

**DATE: MAY 11, 2021**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - RECEIVE AND FILE SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 302-306 PROJECT (LOS ANGELES HARBOR DEPARTMENT APPLICATION FOR PORT PERMIT NO. 200602-086; STATE CLEARINGHOUSE NO. 2009071031)**

**SUMMARY:**

Staff requests consideration of the Second Addendum to the Final Environmental Impact Report (EIR) for the Berths 302-306 Project (Project).

The Second Addendum modifies the project description by expanding the on-dock railyard; expanding the 2012 EIR boundary by approximately nine acres; re-routing of terminal access; adding a new gate; changing use of approximately seven previously assessed acres; continuing hydrogen fueling; and demolishing three warehouses, a ramp, and tanks. No significant environmental impacts are expected from these project modifications. Costs associated with the preparation of the Second Addendum amounted to approximately \$55,000 in staffing and were borne by the City of Los Angeles Harbor Department (Harbor Department). This action by the Board of Harbor Commissioners (Board) neither authorizes any expenditures related to the project modifications nor commits the Harbor Department to complete them.

**RECOMMENDATION:**

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

1. Consider the Second Addendum to the previously adopted Final Environmental Impact Report for the Berths 302-306 Project;
2. Find that, in accordance with the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15164, the revised Project will not result in any significant environmental effects or substantially more severe effects than previously analyzed in the adopted Final Environmental Impact Report for the Berths 302-306 Project;

**DATE: MAY 11, 2021**

**PAGE 2 OF 5**

**SUBJECT: SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 302-306 PROJECT**

3. Authorize the Environmental Management Division to file a Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse; and
4. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

The Final EIR for the Berths 302-306 Project (alternatively referred to as Pier 300) was certified by the Board on June 7, 2012, (State Clearing House No. 2009071031 and Application for Port Permit No. 081203-131) along with the Project, including improvements and expansion to the existing Pier 300 container terminal. The Board issued and approved an associated Level III Coastal Development Permit (CDP #1207) on June 21, 2012. The overall purpose of the approved expansion project was to “optimize and expand the cargo-handling capacity at the terminal to accommodate the increased throughput demand” expected at the Port of Los Angeles (Port). The expansion plans included both waterside and landside improvements at the site. The Board adopted a Mitigation Monitoring and Reporting Program (MMRP) for the approved expansion project on June 7, 2012. The applicant at the time chose not to implement the approved expansion project subsequent to the certification of the document.

The First Addendum, considered by the Board on October 24, 2016, evaluated a smaller version of the Project that continued prior operations with minor modifications, and extended the term of its existing lease. These modifications were the extension of Permit 733 under Amendment 9 for 16 years through 2043 and replacement of eight existing cranes at the facility with new taller cranes to better service newer and larger vessels expected to utilize Berths 302-305.

Fenix Marine Services (FMS), the current terminal operator desires to move forward with the expansion project with some modifications to the previously approved project components. Following are specific changes to the approved 2012 Final EIR:

- Expanded on-dock railyard with approximately five new tracks in Phase 1 on the northern bundle for a total throughput increase of 520,000 TEUs by rail annually;
- Expanded on-dock railyard with additional tracks and/or reuse of existing tracks in the southern bundle under a potential Phase 2;
- The acquisition of an additional parcel of approximately nine acres with existing warehouses and accessory structures to be utilized for equipment storage;
- Demolition of three small warehouses and the accessory structures within the newly acquired nine acre parcel;

**DATE: MAY 11, 2021**

**PAGE 3 OF 5**

**SUBJECT: SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 302-306 PROJECT**

- The re-routing of terminal access around the new warehouse and the closure of Earle Street and Marina Street within the property's boundaries;
- A new gate on Earle Street or Terminal Way;
- A reopening of approximately 1200 linear feet of Barracuda Street;
- The change in use of approximately seven acres north of Berth 301 previously assessed in the Final EIR; and
- Continuation of a hydrogen fueling station in seven acre parcel north of Berth 301.

All previously identified mitigation measures for the Final EIR and the First Addendum will be incorporated into a lease amendment.

**ENVIRONMENTAL ASSESSMENT:**

In May 2021, the Harbor Department issued the Second Addendum to the Final EIR for the Berths 302-306 Project (Transmittal 1) and posted it on the Port's website under the Environmental Documents tab. The Second Addendum was prepared pursuant to CEQA and modifies the project description by expanding the on-dock railyard; expansion of approximately nine acres; re-routing of terminal access; adding a new gate; change in use of approximately seven previously assessed acres; continuing hydrogen fueling; and demolishing three small warehouses and accessory structures.

On June 7, 2012, the Board certified the Final EIR for the Berths 302-306 Project, which optimized and expanded the cargo-handling capacity at the terminal to accommodate the increased throughput demand through waterside and landside improvements. The First Addendum was considered by the Board on October 24, 2016, pursuant to CEQA, for a smaller version of the Project that continued prior operations with minor modifications, and extended the term of its existing lease.

According to Section 15164(b) of the State CEQA Guidelines, the Lead Agency may prepare an Addendum to an adopted EIR "if only minor technical changes or additions are necessary, or none of the conditions described in Section 15162 calling for a subsequent EIR or negative declaration have occurred." The Director of the Environmental Management Division has determined that none of the conditions set forth in CEQA Guidelines Section 15162 have occurred; therefore, an addendum is the appropriate document. An Addendum does not need to be circulated for public review but can be included in or attached to the Final EIR or adopted Negative Declaration per CEQA Guidelines Section 15164 (c). The Board is required to "consider" the Addendum with the

**DATE: MAY 11, 2021**

**PAGE 4 OF 5**

**SUBJECT: SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 302-306 PROJECT**

Final EIR or adopted Negative Declaration prior to making a decision on the Project per CEQA Guidelines Section 15164 (d).

The proposed action is consideration of the Second Addendum, which modifies the project description. Based on the findings of the Second Addendum, the proposed action would create no potential adverse impacts or substantial changes to impact areas previously analyzed in the Final EIR and therefore does not trigger any of the conditions calling for the preparation of a subsequent EIR or Negative Declaration under CEQA Guidelines Section 15162. All previously identified mitigation measures for the Final EIR and First Addendum will be incorporated into a lease amendment.

**FINANCIAL IMPACT:**

Staff/consultant costs associated with the preparation of the Second Addendum to the Berths 302-306 Project Final EIR amounted to approximately \$55,000 and were borne by the Harbor Department. This Board action neither authorizes any expenditures related to the revised Project nor commits the Harbor Department to complete the modifications. Award of any capital construction contract related to the revised Project would require Board approval under separate future actions.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed this Board report and concluded that it raises no legal issues at this time.

DATE: MAY 11, 2021

PAGE 5 OF 5

SUBJECT: SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT  
REPORT FOR THE BERTHS 302-306 PROJECT

**TRANSMITTALS:**

1. Second Addendum to the Berths 302-306 Final EIR

FIS Approval: MB  
CA Approval: SO

  
CHRISTOPHER CANNON  
Director of Environmental Management

*Michael DiBernardo*  
MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director

CC/YO  
AUTHOR: LEAH KOHLER  
APP NO.: 200602-086

FILE: Y:\\_ADMIN\\_BOARD REPORTS\\_CEQAVAPL FINAL EIR\ADDENDUM 2 - 2021\_B 302-306\Environmental\_Berth 302-306 FEIR Addendum\_Board Report -  
FINAL.docx  
UPDATED: 5/11/2021 2:52 PM - YO