

# 2

## RESPONSES TO COMMENTS

### 2.1 Distribution of the Draft EIS/EIR

The Draft EIS/EIR prepared for the LAHD was distributed to the public and regulatory agencies on June 29, 2007 for a 90-day review period. Approximately 50 copies of the Draft EIS/EIR and 150 summaries were distributed to various government agencies, organizations, individuals, and Port tenants. In addition, postcards in English and Spanish were mailed to all addresses in Wilmington and San Pedro. On July 31, 2007, the review period was extended for a total of 90 days to September 26, 2007. Notice of this change was made at the public meeting on the Draft EIS/EIR, was made by e-mail, published in newspapers and was noticed on the first page of the Port's web site. The 90-day public review period on the Draft EIS/EIR officially closed on September 26, 2007. LAHD, in cooperation with USACE, held a public hearing on the Draft EIS/EIR on July 31, 2007, at Banning's Landing Community Center to provide an overview of the proposed Berths 136-147 Container Terminal Project and accept public comments on the proposed Project.

The Draft EIS/EIR was made available for review at the following locations:

- L.A. Public Library, San Pedro Branch, 921 South Gaffey Street, San Pedro, California;
- L.A. Public Library, Central Branch, 630 West 5th Street, Los Angeles, California;
- L.A. Public Library, Wilmington Branch, 1300 North Avalon, Wilmington, California;
- Long Beach Public Library, Main Branch, 101 Pacific Avenue, Long Beach, California; and
- Los Angeles Harbor Department, Environmental Management Division, 425 South Palos Verdes Street, San Pedro, California.

The document was also available online at the Port of Los Angeles web site: <http://www.portoflosangeles.org/environment/pn.htm> with the public notice available on [www.spl.usace.army.mil/regulatory/POLA.htm](http://www.spl.usace.army.mil/regulatory/POLA.htm). Electronic copies of the

Draft EIS/EIR in CD-ROM format were made available free of charge to all interested parties.

## 2.2 Comments on the Draft EIS/EIR

The public comment and response component of the NEPA/CEQA process serves an essential role. It allows the respective lead agencies to assess the impacts of a project based on the analysis of other responsible, concerned, or adjacent agencies and interested parties, and it provides the opportunity to amplify and better explain the analysis that the lead agencies have 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 and individuals and to improve the overall understanding of the project for the decision-making body.

The USACE and LAHD received 395 comment letters on the Draft EIS/EIR during the public review period. Table 2-1 presents a list of those agencies, organizations, and individuals who provided comment on the Draft EIS/EIR. In addition, written comments regarding global warming mitigation measures were received from the California Attorney General’s Office, and are include in Attachment 2.

**Table 2-1. Public Comments Received on the Draft EIS/EIR**

<i>Letter Code</i>	<i>Date</i>	<i>Individual/Organization</i>	<i>Page</i>
<b>Federal Government</b>			
USEPA	09/26/07	U.S. Environmental Protection Agency	2-5
DOI	08/27/07	Department of Interior, Office of Environmental Policy and Compliance	2-18
NMFS	09/25/07	National Marine Fisheries Service	2-22
USCG	07/03/07	United States Coast Guard	2-29
<b>State Government<sup>31</sup></b>			
SCH	08/22/07	State Clearinghouse	2-31
CADOT	08/16/07	California Department of Transportation	2-34
NAHC	07/20/07	Native American Heritage Commission	2-37
DTSC	07/24/07	Department of Toxic Substances Control	2-42
CCC	08/15/07	California Coastal Commission	2-46
<b>Regional Government</b>			
SCAQMD	09/26/07	South Coast Air Quality Management District	2-48
SCAG	07/24/07	Southern California Association of Governments	2-85
<b>Local Government</b>			
RPV	09/19/07	City of Rancho Palos Verdes	2-87
<b>National Organizations</b>			
CBD	09/24/07	Center for Biological Diversity	2-93
NRDC	09/26/07	Natural Resources Defense Council, et. al	2-116

**Table 2-1. Public Comments Received on the Draft EIS/EIR (continued)**

<i>Letter Code</i>	<i>Date</i>	<i>Individual/Organization</i>	<i>Page</i>
AS(A)	07/26/07	Audubon Society A	2-179
AS(B)	07/31/07	Audubon Society B	2-182
SA	09/24/07	Scenic America	2-191
<b>Community Groups</b>			
PCAC-AQ	09/19/07	PCAC Air Quality Subcommittee	2-194
PCAC-EIR	09/23/07	PCAC EIR Subcommittee	2-214
CSE(A)	07/31/07	Coalition for a Safe Environment	2-236
CSE(B)	09/26/07	Coalition for a Safe Environment	2-244
SPPHA	09/26/07	San Pedro Peninsula Homeowner's Coalition	2-268
NWSP	09/26/07	Northwest San Pedro Neighborhood Council	2-277
SCEHSC	09/26/07	Southern California Environmental Health Sciences Center	2-301
HVTF	09/26/07	Harbor Vision Task Force	2-328
<b>Industry and Business Groups</b>			
TraPac	08/10/07	TraPac	2-344
WCoC	09/13/07	Wilmington Chamber of Commerce	2-347
SPCoC	09/21/07	San Pedro Chamber of Commerce	2-350
LACBFF	08/13/07	Los Angeles Custom Brokers and Freight Forwarders Association, Inc.	2-352
HAIC	08/03/07	Harbor Association of Industry & Commerce	2-354
CCA LA	09/24/07	Central City Association of Los Angeles	2-356
CE	09/20/07	Clean Energy	2-359
ACTI	08/09/07	Advanced Cleanup Technologies, Inc.	2-364
BC Lab	07/30/07	BC Laboratories, Inc.	2-375
<b>Individuals</b>			
TA	08/03/07	Taleen Ananian	2-377
SB(A)	07/31/07	Skip Baldwin A	2-379
SB(B)	09/11/07	Skip Baldwin B	2-383
LB	08/08/08	Linda Bauer	2-385
DC	Undated	Donald Compton, J.D.	2-387
OC	09/24/07	Olivia Cueva-Fernandez	2-395
RF	09/16/07	Ron Flisher	2-401
AH(A)	07/31/07	Arthur Hernandez A	2-405
AH(B)	08/08/07	Arthur Hernandez B	2-407
AH(C)	08/23/07	Arthur Hernandez C	2-415
TK	08/01/07	Tarry Kang	2-423
JM	09/24/07	John Miller, M.D., FACEP	2-425
CM	07/31/07	Cecilia Ponce-Mora	2-442
PN	09/26/07	Pat Nave	2-446
RP	08/04/07	Richard Pawlowski	2-469

**Table 2-1. Public Comments Received on the Draft EIS/EIR (continued)**

<i>Letter Code</i>	<i>Date</i>	<i>Individual/Organization</i>	<i>Page</i>
DRA	07/31/07	David Rattray	2-471
DRE	Undated	Dan Reilly	2-473
AS	08/07/07	Alex San Andres	2-477
JT	08/10/07	Joseph Towers	2-479
KW	09/26/07	Kathleen Woodfield	2-481
TW	07/31/07	Dr. C. Thomas Williams	2-484
PW(A)	09/23/07	Peter Warren	2-498
PW(B)	09/26/07	Peter Warren	2-513
AH	09/17/07	Andrew Hricko	2-515
WBO	09/17/07	Wilmington Boat Owners Association	2-518
WR	Various	Wilmington Residents	2-529
PT	07/31/07	Public Hearing Transcript	2-1733

## 2.3 Responses to Comments

In accordance with CEQA (Guidelines Section 15088) and NEPA (23 CFR Part 771), the USACE and LAHD have 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 analysis contained in the Draft EIS/EIR. In specific compliance with Section 15088(b) of the CEQA Guidelines and implementing regulations 23 CFR Part 771 of the NEPA Guidelines, the written responses address the environmental issues raised. In addition, where appropriate, the basis for incorporating, or not incorporating specific suggestions into the Project is provided. In each case, LAHD has expended a good faith effort, supported by reasoned analysis, to respond to comments.

This section includes responses to comments at the public hearing on the Draft EIS/EIR and written comments received during the 90-day public review period of the Draft EIS/EIR. In addition, responses to global warming mitigation measures issues raised by the California Attorney General's office are provided in Attachment 2. Where responses have resulted in changes to the text of the Draft EIS/EIR, these changes are referenced, and are illustrated in Chapter 3. A copy of each comment letter is provided, and responses to each comment immediately follow.