



ADP: 110321-038

# FINAL ENVIRONMENTAL IMPACT REPORT **USS Iowa PROJECT**

PREPARED BY:

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LOS ANGELES HARBOR DEPARTMENT  
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WITH ASSISTANCE FROM:

MAY 2012





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State Clearinghouse Number: 2011081097

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# Final EIR

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# 1.0 INTRODUCTION

## 1.1 Final EIR Organization

This final EIR has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] 21000 et seq.), the State CEQA Guidelines (California Code of Regulations [CCR] 15000 et seq.).

This chapter presents background and introductory information for the proposed USS *Iowa* Project (proposed Project), generally located at Berth 87 along the west side of Los Angeles Harbor's Main Channel, within the Port of Los Angeles (Port). Additionally, this chapter discusses general changes and modifications made to the draft Environmental Impact Report (EIR), which are mostly editorial in nature. Chapter 2, "Responses to Comments" presents information regarding the distribution of and comments on the draft EIR, and the responses to these comments. Chapter 3, "Modifications to the Draft EIR," presents the modifications to the draft EIR for the purpose of correcting and clarifying information based on comments received during the public review process.

It should be noted that responses to comments resulting in various editorial clarifications and corrections to the original draft EIR text are shown as added or modified text is shown in Chapter 3.0, "Modifications to the Draft EIR", by underlining (example) while deleted text is shown by striking (~~example~~). The additional information, corrections, and clarifications are not considered to substantively affect the conclusions within the draft EIR.

## 1.2 Project Description

This section describes the proposed Project. A description of alternatives to the proposed Project is provided in Chapter 6.0 of the draft EIR. The proposed Project involves the transport, preparation, and operation of the USS *Iowa* battleship as a public attraction that would occur on 4.43 acres currently operated by LAHD at Berth 87. The project involves:

### Phase 1

- Transport of *Iowa* from San Francisco Bay to the Port of LA;
- Off-shore hull cleaning;
- Mooring the battleship at Berth 87 in the North Harbor area of the Port of Los Angeles;
- Delivery and set up of a prefabricated 480 sq. ft., single-story Ticket Booth/Office;
- Delivery and set up of a prefabricated 480 sq. ft., single-story Restroom facility;
- Delivery and set up of two prefabricated Entry Platforms to accommodate access and egress from the *Iowa*;

### Phase 2

- Construction of an approximately two-story 33,800 sq. ft. footprint landside Visitor Center; and
- Ongoing operations and maintenance.

## 1.3 Existing Conditions

### 1.3.1 Regional Context

The Port is located at the southernmost portion of the City of Los Angeles (City) and is composed of 43 miles of waterfront and 7,500 acres of land and water, with approximately 300 commercial berths. The



Port is adjacent to the community of San Pedro to the west, the Wilmington community to the north, the Port of Long Beach to the east, and the Pacific Ocean to the south. Figure 2.0-1 and 2.0-3 show the regional and local location of the proposed project area.

The Port is an area of mixed uses, supporting various maritime-themed activities. The Port operations are predominantly centered on shipping activities, including containerized, break-bulk, dry-bulk, liquid-bulk, auto, and intermodal rail shipping. In addition to the large shipping industry at the Port, there is also a cruise ship industry and a commercial fishing fleet. The Port also accommodates boat repair yards, and provides slips for approximately 3,950 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, which are primarily along the west side of the Main Channel. It also has recreation, community, and cultural facilities, such as a public swimming beach, Cabrillo Beach Youth Camp, the Cabrillo Marine Aquarium, and the Los Angeles Maritime Museum.

### **1.3.2 Project Setting – Berth 87 and Current Uses**

The Port was once used as a U.S Navy Base from 1919 until after WWII. The Port became known as “Battleship Country” as the battleship fleet was stationed here in Los Angeles during most of the 20th century. The location at Berth 87 offers the best visibility within the Port as it is adjacent to the cruise ship terminal which supports over 1 million cruise passengers each year.

Last year, the Port approved the \$1.2 billion dollar San Pedro Waterfront Development Plan which will bring more tourist and regional residents to the Port area. Berth 87 lies north of the destination of restaurants and shops known as Ports of Call (or Port’s O’Call). Revitalization plans of this area include complete redevelopment of all buildings and the addition of a 60,000 square foot conference hall. Several maritime and military museums including the Los Angeles Maritime Museum, the S.S. Lane Victory, and the Fort MacArthur Museum exist within the area. Berth 87 is easily reached at approximately one-quarter mile from the off ramps of the 110 freeway at the west side of the Vincent Thomas Bridge.

Berth 87 is located in the inner harbor, near the Vincent Thomas Bridge. The Maritime Museum is located to the south and a cruise ship terminal and the S.S. Lane Victory to the north. Container ships and cranes are located across the water. No dredging will be necessary as water depths are adequate at this site ranging from 38 feet on the pier side to 55 feet on the outboard side.

The project site at Berth 87 contains an existing parking lot and is currently used for temporary cargo and cruise ship docking. Project activity will be focused at Berth 87, which is bordered by the Main Channel on the east and Harbor Boulevard on the west. Refer to Exhibit 2.0-4, Berth 87 and Proposed Site Plan. Residential neighborhoods are west of to the project site along Harbor Boulevard.

A Navy fuel surge line runs through the project site at Berth 87 and requires a setback of 8 feet on each side. No permanent structures, such as the Visitor Center, may be placed above the surge line until it is either relocated or capped. Refer to Exhibit 2.0-4, Berth 87 and Proposed Site Plan, for the location of the existing surge lines.

### 1.3.3 San Pedro Waterfront Project

Berth 87 is located within the San Pedro Waterfront (SPW) project area. The overall purpose of the SPW project is to create an active public waterfront in downtown San Pedro. The SPW project elements include the creation of three new harbors and a public pier at 7th Street; new development, redevelopment, and cultural assets; completion of eight miles of waterfront promenade and open space for public enjoyment and recreation; and a wide variety of transportation options and improvements. The SPW project proposed a North Harbor cut located at Berths 87-90, which would accommodate approximately 12 tugboat vessels and the historic naval ship, the S.S. Lane Victory.

## 1.4 Project Purpose

LAHD operates the Port under legal mandates under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601) and the California Coastal Act (PRC Div 20 Section 30700 et seq.). The Port is one of only five locations in the state identified in the California Coastal Act for the purposes of international maritime commerce (PRC Div 20 Sections 30700 and 30701). These mandates 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 Port of Los Angeles Tidelands Trust, Port-related activities should be water dependent and should give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce.

### 1.4.1 Project Objectives

CEQA Guidelines (Section 15124[b]) require that the project description contain a statement of objectives, including the underlying purpose of the proposed Project.

The proposed Project is intended to fulfill the overall project purpose of the Port. The CEQA project objectives are described below.

- Bring the USS *Iowa* to the Port, and place her at Berth 87 for year-round mooring; and,
- Prepare and fit the battleship as a tourist attraction, offering an interactive public experience that honors the historic contributions of USS *Iowa* and her crews. The history and technology of the battleship will provide the basis for educational programs teaching lessons in history, battleship design, mathematics, physics, science, leadership, team-building, character development, and community service.

## 1.5 Proposed Project

### 1.5.1 Project Summary

#### 1.5.1.1 General Project Overview

The proposed Project involves bringing the battleship USS *Iowa* from San Francisco Bay to the Port of Los Angeles to serve as a floating museum for the public. Landside uses would include berthing of the ship with temporary landside structures (Phase I) and a Visitor's Center (Phase II).

### 1.5.1.2 Project History

The Pacific Battleship Center was awarded the donation of the battleship for use as a public attraction, with the condition that it remains battle-ready in case of national emergency. Various studies and plans were prepared for this project. These studies and plans are listed below:

- Environmental Plan
- Maintenance Plan
- Educational Curatorial/Museum Plan
- Tow Plan
- Mooring Plan
- Traffic Study
- AQ Analysis

The project is also proposed within a previously approved project location, as a part of the San Pedro Waterfront Plan. The specific project proposed at Berth 87 is the North Harbor Cut, which would create an additional 5 acres of open water to accommodate tugboats, visiting historic and naval vessels, and S.S. Lane Victory. With this project Berth 87 would no longer be able to accommodate cruise ships (current use).

## 1.5.2 Project Elements

### 1.5.2.1 Preparation and Transport

*Iowa* will be transported from San Francisco Bay to the Port of Los Angeles by a single ocean-going tug boat, according to a Navy approved tow plan. The battleship will make a brief stop offshore for hull cleaning before entering the Port of Los Angeles to avoid the spread of invasive species residing on the hull of the battleship.

#### *Preparation Prior to Berthing - Offshore Cleaning*

The battleship will be towed to the approved offshore location depicted in Exhibit 2.0-6, Off Shore Hull Cleaning Location, for hull cleaning prior to placement in the Port of Los Angeles (outside of the 3 nautical mile [nm] limit line). The location is approved based on the hull cleaning location designated as SF-3 and is located four nautical miles (nm) off shore from Seal Beach, California (approximately 8 nm from Berth 87), at coordinates 33-39.27 N 118-07.07 W and in sixteen fathoms (96 foot water depth). Hull cleaning will remove invasive and non-native species residing on the battleship's hull. Cleaning the battleship's hull in dry dock is not a feasible alternative to off shore hull cleaning, because there are no dry docks capable of accommodating the *Iowa* in the San Francisco area. The off shore hull cleaning proposed will not violate the Marine Invasive Species Act or related regulations. Prior to leaving San Francisco Bay, the anchor and anchor chain of the *Iowa* must be rinsed off to remove fouling organisms in their place of origin (California Public Resources Code 71204(e)).

Hull cleaning will be accomplished in accordance with U.S. Navy protocol as presented in S9086-CQ-STM-010, Waterborne Underwater Hull Cleaning of Navy Ships. The hull cleaning will be performed by Muldoon Marine Services, Inc., utilizing a combination of underwater tools from hydraulic powered multi

and single brushed machines, to divers utilizing hand scrapers and low pressure water. These methods will be used to clean the battleship as efficiently and as carefully as possible. *Iowa*'s existing hull paint is a tributyltin (TBT)-free anti-fouling coating. The USS *Iowa*'s existing hull coating does not contain TBT.

The cleaning of *Iowa*'s hull will take approximately 48 hours during which Muldoon Marine will utilize 2 teams, each working one 12 hour shift each day for a total of 48 hours. However, the bottom of the hull will be cleaned only during daylight hours. The sides will be cleaned around the clock to reduce the hull cleaning duration. Lights will illuminate the sides for cleaning during darkness. After hull cleaning, *Iowa* will be towed via the ocean going tug to a location inside the Los Angeles breakwater where she will be transferred to local tugs for placement at Berth 87. After hull cleaning has been completed, a video recording of the hull of the USS *Iowa* shall be provided to the California State Lands Commission, Marine Invasive Species Program Manager, and the POLA Environmental Management Division, to verify compliance with PRC Section 71204(f), for their acknowledgement that the hull cleaning is adequate and acceptable under State and local protocol.

In addition to hull cleaning, some interior painting and preparations to receive visitors would occur during this time. Improvements would include guard railings, security barriers, directional markers, and hazard identification.

#### *Preparation at Berth 87*

Upon initial mooring at Berth 87, *Iowa* will undergo refurbishment in preparation for visitors. Approval will be required from the Los Angeles Regional Water Quality Control Board (LARWQCB) that all work is done in accordance with standard requirements and stipulations to ensure protection of water quality. The work will take approximately nine months to complete and includes general cleaning, painting of exposed surfaces, and upgrading onboard restroom facilities. Painting of the interior and exterior surfaces would utilize paints that meet the current standards to prevent corrosion.

#### *Berth 87*

Berth 87 is currently used periodically for cargo and cruise ship docking. The existing mooring facilities and water depth are suitable for *Iowa*. Water, electric, sewer, and telephone utilities needed for operation of the project are located at, or near, the berth. Approximately 500 feet of trenching will be necessary to install the 8-inch sewer line and electrical lines. While the *Iowa* is moored at Berth 87, the battleship will be tugged out of the Main Channel annually and turned for even weathering.

#### *Parking Lot*

The existing lot will be restriped to accommodate parking in a shared arrangement with other Port attractions. Parking to the north and west of the USS *Iowa* lot is designated as cruise ship parking and may be used as overflow parking when cruise ship operations are not occurring. Refer to draft EIR Section 3.3, "Traffic", for a more detailed discussion regarding parking.

A Visitor's Center is planned for Phase 2 (6 to 8 years post Phase 1 completion). When constructed, the structure will reduce available shared parking within the existing lot. Additional offsite parking will be required at this time to accommodate the shared parking. Existing offsite parking sites have been

identified across Harbor Boulevard along with various other sites identified in the San Pedro Waterfront EIR/EIS.

Although, the Project will provide sufficient parking to meet “visitors” demand during most hours of operation, this demand may not be met during the period from 12:00 PM to 2:00 PM on weekends for both opening year and stabilized conditions as shown in Attachment 4 of FEIR Appendix E (LA DOT Letter). Since the parking shortage is estimated to occur during a short period of time, the Project proposes to address this deficiency by providing an off-site parking facility for the employees, or by identifying nearby overflow parking lots or available street parking. A final determination regarding the use of on-street parking to fulfill the Project “visitors” parking requirement should be sought by consultation with the Los Angeles Department of Building and Safety. In addition, Exhibit 2.0-6, *Tentative Site Plan*, and Exhibit 2.0-7, *Parking Lot Plan*, are now included in the final EIR.

### 1.5.2.2 Project Phasing and Construction

#### *Phasing*

The proposed project would be completed in two phases which includes the items listed in the “Proposed Project Elements” section above. Depending on the certification date of the EIR, the duration of Phase 1 would begin in early 2012 and extend through August 2012.

Phase 2 is likely to occur 6 to 8 years after the completion of Phase 1. In Phase 2, the 480 sq. ft. prefabricated ticket booth/office and 480 sq. ft. prefabricated restroom facility would be replaced by a permanent structure to be called the Visitor Center. The Visitor Center would include ticket booths, offices, restrooms, museum/ educational exhibits, and gift shop.

#### *Construction*

Construction activities will include a security fence, the set up of a prefabricated office/ticket booth, a prefabricated restroom facility and two prefabricated access platforms and brows to board *Iowa*. The ticket booth structure, the restroom facilities both cover approximately 1,000 sq. ft. and will consist of temporary, moveable, and self contained units.

Two prefabricated access platforms will be installed for ingress and egress to *Iowa*. The structures consist of stairs and gangways sufficient in size to accommodate peak visitor traffic. They will be designed and constructed of steel or similar material and each will contain a chair lift built in accordance with the ADA requirements.

Construction activities will employ approximately 30-40 workers over a period of 6 to 9 months. Work will take place Monday through Saturday from 07:00 a.m. to 05:00 p.m. Truck trips and delivery of materials by land is expected to be minimal as the structures are limited in size and scope. Commencement of work is dependent upon funding and regulatory approvals. Work is tentatively scheduled to begin in early 2012.

### 1.5.2.3 Visitor Center

Only when funding is identified, an approximately two-story 33,800 sq ft footprint landside Visitor Center may be constructed as Phase 2 of the project. The anticipated structure will be multi-story conventional building construction. The facility will house the educational exhibits, murals, models,



artifacts, audio-visual presentations, food, concessions, gift shop, offices, ticketing, and restroom facilities.

An existing Navy fuel surge line transects the parking area (Exhibit 2.0-4). Currently, construction of permanent structures must not be closer than 8 feet from the pipeline. Future construction of the Visitors Center may require the relocation of the surge line if still operative, in cooperation with the U.S. Navy. This will be subject to further CEQA review.

#### **1.5.2.4 Operations and Maintenance**

Day-to-day operation of the facility includes various tours of the battleship; guided and self-guided. The battleship will be presented as a “living” battleship which provides “at sea” experiences. Audio and visual backgrounds, interactive exhibits, and commemorative information will be provided to help visitors understand the history and function of the *Iowa* over her 50 years of service.

Several types of programs will be offered to a variety of groups that visit the battleship. Public battleship tours, K through 12 educational programs to supplement state curriculum guidelines, and youth and family weekend programs will provide different ways to understand the significance of the USS *Iowa*. A General Battleship Tour is primarily a brief overview of the major spaces aboard battleship including the Officers’ Wardroom, Captain’s Quarters, Main Gun Turret, Command Engagement Center (CEC), Secondary 5" Gun Mount, Main Bridge, Anti-Missile Battery “CWIS”, Tomahawk Cruise Missile Armored Box Launchers, Anti-Ship Harpoon Missile Launchers and the Crew’s Galley and Mess Deck. Specialized tours include a Main Gun tour, an Engineering and Armor tour, and other specific tours to accommodate special interest groups.

Operation of the battleship includes the various tours, food and drink concessions, and security personnel. The *Iowa* will be open from 10:00 a.m. to 5:00 p.m., seven days per week. Annual visitor estimates are approximately 430,000 during the first year of operation and stabilizing to 386,000 during subsequent years.

Pacific Battleship Center has prepared a Maintenance Plan that will assist the caretakers of the battleship with tools for long-term planning and care of the historic vessel. The Maintenance Plan is a result of an extensive ship inspection by former naval architects, construction professionals, and battleship enthusiasts. The full Maintenance Plan is included in Appendix C of the draft EIR.

In general, *Iowa* must be maintained in a condition satisfactory to the Secretary of the Navy. The maintenance plan includes detailed construction and operational items. The plan includes specific maintenance operations for the initial restoration work before the battleship opens to the public, as well as an ongoing Maintenance Plan. Draft EIR Section 2.0, “Project Description”, include the items required prior to opening to the public.

## 1.6 Port of Los Angeles Environmental Initiatives

### 1.6.1 POLA Environmental Management Policy

The POLA Environmental Management Policy as described in this section was adopted on April 11, 2005. The purposes of this policy are to provide an introspective, organized approach to environmental management, to further incorporate environmental considerations into day-to-day Port operations, and to achieve continual environmental improvement. The text of the policy reads as follows:

*The Port of Los Angeles is committed to managing resources and conducting Port developments and operations in both an environmentally and fiscally responsible manner. The Port will strive to improve the quality of life and minimize the impacts of its development and operations on the environment and surrounding communities 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 Port's overall mission and goals, as well as with those of its customers and the community. To ensure this policy is successfully implemented the Port will develop and maintain an environmental management program that will:*

- 1. Ensure this environmental policy is communicated to Port staff, its customers, and the community;*
- 2. Ensure compliance with all applicable environmental laws and regulations;*
- 3. Ensure environmental considerations include feasible and cost effective options for exceeding applicable regulatory requirements;*
- 4. Define and establish environmental objectives, targets, and best management practices and monitor performance;*
- 5. Ensure the Port maintains a Customer Outreach Program to address common environmental issues; and*
- 6. 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. (Port of Los Angeles 2005.)

The Port of Los Angeles Environmental Management Policy is exemplified in existing environmental initiatives of the Port and its customers, such as the voluntary Vessel Speed Reduction Program (VSRP), Source Control Program, Least Tern Nesting Site Agreement, Hazardous Materials Management Policy, and the Clean Engines and Fuels Policy. In addition, the environmental management policy will encompass new initiatives, such as the development of an environmental management system (EMS) with LAHD's Construction and Maintenance Division and a Clean Marinas Program. These programs are Port-wide initiatives to reduce environmental pollution. Many of the programs relate to the proposed Project. The following discussion includes details on a number of the programs and their goals.

## 1.6.2 Environmental Plans and Programs

LAHD has implemented a variety of plans and programs to reduce the environmental effects associated with operations at the Port. These programs include the San Pedro Bay Ports Clean Air Action Plan (CAAP), Environmental Management Systems, Air Quality Programs (Alternative Maritime Power, Off Peak Program, On-Dock Rail and the Alameda Corridor, Tugboat Retrofit, Electric and Alternative Fuel Vehicles, Electrified Terminal Operating Equipment, Yard Equipment Retrofit Program, and Vessel Speed Reduction Program), Water Quality Programs (Clean Marinas Program, Water Quality Monitoring, Cabrillo Beach Water Quality Improvements), Endangered Species (California Least Tern Nesting Site Management), and Port Planning (Green Terminal Program, Channel Deepening, Green Ports Program, Recycling). All of these efforts ultimately reduce environmental effects. Refer to Section 1.6.2.3, Other Environmental Programs, of the San Pedro Waterfront EIS/EIR, for program details.

### 1.6.2.1 Clean Air Action Plan

LAHD has had a Clean Air Program in place since 2001 and began monitoring and measuring air quality in surrounding communities in 2004. Through the 2001 Air Emissions Inventory, LAHD has been able to identify emission sources and relative contributions in order to develop effective emissions reduction strategies. LAHD's Clean Air Program has included progressive programs such as alternative maritime power (AMP), use of emulsified fuel and diesel oxidation catalysts (DOCs) in yard equipment, alternative fuel testing, and the VSRP.

In 2004, LAHD developed a plan to reduce air emissions through a number of near-term measures. The measures were primarily focused on decreasing nitrogen oxide (NO<sub>x</sub>), but also diesel particulate matter (PM) and sulfur oxides (SO<sub>x</sub>). 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 relative to 2001 levels. The plan identified 68 measures to be applied over the next 25 years that would reduce PM and NO<sub>x</sub> 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 still in development.

In 2006, in response to a new mayor and the Los Angeles Board of Harbor Commissioners, LAHD—along with the Port of Long Beach and in conjunction with the SCAQMD, California Air Resources Board (CARB), and EPA—began work on the CAAP, a comprehensive strategy to cut air pollution and reduce health risks from port-related air emissions. The CAAP's goal 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 it was approved at a joint meeting of both the Los Angeles and Long Beach Boards of Harbor Commissioners on November 20, 2006.

Through the CAAP, the ports have established uniform air quality standards for the San Pedro Bay. To attain such standards, the 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 ultra-fine particulates,
- a technology advancement program to reduce greenhouse gases, and
- a public participation process with environmental organizations and the business communities.

The CAAP focuses primarily on reducing diesel PM, along with NOX and SOX, 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 is expected to eliminate more than 47% of diesel PM emissions, 45% of smog-forming NOX emissions, and 52% of SOX from port-related sources within the next 5 years.

The CAAP includes near-term measures implemented largely through the CEQA process and through new leases at both ports. Port-wide measures at both ports are also part of the plan. This draft 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.

### **1.6.2.2 Water Resources Action Plan (WRAP)**

In August 2009, LAHD and the Port of Long Beach (Ports) approved the Water Resources Action Plan (WRAP). The WRAP will 1) support the attainment of full beneficial uses of harbor waters and sediments by addressing the impacts of past, present, and future port operations, and 2) prevent port operations from degrading existing water and sediment quality. The ports, their cities, the U.S. Environmental Protection Agency (EPA), and the Los Angeles Regional Water Quality Control Board (LA-RWQCB) have cooperated in the preparation of this WRAP for the harbors of San Pedro Bay.

The WRAP has two main driving forces: 1) the ports need to achieve their broad mission to protect and improve water and sediment quality, and 2) the imminent promulgation by the LA-RWQCB and the EPA of Total Maximum Daily Loads (TMDLs) for harbor waters, and the associated CWA permits. The WRAP's purpose is to put in place the programs and mechanisms for the ports to achieve the goals and targets that will be established in the relevant TMDLs and to comply with the Industrial Activities, Construction Activities, and Municipal Separate Storm Sewer System (MS4) permits issued to the ports and their respective cities and tenants. Throughout the process of implementing the WRAP, the ports will be guided by the basic principle of promoting science-based studies and methods in the integration of regulatory requirements with water and sediment management programs.

### **1.6.2.3 Environmental Management System**

In December 2003, LAHD was selected by the EPA, the American Association of Port Authorities, and the Global Environment and Technology Foundation to participate in the Port Environmental Management System Assistance Project. One of only 11 U.S. ports to be selected, the Port of Los Angeles is the first California seaport to incorporate the program into its operations.

An EMS is a set of processes and practices that enable an organization to reduce environmental impacts and increase operational efficiency. Participating ports are selected on the basis of existing environmental programs, diverse maritime facilities, and management resources. An EMS weaves environmental decision making into the fabric of an organization's overall business practices, with a goal of systematically improving environmental performance. An EMS follows the "Plan-Do-Check-Act" model of continual improvement. LAHD has implemented the EMS within its Construction and Maintenance Division facilities, with the goal of expanding the EMS to additional functions over the course of the next several years.

### 1.6.3 POLA Leasing Policy

The Los Angeles Board of Harbor Commissioners approved a comprehensive leasing policy for the Port on February 1, 2006. This policy includes environmental requirements as a provision in Port leases in addition to a formalized process for tenant selection.

Specific emission-reducing provisions contained in the leasing policy are:

- compliance with VSRPs;
- use of clean AMP (or cold-ironing technology), plugging into shore-side electric power while at dock, where appropriate;
- use of low sulfur fuel in main and auxiliary engines while sailing within the SCAB boundaries;
- for all Cargo Handling Equipment purchases, adherence to one of the following performance standards:
  - cleanest available NOX alternative-fueled engine, meeting 0.01 gram/brake horsepower-hour (g/bhp-hr) PM, available at time of purchase;
  - cleanest available NOX diesel-fueled engine, meeting 0.01 g/bhp-hr PM, available at time of purchase; or
  - if no engines meet 0.01 g/bhp-hr PM, then cleanest available engine (either fuel type) and installation of cleanest Verified Diesel Emissions Controls (more commonly known as VDEC) available; and
- use of clean, low-emission trucks within terminal facilities.

### 1.6.4 Port Community Advisory Committee

The Port of Los Angeles Community Advisory Committee (PCAC) was established as a standing committee of the Los Angeles Board of Harbor Commissioners in 2001.

The purposes of PCAC are:

1. To assess the impacts of Port developments on the harbor area communities and to recommend suitable mitigation measures to the Board for such impacts.
2. To review past, present and future environmental documents in an open public process and to make recommendations to the Board that ensure that impacts of the communities are appropriately mitigated in accordance with Federal and State of California law.
3. To provide a public forum and to make recommendations to the Board to assist the Port in taking a leadership role in creating balanced communities in Wilmington, Harbor City and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port.



## 1.7 Changes to the Draft EIR

This section of the final EIR discusses general changes and modification that have been made to the draft EIR. Actual changes to the text, organized by draft EIR chapters and sections, can be found in Chapter 3, “Modifications to the Draft EIR,” of this final EIR. The changes to the draft EIR have been made for the purpose of correcting and clarifying information contained within the draft EIR based on comments received from the public.

Changes noted in Chapter 3, “Modifications to the Draft EIR”, are identified by text strikeout and underline. These changes are referenced in Chapter 2, “Responses to Comments”, of this final EIR, where applicable. The project description is presented 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 draft EIR prior to certification of the EIR according to CEQA Guidelines and Statutes. The changes would not result in any new significant environmental impacts or substantial increase in the severity of an existing environmental effect. In response to public comments, changes and clarifications have been made throughout the draft EIR.

The above changes are consistent with the findings contained in the environmental impact categories in Chapter 3, “Environmental Analysis”, of the draft EIR, as amended. There would be no new or increased significant effects of the proposed Project. Therefore, the draft EIR does not need to be recirculated, and the EIR can be certified without additional public review, consistent with PRC Section 21092.1 and CEQA guidelines Section 15088.5.

## 1.8 References

*Port Community Advisory Committee*, The Port of Los Angeles, (accessed November 15, 2011) available at <http://www.portoflosangeles.org/community/pcac.asp>.

## 2.0 RESPONSES TO COMMENTS

### 2.1 Distribution of the Draft EIR

The draft EIR prepared by LAHD was distributed to the public and regulatory agencies on January 23, 2012, for a 45 day review period. Approximately 55 hard copies and CDs of the draft EIR were distributed to various government agencies, organizations, individuals, and Port tenants. In addition, over 750 postcards were mailed to all addresses within the 500 foot radius of the project site within the surrounding communities. LAHD conducted a public meeting regarding the draft EIR on February 8, 2012, to provide an overview of the proposed USS *Iowa* Project, project alternatives, and to accept public comments on the proposed Project, and environmental document.

The draft EIR was available for review at the following locations:

- Los Angeles Harbor Department, Environmental Management Division, 222 W. 6<sup>th</sup> Street, Suite 1080, San Pedro, CA 90731
- Los Angeles Public Library – San Pedro Branch, 921 S. Gaffey Street, San Pedro, CA 90731

In addition to the printed copies of the draft EIR, electronic versions were made available. Due to the size of the document, the electronic versions were prepared as a series of PDF files to facilitate with downloading and printing. The draft EIR is available at [http://www.portoflosangeles.org/environment/public\\_notices.asp](http://www.portoflosangeles.org/environment/public_notices.asp). Electronic copies of the draft EIR on a CD were available free of charge to interested parties.

### 2.2 Comments on the Draft EIR

The public comment and response component of the CEQA process serves an essential role. It allows the lead agency to assess the impacts of a project based on the analysis of other responsible, concerned, or adjacent agencies and interested parties. It also provides the opportunity to amplify and better explain the analyses that the lead agency has undertaken to determine the potential environmental impacts of a project. To that extent, responses to comments are intended to provide complete and thorough explanations to commenting agencies, individuals, and to improve the overall understanding of the project for decision making bodies.

The LAHD received 9 written comment letters during the review period and 7 comments through public meeting transcript at the public meeting held February 8, 2012. Table 2-1 presents a list of those agencies, organizations, and individuals who commented on the draft EIR.

**Table 2-1: Public Comments Received on the Draft EIR**

<i>Letter Code</i>	<i>Date</i>	<i>Individuals/Organizations</i>	<i>Page</i>
<b>Federal Government</b>			
NOAA	3-7-2012	NOAA, National Marine Fisheries Service	2-3
<b>State Government</b>			
NAHC	1-31-2012	Native American Heritage Commission	2-9
CPUC	1-28-2009	State of CA Public Utilities Commission	2-13
CNRA	3-5-2012	California Natural Resources Agency: Department of Conservation - Division of Oil, Gas, and Geothermal Resources	2-15
CSLC	3-7-2012	California State Lands Commission	2-18
<b>Regional/Local Government</b>			
SPCOC	2-25-2012	San Pedro Chamber of Commerce	2-25
<b>Individuals/Companies</b>			
ECON	1-25-2012	Ernest Convento	2-27
JBFO	1-25-2012	J.B. Foote, AICP	2-29
FAND	3-7-2012	Frank Anderson	2-31
<b>Draft EIR Public Hearing</b>			
	2-8-2012	Transcript	

## 2.3 Responses to Comments

In accordance with CEQA (Guidelines Section 15088), the LAHD has evaluated the comments on environmental issues received from agencies and other interested parties and have prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the draft EIR. Due to the low number of comments received, the LAHD has also presented and commented on all comments received, regardless of their relevance to the adequacy of the environmental document.

This section includes responses to comments made at the public hearing in addition to comments received during the draft EIR 45-day public review period. Some comments have prompted changes to the text of the draft EIR, which are referenced and shown in Chapter 3, "Modifications to the draft EIR". A copy of each comment letter received is provided and responses to each letter immediately follow.



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southwest Region  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213

MAR 7 2012

Christopher Cannon  
Director of Environmental Management  
The Port of Los Angeles  
425 S. Palos Verdes Street  
P.O. Box 151  
San Pedro, California 90733-0151

Dear Mr. Cannon:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the draft Environmental Impact Report (DEIR) for mooring of the USS Iowa at Berth 87 in the Port of Los Angeles (POLA) in San Pedro, California. NMFS offers the following comments pursuant to our responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

Proposed Action

The proposed action is to permanently relocate the USS Iowa from Suisun Bay in San Francisco, California to the POLA for use as a museum/educational facility. While the exact area of the USS Iowa is not mentioned in the DEIR, the ship has a length of 887 feet and a beam of 108 feet and it will substantially increase overwater coverage (approximately 2 acres). The battleship's hull will be cleaned at an offshore location to prevent introduction of non-indigenous species to the Port of Los Angeles. Additionally, no ballast water is present inside the ship and none will be added unless the ship is called back to active duty.

NOAA-1

Action Area

The proposed project occurs within essential fish habitat (EFH) for various federally managed fish species within Coastal Pelagic Species and Pacific Coast Groundfish Fishery Management Plans (FMPs). In addition, the project occurs within estuarine habitat, which is designated as a habitat area of particular concern (HAPC) for various federally managed fish species within the Pacific Coast Groundfish FMP. HAPC are described in the regulations as subsets of EFH which are rare, particularly susceptible to human-induced degradation, especially ecologically important, or located in an environmentally stressed area. Designated HAPC are not afforded any additional regulatory protection under MSA; however, federal projects with potential adverse impacts to HAPC will be more carefully scrutinized during the consultation process.

NOAA-2





### Effects of the Action

Permanent mooring of the USS Iowa will result in a large overwater structure that will permanently limit light availability to the marine environment. Light is the single most important factor affecting aquatic plants. Light levels underneath overwater structures have been found to fall below threshold levels for photosynthesis of phytoplankton, benthic algae, eelgrass, associated epiphytes and other autotrophs. These photosynthesizers are an essential part of nearshore habitat and the estuarine and nearshore food webs that support many species of marine and estuarine fishes. For example, the four common coastal pelagic species (northern anchovy, Pacific sardine, Pacific mackerel and jack mackerel) found in the POLA primarily consume phytoplankton and/or zooplankton during at least one life stage. Permanent shading from the USS Iowa may diminish those prey resources and adversely affect foraging.

In addition, fishes rely on visual cues for spatial orientation, prey capture, schooling, predator avoidance and migration. Juvenile and larval fish are primarily visual feeders with starvation being the major cause of larval mortality in marine fish populations. Early life history stages are likely critical determining factors for recruitment and survival, with survival linked to the ability to locate and capture prey and to avoid predation (Britt 2001). The reduced light conditions found under an overwater structure limit the ability of fishes, especially juveniles and larvae, to perform these essential activities. For example, Able and Duffy-Anderson (2005) examined the impacts of man-made structures, especially large piers, on fishes and selected invertebrates in the lower Hudson River over a number of years. They concluded that under-pier areas are poor quality habitats because they support low fish abundances, inhibit feeding, and suppress growth. They attributed the poor habitat quality to the low light levels under piers.

There is strong evidence that changes in the lighting regime can cause changes in fish behavior and predator-prey interactions. Overwater structures create a light/dark interface which allows ambush predators to hold in the darkened areas and watch for prey against a bright background. Prey can not see into the dark shadow and therefore are less successful at avoiding predators. Protected embayments are generally acknowledged as nursery areas for fish. Altering ecosystem structure in such a way to confer additional advantages to predators will reduce the nursery function of these systems. Although shading may not preclude use by certain fish species, it results in the permanent reduction in light, a fundamental regulating factor of ecosystem function in nearshore habitat. Moreover, emerging evidence suggests that introducing novel hard substrate into embayments may adversely affect native biodiversity by facilitating the proliferation of non-native species. Lastly, the permanent mooring of such a large vessel will reduce the amount of available water column habitat under the ship.

As described in the above effects analysis, NMFS has determined that the proposed action would adversely affect nearshore habitat and EFH for various federally managed fish species within Coastal Pelagic Species and Pacific Coast Groundfish FMPs. Given the significant modification of estuarine-marine shorelines within Southern California's embayments, NMFS believes additional reductions in habitat quality should be offset via

NOAA-2



compensatory mitigation. This project will shade a large portion of nearshore habitat diminishing its benefit to economically and recreationally valuable fishes. Therefore, the POLA should develop, in consultation with the U.S. Army Corps of Engineers (Corps), NMFS, and other relevant resource agencies, a plan to compensate for this reduction in habitat quality. The plan should be approved by the Corps prior to project construction.

NOAA-2

A similar project was permitted in San Diego Bay. Specifically, the USS Midway was permanently moored for the U.S. Aircraft Carrier Midway Museum. The project resulted in the shading of 2.4 acres of deep-water habitat. While the ship was not regulated as fill, the permanence of the mooring had been determined by the Corps to effectively serve, in an ecological sense, as fill within the San Diego Bay. This was deemed an adverse impact by various agencies and compensatory mitigation was required to offset the reduction in quantity and quality of marine habitat.

NOAA-3

Thank you for considering our comments. Please contact Mr. Adam Obaza at (562)980-4044, or via email at [Adam.Obaza@noaa.gov](mailto:Adam.Obaza@noaa.gov), if you have any questions concerning our comments or require additional information.

Sincerely,



W. Bryant Chesney  
Acting Assistant Regional Administrator  
for Habitat Conservation

Works Cited

Able, K.W., Duffy-Anderson, J.T., 2005. A synthesis of impacts of piers on juvenile fishes and selected invertebrates in the lower Hudson River. Report to the Rutgers Institute of Marine and Coastal Sciences, IMCS Contribution #2005-13. 29 p.

Britt, Lyle L. 2001. "Aspects of the vision and feeding ecology of larval lingcod (*Ophiodon elongatus*) and Kelp Greenling (*Hexagrammos decagrammus*)." M.Sc. Thesis, University of Washington.

## 2.3.1 Federal Government

### US Dept. of Commerce, NOAA, National Marine Fisheries Services W. Bryant Chesney, Acting Assistant Regional Administrator for Habitat Conservation

#### Response to NOAA-1

The commenter states they represent NOAA's National Marine Fisheries Service and are commenting pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). In addition, the commenter restates their understanding of the project description that could affect Essential Fish Habitat (EFH).

#### Response to NOAA-2

As discussed in the draft EIR, the proposed Project is located in an area of the Port of Los Angeles (Port) designated as EFH for federally managed species described in the Coastal Pelagic Species Management Plan and the Pacific Coast Groundfish Management Plan. The status of federally managed fish species and the effects of the proposed action on them and other marine species as well as EFH are discussed below.

The Los Angeles Harbor Department (LAHD) and Port of Long Beach (POLB) conduct regular biological surveys of the Los Angeles and Long Beach Harbor (Harbor), with the 2008 survey completed most recently<sup>1</sup>. Of the 95 species included under the Coastal Pelagics and Pacific Groundfish management plans, 19 adult species are known to be present in the Harbor, although most have been collected sporadically and in low numbers. Of the 19 species, four are likely to occur in the proposed Project vicinity: *Engraulis mordax* (northern anchovy), *Sardinops sagax* (Pacific sardine), *Scomber japonicus* (Pacific [chub] mackerel), and *Trachurus Symmetricus* (jack mackerel). In the 2008 survey, the northern anchovy was the most abundant species in both the Inner and Outer Harbor areas; Pacific sardine was less abundant. These surveys also showed a stable incidence of non-indigenous species (NIS), and increased diversity and abundance of native marine species since the prior survey.

LAHD has respectfully disagreed with National Marine Fisheries Service's (NMFS) EFH conclusions related to permanent shade impacts associated with the proposed mooring of the *USS Iowa*. Shade upon the existing habitat may change the epifaunal community by selecting for aquatic communities that are adapted for shade. However, this potential change does not represent a substantial disruption of the marine biological communities in the project area, or the harbor as a whole, and the impact would be less than significant.

The San Pedro Bay port complex is highly industrialized with the biggest contributor to ecological health and EFH being water quality, which has steadily improved since the 1970s. The LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Section 601; the California Tidelands Trust Act of 1911) and the California Coastal Act (CCA; PRC Division 20 Section 30700 *et seq.*), which identify the

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<sup>1</sup> Science Applications International Corporation (SAIC), 2010. *Final 2008 Biological Surveys of Los Angeles and Long Beach Harbors*. In association with Seaventures, Keane Biological Consulting, Tenera Environmental, ENCORP Consulting Inc. and Tierra Data Inc. April.

Port and its facilities as a primary economic and coastal resource of the state of California, and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries, and harbor operations. Activities should be water dependent and give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic water-borne commerce. The CCA sought to identify and limit areas for industrial operations along the California coast as a way to ensure trade opportunities and protect natural coastal areas from development. Since its inception, the Port has been a highly engineered harbor beginning with the first dredging events in the late 1800s and the construction of an approximately 5-mile long jetty in the early 1900s. With industrialization came poor water quality and a degraded marine habitat. For example, as recently as the late 1960s, dissolved oxygen levels at some locations in the Harbor were so low that little or no marine life could survive<sup>2</sup>.

Over the last 40 years, a combination of regulations limiting discharges to the water and LAHD-led sediment remediation and habitat restoration projects have greatly improved water quality and, in turn, marine biological resources. For example, in the Pier 300/Seaplane Lagoon area, both shallow water and eelgrass (*Zostera marina*) habitat have been created. Further, the LAHD, in conjunction with POLB, recently released the *Port of Los Angeles and Port of Long Beach Water Resources Action Plan (WRAP)*, which included 14 measures aimed at attaining full beneficial uses of Harbor waters and sediments by addressing the impacts of past, present, and future Port operations, and preventing these operations from further degrading water and sediment quality. The WRAP will further facilitate LAHD's efforts to improve water quality and restore native marine biological communities throughout the Harbor.

As discussed previously, LAHD conducts periodic Harbor-wide studies, which inventory and track marine species diversity and abundance and trends of biological communities, water quality, and marine habitat. In the 20 years since regular surveys began, there has been a measurable improvement in water and sediment quality, abundance, and diversity of marine biological communities, and eelgrass and kelp cover within Harbor boundaries, despite extensive expansion of port-related landfills and terminal developments, including the 500-acre Pier 400 fill project, a 232-acre container terminal on Pier 300, and the 41-acre Pier 300 fill project. In total, over 600 acres of new port-related fill and nine new berths within the Outer Harbor have been created in this time period. Meanwhile, between 1988 and 2008, federally managed northern anchovy populations have increased within the Harbor and these population increases have persisted.

As part of the project, the *USS Iowa* would be permanently moored at Berth 87, extending over deep (-54 MLLW) soft-bottom habitat along the Main Channel. The *USS Iowa* would remain afloat allowing circulation and mixing of phytoplankton during tidal exchange (i.e., the proposed ship would not have the effect of fill). As discussed in the Notice of Preparation and the *San Pedro Waterfront Environmental Impact Statement (EIS)/EIR*, the year-round presence of the battleship would not result in a significant impact on protected species because the area under and adjacent to the proposed Project site is not considered critical habitat and is not expected to attract federally managed species, such as northern anchovy or Pacific sardine, nor adversely affect the abundance and diversity of federally managed species in the Harbor. There are no wetlands, eelgrass, mudflats or kelp beds in the main channel. Shade over the existing deep bottom and adjacent riprap at Berth 87 may alter the epifaunal community by selecting for aquatic organisms adapted to shade and locally reduce photosynthesis. However, this potential change does not

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<sup>2</sup> Anderson, J.W., D.J. Reish, R.B. Spies, M.E. Brady, and E.W. Segelhorst, 1993. *Human Impacts*. Ch. 12 in: *Ecology of the Southern California Bight: A Synthesis and Interpretation* (M.D. Dailey, D.J. Reish, and J.W. Anderson [Eds.]). Univ. Calif. Press, Los Angeles, CA. 926 p.

represent a loss of ecosystem function, or a substantial disruption of marine biological communities in the Project area or the Harbor as a whole, and it is determined by LAHD that the potential impact would be localized and less than significant. Additionally, while not permanently moored, container vessels of similar size to the USS *Iowa* are docked at Port terminals for an average of 3 days at a time, and normal ship rotations ensure that there is at least one vessel at a terminal most of the year. If shading from ships were affecting biological function, LAHD would expect to see a corresponding decrease in population as ship traffic and size has increased since the 1970s.

As discussed in the comment letter, shaded areas and artificial structures may favor NIS populations; however, data from the biological surveys do not support this conclusion. In the 2008 survey, NIS in the Harbor included 1 species of fish (of 69 species collected), approximately 15% of total infauna and macroinvertebrates, and 2 species of algae (of 22 species collected). Since 1988, NIS populations have remained stable in the Harbor. Such stability is likely due in part to ballast water discharge regulations and improvements in water quality, which have supported recovery of native species populations. While LAHD acknowledges that NIS populations have persisted within the Harbor and the distribution of some algal species has increased, limits on the amount of hard substrate in a location specifically dedicated to maritime commerce is impracticable. Moreover, LAHD believes measures to assess the impact and control the spread of non-native algal species is better addressed through a Harbor-wide initiative, such as through existing measures in the WRAP, than on a project-specific basis. Because biological survey data show native fish and algal species have increased and the proportion of NIS has remained relatively constant during a time of significant terminal development and Port expansion, the proposed Project at Berth 87 and the resultant increase in artificial substrate from the USS *Iowa* would not result in a significant Project-related impact, nor have a cumulatively considerable impact on marine biological resources in the Harbor.

In conclusion, the proposed Project would not result in substantial adverse Project-related or cumulative impacts to marine biological resources/EFH due to shading in the marine environment. Moreover, through voluntary efforts such as the WRAP, and compliance with regulatory programs such as the National Pollutant Discharge Elimination System and TMDL programs, LAHD is working to improve marine habitat within the Harbor to build upon the improvements in water and sediment quality and biological resources observed during the past 20 or more years.

#### Response to NOAA-3

The Port of San Diego found that mooring the USS *Midway* resulted in a significant impact on foraging habitat for California least tern, a federally protected species. As discussed in the *San Pedro Waterfront EIS/EIR*, California least tern do not regularly forage in the area adjacent to Berth 87; during both the 2000 and the 2008 biological surveys, no foraging was observed along the Main Channel. Instead, important foraging areas for California least tern in the Harbor includes shallow water habitats at Cabrillo Beach and Sea Plane Lagoon. Therefore, mitigation is not warranted.



STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
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Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
na\_nahc@pacbell.net



January 31, 2012

Mr. Kevin Grant, LAHD Environmental Project Manager  
**Los Angeles Harbor Department**  
425 South Palos Verdes Street  
San Pedro, CA 90731



Re: SCH#2011081097 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "USS Iowa Project;" located in Port of Los Angeles area; Los Angeles County, California

Dear Mr. Grant:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC

NAHC-1

Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

NAHC-1



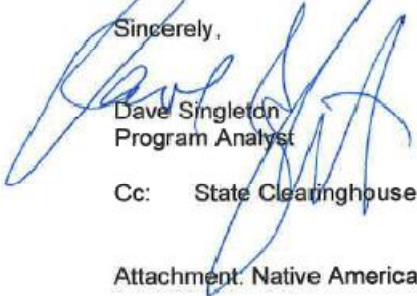
followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

NAHC-1

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

## 2.3.2 State Government

### Native American Heritage Commission

#### Dave Singleton, Program Analyst

##### Response to NAHC-1

The NAHC has been notified of both the Notice of Preparation and the Notice of Availability for the USS *Iowa* Project EIR. As identified in the letter above, no Native American cultural resources were identified within the project area.

As stated on page 5.0-7 of the draft EIR, no known formal gravesites have been identified within the project area as part of the San Pedro Waterfront EIS/EIR, and due to the nature of the project, no impacts are anticipated. While not expected, the remote potential exists that construction activities associated with implementation of the Project would have the potential to disturb human remains. If human remains are encountered on or offsite, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.



STATE OF CALIFORNIA

EDMOND G. BROWN JR., Governor

PUBLIC UTILITIES COMMISSION

820 WEST 4<sup>TH</sup> STREET, SUITE 500  
LOS ANGELES, CA 90013



January 28, 2009

Kevin Grant  
Los Angeles Harbor Department  
425 S. Palos Verdes  
San Pedro, CA 90731

Dear Mr. Grant:

Re: SCH# 2011081097; USS Iowa Project

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-DEIR* from the State Clearinghouse for the USS Iowa project to be accessed crossing over the 1<sup>st</sup> Street crossing (CPUC Crossing No. 121SY-5.10-C and DOT No. 747789E and near the 6<sup>th</sup> Street crossing (CPUC Crossing No. 121SY-5.40-C and DOT No. 747791F). New developments may increase traffic volumes not only on streets and at intersections, but also at crossings. This includes considering pedestrian circulation patterns/destinations with respect to shared right-of-way.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes/ compliance with Americans with Disabilities Act (ADA) and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

Language should be in place so that any traffic impact studies undertaken should also address vehicle and pedestrian traffic increase impacts over affected crossings and associated proposed mitigation measures.

If you have any questions in this matter, please contact Jose Pereyra, responsible Engineer at (213) 576 – 7083 or email at [jfp@cpuc.ca.gov](mailto:jfp@cpuc.ca.gov), or me at [rxm@cpuc.ca.gov](mailto:rxm@cpuc.ca.gov), 213-576-7078.

Sincerely,

Rosa Muñoz, PE  
Senior Utilities Engineer  
Rail Crossings Engineering Section  
Consumer Protection & Safety Division

CPUC-1

CPUC-2

**State of California Public Utilities Commission  
Rosa Muñoz, PE, Senior Utilities Engineer**

## Response to CPUC-1

This letter is dated January 28, 2009; however it was received in March of 2012.

In this letter, the State of California Public Utilities Commission is commenting on the proposed Project in regards to the project site access over the rail crossings at 1<sup>st</sup> Street and near 6<sup>th</sup> Street as they have jurisdiction over the safety of highway-rail crossings in California. Vehicular access to the project site would be at the 1<sup>st</sup> Street crossing, as well as the entrance at Swinford and Front (existing entrance for cruise terminal). The revised circulation and improvements to the cruise ship terminal parking lot will allow access to the south end of the parking lot for access to IOWA. It should be noted that no direct site access would occur at the 6<sup>th</sup> Street crossing.

## Response to CPUC-2

The commenter states that new developments may increase traffic volumes at crossings, not only vehicular but pedestrian traffic. The commenter suggests mitigation measures for inclusion in the final EIR regarding:

- planning for grade separations for major thoroughfares,
- improvements to existing at-grade crossings compliant with ADA, and
- security fencing to prevent people from accessing the crossing.

The proposed project would intensify the use of the existing grade crossing at 1st Street by vehicular and pedestrian traffic. Currently regular rail traffic is limited to the Waterfront Red Car Line, a historic streetcar line that operates between the World Cruise Center (south of Swinford Street) and a southern terminus located north of 22nd Street. Hours of operation are from noon to 9:30 PM Fridays through Sundays, with service every 20 minutes, and Red Cars also run on mid-week days when cruise ships are in Port. The crossing is currently improved with flashing lights, crossbucks, crossing gates, tactile warning strips on the sidewalks and protective fencing along the rail line. Recently the City of Los Angeles has implemented a protected southbound left-turn phase at the nearby signalized intersection of 1st Street & Harbor Boulevard, which is interconnected with the crossing.

NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR. GOVERNOR



DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

5816 Corporate Avenue • Suite 200 • CYPRESS, CALIFORNIA, 90630-4731

PHONE 714 / 816-6847 • FAX 714 / 816-6853 • WEBSITE conservation.ca.gov



March 5, 2012

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

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE USS IOWA PROJECT
- SCH 2011081097

Dear Mr. Cannon:

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division), Cypress office, has reviewed the above referenced project. Our comments are as follows.

The proposed project is located within the administrative boundaries of Los Angeles County. There do not appear to be any wells within or adjacent to your proposed project. However, there is a buried-idle well approximately 2500 feet to the NNW that belongs or belonged to Apex Petroleum Corporation, Ltd. "Hards-Warnock" #1 (037-05132). This well is located on Division maps O1-1 and 128 and in Division records.

The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and plugging and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy; and (4) damage to oil and gas deposits by infiltrating water and other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor (Supervisor) the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable methods for the purpose of increasing the ultimate recovery of oil and gas.

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations.

If any structure is to be located over or in the proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the Public Resources Code (PRC) authorizes the State Oil and Gas

CNRA-1

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.



Mr. Christopher Cannon  
March 5, 2012  
Page 2 of 2

Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in the proximity of the well could result in a hazard.

An operator must have a bond on file with the Division before certain well operations are allowed to begin. The purpose of the bond is to secure the state against all losses, charges, and expenses incurred by it to obtain such compliance by the principal named in the bond. The operator must also designate an agent, residing in the state, to receive and accept service of all orders, notices, and processes of the Supervisor or any court of law.

Written approval from the Supervisor is required prior to changing the physical condition of any well. The operator's notice of intent (notice) to perform any well operation is reviewed on engineering and geological basis. For new wells and the altering of existing wells, approval of the proposal depends primarily on the following: protecting all subsurface hydrocarbons and fresh waters; protection of the environment; using adequate blowout prevention equipment; and utilizing approved drilling and cementing techniques.

The Division must be notified to witness or inspect all operations specified in the approval of any notice. This includes tests and inspections of blowout-prevention equipment, reservoir and freshwater protection measures, and well-plugging operations.

The Division recommends that adequate safety measures be taken by the project manager to prevent people from gaining unauthorized access to oilfield equipment. Safety shut-down devices on wells and other oilfield equipment must be considered when appropriate.

If any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's Cypress district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

CNRA-1

Sincerely,

  
Syndi Pompa  
Associate Oil & Gas Engineer - Facilities

**California Natural Resources Agency: Department of Conservation,  
Division of Oil, Gas, and Geothermal Resources  
Syndi Pompa, Associate Oil & Gas Engineer - Facilities**

Response to CNRA-1

In this letter, the State of California Department of Conservation is commenting on the proposed Project in regards to wells. The letter states that there are no wells within or adjacent to the proposed Project site. The only well within the project vicinity is one idle petroleum well located approximately 2,500 feet north-northwest, which would not be disturbed by construction activities of the proposed Project. The remainder of the letter informs the Port of regulations and required protocol if any wells are to be disturbed.

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

**CALIFORNIA STATE LANDS COMMISSION**  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



**CURTIS L. FOSSUM**, Executive Officer  
(916) 574-1800 FAX (916) 574-1810  
California Relay Service from TDD Phone 1-800-736-2828  
from Voice Phone 1-800-736-2822

Contact Phone: (916) 574-0742  
Contact FAX: (916) 574-1950

March 7, 2012

File Ref: W9777.234  
W9777.291

Port of Los Angeles  
Mr. Chris Cannon  
Director of Environmental Management  
425 South Palos Verdes Street  
San Pedro, CA 90731

**RE: Comments on the Draft Environmental Impact Report for the USS Iowa Project; ADP: 110321-038**

Dear Mr. Cannon:

The Marine Invasive Species Program Staff of the California State Lands Commission (Commission) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the USS *Iowa* Project (ADP: 110321-038).

Since 1999, the Commission's Marine Invasive Species Program (MISP) has been, and remains, a national and world leader in the development of effective science-based management strategies for preventing species introductions through vessel vectors, including both ballast water and biofouling. The MISP is legislatively mandated to move the state expeditiously towards the elimination of the discharge of nonindigenous species (NIS) into the waters of the state and pursues aggressive strategies to do so, including a proposed set of regulations governing the management of biofouling for vessels operating in California. With this purpose in mind, MISP Staff offers the following comments on the USS *Iowa* Project DEIR.

CSLC-1

General Comments:

1. The description of the Environmental Setting of Suisun Bay is not complete, as it fails to recognize and reference the fact that the San Francisco Estuary (including Suisun Bay) is one of the most heavily invaded estuaries in the world (Cohen and Carlton 1995, Cohen and Carlton 1998). Many of the NIS currently established in the San Francisco Estuary may not be established in the Port of

CSLC-2

Mr. Chris Cannon  
March 7, 2012  
Page 2 of 4

Los Angeles (POLA), or southern California in general, and therefore have the potential to be introduced to these areas through the actions described in the DEIR unless properly managed. A description of the NIS currently established throughout the San Francisco Estuary and the Port of Los Angeles can be found in Appendix S1 of Ruiz et al. (2011). Davidson et al. (2008), including Appendix S1, provides a description of the biofouling organisms associated with two vessels within the Suisun Bay Reserve Fleet (SBRF) and offers insight into the potential for these organisms to be transported to southern California along with their host structure (i.e. the USS *Iowa*).

One of the many species of concern is the Overbite Clam (*Corbula amurensis*), which has been documented as being associated with vessels from the SBRF (Davidson et al. 2008). This clam is believed to be a major contributor to the decline of several pelagic fish species in California's Sacramento-San Joaquin River Delta, including the threatened delta smelt (Feyrer et al. 2003, Sommer et al. 2007). These details should be included in the Environmental Setting description, as the presence of NIS on the USS *Iowa* may present an elevated risk of NIS introduction unless properly managed prior to arrival to the POLA. Although management and removal of NIS from the *Iowa* is described in the DEIR, an accurate description of the risk of transporting NIS to the POI A must be included here.

- 2. MISP staff disagrees with the designation of Section 5.2 Biological Resources, subpart (a), as a **Less Than Significant Impact**. As discussed in General Comment #1 above, there is a significant risk of introducing NIS into the POLA through the transport of the *Iowa* from the SBRF to the Port. This risk can be mitigated through proper management (i.e. through very detailed and thorough in-water cleaning). Because the significant risk described above can be mitigated through proper management, MISP staff believes Biological Resources subpart (a) should be designated as **Less Than Significant With Mitigation**. This is an important difference, as under the current designation there is no requirement or necessity to evaluate the effectiveness of the in-water hull cleaning operation. Without proper evaluation of the post-cleaning biofouling extent, there is no way to properly evaluate whether the significant risk has been mitigated.

Specific Comments:

Page 2.0-4, Para 2 Lines 6-7: The statement "Congress has stipulated that the USS *Iowa* must reside in the State of California as a resource to West Coast populations" must include a reference to the appropriate congressional action (e.g. legislation, resolution) through which this stipulation was raised. If Congress has given a directive for this action, a proper reference must be cited (as is done later in the paragraph to reference Resolutions from the Port of Los Angeles).

} CSLC-2

} CSLC-3

} CSLC-4



Mr. Chris Cannon  
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Page 3 of 4

Page 2.0-5, Port of Richmond: The existing description of the transport of the USS *Iowa* from Suisun Bay to the Port of Richmond is missing the date(s) of transport and date of arrival in the Port of Richmond.

CSLC-5

Page 2.0-7, Para 1-2: Critical details of the in-water hull cleaning plan are lacking. This is an extremely important activity necessary to reduce the bioinvasion risk associated with moving the USS *Iowa* from the heavily invaded San Francisco Bay area into the Port of Los Angeles. The current text describes the planned in-water cleaning of the hull sides and flat bottom, but there is no description of plans to clean the many appendages and heterogeneous underwater surfaces (which are commonly referred to as "niche areas"), including the rudder, propeller, and bilge keels. Based on previous discussions and descriptions, MISP staff was led to believe that all underwater surfaces were to be cleaned prior to entry into the Port. If this is still the intent, it should be explicitly described. If it is not the intent, then the arrival to the Port of Los Angeles may be in violation of Public Resources Code Section 71204(f).

CSLC-6

Closing

The risk of introducing nonindigenous species into the Port of Los Angeles as a result of transporting the USS *Iowa* from the San Francisco Bay area into southern California is real and significant. Proper management of the biofouling organisms associated with the *Iowa* will mitigate this risk. The final Environmental Impact Report that will be prepared for this project must describe this risk and potential mitigation in full detail.

CSLC-7

Thank you for consideration of these comments. If you have any questions, please do not hesitate to contact me at [nicole.dobroski@slc.ca.gov](mailto:nicole.dobroski@slc.ca.gov).

Sincerely,



Nicole Dobroski  
Marine Invasive Species Program Manager  
Marine Facilities Division, California State Lands Commission

CC: Don Hermanson, Chief, Marine Facilities Division  
Cy Oggins, Chief, Division of Environmental Planning and Management

Mr. Chris Cannon  
March 7, 2012  
Page 4 of 4

Literature Cited:

Cohen, A.N., and J.T. Carlton. 1995. Nonindigenous Aquatic Species in a United States Estuary: A Case Study of the Biological Invasions of the San Francisco Bay and Delta. Washington, D.C.: US Fish and Wildlife Service, December, 1995.

Cohen, A.N. and J.T. Carlton. 1998. Accelerated invasion rate in a highly invaded estuary. *Science* 279: 555-558

Davidson, I.C., L.D. McCann, P.W. Fofonoff, M.D. Sytsma, and G.M. Ruiz. 2008. The potential for hull-mediated species transfers by obsolete ships on their final voyages. *Diversity and Distributions* 14: 518-529.

Feyrer, F., H.B. Matern, and P.B. Moyle. 2003. Dietary shifts in a stressed fish assemblage: Consequences of a bivalve invasion in the San Francisco estuary. *Environmental Biology of Fishes* 67: 277-288.

Ruiz, G.M., P.W. Fofonoff, B. Steves, S.F. Foss, and S.N. Shiba. 2011. Marine invasion history and vector analysis of California: a hotspot for western North America. *Diversity and Distributions* 17: 362-373.

Sommer, T., C. Armor, R. Baxter, R. Breuer, L. Brown, M. Chotkowski, S. Culberson, F. Feyrer, M. Gingras, B. Herbold, W. Kimmerer, A. Mueller-Solger, M. Nobriga, K. Souza. 2007. The collapse of pelagic fishes in the upper San Francisco estuary. *Fisheries* 32: 270-277.

**California State Lands Commission**  
**Nicole Dobrowski, Marine Invasive Species Program Manager,**  
**Marine Facilities Division**

## Response to CSLC-1

The commenter describes the duty of the California State Lands Commission to manage and aggressively pursue strategies to carry out the Marine Invasive Species Program to prevent the transport of nonindigenous species (NIS) into waters of the state.

## Response to CSLC-2

The description of Suisun Bay is located in Chapter ES, “Executive Summary” (Section ES.4.1, *Project Background*) and Chapter 2.0, “Project Description” (Section 2.4, *Project Background*) of the draft EIR. Suisun Bay is described in the Project Background sections and not the Environmental Setting sections, because the USS *Iowa* battleship was previously removed from the National Defense Reserve Fleet in Suisun Bay and is now in the Port of Richmond.

The description of Suisun Bay, in Chapter ES, “Executive Summary”, does include a reference to the fact that the San Francisco Estuary is the most heavily invaded estuaries in the world and that many of the NIS currently established in the San Francisco Estuary may not be established in the Port of Los Angeles, or southern California.

Please see page ES-8, paragraph 3:

“Suisun Bay is within the San Francisco Estuary, one of the most heavily invaded estuaries in the world.<sup>3</sup> Many of the nonindigenous species (NIS) currently established in the San Francisco Estuary may not be established in the Port or southern California in general.”

The above quoted statement, in addition to a description of the risk of transporting the NIS from San Francisco to Los Angeles is now also included in the Chapter 2.0, “Project Description”. See final EIR Chapter 3.0, “Modifications to the Draft EIR”.

## Response to CSLC-3

POLA understands that there is a very high risk of introducing the NIS to Southern California. Mitigation is not necessary because off-shore hull cleaning is already a part of the proposed project. Refer to Section 2.6, “Project Characteristics”, page 2.0-6 of the draft EIR. The description of hull cleaning activities has been further expanded. See final EIR Chapter 3.0, “Modifications to the draft EIR”.

## Response to CSLC-4

A correction has been made to the EIR text to read:

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<sup>3</sup> Cohen, A.N., and J.T. Carlton. 1995. Nonindigenous Aquatic Species in a United States Estuary: A Case Study of the Biological Invasion of the San Francisco Bay Delta. Washington, D.C.: US Fish and Wildlife Service, December, 1995.

Cohen, A.N., and J.T. Carlton. 1998. Accelerated invasion rate in a highly invaded estuary. *Science* 279: 555-558.

*The Secretary of the Navy has required that the donated battleship, USS Iowa, shall remain in the state of California (Federal Register / Vol. 75, No. 99 / Monday, May 24, 2010 / Notices, Page 28786). Also see Appendix G, Federal Register Notice; refer to Appendix G, Federal Register Notice.*

For these changes, refer to final EIR Chapter 3.0, "Modifications to the Draft EIR".

#### Response to CSLC-5

The USS *Iowa* was moved from Suisun Bay to Benicia on October 27, 2011 and from Benicia to the Port of Richmond on October 28, 2011 where the battleship has been undergoing restoration work. A bailment agreement between the Navy and PBC allowed the battleship to be moved.

#### Response to CSLC-6

A detailed description of the off-shore hull cleaning activities is included in the draft EIR, in the *Executive Summary*, pages ES-10 to ES-11 as well as in Chapter 2.0, "Project Description", pages 2.0-6 to 2.0-7. To clarify, it is the intent of the Pacific Battleship Center (PBC) to clean all underwater surfaces of the battleship prior to entry into the Port. PBC shall not violate PRC Section 71204(f), or introduce these species into the harbor. The detailed hull cleaning plan was prepared by the Pacific Battleship Center and submitted to the CSLC (*Invasive Species Work Plan*, dated May 3, 2011). Please note that this plan has not changed. The following statement clarifying the intent of the Port to clean the entire underwater surface of the USS *Iowa*, including niche areas, has been added in the final EIR.

*The entire underwater surface of the USS Iowa would be thoroughly cleaned, including niche areas, at the aforementioned offshore location.*

See final EIR Chapter 3.0, "Modifications to the Draft EIR". The aforementioned *Invasive Species Work Plan* as well as a letter from CSLC (dated May 16, 2011) acknowledging that the *Invasive Species Work Plan* will meet the requirements of the Marine Invasive Species Act, has been added to the final EIR as Appendix F.

The following text from the *Invasive Species Plan* has been added to the hull cleaning description in the Project Description:

*A combination of underwater tools from hydraulic powered multi and single brushed machines to divers utilizing hand scrapers and low pressure water to blow out niches and gaps will be used to clean the ship as efficiently and as carefully as possible. The vertical side shell and flat bottom will be brushed using a hydraulic triple brush underwater machine which can utilize brushes that vary from nylon to flat wire to affectively remove the hard and soft fouling without damaging the coatings. Areas of curvature such as the tear drop bow, turn of the bilge, rudder, shafting and skegs will be brushed using single and dual brush machines that function well in smaller tighter bend radiuses. Attachments to the shell plate such as bilge keels, struts, cofferdams, pad eyes, etc. will require cleaning using individual divers using large and small scrapers. The divers will use caution to only remove the fouling without causing damage to the protective coatings and anodes.*

The following text has been added to the Project Description regarding Marine Invasive Species Act compliance:

*After hull cleaning has been completed, a video recording of the hull of the USS Iowa would be provided to the California State Lands Commission, Marine Invasive Species Program Manager, to verify compliance with PRC Section 71204(f), for their acknowledgement that the hull cleaning is adequate and acceptable under State and local protocol.*

Response to CSLC-7

It is every intention of the Port of Los Angeles to properly manage biofouling organisms and prevent the introduction of NIS. As such, specific actions to carry out these acts are included in the draft EIR. Refer to Section 2.6, "Project Characteristics", page 2.0-6 of the draft EIR. Further clarifications of these actions are included in the final EIR Chapter 3.0, "Modifications to the draft EIR". The Port fully understands the risks of introduction of NIS and will ensure proper compliance with the MISP.





February 25, 2012

Christopher Cannon  
Director of Environmental Management  
Los Angeles Harbor Department  
425 South Palos Verdes St.  
San Pedro, CA 90731



Dear Mr. Cannon:

In December of 2009, the San Pedro Chamber of Commerce went on record in support of bringing the USS Iowa to the Los Angeles Harbor as an integral part of the economic and tourist development of the San Pedro Waterfront.

With the release of the Draft Environmental Impact Report (DEIR) for the USS Iowa Project, on behalf of our members, we would again like to restate our support of this project as described in the DEIR. We feel that bringing this historic vessel to the San Pedro Waterfront at Berth 87, would not only add significantly to the rich maritime and naval history of this area, but would add historical educational for our youth, and would provide significant economic opportunities throughout the region.

On behalf of our businesses and community, we support this unique opportunity to bring the USS Iowa to the Port of Los Angeles providing public access to the only battleship on the West Coast of the United States.

SPCOC-1

Sincerely,

Anthony Pirozzi  
Chairman, Board of Directors  
San Pedro Chamber of Commerce

Betsy Cheek  
President/CEO  
San Pedro Chamber of Commerce



390 West 7th Street, San Pedro, CA 90731 • Phone (310) 832-7272 • Fax (310) 832-0685 • www.sanpedrochamber.com

### **2.3.3 Regional/Local Government**

#### **San Pedro Chamber of Commerce Anthony Pirozzi and Betsy Cheek**

Response to SPCOC-1

In this letter, the San Pedro Chamber of Commerce expresses their support for the proposed Project which has been noted.



---

**From:** Ernest Gene Convento <beingernest@yahoo.com>  
**To:** Ceqacomments <Ceqacomments@portla.org>  
**Date:** 1/25/2012 12:47 PM  
**Subject:** USS Iowa Relocation Project Draft EIR Comments (POLA Website Referral)

---

Hello,

i noticed that there is an issue with Appendix B in the dEIR website.

After download, it appears there is an error in the file and will not open. It also appears to have no information as its 0kb in size.

} ECON-1

ernest convento

## **2.3.4 Individuals/Companies**

### **Ernest Convento**

Response to ECON-1

This letter is informing us that there was an error on the website which was fixed immediately upon receipt of the letter by the Los Angeles Harbor Department.

January 25, 2012

VIA E-MAIL

Port of Los Angeles  
Attn: Christopher Cannon, Director of Environmental Management  
425 South Palos Verdes Street  
San Pedro, CA. 90731

Subject: *USS Iowa Project*  
Draft EIR (SCH #2011081097) – Notice of Completion

Dear Mr. Cannon,

This letter is submitted during the public review/comment period for the above-referenced Draft EIR. The Project Description is incomplete in that the conceptual site plan does not provide a clear description of the proposed structures and project characteristics. The project description must be complete, accurate, and sufficient to allow evaluation of environmental impacts (*CEQA Guidelines §15124(c)*).

} JBFO-1  
} JBFO-2

The conceptual site plan is deficient in terms of the proposed Phase I structures (480-sq.ft. office/ticket booth, 480-sq.ft. restroom facility, two entry platforms, parking kiosk) and the Phase II 33,800-sq.ft. visitor center. Exhibit 2.0-4 ("Berth 87 & Proposed Site Plan") shows only the proposed berth location, and all other information is absent in terms of the locations, footprints, and improvements related to the proposed ancillary structures. Figure 1 in Appendix E (Traffic Study, page 2) shows the placement of the proposed Phase II visitor center, but does not include any of the proposed Phase I structures. The proposed configuration of the on-site parking lot to be utilized as a part of the project is not shown on any exhibits.

} JBFO-3  
} JBFO-4

The conceptual site plans and phasing description do not indicate if existing or future on-site parking spaces will be removed to make room to accommodate the proposed Phase I and Phase II structures. Removal of existing (future) parking may invalidate the parking analysis in the Traffic & Circulation section (pages 3.3-33 to 3.3-34) and Appendix E (Traffic Study, pages 62-64). All phases of a project must be considered when evaluating its impact on the environment (*CEQA Guidelines §15126*). The Draft EIR does not provide the level of required specificity (*CEQA Guidelines §15146*), and the parking analysis should be expanded or revised to provide the level of detail sufficient to fully evaluate the potential impacts.

} JBFO-5



J.B. FOOTE, A.I.C.P.

**J.B. Foote, AICP**

## Response to JBFO-1

The commenter states that this letter was submitted during the commenting period which is correct and has been noted.

## Response to JBFO-2

The description of the proposed structures and characteristics are included in the draft EIR, Chapter 2.0, “Project Description”, Section 2.6, page 2.0-6. The description includes square footage and number of stories of each of the proposed structures, with the exception of the entry platforms for access and egress from the battleship. The Phase I structures would be placed on the existing pavement within the project area. The entire project area is a paved parking lot, with the exception of the water along the main channel of the harbor where the battleship will be berthed.

## Response to JBFO-3

As previously stated, the project description provides specific square footage of the proposed structures and states that they will be placed/and or built within the project area. Also, as previously stated, the entire project area is a paved parking lot. The title of Exhibit 2.0-4, *Berth 87 & Proposed Site Plan* has been changed to better reflect the contents of the exhibit and is now Exhibit 2.0-4, *Berth 87 & Navy Fuel Surgeline*. The exact configuration of the proposed structures on the project site is not yet determined by the LAHD and PBC; however, an updated site plan has been added to the EIR. Refer to Exhibit 2.0-6, *Tentative Site Plan*.

## Response to JBFO-4

The exact configuration is not yet determined by the LAHD and PBC. The entire parking area currently is and will remain the jurisdiction of the LAHD. Plans regarding striping and configuration are within the purview of the LAHD as normal maintenance activities. For the environmental analysis, the existing lot has the capacity to accommodate the required amount of parking for the project in different configurations. In regards to the parking lot configuration, refer to Exhibit 2.0-7, *Parking Lot Plan*.

## Response to JBFO-5

The parking lot is discussed in Chapter 2.0, “Project Description”, page 2.0-8. Information added to this section is included in FEIR Chapter 3.0, “Modifications to the Draft EIR”. Parking for the USS *Iowa* Project shall be managed and maintained by the Port of Los Angeles. Exhibit 2.0-6, *Tentative Site Plan*, and Exhibit 2.0-7, *Parking Lot Plan*, are now included in the final EIR.

From: FBMJET@aol.com [mailto:FBMJET@aol.com]  
Sent: Wednesday, March 07, 2012 8:04 PM  
To: Ceqacommments  
Subject: Re: USS Iowa traffic comments

I have concerns about the Iowa EIR traffic mitigation plan. I believe that the Port is under estimating the potential impact on neighboring streets by those who will be visiting the Iowa.

} FAND-1

Traffic will enter the Port at Swinford, Harbor Blvd. south and at First Street. All these entrances are presently inadequate to handle the anticipated increase in Iowa visitor traffic. Swinford and Harbor Blvd. currently congest when there is a holiday, a cruise boat (s) visiting and China Shipping truck traffic. Week ends and holidays turn Harbor Blvd. south into a gridlock situation because of people visiting Ports O'Call. First Street passes through residential neighborhoods where traffic is slowed by speed bumps and four way stops. Traffic traveling east on First Street would find it slow going as it passes through the neighborhoods and attempts to enter the gate at Berth 87.

} FAND-2

The number of visitors to the Iowa could be greater than projected. Visitation to the Iowa in Richmond has been substantial even though only small portion of the boat is open to the public. Also, the Port need only to look at the popularity of the recent aircraft carrier visit. Swinford and Harbor Blvd. were in serious gridlock by 8:00 a.m. Traffic was backed up to Sepulveda Blvd. on the Harbor Freeway! Feeder streets into Harbor Blvd. (e.g. First St.) were also heavily impacted.

} FAND-3

The Port needs to revisit the traffic mitigation plan it has in addition to a dedicated turn lane from First Street west to Gaffey St. north. The Port should develop a comprehensive plan to route overflow traffic to Ports O'Call and parking lots near 22nd St. and Miner. A well developed plan to shuttle visitors from these lots should be prepared along with better signage and improved crosswalks at Swinford and at First Street.

Sincerely,

Frank B. Anderson

[fbmiet@aol.com](mailto:fbmiet@aol.com)

515 North Meyler St.

San Pedro, Ca. 90731-1840

H 310 8339113 C 310 3875665

## Frank Anderson

### Response to FAND-1

The commenter expresses a concern about the adequacy of the proposed traffic mitigation measure for the USS *Iowa* Relocation project and believes that the potential impact of project traffic on the streets surrounding the project site is underestimated.

The draft EIR analysis uses attendance projections by the Project applicant. The annual, monthly and daily visitor projections to USS *Iowa* for both Opening Year and for Stabilized Operations were developed using market research techniques and actual data on visitor patterns to the USS *Midway*, in the Port of San Diego. This data was reviewed as part of the draft EIR studies and surveys were conducted at the USS *Midway* to provide information on hourly trends and average vehicle ridership (AVR) of museum visitors. The USS *Midway* was chosen for these studies because it was determined to be a comparable museum to the proposed project. Data collected from the USS *Midway* confirmed the applicant's information on patronage trends, and together with the actual data on AVR, trip generation estimates were developed for the analyzed peak hours on weekdays and weekend days. The peak of activity at the USS *Iowa* is expected to occur in July but because there is little or no cruise ship activity in July, the secondary peak months of March and April was selected as the analysis month. It is acknowledged that attendance at the proposed project could vary from the draft EIR projections, but the draft EIR did not analyze speculative scenarios. The accessibility of the USS *Iowa* in Richmond and the recent Navy Days events were both temporary, non-recurring events, therefore not directly comparable to the permanent museum that would be created under the proposed Project. The fact that these were special events of limited duration required all members of the interested public to attend within a short time period. The data used in the draft EIR analysis provides the most reasonable basis for the study.

### Response to FAND-2

The commenter states that traffic congestion occurs on key project access routes on busy weekend days and when special events occur. Consistent with the requirements of the Los Angeles Department of Transportation, the baseline traffic count data used in the draft EIR analysis was collected when background traffic levels in the study area were at their typical peak: two cruise ships were in port, the nearby freight terminals were in normal operation, schools and colleges were in session and fair weather conditions prevailed. Estimation of project trip distribution and trip assignment was based on the location of Berth 87 within the context of the surrounding streets, and anticipated use of both Harbor Boulevard and First Street. Based on the traffic impact analysis in the draft EIR, which applied the thresholds of significance established by the City, it was found that a significant traffic impact could occur at the intersection of First Street & Gaffey Street. A potential mitigation measure was identified in the draft EIR, subject to LADOT approval. Since the draft EIR was circulated, LADOT determined that a different mitigation measure at that intersection would be acceptable (reconfiguration of the eastbound approach) and it is included in the final EIR.

### Response to FAND-3

The commenter suggests that the Port develop a comprehensive plan that employs shuttles and utilizes parking at Ports O' Call and 22nd Street & Miner Street to serve the varied attractions throughout the San Pedro Waterfront area, including the USS *Iowa* Museum. The Waterfront



Red Car currently serves the shuttle function, operating between 22nd Street and the World Cruise Terminal on days when activity along the Waterfront is greatest. The San Pedro Waterfront project includes improvements to the Waterfront Red Car Line, including additional vehicles and service over expanded routes. The San Pedro Waterfront project also includes substantial new parking facilities at the World Cruise Center and at Ports O' Call to support new and existing development along the Waterfront.

The comment includes a suggestion for better signage and improved crosswalks on Harbor Boulevard at the signalized intersections of First Street and at Swinford Street. Crosswalks are currently provided on the south leg of Harbor Boulevard & First Street and on the north leg of Harbor Boulevard & Swinford Street. Port staff will review the suggestion to improve those crosswalks. New signage is proposed to be installed as part of the SPW improvement projects.

## 2.4 Draft EIR Public Meeting Comments

Positive comments were received on the proposed Project at the draft EIR Public Meeting, held February 8, 2012. No public comments were received regarding the adequacy of the environmental document. Commenters generally stated that the USS *Iowa* Project would do the following:

- Bring jobs
- Has historical value
- Education
- Bring people to the Port
- Bring businesses
- Sense of pride
- Supported by the SS Lane Victory

## 2.5 References

*Revised Traffic Impact Study*, Fehr & Peers (2012).

*USS Iowa Draft EIR and Appendices* (2012).

Cohen, A.N., and J.T. Carlton. 1995. *Nonindigenous Aquatic Species in a United States Estuary: A Case Study of the Biological Invasion of the San Francisco Bay Delta*. Washington, D.C.: US Fish and Wildlife Service, December, 1995.

Cohen, A.N., and J.T. Carlton. 1998. *Accelerated invasion rate in a highly invaded estuary*. *Science* 279: 555-558.

## 3.0 MODIFICATIONS TO THE DRAFT EIR

### 3.1 Introduction

This chapter of the document address modifications to the draft EIR for the USS *Iowa* Project (proposed Project) at the Port of Los Angeles (Port). It presents all revisions related to public comments, as determined necessary by the lead agency, for the following areas of the document:

- ES *Executive Summary*
- Chapter 1.0 *Introduction*
- Chapter 2.0 *Project Description*
- Chapter 3.0 *Environmental Analysis*
- Section 3.1 *Aesthetics*
- Section 3.2 *Air Quality & Greenhouse Gas Emissions*
- Section 3.3 *Traffic*
- Chapter 4.0 *Cumulative Analysis*
- Chapter 5.0 *Effects Found Not To Be Significant*
- Chapter 6.0 *Comparison of Alternatives*

The following exhibits were added to the final EIR

- ES-1, Project Study Area Map
- 1.0-1, Project Study Area Map
- 2.0-6, Tentative Site Plan
- 2.0-7, Parking Lot Plan
- 3.3-1, Study Area and Analyzed Intersections

The following exhibits had title or exhibit number changes:

- 2.0-4, *Berth 87 & ~~Proposed Site Plan~~ Navy Fuel Surgeline*
- 2.0-~~58~~, *Alternative Site Locations*
- 2.0-~~65~~, *Off Shore Hull Cleaning Location*

Changes have been made to the following appendix.

- Appendix E, “Traffic Study and LA DOT Traffic Study Letter”

The following appendix was added to the final EIR to further clarify hull cleaning operations as a part of the proposed Project.

- Appendix F, “Invasive Species Work Plan and CSLC Letter”

The following appendix was added to the final EIR to further clarify the placement of the battleship in California.

- Appendix G, “Federal Register Notice”

The numbering format from the draft EIR is maintained in the sections presented here. Only sections that had revisions based on the public comments are included, and section that had no revisions are not included. Readers are referred to the draft EIR to view complete sections.

As provided in Section 15088(c) of the State CEQA Guidelines, responses to comments may take the form of revisions to a draft EIR or may be a separate section in the final EIR. This chapter shows deletions with ~~strike through~~ and additions with underline. These notations are meant to provide clarification, correction, or minor revisions as needed as a result of public comments or because of changes in the proposed project since the release of the draft EIR.

## 3.2 Changes to the Draft EIR

The following changes to the text and tables as presented below are incorporated into the final EIR.

### Chapter ES, Executive Summary

#### Page ES-1, Section ES.1, paragraph 1, line 8

Refer to Exhibit ES-1, Project Study Area Map.

#### Page ES-1, Section ES.1, after first bullet point

- Off-shore hull cleaning;

#### Page ES-4, Section ES-3, lines 4-6

Refer to Exhibit 2.0-1, Regional Location Map (San Francisco Bay to Port of Los Angeles); Exhibit 2.0-2, Port of Richmond – Terminal 3; and Exhibit 2.0-3, Port of Los Angeles – Berth 87.

#### Page ES-5, Section ES.3.2, paragraph 4, line 4

...Boulevard on the west. Refer to Exhibit 2.0-4, Berth 87 and ~~Proposed Site Plan~~ Navy Fuel Surgeline.

#### Page ES-5, Section ES.3.2, paragraph 5, line 4

Refer to Exhibit 2.0-4, Berth 87 and ~~Proposed Site Plan~~ Navy Fuel Surgeline, for the location of the...

#### Page ES-6, end of paragraph 1

Per LAHD staff recommendation, the final SPW project included an extension of surface parking to Berth 87, and restriping the lot to provide for more efficient use of space. The North Harbor Cut is permitted to occur in 2025 to 2030 (originally approved for 2012 to 2014). The USS Iowa Project would not eliminate the North Harbor Cut Project. The USS Iowa Project would require a

minor permit modification from the USACE and the project would be bound to a 10 year lease term with 2 5-year renewal options from the Port.

**Page ES-9, Pacific Battleship Center, last sentence**

For analysis purposes, this EIR assumes the permanent mooring of the battleship at Berth 87 for duration of 30 years. the battleship would be moored at Berth 87 for a period of 10 years with 2 5-year renewal options. For analysis purposes, this EIR conservatively assumes an operational period of 30 years.

**Page ES-10, last paragraph, line 2**

... Exhibit 2.0-65, *Off Shore Hull Cleaning Location*, for hull cleaning prior to...

**Page ES-11, after paragraph 4**

After hull cleaning has been completed, a video recording of the hull of the USS *Iowa* would be provided to the California State Lands Commission, Marine Invasive Species Program Manager and the POLA Environmental Management Division USS *Iowa* Project Manager to verify compliance with PRC Section 71204(f), for their acknowledgement that the hull cleaning is adequate and acceptable under State and local protocol.

**Page ES-15, Proposed Project – Berth 87, sentence 2**

With the proposed project, the North Harbor Cut would not be constructed. The USS *Iowa* Project does not eliminate the North Harbor Cut. The North Harbor Cut project is permitted to occur in 2025 to 2030. The USS *Iowa* Project would occur at Berth 87 in the time before the North Harbor Cut is scheduled to be constructed.

**Page ES-30 to 31, Section ES.6.3, (within Table ES-1, *Summary of Project Impacts and Mitigation Measures*)**

**TRA-2:** Implement Gaffey Street/1st Street Intersection improvements. Reconfiguration of the westbound approach of 1st Street including provision of an exclusive right turn lane along the westbound approach would reduce impacts to this intersection. Re-stripe the 1st Street eastbound approach and departure, to shift the shared through lane to the curb right-turn lane, yielding a dual left-turn lane and a shared through/right-turn lane; modify the east-west phasing to lead/lag protected left-turn phases. This mitigation would be implemented only if the project year 2042 LOS is reached, if operations continue beyond the term of the lease, and only if LADOT accepts such an improvement at that time. This mitigation would reduce long-term operational impacts to V/C ratios and levels of service for this intersection.

## Chapter 1.0, Introduction

**Page 1.0-1, Section 1.1.1, paragraph 1, line 11**

Refer to Exhibit 1.0-1, *Project Study Area Map*.

**Page 1.0-2, Section 1.1.1, after first bullet point**

- Off-shore hull cleaning;

**Page 1.0-3, Section 1.1.3, last sentence**

PBC is also seeking a 30-year lease for the project site from the Port. PBC has negotiated a 10 year lease term with 2 5-year renewal options for the project site from the Port, however; for analysis purposes this EIR assumes an operational period of 30 years.

**Page 1.0-3 to 1.0-4**

Insert Exhibit 1.0-1, Project Study Area Map

**Page 1.0-6, Section 1.4.1 San Pedro Waterfront EIS/EIR, last sentence**

The proposed USS Iowa Project would eliminate the North Harbor Cut Project at that site. The USS Iowa Project does not eliminate the North Harbor Cut. The North Harbor Cut is permitted to occur in 2025 to 2030. The USS Iowa Project would occur at Berth 87 in the time before the North Harbor Cut is scheduled to be constructed.

**Chapter 2.0, Project Description****Page 2.0-1, Section 2.2, paragraph 1, line 3-5**

Refer to Exhibit 2.0-1, Regional Location Map (San Francisco Bay to Port of Los Angeles); Exhibit 2.0-2, Port of Richmond Terminal 3; and Exhibit 2.0-3, Port of Los Angeles – Berth 87.

**Page 2.0-2, Section 2.3.1, paragraph 4, 2<sup>nd</sup> sentence**

Refer to Exhibit 2.0-4, Berth 87 and Navy Fuel Surge Line Proposed Site Plan

**Page 2.0-3, Section 2.3.1, line 2-3**

Refer to Exhibit 2.0-4, Berth 87 and Navy Fuel Surge Line Proposed Site Plan, for the location of the existing surge lines and project setbacks.

**Page 2.0-3, Section 2.3.2, end of paragraph 1**

The LAHD decided to delay the North Harbor Cut as originally proposed from 2012-2014 to 2025-2030, to provide parking for cruise ships. Per LAHD staff recommendation, the Final SPW project included an extension of surface parking to Berth 87, and restriping the lot to provide for more efficient use of space. The USS Iowa Project would not eliminate the North Harbor Cut Project. The USS Iowa Project would occur in the interim and require a minor permit modification from USACE.

**Page 2.0-4, Section 2.4, paragraph 2, line 6-7**

Congress has stipulated that the USS Iowa must reside in the State of California as a resource to West Coast populations. The Secretary of the Navy has required that the donated battleship, USS



Iowa, shall remain in the state of California (Federal Register / Vol. 75, No. 99 / Monday, May 24, 2010 / Notices, Page 28786); refer to Appendix G, Federal Register Notice.

**Page 2.0-4, paragraph 4**

Suisun Bay is within the San Francisco Estuary, one of the most heavily invaded estuaries in the world.<sup>1</sup> Many of the nonindigenous species (NIS) currently established in the San Francisco Estuary may not be established in the Port or southern California in general.

**Page 2.0-5, Section 2.4.1, last sentence**

The initial lease will be for a term of 10 years with ~~options~~ for 2 5-year renewal options to be determined in accordance with Port leasing policies. For analysis purposes, this EIR conservatively ~~assumes the permanent mooring of the battleship at Berth 87 for duration an~~ operational period of 30 years.

**Page 2.0-6, Section 2.6, after first bullet point**

- Off-shore hull cleaning;

**Page 2.0-6, Preparation Prior to Berthing – Offshore Cleaning**

On May 3, 2011, Pacific Battleship Center submitted an *Invasive Species Removal Work Plan* for the Battleship USS *Iowa* BB61, to the California State Lands Commission, Marine Invasive Species Program. The *Invasive Species Removal Work Plan* and letter of concurrence from the CSLC is included as Appendix F. The following information is a summary from this plan and other sources.

The USS *Iowa* was decommissioned in 1991 and stored in the MARAD national defense reserve fleet in Suisun Bay from 2001 to 2011. The USS *Iowa* must be preserved for future use in the event of a national emergency. The hull of the USS *Iowa*, like many ships, has an anti-fouling coating on the hull which contains biocides. This coating works to prevent the attachment of sea life such as hard and soft shelled species (clams, mussels, algae, slime, and grasses), also referred to as biofouling. These species attach to ship hulls and hitchhike their way from port to port across the oceans. As previously stated, the San Francisco Bay Estuary, of which Suisun Bay is a part of, is one of the most heavily invaded estuaries in the world, meaning many nonindigenous species (NIS) have made their way into these waters. NIS threaten indigenous species and disturb the balance of that particular ecosystem.

There are two main ways to remove marine biofouling from a ship to prevent the spread of NIS to other ports: dry docking and in-water cleaning. Dry docking is a very expensive option and is also limited to dry dock infrastructure. There is no dry dock in San Francisco capable of lifting the USS *Iowa*, therefore the second option would be utilized. The underwater portions of the USS *Iowa* need to be cleaned while the battleship is in the water. Due to the fact that the hull coating on the USS *Iowa* contains biocides (such as metals), there is a chance that some of this coating might be unintentionally removed during the in-water hull cleaning activities; therefore,

<sup>1</sup> Cohen, A.N., and J.T. Carlton. 1995. Nonindigenous Aquatic Species in a United States Estuary: A Case Study of the Biological Invasion of the San Francisco Bay Delta. Washington, D.C.: US Fish and Wildlife Service, December, 1995.

Cohen, A.N., and J.T. Carlton. 1998. Accelerated invasion rate in a highly invaded estuary. *Science* 279: 555-558.

the battleship cannot be cleaned within San Francisco Bay. The battleship would need to be cleaned in international waters, at a depth where the organisms cannot survive.

The battleship will be towed to the approved offshore location depicted in Exhibit 2.0-65, *Off Shore Hull Cleaning Location*, for hull cleaning prior to placement in the Port of Los Angeles. No permit is required because the site is {outside of the 3 nautical mile [nm] limit line}. The location is not approved by the Navy, as the Navy is not doing the cleaning; however, the location is approved by the Port of Los Angeles, based on the. The hull cleaning location, designated as SF-3, and is located four nautical miles (nm) off shore from Seal Beach, California (approximately 8 nm from Berth 87), at coordinates 33-39.27 N 118-07.07 W and in sixteen fathoms (96 foot water depth). SF-3 is an offshore location currently used for these types of activities because the water is too deep for the hull-borne organisms to survive. Hull cleaning will remove invasive and non-native species residing on the battleship's hull. The hull cleaning cannot take place in San Francisco Bay because the hull paint has biocides within it that may get scraped off the hull during the process and harm sea life.

Hull cleaning will be accomplished in accordance with U.S. Navy protocol as presented in S9086-CQ-STM-010, *Waterborne Underwater Hull Cleaning of Navy Ships*. The hull cleaning will be performed by Muldoon Marine Services, Inc., A utilizing a combination of underwater tools from hydraulic powered multi and single brushed machines, to divers utilizing hand scrapers and low pressure water to blow out niches and gaps will be used to clean the battleship as efficiently and as carefully as possible. The vertical side shell and flat bottom will be brushed using a hydraulic triple brush underwater machine which can utilize brushes that vary from nylon to flat wire to affectively remove the hard and soft fouling without damaging coatings. Areas of curvature such as the tear drop bow, turn of the bilge, rudder, shafting, and skegs will be brushed using single and dual brush machines that function well in smaller bend radiuses. Attachments to the shell plate such as the bilge keels, struts, cofferdams, and pad eyes will require cleaning using individual divers using large and small scrapers. The divers will use caution to only remove the fouling without causing damage to the protective coatings and anodes. These methods will be used to clean the battleship as efficiently and as carefully as possible. The entire underwater surface of the USS Iowa would be thoroughly cleaned, including niche areas, at the aforementioned offshore location.

**Page 2.0-7, Section 2.6.1, after paragraph 2**

A combination of underwater tools from hydraulic powered multi and single brushed machines to divers utilizing hand scrapers and low pressure water to blow out niches and gaps will be used to clean the ship as efficiently and as carefully as possible. The vertical side shell and flat bottom will be brushed using a hydraulic triple brush underwater machine which can utilize brushes that vary from nylon to flat wire to affectively remove the hard and soft fouling without damaging the coatings. Areas of curvature such as the tear drop bow, turn of the bilge, rudder, shafting and skegs will be brushed using single and dual brush machines that function well in smaller tighter bend radiuses. Attachments to the shell plate such as bilge keels, struts, cofferdams, pad eyes, etc. will require cleaning using individual divers using large and small scrapers. The divers will use caution to only remove the fouling without causing damage to the protective coatings and anodes.

After hull cleaning has been completed, a video recording of the hull of the USS Iowa would be provided to the California State Lands Commission, Marine Invasive Species Program Manager and the POLA Environmental Management Division USS Iowa Project Manager, to verify

compliance with PRC Section 71204(f), for their acknowledgement that the hull cleaning is adequate and acceptable under State and local protocol.

**Page 2.0-8, line 5**

...Channel annually and turned for even weathering. Refer to Exhibit 2.0-6, Tentative Site Plan.

**Page 2.0-8, Section 2.6.1, Parking Lot, end of 2<sup>nd</sup> paragraph**

The existing lot will be restriped and accommodate parking in a shared arrangement with other Port attractions. ~~The parking area will include ingress lanes that direct traffic to the parking area past a small entry gate and at least one egress lane to return traffic to a controlled intersection at Harbor Boulevard.~~ Parking to the north of the USS *Iowa* lot is designated as cruise ship parking and may be used as overflow parking when cruise ship operations are not occurring, ~~which is generally the summer months.~~ Refer to Section 3.3, *Traffic and Circulation*, for a more detailed discussion regarding parking.

**Page 2.0-8, Section 2.6.1, Parking Lot, end of 2<sup>nd</sup> paragraph**

Refer to Exhibit 2.0-7, Parking Lot Plan.

Although, the Project will provide sufficient parking to meet “visitors” demand during most hours of operation, this demand may not be met during the period from 12:00 PM to 2:00 PM on weekends for both opening year and stabilized conditions as shown in Attachment 4 of Appendix E (LA DOT Traffic Study Letter). Since the parking shortage is estimated to occur during a short period of time, the Project proposes to address this deficiency by providing an off-site parking facility for the employees, or by identifying nearby overflow parking lots or available street parking. A final determination regarding the use of on-street parking to fulfill the Project “visitors” parking requirement should be sought by consultation with the Los Angeles Department of Building and Safety.

**Page 2.0-14, Section 2.6.5, end of paragraph 1**

These alternative sites are discussed in Section 6.0, *Project Alternatives*. Refer to Exhibit 2.0-8, Alternative Site Locations. The remaining sites determined to be feasible are listed below and are considered in this EIR:

**Page 2.0-14, Section 2.6.5, Proposed Project (Berth 87), line 4**

~~With this alternative the approved proposed project would not be constructed.~~

**Page 2.0-14, Section 2.6.5, Proposed Project (Berth 87), line 7**

...cruise ships and includes an existing parking lot that has ~~at least 4.5~~ 4.43 acres of...

## Chapter 3.0, Environmental Analysis

### Page 3.0-1, Heading

#### 3.0.1 Introduction

### Page 3.0-1, end of paragraph 1

Sections 3.1 through 3.4 3.3 discuss both environmental issues found to be potentially significant and those not found to be significant.

### Page 3.0-1, paragraph 2, line 2

...issues, Sections 3.1 through 3.4 3.3 each present the following information for their...

### Page 3.0-1, Heading

#### 3.0.2 Terminology Used in This Environmental Analysis

### Page 3.0-3, Heading

#### 3.0.3 Requirements to Evaluate Alternatives

## Chapter 3.1, Aesthetics

### Page 3.1-24, Impact AES-1

The proposed project involves transporting the USS *Iowa* for year-round mooring at Berth 87 in the Port, placing prefabricated structures on site, which will be removed if the Visitor Center is constructed in Phase 2, off-shore hull cleaning, re-painting use of an existing parking lot, and preparing the battleship for public viewing.

## Chapter 3.2, Air Quality and Greenhouse Gas Emissions

### Page 3.2-49, AQ-2 Impact Determination

#### Impact Determination – One-Time Transport

~~Less Than Significant With Mitigation.~~ Significant and Unavoidable.—Short term construction impacts would be less than significant and unavoidable with implementation of Mitigation Measure and AQ-2. However, for short-term criteria pollutant construction emissions impacts from involving the transport of the USS *Iowa* from San Francisco Bay to Los Angeles Berth 87 would be significant and unavoidable, as emissions would exceed thresholds of four of the six air districts the ship would pass through during transport, even with implementation of Mitigation Measure AQ-1. Implementation of Mitigation Measure AQ-1 would reduce impacts but they would remain significant and unavoidable.

### **Impact Determination – Project Construction and Operation**

Impacts for short-term construction (not including transport) and long-term operation would be less than significant with implementation of Mitigation Measures AQ-1 and AQ-2.

#### **Page 3.2-49, *Mitigation Measures* (reworded)**

~~MM AQ-1. Tugboats utilized for transport of the USS *Iowa* within the Port of Los Angeles (during the transport of the ship from San Francisco Bay to Berth 87 and each year the ship is turned for weathering) shall comply with the Port's Clean Air Action Plan Control Measure HC1. Additionally, in accordance with the Los Angeles Harbor Department's Sustainable Construction Guidelines (revised 2009), tugboats with C1 or C2 marine engines utilized for transport of the USS *Iowa* within the Port of Los Angeles (during the transport of the ship from San Francisco Bay to Berth 87 and each year the ship is turned for weathering) shall utilize an EPA Tier 3 engine, or cleaner.~~

**MM AQ-1.** All tugboats utilized for transporting the USS *Iowa* (within the Port of Los Angeles and for the ocean tug used for one-time transport of the battleship from San Francisco Bay to Los Angeles) shall comply with the Port's Clean Air Action Plan Control Measure HC1, *Performance Standards for Harbor Craft* (further reduces emissions from engines). Additionally, all tugboats with C1 or C2 marine engines utilized for transport of the USS *Iowa* within the Port of Los Angeles and for the one time transport of the battleship from San Francisco Bay to Los Angeles shall utilize an EPA Tier-3 engine or cleaner, if available, in accordance with the Los Angeles Harbor Department's Sustainable Construction Guidelines (revised 2009).

**MM AQ-2.** The project shall implement the following measures, ~~where applicable and/or feasible,~~ as required by the Los Angeles Harbor Department's Sustainable Construction Guidelines (revised 2009) during project construction activities. These requirements shall be stipulated in the construction contracts and bid documents.

#### **Page 3.2-52, *Mitigation Measures* (addition before Impact AQ-3)**

##### **Sustainable Construction Guidelines**

The LAHD has developed Sustainable Construction Guidelines for reducing air emissions from all LAHD-sponsored construction projects (LAHD 2009). The Guidelines include the use of Best Management Practices (BMP) and control measures. Although no air quality impacts from construction activities would occur, the applicable BMPs and control measures for project construction include the following:

- Construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
- During construction, trucks and vehicles in loading and unloading queues must be kept with their engines off when not in use for more than 5 minutes to reduce vehicle emissions. Construction activities shall be phased and scheduled to avoid emissions peaks, where feasible, and discontinued during second-stage smog alerts.
- Where available, use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
- Construction activities that affect traffic flow on the arterial roadways shall be scheduled to off-peak hours to the extent possible. Additionally, construction trucks shall be directed away from congested streets or sensitive receptor areas.

- Where possible, enforce truck parking restrictions; provide on-site services to minimize truck traffic in or near residential areas, including services such as meal or cafeteria.
- Apply water or dust palliative to the site and equipment as frequently as necessary to control fugitive dust emissions.
- Use low-sulfur fuel in all construction equipment as provided in California Code of Regulations Title 17, Section 93114.
- On-road heavy-duty trucks shall comply with EPA 2004 on-road emission standards for PM10 and NOx and shall be equipped with a CARB verified Level 3 device. Emission standards will increase to EPA 2007 on-road emission standards for PM10 and NOx by January 1, 2012.
- Construction equipment (excluding on-road trucks, derrick barges, and harbor craft) shall meet U.S. EPA Tier-2 nonroad standards. The requirement will increase to Tier 3 by January 1, 2012, and Tier 4 by January 1, 2015.

In addition, construction equipment shall be retrofitted with a CARB certified Level 3 diesel emissions control device.

### **Page 3.2-58, GHG-1 Impact Determination**

#### **Direct GHG Emissions**

Direct project-related GHG emissions for “business as usual” conditions include emissions from construction activities, area sources, and mobile sources prior to any mitigation are shown in Table 3.2-13, ~~Business As Usual~~ Project Related Greenhouse Gas Emissions, presents the estimated CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions associated with the proposed project. The CalEEMod computer model outputs contained within the Appendix D, were used to calculate construction, mobile source, and area source GHG emissions for the proposed Project.

### **Page 3.2-59, end of paragraph 2**

Short-term (transport of the USS *Iowa*) and construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions.<sup>18</sup> However, the project lease term is 10 years with 2 5-year renewal options.

<sup>18</sup>The project lifetime is based on the standard 30 year assumption of the South Coast Air Quality Management District (<http://www.aqmd.gov/hb/2008/December/081231a.htm>).



## Page 3.2-60, Table 3.2-13 Business As Usual Greenhouse Gas Emissions

Table 3.2-13. Business As Usual Project Related Greenhouse Gas Emissions

Source	CO <sub>2</sub>	CH <sub>4</sub>		N <sub>2</sub> O		Total Metric Tons of CO <sub>2</sub> eq/yr
	Metric Tons/yr <sup>1</sup>	Metric Tons/yr <sup>1</sup>	Metric Tons of CO <sub>2</sub> e/yr <sup>2</sup>	Metric Tons/yr <sup>1</sup>	Metric Tons of CO <sub>2</sub> eq/yr <sup>2</sup>	
<b>Direct Emissions</b>						
▪ Short-Term <sup>5</sup> / Construction (amortized over 30 years)	33.20	0.00	0.02	0.00	0.00	33.22
▪ Area Source	0.00	0.00	0.00	0.00	0.00	0.00
▪ Mobile Source	1,083.71	0.07	1.42	0.00	0.00	1,085.13
▪ Ship Turning <sup>3</sup>	9.98	--	--	--	--	9.98
<i>Total Direct Emissions</i> <sup>4</sup>	<i>1,091.52</i>	<i>0.07</i>	<i>1.44</i>	<i>0.00</i>	<i>0.00</i>	<i>1,128.33</i>
<b>Indirect Emissions</b>						
▪ Energy	291.12	0.01	0.21	0.00	0.95	292.07
▪ Solid Waste	7.20	0.43	8.90	0.00	0.04	16.14
▪ Water Demand	27.92	0.08	1.70	0.00	0.58	30.20
<i>Total Indirect Emissions</i> <sup>4</sup>	<i>326.24</i>	<i>0.52</i>	<i>10.81</i>	<i>0.00</i>	<i>1.57</i>	<i>338.41</i>
<i>Total Project-Related Emissions</i> <sup>4</sup>	<i>1,466.74 MTCO<sub>2</sub>eq/yr</i>					
<u>Threshold</u>	<u>3,000 MTCO<sub>2</sub>eq/yr</u>					
<u>Threshold Exceeded?</u>	<u>No</u>					
Notes:						
1. Emissions calculated using CalEEMod computer model.						
2. CO <sub>2</sub> Equivalent values calculated using the EPA Website, <i>Greenhouse Gas Equivalencies Calculator</i> , <a href="http://www.epa.gov/cleanenergy/energy-resources/calculator.html">http://www.epa.gov/cleanenergy/energy-resources/calculator.html</a> , accessed January 2012.						
3. Emissions include the use of 2 assist tugs to turn the ship, and are based on a calculation spreadsheet provided by ENVIRON International Corporation on January 6, 2012.						
4. Totals may be slightly off due to rounding.						
5. Short-Term direct emissions include USS <i>Iowa</i> transport emissions from ocean and harbor tugs.						
Refer to Appendix D, <i>Air Quality/Greenhouse Gas Emissions Data</i> , for detailed model input/output data.						

**Page 3.2-61, paragraph 3**

*Total Project-Related Sources of Greenhouse Gases.* As shown in Table 3.2-13, the total amount of project-related “business-as-usual” GHG emissions from direct and indirect sources combined would total 1,466.74 MTCO<sub>2</sub>eq/yr which are below the 3,000 MTCO<sub>2</sub>eq/yr GHG threshold.

**Chapter 3.3, Traffic****Page 3.3-1, Section 3.3.2, lines 6 to 9**

Refer to Exhibit 2.0-3, *Port of Los Angeles – Berth 87*, in Section 2.0, *Project Description*.

**Page 3.3-2, Section 3.3.2.1, end of first paragraph**

Refer to Exhibit 3.3-1, *Study Area and Analyzed Intersections*.

**Page 3.3-8, Section 3.3.2.2, Table 3.3-2, Existing Conditions Level of Service Results**

	<i>Intersection[1]</i>	<i>Peak Hour</i>	<i>V/C</i>	<i>LOS</i>
2	Gaffey St/I-110 ramps	PM	0.514	A
		WK	<del>0.454</del> 0.429	A
3	Gaffey St/1 <sup>st</sup> St	PM	<del>0.928</del> 0.825	D
		WK	<del>0.892</del> 0.778	C
17A	Harbor Blvd/7 <sup>th</sup> St	PM	<del>0.219</del> 0.203	A
		WK	<del>0.147</del> 0.135	A

**Page 3.3-20, Section 3.3.4.2, after Impact TRA-6**

**TRA-3** and **TRA-6** were found to have effects that would be not significant and are addressed in Chapter 5.0, *Effects Found Not to be Significant*, of this EIR. These impacts are not addressed in the section below.

**Page 3.3-24, Section 3.3.2.2, Table 3.3-4. Existing Plus Project LOS (Opening Year Attendance)**

	Intersection	Peak Hour	Existing		Existing + Project (Opening Year Attendance)			
			V/C	LOS	V/C	LOS	Change	Impact
2	Gaffey St/ I-110 ramps	PM	0.514	A	0.515	A	0.001	NO
		WK	<del>0.454</del> 0.429	A	0.431	A	<del>0.003</del> 0.002	NO
3	Gaffey St/ 1 <sup>st</sup> St	PM	<del>0.928</del> 0.825	<del>E-D</del>	0.828	<del>E-D</del>	<del>0.007</del> 0.003	NO
		WK	<del>0.892</del> 0.778	<del>D-C</del>	0.783	<del>E-C</del>	<del>0.012</del> 0.005	<del>YES</del> NO
17A	Harbor Blvd/ 7 <sup>th</sup> St	PM	<del>0.219</del> 0.203	A	<del>0.220</del> 0.204	A	0.001	NO
		WK	<del>0.147</del> 0.135	A	<del>0.148</del> 0.136	A	0.001	NO

**Page 3.3-25, Section 3.3.2.2, Table 3.3-5. 2012 Base and 2012 Plus Project Conditions LOS (Opening Year Attendance)**

	Intersection[1]	Peak Hour	2012 Base		2012 + Project (Opening Year Attendance)			
			V/C	LOS	V/C	LOS	Change	Impact
2	Gaffey St/ I-110 ramps	PM	0.521	A	0.521	A	0.000	NO
		WK	<del>0.461</del> 0.437	A	<del>0.463</del> 0.439	A	0.002	NO
3	Gaffey St/ 1 <sup>st</sup> St	PM	<del>0.939</del> 0.835	<del>E-D</del>	<del>0.946</del> 0.838	<del>E-D</del>	<del>0.007</del> 0.003	NO
		WK	<del>0.790</del>	<del>E-C</del>	<del>0.916</del> 0.794	<del>E-C</del>	<del>0.010</del> 0.004	<del>YES</del> NO
17A	Harbor Blvd/ 7 <sup>th</sup> St	PM	<del>0.224</del> 0.208	A	<del>0.225</del> 0.209	A	0.001	NO
		WK	<del>0.165</del> 0.151	A	<del>0.166</del> 0.153	A	<del>0.001</del> 0.002	NO

**Page 3.3-26, Section 3.3.2.2, Table 3.3-6. 2024 and 2024 Plus Project Conditions LOS (Stabilized Attendance)**

	Intersection	Peak Hour	2024		2024 Plus Project (Stabilized Attendance)			
			V/C	LOS	V/C	LOS	Change	Impact
3	Gaffey St/ 1 <sup>st</sup> St	PM	<u>1.073</u> <u>0.918</u>	<u>F E</u>	<u>1.080</u> <u>0.920</u>	<u>F E</u>	<u>0.007</u> <u>0.002</u>	NO
		WK	<u>1.047</u> <u>0.876</u>	<u>F D</u>	<u>1.056</u> <u>0.880</u>	<u>F D</u>	<u>0.009</u> <u>0.004</u>	NO

**Page 3.3-27, Section 3.3.2.2, Table 3.3-7. 2042 and 2042 Plus Project Conditions LOS (Stabilized Attendance)**

	Intersection	Peak Hour	2042		2042 Plus Project (Stabilized Attendance)			
			V/C	LOS	V/C	LOS	Change	Impact
3	Gaffey St/ 1 <sup>st</sup> St	PM	<u>1.113</u> <u>0.927</u>	<u>F E</u>	<u>1.120</u> <u>0.930</u>	<u>F E</u>	<u>0.007</u> <u>0.003</u>	NO
		WK	<u>1.162</u> <u>0.920</u>	<u>F E</u>	<u>1.179</u> <u>0.932</u>	<u>F E</u>	<u>0.017</u> <u>0.012</u>	YES

**Page 3.3-28, Section 3.3.2.2, paragraph 1, second sentence**

According to the above tables, the resulting increase in traffic volumes on the surrounding roadways would in turn degrade intersection operations at one study intersection: Gaffey Street/1<sup>st</sup> Street.

**Page 3.3-28, Section 3.3.2.2, paragraph 2**

Implementing intersection improvements at the Gaffey Street/1st Street intersection would reduce impacts to V/C ratios and levels of service within the project area. Currently the westbound approach consists of one left-turn lane and one shared through right-turn lane. The recommended mitigation would result in one right turn lane, one through lane, and one left turn lane, including restriping of the east leg of the intersection to allow for approximately 60 foot westbound right turn lane for this intersection is to re-stripe the 1st Street eastbound approach and departure, to shift the shared through lane to the curb right-turn lane, yielding a dual left-turn lane and a shared through/right-turn lane; and modifying the east-west phasing to lead/lag protected left-turn phases. This mitigation would be implemented only if the project year 2042 LOS is reached, only if LADOT accepts such an improvement at that time, and if the project has been extended beyond the initial terms of the lease. The Port will monitor this location over time to determine if the projected LOS is reached. This improvement would fully mitigate the identified impact at this location under the 2042 plus project scenario. Table 3.3-8 below shows the results with implementation of this mitigation measure. The proposed improvement is subject to approval from LADOT.

**Page 3.3-28, Section 3.3.2.2, Table 3.3-8 Level of Service Results with Proposed Mitigation**

Scenario	Time of Day	Base		Project Conditions			Mitigation Conditions			Significance After Mitigation
		V/C	LOS	V/C	LOS	ΔV/C	V/C	LOS	ΔV/C	
<i>1<sup>st</sup> Street and Gaffey Street</i>										
Existing Opening Year	WK	0.892	E	0.904	E	0.012	0.78	E	-0.11	Less Than Significant
2012 Opening Year	WK	0.906	E	0.946	E	0.04	0.78	E	-0.13	Less Than Significant
2042 Stabilized Attendance	WK	<del>1.162</del> 0.920	<del>E</del> E	<del>1.179</del> 0.932	<del>F E</del> E	<del>0.017</del> 0.012	<del>0.93</del> 0.90	E	<del>-0.23</del> -0.02	Less Than Significant

**Page 3.3-30, Section 3.3.2.2, line 33**

**TRA-2. Implement Gaffey Street/1st Street intersection improvements.** ~~Reconfiguration of the westbound approach of 1st Street including provision of an exclusive right turn lane along the westbound approach~~ Re-stripe the 1st Street eastbound approach and departure, to shift the shared through lane to the curb right-turn lane, yielding a dual left-turn lane and a shared through/right-turn lane; and modify the east-west phasing to lead/lag protected left-turn phases. ~~This mitigation would be implemented only if the project year 2042 LOS is reached, if operations continue beyond the term of the lease, and only if LADOT accepts such an improvement at that time. This mitigation would reduce long-term operational impacts to V/C ratios and levels of service for this intersection.~~

**Page 3.3-33, paragraph 2, sentence 1**

Upon initial mooring at Berth 87, USS *Iowa* will undergo refurbishment in preparation for visitors, as well as ~~parking lot repainting and~~ construction of a Visitor’s Center in Phase 2.

**Page 3.3-33, Impact TRA-5, paragraph 2, sentence 2 and 3**

Refer to Exhibit 2.0-7, Parking Lot Plan, in Section 2.0, Project Description, of this EIR.

**Page 3.3-34, paragraph 2, sentence 2**

~~The parking area will include ingress lanes that direct traffic to the parking area past a small entry gate and at least one egress lane to return traffic to a controlled intersection at Harbor Boulevard. Parking to the north of the USS *Iowa* lot is designated as cruise ship parking and may be used as overflow parking when cruise ship operations are not occurring, which is generally in the summer months.~~

**Page 3.3-38, Section 3.3.4.4, (within the table)**

**TRA-2. Implement Gaffey Street/1st Street intersection improvements.** ~~Reconfiguration of the westbound approach of 1st Street including provision of an exclusive right turn lane along the westbound approach would reduce impacts to this intersection.~~ Re-stripe the 1st Street eastbound approach and departure, to shift the shared through lane to the curb right-turn lane, yielding a dual left-turn lane and a shared through/right-turn lane; and modify the east-west phasing to lead/lag protected left-turn phases. ~~This mitigation would be implemented only if the project year 2042~~



LOS is reached, if operations continue beyond the term of the lease, and only if LADOT accepts such an improvement at that time. This mitigation would reduce long-term operational impacts to V/C ratios and levels of service for this intersection.

## Chapter 4.0, Cumulative Analysis

Page 4.0-10, paragraph 2, lines 5-6

...lifetime of the project (assumed to be 30 years – however the lease term is 10 years with 2 5-year renewal options), then added...

## Chapter 5.0, Effects Found Not To Be Significant

Page 5.0-2, Section 5.2, paragraph 4, lines 1-2

The proposed project includes off-shore hull cleaning in the location depicted in Exhibit 2.0-65, *Off Shore Hull Cleaning Location*, prior to the battleship entering...

## Chapter 6.0, Comparison of Alternatives

Page 6.0-8, Table 6.0-3, *Comparison of Alternatives to the CEQA Baseline (CEQA Impacts with Mitigation)*

**Table 6.0-3.** Comparison of Alternatives to the CEQA Baseline  
(CEQA Impacts with Mitigation)

<i>Environmental Resource Area</i>	<i>Proposed Project</i>	<i>Alt.1</i>	<i>Alt.2</i>	<i>Alt.3 No Project</i>
<i>Aesthetics</i>	+2	+1	+ <del>1</del> <u>2</u>	0
<i>Air Quality/GHG</i>	+1	+1	+1	0
<i>Traffic and Circulation<sup>1</sup></i>	+1	+1	+1	0
<p>Notes:                      (-3) = Impacts considered to be substantially reduced when compared with the CEQA baseline.                      (-2) = Impacts considered to be moderately reduced when compared with the CEQA baseline.                      (-1) = Impacts considered to be somewhat reduced when compared with the CEQA baseline.                      ( 0 ) = Impacts considered to be equal to the CEQA baseline.                      (+1) = Impacts considered to be somewhat increased when compared with the CEQA baseline.                      (+2) = Impacts considered to be moderately increased when compared with the CEQA baseline.                      (+3) = Impacts considered to be substantially increased when compared with the CEQA baseline.  <sup>1</sup> = Traffic impacts were analyzed for the proposed project only; therefore, the results of the proposed project are assumed to be similar to those of each alternative.                      Where significant unavoidable impacts would occur across different alternatives but there are impact intensity differences between those alternatives, numeric differences are used to differentiate alternatives (i.e., in some cases, there are differences at the individual impact level, such as differences in number of impacts or relative intensity).</p>				

**Page 6.0-9, Section 6.4, paragraph 1, line 4**

“...each alternative with the proposed Project and CEQA baseline. The scoring system ranged from -3...”

**Page 6.0-9, Section 6.4, paragraph 2**

Alternative 3 is the Environmentally Superior Alternative because it ~~is the no project alternative~~ has the lowest impact score or classification. Pursuant to the CEQA Guidelines, if the No Project alternative is deemed to be environmentally superior, then the lead agency must identify an alternative other than the No Project alternative as environmentally superior. Alternatives ~~1 and 2 ranked first and second in terms of the least overall environmental impact~~ has the lowest impact and score among the remaining alternatives when compared to the proposed Project and CEQA Baseline. ~~These~~ This alternatives would result in the least impacts on aesthetic resources when compared to the other alternatives aside from the No Project alternative.

**Changes to Appendix E, Traffic Study****Tables**

- Tables 2 and 4 – Change at 1<sup>st</sup> & Gaffey with new lane geometry and Summerland & Gaffey per updated counts (weekend midday peak hour)
- Tables 5 and 6 – Change at 1<sup>st</sup> & Gaffey with new lane geometry
- Table 7 – new mitigation tested; mitigation only needed in 2042

**Text**

- Page 16 – changed table reference from 3 & 4 to 3A & 3B (LADOT request)
- Changed Saturday peak hour from “weekend PM” to “weekend MD” (LADOT request)
- Page 55 – modified mitigation language (POLA request)

**Figures**

- Changed Existing, Existing + Project, 2012, 2012 + Project figures to account for typo at intersection 2 (weekend) (volume only)
- Added Appendix E figure (related project) (pk hr volume figure)
- Changed 1<sup>st</sup> & Gaffey in Appendix A to include defacto right turn lane and to show 2042 with mitigation

**Appendix C**

- Modified CMA signal phasing per Pedro’s email at intersection 17 (for Existing Conditions and E+P Conditions only)
- Updated CMA sheets for 7, 13, 18 & 20 (inconsistent by 1 trip) for Existing Conditions

## **Addition to Appendix E, Los Angeles Department of Transportation, Traffic Study Letter**

A letter from the Los Angeles Department of Transportation validating the adequacy of the Traffic Study is now included in the final EIR.

## **Addition of Appendix F, Invasive Species Work Plan and CSLC Letter**

The Invasive Species Work Plan was added to the final EIR in response to a comment letter. The California State Lands Commission Letter acknowledges that the plan is sufficient for meeting the requirements of the Marine Invasive Species Act.

## **Addition of Appendix G, Federal Register Notice**

The Federal Register Notice regarding the stipulation of the USS *Iowa* remaining in California was also added as a response to a comment letter.

## **Exhibits Edited and Added to the Final EIR**

Please see the following additional exhibits:

ES-1, *Project Study Area Map*

2.0-6, *Tentative Site Plan*

1.0-1, *Project Study Area Map*

2.0-7, *Parking Lot Plan*

2.0-4, *Berth 87 & Navy Fuel Surgeline*

2.0-8, *Alternative Site Locations*

2.0-5, *Off Shore Hull Cleaning Location*

3.3-1, *Study Area & Analyzed Intersections*



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Source: ESRI World Street Map, ESRI World Imagery

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**Port of Los Angeles  
Berth 87**



**Berth 87**

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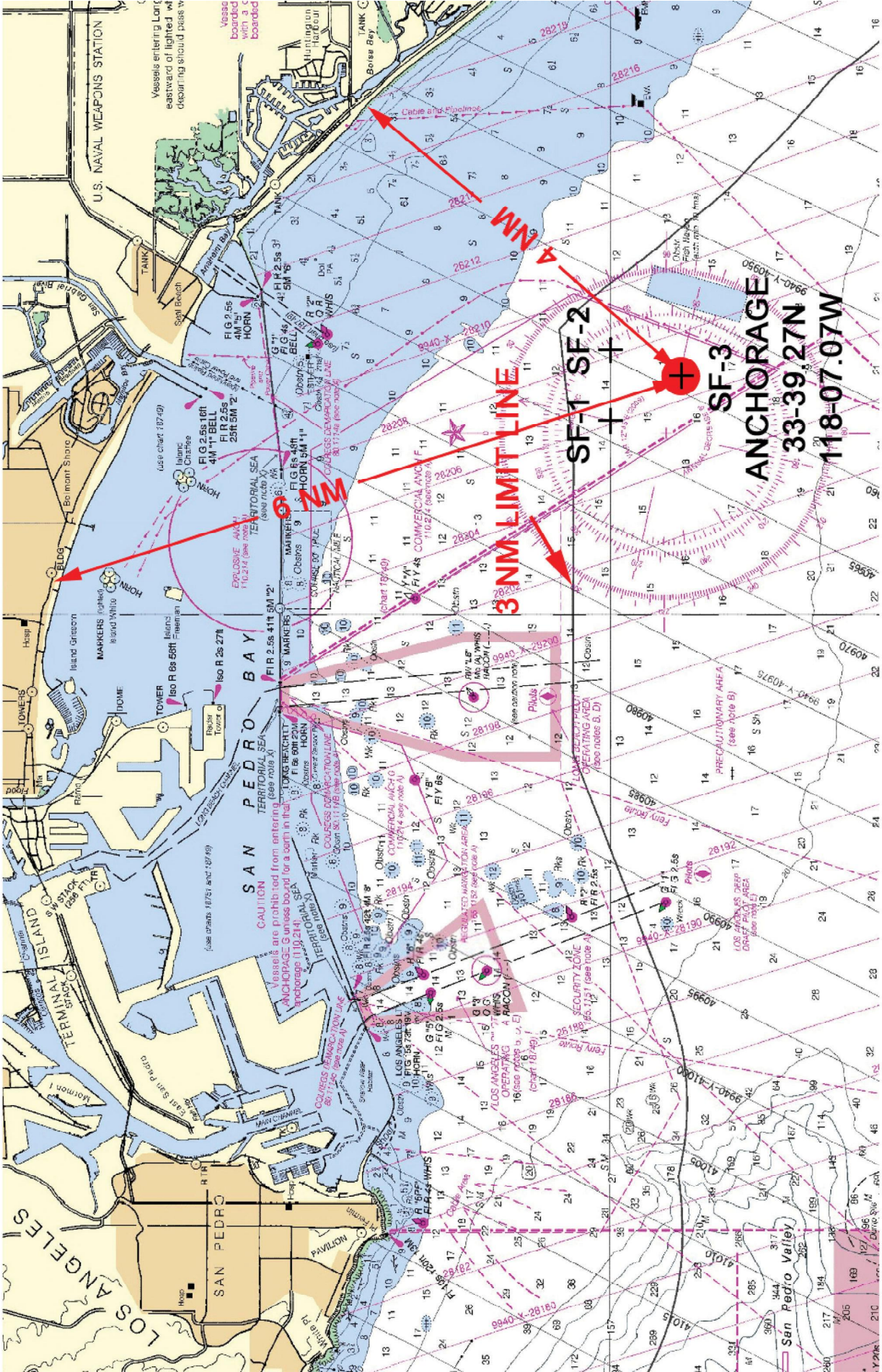
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**Legend**  
— Navy Fuel Surgeline

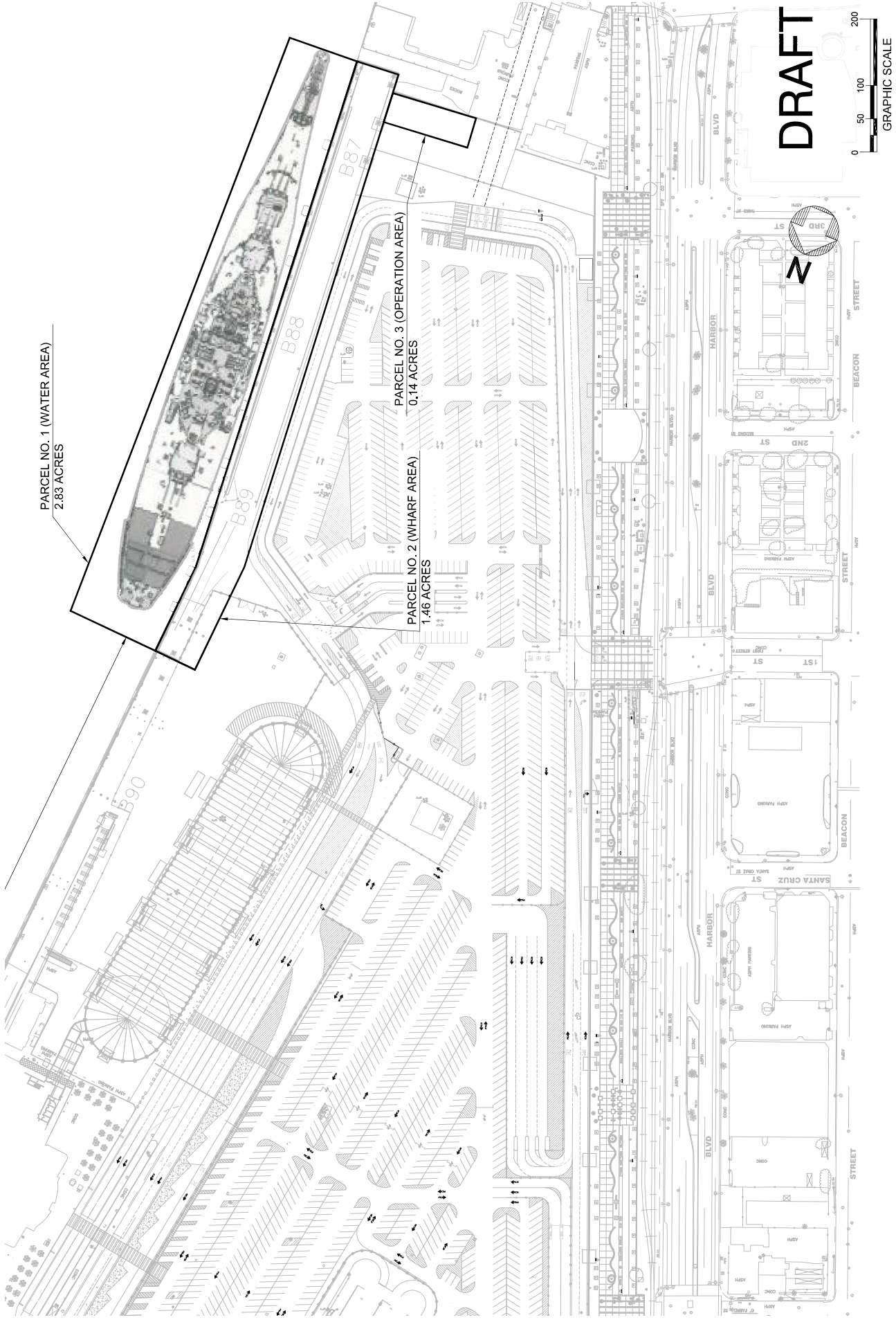
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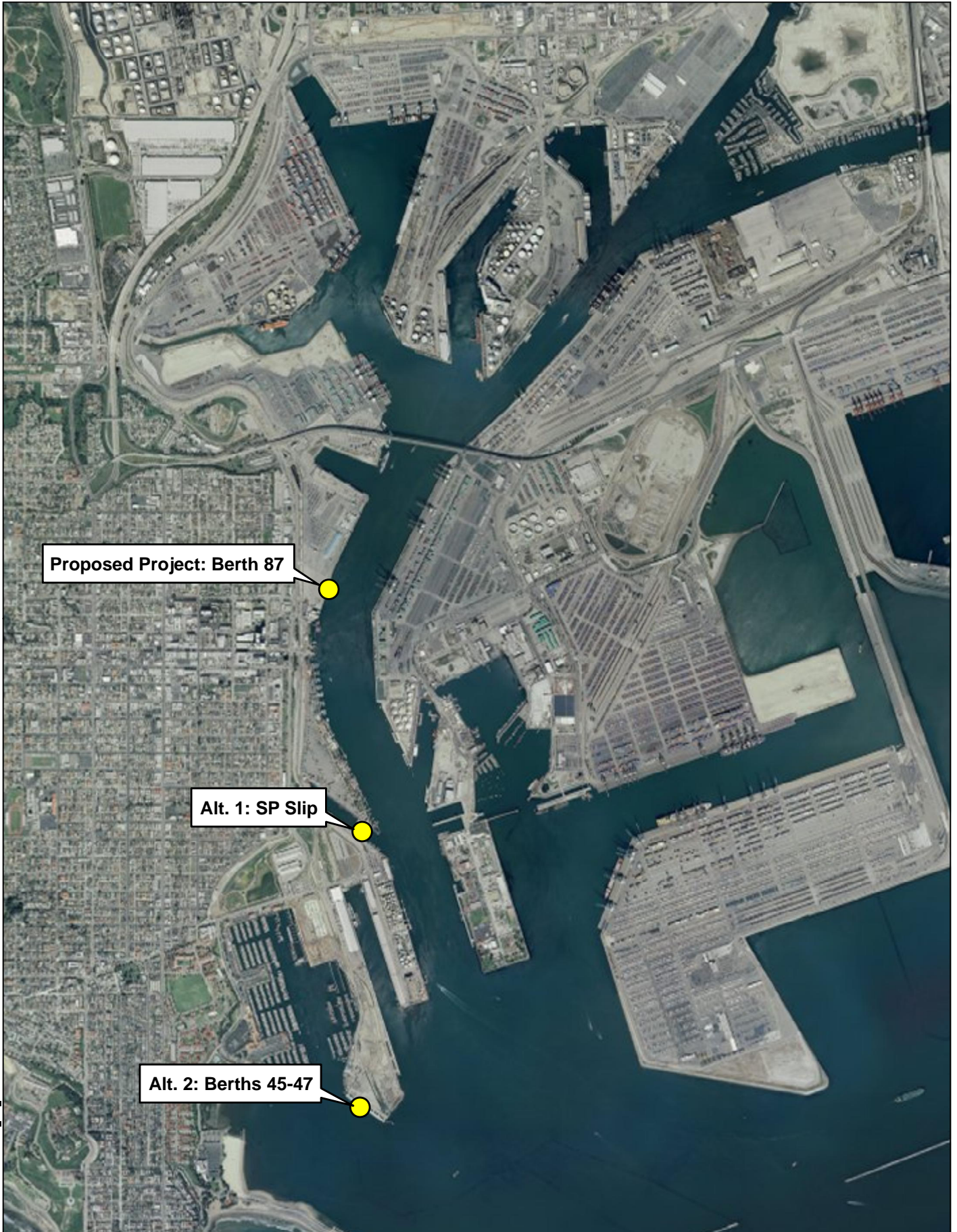
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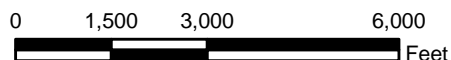


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Proposed Project: Berth 87

Alt. 1: SP Slip

Alt. 2: Berths 45-47



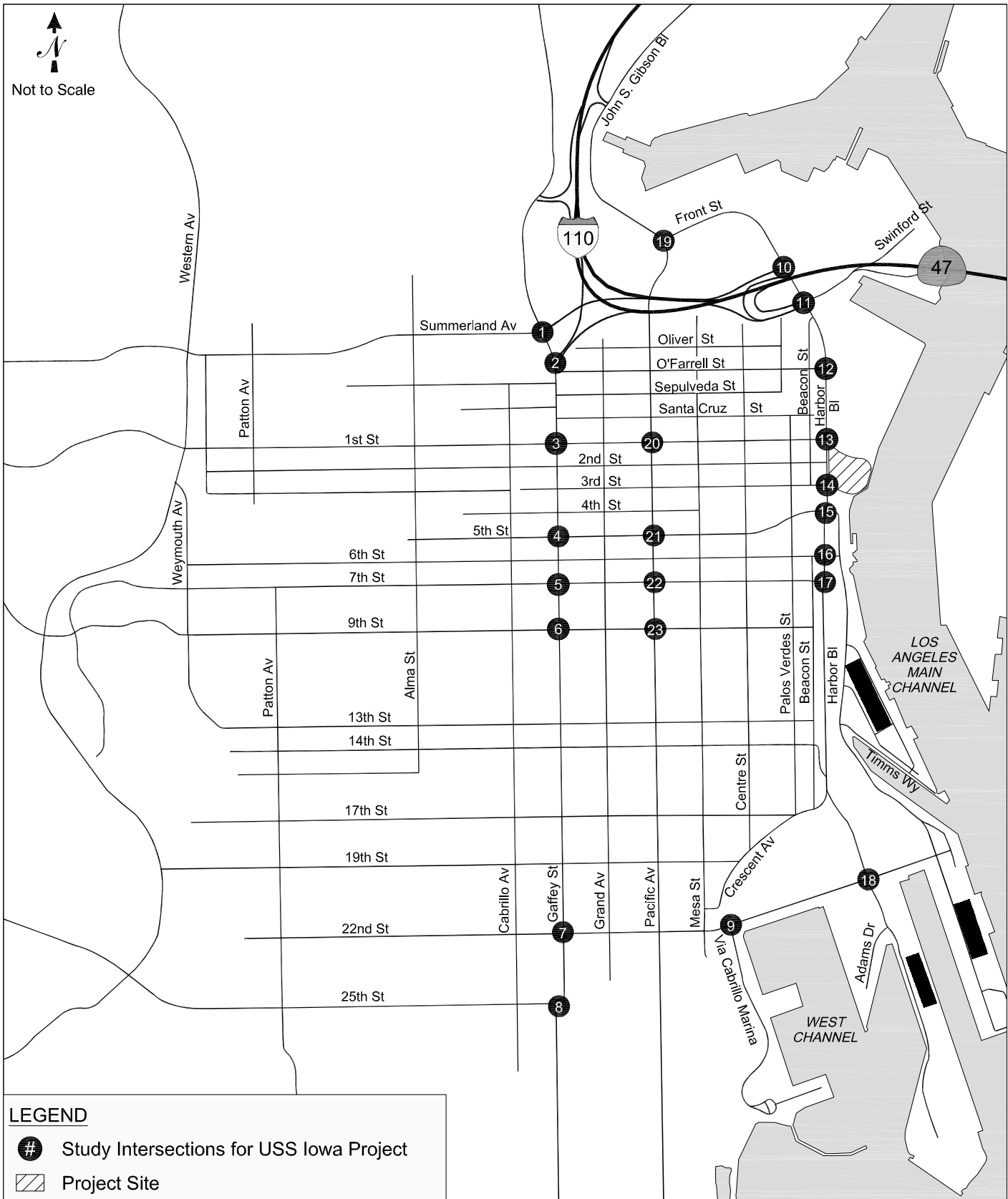
Source: ESRI World Imagery

# USS IOWA PROJECT - EIR Alternative Site Locations





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Not to Scale



**LEGEND**

-  Study Intersections for USS Iowa Project
-  Project Site

3/26/12 JN 65-100853 Source: Fehr&Peers Traffic Study, revised 3/2012



USS IOWA PROJECT - EIR  
**Study Area and Analyzed Intersections**

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