



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the
Board of Harbor Commissioners

DATE: MARCH 8, 2017

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF THE FIRST AMENDMENTS TO AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND EIGHT MARINA OPERATORS LOCATED IN WILMINGTON, CALIFORNIA

SUMMARY:

Staff requests approval of the First Amendments (Amendments) to eight Agreements (Agreements) between the City of Los Angeles Harbor Department (Harbor Department) and various marina operators located in the Wilmington District. These marina operators are: Island Yacht Anchorage, Inc. (Berth 205D), Island Yacht Anchorage, Inc. (Berth 200V), California Yacht Marina L.P., Yacht Haven Marina Inc., Yacht Centre, Inc., Leeward Bay Marina, Pacific Yacht Landing, and Cerritos Yacht Anchorage. The Agreements allow for distribution of funds the Harbor Department received from SA Recycling as part of a Stipulated Final Judgment between the State of California and SA Recycling. Funds are to be distributed to individual marina operators and are to be used to target water and sediment pollution sources, as identified in the Port of Los Angeles and Port of Long Beach Water Resources Action Plan (WRAP). The Amendments will allow a two-year extension to the term of the existing Agreements for the purchase and installation of approved items and to fully expend funds, thereby garnering maximum benefit to water and sediment quality.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines as determined by the Director of Environmental Management;

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2. Authorize the Executive Director to execute and the Board Secretary to attest to:
 - a. Amendment No. 1 to Agreement No. E6831 with Island Yacht Anchorage, Inc.;
 - b. Amendment No. 1 to Agreement No. E6832 with California Yacht Marina, L.P.;
 - c. Amendment No. 1 to Agreement No. E6833 with Yacht Haven Marina, Inc.;
 - d. Amendment No. 1 to Agreement No. E6834 with Yacht Centre, Inc.;
 - e. Amendment No. 1 to Agreement No. E6835 with Island Yacht Anchorage, Inc.;
 - f. Amendment No. 1 to Agreement No. E6836 with Leeward Bay Marina;
 - g. Amendment No. 1 to Agreement No. E6837 with Pacific Yacht Landing;
 - h. Amendment No. 1 to Agreement No. E6842 with Cerritos Yacht Anchorage, Inc.;
and
3. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – The State of California and SA Recycling entered into a Stipulated Final Judgment to settle without litigation allegations of violations of the Health and Safety Code. One settlement term was that SA Recycling provide money to help improve water quality in the Port. The Harbor Department was designated to receive a total of \$165,000 for this purpose, and distribute it to owners/operators of the 10 marinas located in the Wilmington District of the Port of Los Angeles to target water and sediment pollution sources.

Between April and June of 2016, the Harbor Department executed eight Agreements with the following marina operators: Island Yacht Anchorage, Inc. (Berth 205D), Island Yacht Anchorage, Inc. (Berth 200V), California Yacht Marina L.P., Yacht Haven Marina Inc., Yacht Centre, Inc., Leeward Bay Marina, Pacific Yacht Landing, and Cerritos Yacht Anchorage. Under the Agreements, the Harbor Department reimburses marina operators for pre-approved items, equipment, and services that improve water and sediment quality, with the total reimbursement amount not to exceed \$16,500 to each marina operator. A list of pre-approved items was prepared after consultation with water quality experts and marina managers. Installation of any purchases, as appropriate, is required prior to reimbursement.

At present time, the majority of funds have not been expended. Marina operators are concerned that a number of identified and approved items will take longer to install than

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remains in the existing Agreements. Therefore, an Amendment for a two year term extension of all Agreements is being pursued (Transmittals 1-8).

Purpose - The purpose of the two-year extension to the Agreements is to allow for purchase and installation of approved items and to fully expend funds, thereby garnering maximum benefit to water and sediment quality.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of First Amendments to eight Agreements with various marina operators to extend the terms of the Agreements for the purchase and installation of equipment targeting water and sediment pollution with funds distributed through a Stipulated Final Judgment between the State of California and SA Recycling. This action does not constitute approval of any specific projects utilizing the funds. Such projects will be assessed separately for environmental impacts as appropriate. Therefore, as an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

The Agreements are funded out of a settlement agreement between SA Recycling, and the State of California. The Harbor Department was not a party to the settlement but was designated as a recipient of settlement funds to distribute to marina operators located in the Wilmington District.

Payments against the Agreements are made out of Account 21991, Center 7000, Program 000. A total of eight Agreements were executed for a total amount of \$132,000. As of February 1, 2017, \$19,340 has been invoiced. Below is a summary of the Agreements:

AGMT#	MARINA OPERATOR	AGREEMENT AMOUNT	INVOICED AS OF 02/01/17	AGREEMENT BALANCE
E6831	Island Yacht Anchorage, Inc.	16,500.00	13,726.38	2,773.62
E6832	California Yacht Marina, L.P.	16,500.00	-	16,500.00
E6833	Yacht Haven Marina, Inc.	16,500.00	76.93	16,423.07
E6834	Yacht Centre, Inc.	16,500.00	-	16,500.00
E6835	Island Yacht Anchorage, Inc.	16,500.00	-	16,500.00
E6836	Leeward Bay Marina	16,500.00	4,811.55	11,688.45
E6837	Pacific Yacht Landing	16,500.00	724.68	15,775.32
E6842	Cerritos Yacht Anchorage, Inc.	16,500.00	-	16,500.00
	TOTAL	132,000.00	19,339.54	112,660.46

Marina operators will be responsible for any ongoing operating and maintenance expenses of equipment installed.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the proposed Amendments as to form and legality.

TRANSMITTALS:

1. Amendment No. 1 to Agreement No. E6831 with Island Yacht Anchorage, Inc.
2. Amendment No. 1 to Agreement No. E6832 with California Yacht Marina, L.P.
3. Amendment No. 1 to Agreement No. E6833 with Yacht Haven Marina, Inc.
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5. Amendment No. 1 to Agreement No. E6835 with Island Yacht Anchorage, Inc.
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7. Amendment No. 1 to Agreement No. E6837 with Pacific Yacht Landing
8. Amendment No. 1 to Agreement No. E6842 with Cerritos Yacht Anchorage, Inc.

FIS Approval: MB (initials)
CA Approval: MB (initials)



CHRISTOPHER CANNON
Director of Environmental Management



MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:



FOR

EUGENE D. SEROKA
Executive Director

CC:yo
AUTHOR: K. Prickett

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