# Chapter 1
# Introduction

## 1.1 Final EIS/EIR Organization

This chapter presents background and introductory information for the proposed Berths 97-109 Container Terminal Project (proposed Project), located in the West Basin in the Port of Los Angeles (Port). Additionally, this chapter discusses general changes and modifications made to the Recirculated Draft Environmental Impact Statement/ Environmental Impact Report (EIS/EIR), which are mostly editorial in nature.

Chapter 2, Responses to Comments, presents information regarding the distribution of, and comments on the Recirculated Draft EIS/EIR, and the responses to these comments. Chapter 3 presents the modifications to the Recirculated Draft EIS/EIR. This includes revisions to the Executive Summary, Introduction, Project Description, Impacts Analyses (Aesthetics, Air Quality, Biological Resources, Cultural Resources, and Ground Transportation), and Comparison of Alternatives. There also are revisions to sections such as References, List of Preparers, Acronyms and Abbreviations, and the Appendixes, including inclusion of a new appendix, Appendix P.

This Final EIS/EIR has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) (42 United States Code [USC] 4341 *et seq*.), and in conformance with the Council for Environmental Quality (CEQ) Guidelines and the United States Army Corps of Engineers (USACE) NEPA Implementing Regulations. The document also fulfills the requirements of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] 21000 *et seq*.), the State CEQA Guidelines (California Administrative Code [CAC] 1500 *et seq*.), and the Amended Stipulated Judgment (ASJ). The USACE is the NEPA lead agency for this proposed Project, and the Los Angeles Harbor Department (LAHD) is the CEQA lead agency.

## 1.2 Project Background

### 1.2.1 Introduction and Project Overview

This section describes the proposed Project (shown in Figures 1-1 and 1-2). A description of alternatives to the proposed Project is provided in Section 2.5 of the Recirculated Draft EIS/EIR. The proposed Project includes three phases of terminal construction and development: Phase I, Phase II, and Phase III. Phase I construction, which included installing four A-frame cranes, wharf improvements, constructing bridge improvements, new backlands construction, and modifications to the entry gate, has been completed consistent with the ASJ and federal Settlement Agreement discussed in

on June 21, 2004. The estimated completion dates of Phases II and III are 2011 and 2012, respectively.

The proposed Project would be designed to optimize container terminal operations in the Berth 97-109 area, along with a 40-year lease (2005 to 2045) to China Shipping Container Lines (China Shipping) to operate the terminal. LAHD will develop the terminal for the proposed tenant.

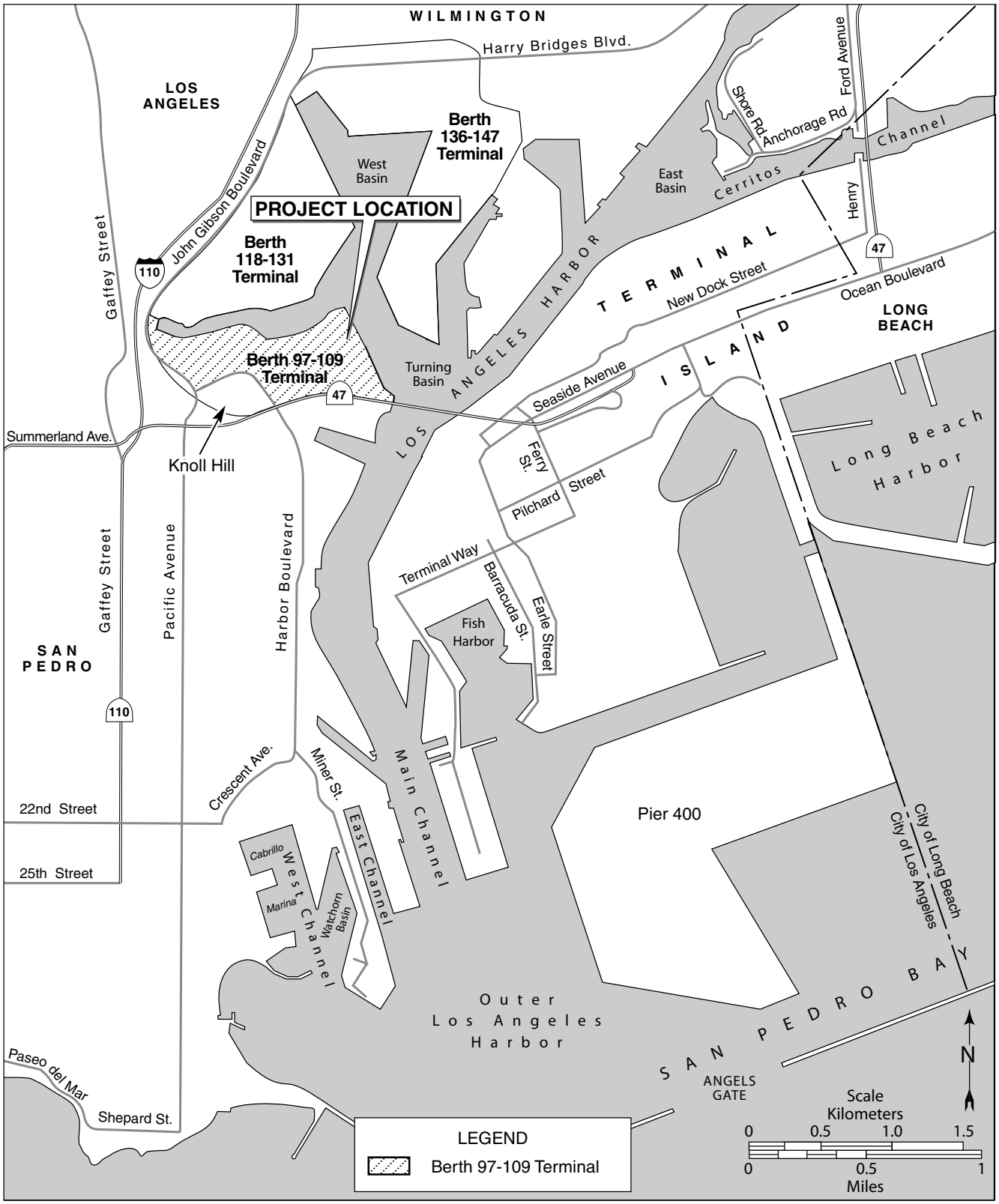
- Major elements of the proposed Project development include: new wharf construction and lengthening at Berths 100 and 102, the addition of 10 shoreside A-frame cranes, the expansion and development of 142 acres of terminal backlands, the construction of container terminal buildings, gate facilities and accessory structures, the construction of two new bridges over the Southwest Slip to connect Berth 97-109 Container Terminal to Berth 121-131 Container Terminal, the construction of road improvements in the vicinity, and minor dredging to match the West Basin channel depth of -53 feet. The proposed improvements are illustrated in Figure 1-3, and additional detail on the proposed Project is provided in Section 2.4.2 of the Recirculated Draft EIS/EIR. The proposed terminal is bounded by Harbor Boulevard, the Berth 121-131 (Yang Ming) Container Terminal, and the Los Angeles World Cruise Center terminal at Berths 90-93.

#### 1.2.1.1 Proposed Project Throughput Comparison

Levels of activity at the Berth 97-109 Container Terminal during the CEQA baseline year (April 2000 to March 2001) and the NEPA baseline years (2005, 2015, 2030, and 2045) are compared to the proposed Project and summarized in Table 1-1. Information pertaining to the CEQA baseline is presented in Section 2.6.1 and Appendix H of the Recirculated Draft EIS/EIR. Information pertaining to the NEPA baseline is presented in Section 2.6.2 of the same document. Methods used to develop cargo throughput numbers are discussed in Section 1.1.3 of the Recirculated Draft EIS/EIR. Modeling of the activity at the proposed Project site shows that cargo throughput would reach its maximum at year 2030 and, due to physical constraints at the terminal, would not increase from 2030 to 2045, the end of the 40-year lease period.

#### 1.2.1.2 Need for Additional Capacity

Section 1.1.3 of the Recirculated Draft EIS/EIR describes the forecasted cargo volumes for the Port through the year 2030 and shows that the capacity of the Port terminals in that year, even with anticipated improvements in operational efficiency, as well as expansions and modernization, would be unable to accommodate the forecasted cargo demand. That analysis included the Berth 97-109 Container Terminal because terminal capacity throughout the Ports of Long Beach and Los Angeles (South Bay Ports) would be improved by the proposed Project, as well as by other planned improvements at the Port of Long Beach and other terminals in the Port of Los Angeles. The analysis showed that all terminals in both ports are expected to be operating at maximum capacity, so that capacity not realized through failure to expand Berths 97-109 could not be accommodated at other terminals.




Source: POLA, 2003

**Figure 1-1**
**Project Site and Vicinity**
**Berth 97-109 Container Terminal Project EIS/EIR**

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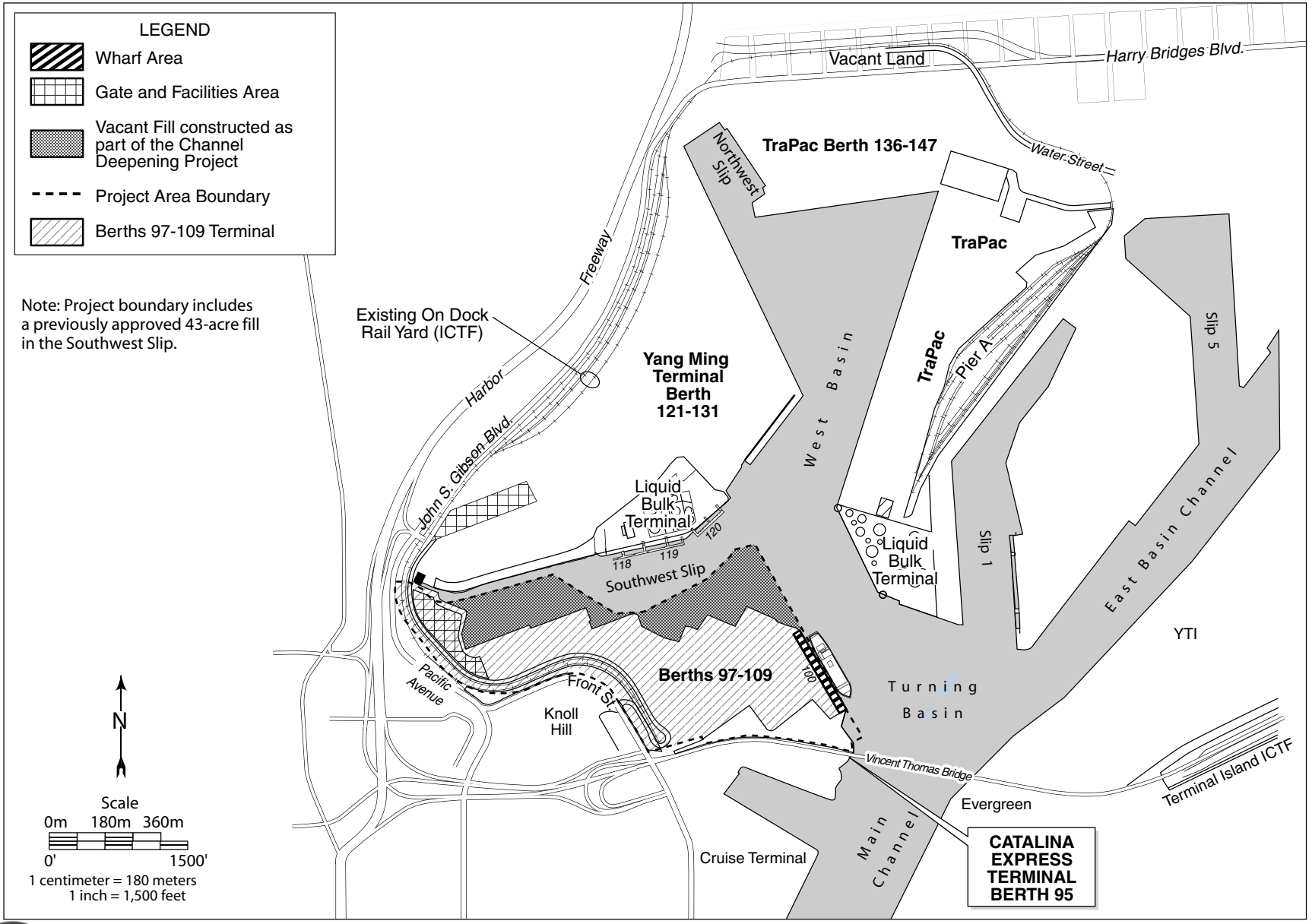


**Figure 1-2**
**Project Site - Existing Conditions**
**Berth 97-109 Container Terminal Project EIS/EIR**

Source: POLA, 2003

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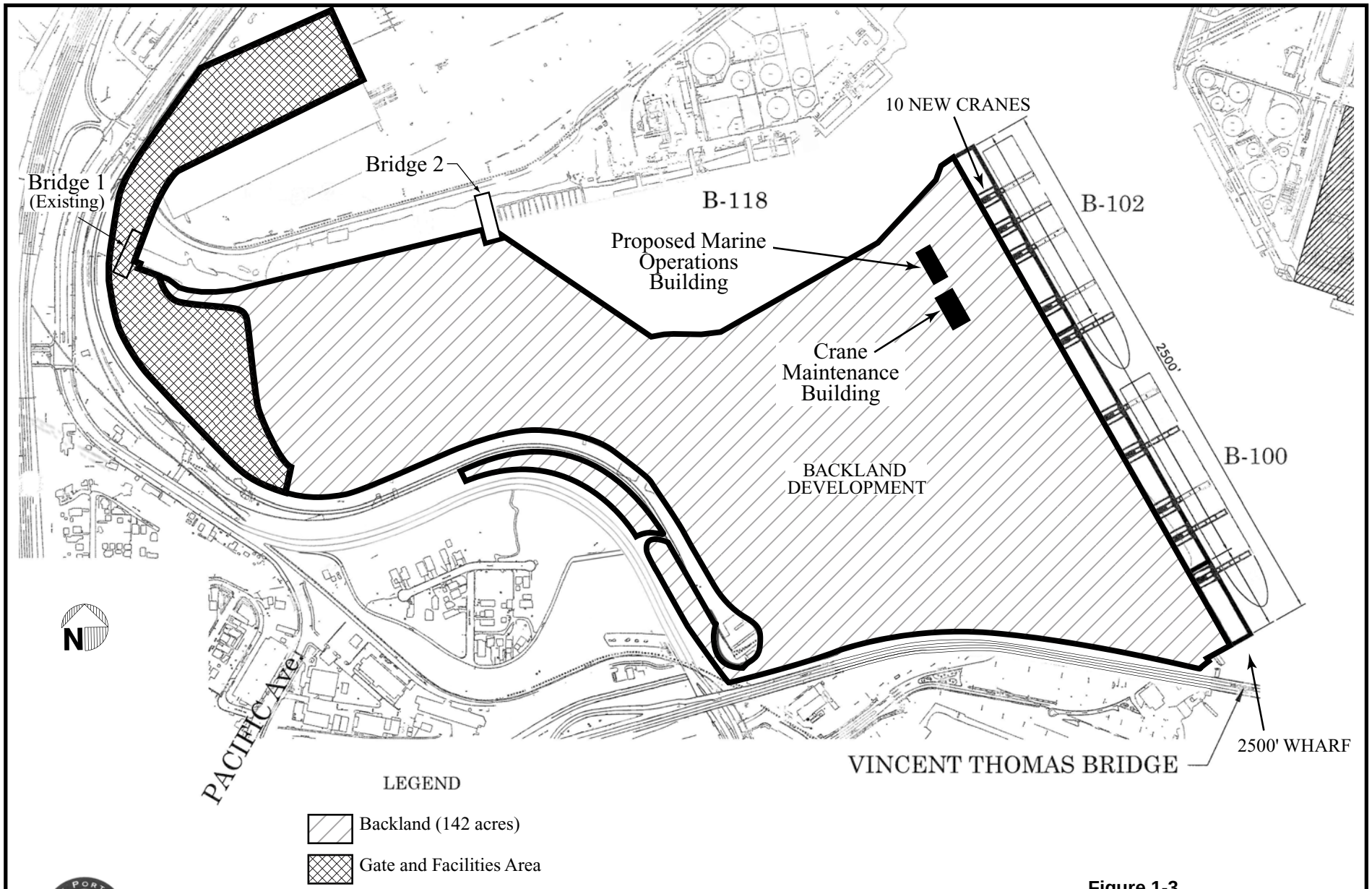


**Figure 1-3**
**Proposed Project at Buildout**
**Berth 97-109 Container**
**Terminal Project EIS/EIR**

Source: POLA, 2003

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**Table 1-1.** Project Throughput Comparison

| | CEQA Baseline [a] | NEPA Baseline[b] | | | | Proposed Project | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | **2005** | **2015** | **2030*** | **2045*** | **2005** | **2015** | **2030*** | **2045*** |
| Terminal Acreage | 11 | 72 | 117 | 117 | 117 | 72 | 142 | 142 | 142 |
| TEUs per Acre | 4,103 | 5,600 | 5,400 | 5,405 | 5,405 | 5,600 | 8,200 | 10,922 | 10,922 |
| Total Annual TEUs | 45,135 | 403,200 | 631,800 | 632,500 | 632,500 | 403,200 | 1,164,400 | 1,551,000 | 1,551,000 |
| Annual Ship Calls | 0 | 0 | 0 | 0 | 0 | 52 | 182 | 234 | 234 |
| Daily Truck Movements (Peak) | 0 | 0 | 0 | 0 | 0 | 1,529 | 4,364 | 5,055 | 5,055 |
| Annual Truck Trips** | 0 | 0 | 0 | 0 | 0 | 417,702 | 1,192,185 | 1,508,004 | 1,508,004 |
| Annual Rail Movements[c] | 0 | 0 | 0 | 0 | 0 | 224 | 648 | 817 | 817 |
| % TEUs by Truck[d] | 0 | 0 | 0 | 0 | 0 | 80.5 | 79.7 | 83.1 | 83.1 |
| % TEUs to Near Dock Rail | N/A*** | N/A*** | N/A*** | N/A*** | N/A*** | 19.1 | 18.3 | 19.6 | 19.6 |
| % TEUs by On-Dock Rail | 0 | 0 | 0 | 0 | 0 | 19.5 | 20.3 | 16.9 | 16.9 |
| Number of Cranes | 0 | 0 | 0 | 0 | 0 | 4 | 10 | 10 | 10 |
| Estimated Number of Employees (direct, indirect, and induced)[e] | 0 | 0 | 0 | 0 | 0 | 72 | 85 | 112 | 112 |

TEU Twenty-foot equivalent unit

[a] In 2001, the Berth 97-109 terminal was being used as off-terminal storage by Yang Ming (Berths 121-131). Only direct containers stored on the Berth 97-109 terminal and the associated truck movements between the terminals are accounted for in these baseline conditions (see Section 2.6 Recirculated Draft EIS/EIR). Under the CEQA baseline, the acreage varied, but 11 acres are assumed for purposes of this document. NEPA baseline conditions in 2001 are the same as CEQA baseline conditions.

[b] In the NEPA baseline, the Berth 97-109 terminal is assumed to be used as off-terminal storage by Yang Ming (Berths 121-131). Only direct containers stored onsite and the associated truck movements between the terminals are accounted for in NEPA baseline conditions (see Section 2.6 Recirculated Draft EIS/EIR).

[c] Estimated annual rail round trips. Includes both on- and near-dock rail. Calculation extrapolated from annual TEU figures specified by Rail Master Plan and actual Yang Ming rail yard projections. Assumes 375 containers per round trip and 1.85 TEUs per container or 694 TEUs per round trip.

[d] Truck trips are distributed as follows. 2005: 19.1% to near-dock rail, 50.0% are local delivery, and 11.4% leave the South Coast Basin
2015: 18.3% to near-dock rail, 50% are local delivery, and 11.4% leave the South Coast Basin
2030/45: 19.6% to near-dock rail, 50% are local delivery, and 13.5% leave the South Coast Basin

[e] 2005 and 2015 employee estimates interpolated from the 2030 estimate, based on TEU throughput.

*Maximized at 2030

**Round trips. This includes truck trips carrying no containers; therefore, 0 TEUs.

***Under the CEQA and NEPA baselines, the terminal serves as supplemental backlands for the Berth 121-131 Container Terminal. The TEUs on the supplemental backlands are associated with the Berth 121-131 Container Terminal and, therefore, do not result in any new TEUs that could utilize on-dock rail.

The results of the demand-driven forecasts and the capacity-driven forecasts are presented in Figure 1-4 and are based on the JWD and Mercer Studies as described in Section 1.1.3 of the Recirculated Draft EIS/EIR and on terminal-specific information such as wharf length and backland acreage. The demand for cargo throughput capacity at the Port will continue to rise (see line labeled "Mercer Demand" in Figure 1-4). Capacity (the line labeled "JWD Capacity" in Figure 1-4) will continue to rise (until approximately 2030), as a result of two factors: increasing operational efficiency on the part of the terminal operator and physical improvements to the terminal facilities accomplished under the proposed Project or Project alternatives. The capacity line in Figure 1-4 is based upon the proposed Project; other alternatives would produce different lines (see Appendix I of the Recirculated Draft EIS/EIR). As Figure 1-4 shows, even with implementation of the improvements of the proposed Project, the physical capacity of the Berth 97-109 Container Terminal will reach a maximum in approximately 2030 and is expected to fall short of demand.

# 1.3 Existing Conditions

## 1.3.1 Regional Context

The Port consists of 28 miles of waterfront, approximately 300 commercial berths, and 7,500 acres of land and water. The Port is administered under the California Tidelands Trust Act of 1911 by the LAHD. The LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a landlord by leasing Port properties to more than 300 tenants. The Port contains 27 major cargo terminals, including facilities to handle automobiles, containers, dry bulk products, liquid bulk products, and cruise ships as well as extensive transportation infrastructure for cargo movement by truck and rail. The Port accommodates commercial fishing, canneries, shipyards, and boat repair yards; provides slips for 6,000 pleasure craft, sport fishing boats, and charter vessels; and supports community and educational facilities such as a public swimming beach, the Boy/Girl Scout Camp, the Cabrillo Marine Aquarium, and the Maritime Museum.

### 1.3.1.1 Project Setting

The proposed Project area is located within the West Basin portion of the Port of Los Angeles, approximately 20 miles south of downtown Los Angeles, immediately south of the community of Wilmington and east of the community of San Pedro (shown in Figure 1-1). The West Basin is used primarily for containerized cargo operation at three terminals: Berth 97-109 (China Shipping) Terminal, Berth 121-131 (Yang Ming) Terminal, and Berth 136-147 (TraPac) Terminal. Other uses in the West Basin include dry and liquid bulk operations at Berths 118-119, Berth 120, Berths 148-151, and the intermodal rail yard at Berths 121-131 that currently serves rail movements at the China Shipping and Yang Ming terminals.

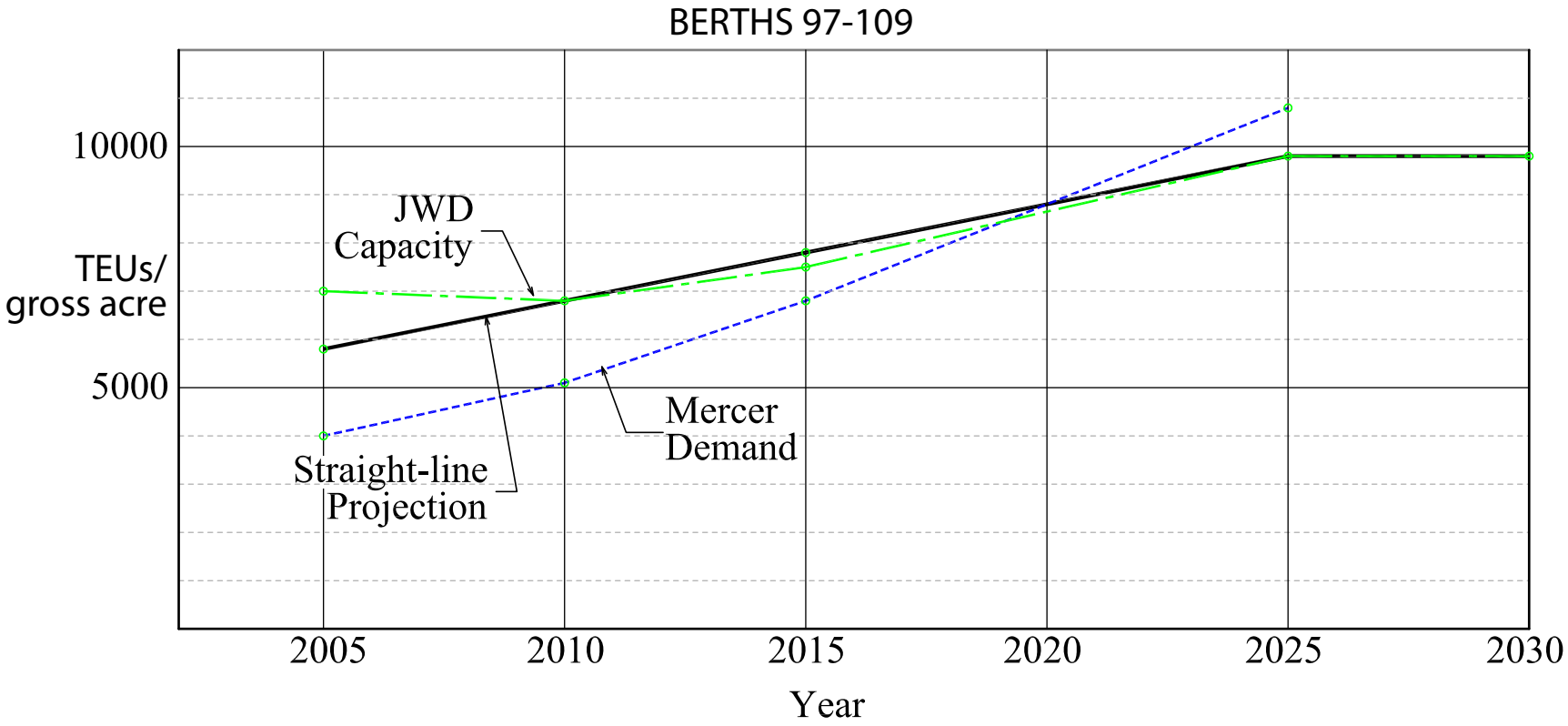


**Figure 1-4**
**West Basin Terminals**
**Throughput Projections**
**Berth 97-109 Container**
**Terminal Project EIS/EIR**

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### 1.3.1.2 Project Site and Surrounding Uses

As shown in Figure 1-1, the Berth 97-109 Container Terminal (proposed Project) is located adjacent to the San Pedro District of the Port. It is bordered by the Southwest Slip on the north, by John S. Gibson Boulevard and Pacific Avenue on the west, by the West Basin Channel on the east, and by Knoll Hill, Front Street, and the Vincent Thomas Bridge on the south. Adjacent and north of the Southwest Slip is the Yang Ming Terminal (Berths 121-131). Located immediately to the south are the Los Angeles World Cruise Center, Lane Victory, and the Catalina Express ferry terminal.

Existing equipment and facilities, developed as part of Phase I, on the proposed Project site include four A-frame cranes along the wharf, paved backlands used for container storage, mobile equipment used to handle containers, and wharves (at Berth 100). Prior to construction, the site was largely undeveloped backlands. Surrounding land uses include the community of San Pedro to the west of the terminal, and heavy port industries to the north, south, and east. Wilmington is a predominantly residential community but also contains community and commercial uses.

### 1.3.1.3 Historical Use of the Project Site

The proposed Project site, prior to use as a container terminal, was used by Chevron USA for a marine oil tank farm and terminal with two oil tanker berths and Todd Pacific Shipyard for a shipbuilding and maintenance facility. As part of the West Basin Widening project, 9 acres of the eastern end of the Chevron site were removed to widen the West Basin Channel for improved navigation.

Beginning in 1916, Chevron USA operated a Marine Oil Terminal at Berths 97-102 (berth designations predate the reconfigured shoreline that resulted from the West Basin Widening Project). Terminal operations occupied approximately 16.5 acres of land, which contained 20 large aboveground storage tanks. The terminal was decommissioned and demolished in the early 1990s. Remediation activities at the site began in 1993 using thermal desorption of the soil and recovery of free hydrocarbon product from the surface of the groundwater.

Todd Pacific Shipyards occupied Berths 103-109 from 1917 to 1998. The shipyard was used for construction, maintenance, and repair operations of large commercial and naval vessels. Since decommissioning and demolition of the shipyard, the property has undergone a series of remediation and reclamation activities.

Following use by Chevron and Todd Shipyard, the site was used temporarily for construction staging for the Pier 300/400 and Badger Avenue Bridge projects and for storage of automobiles, containers, and truck chassis. In 2000-2001 (prior to the construction of the Phase I development), a portion of the site used for supplemental container storage by the adjacent Yang Ming Container Terminal.

## 1.3.2 Project Purpose

Los Angeles Harbor Department operates the Port under legal mandates under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601) and the Coastal Act (PRC Div 20 Section 30700 *et seq.*), which identify the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries and harbor operations. According to the Tidelands Trust, Port-related activities should be water dependent and should give highest priority to navigation and shipping, as well as provide necessary support and access facilities for accommodating the demands of foreign and domestic waterborne commerce.

The overall purpose of the proposed Project is to expand and optimize[1] the cargo-handling efficiency and capacity of the Port at Berths 97-109 to address the need to optimize Port lands and terminals for current and future containerized cargo handling. This purpose would be accomplished through the construction of a marine terminal of approximately 142 acres that would accommodate an annual throughput of up to 1.55 million twenty-foot equivalent units (TEUs).

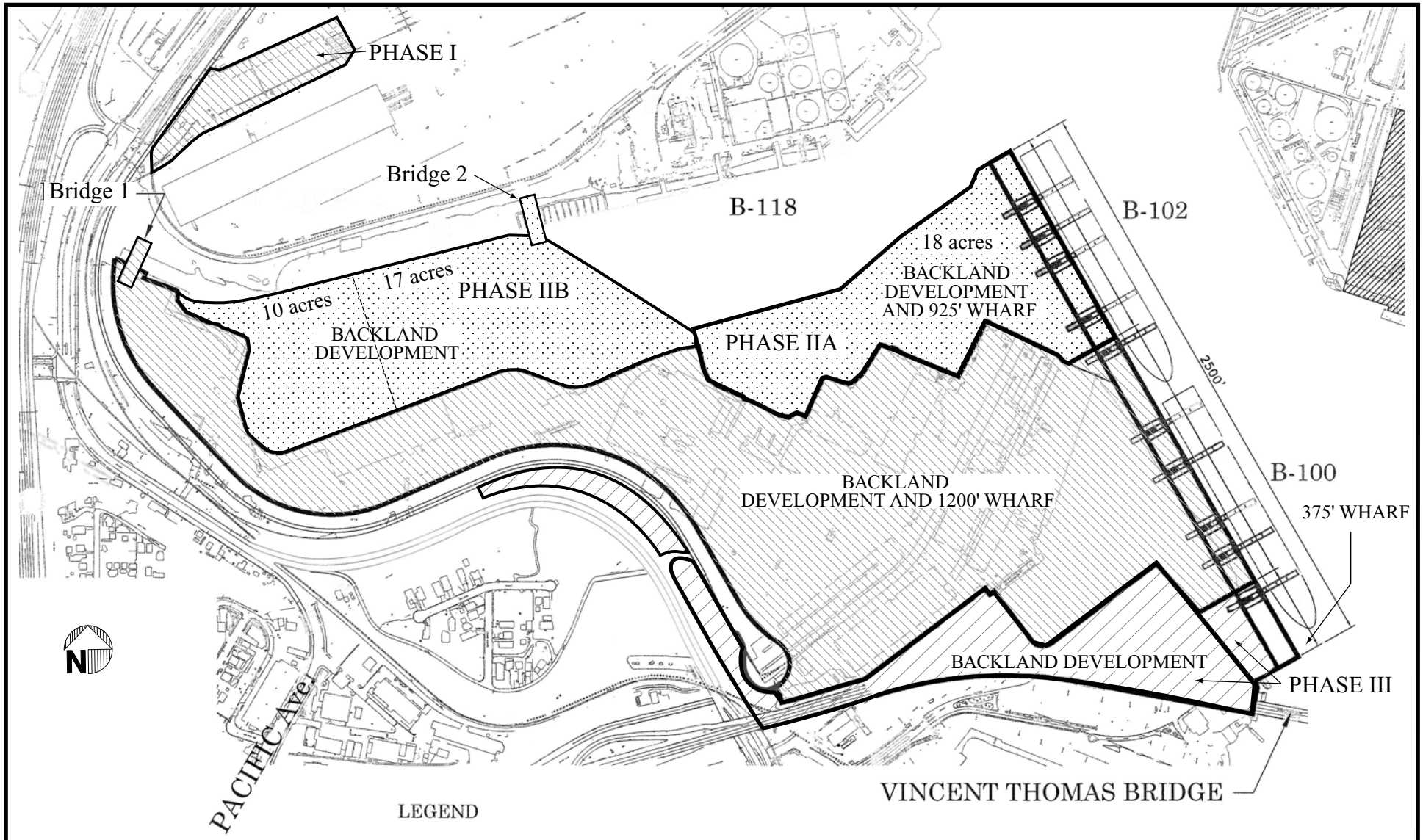
## 1.3.3 Proposed Project

### 1.3.3.1 Project Summary – General Overview

The proposed Project (shown in Figure 1-3 and Figure 1-5) consists of the development and operation of a new container terminal for the China Shipping Lines at Berths 97-109. The terminal would be developed by LAHD in three phases of construction, Phase I (completed and in operation since 2004), Phase II (estimated completion in 2011), and Phase III (estimated completion in 2012), as summarized in Table 1-2. The terminal would operate over a 40-year lease (2005 to 2045). China Shipping is operating under an existing lease, which will be reconsidered as part of the proposed Project. Phase I elements in operation are consistent with the ASJ and the federal Settlement Agreement summarized in Section 1.4.3 of the Recirculated Draft EIS/EIR.

Phase I elements and existing operation (2004 to 2007) are being reanalyzed in conjunction with future construction and operation (2008 to 2045) as part of this environmental analysis. The proposed Project would operate at maximum capacity by 2030. Figure 1-2 presents a plan view of the existing conditions at the proposed Project site, while Figure 1-3 provides a representative sketch of the proposed Project at full buildout and maximum capacity (2030).

[1] *To optimize* means to make as functional as possible; whereas, *to maximize* means to use to the maximum extent possible. As part of the proposed Project, the Port seeks to develop the Berth 97-109 terminal to allow the maximum cargo throughput in the most efficient manner (for example, the terminal at full buildout will be able to accommodate larger, more efficient ships). For the purposes of this document, the word *optimize* will be used; however, the environmental analysis assumes the maximum throughput levels allowed based on the terminal's physical capacity. Actual throughput levels might be lower due to changes in consumer demand patterns and/or economic conditions.




Source: POLA, 2003

**Figure 1-5**
**Proposed Project Terminal Construction Phases I-III**
**Berth 97-109 Container Terminal Project EIS/EIR**

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**Table 1-2.** Berth 97-109 Container Terminal Construction Phasing

| Activity | Duration* | Period |
|---|---|---|
| **Phase I** | | |
| Construct 1,000-foot Wharf at Berth 100 | 12 months | Q1 2002 to Q4 2002 |
| Construct 200-foot Wharf at Berth 100 | 6 months | Q2 2003 to Q3 2003 |
| Crane Delivery and Installation | | Q4 2002 |
| Develop 72-acre Backlands at Berth 100 | 12 months | Q1 2002 to Q4 2002 |
| Construct Bridge 1 | 6 months | Q2 2002 to Q3 2002 |
| Construct Berth 121 Gate Modifications | 3 months | Q2 2003 |
| **Phase II** | | |
| Construct Berth 102 - *Phase II(a)* | 15 months | Q1 2009 to Q1 2009 |
| Construct Berth 100-109 Buildings – *Phase II(a)* | 12 months | Q2 2009 to Q1 2010 |
| Construct 18 of 45-acre Backlands – *Phase II(a)* | 12 months | Q2 2009 to Q1 2010 |
| Construct Bridge 2 | 12 months | Q1 2009 to Q4 2009 |
| Construct 17 of 45-acre Backland – *Phase II(b)* | 12 months | Q2 2010 to Q1 2011 |
| Construct 10 of 45-acre Backlands (Behind 17 of 45-acre backland) – *Phase II(b)**** | 9 months | Q3 2010 to Q1 2011 |
| Crane Delivery and Installation | - | Q1 2010 |
| **Phase III** | | |
| South Extension of Berth 100** | 15 months | Q4 2010 to Q1 2012 |
| Construct 25-acre Backlands (Behind Berth 100)** | 12 months | Q2 2011 to Q1 2012 |
| Crane Delivery and Installation | - | Q4 2011 |

Notes:

Q1, Q2, Q3, and Q4 signify the respective quarters of the year,

*Durations provided in this table are only for the construction period. The bid and award period is not included in the provided durations.

**Start of South Extension of Berth 100 and 25-acre backland construction (in Phase III) is contingent upon the relocation of the Catalina Express Terminal currently located at Berth 100.

***Ten of 45 acres includes 8 acres of existing fill (created by the Channel Deepening Project) that will require approval of a Master Plan Amendment (MPA) revision approval for operation as backlands prior to starting construction for the backland.

As part of the proposed Project, China Shipping would be granted a 40-year lease, beginning in 2005 and ending in 2045, to occupy and operate the terminal. As part of the lease, West Basin Container Terminal LLC (WBCT), a subsidiary of China Shipping Lines, would operate the terminal backlands. The lease would require that the premises be used for activities, operations, and purposes incidental to and related to the operation of a container terminal. Specifically, the lease would prohibit the tenant from any use of the premises other than those stated above without prior approval of the Port. Within the terms of the ASJ, China Shipping currently operates the terminal under a lease signed in 2005. Consistent with the ASJ, the existing lease would be modified upon certification of this EIS/EIR to require compliance with all laws and regulations, including environmental controls that are not part of the current lease. These additional environmental controls would be imposed pursuant to this EIS/EIR, the Clean Air Action Plan (CAAP), the Port Environmental Policy, and the Port Real Estate Leasing Policy (POLA, 2007), as discussed in Section 1.6 of the Recirculated Draft EIS/EIR. Measures would include emissions standards for terminal equipment, participation in the vessel

speed reduction program, fuel requirements, Alternative Maritime Power (AMP) for a proportion of marine vessels, clean truck requirements, and other environmental measures unrelated to air quality (such as stormwater management). WBCT would operate under the China Shipping lease as described above.

When operating at maximum capacity in 2030, the improved Berth 97-109 Container Terminal could handle approximately 1,551,000 TEUs per year, which represents an annual throughput of approximately 838,378 containers. To accommodate an annual throughput of 1,551,000 TEUs, 234 annual ship calls and associated tugboat operations (2 tugs are required each for ship docking and undocking, for a total of 4 tugs per call or 936 tugs annually), a total of up to 5,055 daily truck trips, and up to 817 annual round-trip rail movements would be required. As discussed in Section 1.1.3 of the Recirculated Draft EIS/EIR, these throughput numbers were determined using two forecasting models and represent the reasonably foreseeable upper limit of terminal operations. The models consider the capacities of the berth and wharf, along with cargo and vessel forecasts contained in the report *Forecast of Container Vessel Specifications and Port Calls within San Pedro Bay* (Mercator Transport Group, 2005). China Shipping might operate at lower TEU volumes than those described; however, an estimation of reasonably foreseeable throughput based on berth limitations ensures a conservative analysis in that all reasonably foreseeable Project operations are included. Additionally, ships not belonging to China Shipping (third-party invitees) occasionally might use the terminal. The estimated reasonably foreseeable throughput based on berth limitations considers the potential for such third-party ship calls. The details of each component of the proposed Project are described in Section 2.4.2 of the Recirculated Draft EIS/EIR.

Consistent with ongoing Port-area transportation studies, truck traffic through the terminal gate in 2005 was distributed as follows: 80 percent day shift (8:00 a.m. to 5:00 p.m.), 10 percent night shift (5:00 p.m. to 3:00 a.m.), and 10 percent hoot shift (3:00 a.m. to 8:00 a.m.) in 2005. The projected distribution of truck traffic through the terminal gate is expected to be: 80 percent day shift, 10 percent night shift, and 10 percent hoot shift in 2015. In 2030, truck traffic through the terminal gate is expected to be 60 percent day shift, 20 percent night shift, and 20 percent hoot shift. Shift splits as of 2001 showed over 90 percent of TEU throughput occurring during the day shift. The 80/10/10 split assumption was determined jointly by the Ports of Long Beach and Los Angeles staff, based on operational reports. This shift split was considered to be realistic and reasonably conservative for purposes of CEQA traffic analysis. A greater reduction in daytime throughput was assumed only in the longer term (2030) to be reasonably conservative, given expected changes in long-term port operations.

Based on the above splits, the terminal handled 403,200 TEUs in 2005, and an assumed 80 percent (322,560 TEUs) was handled during the day, 10 percent (40,320 TEUs) at night, and 10 percent (40,320 TEUs) during the hoot shift. In 2030 (at 1,551,000 TEUs), an assumed 60 percent of total volume would be handled during the day, with 20 percent at night and 20 percent during the hoot shift. As throughput grows, more gate movements would be distributed to the night and hoot shifts. Currently, infrastructure (such as the highway network) and employee levels can handle the majority of gate movements during the day hours. However, even with expected future upgrades to both on- and off-Port infrastructure and additional employees increasing the capacity, the gate will become more congested during these hours, thus shifting the additional throughput to the night and hoot shifts. Most cargo will continue to move through the gate during the day because warehouses and other cargo end users are expected to operate primarily during the day.

To ensure that cargo can be handled and moved through the gate at night, the Port and industry groups are exploring operational changes both at the Port and with end users. For example, Pier*PASS*, is a new program that implements financial disincentives to the movement of containers during peak hours (3:00 a.m. to 6:00 p.m., Monday through Friday). While this project assumes 24/7 operation in the future, the terminal, rail facilities, distribution centers, warehouses, and retailers are not expected to operate at full capacity during the night and hoot shifts.

#### 1.3.3.2 Project History

The Berth 97-109 Container Terminal site currently consists of a container shipping facility (Phase I) and part of the ferry service operated by Catalina Express. Prior to use as a container terminal, Chevron USA and Todd Shipyards were the most recent tenants of the Berth 97-109 area. Subsequent to the departure of these tenants, the area underwent a series of demolition, remediation, and reclamation activities and was used as a construction staging area for the Pier 300/400 projects and as temporary storage for autos, containers, and truck chassis. The site was also used as a temporary staging area during construction of the Badger Avenue Bridge Project. In 1997, the Port prepared and certified the West Basin Transportation Improvements Project (WBTIP) EIR that assessed the construction and operation of terminal and infrastructure improvements in the West Basin of the Port (LAHD, 1997).

On March 28, 2001, the Port prepared and executed a lease with China Shipping Lines for terminal construction and operation. The lease was supported by the WBTIP and the Deep Draft Navigational Improvements Project. In June 2001, a group of petitioners, including nearby homeowners and environmental groups, filed suit in state and federal courts alleging that LAHD did not comply with, among other things, NEPA or CEQA in approving a permit to construct the Berth 97-109 Container Terminal and a lease with the China Shipping Lines Company to occupy the terminal. On October 30, 2002, the State of California Second District Court of Appeals ordered a partial halt to ongoing construction of Phase I of the Berth 97-109 (China Shipping) Container Terminal Project (i.e., the proposed Project). The court ordered the preparation of a project-specific EIR to evaluate all three phases of the proposed Project. On March 6, 2003, the Superior Court of the State of California, Los Angeles District, approved a Stipulated Judgment memorializing the Settlement Agreement between the Project opponents and LAHD to settle the state case.

Subsequently, the Port and China Shipping negotiated with the litigants to amend the Stipulated Judgment. A compromise in the form of an ASJ was reached in March 2004 (see Appendix B of the Recirculated Draft EIS/EIR).

Although the China Shipping Container Terminal and Yang Ming Container Terminal share one gate complex, both the federal Settlement Agreement and the state court ASJ require the preparation of a project-specific environmental analysis of all three construction phases and operation of the proposed Project alone, not as part of any larger West Basin project or other project. The federal Settlement Agreement also provided that the previous Environmental Assessment and permit prepared by USACE would remain in place, until USACE reconsiders the permit terms and conditions upon completion of the EIS/EIR.

The ASJ, in consideration of additional mitigation measures and other requirements, allowed the Port to complete Phase I construction and commence operation of the China Shipping Project. Specifically, China Shipping operations are limited to the capacity

allowed by Phase I construction elements while the Project-specific China Shipping EIS/EIR is under preparation. Phase I China Shipping construction was completed in 2003, and operations officially began on June 21, 2004. Specific requirements set forth by the ASJ are discussed in Section 1.4.3.1 of the Recirculated Draft EIS/EIR. This Final EIS/EIR has been prepared pursuant to the terms of the ASJ and the obligations of the Port under CEQA, as well as pursuant to the federal Settlement Agreement and NEPA.

## 1.3.3.3 Project Elements

Key construction elements of the proposed Project include new wharves, dredging, backlands development and buildings, improvements to the John S. Gibson Boulevard entrance to the terminal, bridges connecting Berths 97-109 with Berths 121-131 to the north across the Southwest Slip and the Catalina Terminal relocation.

### 1.3.3.3.1 New Wharves

Upon completion of the proposed Project construction, the wharves at Berth 100 and Berth 102 would total approximately 2,500 feet. When completed, the Berth 100 and 102 wharves would include the existing 1,200-foot wharf at Berth 100 and 925 feet of new wharf at Berth 102, and the southern extension of Berth 100 (375 feet). The wharves are designed to accommodate the largest ships in the projected transpacific fleet that would each carry up to 10,000 TEUs. All wharves would be AMP capable, thus allowing ships to "plug in" to shoreside electrical power while at dock instead of using on-board diesel-powered generators. The existing 1,200-foot wharf at Berth 100 was completed as part of Phase I construction and involved the placement of 88,000 cubic yards ($yd^3$) of rock, 14,000 $yd^3$ of clean backfill material, and a 652 separate 24-inch-diameter octagonal concrete wharf piles. This section of wharf was completed in 2003 and officially began operation on June 21, 2004, in accordance with the terms of the ASJ.

Of the 1,300 feet of new wharf, approximately 925 feet would be constructed at Berth 102 on a previously approved dike that was built as part of the approved Channel Deepening Project. The new wharf at Berth 102 would extend northward from the existing Berth 100 wharf. New wharf would also be constructed to extend Berth 100 an additional approximately 375 feet south into the Catalina Express Terminal. Only the Berth 100 southern wharf extension (approximately 375 feet) would require new rock dike (116,000 $yd^3$) and fill (24,000 $yd^3$). The fill would be obtained from surplus clean fill located onsite (deposited and analyzed as part of the Channel Deepening Project). Wharf construction would include pile driving.

Under the proposed Project, a total of 10 new A-frame cranes[2] would be installed on the wharves at Berths 100 and 102. A-frame cranes have fixed towers that are approximately 240 feet high. When stowed (at a 45-degree angle), the articulated booms on these cranes normally extend to a height of about 280 feet and, for maintenance, are capable of being extended up to 360 feet in the vertical position.

[2]A-frame cranes are the standard cranes used throughout the Port for loading and unloading containers to and from ships. The A-frame cranes have booms that move up and down to gain access to different locations on the container ships.

Four A-frame cranes were installed during Phase I construction and are currently located at the Berth 100 wharf. Six additional A-frame cranes would be subsequently installed, one as part of the Berth 100 south wharf extension and five at the new Berth 102 wharf.

The ASJ requires that two, or potentially more, low-profile cranes[3] be used at Berth 102 as mitigation if the wharf is constructed and if the low-profile cranes are not determined to be "infeasible" under the terms of the ASJ. However, a determination by the Port that low-profile cranes are infeasible under the terms of the ASJ was upheld in an arbitration proceeding under the ASJ ("The Arbitration in the Matter of Los Angeles Superior Court Case No. BS 070017: Natural Resources Defense Council et al. v. City of Los Angeles," Judicial Arbitration and Mediation Services [JAMS] Case No. 1220036904 [November 26, 2007].)

Additionally, and independent of the arbitrator's decision under the ASJ, low-profile cranes have been determined under CEQA and NEPA to be infeasible and ineffective as mitigation for aesthetic and visual resources impacts of the proposed Project, as discussed in Section 3.1 of the Recirculated Draft EIS/EIR. Therefore, the use of low-profile cranes is not evaluated as a mitigation measure in the Recirculated Draft EIS/EIR. The Recirculated Draft EIS/EIR assumes that under the proposed Project, all of the 10 new cranes would be standard A-frame cranes. The 10 A-frame cranes would be used as needed along the entire 2,500-foot wharfage, although the fixed length (estimated at 1,200 feet) of the power cable of each crane imposes a limit on how far up and down the wharf each crane can travel. Figure 1-3 depicts the 10 new cranes evenly spaced along the China Shipping wharves at buildout.

The ASJ requires that AMP be implemented at the China Shipping Terminal to reduce diesel emissions while the ships are hoteled. AMP is the technique of utilizing shoreside electrical power from the power grid of the City of Los Angeles to operate the container ships when they are berthed at an appropriately equipped wharf. Plugging into shoreside power allows the emissions from auxiliary diesel engines/electrical generators of the ships to be replaced with emissions generated outside the Port area at cleaner-burning power plants. Initially, the shoreside electrical power would be transmitted to the berthed ship by large electrical cables that would extend from the wharf to barge-mounted transformers, which would be connected to the container ship. Eventually, the transformer would be located on the ships, and the ships would plug in directly to the wharf. The transformers convert the shoreside power to a usable voltage for ship operations. The location of the transformer does not affect operation; it represents the changing preferences of the Port and the shipping lines as the use of AMP has developed.

#### 1.3.3.3.2 Dredging

The construction of sections of new wharves at Berth 100 required clamshell dredging to remove approximately 41,000 $yd^3$ of sediments, with that material disposed of at the Port's Anchorage Road soil storage site. The dredging that occurred along the wharf at Berth 100 as a part of Phase I construction of the proposed Project matched the main channel depth of -53 feet, including an additional -2-foot overage to allow for normal construction tolerances. Major dredging is not necessary for Berth 102 because dredging was conducted previously in this area as part of the approved Channel Deepening Project as addressed in its Supplemental EIS/EIR (USACE and LAHD, 2000), and Port Master

[3]Low-profile cranes use a boom that moves horizontally, rather than up or down, to access different areas of the container ships. Because of this, they have a lower profile (total height of 185 feet or less) than A-frame cranes at rest (approximately 280 feet).

Plan Amendment No. 21 (USACE and LAHD, 2002). However, some minor maintenance dredging (less than 1,000 cubic yards) might be needed to remove sediments near Berth 102 that have settled since the Channel Deepening Project dredging, and this material would be beneficially reused or disposed of at the Anchorage Road soil storage site. The area of Berth 102, dredged to the -53-foot channel depth as part of the Channel Deepening Project, would be developed as a container ship wharf (Berth 102) in Phase II construction of the proposed Project.

On the basis of previous sampling and analyses, the USACE and United States Environmental Protection Agency (USEPA) determined that a portion of the dredge material in Phase I was unsuitable for unconfined ocean disposal. The dredge material was placed in the approved upland disposal site at Anchorage Road.

#### 1.3.3.3.3 Backlands Development and Buildings

The proposed Project at full buildout (2012) would allow for the operation of approximately 142 acres of backlands. The container terminal lease would cover 142 acres. Phase I construction developed 72 acres as container backlands. Phase II construction would develop an additional 45 acres of backlands on existing fill that the Channel Deepening Project created prior to 2002 Phase III construction would develop an additional 25 acres of backlands on existing adjacent land, which would include conversion of the existing Catalina Express facilities[4] into backlands.

Development of the backlands would include construction of a three-story 12,000-square-foot ($ft^2$) marine operation building, a one-story 3,200-$ft^2$ (plus 2,900 $ft^2$ of canopy) crane maintenance building (both buildings would be located behind Berth 102), new gate and entrance facilities, chassis racks, a compressed air system, lighting, fire hydrants, and other infrastructure and equipment necessary to ensure the safe and efficient movement of cargo. Both buildings will meet Leadership in Energy and Environmental Design (LEED) standards and are expected to meet, at minimum, LEED silver certification. Figure 1-3 shows the general location of the buildings and gate structures. The terminal lighting, chassis racks, and fire hydrants would be distributed around the backlands. These additional backland improvements would require construction activities such as grading, drainage, paving, striping, lighting, fencing, and the addition of utility facilities and equipment.

#### 1.3.3.3.4 Improvements to John S. Gibson Boulevard Entrance

The proposed Project includes traffic control modifications and reconfiguration of roadway geometrics at the existing shared entrance of the Berth 97-109 and Berth 121-131 terminals along John S. Gibson Boulevard to improve the flow of truck traffic. These modifications were completed as part of Phase I construction and operations. These improvements occurred within the terminals, outside the public right-of-way. Onsite improvements at the entrance gate included geometric lane upgrades to allow for better container truck queuing and modification of entrance/exit gates to allow for technological improvements in gate operations. Other gate features such as a new scale and additional lighting were included.

[4]The Catalina Express terminal would be relocated to Berth 95 as part of the proposed Project. The operation might be moved again as part of the San Pedro Waterfront Project, in which case it would be evaluated in the environmental document prepared for that project.

#### 1.3.3.3.5 Bridges from Berth 97-109 Container Terminal to Berth 121-131 Terminal

Two bridges would be constructed across the Southwest Slip as part of the proposed Project to facilitate additional cargo movement between the Berth 97-109 Container Terminal and the Berth 121-131 terminal. One bridge was constructed under Phase I, and the second bridge would be constructed during Phase II. The Phase I bridge is approximately 130 feet long and 63 feet wide. The Phase II bridge would be approximately 143 feet long and 63 feet wide. Both bridges would be supported by abutments at each end so that no fill would be discharged into waters of the United States (U.S.). The spans of the bridges would be precast girders, and the decks would be cast-in-place concrete.

Inbound containers (unloaded at the proposed Project) destined for delivery by rail would be hauled over the bridges to the existing on-dock rail yard at the Yang Ming Terminal (Berths 121-131). Similarly, outbound containers destined for the proposed Project would be unloaded at the same on-dock rail facility and transferred to the backlands at the proposed China Shipping Terminal. Both of these container transfers would use the two proposed bridges across the Southwest Slip. These bridges would enable trucks to gain access to both terminals and, thereby, to minimize truck traffic on Front Street and John S. Gibson Boulevard.

#### 1.3.3.3.6 Catalina Express Terminal Relocation

As part of the Berth 100 wharf extension, Catalina Express Terminal operations would be relocated from Berth 96 to the south of the Vincent Thomas Bridge at Berth 95. The existing Catalina Express floating docks would be relocated southerly toward the Lane Victory. Passenger loading of the Catalina Express would occur from the relocated floating dock located between Lane Victory and the bridge. Up to three new floating docks will be provided near Berth 95. These floating docks would accommodate two vessels at a time, along with Catalina Express vessels not in use. Existing parking facilities at Berth 95 would be used. Operations at the Catalina Terminal would be housed in the existing Pavilion Building. The existing Princess Pavilion would be remodeled and the administrative functions of the Catalina Express Terminal would be relocated to the remodeled building. Following this, the existing Catalina Express Terminal building would be demolished.

In-water upgrades near Berth 95 would be minor and would include installing new floating docks, requiring a federal permit. Several piles and minor dike or fill placement may be required to anchor the docks. Catalina Terminal operates four to six vessels ranging from 95 to 145 feet; the terminal runs four daily trips to Catalina and nine trips on Saturdays and Sundays.

#### 1.3.3.3.7 Terminal Operations

The completed Berth 97-109 Container Terminal would have a maximum annual throughput capacity of approximately 1,551,000 TEUs (838,338 containers) reached by 2030 (Table 1-1). By 2030, terminal operations are expected to occur 350 days per year, in three 8-hour shifts per day, 7 days per week, and to directly employ approximately 112 workers during the day and up to 70 at night. While the terminal is expected to operate 24 hours a day, actual work time will be less than 24 hours to accommodate employee breaks and slow-downs during shift changes. It is assumed that two vessels

would be berthed at any one time, and approximately 234 vessel calls per year are expected by 2030.

**Marine Terminal Operations.** The operation of container vessels, their loading and unloading, and the handling of containers in the terminal are described in Section 1.1.2 of the Recirculated Draft EIS/EIR. A total of three vessels could be berthed at the terminal at any one time, but the more usual case would be two vessels at berth. While three vessels could fit at the berth, this scenario would happen only in extreme cases (for example, if a ship were delayed in crossing due to weather or mechanics) due to crane limitations and vessel schedules. By design, shipping companies deploy vessel strings that are spread to avoid berth overlaps. This allows the ship to be turned faster while in port because the maximum amount of cranes and gangs can be dedicated to the ship. With 10 cranes, the optimal condition at Berths 97-109 is to have two ships with 5 cranes per ship. At maximum berth capacity, the terminal would experience approximately 234 vessel calls per year by 2030.

A proportion of the vessels calling at the Berth 97-109 terminal would use AMP while at berth to be consistent with the ASJ. That requirement would be phased-in over time as described in Section 2.4.2.1 of the Recirculated Draft EIS/EIR. AMP allows vessels to turn off their diesel auxiliary generators and support hoteling needs with shoreside electrical power.

**Truck Operations.** Based on models derived from the Port's Baseline Transportation Study and Rail Study, by 2030, when the throughput of the terminal is expected to reach maximum capacity, the Berth 97-109 terminal would generate approximately 5,055 daily truck trips (Table 1-1). Those trips would include local cargo (principally from Southern California but including northern California, Arizona, Nevada, and Utah), national cargo hauled entirely by truck, and intermodal cargo bound for or coming from locations farther east. In 2030, it is assumed that 83.1 percent of containers (or approximately 1.3 million TEUs) are moved by trucks (including being trucked to near- and off-dock rail yards). Of the approximately 1.3 million TEUs, approximately 303,996 TEUs are intermodal cargo trucked to nearby dock rail yards.

The intermodal component would consist of containers that could not be accommodated by the on-dock rail yard located at the adjacent Berth 121-131 (Yang Ming) terminal. Because all the containers on a train, which is assembled in the on-dock rail yards, are bound for the same destination, containers bound for other locations are hauled to nearby dock facilities to be grouped with containers from other terminals bound for the same destination. Trucks would haul those containers on public highways to and from offsite rail yards, including the Union Pacific Carson Intermodal Container Transfer Facility (ICTF), the Burlington Northern Santa Fe Hobart Yard in Vernon, and the Union Pacific East Los Angeles Yard. Nonintermodal cargo, both local and national, would be hauled to and from the terminal gates by trucks.

As rail use increases over time, the proportion of cargo hauled by truck would change, but terminal planners estimate that in 2030, and thereafter, approximately 83.1 percent of the cargo (5,055 truck trips per day and 1,508,004 annual truck trips) would move by truck at least as far as an offsite rail yard. For this analysis, the split is assumed to be 19.6 percent truck trips to near-dock rail, 50 percent local deliveries, and 13.5 percent deliveries outside the South Coast Air Basin (destined to the national market) in 2030.

**Rail Operations.** The on-dock rail yard at the adjacent Berth 121-131 (Yang Ming) terminal would handle cargo from the Berth 97-109 terminal. According to the Port Rail Master Plan and the Ground Transportation analysis conducted for the proposed Project, the rail yard could handle approximately 462,500 TEUs annually. It is assumed that China Shipping would use 50 percent of the on-dock capacity or 231,250 TEUs annually, which represents approximately 15 percent of the projected 2030 throughput of 1.5 million TEUs per year.

Containers would be hauled by yard tractors between the vessel berths and the Berth 121-131 rail yard via bridges connecting the two terminals. At the rail yard, containers would be lifted on and off railcars by mobile cranes or rubber-tired gantry (RTG) cranes. The rail yard would operate 24 hours per day, 350 days per year, and could accommodate two double-stack unit trains each day. Although each train in each direction could carry a maximum of 250 containers that are 40 feet long, the trains usually carry fewer than that due to weight considerations. A more realistic estimate is that each inbound train trip (into the port) transports an average of 150 containers (278 TEUs) plus empty railcars, while each outbound train trip (to inland locations) transports an average of 225 containers (416 TEUs), for an average of 375 containers (694 TEUs) per round trip (Yang Ming, 2003).

Rail operations at on-dock rail yards involve a number of entities. The terminal operator moves containers to and from the on-dock facility. Containers are off-loaded and loaded directly from and onto trains. Railcars are then coupled with other cars traveling to the same destination. The coupled railcars are called a unit train. Unit trains vary in length between 105 and 140 railcars, with each railcar carrying two 40-foot containers. These unit trains are usually built by Pacific Harbor Line (PHL). PHL is a third-party, independent rail company that provides rail transportation, yard switching, maintenance, and dispatching services to the San Pedro Bay Ports. PHL manages all rail dispatching and switching functions at the on-dock rail yards at the two ports, including:

- Scheduling and overseeing all train movements
- Organizing railroad cars carrying containers of imported goods and switching them onto various tracks to form unit trains
- Breaking down unit trains arriving at the ports, switching railroad cars onto various tracks, and distributing them to nine marine terminals where containers are loaded onto ships for export

The Port is served by two Class 1 railroads, Burlington Northern Santa Fe (BNSF) and Union Pacific (UP), often referred to as the "main-line" or "line-haul" rail companies. After PHL has built a unit train, BNSF or UP will hook up its line-haul locomotive(s) to the train and pull the train out of the on-dock rail yard on to the main-line tracks to the eventual destination. PHL locomotives will occasionally pull portions of a unit train out of the on-dock facility to one of the near dock ICTFs. A loaded double-stack train is typically pulled by three or four line-haul locomotives, although, if PHL pulls the train, it would be hauled by two or three smaller locomotives.

PHL contracts with the Ports of Los Angeles and Long Beach to operate the rail traffic control system. Agreements with BNSF and UP for international cargo are usually handled by the shipping lines. Many shipping lines have a contract with both BNSF and UP.

### 1.3.3.4 Federal Action

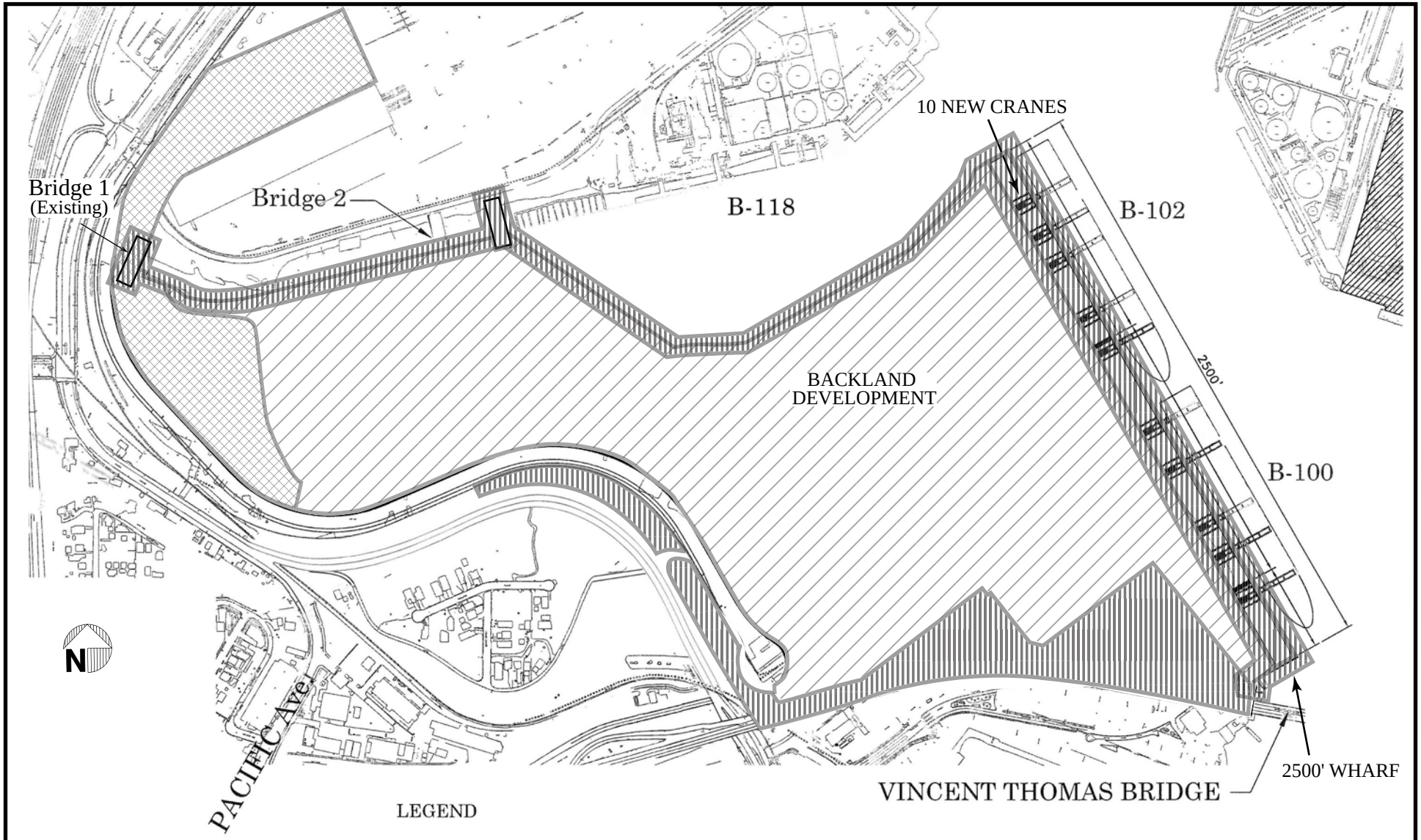
Based on the limits of federal jurisdiction, not all the elements of the proposed Project are subject to federal permit requirements. Thus, the scope of the federal review of the proposed Project is different from the scope of the CEQA review (see Section 1.4.1 of the Recirculated Draft EIS/EIR, as revised in Chapter 3 of this Final EIS/EIR). The federal action is indicated by shading in Figure 1-6. The federal action consists of all dredging activities, the construction of new wharves, the two bridges over the southwest slip (subject to the River and Harbor Act and the General Bridge Act of 1946, as amended), and the floating docks to Catalina Express. Landside activities within 100 feet of the shoreline supporting in-water construction activities area also subject to USACE review and approval. A portion of backland[5] development in Phase III extends beyond 100 feet of the shoreline, but the acreage is included in the federal action because it is associated with the 375 feet of new wharf at Berth 100 (the southern extension of Berth 100), which is subject to USACE authorization. A large portion of the backlands in Phase III would be constructed only if the Berth 100 southern extension is granted federal approval; the remainder would only be redeveloped as backlands with the federal approval of Berth 102. The federal action does not include the construction of buildings, gates, or rail facilities. Nor does it include installation of utilities (except on and near the wharves or water edges) or paving. However, the federal scope of analysis extends into the other project uplands/backlands for many issues/resources of concern, such as air quality, ground transportation, noise, and aesthetics (i.e., to evaluate the increment of a given project impact attributable to federal action).

### 1.3.3.5 Construction Plan by Phase

Construction of the proposed Project would be completed over three phases. Phase I was completed in 2003 and became operational in June 2004, which is in accordance with the provisions of the ASJ and allowed by the federal Settlement Agreement. Phase II would be completed by 2011, and Phase III would be completed in 2012. Construction could take place 6 days per week (Monday through Saturday) with no construction occurring on Sundays or national holidays. Optimal terminal operation would be reached by 2030 following completion of Phase III construction in 2012. Figure 1-5 illustrates and identifies the major improvements that would occur during each construction phase. Table 1-2 shows the estimated construction schedule for each component of the proposed Project, by phase.

While all construction would be complete by 2012, throughput would continue to grow between 2012 and 2030, when the terminal would be expected to reach maximum capacity. At maximum capacity, operations of the Berth 97-109 Container Terminal could accommodate approximately 1,551,000 TEUs per year.

[5]The Recirculated Draft EIS/EIR stated that 12 of the 25 acres of backlands in Phase III would be constructed only if the Berth 100 southern extension was constructed, This statement has been changed to "*a portion of the backlands*" in the Final EIS/EIR because more than 12 of the acres are likely not to be developed without a federal permit. The impact analyses for the Federal Action presented assume that more than 12 acres are not developed in both the Recirculated Draft and Final EIS/EIR.




Source: POLA, 2003

**Figure 1-6**
**Federal Action**
**Berth 97-109 Container Terminal Project EIS/EIR**

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#### 1.3.3.5.1 Phase I (Completed in 2003)

Phase I construction was completed in 2003, as specified in the Stipulated Judgment and ASJ and as allowed in the federal Settlement Agreement. Construction focused on developing and optimizing Phase I of the Berth 97-109 Container Terminal and took place over approximately 20 months. Included in the Phase I construction was:

- Discharge of fill in 1.3 acres of waters of the U.S. associated with construction and operation of a 1,200-foot wharf (134,000 $ft^2$) at Berth 100.
- Dredging of 41,000 $yd^3$ of material along the waterfront at Berth 100. Dredged material was placed at the Anchorage Road soil storage site.
- Construction of 88,000 $yd^3$ of rock dike, placement of 14,000 $yd^3$ of fill behind the dike, and placement of 652 bearing piles and 950 displacement piles at Berth 100.
- Construction and development of 72 acres of backlands for the proposed container terminal.
- Construction of the first of two bridges connecting the Berth 97-109 Container Terminal to the Berth 121-131 terminal, designed to facilitate more efficient cargo movement between the terminals, minimize truck traffic on public streets, and provide more direct access of Berth 97-109 containers to the on-dock rail transfer facility at Berths 121-131.
- Installation of four new shoreside A-frame cranes along the new wharf.
- Construction of gate facilities and other necessary infrastructure for the proposed container terminal.

#### 1.3.3.5.2 Phase II (Completed by 2011)

The total acreage at Berth 97-109 Container Terminal at the completion of Phase II would be 117 acres and construction staging would occur onsite. Phase II construction would occur over approximately 2 years (2009 to 2011) and would include:

- Construction of a new 925-foot wharf at Berth 102.
- Installation of five new shoreside A-frame cranes.
- Development of 45 acres of additional backlands on fill created as a result of the Channel Deepening Project prior to 2001, including development of 8 acres of container terminal backlands that would require an amendment to the Port Master Plan redesignating the 8 acres from general cargo to container use.
- Construction of the second of two bridges connecting the Berth 97-109 Container Terminal to the Berth 121-131 Container Terminal, designed to facilitate more efficient cargo movement between the terminals and the on-dock rail transfer facility.
- Relocating the Catalina Express Terminal including renovating the Princess Pavilion building, demolishing the existing terminal building, and relocating/replacing existing docks.
- Construction of terminal buildings (Marine Operations Building and Crane Maintenance Building) and other necessary infrastructure for the proposed container terminal.

- Minor maintenance dredging that might be required to remove sediments that have settled since Phase I was completed, with the dredged material placed at the Anchorage Road soil storage site.

#### 1.3.3.5.3 Phase III (Completed in 2012)

Phase III construction would increase the terminal size by approximately 25 acres for a total of 142 acres. Development of Phase III would occur over a 2-year period (2010 to 2012) and construction staging would occur onsite. Specific activities would include:

- Construction of the 375-foot Berth 100 south extension, including a 116,000-$yd^3$ rock dike and placement of 24,000 $yd^3$ of fill behind the dike.
- Installation of one new shoreside A-frame crane.
- Expansion of Berth 97-109 backlands by an additional 25 acres by redeveloping land that currently comprises part of the Catalina Terminal. This development could require an amendment to the Port Master Plan (prior to development) to allow for such a land use.

Prior to construction of Phases II and III, LAHD would prepare a Public Services Relocation Plan to address the public utilities and services that would require relocation or otherwise would be affected during construction of the proposed Project. This plan would be developed with input from the service providers for the proposed Project site and would be submitted to City of Los Angeles regulatory departments for review and approval. Construction that affects utilities could not begin until the plan was approved. The plan would be on file with LAHD during construction.

The Public Services Relocation Plan would include the following measures:

- Prior to disconnecting any existing services, new facilities (e.g., water, sewer, communications, gas, and electricity) would be installed. Pipeline installation would occur within existing utility corridors/easements.
- As construction progresses, unnecessary facilities and connections would be eliminated, and new facilities and connections would be activated.
- Minor service interruptions (defined as those lasting 1 day or less) might occur during the connection of existing and newly installed facilities and services. Affected properties would be properly notified prior to any service interruption.

Full access to all utilities would be restored after the completion of proposed Project construction.

Currently, the Project area includes Phase I construction elements and related operation (analyzed in this document). In addition, Catalina Express currently operates a passenger shuttle service to and from Catalina Island at Berth 96. The Catalina Express Terminal would be relocated to Berth 95, an area south of the Vincent Thomas Bridge as part of the proposed Project.

# 1.4 Port of Los Angeles Environmental Initiatives

The Environmental Management Policy of the Port, as described in this section, was approved by the Los Angeles Board of Harbor Commissioners on April 27, 2003. The purpose of the Environmental Management Policy is to provide an introspective, organized approach to environmental management, further incorporate environmental considerations into day-to-day Port operations, and achieve continual environmental improvement.

## 1.4.1 Port Environmental Policy

The Port is committed to managing resources and conducting Port developments and operations in an environmentally and fiscally responsible manner. The Port strives to improve the quality of life and minimize the impacts of its development and operations on the environment and surrounding communities. This is done through the continuous improvement of its environmental performance and the implementation of pollution-prevention measures, in a feasible and cost-effective manner that is consistent with the overall mission and goals of the Port and with those of its customers and the community.

To ensure that this policy is successfully implemented, the Port will develop and maintain an Environmental Management Program that will:

- Ensure that environmental policy is communicated to Port staff, its customers, and the community
- Ensure compliance with all applicable environmental laws and regulations
- Ensure that environmental considerations include feasible and cost-effective options for exceeding applicable regulatory requirements
- Define and establish environmental objectives, targets, and best management practices (BMPs), and monitor performance
- Ensure the Port maintains a Customer Outreach Program to address common environmental issues
- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations through environmental awareness and communication with employees, customers, regulatory agencies, and neighboring communities

The Port is committed to the spirit and intent of this policy and the laws, rules, and regulations, which give it foundation.

## 1.4.2 Clean Air Action Plan

On November 26, 2006, the LAHD Board of Harbor Commissioners, in conjunction with the Port of Long Beach Harbor Commissioners, approved the San Pedro Bay Ports CAAP, a comprehensive strategy to cut air pollution and reduce health risks from Port-related air emissions. Through the CAAP, the San Pedro Bay Ports have established uniform air quality standards for the San Pedro Bay. To attain such standards, the San Pedro Bay Ports will leverage a number of implementation mechanisms including, but not limited to, lease requirements, tariff changes, CEQA mitigation, and incentives. Specific strategies to significantly reduce the health risks posed by air pollution from Port-related sources include:

- Aggressive milestones with measurable goals for air quality improvements
- Specific standards for individual source categories
- Recommendations to eliminate emissions of ultrafine particulates
- Technology advancement programs to reduce greenhouse gases
- Public participation processes with environmental organizations and the business communities

The CAAP is expected to eliminate more than 47 percent of diesel particulate matter (PM) emissions, 45 percent of smog-forming nitrogen oxide ($NO_X$) emissions, and 52 percent of sulfur oxides ($SO_X$) from Port-related sources within the next 5 years.

The Port of Los Angeles has had a Clean Air Program (CAP) in place since 2001 and began monitoring and measuring air quality in surrounding communities in 2004. Through the 2001 Air Emissions Inventory, the Port has been able to identify emission sources and relative contributions to develop effective emissions-reduction strategies. The Port CAP has included progressive programs such as AMP, diesel oxidation catalysts (DOCs) in yard equipment, alternative fuel testing, and the Vessel Speed Reduction Program (VSRP).

In 2004, the Port developed a plan to reduce air emissions through a number of near-term measures. The measures were focused primarily on decreasing not only $NO_X$ but also PM and $SO_X$. In August 2004, a policy shift occurred, and Mayor James K. Hahn established the No Net Increase Task Force to develop a plan that would achieve the goal of No Net Increase (NNI) in air emissions at the Port of Los Angeles relative to 2001 levels. The NNI plan identified 68 measures to be applied over the next 25 years that would reduce PM and $NO_X$ emissions to the baseline year of 2001. The 68 measures included near-term measures; local, state, and federal regulatory efforts; technological innovations; and longer-term measures that are still in development. Appendix C3 of the Recirculated Draft EIS/EIR contains a document that identifies and analyzes all of the NNI measures in terms of proposed Project applicability.

In 2006, in response to a new Mayor and Board of Harbor Commissioners, the Ports of Los Angeles and Long Beach and in conjunction with the Air Quality Management District (AQMD), California Air Resources Board (CARB), and USEPA began work on the CAAP. The goal of the CAAP was to expand upon existing emissions reductions strategies and to develop new ones. The Draft CAAP was released as a draft plan for public review on June 28, 2006, and was approved at a joint meeting of the Los Angeles and Long Beach Boards of Harbor Commissioners on November 26, 2006. The CAAP focuses primarily on reducing diesel particulate matter (DPM), along with $NO_X$ and $SO_X$, with two main goals: (1) to reduce Port-related air emissions in the interest of public health, and (2) to disconnect cargo growth from emissions increases. The CAAP includes project-specific measures (such as AMP and new yard equipment) implemented mainly through the CEQA/NEPA process and included in new leases at both ports, and Portwide measures (such as a truck program and measures for rail and tugs) implemented through tariffs, Memorandums of Understanding (MOUs) and direct Port programs. The Recirculated Draft EIS/EIR analysis assumes compliance with the CAAP. Proposed Project-specific mitigation measures applied to reduce air emissions and public health impacts are consistent with, and in some cases exceed, the emission-reduction strategies of the CAAP.

### 1.4.3 Port of Los Angeles Leasing Policy

On February 1, 2006, the Board of Harbor Commissioners approved a comprehensive Leasing Policy for the Port of Los Angeles that not only establishes a formalized, transparent process for tenant selection but also includes environmental requirements as a provision in Port leases.

Specific emission-reducing provisions contained in the Leasing Policy are:

- Compliance with VSRPs
- Use of clean AMP or cold-ironing technology, plugging into shoreside electric power while at dock, where appropriate
- Use of low-sulfur fuel in main and auxiliary engines while sailing within the boundaries of the South Coast Air Basin
- Use of clean, low-emission trucks within terminal facilities

## 1.5 Changes to the Recirculated Draft EIS/EIR

This section of the Final EIS/EIR discusses general changes and modifications that have been made to the Recirculated Draft EIS/EIR. Actual changes to the text, organized by Recirculated Draft EIS/EIR sections, can be found in Chapter 3, Modifications to the Recirculated Draft EIS/EIR Text, of this Final EIS/EIR. The changes to the Recirculated Draft EIS/EIR are primarily editorial in nature and have been made for the purpose of correcting and clarifying information contained within the Recirculated Draft EIS/EIR based on comments received from the public.

Changes noted in Chapter 3 are identified by text strikeout and underline. These changes are referenced in Chapter 2 of this Final EIS/EIR, Responses to Recirculated Draft EIS/EIR Comments, where applicable. The project description is presented in its entirety above and summarized in the Executive Summary, incorporating the editorial changes noted in the Responses to Comments and other minor corrections.

The changes and clarifications presented in Chapter 3 were reviewed to determine whether or not they warranted recirculation of the Recirculated Draft EIS/EIR prior to certification of the EIS/EIR according to CEQA and NEPA Guidelines and Statutes. The changes would not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental effect. In response to public comments, changes and clarifications have been made in the following sections of the Recirculated Draft EIS/EIR:

- Executive Summary
- Section 3.1 – Aesthetics/Visual Resources
- Section 3.2 – Air Quality
- Section 3.3 – Biological Resources
- Section 3.7 – Groundwater and Soils
- Section 3.9 – Land Use
- Section 3.11 – Noise

- Section 3.14 – Water Quality, Sediments, and Oceanography
- Section 4 – Cumulative Impacts Analysis
- Section 5 – Environmental Justice
- Section 10 – References
- Section 12 – Acronyms and Abbreviations
- Appendix E – Air Quality/Health Risk Assessment Report
- Appendix N – Section 404(B)(1) Alternatives Analysis

The above changes are consistent with the findings contained in the environmental impact categories in Chapter 3 of the Recirculated Draft EIS/EIR, Environmental Analysis, as amended. There would be no new or increased significant effects on the environment due to the above Project changes, and no new alternatives have been identified that would reduce significant effects of the proposed Project. Therefore, the Recirculated Draft EIS/EIR does not need to be recirculated, and the EIS/EIR can be certified without additional public review, consistent with PRC Section 21092.1 and CEQA Guidelines Section 15088.5, and NEPA regulations in 40 Code of Federal Regulations (CFR) 1502 and 1503.