control of the City. The Report and any associated staff comments from the City will be presented by the City to the Board at a public meeting. If the City's review of the Report is delayed beyond one year, then the City shall present this information to the Board at a public meeting along with a proposed new comment deadline for the City.

If the Board and Tenant agree that implementation of a Control System(s) is/are feasible, then Tenant shall complete a pilot study ("Pilot Study") within ~~3~~ three years of the later of (i) receiving all approvals and permits required by Applicable Laws for such study, (ii) receiving any and all licenses and other intellectual property rights required by Applicable Laws to conduct such study, (iii) commencing with terminal operations upon the completion of all New Improvements and Tenant Constructed Improvements, and (iv) Board providing Tenant with approval to proceed. The deadline for Tenant to complete the Pilot Study may be extended with approval by the Board, provided that such approval shall not be unreasonably withheld. The Pilot Study shall consist of (i) installation of a test control system (the "Test System") for purposes of testing the performance of a Control System, and (ii) testing of the Test System and the collection of data therefrom. At the conclusion of testing, the Tenant shall submit a report (the "Pilot Study Report") to the Board. The Pilot Study Report shall include the following information: vessels tested, operation and maintenance costs, emission reductions, operational considerations, and any other information Tenant reasonably determines to be relevant. The results of the Pilot Study, and any intellectual property rights therein, shall be owned by Tenant. The City and the Board shall use the results and Pilot Study Report only for the evaluation of the Pilot Study. City shall not issue any press releases or make any written public disclosures with respect to the Report or the Pilot Study Report without first providing Tenant with a reasonable opportunity to review such releases or disclosure for accuracy and to ensure that no technical information is disclosed where such public disclosure is not necessary (Tenant understands that nothing herein shall be interpreted to supersede the California Public Records Act and the City's responsibilities thereto).

If, based on the results of the Pilot Study set forth in the Pilot Study Report, the City and Tenant determine that all of the issues relating to feasibility and regulatory requirements of the Control System were adequately addressed, then Tenant shall, as soon as reasonably practicable after such determination, implement the Control System(s) into its operations throughout the remainder of the permit.

All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the tenant's permit.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less-than-Significant Impact. SCAQMD developed significance thresholds for use in CEQA documents. Table 4.3-1 presents the SCAQMD thresholds of significance for potential air quality impacts.

Table 4.3-1
SCAQMD Significance Thresholds
for Daily Emissions and Ambient Pollutant Concentrations

Daily Emission Thresholds		
Air Pollutant	**Construction Threshold (lbs/day)**	**Operation Threshold (lbs/day)**
NO_X	100	55
VOC	75	55
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_X	150	150
CO	550	550
Ambient Pollutant Concentration Thresholds		
Air Pollutant	**Ambient Concentration Thresholds**	
Nitrogen dioxide (NO_2) [a] 1-hour average 1-hour average Annual average	 0.18 ppm (339 µg/m^3) (State) 0.100 ppm (188 µg/m^3)[b] (Federal) 0.03 ppm (57 µg/m^3) (State)	
Particulate matter (PM_{10})[b] 24-hour average 24-hour average Annual average	 10.4 µg/m^3 (construction) 2.5 µg/m^3 (operation) 1.0 µg/m^3	
Particulate matter ($PM_{2.5}$)[b] 24-hour average 24-hour average	 10.4 µg/m^3 (construction) 2.5 µg/m^3 (operation)	
Sulfur Oxide (SOx) 1-hour average 24-hour average	 0.25 ppm (state) and 0.075 ppm (Federal – 99th percentile) 0.04 ppm (State)	
Carbon monoxide (CO) [a] 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) (State) 9.0 ppm (10,000 µg/m^3) (State/Federal)	
Toxic Air Contaminant and Odor Thresholds		
Toxic air contaminants (including carcinogens and non-carcinogens)	Maximum Incremental Risk ≥ 10 in 1 million Hazard Index ≥ 1.0 (project increment)	

Table 4.3-1
SCAQMD Significance Thresholds
for Daily Emissions and Ambient Pollutant Concentrations

Daily Emission Thresholds	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402

Source: SCAQMD 2015.

[a] The nitrogen dioxide and carbon monoxide thresholds are absolute concentration thresholds, meaning that the maximum predicted Project incremental concentration relative to baseline is added to the background concentration for the Project vicinity, and the total concentration is compared to the threshold.

[b] The PM10 and PM2.5 thresholds are incremental concentration thresholds, meaning that the maximum predicted Project incremental concentration relative to baseline is directly compared to the threshold without adding the background concentration.

Construction Impacts

Project construction emissions were estimated for each construction year, starting in 2018 through 2019, in accordance with the anticipated Project construction schedule that can be found in the air quality technical appendix. The actual construction schedule may differ from the one used in the analysis, depending on requirements of the project proponent and construction contractor. The schedule used in the analysis is anticipated to result in conservative emission estimates because assumptions reflect an accelerated schedule and early construction years; postponement of construction activities would likely result in lower impacts as increasingly stringent regulatory requirements are implemented than those assumed in the analysis years.

The proposed Project would include both land-based and in-water construction activities. Land-based construction activities would require the use of off-road construction equipment and on-road vehicles. In-water construction activities would require the use of tugboats. These emission sources would primarily use diesel fuel, resulting in combustion exhaust emissions in the form of volatile organic compounds (VOCs), carbon monoxide (CO), NOx, SOx, and particulate matter. Earth-disturbance activities, such as excavation/grading and driving over unpaved surfaces, would also generate PM emissions in the form of fugitive dust. Paving and architectural coating activities could generate VOC emissions.

Land-based construction-related emissions were quantified using the California Air Pollution Control Officers Association's California Emissions Estimator Model (CalEEMod). CalEEMod calculates emissions associated with each construction phase; overlapping phases are added in calculating peak day emissions for each pollutant (CAPCOA 2013) (Appendix B).

Marine (tugboat) emissions were quantified using CARB's harbor craft emissions inventory and EPA's marine engine standards. CARB's tugboat emission factors were used to calculate tugboat emissions. Emission calculations for both construction and operational activities are included in Appendix A, Air Quality Supporting Documentation.

Construction activities would generate approximately 6,000 tons of debris from the demolition of Berths 238 and 239. This debris would be trucked to a local landfill. Concrete and building materials would be delivered during pile driving, platform construction, dolphin construction, and topside construction. All vehicle trips included in the analysis are summarized in Appendix A.

The analysis conservatively assumes the following Best Management Practices (BMPs) in accordance with LAHD's Sustainable Construction Guidelines:

- Construction equipment would be equipped with Tier 4 or equivalent engines.
- Exposed construction areas would be watered three times per day.

Criteria pollutant impacts were based on the proposed Project's peak day emissions that would occur within the Air Basin's borders and compared to SCAQMD's peak day regional emission thresholds for determination of significance. Table 4.3-2 summarizes construction emissions results. The table shows that all pollutant emissions would be below the significance thresholds.

Table 4.3-2
Construction Emissions (pounds per day)

Source Category	PM_{10}	$PM_{2.5}$	NO_x	SO_x	CO	VOC
2018						
Construction Equipment and On-Road Vehicles	3.5	2.3	56.1	0.1	36.2	4.9
Marine Sources	1	1	30	0	17	2
Total	4.5	3.3	86.1	0.1	53.2	6.9
Threshold	150	55	100	150	550	75
Above CEQA Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
2019						
Construction Equipment and On-Road Vehicles	2.4	1.5	38	0	23.4	3.0
Marine Sources	1	1	15	0	8	1
Total	3.4	1	53	0	31.4	4
Threshold	150	55	100	150	550	75
Above CEQA Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
2018 peak day occurs during overlap of pile driving deck and dolphins and platform deck construction.
2019 peak day occurs during demolition of Berth 239.

In addition to regional emissions presented above, localized impacts were analyzed using the SCAQMD's Localized Significance Threshold (LST). The LST methodology is based on maximum daily allowable emissions, the area of the emissions source, the ambient air quality in each source receptor area (SRA), and the distance to the nearest exposed individual. The LST is set up as a series of look-up tables for emissions of NOx, CO, particulate matter less than or equal to 10 microns in diameter (PM_{10}), and $PM_{2.5}$. If anticipated emissions are below the LST look-up

table emission levels then the proposed activity is considered not to violate or substantially contribute to an existing or projected air quality standard.

The following parameters were selected in determining localized air quality impacts using the LST methodology. These parameters were selected because they would result in conservative (overstating of) impacts:

- Five-acre site (or greater).
- The closest residential receptor is over 500 meters to the west of the Project construction area, in San Pedro. Receptors located farther than 500 meters would experience lower impacts.
- The closest off-site work receptor would be within 25 meters of the Project construction area. Off-site work receptors located farther than 25 meters would experience lower impacts.
- The proposed Project is located in SRA 4, South Coastal LA County.

Table 4.3-3 summarizes the on-site peak daily emissions associated with construction of the proposed Project. The table shows that all pollutant emissions would be below the significance thresholds without mitigation.

Table 4.3-3
Peak Daily Construction Emissions

	Peak Day Emissions (lbs/day) – Residential Receptors			
Year	**PM_{10}**	**$PM_{2.5}$**	**NO_2**	**CO**
Total On-Site Emissions	4.5	3.3	86.1	53.2
Localized Significance Threshold	191	120	179	10,198
Significant?	**No**	**No**	**No**	**No**

Operational Impacts

Product throughput is anticipated to increase by approximately 95% in 2032, compared to baseline, and remain at 2032 levels through 2048. This increase would occur regardless of the proposed Project but was included in air quality calculations to present a conservative analysis.

Project operational emissions were estimated for the 2016 baseline, the 2032 buildout, and the 2048 future year. In-water emission sources would include ocean-going vessels (OGVs) (i.e., tankers and articulated and integrated ocean tugs, re-fueling barges, and assist tugboats. Land-based sources would include the use of terminal equipment, product loading, and storage tanks.

The following summarizes emission sources addressed in the analysis, general source characteristics, fuel, and emissions. For all source categories described below, Appendix A presents product throughput, activity, source characteristics, and emission factors:

- **OGVs:** Articulated and integrated ocean tugs, chemical tankers, handysize tankers, and Panamax tankers transport product to and from the facility. OGV activity is anticipated to increase by approximately 64% in 2032 compared to baseline and to remain at 2032 levels through 2048.
  Criteria pollutant and DPM emissions from OGV sources result during transit, anchorage, and hoteling activities.
- **Re-Fueling Barges:** Re-fueling barges are loaded with fuel at the facility and are used to distribute the fuel to other OGVs in the Port. Re-fueling barge activity is expected to increase by approximately 19% in 2032 compared to baseline, and remain at 2032 levels through 2048.
  Re-fueling barges are not equipped with engines and criteria pollutant and DPM emissions associated with these sources would result primarily from tugboats used to assist the barges. Emissions were quantified taking into consideration activity (i.e., one tugboat per re-fueling barge), tugboat engine characteristics, transit distances, transit speeds, fueling times, tugboat EPA engine standards, and CARB harbor craft requirements.
- **Tugboats:** Tugboats are used to assist OGVs. Tugboat activity is expected to increase proportionate to the increase in tanker activity.
- **Product Loading and Unloading:** Unloading of product from incoming vessels is anticipated to increase five-fold compared to baseline, and remain at 2032 levels through 2048. Loading of product onto vessels is anticipated to decrease by approximately 30% compared to baseline, and remain at 2032 levels through 2048.
  Product loading onto vessels generates VOC emissions as loaded product displaces vapors in the vessel cargo hold. An SCAQMD-permitted vapor destruction unit (VDU) was used to destroy VOC emissions associated, as applicable, with product loading during baseline and would be used in future years. SCAQMD requires that the VDU controls VOC emissions such that emissions do not exceed 2 pounds per 1,000 barrels of loaded product.
- **Terminal Equipment:** The VDU used to destroy vapors associated with loading of product onto vessels is fueled by natural gas. Criteria pollutant emissions were also calculated as a result of this combustion process.
- **Storage Tanks:** Loading, unloading and storage of product in on-site storage tanks results in VOC emissions associated with product evaporation.

Significance determination of regional impacts is determined by comparing the proposed Project's reasonable, peak day emissions to the SCAQMD thresholds. A reasonable peak day for the baseline and the proposed Project would consist of a vessel at anchorage, a vessel discharging at berth and leaving, and another vessel arriving. For calculation purposes, peak day emissions were calculated for one vessel discharging at berth and one vessel transiting. The emission rate was calculated to be higher at berth, during product discharge, than during transit. Therefore, it was conservatively assumed that on a peak day, a vessel would spend 24 hours discharging at berth while another vessel would transit.

Criteria pollutant impacts were based on the proposed Project's peak day emissions that would occur within the Basin's borders and compared against SCAQMD's peak day regional emission thresholds for determination of significance. Table 4.3-4 summarizes operational emissions. The table shows that all pollutant emissions would be below the SCAQMD significance thresholds and would be less than baseline emissions. Projected emission reductions would be due to CARB's requirements for cleaner tugboat engines in future years.

Table 4.3-4
Peak Daily Operational Emissions – Proposed Project (Pounds per Day)

Source Category	PM_{10}	$PM_{2.5}$	NO_X	SO_X	CO	VOC
2016 Baseline						
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	2	1	33	0	19	2
Fugitives	—	—	—	—	—	—
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56
Terminal Equipment	33	33	578	3	156	31
2016 Baseline Total	**96**	**91**	**2,781**	**177**	**374**	**491**
Year 2032						
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	0	0	9	0	19	1
Fugitives	—	—	—	—	—	—
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56
Terminal Equipment	33	33	578	3	156	31
2032 Total	**94**	**90**	**2,757**	**177**	**374**	**490**
CEQA Impacts						
CEQA Baseline Emissions	96	91	2,781	177	374	491
Project Minus CEQA Baseline	(1)	(1)	(24)	0	0	(1)
Significance Threshold	150	55	55	150	550	55
Significant?	**No**	**No**	**No**	**No**	**No**	**No**
Year 2048						

Table 4.3-4
Peak Daily Operational Emissions – Proposed Project (Pounds per Day)

Source Category	PM_{10}	$PM_{2.5}$	NO_X	SO_X	CO	VOC
Ships – at Berth	33	31	751	121	71	32
Ships – at Anchorage	10	10	401	26	37	15
Ships – Transit	17	16	1,018	28	92	42
Tugboats	0	0	9	0	19	1
Fugitives	—	—	—	—	—	—
Marine Loading	—	—	—	—	—	313
Tanks	—	—	—	—	—	56
Terminal Equipment	33	33	578	3	156	31
2048 Total	**94**	**90**	**2,757**	**177**	**374**	**490**
CEQA Impacts						
CEQA Baseline Emissions	96	91	2,781	177	374	491
Project Minus CEQA Baseline	(1)	(1)	(24)	0	0	(1)
Significance Threshold	150	55	55	150	550	55
Significant?	**No**	**No**	**No**	**No**	**No**	**No**

Because proposed Project peak day regional emissions were calculated to be below baseline emissions, localized impacts would also be below baseline emissions. No further analysis of criteria pollutant localized impacts was deemed necessary. Localized criteria pollutant impacts would be below baseline and therefore below thresholds of significance.

Impacts related to air quality standards violations do not exceed significance thresholds; therefore, impacts would be less than significant, and no mitigation is required.

c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

Less-than-Significant Impact. Federal and state AAQS have been established for the following criteria pollutants: CO, ozone, sulfur dioxide, nitrogen dioxide, PM_{10}, $PM_{2.5}$, and lead. Areas are classified under the federal CAA areas as attainment, nonattainment, or maintenance (previously nonattainment and currently attainment) for each criteria pollutant based on whether the national AAQS have been achieved. Attainment relative to the California CAA and federal AAQS is

determined by CARB. The County is designated as a federal nonattainment area for ozone and $PM_{2.5}$ and state nonattainment area for ozone, PM_{10}, and $PM_{2.5}$.[1]

Air quality in the Basin has improved over the last several decades. The improvement in air quality is attributed to emission reductions from industrial sources, introduction of low-emission fuels used in on-road motor vehicles (e.g., low-sulfur fuels, reformulated gasoline, and low-carbon fuel standards), and implementation of the AQMPs, which identify emission reductions strategies and which are subsequently promulgated as enforceable regulations.

Cumulative impacts may result from individually minor but collectively significant projects. CEQA Guidelines Section 15355 define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines Section 15064(h)(4) also state that "the mere existence of cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed Project's incremental effects are cumulatively considerable."

The proposed Project was evaluated against SCAQMD's cumulative impacts policy (SCAQMD 2003), and no significant cumulative air quality impacts were identified for either construction activities or operational activities. No mitigation is required.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less-than-Significant Impact. Sensitive receptors include residences, hospitals, or convalescent facilities. The nearest sensitive receptors would be residences located approximately 0.4 miles west of the Project site. The closest off-site workers would be located to the north and east within the Port. Impacts to sensitive receptors are typically evaluated in terms of exposure to toxic air contaminants, in accordance with the 2015 EPA's Office of Environmental Health Hazard Assessment (OEHHA) Guidelines (OEHHA 2015).

Proposed Project construction activities would occur over a period of 21 months and would result in short-term emissions of DPM from the combustion of diesel fuel in off-road construction equipment engines and on-road vehicles.

Although, as shown in Table 4.3-4, proposed Project operation activities would result in peak daily emissions below baseline emissions, the increase in annual vessel activity would increase annual DPM emissions above baseline emissions from such sources as vessels hoteling at berth and tugboats assisting in vessel maneuvering. Vessels at anchorage and transiting vessels would also result in DPM emissions; however, these sources would be sufficiently distant from sensitive

[1] The Los Angeles area is in nonattainment for the lead AAQS, mainly due to two lead-acid battery recyclers. Lead would not be expected to result from anticipated proposed Project activities and is not considered to be a pollutant of concern for this proposed Project.

receptors such that their impact contribution would not be considerable. SCAQMD has determined that toxic air contaminant impacts are localized in nature and that exposure from toxic air contaminants decline by approximately 90% at 300 to 500 feet from the emissions source (SCAQMD 2005). The nearest sensitive receptors are more than 1,640 feet from the Project site and calculated emissions would not exceed the health-protective, significance thresholds for sensitive receptors.

Proposed Project construction and operational activities would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant, and no mitigation is required.

e) Create objectionable odors affecting a substantial number of people?

Less-than-Significant Impact. Short-term odors from the use of diesel-powered, heavy-duty equipment and tugs may occur during construction. Odors from operation of the proposed Project would be similar to any odors produced from existing marine oil terminal operations and related activity, and would be primarily associated with vessels berthed at the terminal. For export of refined petroleum products, air displaced from tankers would be processed through a vapor control unit, as required by SCAQMD. Emissions of VOC from sealed piping components (e.g., valves and flanges) would be minimal and generally consistent with existing, as such also unlikely to cause changes in the odors around the facility.

Diesel exhaust from hoteling vessels and barges would be the highest mobile source of odor and generate the most obvious odors. The mobile nature of most Project emission sources would help to disperse proposed Project emissions. Additionally, the distances between proposed Project emission sources and the nearest sensitive receptors (San Pedro residences approximately 0.4 miles to the west) is far enough to allow for adequate dispersion of these emissions to below objectionable odor levels. No new odor sources are anticipated at Berth 238 upon final buildout.

Impacts would be less than significant, and no mitigation is required.

4.4 BIOLOGICAL RESOURCES

LAHD, in conjunction with the Port of Long Beach, has worked with the state and federal resource agencies to conduct periodic evaluations of the biological resources within the San Pedro Bay Port Complex to assess biological conditions of the various harbor habitats; the most recent evaluation was conducted in 2013–2014 (MBC 2016).

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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less-than-Significant Impact with Mitigation. No candidate, sensitive, or special-status species are known to occur on the Project site, and there is no federally designated critical habitat in the harbor. There are several state or federally listed and other sensitive species that have been observed in the Harbor. These include 3 endangered and 1 threatened bird species (California least tern), 14 other bird species with state and/or federal protection or designation, and 2 pinnipeds protected by the Marine Mammal Protection Act (California sea lion and Pacific harbor seal) (MBC 2016).

Due to the heavy industrial use within the Project area and the developed nature of the existing terminal, the Project site is not a likely nesting area for the listed bird species. Based on the site's distance (1.7 miles) from the designated California least tern nesting site on Pier 400, and the fact that no suitable potential nesting habitat (bare ground, such as sand/soil) (Shuford and Gardali 2008) exists at the Project site, no impact on least tern or other bird nesting is anticipated as a result of the proposed Project.

The proposed Project also has the potential to introduce ~~invasive~~ non-native species under operational conditions as a result of organisms attached to the hulls and anchors or living in the ballast water of vessels arriving from outside the U.S. Exclusive Economic Zone (EEZ) or other regions of the Pacific Coast. The potential for such an introduction of ~~invasive~~ non-native species exists because the facility could accommodate an increase in vessel calls by 2032, which will remain constant through 2048. However, there are numerous regulations in place to regulate ballast water discharges, including the following: ~~the~~ federal Ballast Water Management Programs (one enforced by the U.S. Coast Guard and another enforced by the EPA under the Clean Water Act), EPA's Vessel General Permit and California's Marine Invasive Species Act (enforced by the California State Lands Commission). In addition, vessel hulls are generally coated with antifouling paints and cleaned at intervals to reduce the frictional drag from growths of organisms on the hull, which would reduce the potential for transport of exotic species. California also has regulations regarding ~~hull husbandry~~biofouling management, including ~~cleaning~~ management of niche areas and anchor chains. In addition, by 2032, all ships should be meeting performance standards ~~enforced~~ adopted by U.S. Coast Guard and California State Lands Commission. For these reasons, the proposed Project has a low potential to increase the introduction of non-native species into the Harbor that could substantially disrupt local biological communities.

The invasive algae *Caulerpa* (*C. taxifolia*) is listed as a federal noxious weed under the U.S. Plant Protection Act. In areas outside its native range it can grow very rapidly, causing ecological devastation by overwhelming local seaweed species and altering fish distributions. Although this species has never been observed in the Port Complex, it is a threat in Southern California, having been found in two Southern California coastal lagoons in 2000. This has prompted regulatory control measures, including the requirement to complete a *Caulerpa* survey in accordance with the *Caulerpa* Control Protocol prior to specific underwater construction activities such as bulkhead repair, dredging, and placement of navigational aids (NOAA Fisheries 2008). Therefore, a *Caulerpa* survey will be conducted at the Project site prior to the start of construction activities.

Marine mammals, including dolphins, seals, and sea lions, are protected by the Marine Mammal Protection Act of 1972. California sea lions have been observed in the harbor, especially adjacent to the municipal fish market in the Main Channel and in Fish Harbor. Marine mammals may forage in the harbor but do not breed there. Sightings of marine mammals were recorded during the 2013–2014 biological surveys of the Port Complex (MBC 2016). During the survey timeframe, California sea lions (*Zalophus californianus*) were observed throughout the Los Angeles–Long Beach Harbor, including near the Project site, while harbor seals (*Phoca vitulina*) were limited to Outer Harbor waters. Neither of these pinniped species is endangered, and there are no designated significant ecological areas for either species within the Port Complex. Pile installation at the Project could result in disturbance to marine mammals in the vicinity of construction operations, and could potentially result in Level A harassment during impact driving of sheet piles and king piles at very close range. As a result of this, mitigation measure MM-BIO-1 has been proposed to reduce the potential for impacts to marine mammals.

Mitigation Measures

Impacts on marine mammals resulting from noise associated with pile driving would be reduced with implementation of MM-BIO-1. This measure would ensure that marine mammals would be readily able to avoid pile driving areas, and no injury to marine mammals from pile driving sounds would be expected.

> **MM-BIO-1 Protect Marine Mammals.** Although it is expected that marine mammals will voluntarily move away from the area at the commencement of the vibratory or "soft start" of pile driving activities, as a precautionary measure, pile driving activities occurring as part of the pile installation will include establishment of a safety zone, by a qualified marine mammal professional, and the area surrounding the operations (including the safety zones) will be monitored for marine mammals by a qualified marine mammal observer.[2]

[2] Marine mammal professional qualifications shall be identified based on criteria established by LAHD during the construction bid specification process. Upon selection as part of the construction award winning team, the

The pile driving site will move with each new pile; therefore, the safety zones will move accordingly.

Installation of piles required to support the unloading platform, access trestles, catwalks, and breasting dolphins would cause underwater sound levels that could also adversely affect fish. MM-BIO-1 has been proposed to reduce the potential for pile driving impacts to marine mammals, and its implementation would also reduce the likelihood of any impacts to fish as a result of pile driving.

Therefore, with the inclusion of MM-BIO-1, impacts associated with listed and other sensitive species would be less than significant.

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

Less-Than-Significant Impact. There is no riparian habitat at the Project site or in the vicinity. The proposed Project would replace the two existing 13,749 square feet concrete wharf structures and access trestles (a total of 27,498 square feet) at Berth 238 and 239 with a new approximately 13,500-square-foot steel-reinforced concrete loading platform at Berth 238, thus reducing the amount of wharf structure and corresponding overwater coverage by a total of 13,998 square feet. This would result in a positive benefit of the Project, as a decrease in overwater coverage results in a decreased amount of shading.

Wharf demolition and replacement activities would temporarily impact marine biota through resuspension of sediments and disturbance of benthic communities. However, the impact would be limited in extent and duration. After construction, the soft-bottom benthic communities would begin recolonizing the substrate. Therefore, impacts associated with riparian habitat or any other sensitive natural community that could result from implementation of the proposed Project would be less than significant, and no mitigation is required.

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

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qualified marine mammal professional shall develop site specific pile driving safety zone requirements, which shall follow NOAA Fisheries Technical Guidance Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (NOAA Fisheries 2016) in consultation with the Acoustic Threshold White Paper prepared for this purpose by LAHD (LAHD 2017c). Final pile driving safety zone requirements developed by the selected marine mammal professional shall be submitted to LAHD Construction and Environmental Management Divisions.

No Impact. The proposed Project would not affect federally protected wetlands (as defined by Section 404 of the Clean Water Act) during in-water construction activities (i.e., wharf demolition and replacement) because there are no federally protected wetlands in the Project area. The only federally protected wetlands in the Los Angeles Harbor are the Anchorage Road Salt Marsh and the Cabrillo Salt Marsh, approximately 1.5 and 2.9 miles from the Project site, respectively. Neither of these wetlands would be affected or otherwise disturbed by the proposed Project. Therefore, no impacts would be associated with federally protected wetlands as defined by Section 404 of the Clean Water Act. No mitigation is required.

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

Less-Than-Significant Impact. There are no known terrestrial migration corridors within the Port Complex, including the Project site because the Port is not located between natural resource areas that terrestrial wildlife would need to traverse. In addition, no fish migratory corridors are located in the Port. While fish nursery habitat exists in shallow water areas within the harbor, none is located in the project vicinity.

Construction activities could temporarily affect marine mammal and fish movement patterns in the vicinity of the Project; however, this impact would be short term in nature (also refer to discussion in Section 4.4(a)). Therefore, impacts associated with movement of any native resident or migratory fish or wildlife species would be less than significant. No mitigation is required.

e) 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 (City of Los Angeles 2006b) pertain to certain tree species. These species include the Valley Oak (*Quercus lobata*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California excluding the Scrub Oak (*Quercus dumosa*), Southern California Black Walnut (*Juglans californica* var. *californica*), Western Sycamore (*Platanus racemosa*), and California Bay (*Umbellularia californica*), none of which exists on the Project site. Therefore, no impacts would occur to protected biological resources, and no mitigation is required.

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

No Impact. The Project site is not located within an adopted Natural Communities Conservation Plan or Habitat Conservation Plan (HCP). There is only one Natural Communities Conservation Plan approved near the Port, located approximately 4 miles to the west 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. A Memorandum of Understanding is in place for the LAHD, CDFW, USFWS, and the U.S. Army Corps of Engineers to protect the California least tern, and requires a 15-acre nesting site to be protected during the annual nesting season (May through October). The nesting site is on Pier 400 and is designated as a Significant Ecological Area by the County of Los Angeles (County of Los Angeles, Department of Regional Planning 2015). The Project site is located approximately 1.9 miles northwest from the California least tern nesting site and does not contain nesting habitat or foraging habitat. The proposed Project would have no impact on HCPs, Natural Communities Conservation Plans, the Memorandum of Understanding, or the Significant Ecological Area for California least tern. Therefore, no impact would occur, and no mitigation is required.

4.5 CULTURAL RESOURCES

This section addresses potential impacts on cultural resources that could result from implementation of the proposed Project. Cultural resources customarily include archaeological resources, ethnographic resources, and those of the built environment (architectural resources). Though not specifically a cultural resource, paleontological resources (fossils predating human occupation) are also considered in this evaluation, as they are discussed in Appendix G of the State CEQA Guidelines (Environmental Checklist Form).

Would the Project:

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

No Impact. The proposed Project involves demolishing two existing concrete wharves and replacing them with one new steel and concrete loading platform at Berth 238. In May 2010, a historic resources evaluation report recorded and evaluated the wharves for eligibility for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) and for designation as a Historic-Cultural Monument. The 2010 report found that Berths 238 and 239 had been used continuously for the transshipment of oil since their original construction in the mid-1920s by the General Petroleum Corporation. Since this period helped to establish the City as a major economic force in the region, Berths 238 and 239 may have been eligible for listing at a point in time. However, while the original 1920s-era concrete wharf structures were found to be generally intact, they were also found to have undergone various alterations over the years that reduced their historic integrity. Therefore, since the integrity of the wharves at Berths 238 and 239 and their setting had been compromised to the extent that the facility no longer appeared similar to when it was operated during the period of significance, no historical district could be formed. Thus, the wharves were not considered eligible for listing in the NRHP, in the CRHR, or as a City Monument.

In May 2017, the concrete wharfs were reevaluated as part of an update to a prior historic resources evaluation report for Berths 238 and 239 (Appendix C, Historic Resources Evaluation). The report concluded that there had been no significant changes to the site since the 2010 historic evaluation report was completed and that the description and evaluation of the site in the 2010 report remains accurate.

In summary, the 2010 historic resources evaluation report and the 2017 update to that report found that the wharves were not considered eligible for listing in the NRHP, in the CRHR, or as a City Monument. Therefore, there are no impacts to historical resources and no mitigation is required.

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

No Impact. The proposed Project is located on artificial fill material on Terminal Island that was constructed in the early twentieth century. The proposed Project would result in minor amounts of ground-disturbing activities (i.e., installation of topside equipment). However, the site is disturbed, and archaeological resources are not likely present.

Given the absence of known archaeological resources in the Project area and the limited ground-disturbing activities that would be done, adverse change to an archaeological resource would not occur, and no mitigation is required.

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

No Impact. The geologic formation within the Project site consists of artificial fill material, and engineered fill over natural landforms constructed in the twentieth century; therefore, the site would not be expected to yield significant paleontological resources or unique geologic features. Before improvements were made to the harbor (beginning in the nineteenth century), the Project area was covered by harbor waters or mudflats. The Project area has been routinely dredged and filled in the twentieth century to create shipping channels and increase or maintain the design depth at the berths. The proposed Project would occur primarily in and over harbor waters. Topside equipment installation would occur only within artificial fill and not in any geologic layer that could yield unique paleontological resources. Therefore, adverse change to a paleontological resource, paleontological site, or unique geologic feature would not occur, and no mitigation is required.

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

No Impact. No known cemeteries or burials are known to have occurred at the Project site, and the Project area is composed of engineered material constructed in the twentieth century. The proposed Project would occur primarily in and over harbor waters; however, the water areas have

been routinely dredged over the history of the Port to either increase or maintain the design depth at the berth. Topside equipment installation would occur on the terminal site, which is not a known burial ground.

Therefore, wharf construction and topside equipment installation are not expected to encounter human remains. No mitigation is required.

4.6 ENERGY

a) Would the project conflict with adopted energy conservation plans?

Less-than-Significant Impact. As seen under Section 4.6(b), the proposed Project requires minimal energy for the construction and ultimate operation of the site. The proposed Project is not growth-inducing, and any growth projections in the future are based on economic projections rather than changes at the Project site. However, the improved terminal will 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. These requirements would reduce wasteful, inefficient, and unnecessary consumption of energy over the long term. Other plans and policies pertaining to energy use include the following: Executive Directive No. 10, Sustainable City Plan, Sustainable Construction Guidelines, and San Pedro Bay Clean Air Action Plan (CAAP).

The proposed Project would not conflict with any of the abovementioned plans or policies because it requires negligible use of energy as shown below. Impacts to energy conservation plans will be less than significant with no mitigation necessary.

b) Would the project use non-renewable resources in a wasteful and inefficient manner?

Less-than-Significant Impact. Energy (primarily as diesel fuel, but including minor amounts of gasoline) would be used during construction of the proposed Project. Energy expenditures during construction would be temporary, lasting for approximately 21 months, and are necessary to achieve the overall project objective of providing a MOTEMS-compliant terminal. Construction would not result in substantial waste or inefficient use of energy. Construction would be consistent with the policies in the Port of Los Angeles Sustainable Construction Guideline, which require minimum engine emission standards for construction equipment in accordance with the CAAP.

During operations, energy in the form of fuel (primarily for the operation of OGVs) would be used. In the year 2032, the terminal could handle a peak annual throughput of 18,702,500 barrels, a 95% increase over the baseline throughput of 9,561,938 barrels. The corresponding increase in greenhouse gas emissions (which acts as a surrogate for energy use) between baseline and peak operations is 4,899 metric tons per year (mty). Table 4.6-1 shows the energy consumption per

barrel of throughput during construction. Table 4.6-2 shows energy consumption per barrel of product during operations.

Table 4.6-1
Energy Efficiency of Proposed Project Construction

Source Category	Fuel	Fuel Use (gal/yr)	Throughput (Barrels per year)	Energy Consumption by Throughput (gal/barrel)
2018 Construction				
Marine	Diesel	9,389	—	—
Off Road	Diesel	39,509	—	—
Hauling	Diesel	1,484	—	—
Vendor Trips	Diesel	15,999	—	—
Worker Vehicles	Gasoline	8,985	—	—
Total Diesel Consumption	**—**	**66,381**	**9,561,938**	**0.007**
Total Gasoline	**—**	**8,985**	**9,561,938**	**0.0009**
2019 Construction				
Marine	Diesel	3,882	—	—
Off Road	Diesel	31,023	—	—
Hauling	Diesel	1,439	—	—
Vendor Trips	Diesel	20,283	—	—
Worker Vehicles	Gasoline	2,241	—	—
Total Diesel Consumption	**—**	**56,627**	**9,561,938**	**0.006**
Total Gasoline Consumption	**—**	**2,241**	**9,561,938**	**0.0002**

Table 4.6-2
Energy Efficiency of Proposed Project Operations

Source Catergory	Fuel Use(gal/yr)	Throughput (Barrels per year)	Energy Consumption by Throughput (gal/barrel)
Baseline – Operations			
Total Diesel	1,269,126	9,561,938	0.13
Total Natural Gas	27	9,561,938	0.000003
Year 2032 – Operations			
Total Diesel	1,781,116	18,702,500	0.10
Total Natural Gas	8	18,702,500	0.0000004
Year 2048 – Operations			
Total Diesel	1,781,116	18,702,500	0.10
Total Natural Gas	8	18,702,500	0.0000004

Therefore, the proposed Project would not use non-renewable resources in a wasteful or inefficient manner. Impacts would be less than significant, and no mitigation is required.

c) Would the project result in a need for new systems, or substantial alterations to power or natural gas?

No Impact. The Los Angeles Department of Water and Power (LADWP) is charged with maintaining sufficient capability to provide customers with a reliable source of power, and will continue to do so with proper planning and development of facilities in accordance with the City Charter, using such mechanisms as the Power Integrated Resources Plan. Based on the LADWP Power Integrated Resources Plan, electricity resources and reserves will adequately provide electricity to all of its customers, including the proposed Project. (LADWP 2016). Furthermore, because LADWP is moving toward increasing renewable energy supplies in its resource portfolio, the electricity demand of the proposed Project, by itself, would not result in the need to construct new facilities. Additionally, the proposed Project would have increased energy efficiency compared to baseline conditions (see Section 4.6(b)). Therefore, the proposed Project would have no impact related to the need for new or substantially altered electricity or natural gas systems, and no mitigation is required.

4.7 GEOLOGY AND SOILS

Would the Project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

Less-than-Significant Impact. The primary element of the proposed Project is to upgrade existing wharves at a marine oil terminal to meet seismic safety standards. The replacement of the existing concrete wharves with a new loading platform, breasting and mooring dolphins, and topside equipment in accordance with the findings of the MOTEMS audit. In addition, the City of Los Angeles has building and construction design codes that are meant to minimize structural damage resulting from a seismic event. The proposed Project would also be required to comply with the applicable engineering standards and building codes, including the MOTEMS regulations, Port engineering criteria, and applicable sections of the Los Angeles Building Code. Therefore, compliance with all of these regulations should render the site more seismically safe. Further, there are no defined active or potentially active faults under the Project site (Earth Mechanics 2009), nor are there any Alquist-Priolo Act identified zones

within the Port. Therefore, impacts related to rupture of a known earthquake fault would not occur, and no mitigation is required.

Potential impacts associated with seismically generated tsunamis are addressed under Section 4.10(j).

(ii.) Strong seismic ground shaking?

Less-than-Significant Impact. 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 engineered fill. The exposure of people to seismic ground shaking is a potential risk with or without the proposed Project. As discussed in Threshold (a)(i), compliance with MOTEMS regulations is designed to minimize structural damage resulting from a seismic event. The proposed Project would comply with the applicable engineering standards and building codes, including the MOTEMS regulations, Port engineering criteria, and applicable sections of the Los Angeles Building Code. Emergency planning and coordination would also contribute to reducing injuries to on-site personnel during seismic activity. PBF Energy maintains a comprehensive Integrated Contingency Plan to be followed during natural disasters (including earthquakes). With incorporation of emergency planning and compliance with current regulations and standard engineering practices, impacts related to seismic ground shaking would be less than significant, and no mitigation is required.

iii) Seismic-related ground failure, including liquefaction?

Less-than-Significant Impact. 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, because of the presence of recent alluvial deposits and groundwater less than 30 feet below ground surface (City of Los Angeles 1996).

Construction of the proposed Project is required to adhere to seismic performance requirements specified in the MOTEMS regulations, which include standards intended to limit the probability of occurrence and the severity of consequences from geological hazards, such as earthquakes. Under the MOTEMS regulations, annual inspections and periodic audits (of a maximum of 5 years apart) occur that include engineering and structural evaluations. The audits include seismic structural evaluations as well. With compliance with appropriate MOTEMS requirements, engineering standards, and building codes, impacts associated with the risk of seismic-related ground failure would be less than significant, and no mitigation is required.

iv) Landslides?

No Impact. The proposed Project would be constructed and operated on Terminal Island, which is flat with no significant natural or graded slopes. The proposed Project is not located near any landslide hazard areas (City of Los Angeles 1996). There would be no impacts related to landslides, and no mitigation is required.

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

No Impact. The Project site is entirely paved. Construction of the proposed Project would include removal and replacement of wharf piles and decking, and would result in only minor and temporary disturbance of the pavement associated with topside equipment installation. Pavement disturbances would be repaired following construction, which would prevent substantial soil erosion from the site, and operation would continue similar to the existing terminal. Therefore, the proposed Project would not result in soil erosion or the loss of topsoil. There would be no impact, and no mitigation is required.

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

Less-than-Significant Impact. The Project site is constructed on artificial fill, which could be subject to lateral spreading, subsidence, liquefaction, or collapse. As part of the MOTEMS audit in 2008, a geotechnical evaluation was performed of the terminal site that determined that no improvements are needed to maintain terminal operations; however, measures are needed to meet seismic requirements. The primary element of the proposed Project is the replacement of the existing concrete wharves with a new loading platform, breasting and mooring dolphins, and new landside topside equipment in accordance with the findings of the MOTEMS audit. Therefore, impacts associated with the risk of unstable soil would be less than significant, and no mitigation is required.

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?

Less-than-Significant Impact. Expansive soils generally result from specific clay minerals that expand when saturated and shrink when dry. These expansive clay minerals are common in the geologic deposits in the adjacent Palos Verdes Peninsula. Clay minerals in geologic deposits within the Project area and previously imported fill soils could be expansive. However, the proposed Project features would not cause or accelerate risks associated with being located on expansive soils. With incorporation of modern engineering and safety standards and compliance with current building regulations, the risk of expansive soil would be less than significant, and no mitigation is required.

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

No Impact. The Project site is connected by sanitary sewer system to the City of Los Angeles Bureau of Sanitation's Terminal Island Treatment Plant. Therefore, the use of septic tanks would not be necessary. During the construction phase, portable toilets would be brought to the site for the construction crew, and the resultant wastewater would be disposed of into the existing sanitary sewer system. None of the Project improvements would generate wastewater that would be treated by an alternative wastewater disposal system. Therefore, no impacts associated with the ability of soils to support septic tanks would occur, and no mitigation is required.

4.8 GREENHOUSE GAS EMISSIONS

This section includes a description of the potential effects of greenhouse gases (GHGs) and analyses of potential GHG emissions and impacts of the proposed Project. The methods of analysis for Project emissions are consistent with the guidelines of the SCAQMD and LAHD's standard protocols.

GHG emissions were estimated for the proposed Project. Sources contributing to GHG emissions during construction are described in detail Section 4.3, Air Quality. The construction contractor shall be required to comply with applicable BMPs and LAHD Sustainable Construction Guidelines (see Section 4.3, Air Quality). CO_2E emissions were quantified using the CalEEMod model for land-based sources and EPA's marine engine standards and CARB's harbor craft emissions inventory for marine sources.

Sources contributing to GHG emissions during operation are described in detail in Section 4.3, Air Quality, and include OGVs, re-fueling barges, tugboats, product loading and unloading, terminal equipment, and storage tanks. Indirect GHG emissions, such as off-site power generation associated with on-site lighting requirements, are not expected to change due to the proposed Project and were not included in the analysis.

Thresholds of Significance

CEQA Significance Thresholds

State CEQA Guidelines Section 15064.4(b) sets forth the factors that should be considered by a lead agency when assessing the significance of impacts from GHG emissions on the environment. These factors are as follows:

- The extent to which a project may increase or reduce GHG emissions compared with the existing environmental setting.
- Whether project emissions exceed a threshold of significance that the lead agency determines applicable to a project.
- The extent to which a project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Such

requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions.

The guidelines do not specify significance thresholds and allow the lead agencies discretion in how to address and evaluate significance based on these criteria.

To provide guidance to local lead agencies regarding determining significance for GHG emissions in CEQA documents, SCAQMD convened the GHG CEQA Significance Threshold Working Group. Members of the working group included government agencies that implement CEQA and representatives from various stakeholder groups that provide input to SCAQMD staff members regarding developing the GHG CEQA significance thresholds.

On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal regarding an interim GHG significance threshold for projects where SCAQMD is lead agency. For industrial projects, a significance threshold of 10,000 mty of CO_2E emissions per year was established. Construction GHG emissions, amortized over project life, are required to be included in a project's annual GHG emissions totals (SCAQMD 2010).

LAHD has determined the SCAQMD-adopted 10,000 mty CO_2E threshold to be suitable for LAHD projects for the following reasons:

- In April 2008, the SCAQMD convened a GHG CEQA Significance Threshold Working Group. Members of the working group include government agencies implementing CEQA representatives from various stakeholder groups that provided input to SCAQMD staff on developing GHG CEQA significance thresholds.
- The SCAQMD industrial source threshold is appropriate for projects with future operations continuing as far out as 2050. The SCAQMD threshold development methodology used the EO S-3-05 emission reduction targets as the basis in developing the threshold (SCAQMD 2008), with the AB 32 2020 reduction requirements incorporated as a subset of EO S-3-05 (SCAQMD 2016b). EO S-3-05 sets an emission reduction target of 80% below 1990 levels by 2050. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020 (SCAQMD 2016b). AB 32 has the goal of achieving 1990 GHG levels by 2020.
- The SCAQMD industrial source threshold is appropriate for projects with both stationary and mobile sources, both of which are typical components of LAHD projects. CAPCOA guidance considers industrial projects to include substantial GHG emissions associated with mobile sources (CAPCOA 2008). SCAQMD, on industrial projects for which it is the lead agency, uses the 10,000 mty threshold to determine CEQA significance by combining a project's stationary source and mobile source emissions. Although the threshold was originally developed for stationary sources, SCAQMD staff views the threshold as conservative for projects with both stationary and mobiles sources because it is applied to a larger set of emissions and therefore captures a greater percentage of projects than would be captured if the threshold was only used for stationary sources (SCAQMD 2016b). For example, in one of its recent EIRs, the SCAQMD applied the

10,000 mty threshold to a refinery project where the mobile source emissions would increase and the stationary source emissions (combined direct and indirect) would decrease relative to baseline. The mobile source emissions included construction equipment, on-road vehicles, and on- and off-site rail transport. Moreover, in the same EIR, the SCAQMD also applied the 10,000 mty threshold to its list of related cumulative projects, two of which were LAHD projects (SCIG and ILWU Local 13 Dispatch Hall) with dominant mobile source emissions (SCAQMD 2016a). The SCAQMD also specifically approved the use of the 10,000 mty threshold on another current Port CEQA project dominated by mobile sources (Berths 97-109 [China Shipping] Container Terminal Project Supplemental Environmental Impact Report) (SCAQMD 2015).

- The SCAQMD industrial source threshold is appropriate for projects with sources that use primarily diesel fuel. Although most of the sources that were considered by the SCAQMD in the development of the 10,000 mty threshold are natural gas-fueled (SCAQMD 2008), both natural gas and diesel combustion produce CO2 as the dominant GHG (TCR 2016). Furthermore, the conversion of all GHG species into a CO_2E ensures that the GHG emissions from any source, regardless of fuel type, can be evaluated equitably.
- The SCAQMD industrial source threshold is conservative for LAHD projects. The 10,000 mty threshold is intended to achieve a 90% emission capture rate for permitted industrial facilities subject to the SCAQMD's Annual Emission Reporting (AER) program. LAHD projects subject to CEQA review usually far exceed this threshold because of their large size and large number of mobile sources such as ocean-going vessels, drayage trucks, trains, and cargo handling equipment.

After considering the CEQA Guidelines and LAHD-specific climate change impact issues, LAHD has set the following threshold for use in this EIR to determine the significance of proposed Project–related GHG impacts. The proposed Project would create a significant GHG impact if it:

GHG-1: Generates GHG emissions that, either directly or indirectly, exceed the SCAQMD 10,000 mty CO_2E threshold.

Less-than-Significant Impact. GHGs are gases that trap heat in the atmosphere and result from both natural processes and human activities. GHG emissions would be released from combustion sources associated with the proposed Project during both construction and operation.

Based on criteria set by the SCAQMD, a proposed project would have the potential to violate an air quality standard or contribute substantially to an existing violation if emissions exceed the threshold of significance in Table 4.8-1. Impacts are determined by comparing the combined amortized construction and future operational emissions to Baseline emissions. The proposed Project would not affect growth at the Port Complex. Table 4.8-1 shows the proposed Project's annual GHG emissions.

Table 4.8-1
Annual GHG Emissions Without Mitigation – Proposed Project (mty)

Source Category	CO_2	CH_4	N_2O	CO_2E
2018 Construction	661	0.1	0	663.6
2019 Construction	558	0.1	0	560.4
Amortized Annual Construction	22	0.1	0	22.12
2016 Baseline				
Ships – at Berth	3,398	0	0	3,471
Ships – at Anchorage	400	0	0	406
Ships – Transit	8,904	0	0	9,037
Tugboats	251	0	0	255
Terminal Equipment	1,460	0	0	1,462
Baseline Total	14,414	0	1	14,630
Operation Year 2032				
Ships – at Berth	5,372	0	0	5,489
Ships – at Anchorage	655	0	0	665
Ships – Transit	11,831	0	1	12,009
Tugboats	320	0	0	325
Terminal Equipment	426	0	0	426
Operational Total	**18,605**	**0**	**1**	**18,914**
CEQA Impacts				
CEQA Baseline Emissions	14,414	0	1	14,630
Project Minus CEQA Baseline	4,191	0	0	4,284
Significance Threshold	—	—	—	10,000
Significant?	—	—	—	**No**

Notes: Construction emissions were amortized over 30 years.

Informational assessment: Consider whether the proposed Project is consistent with certain statewide, regional, and local plans and policies

CEQA Guidelines Section 15064.4(b) provides that another factor to be considered in assessing the significance of GHG emissions on the environment is "the extent to which a project complies with regulations or requirements adopted to implement a statewide, regional or local plan for the reduction or mitigation of GHG emissions."

Several state, regional, and local plans have been developed that set goals for the reduction of GHG emissions over the next few years and decades. Some of these plans and policies (notably, EO S-3-05 and AB 32) were taken into account by the SCAQMD in developing the 10,000 mty CO_2E threshold. However, no regulations or requirements have been adopted by relevant public agencies to implement

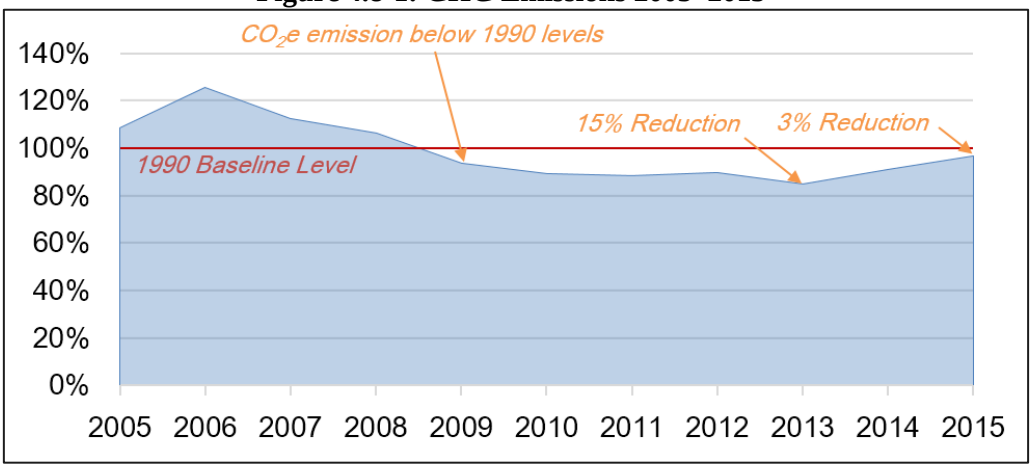
those plans for specific projects, within the meaning of CEQA Guidelines Section 15064.4(b)(3). (See *Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* (*Newhall Ranch*) (2015) 62 Cal.4th 204, 223.) Consequently, no CEQA significance assessment based upon compliance with such regulations or requirements can be made for the proposed Project. Nevertheless, for the purpose of disclosure, LAHD has considered, for informational purposes only, whether the proposed Project activities and features, are consistent with federal, state or local plans, policies or regulations for the reduction of GHG emissions, as set forth below.

The State of California is leading the way in the United States, related to GHG reductions. Several legislative and municipal targets for reducing GHG emissions, below 1990 levels have been established. Key examples include the following:

- Senate Bill 32 (SB 32)
  1990 levels by 2020
  40% below 1990 levels by 2030
- Assembly Bill 32 (AB 32)
  80% below 1990 levels by 2050
- City of Los Angeles Sustainable City Plan
  45% below 1990 levels by 2025
  60% below 1990 levels by 2035
  80% below 1990 levels by 2050

LAHD has been tracking GHG emissions, in terms of CO_2E since 2005 through the LAHD municipal GHG inventory and the annual inventory of air emissions (see Figure 4.8-1). As illustrated on Figure 4.8-1, Port-related GHG emissions (all three scopes) started making significant reductions since 2006, reaching a maximum reduction in CO_2E of 15% from 1990 levels in 2013. Subsequently, 2014 and 2015 saw GHG levels rise due to a period of port congestion that arose from circumstances outside of the control of either the LAHD or its tenants. This event illustrates a major challenge related to managing GHG-related emissions, as events outside the control of LAHD or its individual tenants will continue to have a varying degree of impact on the progress of reduction efforts.

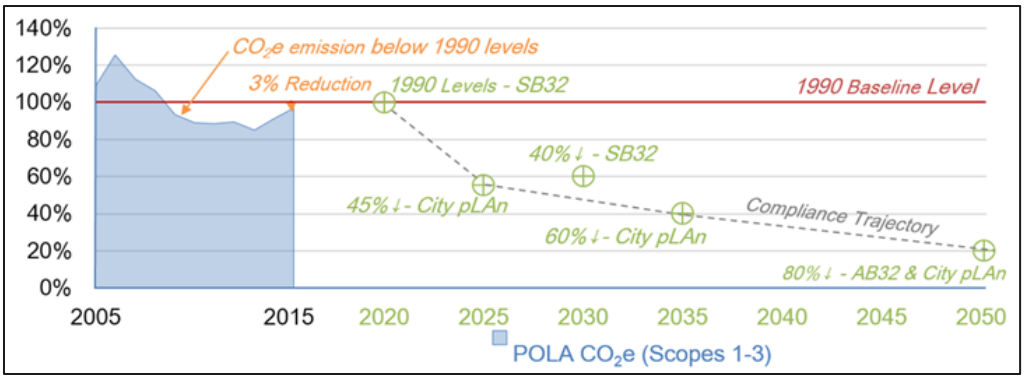
Figure 4.8-1: GHG Emissions 2005–2015



LAHD and its tenants have initiated a number of wide-ranging strategies to reduce all port-related GHGs, which includes the benefits associated with the Clean Air Action Plan (CAAP), Zero Emission Roadmap, Energy Management Action Plan (EMAP), operational efficiency improvements, and land use and planning initiatives. Looking toward 2050, there are several unknowns that will affect future GHG emission levels. These unknowns include grid power portfolios; maritime industry preferences of power sources and fuel types for ships, harbor craft, terminal equipment, locomotives, and trucks; advances in cargo movement efficiencies; the locations of manufacturing centers for products and commodities moved; and increasing consumer demand for goods. The key relationships that have led to operational efficiency improvements to date are the cost of energy, current and upcoming regulatory programs, and the competitive nature of the goods movement industry. We anticipate these relationships will continue to produce benefits with regards to GHG emissions for the foreseeable future.

Figure 4.8-2 shows the key GHG targets listed above with a postulated 'compliance trajectory' set to meet the most stringent targets. It is important to note that the targets shown on Figure 4.8-2 are not project specific targets and that no specific project level regulations or requirements have been developed by agencies for implementation of these plans. Instead, these targets are goals meant to apply to all applicable GHG sources in aggregate, which means some sources will need to go beyond these targets, while others may not be able to meet the target level.

Figure 4.8-2: Actual GHG Emissions
2005–2015 and 2015–2050 GHG Compliance Trajectory



Nevertheless, with the very aggressive targets shown on Figure 4.8-2, it is not possible at this time to determine whether Port-wide emissions or any particular Project applicant will be able to meet the compliance trajectories shown. Compliance will depend on future regulations or requirements that may be adopted, future technologies that have not been identified or fully developed at this time, or any other Port-wide GHG reduction strategies that may be established.

4.9 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?

Less-than-Significant Impact. Construction activities associated with the proposed Project are not likely to involve the use of substantial quantities of hazardous materials and the most likely source of hazardous materials would be from vehicles and construction equipment at the site. However, there could be small amounts of hazardous materials, including solvents and lubricants used to maintain equipment for pile installation, platform construction, catwalk installation, topside equipment installation, and other Project elements. These materials would be confined and located on a barge or on land at the terminal. Additionally, construction activities would be conducted using BMPs in accordance with City guidelines, as detailed in the Development Best Management Practices Handbook (City of Los Angeles 2011), and the Los Angeles Municipal Code regulations (Chapter 5, Section 57, Division 4 and 5; Chapter 6, Article 4). Federal and state regulations that govern the storage of hazardous materials in containers (i.e., the types of materials and the size of packages containing hazardous materials), secondary confinement requirements, and the separation of containers holding hazardous materials, would limit the potential adverse impacts of contamination to a relatively small area. 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.

General operation of the proposed Project is expected to remain the same as existing conditions. During operation of the proposed Project, accidental releases or explosions of hazardous materials could occur from vessels in transit to and from the terminal as a result of collisions with other vessels or fixed structures, or while at berth at the terminal as a result of accidental releases during vessel loading and unloading. The increase in ocean going vessel transport of petroleum product would be approximately 30 ocean-going barges and ships in 2032 compared to baseline conditions. This results in an average yearly increase of approximately two vessels per year. By 2032, there would also be an increase of approximately 59 barge fueling operations compared to baseline conditions. These barges remain within the Port of Los Angeles and service Port tenants. This results in an average yearly increase of approximately four fueling sessions per year. Spill prevention and response measures are included in the facility's Spill Prevention, Control, and Countermeasure (SPCC) Plan, required under the Oil Pollution Act of 1990, under the Clean

Water Act. The numerous safety regulations and spill response measures already in place at the facility would ensure that any unlikely release is handled quickly and minimizes any adverse effects to the maximum extent feasible.

The Oil Pollution Act (OPA; 33 CFR 157.10d) requires that tank vessels be double-hulled as of specified January 1, 2015. Tank vessel means a vessel that is constructed or adapted primarily to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue, and that functions as follows:

- Is a vessel of the United States.
- Operates on the navigable waters of the United States.
- Transfers oil or hazardous material in a port or place subject to the jurisdiction of the United States. This does not include an offshore supply vessel, or a fishing vessel or fish tender vessel of not more than 750 gross tons when engaged only in the fishing industry.

Operation of the proposed Project would consist of the loading or unloading of double hulled barges and tankers. Over time, the facility anticipates increases in product exporting and decreases in imports.

During operation of the proposed Project, accidental releases of hazardous materials could occur from vessels in transit to and from the terminal as a result of collisions with other vessels or fixed structures, or while at berth at the terminal as a result of an accidental release or explosion during vessel loading and unloading.

Spills of petroleum products from tank vessels and marine oil terminals in the Los Angeles Harbor are infrequent, and their consequences have been minor, and the continued use of double hulled tank vessels is expected to help limit the potential spills sizes and consequences.

All tank vessels are required to have double hulls, which lowers the potential for a spill in the event of an accident. In addition, the existing regulatory framework and navigational procedures would continue to minimize the potential for accidents that could result in a release of product during transport under the proposed Project. For example, the vessel traffic lanes that have been established off the coast of California are separated by a zone where vessel transit is to be avoided, thereby minimizing the potential for collisions between vessels traveling in opposite directions. As tank vessels approach the Port Complex, they leave the established traffic lanes and enter the Precautionary Area, where speed limits are in effect, and as the vessels approach within 2 nm of Point Fermin lower speed limits apply. In addition, Port Pilots would navigate the vessels within the breakwater, and the vessels would be tug assisted. These navigational safety requirements and practices would minimize the potential for collisions, allisions, or groundings that could result in a product spill. Accordingly, although the proposed Project would increase vessel traffic, with the existing navigational safety requirements and practices, the Project is not expected to substantially increase the likelihood or consequences of a release during navigation.

The purpose of the proposed Project is to increase the safety of product transfer operations at marine oil terminals. There is not enough data to quantify the extent to which MOTEMS improvements would be expected to increase the safety of the facility and could reduce the probability of spills at marine terminals (especially associated with vessels and/or vessel collisions). Also, the new loading platforms, mooring dolphins, and berthing dolphins would be more capable of withstanding vessel movements and seismic events than the existing wharf and dolphins. The proposed Project would replace existing loading hoses, pipelines with modern articulated arms that would reduce the potential for rupture or leakage during product transfer. In addition, when tankers are being unloaded at the terminal, inert gas systems are used to prevent explosive conditions from forming in the vessel tanks. During loading, the vapor control system (i.e., VDU) would destroy any vapors that are displaced from the vessel tanks, thereby preventing explosive conditions.

The purpose of the proposed Project is to increase the safety of product transfer operations at marine oil terminals; as such, operation of the proposed Project, including any additional vessels above the baseline, would not substantially increase the frequency or severity of releases of hazardous materials during transfer operations at Berths 238–239. Therefore, the proposed Project would not create a significant hazard to the public or the environmental through the routine transport, use, or disposal of hazardous materials. The impact would be less than significant, and no mitigation is required.

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

Less-than-Significant Impact. Soil and groundwater beneath the Project site are known to be impacted with petroleum hydrocarbons due to site operations. Historical and current contaminants of concern include total petroleum hydrocarbons, volatile and extractible ranges, benzene, toluene, ethylbenzene, and xylenes, methyl tertiary-butyl ether, and lead. The groundwater and soil at the Project site are being monitored for contamination of floating hydrocarbon products (FHPs) and other pollutants of concern under an active Cleanup and Abatement Order (CAO) (No. 99-003) issued by the Los Angeles Regional Water Quality Control Board (LARWQCB). Since the transfer of facility operations from ExxonMobil to PBF Energy in 2016, PBF Energy has been added to the CAO along with Exxon. Currently, remediation operations consist of on-site and off-site manual and automated FHP recovery systems. The FHP recovery systems are gauged and maintained on a weekly basis. Monitoring and reporting of FHP thickness and sampling of groundwater and surface water are currently conducted at the Site in accordance with the CAO.

ExxonMobil implemented an extensive incident response and mitigation program and devised long-term plans to prevent the release of hazardous materials in the harbor in 2011. This included construction of sheet pile/slurry injection barrier walls to provide a short- and long-term remedy to prevent residual petroleum hydrocarbons from penetrating the concrete seawall and entering the harbor. Since the barrier was installed in January 2011, there has been no visible sheen or release of any kind reported in the area of Berth 238. In 2013, ExxonMobil also implemented a Fluid

Migration Barrier Extension Work Plan. Since the barrier extension work plan was implemented, there has been no evidence of FHP releases to the harbor in the vicinity of Berth 238. ExxonMobil also completed a dike liner project that lined the entire tank farm to prevent releases to the subsurface and limit stormwater infiltration. These improvements have effectively lessened the potential for the terminal to release petroleum hydrocarbons to the environment. Therefore, significant impacts associated with accidental release of hazardous materials are not expected.

LARWQCB will be notified of project scope prior to start of construction. Construction of the proposed Project would demolish the existing wharves and replace them with a new loading platform, access trestles, new mooring and breasting systems, and topside equipment. This work would involve driving piles on the waterside of the terminal. The proposed Project involves minimal topside disturbances. Every effort would be made to avoid areas of known soil or groundwater contamination; however, if contaminated soils or groundwater are encountered, LARWQCB will be notified and all regulatory procedures will be followed.

Although the piles may extend into contaminated groundwater, the groundwater would not be drawn or extracted to the surface. Once installed, the piles would be capped, and the unloading platform, abutments, access trestles, and catwalks would be installed atop the capped piles. Because the piles would be capped and open excavation to groundwater would not occur, construction of piles under the proposed Project would not create a significant hazard to the public or the environment related to the release of groundwater contaminants.

Operation of the proposed Project is expected to remain the same as existing conditions. There may be more vessel calls in the future but these calls would have occurred regardless of the project and they are not anticipated to increase the risk of an accidental spill or risk of upset incident to a significant level. Spill prevention and response measures are included in the facility's Spill Prevention, Control, and Countermeasure (SPCC) Plan, required under the Oil Pollution Act of 1990, under the Clean Water Act. The numerous safety regulations and spill response measures already in place at the facility would ensure that any unlikely release is handled quickly and minimizes any adverse effects to the maximum extent feasible.

Therefore, the proposed Project would not create a significant hazard to the public or the environmental through upset and accident conditions involving the release of hazardous materials. The impact would be less than significant, and no mitigation is required.

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

No Impact. The Project site is located within the Los Angeles Unified School District; however, there are no schools within one-quarter mile of an existing or proposed school. Therefore, no impact would occur, and no mitigation is required.

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

Less-than-Significant Impact. The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List." Because this statute was enacted over 20 years ago, some of the provisions refer to agency activities that are no longer being implemented, and, in some cases, the information to be included in the Cortese List does not exist. The California Environmental Protection Agency (CalEPA) has identified the data resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements (CalEPA 2017a).

The Project site is contained on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 (DTSC 2011). The Project site was listed on the State Regional Water Resources Control Board (SWRCB) list of "active" Cleanup and Abatement Orders (CAO No. 99-003) (SWRCB 2017) and is therefore considered part of the Cortese List. As discussed above, remediation of existing groundwater and soil contamination at the site is currently occurring and construction of the proposed Project is not expected to result in the release of groundwater contamination. Therefore, this impact would be less than significant, and no mitigation is required.

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, result in a safety hazard for people residing or working in the project area?

No Impact. The proposed Project is not located within an airport land use plan or within 2 miles of a public airport or a public use airport. No impact would occur as a result of the proposed Project, and no mitigation is required.

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

No Impact. A helicopter-landing pad for Island Express is located at Berth 95 (Catalina Air and Sea Terminal Helicopter) approximately 1 mile north 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. The proposed Project would have no effect related to private airstrips. No impact would occur as a result of the proposed Project, and no mitigation is required.

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

Less-than-Significant Impact. The Project site is currently used for the handling and transport of oil and fuel products. Project construction would occur within the Project site boundaries and is not

expected to affect emergency response or evacuations. As part of standard procedure for activities occurring on Port property, as well as within the Port area, the contractor would coordinate with Port Police, Los Angeles Police Department (LAPD), and fire protection/service providers, as appropriate, on traffic management issues and any Port improvement plans occurring in the vicinity. Traffic control equipment would be in place to direct local traffic around the work area if necessary.

An emergency response action plan has been prepared for the existing terminal, which provides detailed procedures to be followed in the event of an emergency at the terminal. During proposed Project operation, PBF Energy, U.S. Coast Guard (USCG), Port Police, and Fire emergency response plans are employed as necessary in accordance with the Port's Risk Management Plan and MOTEMS requirements. The proposed Project would implement the most recent engineering standards required by MOTEMS for the design and maintenance of marine oil terminals to better protect public health and safety and the environment. Future operational years could result in an increase in vessel calls at the terminal. Additional vessels beyond the baseline vessel calls would moor at the new loading platform (waterside portion of the terminal). The additional vessels would not result in activities that could impede land-based emergency responses to the terminal.

The proposed Project would comply with MOTEMS requirements and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant, and no mitigation is required.

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

No Impact. There are no wildlands at or near the Project site (City of Los Angeles 1996). Therefore, no impacts would occur as a result of the proposed Project, and no mitigation is required.

4.10 HYDROLOGY AND WATER QUALITY

Would the Project:

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

Less-than-Significant Impact. Construction of the proposed Project could result in sediment resuspension during demolition, pile installation and platform/decking construction. The demolition of the existing concrete wharves is not expected to result in a substantial release of contaminants as described under Section 4.9(b). During removal of existing piles, the piles would first be pulled, followed by cutting at the mud line for piles that are not able to be extracted via pulling. While there may be increased debris initially (including concrete debris from existing piles to be removed) in the water during wharf demolition and pile removal (from removing the decking and removing the piles), the demolition contractor would adhere to water quality requirements issued from the LARWQCB (WDRs/Section 401 Water Quality Certification). This

would limit the potential for violations of water quality standards to below a level of significance. Removal of the piles could resuspend some bottom sediments and create localized and temporary turbidity plumes and associated water quality issues as discussed above. However, such impacts would occur over a relatively small, localized area.

In addition to water quality effects related to resuspended sediments, accidents resulting in spills of fuel, lubricants, or hydraulic fluid from equipment used during wharf demolition, pile installation, wharf improvements, and topside equipment installation could occur during proposed Project construction. However, large volumes of these materials typically are not used or stored at construction sites, and the facility is subject to hazardous materials management requirements under the Certified Unified Program Agencies (CUPA). Spill prevention and response measures are included in the facility's Spill Prevention, Control, and Countermeasure (SPCC) Plan, required under the Oil Pollution Act of 1990, under the Clean Water Act.

Potential construction impacts would also be regulated under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which requires a site-specific Stormwater Pollution Prevention Plan (SWPPP) that would define actions to minimize potentials for spills, as well as manage runoff, and prevent impacts to water quality. BMPs would be implemented during construction in accordance with the SWPPP, as well as the Clean Water Act Section 401 Water Quality Certification issued by the LARWQCB. As a consequence, accidents that result in spills of contaminants during Project construction are not expected to adversely affect beneficial uses of harbor waters or result in violations of water quality standards.

Facility operations are covered under both CUPA and SPCC requirements, as mentioned above. The onshore storm drain system of the existing marine oil facility would not be modified, and the proposed Project would not increase the amount of impervious surface area of the terminal. Stormwater from the tank farm area is contained by concrete containment walls, where it is accumulated and eventually conveyed to the sanitary sewer system (the facility holds a City of Los Angeles industrial wastewater discharge permit). In the event this water is not suitable for discharge to the sewer, it will be transported off site for treatment and disposal. The hazardous waste storage area, as well as other material storage areas, all have secondary containment. Rainwater that accumulates in these areas drains to the slop tank and is piped to the refinery. The access roads outside of the tank farm have storm drains that are locked shut. Water that collects in the roadway areas is usually left to evaporate. In a rare flood situation, water from the access roads can be discharged to the harbor after passing a visual/smell inspection. None of these on-site containment/drainage systems will change with implementation of the proposed Project.

Stormwater from the existing overwater wharves and wharf access road flows directly to the Los Angeles Harbor, and once the Project is completed, stormwater on the new loading platform and access trestles would also flow directly into the harbor. All equipment involved in loading/offloading operations on the new loading platform will have secondary containment in place. Operation of the facility will remain the same and the facility will continue to comply with

all BMPs and rules and regulations pertaining to water quality standards and waste discharge standards. Therefore, potential construction- and operations-related impacts related to water quality standards and waste discharge requirements would be less than significant, and no mitigation is required.

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

No Impact. Groundwater at the Project site is affected by saltwater intrusion (high salinity), and is therefore unsuitable for use as drinking water. The proposed Project construction activities would occur primarily in and over harbor waters; the limited landside activities would not adversely affect groundwater recharge because the terminal is not used as a recharge site, and would not adversely affect drinking water supplies because there are none on or near the site. The proposed Project would not change the amount of impervious surface at the site nor would it substantively alter the land surface; therefore, groundwater recharge would not be changed. The proposed Project would not install any new groundwater wells, and groundwater extraction would not occur as part of the proposed Project. Thus, the proposed Project would not affect the existing groundwater supplies, drinking water supplies, groundwater recharge facilities, or aquifers. Therefore, the proposed Project would have no impact with respect to groundwater, and no mitigation is required.

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

No Impact. The majority of the Project site is currently developed and paved and, as such, is impervious. The proposed Project would not alter the amount of impervious surface area. As discussed above, site drainage systems/patterns would not be altered as a result of the proposed Project, and the majority of the construction work associated with the proposed Project will be conducted over water, where there is no erosion potential. Therefore, no impacts related to alteration of drainage patterns resulting in erosion or siltation would occur, and no mitigation is required.

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

No Impact. There is no change to the landside storm drain system or site drainage patterns as a result of the proposed Project. Therefore, no impacts related to alteration of drainage patterns resulting in flooding would occur, and no mitigation is required.

e) 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?

No Impact. The majority of the Project site is paved and impervious with an existing storm drainage system. The existing system, which has adequate capacity, discharges runoff from the wharves directly into the harbor, and runoff from the remainder of the terminal is directed to the sanitary sewer system or to the refinery. No changes in the impervious surface area, site topography, or drainage systems would occur; therefore, the proposed Project would not exceed the capacity of existing or planned stormwater drainage systems. The proposed Project would have no impact with respect to exceeding capacity of the stormwater drainage system, or provide substantial sources of polluted runoff, and no mitigation is required.

f) Otherwise substantially degrade water quality?

Less-than-Significant Impact. There are no additional water quality-related issues associated with construction and operation of the proposed Project that would otherwise substantially degrade water quality. Spill prevention and response measures would be in place during both construction and facility operations to minimize release of contaminants from the facility. The proposed Project would have a less-than-significant impact with respect to the degradation of water quality, and no mitigation is required.

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

No Impact. No housing is proposed under the proposed Project. Therefore, there would be no impact, and no mitigation is required.

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

No Impact. According to Flood Hazard Map FM06037C2032F, the Project site is located in Zone AE which is identified as Special Flood Hazard Area subject to inundation by the 1% annual chance flood, also known as the base flood, which has a 1% chance of being equaled or exceeded in any given year (FEMA 2008).

The proposed Project would include demolition of the existing concrete wharf structures at Berth 238 and construction of a loading platform replacement structure. The replacement platform at Berth 238 would be located at the same location and height as the existing wharf structure and would not increase the potential for flooding in that area. The Project site is located on the shoreline, which would allow any excess runoff to flow into the harbor. Additionally, site elevations and the flat site topography would not change under the proposed Project. Therefore,

there would be no impact related to placing structures within a 100-year flood hazard area, and no mitigation is required.

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

No Impact. There are no levees or dams in the vicinity of the Project site that would be subject to failure or would expose people or structures to a significant risk of loss, injury, or death involving flooding associated with levee or dam failure (City of Los Angeles 1996). Please also refer to Section 4.9(h) (FEMA 2008). Therefore, no impact associated with risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam would occur, and no mitigation is required.

j) Inundation by seiche, tsunami, or mudflow?

Less-than-Significant Impact. The proposed Project would not increase impacts associated with seiche, tsunami, or mudflow. The Project site and surrounding area are primarily paved and flat with relatively small elevation differences, and thus, mudflows would not occur. Seiches are seismically induced water waves that surge back and forth in an enclosed basin and could occur in the harbor as a result of earthquakes. A Port Complex (Port of Los Angeles and Port of Long Beach) model 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 identified below.

Construction and operation of the proposed Project would not increase the potential for tsunami damage to occur. Under the proposed Project, the existing concrete wharves at Berths 238 and 239 would be replaced by a new modern wharf structure at Berth 238. No other new structures would be constructed that would be subject to damage, including inundation, by tsunami. The proposed Project would implement the most recent engineering standards required by MOTEMS, which specifically considers tsunamis (24 CCR 3103F.5.7), for the design and maintenance of marine oil terminals to better protect public health, safety and the environment.

The Port Complex model indicates that a reasonable maximum source for future tsunami events within the harbor area would either be a magnitude (M) 7 earthquake on the Santa Catalina Fault or a submarine landslide along the nearby Palos Verdes Peninsula. The tsunami study notes that large offshore earthquakes (M~7.5) in the Port region are very infrequent. Furthermore, not every large earthquake is expected to generate a tsunami based on historical occurrences. Based on the seismicity, geodetics, and geology, a large locally generated tsunami from either local seismic activity or a local submarine landslide would likely not occur more than once every 10,000 years.

A Sea Level Rise Vulnerability Report for the City of Los Angeles presents initial research on the potential impacts of sea level rise and associated flooding from storms in City of Los Angeles

coastal communities. For the period of 2000–2050, the report suggests that the sea level can rise by up to 2 feet by 2050 (USC 2013). A maximum tsunami wave height of 7.2 feet along the Main Channel (Moffatt and Nicholl 2007) on top of a 2-foot sea level rise would result in a combined potential wave height of 9.2 feet above mean sea level in the vicinity of the Project site. No overtopping at the Project site is anticipated as a result of a tsunami. The proposed Project is a wharf replacement project that would meet all MOTEMS requirements and standards, and is not expected to contribute to an increased potential for inundation by seiche, tsunami, or mudflow. Therefore, there would be a less-than-significant impact associated with inundation by seiche, tsunami, or mudflow, and no mitigation is required.

4.11 LAND USE AND PLANNING

This section contains a description and analysis of the land use and planning considerations that would result from the proposed Project implementation.

Would the Project:

a) Physically divide an established community?

No Impact. The proposed Project is located on Terminal Island, a heavy industrial area of the Port that does not contain any established communities. The nearest residential areas to the Project site include the single-family and multi-family residences along South Beacon Street across the Main Channel in San Pedro (approximately 0.4 miles or 2,100 feet to the west). Proposed Project improvements would be confined to the existing marine oil terminal at Berths 238 and 239. The proposed Project would not physically divide an established community. Therefore, no impacts associated with physical division of an established community would occur, and no mitigation is required.

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

Less-than-Significant Impact. The Project site is located on Terminal Island in the Port of Los Angeles Community Plan area, the community of San Pedro is located to the west and southwest, and the community of Wilmington is located to the north. The existing marine oil terminal (SWT-I) occupies a land area of approximately 20.54 acres, has 2 active dedicated berths (Berths 238 and 239) providing for a total of 1,000 feet of continuous berthing space, and has 19 storage tanks of various sizes, parking, and several ancillary buildings.

Land uses in the vicinity of SWT-I support a variety of cargo handling operations (including container, liquid bulk, and dry bulk). SWT-I occupies the western side of Terminal Island along

the east side of the Main Channel and is generally bounded by the Main Channel and Southwest Marine Terminal to the south; Berths 240W, 240X, and 240Y to the east; Berth 237 and the Evergreen Container Terminal (Berth 236) to the north; and the Main Channel and the San Pedro Public Market to the west.

SWT-II is a tank farm approximately 16.62 acres in size located approximately 3,500 feet northeast of SWT-I at 401 Ferry Street/551 South Pilchard. SWT-II is generally bounded by the Evergreen Container Terminal to the north and west, Ferry Street to the east, and the Terminal Island Water Reclamation Plant to the south. Local access if provided by Ferry Street and Earle Street. Access to the Project site is via Pilchard Street.

Both facilities are serviced by approximately 21.98 miles of existing pipelines operated and maintained within LAHD's jurisdiction.

The Port of Los Angeles Master Plan serves as a long-range plan that establishes policies and guidelines for future development of the Port. The proposed Project is located in Planning Area 3, Terminal Island. Planning Area 3 is the largest planning area, consisting of approximately 1,940 acres and more than 9.5 miles of usable waterfront. It consists of all of Terminal Island except Fish Harbor. The land uses in Planning Area 3 includes container terminals (1,565 acres); liquid bulk (99 acres); commercial fishing (1 acre); maritime support (100 acres); institutional (26 acres); open space (34 acres); a mix of container, dry bulk, and breakbulk uses (85 acres); and a mix of container and liquid bulk uses (5 acres) (POLA 2013) (see Figure 4.11-1, Land Use Designations). Before the PMP Update, the SWT-II area was designated for liquid bulk uses. After the update, the area was designated for container uses. As an existing operation, the tank farm at SWT-II is allowed to continue operations (grandfathered) under the updated PMP.

The Port of Los Angeles Master Plan is part of the City of Los Angeles General Plan Land Use Element, which serves as the guide for the continued development and operation of the Port (City of Los Angeles 1982). SWT-I and SWT-II are both zoned [Q] M3-1 (Quasi-Heavy Industrial) by the City of Los Angeles Zoning Ordinance. The [Q] designation restricts uses to General Cargo, limited Port-related commercial, industrial, and support uses. The proposed Project would provide for the continuation of the existing use, which is consistent with the [Q] M3-1 zoning of the site. The continuation of the sites as a marine oil terminal and tank farm under the proposed Project would be consistent with the surrounding uses, which include other port uses, such as the Evergreen Container Terminal and South West Marine Terminal.

As such, the proposed Project would not conflict with any applicable land use plan, policy, or regulation. Therefore, impacts would be less than significant, and no mitigation is required.

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

No Impact. As discussed in the Section 4.4, Biological Resources, the Project site does not fall within or near an area covered by a HCP or natural community's conservation plan; therefore, the proposed

Project would not conflict with any HCP or natural community's conservation plan. Therefore, no impacts associated with conservation plans would occur, and no mitigation is required.

4.12 MINERAL RESOURCES

Would the Project:

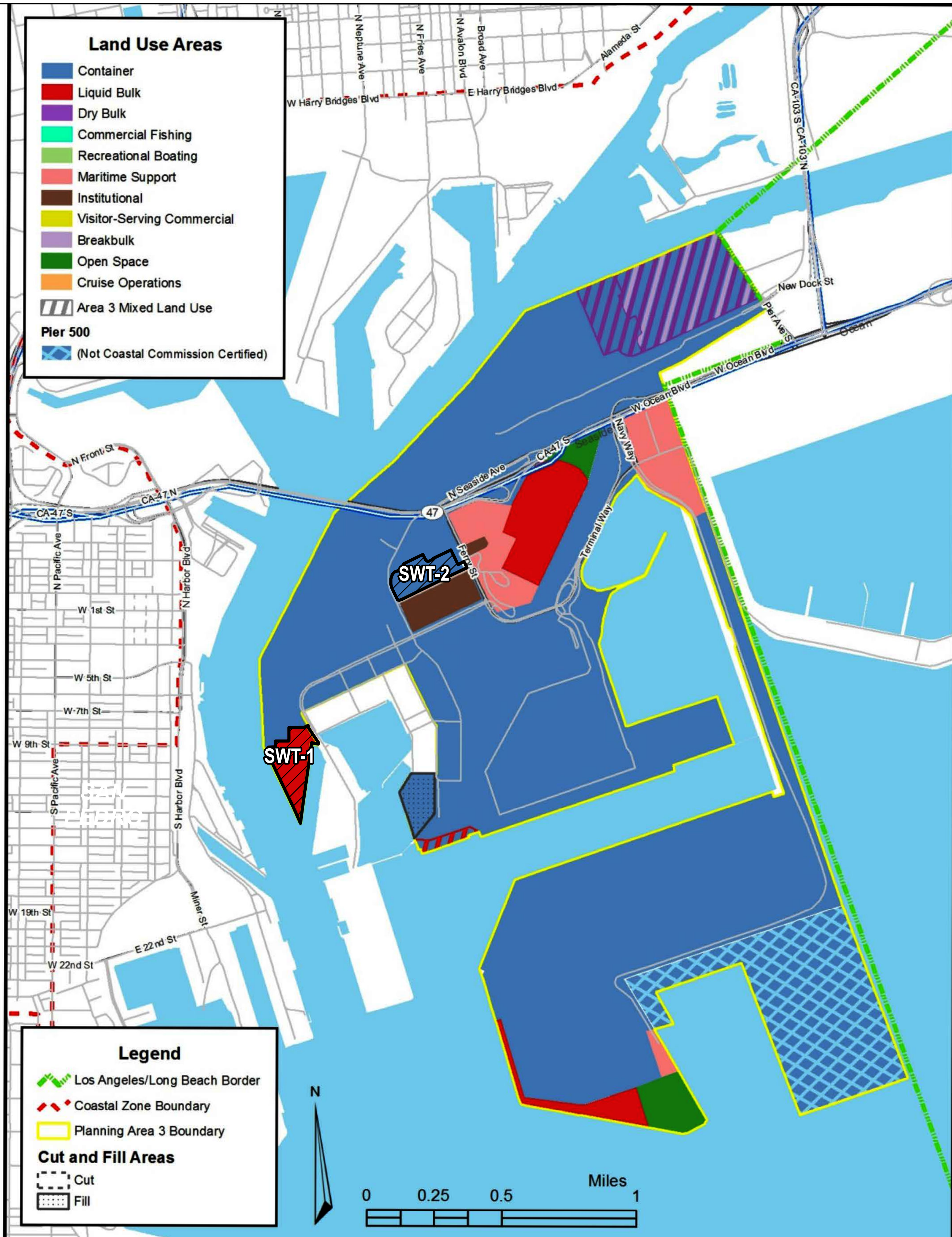
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The proposed Project is located on Terminal Island, which is made mostly of artificial fill material. The Wilmington Oil Field is the third largest oil field in the United States based on cumulative production. The Wilmington Oil Field extends from Torrance to Harbor District of the City of Long Beach, a distance of approximately 13 miles (Otott and Clarke 1996), and is the closest oil field to the proposed Project location. According to the City of Los Angeles General Plan Safety Element and the California Department of Conservation, Division of Oil, Gas, and Geothermic Resources the Project site is located to the south-west outside the boundary of the Wilmington Oil Field and contains no active oil well on site (California Department of Conservation 2017; City of Los Angeles 1996). The proposed Project would not create any obstacles to oil extraction operations associated with the Wilmington Oil Field. No known valuable mineral resources would be impacted by the proposed Project. According to the California Department of Conservation Division of Mines and Geology mineral resource maps, the nearest mineral resources area is located in the San Gabriel Valley (California Department of Conservation 2011b).

Therefore, no impacts related to the loss of availability of a known valued mineral resources would occur with the implementation of the proposed Project. No impact would occur, and no mitigation is required.

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

No Impact. As described under Section 4.12(a), there are no active oil wells on site. The proposed Project would not result in the loss of availability of a mineral resource recovery site as described under Section 4.12(a). Therefore, no impact to the availability of a mineral resource would result from construction and operation of the proposed Project. No impact would occur, and no mitigation is required.



SOURCE: Port of LA, 2017

FIGURE 4.11-1
Land Use Designations

DUDEK

POLA MOTEMS

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4.13 NOISE

The purpose of this section is to identify sensitive noise receptors in the Project area and to determine the degree of noise impacts that would be attributable to the proposed Project. Noise levels are regulated by the City's Municipal Code, Chapter XI, Noise Regulation (City of Los Angeles 2016). The sound limits apply to noise generation from one property to an adjacent property. The sound-level limits depend on the time of day, the duration of the noise, and the land use, as shown in Table 4.13-1.

Table 4.13-1
Exterior Noise Limits

Zone	Noise Level (dBA)	
	Daytime 7:00 a.m.–10:00 p.m.	**Nighttime 10:00 p.m.–7:00 a.m.**
A1, A2, RA, RE, RS, RD, RW1, RW2, R1, R2, R3, R4, and R5	50	40
P, PB, CR, C1, C1.5, C2, C4, C5, and CM	60	55
M1, MR1, and MR2	60	55
M2 and M3	65	65

Source: City of Los Angeles 2016.
Note: dBA = A-weighted decibel

Would the Project Result In:

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

Less-than-Significant Impact. The City regulates construction noise via the Los Angeles Municipal Code (Chapter IV, Article 1, Section 41.40; Chapter XI, Article 2, Section 112.05). Under the noise provisions, construction equipment noise levels are limited to a maximum noise level of 75 dBA (A-weighted decibel) if located within 500 feet of any residential zone of the City.

There are no residences within 500 feet of the Project site; therefore, the proposed Project would not be subject to the maximum noise limits in the Los Angeles Municipal Code. All phases of the proposed Project construction would occur Monday through Friday between 7:00 a.m. and 9:00 p.m. In addition, the current noise environment is active port industrial in nature and construction activities are generally similar in noise levels to those industrial activities and would not result in a significant change.

The threshold of significance that the City recommends using for Noise is an increase of 5 dBA or more over existing ambient community noise equivalent level, which is a type of 24-hour average noise level (City of Los Angeles 2006a). However, the Los Angeles CEQA Thresholds

Guide (City of Los Angeles 2006a) does not require a full noise evaluation if construction is not located within 500 feet of a residential zone.

Noise measurements were conducted on May 3, 2017, between 10:00 a.m. and 1:00 p.m. Measurements were taken with a calibrated Rion NL-52 sound-level meter. Noise measurements were taken from the closest public areas. The sound-level meter meets the current American National Standards Institute's standard for a Type 2 precision sound-level meter. The sound-level meter was positioned at the following three locations: 1350 South Seaside Avenue (adjacent to the Al Larson Marina), 1196 Nagoya Way nearest to the water, and 77 Berth, San Pedro, along the water of Ports O'Call Village at a height of approximately 5 feet above the ground. The measured daytime average sound levels ranged from 55 to 56 decibels (dB), as depicted in Table 4.13-2. Measurement results are in terms of the time-averaged sound level (L_{eq}).

Table 4.13-2
Ambient Measured Noise Levels

Site	Location	Sound Level (dB L_{eq})	Noise Sources
1	Al Larson Marina Latitude: 33.731012, Longitude: -118.275868	56.4	Industrial, birds, distant aircraft, distant conversations/yelling, distant traffic
2	Port O'Calls (South) Latitude: 33.732376, Longitude: -118.276330	55.1	Shop noise, birds, distant aircraft, distant conservation/yelling, distant industrial, distant traffic, rustling leaves
3	Port O'Calls (North) Latitude: 33.731983, Longitude: -118.268329	55.6	Traffic, distant aircraft, distant conversations/yelling, distant industrial, distant traffic

Notes: dB Leq = decibel of equivalent sound level

Construction equipment would include standard equipment such as excavators, backhoes, loaders, cranes, portable generators and air-compressors, pile-drivers, and miscellaneous trucks. The maximum noise level ranges for various pieces of construction equipment at a distance of 50 feet are depicted in Table 4.13-3. The maximum noise levels at 50 feet for typical equipment would range up to 101 dB for the type of equipment normally used for this type of project. The hourly average noise levels would vary, but construction noise levels of up to approximately 75 to 101 dB at 50 feet are typical for the anticipated construction activities.

Table 4.13-3
Construction Equipment Noise Emission Levels

Equipment Type	"Typical" Equipment dBA at 50 feet
Pile driver	101
Air compressor	81
Backhoe	85
Concrete pump	82
Concrete vibrator	76
Crane	88
Dozer	87
Generator	78
Loader	84
Paver	88
Pneumatic tools	85
Water pump	76
Power hand saw	78
Shovel	82
Trucks	88

Source: U.S. Department of Transportation et al. 2006..

Noise levels from construction activities generally decrease at a rate of 6 dB per doubling of distance away from the activity. Thus, at a distance of 100 feet from the center of construction activities, based on existing noise levels and anticipated construction equipment, construction noise levels would range from 69 to 95 dBA L_{eq}. At a distance of 1,600 feet, construction noise could range up to 49 to 77 dBA L_{eq} but would likely be lower due to additional attenuation from ground effects, air absorption, and shielding from intervening structures or topography.

The proposed Project is surrounded by industrial and commercial uses. Due to the short-term duration of the construction activities, and because these activities would occur during the City's allowable time periods, and because the proposed Project would occur in an existing industrial area with elevated existing noise levels, and no current sensitive receptors, the proposed Project is expected to result in a less-than-significant noise impact, and no mitigation is required. However, prior to construction, the contractor will be required to verify that there are no potential sensitive receptors in the local vicinity that could be adversely impacted by construction. If sensitive receptors are determined to be in the region, the following noise-reduction measures will be required throughout construction:

A. Construction Equipment: All construction equipment powered by internal combustion engines shall be property muffled and maintained.

B. Idling Prohibitions: Unnecessary idling of internal combustion engines near noise-sensitive areas shall be prohibited.
C. Equipment Location: All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as is practical from existing noise sensitive land uses.
D. Use Electrical Power When Feasible: If ample local grid power is available, electricity shall be obtained from the local power grid to avoid the use of portable generators.
E. Disturbance Coordinator. A disturbance coordinator shall be designated for responding to noise complaints, with his/her name and telephone number to be clearly posted at the construction site.
F. Quiet Pile Driving: The contractor shall be required to use a pile driving system, such as a Bruce hammer (with silencing kit), and IHC Hydrohammer SC series (with sound insulation system), or equivalent silenced hammer, which is capable of limiting maximum noise levels at 50 feet from the pile driver to 104 dBA, or less, for wharf construction.

Operational Noise

The proposed Project would not increase the terminal's handling, storage, or pumping capacity; rather, it would replace the existing concrete wharves at Berth 238 and 239 with a new loading platform at Berth 238 (with the same water depth) and replace existing topside equipment with new topside equipment to meet regulatory standards. Operation of the proposed Project under the new lease could result in an increase in vessel calls to the terminal beyond baseline conditions; however, only one vessel, whether a barge or a Panamax-class tanker, could berth at the terminal at any given time. The existing terminal is capable of simultaneously handling liquid bulk cargo from two vessels at each berth (Berths 238 and 239) as long as the size of vessels allows. Further, residential receptors are located 0.4 miles away, and across that distance vessel noise (such as from tugboats maneuvering tankers into position) is expected to be attenuated to below local noise ordinance thresholds. Therefore, the proposed Project would result in a less-than-significant noise impact, and no mitigation is required.

The proposed Project is surrounded by industrial and commercial uses. Due to the short-term duration of the construction activities, and because these activities would occur during the City's allowable time periods, and because the proposed Project would occur in an existing industrial area with no residences within 500 feet, the proposed Project would result in a less-than-significant noise impact, and no mitigation is required.

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

Less-than-Significant Impact. Construction activities associated with the proposed Project could generate vibration. Construction equipment such as pile installation and driving equipment, and haul trucks would generate vibrations that could result in groundborne noise or vibration that could affect nearby structures or residences. 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. All phases of the construction involve multiple trucks and other vibration-producing equipment resulting in vibration levels up to approximately 0.002in/sec at the closest residences. That level is well below the thresholds established by Caltrans (2013b). Accordingly, excessive groundborne vibration and/or groundborne noise are not anticipated. This impact would be less than significant, and no mitigation is required.

Operation of the proposed Project under the new lease could result in an increase in vessel calls to the terminal; however, the vessels would be water-based, and are not expected to result in substantive groundborne vibrations or noise levels. Therefore, vibration or groundborne noise level impacts would be less than significant, and no mitigation is required.

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

Less-than-Significant Impact. Operation of the proposed Project under the new lease could result in an increase in vessel calls and throughput beyond baseline conditions; however, the new wharf at Berth 238 could only accommodate one vessel, whether a barge or a Panamax class tanker, at the terminal at any given time. The existing terminal is capable of simultaneously handling liquid bulk cargo from two vessels at each berth (Berths 238 and 239) as long as the size of vessels allows. Further, as discussed in Threshold XII (a) above, sensitive receptors are located approximately 0.4 to 0.8 miles away, and across this distance, vessel noise (such as from tugs boats maneuvering tankers into position) are expected to be attenuated to below significance levels. Therefore, impacts related to a permanent increase in ambient noise would be less than significant, and no mitigation is required.

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

Less-than-Significant Impact. As described under Section 43.13(a), construction and operational noise impacts would be less than significant; therefore, this impact would be less than significant, and no mitigation is required.

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

No Impact. The proposed Project is not located within 2 miles of a public airport. No impacts would result, and no mitigation is required.

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

No Impact. The proposed Project is not located within the vicinity of a private airstrip. No impacts would result, and no mitigation is required.

4.14 POPULATION AND HOUSING

Would the Project:

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

No Impact. The proposed Project would not establish new residential uses within the Port, require extension of roads or other growth-accommodating infrastructure, or result in the relocation of substantial numbers of people from outside of the region. Therefore, the proposed Project would not directly or indirectly induce substantial population growth through extension of roads or other infrastructure. Therefore, no impacts associated with population growth inducement would occur, and no mitigation is required.

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

No Impact. There is no housing within the Project boundaries that would be displaced as a result of the proposed Project. No replacement housing would be needed or required associated with the implementation of the proposed Project. No impact would occur, and no mitigation is required.

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

No Impact. There is no housing within the proposed Project boundaries that would be displaced as a result of the proposed Project. The proposed Project would not result in the displacement of any persons and the need for replacement housing. No impact would occur, and no mitigation is required.

4.15 PUBLIC SERVICES

Would the Project:

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

i) Fire Protection?

Less-than-Significant Impact. The City of Los Angeles Fire Department (LAFD) currently 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. 111 located in Fish Harbor about 0.3 miles south of the Project site with an approximate travel distance of just under 2 miles. There is also Fire Station 112 with fireboat access located about 0.5 miles north of the Project site, which is the closest fire station to the Project site. The next closest station is Fire Station No. 40, located to the north at 330 Ferry Street, with an approximately 1.5 miles travel distance to the terminal. This station is located on Terminal Island and is equipped with a single engine company, an Assessment Engine, Rescue Ambulance, and Rehab Air Tender. This station would provide fire service by land.

As described above, the Project site is currently served by fire protection and emergency services. Construction of the proposed Project would not increase the need for expanded services. Further, construction would occur within the Project site and harbor and would not affect service ratios, response times, or other performance objectives of the LAFD.

The proposed Project would implement the most recent engineering standards required by MOTEMS for the design and maintenance of marine oil terminals to better protect public health, safety and the environment at an existing marine oil terminal. The MOTEMS requirements include specifications for fire prevention, detection, and suppression, including preparation of a site-specific fire plan, a permanently installed automated fire detection system, and a fire suppression system that meets provisions of fire-water flow rates, foam supply, and fire extinguishers. Operation of the proposed Project would not result in a substantive 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.

Construction activities would include implementation of standard safety requirements, including preparation of an emergency response plan and coordination with emergency service providers, including the LAFD. Accordingly, construction of the proposed Project is not expected to result in an 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.

Operation of the proposed Project would comply with MOTEMS fire safety requirements and the state and city fire codes, standards and regulations, and would not increase the demand for fire protection services. Therefore, impacts related to fire protection would be less than significant, and no mitigation is required.

ii) Police protection?

Less-than-Significant Impact. The Los Angeles Harbor Department Port Police (Port Police) and the LAPD both provide police services to the Port. The Port Police is the primary law enforcement agency within the Port of Los Angeles. Specifically, the Port Police 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 Port Police headquarters is located at 330 Centre Street in San Pedro.

Although the Port Police are the first responders in an emergency, the LAPD also holds responsibility for police services in the Project vicinity because the Port is part of the City of Los Angeles. The LAPD Harbor Division is located at 2175 John S. Gibson Boulevard in San Pedro, which is approximately 1.9 miles northwest of the proposed Project. The Harbor Division Station is responsible for patrols throughout San Pedro, Harbor City, and Wilmington.

Construction of the proposed Project would occur within the Project site and adjacent harbor waters. It is unlikely that street closures would be required. Therefore, Project construction would not affect the demand for law enforcement such that new facilities would be required.

The proposed Project would be located within the same operating distance as the existing wharves and therefore, would not increase emergency response times. The proposed Project would not increase the amount of vessels that berth at the facility, and all vessels that do berth would be moored at the loading platform at Berth 238, and would not impede surface transportation routes that could be used by police service providers. In addition, the proposed Project would implement the most recent engineering standards

required by MOTEMS for the design and maintenance of marine oil terminals to better protect public health, safety and the environment at an existing marine oil terminal. It would not substantively alter terminal activities and would not increase long-term employment or result in indirect growth that would result in need for additional police protection. Therefore, impacts related to police protection would be less than significant, and no mitigation is required.

iii) Schools?

No Impact. The proposed Project would not include the creation of new parks or reduction in existing park facilities. In addition, proposed Project improvements would be confined to the Project site within the Port and would not induce population growth that could result in increased demand for parks beyond that which currently exists. Therefore, no impacts to existing parks or need for new parks would occur from implementation of the proposed Project, and no mitigation is required.

iv) Parks?

No Impact. As further discussed in Section 4.16, Recreation, no residential uses or other land uses typically associated with directly inducing population growth are included as part of the proposed Project. An increase in patronage at park facilities is not expected. Therefore, no impacts associated with the construction or expansion of park facilities would occur, and no mitigation is required.

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 USCG 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 would implement the most recent engineering standards required by MOTEMS for the design and maintenance of marine oil terminals to better protect public health, safety and the environment at an existing marine oil terminal and would not result in impacts to USCG facilities or operations. By the year 2032, vessel calls to the terminal could increase from the baseline of 399 calls in 2016 to 488 vessels. No expansion of the Vessel Traffic Information Systems would be needed with the proposed Project. Therefore, the proposed Project is not expected to result in an increase in demand for other public facilities, including the USCG, which could lead to a substantial adverse physical impact. Impacts would be less than significant, and no mitigation is required.

4.16 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?

No Impact. The proposed Project would not directly or indirectly result in physical deterioration of parks or other recreational facilities. Therefore, impacts associated with parks or other recreational facilities would not occur, and no mitigation is required.

b) 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. Therefore, no new or expanded recreational facilities would be constructed, and no impact would occur. No mitigation is required.

4.17 TRANSPORTATION AND TRAFFIC

This analysis provides a summary of the Traffic Analysis Technical Memorandum prepared by Iteris in August 2016.

Would the Project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Less-than-Significant Impact. The proposed Project, which would improve the existing marine oil terminal and Berth 238 while demolishing the wharf structures at Berth 239, would not increase the capacity of the existing circulation system based on the applicable measures of effectiveness as designated by the City of Los Angeles General Plan or the Port of Los Angles Plan. This includes the infrastructure for all elements of ground transportation such as intersections, streets, highways and freeways, pedestrian and bicycle facilities and transit stations and services. Liquid cargo loaded and unloaded at the terminal is conveyed to and from the terminal primarily via pipelines, and an increase in vessel calls would not result in a substantive increase in ground transportation to and from the terminal. The terminal does not handle rail or

truck traffic. Therefore, the impact of the proposed Project on the existing circulation system would be less than significant and no mitigation is required.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less-than-Significant Impact. According to the Los Angeles County Congestion Management Program (CMP), a Transportation Impact Analysis (TIA) should be conducted at all Congestion Management Program arterial monitoring intersections, including monitored freeway on-ramps or off-ramps, where the proposed Project would add 50 or more trips during either the AM or PM weekday peak hours and at all mainline freeway monitoring locations where the proposed Project will add 150 or more trips, in either direction, during the AM or PM weekday peak hours. City of Los Angeles Traffic Study Policies and Procedures (City of Los Angeles 2014) state that a Technical Memorandum is required when the proposed Project is likely to add 25 to 42 AM or PM peak hour trips, and the adjacent intersection(s) are presently operating at LOS E or F. Additionally, the guidelines state that a Traffic Study is required when the proposed Project is likely to add 43 or more AM or PM peak hour trips.

Operation of the proposed Project is projected to result in an increase in product throughput of approximately 53% compared with baseline levels of activity. Liquid cargo loaded and unloaded at the terminal is conveyed to and from the terminal primarily via pipelines, and an increase in throughput would not result in a substantive increase in vehicular trips to and from the terminal because the terminal does not handle rail or truck traffic. Accordingly, the proposed Project would not result in an increase in ground transportation that could result in a conflict with an applicable congestion management program or other performance standards of ground transportation facilities.

Analysis was conducted to determine the potential impact of trips associated with the proposed Project's construction period. Construction of the proposed Project is anticipated to last for approximately 21 months. It is anticipated that up to 50 workers would be on site during the busiest phases of construction. The peak construction activity is projected to result in a maximum of 60 trucks per day. It is assumed that all 20 workers (auto trips) would enter the site during AM peak hour and leave during PM peak hour. It is also assumed that the construction activity would ensure a staggering of trucks throughout the day so that no more than 40 trips (autos + trucks) would occur during any peak hour. This assumption is reasonable because the maximum truck activity at the site will be associated with concrete pours, during which concrete trucks arrive and depart sequentially over the course of an entire workday. Therefore, traffic impacts on congestion management roads and highways during construction or operation would be less than significant, and no mitigation is required.

c) Result in a change in marine 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 facility is anticipated to see an increase in vessel calls to the terminal over time; however, the additional vessels would not result in physical changes to the terminal. It is projected that the peak annual throughput associated with the proposed new lease would be up to approximately 18.7 million barrels, which equates to future vessel calls to the terminal increasing to approximately 488 vessel calls from the baseline of 399 vessels. Given that vessels entering the harbor are piloted by Port Pilots or by a federally licensed pilot, and that vessels would utilize the Vessel Traffic Service operated jointly by the USCG and Marine Exchange of Southern California, the increase in vessel calls to the terminal is not expected to result in significant safety risks. In addition, an increase in vessel calls associated with the new lease would not translate into changes to the existing marine vessel traffic lanes or affect existing anchorage locations. Therefore, the proposed Project would not result in significant marine vessel traffic impacts, and no mitigation is required.

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

No Impact. The proposed Project would not affect roadway design or use, or include modification of any roadways or access roads to or within the Project site or vicinity, or otherwise alter the existing use of the site or implement design features that would be incompatible with the current zoning or land use designation. Therefore, the proposed Project would not increase roadway hazards. No impact would occur and no mitigation is required.

e) Result in inadequate emergency access?

No Impact. Although the proposed Project would replace the existing wharves with a loading platform at Berth 238 and make other improvements to comply with MOTEMS, it would not include capacity-increasing facilities such as larger or more pipelines or new storage tanks. Rather, the improvements under the proposed Project would make the necessary upgrades to meet MOTEMS and the environmental protection requirements of the LAHD. Because existing emergency access features and procedures would not be altered, and the proposed Project would not result in an increase in traffic or alteration of traffic patterns, emergency access would remain adequate. No impacts would occur and no mitigation is required.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The proposed Project does not include any modifications to roadways on Terminal Island that support current or future bike lanes or bus stops. The proposed Project would also not include construction of new pedestrian facilities associated with commercial and visitor-serving

uses and amenities that would benefit from alternative modes of transportation. No impacts would occur and no mitigation is required.

4.18 TRIBAL CULTURAL RESOURCES

Assembly Bill (AB) 52 Consultation: Pursuant to Public Resources Code Section 21080.3.1(d) Anthony Morales, Chief of San Gabriel Band of Mission Indians was informed of the proposed Project. Pursuant to Public Resources Code Section 21080.3.1(b), LAHD requested respond in writing within 30 days if consultation was desired. The informational package was delivered by certified mail on September 15, 2017. As of October 16, 2017, LAHD had not received a request for consultation. The 30-day response period has closed and AB 52 has been complied with.

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 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).

Less-than-Significant Impact. The proposed Project is located on artificial fill material on Terminal Island that was constructed in the early twentieth century. The proposed Project would result in minor amounts of ground-disturbing activities (i.e., installation of pipes and topside equipment). However, the site is disturbed and tribal cultural resources are not likely present.

The proposed Project would also occur in and over harbor waters. The Project area has been routinely dredged over the history of the Port to create shipping channels and increase or maintain the design depth at the berths. Given the absence of known tribal resources in the Project area and the limited ground-disturbing activities that would be done, the proposed Project would not have significant impacts to tribal resources, and no mitigation is required.

b) 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 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, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact. The proposed Project is located on artificial fill material on Terminal Island, which was constructed in the early twentieth century. The proposed Project would result in minor ground-disturbing activities (i.e., installation of pipes and topside equipment). However, the site is disturbed and tribal cultural resources are not likely present.

The proposed Project would occur in and over harbor waters. The Project area has been routinely dredged over the history of the Port to create shipping channels and increase or maintain the design depth at the berths. Given the absence of known tribal resources in the Project area and the limited ground-disturbing activities that would be performed, the proposed Project would not cause significant impacts to a California Native American tribe resource, and no mitigation is required.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the Project:

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

Less-than-Significant Impact. Wastewater generated at the PBF Energy terminal is conveyed to and treated at the Terminal Island Treatment Plant (TITP), which currently operates at approximately 58% of capacity (see Section 4.19(b)). A small increase in on-site personnel associated with proposed construction (estimated at 20 per day) would generate temporary minor increases in wastewater flows. Future operational activities would require the same number of staff as existing operational activities. Aside from the minor increase in wastewater generation during construction, wastewater treatment requirements would not change.

Existing sewer and wastewater infrastructure exists within the Project area, and wastewater would continue to flow to the TITP, which is operated by the City's Department of Public Works Bureau of Sanitation, and which is required to comply with all applicable wastewater standards set forth by the LARWQCB (City of Los Angeles 2006c). Therefore, impacts associated with wastewater treatment requirements are less than significant, and no mitigation is required.

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

Less-than-Significant Impact. Because operation of the proposed Project would be the same as under baseline conditions, including staffing levels and activities, the proposed Project would not increase the demand for potable water or wastewater generation such that development of new water or wastewater treatment facilities or the expansion of existing facilities would be required.

TITP has a capacity of 30 million gallons per day (mgd) and currently operates at 58% capacity (City of Los Angeles 2017b). The City projects that by 2025, wastewater flows in the TITP service area will grow from the current 15 mgd to 23 mgd (City of Los Angeles 2017b). Therefore, approximately 8 mgd in annual capacity at TITP would remain unused and available for future years. The negligible increase in wastewater flows from the proposed Project associated with construction activities would not exceed the daily capacity of the TITP or conveyance system (e.g., sewer trunk lines in the Project vicinity or other off-site infrastructure or facilities) over the long-term.

As discussed above, the proposed Project would result in a small increase in wastewater generation and water demand from construction activities, however, existing facilities can accommodate this small increase and no construction or expansion of water or wastewater

treatment facilities would be required. Therefore, impacts associated with the construction of new water and wastewater facilities would be less than significant, and no mitigation is required.

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

No Impact. The Project site is currently served by an existing on-site storm drainage system that contains, treats, and conveys stormwater. The proposed Project primarily involves construction of a replacement wharf. No new land area is expected to be built. Hence, no additional demand on existing stormwater drainage facilities is expected. Storm drains are located throughout Terminal Island and the harbor area and are maintained by the LAHD, City of Los Angeles Bureau of Sanitation, and Los Angeles County.

Impacts related to construction of new stormwater drainage facilities would not occur, and no mitigation is required.

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

No Impact. LADWP provides water service to the Project area. The LADWP is responsible for supplying, treating, and distributing water for domestic, industrial, agricultural, and firefighting purposes within the City. Water sources used by the LADWP include local sources, such as groundwater, wells and recycled water (for non-potable uses), and imported sources, including the Los Angeles Aqueducts and purchases from the Metropolitan Water District of Southern California. In Fiscal Years 2011–2015, LADWP supplied a yearly average of 566,990 acre-feet in its service area (County of Los Angeles 2015).

In a continuing effort to ensure a reliable water supply for future years, LADWP prepared the Urban Water Management Plan (UWMP) (County of Los Angeles 2015), which was updated and adopted on April 27, 2016. The UWMP is updated every 5 years, as required by the California Water Code (Section 10621a), and serves as the City master plan for water supply and resources management through the year 2040.

LADWP's UWMP uses a service-area-wide method in developing City water demand projections that considers the growth in water use for the entire service area in developing long-term projections, including use by Port tenants. The driving factors for this growth are demographics, weather, and water conservation. Total LADWP demand for water is predicted to be 675,685 acre-feet in 2040, which is 5% lower than the projection in the 2010 UWMP. LADWP would be able to meet this demand by increasing local water supplies and water conservation to 25% by 2035, reducing its reliance on purchased Metropolitan Water District water by one-half (County of Los Angeles 2015).

Construction water use would come primarily from personal use by the construction workers (at any given time). Although the construction contractor is likely to provide temporary toilet facilities and drinking water for its workers, this analysis makes the conservative assumption that construction workers would use the terminals restrooms and drinking water.

Topside equipment installation would occur on the landside portion of the terminal, and the remaining construction would take place in and over the water. Water usage during construction would be temporary and insubstantial and would not exceed the existing supply. Therefore, construction of the proposed Project would have no impact on water supply.

Operation of the proposed Project would not result in operational or personnel changes to the terminal that could result in generation of additional water demand. Accordingly, no new or expanded water supply entitlements would be needed. No impacts on the City's water supply would occur from operation of the proposed Project and no mitigation is required.

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

No Impact. As discussed above, 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 would flow through existing sewer and wastewater infrastructure within the Project site to TITP, which is maintained by the Bureau of Sanitation. Please see Section 4.19(b) regarding wastewater generation. Further, no increase in impervious surface area at the terminal would occur under the proposed Project; therefore, the Project would not increase the amount of runoff that is conveyed to the City's sewer and treatment system. No impacts to wastewater treatment capacity would occur with the implementation of the proposed Project and no mitigation is required.

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

Less-than-Significant Impact. Construction of the proposed Project would generate a small amount of construction debris, including piles and debris from the existing wharves. Demolition of the existing wharves and access trestles at Berth 238 and 239 would result in generation of asphalt/concrete debris (including concrete piles).

The generation of landfill waste would be reduced by recycling of demolition debris to the extent feasible. The LAHD maintains an asphalt/concrete recycling facility at the intersection of East Grant Street and Foote Avenue in Wilmington. The asphalt/concrete debris from construction activities would be crushed at the facility or elsewhere in the Port for construction reuse within the Port.

Solid waste associated with demolition and construction that would require disposal at a landfill is not expected to be substantial relative to the permitted landfill capacity at Chiquita Canyon Landfill, Sunshine Canyon Landfill, or other local or regional disposal facilities that could accept construction waste from the proposed Project. There is currently sufficient inert waste disposal capacity available in Los Angeles County (LADPW 2017). Further, there are a number of operations within Los Angeles County that recycle construction and demolition material, and the Port, as standard conditions of permit approval, requires recycling of construction materials and use of materials with recycled content where feasible to minimize impacts to solid waste. Demolition debris would not exceed landfill capacity.

In summary, construction is anticipated to generate relatively small amounts of waste requiring disposal in a landfill, and construction would comply with applicable waste reduction requirements. Operation of the proposed Project would not result in an increase in solid waste generation relative to baseline conditions. The proposed Project would be served by landfills with sufficient permitted capacity to accommodate the solid waste disposal needs. Therefore, this impact would be less than significant, and no mitigation is required.

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

Less-than-Significant Impact. The proposed Project would comply with all applicable codes pertaining to solid waste disposal. These codes include 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 proposed 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 would be less than significant, and no mitigation is required.

4.20 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?

Less-than-Significant Impact after Mitigation Incorporated. As discussed in Section 4.4, Biological Resources, impacts are less than significant with the incorporation of MM-BIO-1. As

discussed in Section 4.5, Cultural Resources, impacts would be less than significant, and no mitigation is required.

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.)

Less-than-Significant Impact. The proposed Project would not result in any cumulatively considerable impacts. Several other development projects are currently under construction, are planned, or have recently been completed within the Port. These projects include container terminal developments, industrial developments, and other waterfront plans. Future projects would be evaluated in a separate future environmental document. These types of projects and other present and/or probable 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 in Sections 4.1 through 4.19 of this IS/MND, the proposed Project would not result in significant impacts to aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, tribal cultural resources, or utilities and services systems that could not be mitigated to below significance.

The proposed Project would not result in significant impacts and only result in one mitigation measure related to biological resources. The Project site is currently developed with industrial uses similar to what the proposed Project now proposes. Because of the small scale and localized effects of the proposed Project, the potential incremental contribution from the proposed Project would not be cumulatively considerable. Operations will remain consistent and retrofits will be incorporated to render the facility compliant with seismic codes and safety regulations. The proposed Project represents a slight increase in vessels but still only allows for the berthing of one vessel at a time. As such, operational impacts of the proposed Project would not contribute to a cumulative impact. The analysis has determined that the proposed Project would not have any individually limited but cumulatively considerable impacts.

Approved projects as well as other current and future probable 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. These regulations include but are not limited to Los Angeles City Building Code, LAHD *Sustainable Construction Guidelines*, SCAQMD regulations, US ACE Letter of Permission and Regional Water Quality Control Board Section 401 Certification. The analysis

contained herein has determined that the proposed Project would not have any individually limited but cumulatively considerable impacts. No mitigation measures are required.

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

Less-than-Significant Impact. Based on the analysis in this IS/MND, substantial adverse impacts on human beings would not occur as a result of the proposed Project. All impacts related to the proposed Project are less than significant.

5.0 PROPOSED FINDING

LAHD has prepared this IS/MND to address the environmental effects of the proposed Project. Based on the analysis provided in this IS/MND, LAHD finds that the proposed Project would not have a significant effect on the environment with the incorporation of the mitigation measures described in this document.

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7.0 ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
AAQS	ambient air quality standards
AB	Assembly Bill
Air Basin	South Coast Air Basin
AQMP	Air Quality Management Plan
BD	breasting dolphin
BMP	best management practice
CAA	Clean Air Act
CAAP	Clean Air Action Plan
CalEEMod	California Emissions Estimator Model
CAO	Cleanup and Abatement Order
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Los Angeles
CO	carbon monoxide
CO_2e	carbon dioxide equivalent
CRHR	California Register of Historical Resources
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
DWT	deadweight tons
EPA	U.S. Environmental Protection Agency
FHP	floating hydrocarbon product
GHG	greenhouse gas
HCP	Habitat Conservation Plan
I	Interstate
IS	Initial Study
KOP	Key Observation Point
LADWP	Los Angeles Department of Water and Power
LAFD	Los Angeles Fire Department
LAHD	Los Angeles Harbor Department
LAPD	Los Angeles Police Department
LARWQCB	Los Angeles Regional Water Quality Control Board
LOA	Length overall

Acronym/Abbreviation	Definition
LST	Localized Significance Threshold
MD	mooring dolphin
mgd	Million gallons per day
MM	mitigation measure
MND	Mitigated Negative Declaration
MOTEMS	Marine Oil Terminal Engineering and Maintenance Standards
mty	metric tons per year
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OEHHA	Office of Environmental Health Hazard Assessment
OGV	ocean-going vessel
PBF Energy	PBF Energy Western Region LLC
PM_{10}	particulate matter less than or equal to 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PMP	Port Master Plan
Port	Port of Los Angeles
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SO_X	sulfur oxide
SRA	source receptor area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SWT-I	Southwestern Terminal Area I
SWT-II	Southwestern Terminal Area II
TITP	Terminal Island Treatment Plant
USCG	U.S. Coast Guard
USFWS	U.S. Fish and Wildlife Service
UWMP	Urban Water Management Plan
VDU	vapor destruction unit
VOC	volatile organic compound

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