

# Modifications to the Draft EIS/EIR

## 3.1 Introduction

This chapter of the document addresses modifications to the Draft EIS/EIR for the Berths 212-224 (YTI) Container Terminal Improvements Project. It presents all revisions related to public comments, as determined necessary by the lead agencies.

Any revisions to supporting documentation are also presented. The numbering format from the Draft EIS/EIR is maintained in the sections presented here. Only sections that have revisions based on public comment are included, and sections that have no revisions are not included. Readers are referred to the Draft EIS/EIR to view complete sections. It should be noted that most of the changes are editorial in nature and none result in changes to significance findings.

As provided in Section 15088(c) of the State CEQA Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. As provided in 40 CFR 1503.4(c), to comply with NEPA, responses to comments may take the form of revisions to a Draft EIS, or, if changes to the EIS in responses to comments are minor, then changes may be provided on errata sheets attached to the Draft EIS. This chapter complies with the latter of these two guidelines and provides changes to the Draft EIS/EIR in revision-mode text (i.e., deletions are shown with ~~striketrough~~ and additions are shown with underline). These notations are meant to provide clarification, corrections, 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 EIS/EIR.

## 3.2 Changes to the Draft EIS/EIR

The following changes to the text as presented below are incorporated into the Final EIS/EIR.

1 **3.2.1 Changes Made to Executive Summary**

2 **3.2.1.1 Pages ES-18 through ES-22**

**Table ES-4: Summary of Potential Impacts and Proposed Mitigation Measures by Alternative**

Proposed Project	Alternative 1 – No Project	Alternative 2 – No Federal Action	Alternative 3 – Reduced Project
<p><b>AQ-3:</b> The proposed Project would result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD threshold of significance in Table 3.2-16.</p> <p><b>CEQA:</b> Operations would be significant for NO<sub>x</sub>, CO and VOC in 2017, 2020, and 2026.</p> <p><b>NEPA:</b> Operations would be significant for NO<sub>x</sub> in 2017, 2020, and 2026, and for VOC in 2020 and 2026.</p> <p><b>Mitigation Measures:</b>  <b>MM AQ-9.</b> Vessel Speed Reduction Program (VSRP).  <b>MM AQ-10.</b> Alternative Maritime Power (AMP).  <del><b>MM AQ-11.</b> Truck Idling Reduction Measure.</del>                      The following lease measures would also be implemented to reduce impacts:  <b>LM AQ-1.</b> Periodic Review of New Technology and Regulations.  <b>LM AQ-2.</b> Substitution of New Technology by Tenant.  <b>LM AQ-3: Container Ship Engine Emissions Reduction Technology Improvements.</b></p> <p><b>Residual Impacts:</b>  <b>CEQA:</b> Operations would be significant and unavoidable for NO<sub>x</sub>, CO</p>	<p><b>AQ-3:</b> Alternative 1 would result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD threshold of significance in Table 3.2-16.</p> <p><b>CEQA:</b> Operations would be significant for NO<sub>x</sub> and VOC in 2017, 2020, and 2026.</p> <p><b>NEPA:</b> Not applicable; mitigation not applicable.</p> <p><b>Mitigation Measures</b>  <b>CEQA:</b> Mitigation measures are not applicable to Alternative 1 because there would be no discretionary actions subject to CEQA.</p> <p><b>Residual Impacts:</b>  <b>CEQA only:</b> Operations would be significant and unavoidable for NO<sub>x</sub> and VOC in 2017, 2020, and 2026.</p>	<p><b>AQ-3:</b> Alternative 2 would result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD threshold of significance in Table 3.2-16.</p> <p><b>CEQA:</b> Operations would be significant for NO<sub>x</sub> and VOC in 2017, 2020, and 2026.</p> <p><b>NEPA:</b> No impact; no mitigation required.</p> <p><b>Mitigation Measures:</b>  <b>MM AQ-9 through and MM AQ-11</b></p> <p><b>Residual Impacts:</b>  <b>CEQA only:</b> Operations would be significant and unavoidable for NO<sub>x</sub> and VOC in 2017, 2020, and 2026.</p>	<p><b>AQ-3:</b> Alternative 3 would result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD threshold of significance in Table 3.2-16.</p> <p><b>CEQA:</b> Operations would be significant for VOC and NO<sub>x</sub> in 2017, 2020, and 2026 and for CO in 2020 and 2026.</p> <p><b>NEPA:</b> Operations would be significant for NO<sub>x</sub> in 2017, 2020, 2026, and for CO, VOC, and PM<sub>2.5</sub> in 2020 and 2026.</p> <p><b>Mitigation Measures:</b>  <b>MM AQ-9 through and MM AQ-11</b></p> <p><b>Residual Impacts:</b>  <b>CEQA:</b> Operations would be significant and unavoidable for VOC and NO<sub>x</sub> in 2017, 2020, and 2026 and for CO in 2020 and 2026.</p> <p><b>NEPA:</b> Operations would be significant and unavoidable for VOC and NO<sub>x</sub> in 2020 and 2026.</p>

**Table ES-4: Summary of Potential Impacts and Proposed Mitigation Measures by Alternative**

Proposed Project	Alternative 1 – No Project	Alternative 2 – No Federal Action	Alternative 3 – Reduced Project
<p>and VOC in 2017, 2020, and 2026.  <b>NEPA:</b> Operations would be significant and unavoidable for NO<sub>x</sub> in 2017, 2020, and 2026, and for VOC in 2020.</p>	<p><b>AQ-4:</b> Alternative 1 operations would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-17.  <b>CEQA:</b> Operations would be significant for federal 1-hour NO<sub>2</sub> and 24-hour and annual PM<sub>10</sub>.  <b>NEPA:</b> Operations would be significant for federal 1-hour NO<sub>2</sub> and 24-hour and annual PM<sub>10</sub>.  <b>Mitigation Measures:</b> MM AQ-9 through and MM AQ-4410  <b>Lease Measures:</b> LM AQ-1 through LM AQ-3  <b>Residual Impacts:</b> CEQA: Operations would be significant and unavoidable for federal 1-hour NO<sub>2</sub> and 24-hour and annual PM<sub>10</sub>.  <b>NEPA:</b> Operations would be significant and unavoidable for federal 1-hour NO<sub>2</sub> and 24-hour and annual PM<sub>10</sub>.</p>	<p><b>AQ-4:</b> Alternative 2 operations would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-17.  <b>CEQA:</b> Operations would be significant for federal 1-hour NO<sub>2</sub> and for 24-hour and annual PM<sub>10</sub>.  <b>NEPA:</b> No impact; no mitigation required.  <b>Mitigation Measures:</b> MM AQ-9 through and MM AQ-4610  <b>Lease Measures:</b> LM AQ-1 through LM AQ-3  <b>Residual Impacts:</b> CEQA only: Operations would be significant and unavoidable for federal 1-hour NO<sub>2</sub> and for 24-hour and annual PM<sub>10</sub>.</p>	<p><b>AQ-4:</b> Alternative 3 operations would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-17.  <b>CEQA:</b> Operations would be significant for 1-hour federal NO<sub>2</sub>, and for 24-hour and annual PM<sub>10</sub>.  <b>NEPA:</b> Operations would be significant for 1-hour federal NO<sub>2</sub>, and for 24-hour and annual PM<sub>10</sub>.  <b>Mitigation Measures:</b> MM AQ-9 through and MM AQ-4410  <b>Lease Measures:</b> LM AQ-1 through LM AQ-3  <b>Residual Impacts:</b> CEQA: Operations would be significant and unavoidable for 1-hour federal NO<sub>2</sub>, and for 24-hour and annual PM<sub>10</sub>.  <b>NEPA:</b> Operations would be significant and unavoidable for 1-hour federal NO<sub>2</sub>, and for 24-hour and annual PM<sub>10</sub>.</p>

**Table ES-4: Summary of Potential Impacts and Proposed Mitigation Measures by Alternative**

Proposed Project	Alternative 1 – No Project	Alternative 2 – No Federal Action	Alternative 3 – Reduced Project
<p><b>AQ-7:</b> The proposed Project would expose receptors to significant levels of TACs.</p> <p><b>CEQA:</b> The NOP cancer risk would be significant for occupational receptors. The future cancer risk would be significant for marina-residential and occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p> <p><b>NEPA:</b> Less than significant; no mitigation required.</p> <p><b>Mitigation Measures:</b> <u>MM AQ-9 through and MM AQ-4+10</u></p> <p><b>Lease Measures:</b> <u>LM AQ-1 through LM AQ-3</u></p> <p><b>Residual Impacts:</b> <b>CEQA only:</b> The NOP cancer risk would be significant and unavoidable for occupational receptors. The future cancer risk would be significant and unavoidable for marina-residential and occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p>	<p><b>AQ-7:</b> Alternative 1 would expose receptors to significant levels of TACs.</p> <p><b>CEQA:</b> The baseline and future baseline cancer would be significant for occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p> <p><b>NEPA:</b> Not applicable; mitigation not applicable.</p> <p><b>Residual Impacts:</b> <b>CEQA only:</b> The baseline and future baseline cancer would be significant and unavoidable for occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p>	<p><b>AQ-7:</b> The proposed Project would expose receptors to significant levels of TACs.</p> <p><b>CEQA:</b> The baseline and future baseline cancer would be significant for occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p> <p><b>NEPA:</b> No impact; no mitigation required.</p> <p><b>Mitigation Measures:</b> <u>MM AQ-9 through and MM AQ-4+10</u></p> <p><b>Lease Measures:</b> <u>LM AQ-1 through LM AQ-3</u></p> <p><b>Residual Impacts:</b> <b>CEQA only:</b> The baseline and future baseline cancer would be significant and unavoidable for occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p>	<p><b>AQ-7:</b> Alternative 3 would expose receptors to significant levels of TACs.</p> <p><b>CEQA:</b> The baseline cancer risk would be significant for occupational receptors. The future baseline cancer risk would be significant for marina-residential and occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p> <p><b>NEPA:</b> Less than significant; no mitigation required.</p> <p><b>Mitigation Measures:</b> <u>MM AQ-9 through and MM AQ-4+10</u></p> <p><b>Lease Measures:</b> <u>LM AQ-1 through LM AQ-3</u></p> <p><b>Residual Impacts:</b> <b>CEQA only:</b> The baseline cancer risk would be significant and unavoidable for occupational receptors. The future baseline cancer risk would be significant and unavoidable for marina-residential and occupational receptors. The chronic hazard index, the acute hazard index, and the cancer burden would be less than significant for all receptors.</p>

**Table ES-4: Summary of Potential Impacts and Proposed Mitigation Measures by Alternative**

Proposed Project	Alternative 1 – No Project	Alternative 2 – No Federal Action	Alternative 3 – Reduced Project
<p><b>Impact GHG-1:</b> The proposed Project would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO<sub>2</sub>e threshold.  <b>CEQA:</b> Significant.  <b>NEPA:</b> Not applicable; mitigation not applicable.  <b>Mitigation Measures:</b>  <b>MM AQ-1:</b> Crane Delivery Ships Used during Construction.  <b>MM AQ-5:</b> Dredging Equipment.  <b>MM AQ-9:</b> Vessel Speed Reduction Program.  <b>MM AQ-10:</b> Alternative Maritime Power  <del><b>MM AQ-11:</b> Truck Idling Reduction Measure.</del>  <b>MM GHG-1:</b> Energy Audit.  <b>MM GHG-2:</b> LED Lighting.  <b>MM GHG-3:</b> Recycling.  <u><b>MM GHG-4:</b> Carbon Offsets for Certain GHG Emissions.</u>  <b>Residual Impacts:</b>  <b>CEQA only:</b> Significant and unavoidable.</p>	<p><b>Impact GHG-1:</b> Alternative 1 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO<sub>2</sub>e threshold.  <b>CEQA:</b> Significant; mitigation not applicable.  <b>NEPA:</b> Not applicable; mitigation not applicable.</p>	<p><b>Impact GHG-1:</b> Alternative 2 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO<sub>2</sub>e threshold.  <b>CEQA:</b> Significant.  <b>NEPA:</b> Not applicable; mitigation not applicable.  <b>Mitigation Measures:</b>  <b>MM AQ-9:</b> Vessel Speed Reduction Program.  <b>MM AQ-10:</b> Alternative Maritime Power  <del><b>MM AQ-11:</b> Truck Idling Reduction Measure.</del>  <b>MM GHG-1:</b> Energy Audit.  <b>MM GHG-2:</b> LED Lighting.  <b>MM GHG-3:</b> Recycling.  <u><b>MM GHG-4:</b> Carbon Offsets for Certain GHG Emissions.</u>  <b>Residual Impacts:</b>  <b>CEQA only:</b> Significant and unavoidable.</p>	<p><b>Impact GHG-1:</b> Alternative 3 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO<sub>2</sub>e threshold.  <b>CEQA:</b> Significant.  <b>NEPA:</b> Not applicable; mitigation not applicable.  <b>Mitigation Measures:</b>  <b>MM AQ-1:</b> Crane Delivery Ships Used during Construction.  <b>MM AQ-5:</b> Dredging Equipment.  <b>MM AQ-9:</b> Vessel Speed Reduction Program.  <b>MM AQ-10:</b> Alternative Maritime Power  <del><b>MM AQ-11:</b> Truck Idling Reduction Measure.</del>  <b>MM GHG-1:</b> Energy Audit.  <b>MM GHG-2:</b> LED Lighting.  <b>MM GHG-3:</b> Recycling.  <u><b>MM GHG-4:</b> Carbon Offsets for Certain GHG Emissions.</u>  <b>Residual Impacts:</b>  <b>CEQA only:</b> Significant and unavoidable.</p>

1

1 **3.2.1.2 Page ES-30**

2 **MM AQ-3: Fleet Modernization for On-road Trucks Used during Construction.**  
3 Trucks with a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds  
4 (lbs) or greater, including import haulers and earth movers, must comply  
5 with EPA ~~2007~~2010 on-road emission standards.

6 **3.2.1.3 Page ES-31**

7 **MM AQ-7: Additional Fugitive Dust Controls.** Contractor must ~~apply water to~~  
8 ~~disturbed surfaces at intervals of 2 hours.~~ adhere to the following control  
9 measures, at a minimum:

- 10 • Active grading sites shall be watered at intervals of 2 hours.
- 11 • Traffic speeds on all unpaved roads must be limited to 15 mph or  
12 less.
- 13 • Contractors shall apply approved non-toxic chemical soil stabilizers  
14 to all inactive construction areas or replace groundcover in disturbed  
15 areas.
- 16 • Contractors shall provide temporary wind fencing around sites being  
17 graded or cleared.
- 18 • Trucks hauling dirt, sand, or gravel shall be covered or shall maintain  
19 at least 2 feet of freeboard in accordance with Section 23114 of the  
20 California Vehicle Code (“Spilling Loads on Highways”).
- 21 • Construction contractors shall install wheel washers where vehicles  
22 enter and exit unpaved roads onto paved roads, or wash off tires of  
23 vehicles and any equipment leaving the construction site.
- 24 • The grading contractor shall suspend all soil disturbance activities  
25 when winds exceed 25 mph or when visible dust plumes emanate  
26 from a site, and disturbed areas shall be stabilized if construction is  
27 delayed.
- 28 • Open storage piles (greater than 3 feet tall and a total surface area of  
29 150 square feet) shall be covered with a plastic tarp or chemical dust  
30 suppressant.
- 31 • Materials shall be stabilized while loading, unloading, and  
32 transporting to reduce fugitive dust emissions.
- 33 • Belly-dump truck seals shall be checked regularly to remove trapped  
34 rocks to prevent possible spillage.
- 35 • Track-out regulations shall be followed and water shall be provided  
36 while loading and unloading to reduce visible dust plumes.
- 37 • Waste materials shall be hauled off site immediately.

### 3.2.1.4 Page ES-32

The following lease measures would be required by LAHD for the proposed Project and Alternatives 2 and 3:

**LM AQ-1: Periodic Review of New Technology and Regulations.** LAHD will require the tenant to review any LAHD-identified or other new emissions-reduction technology, determine whether the technology is feasible, and report to LAHD. Such technology feasibility reviews will take place at the time of LAHD's consideration of any lease amendment or facility modification for the proposed project site. If the technology is determined by LAHD to be feasible in terms of cost and technical and operational feasibility, the tenant will work with LAHD to implement such technology.

Potential technologies that may further reduce emissions and/or result in cost-savings benefits for the tenant may be identified through future work on the Clean Air Action Plan (CAAP). Over the course of the lease, the tenant and LAHD will work together to identify potential new technology. Such technology will be studied for feasibility, in terms of cost, technical and operational feasibility, and emissions reduction benefits. As partial consideration for the lease amendment, the tenant will implement not less frequently than once every five years following the effective date of the permit new air quality technological advancements, subject to mutual agreement on operational feasibility and cost sharing, which will not be unreasonably withheld. The effectiveness of this measure depends on the advancement of new technologies and the outcome of future feasibility or pilot studies.

**LM AQ-2: Substitution of New Technology by Tenant.** If any kind of technology becomes available and is shown to be as good as or better than the existing measure in terms of emissions reduction performance, the technology could replace the requirements of MM AQ-9 and MM AQ-10, pending approval by LAHD.

**LM AQ-3: Container Ship Engine Emissions Reduction Technology Improvements.** The tenant will encourage NYK Line to determine the feasibility of incorporating all emission reduction technology and/or design options for vessels calling at the YTI Terminal.

### 3.2.1.5 Page ES-33

**MM GHG-4: Carbon Offsets for Certain GHG Emissions.** YTI shall purchase carbon offsets from sources listed on the American Carbon Registry and/or the Climate Action Reserve (or any other such registry approved by CARB) for a total of 16,380 metric tons of GHG emissions associated with electricity usage for certain terminal operations by the year 2026.

### 3.2.1.6 Pages ES-33 through ES-35

MM GW-1: **Soil Sampling, Testing, and Treatment.** ~~Prior to ground-disturbing construction activities,~~ The following actions must be implemented by LAHD or its contractors:

- a) Prior to conducting excavations or disturbing the site cap in the former National Metals and Steel site, ~~and the former Al Larson's Boat site, and the former Hugo Neu Proler lease site,~~ EPA must receive a "Notification of Activity" according to Federal protocol under the Toxic Substances Control Act (TSCA) for former polychlorinated biphenyl (PCB) remediation sites. In place (in-situ) soil sampling for PCBs must be completed prior to excavation and the analytical results provided to the EPA for review, prior to excavation. The sampling, analytical method, extraction, and soil disposal methods must comply with EPA TSCA regulations for PCB remediation sites where the original source of the PCBs was greater than 50 milligrams per kilogram (mg/kg). Sampling frequency and depth must be consistent with established EPA sampling procedures or guidance such as 40 CFR 761, Subpart N (40 CFR 761.260 et al.), or CERCLA site characterization guidance. PCB-containing waste soils must be disposed of and labeled as TSCA waste. EPA written concurrence with the notification is needed before excavation may proceed in former PCB remediation areas. In addition, as lead agency for PCBs, EPA may attach conditions to their concurrence, which must be followed. If excavation occurs in these soils, a site-specific health and safety plan (SSHSP) would be required to address worker safety.
- b) In the former National Metals Steel and Al Larson Boat sites, soils must also be tested in advance for total petroleum hydrocarbons (TPH), ~~and Title 22 metals, and organochlorine pesticides (OCPs)~~ as a condition of remediation site closure by the Los Angeles County Fire Department, Health and Hazardous Materials Section, ~~and LAHD past practice~~ to provide adequate information for construction waste characterization and/or worker safety hazard evaluations, prior to excavation. Based on past sampling, organochlorine pesticides (OCPs) should also be tested at the National Metals Steel and Al Larson Boat site, and Title 22 metals and TPH should be tested at the Hugo Neu Proler lease site. If direct truck loading or immediate soil reuse is desired at the National Metals Steel, Al Larson Boat, and former Hugo Neu Proler lease sites, testing of any other constituents necessary for proper disposal or soil reuse should also be performed prior to excavation.
- c) Soils in the former Golden West leasehold must be tested for TPH, benzene, toluene, ethyl benzene and xylenes, and polyaromatic hydrocarbons prior to ~~excavation~~ disposal. This is due to elevated petroleum waste left in backfill soils at this site. In addition, any other constituent analyses needed by the disposal site or for soil reuse should be analyzed at the same time and for the reason



1 described in (b) above. If excavation occurs in these soils, an  
2 SSHSP would be required to address worker safety.

- 3 d) Soils in the former Dow Chemical site must be tested for volatile  
4 organic compounds prior to excavation and disposal. This is because past  
5 sampling indicates carbon tetrachloride is present at concentrations  
6 above industrial limits and at a level not protective of construction  
7 workers. Other lower-level volatile organic compounds (VOCs)  
8 were also found and should also be tested. In addition, any other  
9 constituent analyses needed by the disposal site or for immediate  
10 reuse should be analyzed for at the same time. If excavation occurs  
11 in these soils, an SSHSP would be required to address worker safety.
- 12 e) In Waste Discharge Order 90-045, the Los Angeles Regional Water  
13 Quality Control Board requires maintenance of the structural  
14 integrity of the site cap for the former Golden West site and the  
15 National Metals Steel/Al Larson Boat Shop site. The site cap is to be  
16 a minimum of a 21-inch layer of clean material, compacted  
17 according to civil engineering standards, and the top 7 inches of this  
18 layer are to be asphalt concrete pavement. Groundwater monitoring  
19 requirements were rescinded for this site due to the presence of this  
20 cap and 6 years of monitoring indicating that the cap was protecting  
21 the groundwater from remnant contaminants in site soils. EPA may  
22 also be concerned with the integrity of this cap over former PCB  
23 remediation areas. Therefore, if the cap is disturbed over these sites,  
24 including the Hugo Neu Proler lease site, stormwater should not be  
25 allowed to infiltrate the cap, and during normal operations, the  
26 integrity of the cap should be inspected and maintained. Any other  
27 EPA requirements should also be followed.

28 **MM GW-2: Contamination Contingency Plan.** The following contingency plan  
29 will be implemented to address contamination discovered during  
30 demolition, grading, and construction.

- 31 a) All trench excavation and filling operations will be observed for the  
32 presence of free petroleum products, chemicals, or contaminated soil.  
33 Soil suspected of contamination will be segregated from other soil.  
34 In the event soil suspected of contamination is encountered during  
35 construction, the contractor will notify LAHD's environmental  
36 representative. LAHD will confirm the presence of the suspect  
37 material and direct the contractor to remove, stockpile or contain,  
38 and characterize the suspect material. Continued work at a  
39 contaminated site will require the approval of the LAHD Project  
40 Engineer.
- 41 b) Excavation of VOC-impacted soil, or soil suspected of being  
42 impacted by VOCs based on historical site use, will require obtaining  
43 and complying with a South Coast Air Quality Management District  
44 Rule 1166 permit. For soil suspected to have carbon tetrachloride, a  
45 Photo Ionization Detector (PID) with an 11.7 eV lamp will be  
46 necessary to detect significant levels.

- 1 c) The remedial option(s) selected will be dependent on a suite of  
2 criteria (including but not limited to types of chemical constituents,  
3 concentration of the chemicals, health and safety issues, time  
4 constraints, and cost) and will be determined on a site-specific basis.  
5 Both offsite and onsite remedial options may be evaluated.
- 6 d) The extent of removal actions will be determined on a site-specific  
7 basis. At a minimum, the impacted area(s) within the boundaries of  
8 the construction area will be remediated to the satisfaction of LAHD  
9 and the lead regulatory agency for the site or action. The LAHD  
10 Project Manager overseeing removal actions will inform the  
11 contractor when the removal action is complete.
- 12 e) Copies of hazardous waste manifests or other documents indicating  
13 the amount, nature, and disposition of such materials will be  
14 submitted to the LAHD Project Manager within 60 days of project  
15 completion.
- 16 f) In the event that contaminated soil is encountered either prior to or  
17 during construction, all onsite personnel handling or working in the  
18 vicinity of the contaminated material must be trained in accordance  
19 with EPA and Occupational Safety and Health and Administration  
20 (OSHA) regulations for hazardous waste operations or demonstrate  
21 they have completed the appropriate training. Training must provide  
22 protective measures and practices to reduce or eliminate hazardous  
23 materials/waste hazards at the workplace.
- 24 g) When impacted soil must be excavated, air monitoring will be  
25 conducted as appropriate for related emissions adjacent to the  
26 excavation.
- 27 h) All excavations will be backfilled with structurally suitable fill  
28 material that is free from contamination per LAHD standards.
- 29 i) Standard engineering controls and BMPs will be implemented while  
30 excavating impacted soils to minimize human exposure to potential  
31 contaminants. Engineering controls and construction BMPs will  
32 include but not be limited to the following:
- 33 ▪ Contractor will water/mist soil as its being excavated and loaded  
34 onto transportation trucks.
  - 35 ▪ Contractor will place any stockpiled soil in areas shielded from  
36 prevailing winds.
  - 37 ▪ Contractor will cover the bottom of excavated areas with  
38 sheeting when work is not being performed.

## 39 **3.2.2 Changes Made to Chapter 2, Project Description**

### 40 **3.2.2.1 Page 2-23**

41 Based on the information provided by the proposed project proponent, USACE has also  
42 identified potentially significant cumulative impacts related to air quality and  
43 meteorology and biological resources that would occur in conjunction with the proposed

1 Project (i.e., federal and non-federal, past, present, and reasonably foreseeable projects in  
2 the vicinity of the Port). Therefore, USACE is preparing an EIS for the proposed Project  
3 and its alternatives. While operational impacts in the uplands would occur outside the  
4 jurisdiction and permit authority of USACE, NEPA requires USACE to disclose  
5 potentially significant direct, indirect, and cumulative impacts occurring as a result of a  
6 proposed permit action. Significance of the proposed Project or alternative under NEPA  
7 is defined by comparing the impacts of the proposed Project or alternative to the NEPA  
8 baseline (i.e., increment). This represents the incremental difference between  
9 implementation of the proposed Project or alternative and the future conditions that are  
10 likely to occur without federal action, in this case, the issuance of the USACE permit.  
11 The USACE permit decision would focus on direct impacts to the aquatic environment.

## 12 **3.2.3 Changes Made to Section 3.2, Air Quality and** 13 **Meteorology**

### 14 **3.2.3.1 Pages 3.2-1, 3.2-2, and 3.2-69**

15 **MM AQ-3: Fleet Modernization for On-road Trucks Used during Construction.**  
16 Trucks with a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds  
17 (lbs) or greater, including import haulers and earth movers, must comply  
18 with EPA ~~2007~~2010 on-road emission standards.

### 19 **3.2.3.2 Pages 3.2-2 and 3.2-70**

20 **MM AQ-7: Additional Fugitive Dust Controls.** Contractor must ~~apply water to~~  
21 ~~disturbed surfaces at intervals of 2 hours. adhere to the following control~~  
22 measures, at a minimum:

- 23 • Active grading sites shall be watered at intervals of 2 hours.
- 24 • Traffic speeds on all unpaved roads must be limited to 15 mph or  
25 less.
- 26 • Contractors shall apply approved non-toxic chemical soil stabilizers  
27 to all inactive construction areas or replace groundcover in disturbed  
28 areas.
- 29 • Contractors shall provide temporary wind fencing around sites being  
30 graded or cleared.
- 31 • Trucks hauling dirt, sand, or gravel shall be covered or shall maintain  
32 at least 2 feet of freeboard in accordance with Section 23114 of the  
33 California Vehicle Code (“Spilling Loads on Highways”).
- 34 • Construction contractors shall install wheel washers where vehicles  
35 enter and exit unpaved roads onto paved roads, or wash off tires of  
36 vehicles and any equipment leaving the construction site.
- 37 • The grading contractor shall suspend all soil disturbance activities  
38 when winds exceed 25 mph or when visible dust plumes emanate  
39 from a site, and disturbed areas shall be stabilized if construction is  
40 delayed.

- 1 • Open storage piles (greater than 3 feet tall and a total surface area of
- 2 150 square feet) shall be covered with a plastic tarp or chemical dust
- 3 suppressant.
- 4 • Materials shall be stabilized while loading, unloading, and
- 5 transporting to reduce fugitive dust emissions.
- 6 • Belly-dump truck seals shall be checked regularly to remove trapped
- 7 rocks to prevent possible spillage.
- 8 • Track-out regulations shall be followed and water shall be provided
- 9 while loading and unloading to reduce visible dust plumes.
- 10 • Waste materials shall be hauled off site immediately.

### 11 **3.2.3.3 Page 3.2-2**

12 After the application of MM AQ-9, MM AQ-10, LM AQ-1, ~~and~~ LM AQ-2, and LM AQ-

13 3 summarized below, operational impacts would be reduced but would remain significant

14 and unavoidable.

### 15 **3.2.3.4 Page 3.2-3**

16 LAHD's standard lease measures LM AQ-1, ~~and~~ LM AQ-2, and LM AQ-3 would be

17 included in the tenant lease. Although not quantifiable, the measures would further

18 reduce future air quality emissions and serve to comply with Port air quality planning

19 requirements.

### 20 **3.2.3.5 Pages 3.2-3 and 3.2-89**

21 LM AQ-3: Container Ship Engine Emissions Reduction Technology

22 Improvements. The tenant will encourage NYK Line to determine the

23 feasibility of incorporating all emission reduction technology and/or

24 design options for vessels calling at the YTI Terminal.

### 25 **3.2.3.6 Page 3.2-15**

- 26 ▪ NO<sub>x</sub> engine emission rate limits for new engines. Tier I and Tier II limits
- 27 effective 2000 and 2011 are global limits, whereas Tier III limits, effective in
- 28 2016, apply only in NO<sub>x</sub> ECAs. NO<sub>x</sub> emission reductions due to these engine
- 29 limits were conservatively excluded from the analysis because they apply to
- 30 newly built engines, and the number of newly built Tier III vessels associated
- 31 with the proposed Project and alternatives would not be guaranteed. In addition,
- 32 a draft amendment is being considered to postpone the date for the Tier III NO<sub>x</sub>
- 33 standards' implementation within ECAs from 2016 to 2021. The draft
- 34 amendment will be considered for adoption during the 66th IMO session in
- 35 March 2014.

### 36 **3.2.3.7 Page 3.2-20**

37 USACE began the general conformity evaluation by conducting the applicability analysis

38 in which the calculated federal action emissions are compared to the general conformity

39 *de minimis* thresholds. This applicability analysis is presented in Appendix B1.

40 Following USACE guidance (USACE 1994) and EPA General Conformity Regulations

1 (40 CFR Parts 51 and 93.153), the federal actions for this evaluation included  
 2 construction emissions for the following proposed project elements:

- 3       ▪ Sheet piling and king pile installation, dredging and disposal of 21,000 cubic  
 4       yards required to improve Berths 214–216;
- 5       ▪ Sheet piling and king pile installation, dredging and disposal of 6,000 cubic yards  
 6       required to improve Berths 217–220;
- 7       ▪ Berths 212–216 crane rail extension by 1,500 feet to Berths 217–220 to  
 8       accommodate 100-foot gauge cranes at Berths 217–220;
- 9       ▪ Relocation offsite of two LAHD cranes from Berths 217–220;
- 10      ▪ Relocation/realignment of two existing YTI cranes; ~~and~~
- 11      ▪ Delivery and installation of four new cranes; and
- 12      ▪ Modification of six existing YTI cranes.

13 ~~Modification of six existing YTI cranes~~—Construction of the federal action elements was  
 14 estimated to require approximately 18 months to complete. Emissions associated with  
 15 actions taken under the USACE federal control and responsibility were determined for  
 16 this period. The methodology and assumptions used to estimate emissions are discussed  
 17 in Section 3.2.4.1. The federal action is not subject to a general conformity determination  
 18 for CO, VOC (as an ozone and PM<sub>2.5</sub> precursor), NO<sub>x</sub> (as an ozone and PM<sub>2.5</sub> precursor),  
 19 PM<sub>10</sub>, PM<sub>2.5</sub>, or SO<sub>x</sub> (as a PM<sub>2.5</sub> precursor) because the net emissions associated with the  
 20 federal action would be less than the general conformity *de minimis* thresholds.  
 21 Therefore, USACE concluded that the federal action as ~~designed~~ proposed would  
 22 conform to the purpose of the approved SIP and would be consistent with all applicable  
 23 requirements.

### 24 **3.2.3.8 Page 3.2-73**

#### 25 ***Residual Impacts***

26 Emissions from construction of the proposed Project would be reduced with mitigation  
 27 but would remain significant and unavoidable under CEQA for PM<sub>2.5</sub>, NO<sub>x</sub>, CO, and  
 28 VOC in 2015 and for NO<sub>x</sub> in 2016. In addition, although emissions from overlapping  
 29 construction and operation would be reduced with mitigation, they would remain  
 30 significant and unavoidable under CEQA for ~~PM<sub>2.5</sub>~~, NO<sub>x</sub>, CO, and VOC during the 2015  
 31 peak construction year.

1 **3.2.3.9 Pages 3.2-93 and 3.2-94**

2 **Table 3.2-32: Comparison between San Pedro Bay Ports 2010 CAAP Update**  
 3 **Control Measures and Proposed Project Mitigation Measures**

CAAP Measure #	CAAP Measure Name	CAAP Measure Description	EIS/EIR Mitigation Measure (MM)	Discussion
OGV-6	OGV Engine Emission Reduction Technology Improvements	This measure seeks to encourage demonstration and deployment of cleaner OGV engine technologies that are validated through the Technology Advancement Program (TAP) or by the regulatory agencies. The goal of this measure is to reduce DPM and NOX emissions of in-use vessels.	<del>No mitigation assumed.</del> <u>LM AQ-3: The tenant will encourage NYK Line to determine the feasibility of incorporating all emission reduction technology and/or design options for vessels calling at the YTI Terminal.</u>	

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5 **3.2.3.10 Page 3.2-98**

6 Table 3.2-31 presents the peak daily pollutant emissions associated with operation of the  
 7 proposed Project, after the application of MM AQ-9 and MM AQ-10. LM AQ-1, and  
 8 LM AQ-2, and LM AQ-3 are lease measures that may reduce future emissions; however,  
 9 these measures were not quantified in the analysis because the future technologies that  
 10 may be implemented through these measures have not yet been identified.

11 **3.2.3.11 Page 3.2-203**

12 Table 3.2-77 presents the peak daily pollutant emissions associated with operation of  
 13 Alternative 3, after the application of MM AQ-9 and MM AQ-10. LM AQ-1, and LM  
 14 AQ-2, and LM AQ-3 are lease measures that may reduce future emissions; however,  
 15 because implementation may change over the life of the leases, these measures were not  
 16 included in emissions calculations.

1 **3.2.3.12 Page 3.2-224**

2 **Table 3.2-85: Summary Matrix of Potential Impacts and Mitigation Measures**  
 3 **for Air Quality Associated with the Proposed Project and Alternatives**

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
	<b>AQ-3:</b> The proposed Project would result in operational emissions that exceed an SCAQMD threshold of significance in Table 3.2-16.	<p>CEQA: Operations would be significant for NO<sub>x</sub>, CO and VOC in 2017, 2020, and 2026.</p> <p>NEPA: Operations would be significant for NO<sub>x</sub> in 2017, 2020, and 2026, and for VOC in 2020 and 2026.</p>	<p><b>MM AQ-9:</b> Vessel Speed Reduction Program (VSRP).</p> <p><b>MM AQ-10:</b> Alternative Maritime Power (AMP).</p> <p>The following lease measures would also be implemented to reduce impacts:</p> <p><b>LM AQ-1:</b> Periodic Review of New Technology and Regulations.</p> <p><b>LM AQ-2:</b> Substitution of New Technology by Tenant.</p> <p><b>LM AQ-3:</b> <u>Container Ship Engine Emissions Reduction Technology Improvements.</u></p>	<p>CEQA: Operations would be significant and unavoidable for NO<sub>x</sub>, CO and VOC in 2017, 2020, and 2026.</p> <p>NEPA: Operations would be significant and unavoidable for NO<sub>x</sub> in 2017, 2020, and 2026, and for VOC in 2020.</p>

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1 **3.2.3.13 Page 3.2-232, 3.2.4.7, Mitigation Monitoring**

Mitigation Measure	<b>MM AQ-2. Harbor Craft Used during Construction.</b> Harbor craft must use Tier 3 or cleaner engines.
Timing	During specified construction phases.
Methodology	LAHD will include MM AQ-2 in the contract specifications for construction. LAHD will monitor implementation of mitigation measures during construction. <u>The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists:</u> <ul style="list-style-type: none"> <li>▪ <u>A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.</u></li> <li>▪ <u>A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project but the application process is not yet approved, or the application has been approved but funds are not yet available.</u></li> <li>▪ <u>A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment but no dealer within 200 miles of the project has the controlled equipment available for lease.</u></li> </ul>
Responsible Parties	LAHD.
Residual Impacts	Significant and unavoidable
Mitigation Measure	<b>MM AQ-3. Fleet Modernization for On-Road Trucks Used during Construction</b> Trucks with a GVWR of 19,500 or greater, including import haulers and earth movers, must comply with EPA <del>2007</del> 2010 on-road emission standards.
Timing	During specified construction phases.
Methodology	LAHD will include MM AQ-3 in the contract specifications for construction. LAHD will monitor implementation of mitigation measures during construction. <u>The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists:</u> <ul style="list-style-type: none"> <li>▪ <u>A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.</u></li> <li>▪ <u>A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project but the application process is not yet approved, or the application has been approved but funds are not yet available.</u></li> <li>▪ <u>A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment but no dealer within 200 miles of the project has the controlled equipment available for lease.</u></li> </ul>
Responsible Parties	LAHD.
Residual Impacts	Significant and unavoidable



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Mitigation Measure	<b>MM AQ-4. Fleet Modernization for Construction Equipment (except vessels, harbor craft, on-road trucks, and dredging equipment).</b> All diesel-powered construction equipment greater than 50 hp must meet EPA Tier 4 off-road emission standards.
Timing	During specified construction phases.
Methodology	LAHD will include MM AQ-4 in the contract specifications for construction. LAHD will monitor implementation of mitigation measures during construction. <u>The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists:</u> <ul style="list-style-type: none"> <li>▪ <u>A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.</u></li> <li>▪ <u>A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project but the application process is not yet approved, or the application has been approved but funds are not yet available.</u></li> <li>▪ <u>A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</u></li> </ul>
Responsible Parties	LAHD.
Residual Impacts	Significant and unavoidable

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Mitigation Measure	<p><b>MM AQ-7. Additional Fugitive Dust Controls.</b> Contractor must <del>apply water to disturbed surfaces at intervals of 2 hours.</del> adhere to the following control measures, at a minimum:</p> <ul style="list-style-type: none"> <li>▪ <u>Active grading sites shall be watered at intervals of 2 hours.</u></li> <li>▪ <u>Traffic speeds on all unpaved roads must be limited to 15 mph or less.</u></li> <li>▪ <u>Contractors shall apply approved non-toxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas.</u></li> <li>▪ <u>Contractors shall provide temporary wind fencing around sites being graded or cleared.</u></li> <li>▪ <u>Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code (“Spilling Loads on Highways”).</u></li> <li>▪ <u>Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site.</u></li> <li>▪ <u>The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site, and disturbed areas shall be stabilized if construction is delayed.</u></li> <li>▪ <u>Open storage piles (greater than 3 feet tall and a total surface area of 150 square feet) shall be covered with a plastic tarp or chemical dust suppressant.</u></li> <li>▪ <u>Materials shall be stabilized while loading, unloading, and transporting to reduce fugitive dust emissions.</u></li> <li>▪ <u>Belly-dump truck seals shall be checked regularly to remove trapped rocks to prevent possible spillage.</u></li> <li>▪ <u>Track-out regulations shall be followed and water shall be provided while loading and unloading to reduce visible dust plumes.</u></li> <li>▪ <u>Waste materials shall be hauled off site immediately.</u></li> </ul>
Timing	During specified construction phases.
Methodology	LAHD will include MM AQ-7 in the contract specifications for construction. LAHD will monitor implementation of mitigation measures during construction.
Responsible Parties	LAHD
Residual Impacts	Significant and unavoidable
Lease Measure	<p><b><u>LM AQ-3: Container Ship Engine Emissions Reduction Technology Improvements.</u></b>  <u>The tenant will encourage NYK Line to determine the feasibility of incorporating all emission reduction technology and/or design options for vessels calling at the YTI Terminal.</u></p>
Timing	<u>During operation</u>
Methodology	<u>LAHD will include this lease measure in lease agreements with tenant.</u>
Responsible Parties	<u>YTI, LAHD.</u>
Residual Impacts	<u>Significant and unavoidable.</u>

## 3.2.4 Changes Made to Section 3.3, Biological Resources

### 3.2.4.1 Page 3.3-46

Under the proposed Project, approximately 2,600 linear feet of sheet and king piles would be installed for the dredging at Berths 214–220. Even though these piles would not rise very high above the seafloor, new hard substrate from these pilings could contribute to productivity in the Harbor, while pilings would also add structure in the water column that could be used by invertebrates and fishes. Prior to installation of in-water structures, eelgrass surveys would be conducted as required under the SCEMP, unless determined to be unnecessary by NMFS. Although eelgrass is not likely to grow in the waters adjacent to the YTI Terminal (because the depth at the proposed construction site [-45 feet MLLW] is generally too deep for eelgrass growth), if it is found in the vicinity of any of the structures prior to construction, a plan would be developed to ensure that there would be no net loss of eelgrass habitat, consistent with the SCEMP.

## 3.2.5 Changes Made to Section 3.6, Greenhouse Gas Emissions

### 3.2.5.1 Pages 3.6-1 and 3.6-34

- MM GHG-4: Carbon Offsets for Certain GHG Emissions. YTI shall purchase carbon offsets from sources listed on the American Carbon Registry and/or the Climate Action Reserve (or any other such registry approved by CARB) for a total of 16,380 metric tons of GHG emissions associated with electricity usage for certain terminal operations by the year 2026.

### 3.2.5.2 Page 3.6-34

In addition to the air quality mitigation measures identified above, mitigation measures MM GHG-1 through MM GHG-~~34~~, directed at GHG emissions reduction specifically, were considered. Furthermore, LAHD's standard lease measures LM AQ-1 and LM AQ-2 would be included in the tenant lease; these measures would further reduce future GHG emissions and serve to comply with Port air quality planning requirements.

### 3.2.5.3 Page 3.6-48

#### *Mitigation Measures*

Mitigation measures MM AQ-9, MM-AQ10, and MM GHG-1 through MM GHG-~~34~~ would be applied to Alternative 2. Construction mitigation measures MM AQ-1 and MM AQ-5 would not apply because dredging or crane delivery would not occur under Alternative 2 without USACE approval. Lease measures LM AQ-1 and LM AQ-2 would also be applied. Table 3.6-10 presents GHG emissions following the application of quantifiable mitigation measures.

1 **3.2.5.4 Page 3.6-55**

2 ***Mitigation Measures***

3 The same mitigation measures identified for the proposed Project (i.e., MM AQ-1,  
4 MM AQ-5, MM AQ-9, MM-AQ10, and MM GHG-1 through MM GHG-~~34~~) would also  
5 be applied to Alternative 3. Lease measures LM AQ-1 and LM AQ-2 would also be  
6 applied.

7 **3.2.5.5 Page 3.6-58**

8 ***Mitigation Measures***

9 Mitigation measures MM AQ-1, MM AQ-5, MM AQ-9, MM AQ-10, MM GHG-1  
10 through MM GHG-~~34~~, as well as lease measures LM AQ-1 and LM AQ-2 were applied.

1 **3.2.5.6 Page 3.6-60**

**Table 3.6-15: Summary Matrix of Impacts and Mitigation Measures for GHG Associated with the Proposed Project and Alternatives**

<b>Alternative</b>	<b>Environmental Impacts</b>	<b>Impact Determination</b>	<b>Mitigation Measures</b>	<b>Impacts after Mitigation</b>
Proposed Project	<b>GHG-1:</b> The proposed Project would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO <sub>2</sub> e threshold.	CEQA: Significant	<b>MM AQ-1.</b> Crane Delivery Ships Used during Construction. <b>MM AQ-5.</b> Dredging Equipment. <b>MM AQ-9.</b> Vessel Speed Reduction Program. <b>MM AQ-10.</b> Alternative Maritime Power <b>MM GHG-1.</b> Energy Audit. <b>MM GHG-2.</b> LED Lighting. <b>MM GHG-3.</b> Recycling. <b><u>MM GHG-4: Carbon Offsets for Certain GHG Emissions.</u></b>	CEQA: Significant and Unavoidable
		NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable
	<b>GHG-2:</b> The proposed Project would not conflict with state or local plans and policies adopted for the purpose of reducing GHG emissions.	CEQA: Less than significant NEPA: Not applicable	No mitigation is required. Mitigation measures are not applicable	CEQA: Less than significant NEPA: Not applicable
Alternative 1 – No Project	<b>GHG-1:</b> Alternative 1 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO <sub>2</sub> e threshold.	CEQA: Significant	No mitigation is required.	CEQA: Significant and Unavoidable
		NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable
	<b>GHG-2:</b> Alternative 1 would not conflict with state or local plans and policies adopted for the purpose of reducing GHG emissions.	CEQA: Less than significant NEPA: Not applicable	No mitigation is required. Mitigation not applicable	CEQA: Less than significant NEPA: Not applicable

**Table 3.6-15: Summary Matrix of Impacts and Mitigation Measures for GHG Associated with the Proposed Project and Alternatives**

<b>Alternative</b>	<b>Environmental Impacts</b>	<b>Impact Determination</b>	<b>Mitigation Measures</b>	<b>Impacts after Mitigation</b>
Alternative 2 – No Federal Action	<b>GHG-1:</b> Alternative 2 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO <sub>2</sub> e threshold.	CEQA: Significant	<b>MM AQ-9.</b> Vessel Speed Reduction Program. <b>MM AQ-10.</b> Alternative Maritime Power <b>MM GHG-1.</b> Energy Audit. <b>MM GHG-2.</b> LED Lighting. <b>MM GHG-3.</b> Recycling. <b><u>MM GHG-4: Carbon Offsets for Certain GHG Emissions.</u></b>	CEQA: Significant and Unavoidable
		NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable
		<b>GHG-2:</b> Alternative 2 would not conflict with state or local plans and policies adopted for the purpose of reducing GHG emissions.	CEQA: Less than significant NEPA: Not applicable	No mitigation is required. Mitigation not applicable
Alternative 3 – Reduced Project: Improve Berths 217–220 Only	<b>GHG-1:</b> Alternative 3 would generate GHG emissions, either directly or indirectly that would exceed the SCAQMD 10,000 mty CO <sub>2</sub> e threshold.	CEQA: Significant	<b>MM AQ-1.</b> Crane Delivery Ships Used during Construction. <b>MM AQ-5.</b> Dredging Equipment. <b>MM AQ-9.</b> Vessel Speed Reduction Program. <b>MM AQ-10.</b> Alternative Maritime Power <b>MM GHG-1.</b> Energy Audit. <b>MM GHG-2.</b> LED Lighting. <b>MM GHG-3.</b> Recycling. <b><u>MM GHG-4: Carbon Offsets for Certain GHG Emissions.</u></b>	CEQA: Significant and Unavoidable
		NEPA: Not applicable		NEPA: Not applicable
		<b>GHG-2:</b> Alternative 3 would not conflict with state or local plans and policies adopted for the purpose of reducing GHG emissions.	CEQA: Less than significant NEPA: Not applicable	No mitigation is required. Mitigation not applicable

1 **3.2.5.7 Page 3.6-63**

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<u>Mitigation Measure</u>	<u><b>MM GHG-4: Carbon Offsets for Certain GHG Emissions.</b> YTI shall purchase carbon offsets from sources listed on the American Carbon Registry and/or the Climate Action Reserve (or any other such registry approved by CARB) for a total of 16,380 metric tons of GHG emissions associated with electricity usage for certain terminal operations by the year 2026.</u>
<u>Timing</u>	<u>By the year 2026.</u>
<u>Methodology</u>	<u>LAHD will require MM GHG-4 in the tenant lease during operation. LAHD will monitor implementation of mitigation measures during construction and operation.</u>
<u>Responsible Parties</u>	<u>Tenant.</u>
<u>Residual Impacts</u>	<u>Significant and unavoidable after mitigation for construction and operational GHG emissions.</u>

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3 **3.2.6 Changes Made to Section 3.8, Groundwater and**  
 4 **Soils**

5 **3.2.6.1 Pages 3.8-2 through 3.8-4**

6 **MM GW-1: Soil Sampling, Testing, and Treatment.** ~~Prior to ground-disturbing~~  
 7 ~~construction activities,~~ The following actions must be implemented by  
 8 LAHD or its contractors:

- 9 f) Prior to conducting excavations or disturbing the site cap in the  
 10 former National Metals and Steel site, and the former Al Larson’s  
 11 Boat site, and the former Hugo Neu Proler lease site, EPA must  
 12 receive a “Notification of Activity” according to Federal protocol  
 13 under the Toxic Substances Control Act (TSCA) for former  
 14 polychlorinated biphenyl (PCB) remediation sites. In place (in-situ)  
 15 soil sampling for PCBs must be completed prior to excavation and  
 16 the analytical results provided to the EPA for review, prior to  
 17 excavation. The sampling, analytical method, extraction, and soil  
 18 disposal methods must comply with EPA TSCA regulations for PCB  
 19 remediation sites where the original source of the PCBs was greater  
 20 than 50 milligrams per kilogram (mg/kg). Sampling frequency and  
 21 depth must be consistent with established EPA sampling procedures  
 22 or guidance such as 40 CFR 761, Subpart N (40 CFR 761.260 et al.),  
 23 or CERCLA site characterization guidance. PCB-containing waste  
 24 soils must be disposed of and labeled as TSCA waste. EPA written  
 25 concurrence with the notification is needed before excavation may  
 26 proceed in former PCB remediation areas. In addition, as lead  
 27 agency for PCBs, EPA may attach conditions to their concurrence,  
 28 which must be followed. If excavation occurs in these soils, a site-  
 29 specific health and safety plan (SSHSP) would be required to address  
 30 worker safety.

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- g) In the former National Metals Steel and Al Larson Boat sites, soils must also be tested in advance for total petroleum hydrocarbons (TPH); ~~and~~ Title 22 metals; ~~and organochlorine pesticides (OCPs)~~ as a condition of remediation site closure by the Los Angeles County Fire Department, Health and Hazardous Materials Section; ~~and LAHD past practice~~ to provide adequate information for construction waste characterization and/or worker safety hazard evaluations, prior to excavation. Based on past sampling, organochlorine pesticides (OCPs) should also be tested at the National Metals Steel and Al Larson Boat site, and Title 22 metals and TPH should be tested at the Hugo Neu Proler lease site. If direct truck loading or immediate soil reuse is desired at the National Metals Steel, Al Larson Boat, and former Hugo Neu Proler lease sites, testing of any other constituents necessary for proper disposal or soil reuse should also be performed prior to excavation.
- h) Soils in the former Golden West leasehold must be tested for TPH, benzene, toluene, ethyl benzene and xylenes, and polyaromatic hydrocarbons prior to ~~excavation~~ disposal. This is due to elevated petroleum waste left in backfill soils at this site. In addition, any other constituent analyses needed by the disposal site or for soil reuse should be analyzed at the same time and for the reason described in (b) above. If excavation occurs in these soils, an SSHSP would be required to address worker safety.
- i) Soils in the former Dow Chemical site must be tested for volatile organic compounds prior to ~~excavation~~ disposal. This is because past sampling indicates carbon tetrachloride is present at concentrations above industrial limits and at a level not protective of construction workers. Other lower-level volatile organic compounds (VOCs) were also found and should also be tested. In addition, any other constituent analyses needed by the disposal site or for immediate reuse should be analyzed for at the same time. If excavation occurs in these soils, an SSHSP would be required to address worker safety.
- j) In Waste Discharge Order 90-045, the Los Angeles Regional Water Quality Control Board requires maintenance of the structural integrity of the site cap for the former Golden West site and the National Metals Steel/Al Larson Boat Shop site. The site cap is to be a minimum of a 21-inch layer of clean material, compacted according to civil engineering standards, and the top 7 inches of this layer are to be asphalt concrete pavement. Groundwater monitoring requirements were rescinded for this site due to the presence of this cap and 6 years of monitoring indicating that the cap was protecting the groundwater from remnant contaminants in site soils. EPA may also be concerned with the integrity of this cap over former PCB remediation areas. Therefore, if the cap is disturbed over these sites, including the Hugo Neu Proler lease site, stormwater should not be allowed to infiltrate the cap, and during normal operations, the integrity of the cap should be inspected and maintained. Any other EPA requirements should also be followed.



1                   **MM GW-2: Contamination Contingency Plan.** The following contingency plan  
2 will be implemented to address contamination discovered during  
3 demolition, grading, and construction.

- 4                   j) All trench excavation and filling operations will be observed for the  
5 presence of free petroleum products, chemicals, or contaminated soil.  
6 Soil suspected of contamination will be segregated from other soil.  
7 In the event soil suspected of contamination is encountered during  
8 construction, the contractor will notify LAHD's environmental  
9 representative. LAHD will confirm the presence of the suspect  
10 material and direct the contractor to remove, stockpile or contain,  
11 and characterize the suspect material. Continued work at a  
12 contaminated site will require the approval of the LAHD Project  
13 Engineer.
- 14                   k) Excavation of VOC-impacted soil, or soil suspected of being  
15 impacted by VOCs based on historical site use, will require obtaining  
16 and complying with a South Coast Air Quality Management District  
17 Rule 1166 permit. For soil suspected to have carbon tetrachloride, a  
18 Photo Ionization Detector (PID) with an 11.7 eV lamp will be  
19 necessary to detect significant levels.
- 20                   l) The remedial option(s) selected will be dependent on a suite of  
21 criteria (including but not limited to types of chemical constituents,  
22 concentration of the chemicals, health and safety issues, time  
23 constraints, and cost) and will be determined on a site-specific basis.  
24 Both offsite and onsite remedial options may be evaluated.
- 25                   m) The extent of removal actions will be determined on a site-specific  
26 basis. At a minimum, the impacted area(s) within the boundaries of  
27 the construction area will be remediated to the satisfaction of LAHD  
28 and the lead regulatory agency for the site or action. The LAHD  
29 Project Manager overseeing removal actions will inform the  
30 contractor when the removal action is complete.
- 31                   n) Copies of hazardous waste manifests or other documents indicating  
32 the amount, nature, and disposition of such materials will be  
33 submitted to the LAHD Project Manager within 60 days of project  
34 completion.
- 35                   o) In the event that contaminated soil is encountered either prior to or  
36 during construction, all onsite personnel handling or working in the  
37 vicinity of the contaminated material must be trained in accordance  
38 with EPA and Occupational Safety and Health and Administration  
39 (OSHA) regulations for hazardous waste operations or demonstrate  
40 they have completed the appropriate training. Training must provide  
41 protective measures and practices to reduce or eliminate hazardous  
42 materials/waste hazards at the workplace.
- 43                   p) When impacted soil must be excavated, air monitoring will be  
44 conducted as appropriate for related emissions adjacent to the  
45 excavation.
- 46                   q) All excavations will be backfilled with structurally suitable fill  
47 material that is free from contamination per LAHD standards.

- 1 r) Standard engineering controls and BMPs will be implemented while  
 2 excavating impacted soils to minimize human exposure to potential  
 3 contaminants. Engineering controls and construction BMPs will  
 4 include but not be limited to the following:
- 5 ■ Contractor will water/mist soil as its being excavated and loaded  
 6 onto transportation trucks.
  - 7 ■ Contractor will place any stockpiled soil in areas shielded from  
 8 prevailing winds.
  - 9 ■ Contractor will cover the bottom of excavated areas with  
 10 sheeting when work is not being performed.

### 11 3.2.6.2 Figure 3.8-1

12 Figure 3.8-1, Previous Soil and Groundwater Investigation Locations, contained some  
 13 errors and required some additional information to be added for clarification.  
 14 Figure 3.8-1 has been modified and is included as a modification within this Final  
 15 EIS/EIR following this page.

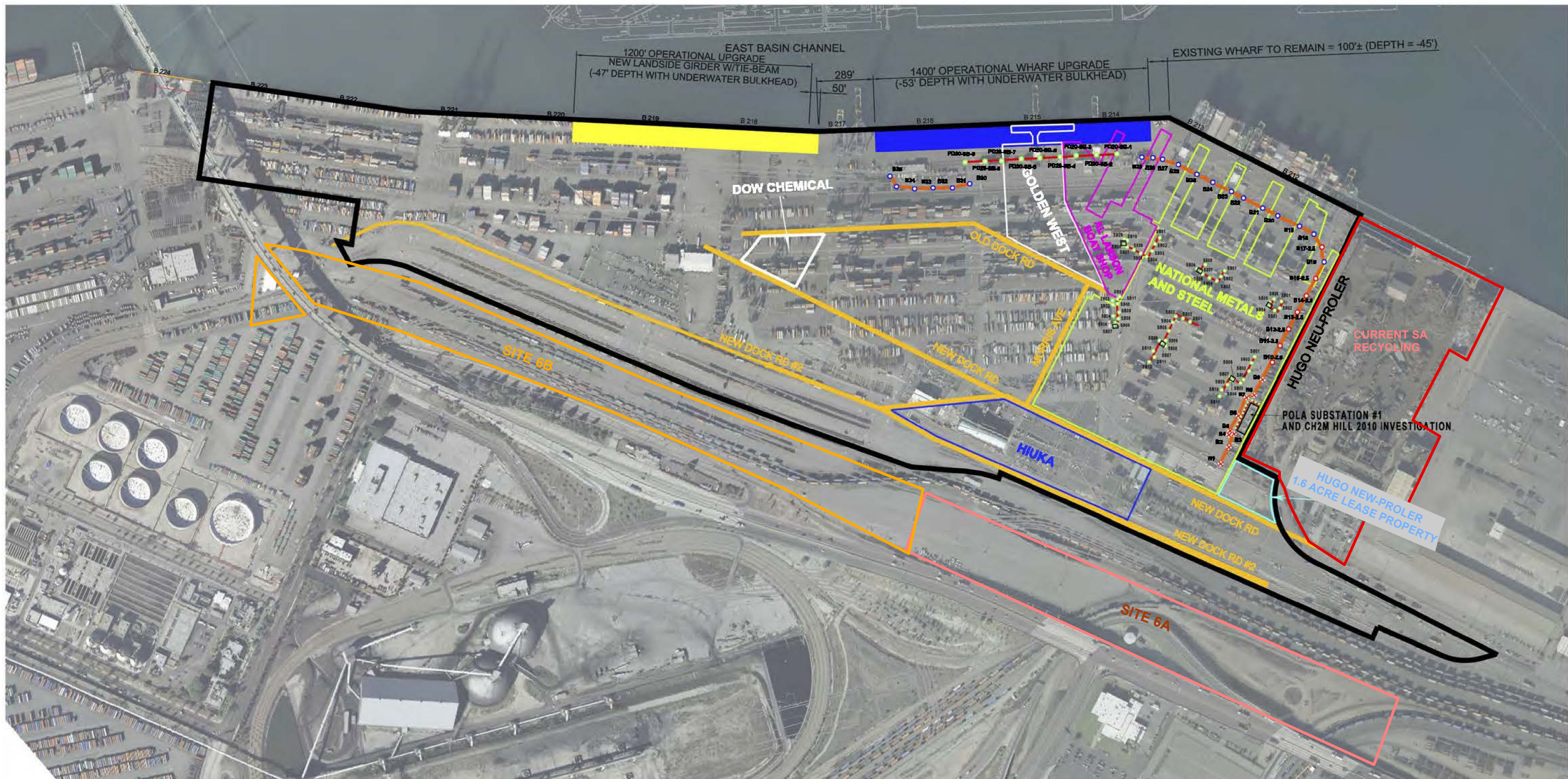
### 16 3.2.6.3 Pages 3.8-11 and 3.8-12

17 **Former Hugo Neu Proler Corporation Lease Area Site (South Tip of Berth 211): In**  
 18 **July and August of 1990, a site assessment was conducted in the 1.6-acre Hugo Neu**  
 19 **Proler parcel by Environmental Audit, Inc. (EAI) as part of a 75-acre development**  
 20 **project in the area of Berths 212–215. The 1.6-acre Hugo Neu Proler lease site (Figure**  
 21 **3.8-1) is located southeast of and adjacent to the former National Metals site (within the**  
 22 **YTI Container Terminal Improvements Project footprint). The purpose of the**  
 23 **investigation was to examine the possible presence of soil and/or groundwater**  
 24 **contamination on site. As part of the assessment, seven exploratory borings were**  
 25 **advanced and a monitoring well was installed. The borings and monitoring well were**  
 26 **sampled. Sampling parameters included PCBs, TPH, semivolatile organic compounds**  
 27 **(SVOCs), metals, and organics.**

28 **Various metals were detected in soil samples taken: two contained soluble**  
 29 **concentrations of lead, and one contained soluble concentrations of cadmium above Title**  
 30 **22 standards. As a result, remediation of metal contamination in soil was recommended.**  
 31 **Additionally, TPH concentrations in soil ranged from 10 parts per million (ppm) to**  
 32 **16,800 ppm; therefore, it was also determined that remediation of hydrocarbon impacted**  
 33 **soil would be warranted. PCBs concentrations in soil were detected in concentrations**  
 34 **ranging from 1.0 to 1.6 mg/kg, not exceeding cleanup goals. Groundwater samples did**  
 35 **not reveal detectable concentrations of TPH or PCBs. Selenium was the only metal**  
 36 **detected, at a concentration of 0.1 ppm. Groundwater remediation was not deemed to be**  
 37 **necessary at that time.**

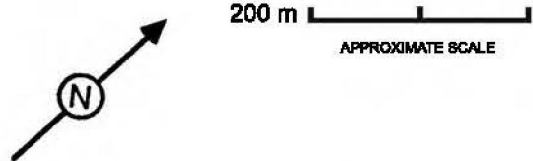
38 **Upon receiving the analytical data above, remedial cleanup levels were established: TPH**  
 39 **at 1,000 mg/kg, lead at 500 mg/kg, cadmium at 50 mg/kg, and PCBs at 50 mg/kg (if**  
 40 **present). The initial phase of remediation consisted of excavating a 20 x 20 foot area to a**  
 41 **depth of 3 feet bgs on October 21, 1990.**

42 **Subsequently, twenty-two soil samples from excavation spoils and four excavation**  
 43 **bottom samples were collected and analyzed for cadmium, lead, and zinc TTLC and**



LEGEND:

- LEASE PREMISES (183 acres)
- HISTORIC ROADS
- TRENCH SAMPLING



Source: The Port of Los Angeles (2014)

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Figure 3.8-1  
 Previous Soil and Groundwater Investigation Locations  
 Port of Los Angeles Berths 212-224 [YTI] Container Terminal Improvements Project

1 STLC, and for PCBs. Also, two samples were analyzed for copper TTLC and STLC.  
2 Lead was detected in one sample at a TTLC of 1,040 mg/kg (exceeding the TTLC  
3 regulatory threshold of 1,000 mg/kg) and in 16 samples at STLC concentrations between  
4 5.8 and 116 mg/L (exceeding the STLC regulatory threshold of 5.0 mg/L). Copper was  
5 detected at an STLC concentration of 37.9 mg/L (exceeding the STLC regulatory  
6 threshold of 25 mg/L). Concentrations of PCBs were detected in 11 soil stockpile  
7 samples with total concentrations ranging from 6 to 26 mg/kg (below the 1990 regulatory  
8 threshold of 50 mg/kg). Soil samples from the excavation bottom were all ND  
9 (<1.0 mg/kg). EAI collected additional samples from each sidewall at 1.5 feet bgs and  
10 two excavation bottom samples at approximately 3 feet bgs from this same excavation  
11 and tested for metals and for PCBs. No PCBs were detected above the detection limit of  
12 0.15 mg/kg. All metals concentrations were below their TTLC threshold values and  
13 maximum metal concentrations were cadmium at 3.5 mg/kg, and lead at 122 mg/kg.

14 Additional excavation, removal, and disposal of contaminated soil were conducted by  
15 Hugo Neu Proler Corporation in January 1991. Excavation activities were supervised by  
16 HPNC and EAI staff. Between the initial phase of remediation described above (1990)  
17 and excavation activities conducted in 1991, approximately 4,155 cubic yards of soil  
18 were excavated, transported, and disposed of.

19 Upon completion of the excavation activities, a total of 33 soil verification samples were  
20 collected to determine whether the impacted soil had been removed. Samples were  
21 analyzed for TPH, cadmium, lead and zinc, and PCBs. Selected soil samples were also  
22 tested for pH, soluble lead, and benzene, toluene, ethylbenzene and xylene (BTEX).  
23 Carbon chain analysis was also conducted on selected soil samples with TPH  
24 concentrations greater than 1,000 mg/kg. TPH was detected in 27 samples with a  
25 maximum concentration of 13,500 mg/kg and an average concentration of 1,391 mg/kg.  
26 BTEX was not detected. Carbon chain analysis indicated that the petroleum  
27 hydrocarbons detected were in the C-13 to C-20 range. Cadmium was detected in 31  
28 samples with a maximum concentration of 16.3 mg/kg and an average concentration of  
29 4.4 mg/kg. Lead was detected in 22 samples with a maximum concentration of  
30 530 mg/kg and an average concentration of 130 mg/kg. Three samples were also  
31 analyzed for lead STLC; the maximum concentration was 9.8 mg/L and the average  
32 concentration was 8.6 mg/L. Zinc was detected in all 33 samples with a maximum  
33 concentration of 3,800 mg/kg and an average concentration of 599 mg/kg. PCBs were  
34 detected in 21 samples with a maximum total concentration of 8.63 mg/kg and an average  
35 total concentration of 1.68 mg/kg. During this time, excavation confirmation samples  
36 were also collected by LAHD for PCB analysis. The average PCB concentration was  
37 7.5 mg/kg with a maximum value of 140 mg/kg.

38 In response to a WDR permit issued by the LARWQCB for remediation of metals-  
39 impacted soil at the HPNC site, CH2M HILL conducted oversight of soil sampling  
40 activities in May and June of 2000. The sampling activities were being conducted as part  
41 of a Final Sampling and Analysis Plan (FSAP) approved by the LARWQCB, in which  
42 the Hugo Neu Proler lease site was divided into 30 parcels and sampled according to  
43 procedures specified in the FSAP. A total of 9 soil borings were advanced via direct-  
44 push geoprobe drill rig, and samples were collected in 3 distinct parcels; parcels 14, 18,  
45 and 19. Samples collected revealed lead and selenium concentrations above screening  
46 levels but below the STLC. Additionally, low concentrations (below WDR limits) of  
47 PAHs were detected in one of the samples collected. Samples collection in other parcels

1 had occurred dating back to October 1997. Results were not available during the  
2 completion of this document.

### 3 **3.2.6.4 Page 3.8-12**

4 **SA Recycling:** The site is located east and outside of the proposed project footprint site  
5 at 901 New Dock Street (Figure 3.8-1). The site is a Cleanup Program Site under the  
6 oversight of the RWQCB and is listed as open and undergoing remediation. Impacted  
7 media includes groundwater and soil, and contaminants of concern include benzene,  
8 toluene, xylenes, PCBs, metals, gasoline, diesel, methyl tertiary butyl ether, tertiary butyl  
9 alcohol, fuel oxygenates, and polycyclic aromatic hydrocarbons. Remediation activities  
10 conducted on site have included the excavation, removal, and disposal of approximately  
11 80, 000 cubic yards of contaminated soil. The site has and currently operates as a scrap  
12 metal recycling facility and has been the subject of extensive studies, site assessments,  
13 and remedial activities dating back to the mid-1980s. SA Recycling currently operates on  
14 the site, which was previously occupied by the Hugo Neu Proler Corporation (HNPC).  
15 The site currently contains separate phase product in groundwater and is undergoing  
16 groundwater monitoring on a semiannual basis.

#### 17 **Other Sites:**

18 **Former Navy Sites 6A and 6B:** As shown on Figure 3.8-1, these are former Navy sites  
19 that are just south of the proposed project footprint, but part of the current TICTF area.  
20 Site 6B was used for multiple underground fuel storage tanks, vehicle maintenance,  
21 weapons cleaning, and a scrap metal disposal yard, and waste oil was likely used for dust  
22 suppression. Site 6A was used for buried waste material from dismantled boats,  
23 sandblast waste, and shipyard wastes, and waste oil was likely used for dust suppression.  
24 Several cleanups and investigations have been performed at these sites. With appropriate  
25 cleanup and CEQA review, these sites are now a part of the TICTF. A portion of Site 6A  
26 is restricted to commercial/industrial use due to potential pockets of contamination left  
27 behind. Site 6B is still undergoing study to ascertain compliance under State standards  
28 for unrestricted use; the underground tanks were abandoned in place. Previous site  
29 assessment has shown that environmental conditions at Site 6B do not restrict use of the  
30 property for industrial uses; however, appropriate worker awareness and notifications  
31 will be needed in the event that construction activities that disturb site soil are to be  
32 performed.

33 **Former and Active Pipelines:** Several former and active pipelines carrying fuel or  
34 chemical products may run through, or be adjacent to, the subject site (e.g., Exxon-Mobil,  
35 Navy, or former Dow Chemical lines). Any excavation plan normally includes a  
36 thorough search for both active and inactive pipeline rights-of-way, so that appropriate  
37 precautions may be taken to prevent material release should subsurface pipelines be  
38 encountered during site construction or maintenance.

#### 39 **Previous Onsite Investigations**

40 In July and August of 1990, a site assessment was conducted in the 1.6-acre Hugo Neu  
41 Proler parcel by Environmental Audit, Inc. (EAI) as part of a 75-acre development  
42 project in the area of Berths 212-215. The 1.6-acre HNPC site (Figure 3.8-1) is located  
43 east and adjacent to the former National Metals site (within the YTI Container Terminal  
44 Improvements Project footprint). The purpose of the investigation was to examine the

1 possible presence of soil and/or groundwater contamination on site. As part of the  
2 assessment, seven exploratory borings were advanced and a monitoring well was  
3 installed. The borings and monitoring well were sampled. Sampling parameters included  
4 PCBs, TPH, metals, and organics.

5 Various metals were detected in soil samples taken: two contained soluble concentrations  
6 of lead, and one contained soluble concentrations of cadmium above Title 22 standards.  
7 As a result, remediation of metal contamination in soil was recommended. Additionally,  
8 TPH concentrations in soil ranged from 10 parts per million (ppm) to 16,800 ppm; thus, it  
9 was also determined that remediation of hydrocarbon impacted soil would be warranted.  
10 Groundwater samples did not reveal detectable concentrations of TPH or PCBs.  
11 Selenium was the only metal detected, at a concentration of 0.1 ppm. Groundwater  
12 remediation was not deemed to be necessary at the time.

13 Excavation, removal, and disposal of contaminated soil was conducted by HNPC in  
14 January 1991. Excavation activities were supervised by HPNC and EAI staff. Upon  
15 completion of the excavation activities, a total of 33 soil verification samples were  
16 collected to determine whether the impacted soil had been removed. Elevated TPH and  
17 metal concentrations were detected in some of the samples taken.

18 In response to a WDR permit issued by the LARWQCB for remediation of metals-  
19 impacted soil at the HPNC site, CH2M HILL conducted oversight of soil sampling  
20 activities in May and June of 2000. The sampling activities were being conducted as part  
21 of a Final Sampling and Analysis Plan (FSAP) approved by the LARWQCB, in which  
22 the HNPC site was divided into 30 parcels and sampled according to procedures specified  
23 in the FSAP. A total of 9 soil borings were advanced via direct push geoprobe drill rig,  
24 and samples were collected in 3 distinct parcels; parcels 14, 18, and 19. Samples  
25 collected revealed lead and selenium concentrations above screening levels but below the  
26 STLC. Additionally, low concentrations (below WDR limits) of PAHs were detected in  
27 one of the samples collected. Samples collection in other parcels had occurred dating  
28 back to October 1997. Results were not available during the completion of this  
29 document.

### 30 3.2.6.5 Page 3.8-17

#### 31 3.8.3.9 Toxic Substances Control Act (40 CFR 761.61)

32 The former National Metals/Al Larson Boat Shop site and the former Hugo Neu lease  
33 area site areis considered a TSCA-regulated sites for PCBs. Specific requirements as a  
34 TSCA-regulated site include prior EPA notification of intended subsurface construction  
35 activities, in-situ soil sampling for PCBs with sample extraction using EPA Method  
36 3540C or 3550B and analysis by EPA Method 8082A, and disposal of soils as a TSCA  
37 labeled waste, if PCBs are detected. EPA must concur with information in the  
38 Notification in writing before excavation occurs. Sometimes EPA will attach further  
39 conditions to their concurrence, which would have to be followed.

### 1 3.2.6.6 Page 3.8-21

2 **Impact GW-1: Construction of the proposed Project would not**  
 3 **encounter toxic substances or other contaminants associated with**  
 4 **historical uses of the Port, resulting in short-term exposure to**  
 5 **construction/operations personnel and/or long-term exposure to**  
 6 **future site occupants.**

7 Because of the YTI Terminal's historical activities related to various hazardous materials,  
 8 the site has been subject of several environmental studies and cleanup efforts. As such,  
 9 soil and/or groundwater contamination has been identified during these investigations, as  
 10 mentioned above in Section 3.8.2.3, Soil and Groundwater Investigations. Upon review  
 11 of the available environmental studies, results indicated that there are ~~four~~ five potential  
 12 contamination areas within the proposed project area and one potential source outside the  
 13 proposed project footprint:

- 14       ▪ Former National Metals Site/Al Larson Boat Shop Property, which was  
 15       previously located in Berths 212–214 in the northeast portion of the proposed  
 16       project site;
- 17       ▪ Golden West Refining Company, which was located in Berth 215, also in the  
 18       northeast portion of the proposed project site;
- 19       ▪ Former Dow Property, located in central portion of the proposed project site just  
 20       south of Berths 217 and 218; ~~and~~
- 21       ▪ Orange County Steel Salvage/Adams Steel, which was located south of the  
 22       former location of New Dock Street; ~~and outside the YTI Terminal footprint.~~
- 23       ▪ Former area leased from Hugo Neu Proler Corporation, which was located at the  
 24       south end of Berth 211 and is now a part of the YTI Terminal.

### 25 3.2.6.7 Page 3.8-25

26 **MM GW-1: Soil Sampling, Testing, and Treatment.** ~~Prior to ground-disturbing~~  
 27 ~~construction activities,~~ ~~the following actions must be implemented by~~  
 28 LAHD or its contractors:

- 29 a) Prior to conducting excavations or disturbing the site cap in the  
 30 former National Metals and Steel site, ~~and the former Al Larson's~~  
 31 Boat site, and the former Hugo Neu Proler lease site, EPA must  
 32 receive a "Notification of Activity" according to Federal protocol  
 33 under the Toxic Substances Control Act (TSCA) for former  
 34 polychlorinated biphenyl (PCB) remediation sites. In place (in-situ)  
 35 soil sampling for PCBs must be completed prior to excavation and  
 36 the analytical results provided to the EPA for review, prior to  
 37 excavation. The sampling, analytical method, extraction, and soil  
 38 disposal methods must comply with EPA TSCA regulations for PCB  
 39 remediation sites where the original source of the PCBs was greater  
 40 than 50 milligrams per kilogram (mg/kg). Sampling frequency and  
 41 depth must be consistent with established EPA sampling procedures  
 42 or guidance such as 40 CFR 761, Subpart N (40 CFR 761.260 et al.),  
 43 or CERCLA site characterization guidance. PCB-containing waste

1 soils must be disposed of and labeled as TSCA waste. EPA written  
2 concurrence with the notification is needed before excavation may  
3 proceed in former PCB remediation areas. In addition, as lead  
4 agency for PCBs, EPA may attach conditions to their concurrence,  
5 which must be followed. If excavation occurs in these soils, a site-  
6 specific health and safety plan (SSHSP) would be required to address  
7 worker safety.

8 b) In the former National Metals Steel and Al Larson Boat sites, soils  
9 must also be tested in advance for total petroleum hydrocarbons  
10 (TPH); and Title 22 metals; ~~and organochlorine pesticides (OCPs)~~ as  
11 a condition of remediation site closure by the Los Angeles County  
12 Fire Department, Health and Hazardous Materials Section; ~~and~~  
13 ~~LAHD past practice~~ to provide adequate information for construction  
14 waste characterization and/or worker safety hazard evaluations, prior  
15 to excavation. Based on past sampling, organochlorine pesticides  
16 (OCPs) should also be tested at the National Metals Steel and Al  
17 Larson Boat site, and Title 22 metals and TPH should be tested at the  
18 Hugo Neu Proler lease site. If direct truck loading or immediate soil  
19 reuse is desired at the National Metals Steel, Al Larson Boat, and  
20 former Hugo Neu Proler lease sites, testing of any other constituents  
21 necessary for proper disposal or soil reuse should also be performed  
22 prior to excavation.

23 c) Soils in the former Golden West leasehold must be tested for TPH,  
24 benzene, toluene, ethyl benzene and xylenes, and polyaromatic  
25 hydrocarbons prior to ~~excavation~~ disposal. This is due to elevated  
26 petroleum waste left in backfill soils at this site. In addition, any  
27 other constituent analyses needed by the disposal site or for soil  
28 reuse should be analyzed at the same time and for the reason  
29 described in (b) above. If excavation occurs in these soils, an  
30 SSHSP would be required to address worker safety.

31 d) Soils in the former Dow Chemical site must be tested for volatile  
32 organic compounds prior to ~~excavation~~ disposal. This is because past  
33 sampling indicates carbon tetrachloride is present at concentrations  
34 above industrial limits and at a level not protective of construction  
35 workers. Other lower-level volatile organic compounds (VOCs)  
36 were also found and should also be tested. In addition, any other  
37 constituent analyses needed by the disposal site or for immediate  
38 reuse should be analyzed for at the same time. If excavation occurs  
39 in these soils, an SSHSP would be required to address worker safety.

40 e) In Waste Discharge Order 90-045, the Los Angeles Regional Water  
41 Quality Control Board requires maintenance of the structural  
42 integrity of the site cap for the former Golden West site and the  
43 National Metals Steel/Al Larson Boat Shop site. The site cap is to be  
44 a minimum of a 21-inch layer of clean material, compacted  
45 according to civil engineering standards, and the top 7 inches of this  
46 layer are to be asphalt concrete pavement. Groundwater monitoring  
47 requirements were rescinded for this site due to the presence of this  
48 cap and 6 years of monitoring indicating that the cap was protecting



1 the groundwater from remnant contaminants in site soils. EPA may  
2 also be concerned with the integrity of this cap over former PCB  
3 remediation areas. Therefore, if the cap is disturbed over these sites,  
4 including the Hugo Neu Proler lease site, stormwater should not be  
5 allowed to infiltrate the cap, and during normal operations, the  
6 integrity of the cap should be inspected and maintained. Any other  
7 EPA requirements should also be followed.

8 **MM GW-2: Contamination Contingency Plan.** The following contingency plan  
9 will be implemented to address contamination discovered during  
10 demolition, grading, and construction.

- 11 a) All trench excavation and filling operations will be observed for the  
12 presence of free petroleum products, chemicals, or contaminated soil.  
13 Soil suspected of contamination will be segregated from other soil.  
14 In the event soil suspected of contamination is encountered during  
15 construction, the contractor will notify LAHD's environmental  
16 representative. LAHD will confirm the presence of the suspect  
17 material and direct the contractor to remove, stockpile or contain,  
18 and characterize the suspect material. Continued work at a  
19 contaminated site will require the approval of the LAHD Project  
20 Engineer.
- 21 b) Excavation of VOC-impacted soil, or soil suspected of being  
22 impacted by VOCs based on historical site use, will require obtaining  
23 and complying with a South Coast Air Quality Management District  
24 Rule 1166 permit. For soil suspected to have carbon tetrachloride, a  
25 Photo Ionization Detector (PID) with an 11.7 eV lamp will be  
26 necessary to detect significant levels.
- 27 c) The remedial option(s) selected will be dependent on a suite of  
28 criteria (including but not limited to types of chemical constituents,  
29 concentration of the chemicals, health and safety issues, time  
30 constraints, and cost) and will be determined on a site-specific basis.  
31 Both offsite and onsite remedial options may be evaluated.
- 32 d) The extent of removal actions will be determined on a site-specific  
33 basis. At a minimum, the impacted area(s) within the boundaries of  
34 the construction area will be remediated to the satisfaction of LAHD  
35 and the lead regulatory agency for the site or action. The LAHD  
36 Project Manager overseeing removal actions will inform the  
37 contractor when the removal action is complete.
- 38 e) Copies of hazardous waste manifests or other documents indicating  
39 the amount, nature, and disposition of such materials will be  
40 submitted to the LAHD Project Manager within 60 days of project  
41 completion.
- 42 f) In the event that contaminated soil is encountered either prior to or  
43 during construction, all onsite personnel handling or working in the  
44 vicinity of the contaminated material must be trained in accordance  
45 with EPA and Occupational Safety and Health and Administration  
46 (OSHA) regulations for hazardous waste operations or demonstrate  
47 they have completed the appropriate training. Training must provide

- 1 protective measures and practices to reduce or eliminate hazardous
- 2 materials/waste hazards at the workplace.
- 3 g) When impacted soil must be excavated, air monitoring will be
- 4 conducted as appropriate for related emissions adjacent to the
- 5 excavation.
- 6 h) All excavations will be backfilled with structurally suitable fill
- 7 material that is free from contamination per LAHD standards.
- 8 i) Standard engineering controls and BMPs will be implemented while
- 9 excavating impacted soils to minimize human exposure to potential
- 10 contaminants. Engineering controls and construction BMPs will
- 11 include but not be limited to the following:
- 12
  - Contractor will water/mist soil as its being excavated and loaded
  - 13 onto transportation trucks.
  - Contractor will place any stockpiled soil in areas shielded from
  - 14 prevailing winds.
  - Contractor will cover the bottom of excavated areas with
  - 15 sheeting when work is not being performed.
  - 16
  - 17

18 **3.2.6.8 Page 3.8-48**

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**Impact GW-1: Construction of the proposed Project would not encounter toxic substances or other contaminants associated with historical uses of the Port, resulting in short-term exposure to construction/operations personnel and/or long-term exposure to future site occupants.**

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Mitigation Measure	<p><b>MM GW-1: Soil Sampling, Testing, and Treatment.</b> <del>Prior to ground disturbing construction activities,</del> The following actions must be implemented by LAHD or its contractors:</p> <p>a) <del>Prior to conducting excavations or disturbing the site cap in the former National Metals and Steel site, and the former Al Larson’s Boat site, and the former Hugo Neu Proler lease site,</del> EPA must receive a “Notification of Activity” according to Federal protocol under the Toxic Substances Control Act (TSCA) for former polychlorinated biphenyl (PCB) remediation sites. In place (in-situ) soil sampling for PCBs must be completed prior to excavation and the analytical results provided to the EPA for review, prior to excavation. The sampling, analytical method, extraction, and soil disposal methods must comply with EPA TSCA regulations for PCB remediation sites where the original source of the PCBs was greater than 50 milligrams per kilogram (mg/kg). Sampling frequency and depth must be consistent with established EPA sampling procedures or guidance such as 40 CFR 761, Subpart N (40 CFR 761.260 et al.), or CERCLA site characterization guidance. PCB-containing waste soils must be disposed of and labeled as TSCA waste. EPA written concurrence with the notification is needed before excavation may proceed in former PCB remediation areas. In addition, as lead agency for PCBs, EPA may attach conditions to their concurrence, which must be followed. <u>If excavation occurs in these soils, a site-specific health and safety plan (SSHSP) would be required to address worker safety.</u></p> <p>b) In the former National Metals Steel and Al Larson Boat sites, soils must also be tested <u>in advance</u> for total petroleum hydrocarbons (TPH), <u>and</u> Title 22 metals, <del>and organochlorine pesticides (OCPs)</del> as a condition of remediation site closure by the Los Angeles County Fire Department, Health and Hazardous Materials Section, <del>and LAHD past practice</del> to provide adequate information for construction waste</p>
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characterization and/or worker safety hazard evaluations, prior to excavation. Based on past sampling, organochlorine pesticides (OCPs) should also be tested at the National Metals Steel and Al Larson Boat site, and Title 22 metals and TPH should be tested at the Hugo Neu Proler lease site. If direct truck loading or immediate soil reuse is desired at the National Metals Steel, Al Larson Boat, and former Hugo Neu Proler lease sites, testing of any other constituents necessary for proper disposal or soil reuse should also be performed prior to excavation.

- c) Soils in the former Golden West leasehold must be tested for TPH, benzene, toluene, ethyl benzene and xylenes, and polyaromatic hydrocarbons prior to ~~excavation~~ disposal. This is due to elevated petroleum waste left in backfill soils at this site. In addition, any other constituent analyses needed by the disposal site or for soil reuse should be analyzed at the same time and for the reason described in (b) above. If excavation occurs in these soils, an SSHSP would be required to address worker safety.
- d) Soils in the former Dow Chemical site must be tested for volatile organic compounds prior to ~~excavation~~ disposal. This is because past sampling indicates carbon tetrachloride is present at concentrations above industrial limits and at a level not protective of construction workers. Other lower-level volatile organic compounds (VOCs) were also found and should also be tested. In addition, any other constituent analyses needed by the disposal site or for immediate reuse should be analyzed for at the same time. If excavation occurs in these soils, an SSHSP would be required to address worker safety.
- e) In Waste Discharge Order 90-045, the Los Angeles Regional Water Quality Control Board requires maintenance of the structural integrity of the site cap for the former Golden West site and the National Metals Steel/Al Larson Boat Shop site. The site cap is to be a minimum of a 21-inch layer of clean material, compacted according to civil engineering standards, and the top 7 inches of this layer are to be asphalt concrete pavement. Groundwater monitoring requirements were rescinded for this site due to the presence of this cap and 6 years of monitoring indicating that the cap was protecting the groundwater from remnant contaminants in site soils. EPA may also be concerned with the integrity of this cap over former PCB remediation areas. Therefore, if the cap is disturbed over these sites, including the Hugo Neu Proler lease site, stormwater should not be allowed to infiltrate the cap, and during normal operations, the integrity of the cap should be inspected and maintained. Any other EPA requirements should also be followed.

Timing	Prior to and concurrent with proposed project construction.
Methodology	LAHD will include these mitigation measures in the bid specification for construction of the proposed Project or an alternative.
Responsible Parties	LAHD through construction contractor.
Residual Impacts	Less than significant
Mitigation Measure	<p><b>MM GW-2: Contamination Contingency Plan.</b> The following contingency plan will be implemented to address contamination discovered during demolition, grading, and construction:</p> <ul style="list-style-type: none"> <li>a) All trench excavation and filling operations will be observed for the presence of free petroleum products, chemicals, or contaminated soil. Soil suspected of contamination will be segregated from other soil. In the event soil suspected of contamination is encountered during construction, the contractor will notify LAHD’s environmental representative. LAHD will confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material. Continued work at a contaminated site will require the approval of the LAHD Project Engineer.</li> </ul>

- b) Excavation of VOC-impacted soil, or soil suspected of being impacted by VOCs based on historical site use, will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit. For soil suspected to have carbon tetrachloride, a Photo Ionization Detector (PID) with an 11.7 eV lamp will be necessary to detect significant levels.
- c) The remedial option(s) selected will be dependent on a suite of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, and cost) and will be determined on a site-specific basis. Both offsite and onsite remedial options may be evaluated.
- d) The extent of removal actions will be determined on a site-specific basis. At a minimum, the impacted area(s) within the boundaries of the construction area will be remediated to the satisfaction of LAHD and the lead regulatory agency for the site or action. The LAHD Project Manager overseeing removal actions will inform the contractor when the removal action is complete.
- e) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials will be submitted to the LAHD Project Manager within 60 days of project completion.
- f) In the event that contaminated soil is encountered either prior to or during construction, all onsite personnel handling or working in the vicinity of the contaminated material must be trained in accordance with EPA and Occupational Safety and Health and Administration (OSHA) regulations for hazardous waste operations or demonstrate they have completed the appropriate training. Training must provide protective measures and practices to reduce or eliminate hazardous materials/waste hazards at the workplace.
- g) When impacted soil must be excavated, air monitoring will be conducted as appropriate for related emissions adjacent to the excavation.
- h) All excavations will be backfilled with structurally suitable fill material that is free from contamination per LAHD standards.
- i) Standard engineering controls and BMPs will be implemented while excavating impacted soils to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include but not be limited to the following:
  - Contractor will water/mist soil as its being excavated and loaded onto transportation trucks.
  - Contractor will place any stockpiled soil in areas shielded from prevailing winds.
  - Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

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Timing	Concurrent with proposed project construction.
Methodology	LAHD will include these mitigation measures in the bid specification for construction of the proposed Project or an alternative.
Responsible Parties	LAHD through construction contractor.
Residual Impacts	Less than significant

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## 3.2.7 Changes Made to Section 3.15, Water Quality, Sediments, and Oceanography

### 3.2.7.1 Page 3.15-23

#### Water Resources Action Plan

The WRAP was prepared by the Ports of Los Angeles and Long Beach, in coordination with their cities, EPA, and the Los Angeles RWQCB (POLA and POLB 2009). The WRAP's purpose is to provide a programmatic framework to identify mechanisms for the Ports to achieve the goals and targets that will be established in the relevant TMDLs and to comply with the GCASP, GIASP, and municipal permits issued to the ports and their respective cities and tenants through the NPDES program. The WRAP identifies multiple current and potential control measures to minimize effects to water and sediment quality. These include Land Use Control Measures, On-Water Source Control Measures, Sediment Control Measures, and Watershed Control Measures. The WRAP is considered a living document, and the ports will modify it as circumstances warrant. At present, the LAHD is preparing several documents in support of the WRAP objectives, including a Vessel Guidance Manual, a Design Guidance Manual (to address SUSMP, LID and other BMPs), and a Sediment Management Strategy document.

Additionally, the WRAP includes measures to prohibit and avoid the discharge of sewage in the harbor. The State of California applied for and received approval to establish a statewide No Discharge Zone for sewage. As such, the discharge of sewage, whether treated or untreated, is prohibited within California waters (including the Ports of Los Angeles and Long Beach). This rule prohibits sewage discharge from the following vessels: all large passenger vessels of 300 gross tons or greater and large oceangoing vessels of 300 gross tons or greater with available holding tank capacity or containing sewage generated while the vessel was outside of the marine waters of the State of California.

## 3.2.8 Changes Made to Chapter 4, Cumulative Impacts

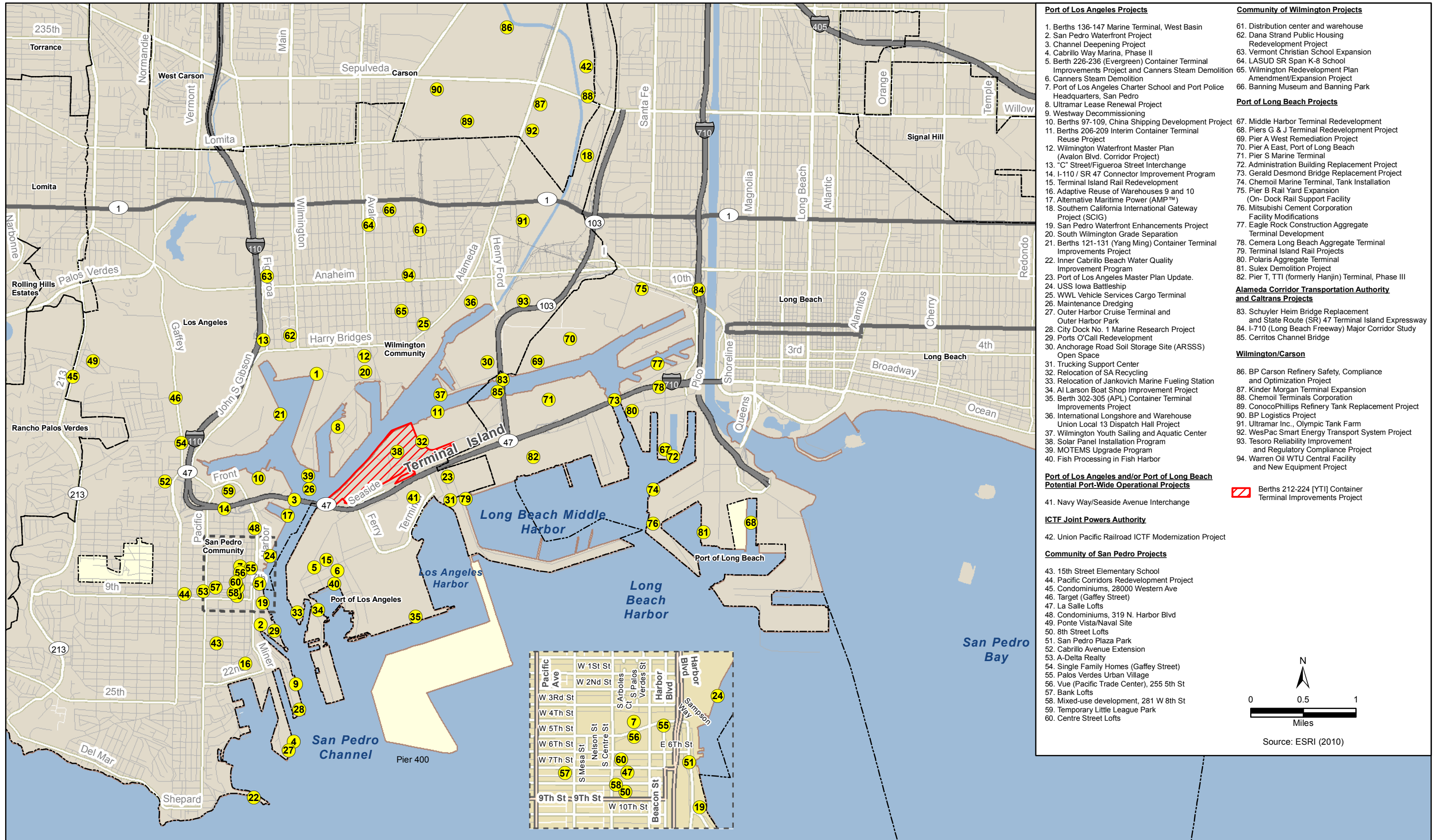
### 3.2.8.1 Figure 4-1

Figure 4-1, Related and Cumulative Projects, contained some errors on the location of the respective projects. Figure 4-1 has been modified to show the appropriate locations of the projects, and is included as a modification within this Final EIS/EIR following this page.

## 3.2.9 Changes Made to Chapter 5, Environmental Justice

### 3.2.9.1 Pages 5-1 and 5-2

The Environmental Justice analysis and impact determinations are applicable only to NEPA; they are not required under CEQA. Further, because Alternative 1 is not subject to NEPA as it is a CEQA-only alternative, and Alternative 2 would result in no



- Port of Los Angeles Projects**
- Berths 136-147 Marine Terminal, West Basin
  - San Pedro Waterfront Project
  - Channel Deepening Project
  - Cabrillo Way Marina, Phase II
  - Berth 226-236 (Evergreen) Container Terminal Improvements Project and Cannery Steam Demolition
  - Cannery Steam Demolition
  - Port of Los Angeles Charter School and Port Police Headquarters, San Pedro
  - Ultramar Lease Renewal Project
  - Westway Decommissioning
  - Berths 97-109, China Shipping Development Project
  - Berths 206-209 Interim Container Terminal Reuse Project
  - Wilmington Waterfront Master Plan (Avalon Blvd. Corridor Project)
  - "C" Street/Figueroa Street Interchange
  - I-110 / SR 47 Connector Improvement Program
  - Terminal Island Rail Redevelopment
  - Adaptive Reuse of Warehouses 9 and 10
  - Alternative Maritime Power (AMP™)
  - Southern California International Gateway Project (SCIG)
  - San Pedro Waterfront Enhancements Project
  - South Wilmington Grade Separation
  - Berths 121-131 (Yang Ming) Container Terminal Improvements Project
  - Inner Cabrillo Beach Water Quality Improvement Program
  - Port of Los Angeles Master Plan Update.
  - USS Iowa Battleship
  - WVL Vehicle Services Cargo Terminal
  - Maintenance Dredging
  - Outer Harbor Cruise Terminal and Outer Harbor Park
  - City Dock No. 1 Marine Research Project
  - Ports O'Call Redevelopment
  - Anchorage Road Soil Storage Site (ARSSS) Open Space
  - Trucking Support Center
  - Relocation of SA Recycling
  - Relocation of Jankovich Marine Fueling Station
  - AI Larson Boat Shop Improvement Project
  - Berth 302-305 (APL) Container Terminal Improvements Project
  - International Longshore and Warehouse Union Local 13 Dispatch Hall Project
  - Wilmington Youth Sailing and Aquatic Center
  - Solar Panel Installation Program
  - MOTEMS Upgrade Program
  - Fish Processing in Fish Harbor
- Port of Los Angeles and/or Port of Long Beach Potential Port-Wide Operational Projects**
- Navy Way/Seaside Avenue Interchange
- ICTF Joint Powers Authority**
- Union Pacific Railroad ICTF Modernization Project
- Community of San Pedro Projects**
- 15th Street Elementary School
  - Pacific Corridors Redevelopment Project
  - Condominiums, 28000 Western Ave
  - Target (Gaffey Street)
  - La Salle Lofts
  - Condominiums, 319 N. Harbor Blvd
  - Ponte Vista/Naval Site
  - 8th Street Lofts
  - San Pedro Plaza Park
  - Cabrillo Avenue Extension
  - A-Delta Realty
  - Single Family Homes (Gaffey Street)
  - Palos Verdes Urban Village
  - Vue (Pacific Trade Center), 255 5th St
  - Bank Lofts
  - Mixed-use development, 281 W 8th St
  - Temporary Little League Park
  - Centre Street Lofts
- Community of Wilmington Projects**
- Distribution center and warehouse
  - Dana Strand Public Housing Redevelopment Project
  - Vermont Christian School Expansion
  - LASUD SR Span K-8 School
  - Wilmington Redevelopment Plan Amendment/Expansion Project
  - Banning Museum and Banning Park
- Port of Long Beach Projects**
- Middle Harbor Terminal Redevelopment
  - Piers G & J Terminal Redevelopment Project
  - Pier A West Remediation Project
  - Pier A East, Port of Long Beach
  - Pier S Marine Terminal
  - Administration Building Replacement Project
  - Gerald Desmond Bridge Replacement Project
  - Chemoil Marine Terminal, Tank Installation
  - Pier B Rail Yard Expansion (On-Dock Rail Support Facility)
  - Mitsubishi Cement Corporation Facility Modifications
  - Eagle Rock Construction Aggregate Terminal Development
  - Cemera Long Beach Aggregate Terminal
  - Terminal Island Rail Projects
  - Polaris Aggregate Terminal
  - Sulex Demolition Project
  - Pier T, TTI (formerly Hanjin) Terminal, Phase III
- Alameda Corridor Transportation Authority and Caltrans Projects**
- Schuyler Heim Bridge Replacement and State Route (SR) 47 Terminal Island Expressway
  - I-710 (Long Beach Freeway) Major Corridor Study
  - Cerritos Channel Bridge
- Wilmington/Carson**
- BP Carson Refinery Safety, Compliance and Optimization Project
  - Kinder Morgan Terminal Expansion
  - Chemoil Terminals Corporation
  - ConocoPhillips Refinery Tank Replacement Project
  - BP Logistics Project
  - Ultramar Inc., Olympic Tank Farm
  - WesPac Smart Energy Transport System Project
  - Tesoro Reliability Improvement and Regulatory Compliance Project
  - Warren Oil WTU Central Facility and New Equipment Project
- Berths 212-224 [YTI] Container Terminal Improvements Project**
- Legend: Berths 212-224 [YTI] Container Terminal Improvements Project
- Scale: 0 0.5 1 Miles  
Source: ESRI (2010)

**Figure 4-1**  
**Related and Cumulative Projects**  
**Berths 212-224 [YTI] Container Terminal Improvements Project**

1 incremental difference than the NEPA Baseline, these alternatives are not analyzed for  
2 Environmental Justice impacts. After the incorporation of mitigation measures, the  
3 proposed Project and Alternative 3 would result in potentially significant impacts on  
4 minority populations and low-income individuals related to air quality, and would result  
5 in a cumulatively considerable contribution to a significant cumulative impact related to  
6 construction noise at the liveboard receptors, which would constitute a  
7 disproportionately high and adverse effect on minority and low-income populations.

### 8 **3.2.9.2 Pages 5-18 and 5-19**

#### 9 **Noise (Section 3.12 and Section 4.2.12)**

10 As described in Section 3.12.4.2, the significance criteria for noise are the same for both  
11 the CEQA and NEPA analyses.

12 ~~**Impact NOI-1:** The proposed Project would not increase the existing ambient noise  
13 levels at any identified noise receptor in the proposed project area by 5 dBA or more;  
14 however, noise produced by pile driving during sheet and king pile installation would be  
15 6 dB above the ambient noise level at the nearby liveboard boat area in the East Basin.  
16 Mitigation measure MM NOI 1, which would require the contractor to use a pile driving  
17 system, such as an IHC Hydrohammer SC Series or equivalent; a Bruce hammer (with  
18 silencing kit); an IHC Hydrohammer, SC series (with a sound insulation system); or an  
19 equivalent silenced hammer that is capable of limiting maximum noise levels at 50 feet  
20 from the pile driver to 104 dBA or less during installation of king piles and sheet piles;  
21 would reduce the maximum noise levels during installation of king piles and sheet piles.  
22 Mitigation measure MM NOI 2, which would require installation of temporary noise  
23 attenuation barriers suitable for pile driving equipment as needed, would further reduce  
24 construction noise. With implementation of mitigation measures MM NOI 1 and MM  
25 NOI 2, the proposed Project would not have a significant impact related to noise.  
26 However, the proposed Project could make a cumulatively considerable contribution to a  
27 significant cumulative impact at the liveboard receptors. This cumulative impact would  
28 constitute a disproportionately high and adverse effect on minority and low-income  
29 populations.~~

### 30 **3.2.9.3 Page 5-38**

#### 31 **3.2.9.4 Noise (Section 3.12 and Section 4.2.12)**

32 As described in Section 3.12.4.2, the significance criteria for noise are the same for both  
33 the CEQA and NEPA analyses.

34 ~~**Impact NOI-1:** Alternative 3 related construction noise from pile driving would not  
35 increase existing ambient noise levels at any identified noise sensitive receptor in the  
36 proposed project vicinity by 5 dBA or more. Thus, Alternative 3 individually would not  
37 have a significant impact related to noise. However, the construction noise from pile  
38 driving could temporarily increase the ambient noise levels at nearby liveboard boats  
39 and, should construction of other projects in the vicinity occur concurrently, these  
40 construction activities could make a cumulatively considerable contribution to a  
41 significant cumulative impact at the liveboard boats. Mitigation measures MM NOI 1  
42 and MM NOI 2 would further reduce construction noise; however, even with their  
43 implementation, Alternative 3 would make a cumulatively considerable contribution to a~~

~~significant cumulative impact related to noise at the liveaboard receptors. This cumulative impact related to construction noise would constitute a disproportionately high and adverse effect on minority and low income populations.~~

**3.2.9.5 Page 5-39**

Significant unavoidable air quality ~~and noise~~ impacts would constitute disproportionately high and adverse effects on minority and/or low-income population under the proposed Project. All other resource impacts would either be less than significant or, if significant, would be limited to the proposed project site, would not affect the public, would be mitigated to less-than-significant levels, or would otherwise not have disproportionately high and adverse effects on minority and/or low-income populations.

**Table 5-3: Summary of Disproportionate Effects on Minority and Low-Income Populations from the Proposed Project and Alternatives**

Alternative <sup>a</sup>	Air Quality	Noise
Proposed Project	<ul style="list-style-type: none"> <li>Criteria pollutant emissions in excess of thresholds from construction and operations.</li> <li>High ambient concentrations of NO<sub>2</sub> and PM<sub>10</sub> associated with operations (with mitigation).</li> </ul>	<ul style="list-style-type: none"> <li><del>Noise impacts at the liveaboard receptors during pile driving could be cumulatively considerable.</del></li> </ul>
Alternative 3 (Reduced Project: Improve Berths 217–220 Only)	<ul style="list-style-type: none"> <li>Criteria pollutant emissions in excess of thresholds from construction and operations.</li> <li>High ambient concentrations of NO<sub>2</sub> and PM<sub>10</sub> associated with construction and operations (with mitigation).</li> </ul>	<ul style="list-style-type: none"> <li><del>Noise impacts at the liveaboard receptors during pile driving could be cumulatively considerable.</del></li> </ul>

<sup>a</sup> Table 5-3 does not include Alternative 1 because the impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (Alternative 2). Additionally, Table 5-3 does not include Alternative 2 because Alternative 2 is the same as the NEPA baseline and would not result in any impacts under NEPA.

**3.2.10 Changes Made to Chapter 6, Comparison of Alternatives**

**3.2.10.1 Page 6-11**

Total construction and annual operation CO<sub>2</sub>e emissions would exceed the GHG threshold of 10,000 mty in all analysis years under the proposed Project and Alternatives 1 through 3. Mitigation measures MM AQ-1, MM AQ-5, MM AQ-9, and MM AQ-10 and MM GHG-1 through MM GHG-34 would reduce GHG emissions for the proposed Project and Alternatives 2 and 3 (mitigation is not applicable to Alternative 1); however, impacts would remain significant and unavoidable under the proposed Project and Alternatives 1 through 3 under CEQA. No impact determination regarding GHG



## 3.2.11 Changes Made to Chapter 7, Socioeconomics

### 3.2.11.1 Page 7-28

In addition to ongoing public involvement initiatives, the Port Community Mitigation Trust Fund (Fund) was established in 2008 as a result of the settlement between the Port of Los Angeles and the City of Los Angeles known as the TraPac Memorandum of Understanding (MOU). The Harbor Community Benefit Foundation (HCBF), the nonprofit established to operate the Port Community Mitigation Trust Fund, addresses the negative cumulative environmental and public health impacts created by the business operations at the Port. The mission of the ~~Harbor Community Benefit Foundation~~HCBF is “to carry out public benefit projects that assess, protect, and improve public health, quality of life, and the natural environment of the local communities.” The ~~Harbor Community Benefit Foundation~~HCBF carries out its mission by overseeing grants and addressing, through mitigation projects, off-port impacts from existing and future operations at the Port of Los Angeles in the communities of Wilmington and San Pedro. (Harbor Community Benefit Foundation 2014.)

Per Exhibit B of the MOU, a specific list of Port expansion projects was established for which LAHD would contribute funds to the Fund upon project implementation. The YTI Container Terminal Improvements Project is one of the projects listed in Exhibit B. As such, LAHD has estimated it will contribute approximately \$773,500 to the HCBF per the established calculation method if the proposed Project is implemented in accordance with the provisions of the MOU. The final amount will be determined at the time the Board considers whether to certify the Final EIR and approve the proposed Project.

The MOU specifies that contributions will be made to the HCBF per the established calculation for throughput in exceedance of existing capacity. As such, if a project alternative that results in an increased terminal capacity is approved, a contribution would be made to the Fund. Alternative 3 results in the same throughput in the horizon year as the proposed Project. Therefore, should Alternative 3 be approved, LAHD would contribute the same funds to the HCBF as if the proposed Project was approved. Because Alternatives 1 and 2 do not result in an increase in terminal capacity, no contributions would be made to the HCBF should one of these two alternatives be approved.

The MOU does not allow the funding to be used as mitigation for direct project effects. The HCBF awards funding to a variety of projects and programs aimed at reducing health, environmental, and community impacts from Port operations in the communities of San Pedro and Wilmington. Projects and programs that have been granted funds from the HCBF include:

- construction of a dedicated respiratory clinic at the Wilmington Family Health Center;
- operation of the Long Beach Alliance for Children with Asthma and the Children’s Clinic, which provide home visits and low and no cost respiratory care for families;
- purchase of CNG buses by the Boys & Girls Club of Los Angeles to provide transportation between the Boys & Girls Club and the Harbor Community Clinic;

- 1           ▪ guided community exercise programs and health education provided by the Tzu  
2           Chi Community Clinic;
- 3           ▪ additional respiratory and asthma services for the Harbor Community Clinic in  
4           San Pedro and Rainbow Services;
- 5           ▪ establishment of a support network for Harbor area residents with Chronic  
6           Obstructive Pulmonary Disease (COPD) by Breathe California of Los Angeles  
7           County;
- 8           ▪ registration of the Harbor Community Clinic as a Certified Enrollment Entity to  
9           assist residents with respiratory illnesses enroll in health plans under the  
10          California Health Benefit Exchange;
- 11          ▪ expansion of a summer fellowship program on Port operations and respiratory  
12          health with Los Angeles Biomed;
- 13          ▪ hiring of a Community Health Worker for the Harbor community through the  
14          Robert F. Kennedy Institute;
- 15          ▪ bringing St. Mary’s mobile care clinic to Wilmington for no cost medical care for  
16          low-income individuals; and
- 17          ▪ continued support of the Bridge for Health program, which supports individuals  
18          with respiratory illnesses in Harbor communities through The Children’s Clinic.

19          Please see the HCBF website at <http://hcbf.org/> for further information on past and  
20          current grants. See Appendix C: Grant Project Reporting and Evaluation Guidelines of  
21          the HCBF Strategic Plan 2013-2016, also available on the HCBF website, for information  
22          on how the HCBF quantifies the success of the projects and programs it funds.  
23          Monitoring performance and success of the projects and programs receiving grants  
24          through the HCBF is the foundation’s responsibility.

25          LAHD is also in the process of implementing several development projects, including the  
26          San Pedro Waterfront Master Plan and Wilmington Waterfront Master Plan. These  
27          development programs are aimed at strengthening economic development and enhancing  
28          community amenities. Specifically, objectives of the San Pedro Waterfront Master Plan  
29          include increasing public waterfront access, enhancing commercial opportunities,  
30          improving transportation and non-vehicular mobility around the waterfront, and growing  
31          the Port in a sustainable manner. Project elements include the creation of new harbors  
32          and a public pier, new commercial development, enhancement of visitor attractions,  
33          development of a waterfront promenade and open space, and a variety of transportation  
34          improvements. The EIS/EIR for the San Pedro Waterfront Master Plan was certified in  
35          September 2009, and by July 2012, several projects had been implemented, including  
36          Crafted at the Port of Los Angeles, which is an arts and crafts market.

1 **3.2.11.2 Page 7-38, Table 7-16**

**Table 7-16: Proposed Project: Direct and Secondary Construction Employment Over the Construction Period**

Period	Employment (Number of Jobs)
<b>2012–2013</b>	
Direct	0.35
Secondary	0.35
<b>Subtotal</b>	<b>0.61.0</b>
<b>2013–2014</b>	
Direct	611
Secondary	611
<b>Subtotal</b>	<b>1222</b>
<b>2014–2015</b>	
Direct	1418
Secondary	1415
<b>Subtotal</b>	<b>2533</b>
<b>2015–2016</b>	
Direct	180197
Secondary	147162
<b>Subtotal</b>	<b>327359</b>
<b>2016–2017</b>	
Direct	2184
Secondary	2151
<b>Subtotal</b>	<b>4335</b>
<b>Totals</b>	
Direct	410
Secondary	340
<b>GRAND TOTAL</b>	<b>750</b>

2

3 **3.2.12 Changes Made to Appendices**

4 **3.2.12.1 Appendix F**

5 Appendix F, Draft Sediment Characterization Report, dated November 2013, has been  
 6 replaced with the Final Sediment Characterization Report, dated May 2014. The final  
 7 report is appended to this Final EIS/EIR.

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**Attachment 1**  
**Letter from Douglas Hansen, Director of**  
**Strategic Planning, YTI**

4



**YUSEN TERMINALS INC.**

701 New Dock Street  
Terminal Island, California 90731-7535  
Tel: (310) 548-8000 Fax: (310) 548-8290

18 September 2014

Yusen Terminals, Inc.  
701 New Dock Street  
Los Angeles, CA 90731

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

**Re: Responses to Comments on Port of Los Angeles Draft EIR/EIS Report - Berths 212-224 Container Terminal Improvement Project**

Dear Chris:

We are providing the information in response to specified comments on the Draft Environmental Impact Statement/Environmental Impact Report for the Berths 212-224 [YTI] Container Terminal Improvement Project. In particular, the information below is intended to address Alternative Marine Power (see Comments SCAQMD-18, EJ2-18, & Keck-5). As the environmental process moves forward, we will work with POLA to provide any additional information that may be relevant to the AMP comments as well as additional information that may be relevant to other issues where warranted.

At the outset, it is important to reiterate that YTI is undertaking an upgrade project that is designed to allow its terminal at the Port of Los Angeles to service the projected future vessel fleet mix by accommodating vessels of up to 13,000 TEU in size. The YTI terminal presently is berth-constrained to handle larger vessels, and it will be yard-constrained at existing capacity after implementation of the project. As a result of the yard constraints, the implementation of the project will only slightly increase the terminal's present capacity, by 200,000 TEU, as compared to what the existing terminal could handle under future conditions without the project<sup>1</sup>. The increase is relatively small, but the project is needed to allow the terminal to accommodate the next generation of larger container vessels.

This ability to handle larger vessels would allow for the introduction of newer lower-emitting container vessels over time, as well as the potential to use fewer vessels to handle the same amount of cargo. On the other hand, if the project did not go forward, the YTI terminal could still accommodate most of the projected future growth

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<sup>1</sup> As previously outlined in the draft EIR, the yard capacity at YTI actually reduces by 70,000 TEU from current yard capacity with the Proposed Project. This reduction is a function of the lost yard/decking space needed to accommodate the proposed fifth rail loading track.

in throughput with its existing facilities, but there actually could be more vessel calls than under the proposed project due to the inability to handle larger, more efficient vessels.

**Alternative Marine Power (See Comments SCAQMD-18, EJ2-18 & Keck-5)**

Mitigation Measure AQ-10 in the Draft EIR states: “By 2026, NYK Line-operated ships calling at the YTI Terminal will use AMP for 95% of the total hoteling hours while hoteling at the Port.” This mitigation exceeds the regulatory requirements adopted by CARB, which requires 80% AMP usage and emissions reductions by 2020.

The commenters suggest that: (a) the 95% requirement in MM AQ-10 should be increased to 100%, based on the claim that a 100% requirement is included in the EIS/EIR for the Middle Harbor project at the Port of Long Beach; (b) the 95% requirement in MM AQ-10 should be accelerated from 2026 to 2017, based on the claim that AMP will be available for use in 2017 at Berths 217-220; and (c) the mitigation in MM AQ-10 should be applied to “non-NYK Line ships” calling at the YTI terminal. For the reasons described below, it is not feasible to achieve AMP requirements that exceed the current AMP mitigation in the Draft EIS/EIR for the YTI project.

The AMP mitigation for the YTI project requires that NYK Line-operated ships use AMP for 95% of the total hoteling hours. By contrast, rather than focusing on the number of hours that vessels hotel with and without using AMP, the mitigation for the Middle Harbor project (Mitigation Measure AQ-5 in POLB’s EIS/EIR for that project) focuses on the percent of ocean going vessels that use shore-to-ship power while at berth. The two measures do not impose comparable requirements. It is not clear that more emissions reductions would be achieved under the Middle Harbor measure. For example, if all ships calling at that terminal use AMP, but only for 90% of the total hoteling hours, then compliance with the Middle Harbor mitigation would be achieved. But the same condition would not achieve compliance with the hours based mitigation for the YTI project.

Further, regardless of whether it is feasible for all of the ships calling at Middle Harbor to use AMP, this is not feasible at the YTI terminal. This is because an entirely different type of vessel fleet calls on the YTI terminal. Only one vessel service currently calls at the terminal that will become the Middle Harbor terminal, and all of the vessels in that service are over 8,000 TEUs in size. In light of the market conditions and purposes of the Middle Harbor project, it is reasonable to anticipate that ships calling at Middle Harbor will continue to exceed 8,000 TEUs in size. AMP-equipped ships are available in the marketplace for these larger ships.

In contrast, the vessel fleet mix projected to call on the YTI terminal with the implementation of the project at issue here would consist of three different class sizes of ships. As shown below, given this key difference as between the vessel fleet mixes calling on the two terminals, it would not be feasible to impose on the YTI project a requirement that 100% of the NYK Line-operated ships calling on the YTI terminal use AMP.

Under future project conditions, the three class sizes of ships calling on the YTI terminal would consist of the following: (1) Post-Panamax ships over 6,000 TEU; (2) MAREX ships (2,000-2,999 TEU); and (3) JPX ships (3,000-3,999 TEU). Under future project conditions, it is anticipated that NYK Line-operated ships would consist of approximately 56% of the total number of vessel calls at the YTI terminal, as compared to approximately 45%

under 2012 baseline conditions (As determined by a review of 2012 terminal vessel schedule). It is projected that the NYK Line-operated ships calling at the YTI terminal under future project conditions would consist of 10 Post-Panamax ships, 2 MAREX ships and 3 JPX ships.

With respect to the Post-Panamax ships, NYK Line would own all 10 of the ships in this size category (which are distributed among two different vessel services). AMP-equipped ships are available in the marketplace for this class size of ships, and by the time the project commences in 2017, it is projected that all NYK Line-owned Post-Panamax ships will be AMP-capable. In addition, by the time the project commences in 2017, all of the berths at the YTI terminal will be equipped with AMP, which will serve to maximize AMP usage to the highest possible level for AMP-capable ships.

With respect to the MAREX ships, under the 2012 baseline conditions and in the past, NYK Line has chartered some of these ships from other companies. NYK Line's chartering department in Singapore conducted a study of available ships on the charter market, which found that no AMP-capable ships are available in the MAREX class.<sup>2</sup> However, NYK Line recognizes the need to comply with the future requirements under the CARB regulations. One possible way of meeting the 80% requirement in 2020 under the CARB regulations would be to replace the chartered MAREX ships calling at the YTI terminal with MAREX ships that NYK Line owns, and to retrofit the NYK Line-owned MAREX ships calling at the YTI terminal to be AMP-capable. The total cost of such an upgrade is projected to be \$4.8 million (\$1 million for each of the 3 MAREX vessels, plus \$600,000 per ship to install an AMP box). As explained below, in addition to these significant ship upgrades, substantial reductions in current idling times also would be needed to achieve the 80% requirement in 2020 under the CARB regulations.

With respect to the JPX ships, NYK Line does not own any ships in this class size and therefore would need to charter the ships from other companies. The study conducted by NYK Line's chartering department in Singapore indicates that there are no AMP-capable ships in the JPX class. Further, given the market conditions in the shipping industry, it is not anticipated that AMP-capable ships in the JPX class would be available even by 2020. In addition, it would not be feasible to make charter ships in the JPX class size AMP-capable and a charterer cannot compel the ship owner to convert its ships to be AMP-capable. Due to current market trends, time charter contracts generally are short-term in nature, and the particular ships that make up a charter service can change frequently based on the daily cost of the charter and where the ships are deployed. Given that it costs approximately \$1.6 million to retrofit a ship with AMP and install an AMP box, and that retrofitting a ship takes that ship out of service for six months, it does not make sense to make such a large investment of time and capital to retrofit chartered JPX ships to be AMP capable.

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<sup>2</sup> The global container ship charter market is composed of ships owned by private owners/operators. These owners provide a "Ship List" and a "Position List" of their available assets to brokers, who compile an overview of the available ships. Ship charterers then work through brokers to find ships that suit the needs of the business and are available for chartering at any given point in time. NYK Line's chartering department in Singapore conducted a study of AMP-capable ships available on the charter market by compiling the relevant information obtained from brokers.



For this reason, while it may be possible that all NYK Line-*owned* ships are AMP-capable within the project timeframe, it is not possible that 100% of NYK Line-*operated* ships – including chartered JPX vessels owned by another company – will be able to use AMP at the YTI terminal.

Moreover, it is impossible for *any* class of ships to achieve use of AMP for 100 percent of the total hoteling hours. Even for larger (Post-Panamax) ships, where AMP-ready vessels are available on the market, there is invariably a certain amount of idling time that precludes achieving a 100 percent requirement. For instance, when a ship pulls into dock, there are mandatory federal customs and immigration procedures that must be followed before the mechanical staff is allowed to enter onto the ship to convert to AMP. Procedures for inspections of agricultural products can produce longer waiting times. Also, for ships that arrive in the middle of the night, mechanical staff may not be available even if the customs and immigration procedures are completed quickly. Baseline idling times at the YTI terminal range from three to seven hours per vessel. YTI will work with NYK Line to reduce idling times as much as possible, but it is not possible to reduce the idling time to zero. The absolute best case idling time is two hours per ship visit, since customs and immigration procedures routinely take at least an hour, and it takes at another hour to connect and disconnect from AMP. This is an aggressive timeframe that assumes no technical glitches or delays.

The chart below illustrates that NYK Line will need to make an extraordinary effort to achieve AMP use for 80% of the total hoteling hours in 2020. For instance, the chart is premised on the assumptions that (1) all NYK Line-owned vessels will be AMP-capable by 2020; and (2) idling times will be reduced to the absolute best case scenario of two hours. In other words, NYK Line will need to make substantial changes and do all that it feasibly can merely to achieve compliance with the CARB regulation in 2020. Exceeding the regulatory requirements in 2020 is not practicable or realistic.

Vessel Service	Total NYK-operated Vessels	Hoteling Hrs Per Vessel	AMP Hrs Per Vessel	Annual NYK Vessel Calls	Annual Hoteling Hrs	Annual AMP Hrs	Percentage of AMP Hrs
CCX (Post-Panamax)	3	80	78	25	2,000	1,950	98%
SGX (Post-Panamax)	7	71	69	Approx. 33	2,349	2,283	97%
MAREX	2	21	19	26	546	494	91%
JPX	3	33	0	Approx. 31	1,030	0	0%
<b>TOTAL IN 2020</b>					<b>5,925</b>	<b>4,727</b>	<b>80%</b>

The AMP mitigation measure in the Draft EIS/EIR goes as far as is feasible. It requires use of AMP for 95% of total hoteling hours by 2026. The premise for this measure is that, by 2026, JPX ships that are AMP-capable will be available on the charter market. In other words, the mitigation is based on a longer term market projection that all of the NYK-operated ships calling in the YTI terminal will be AMP capable. But there is no evidence to suggest, and it is not reasonable to project, that AMP-capable JPX ships will be available on the market over the

short- to mid-term. Also, as explained above, it is not reasonable to expect that idling times will be reduced below two hours per ship, which is the best case scenario given the required inspections and logistics.

The chart below shows how the 95% mitigation measure in the Draft EIS/EIR could be achieved with all NYK Line-operated ships fully AMP-capable by 2026 and with idling times reduced as much as possible. But it is not feasible to accelerate this requirement, or to impose a more stringent percentage requirement.

Vessel Service	Total NYK-operated Vessels	Hoteling Hrs Per Vessel	AMP Hrs Per Vessel	Annual NYK Vessel Calls	Annual Hoteling Hrs	Annual AMP Hrs	Percentage of AMP Hrs
CCX (Post-Panamax)	3	80	78	25	2,000	1,950	98%
SGX (Post-Panamax)	7	71	69	Approx. 33	2,349	2,283	97%
MAREX	2	21	19	26	546	494	91%
JPX	3	33	31	Approx. 31	1,030	967	94%
<b>TOTAL FOR 2026</b>					<b>5,925</b>	<b>5,694</b>	<b>96%</b>

As for the suggested requirement to impose mitigation on “non-NYK Line ships,” it is important to reiterate that the operational AMP requirements in the CARB regulations apply to vessel fleets, not marine terminals such as YTI. YTI has negotiated with its sister company (NYK Line) to achieve a higher level of AMP usage than what is required under the CARB regulations. In addition, NYK Line has made many of its ships AMP-ready ahead of schedule, and already has been plugging into shore power at the YTI terminal since 2007.

But YTI has no corporate relationship to the *other* carriers with ships that call at the terminal. It has no control over those carriers and cannot compel them to comply with AMP requirements that are above and beyond what is mandated by the CARB regulations.

Equally important, many shipping lines are having significant problems in achieving compliance with the CARB regulations, let alone achieving heightened standards. Many companies have been unable to meet the 2014 requirements and this problem likely will continue as more stringent requirements take effect in the coming years. Severe economic conditions have profoundly affected the shipping industry, imposing significant cost pressures on shipping companies. In turn, this has led to a limited supply of AMP-ready vessels, as well as the inability of shipping lines to commit to provide AMP-ready vessels in excess of the regulatory requirements, either generally or at any specific terminal.<sup>3</sup>

<sup>3</sup> As we previously have explained, the data shows that of the top 20 ocean carriers, all of whom call at Los Angeles or Long Beach, only a few are making an operating profit and the margins are small, while ocean freight rates today are the same or lower as they were 20 years ago. These negative economic conditions have persisted. As a result, shipping lines continue to struggle financially and are constantly looking at cost savings measures, including increased use of chartered ships. This adversely affects the ability to convert

Given the prevailing economic conditions, the ability of shipping companies to meet heightened AMP requirements in the future is speculative at best. Generally speaking, the newest and most efficient vessels are built and then deployed into the Asia-Europe trade. The vessels then “cascade” from that trade lane to other trades, including the Trans-Pacific trade, which therefore does not utilize the newest vessels. It is not known beforehand which vessels will “cascade” to the Trans-Pacific trade, and generally these vessels are not AMP-ready, since this is not a global requirement. In light of these market-based factors, it is not a foreseeable or likely scenario that shipping companies will commit significant costs to upgrade their fleets to exceed California’s regulatory standards.

For this reason, if the approvals for this project were to attempt to mandate that shipping lines serving the YTI terminal must exceed the CARB regulations, that could very well lead the shipping lines to move their business to other terminals that do not have such heightened requirements. This could eliminate smaller ship size classes from the YTI terminal (as AMP-capable ships are not as readily available in the market for these small ships), and, conversely, limit the YTI terminal to larger Post-Panamax ships. But this merely would move the emissions from the smaller, non-AMP ships to other locations at the Port of Los Angeles or Port of Long Beach, instead of actually achieving a net reduction in port-wide emissions. This shift in emissions actually could cause an environmental detriment, given that the YTI terminal is not relatively proximate to sensitive receptors.

While accelerated AMP requirements have been included as mitigation for a few other projects, it is our understanding that these projects are having significant problems in actually meeting the heightened requirements. And even if such requirements are complied with, due to the market constraints discussed above, that would make it all the more difficult to ensure that a sufficient number of AMP-ready vessels would be available to meet heightened requirements at the YTI terminal. Put simply, with only a limited number of AMP-ready ships to go around, accelerated requirements that are fulfilled at one terminal make it more difficult to attain such requirements at another location.

For all of these reasons, we do not believe accelerated or heightened AMP requirements, beyond those included in the Draft EIR, are feasible mitigation for this project. However, YTI can demonstrate that the primary vessel fleet that calls on the YTI terminal, NYK Line, has made a substantial commitment to provide the most environmentally friendly vessels available to the trade lane.

And in addition to the 95% mitigation requirement exceeding the CARB regulations, it is also important to point out some salient examples of early compliance and recognition of both YTI and NYK:

- YTI has been awarded the Port of Los Angeles Clean Air Action Plan (CAAP) award 3 times in 2008, 2009 and 2011 where NYK was also given the award. No other terminal operator has won this award 3 times.

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vessels to AMP, since a vessel conversion costs roughly \$1,000,000 per vessel and the AMP container that is used to convert shore power to vessel power costs an additional \$600,000 per box.

- In 2004 NYK Line built the NYK Atlas, their first vessel to comply with current CARB regulations prior to the inception of actual regulations. From inception to 2013, prior to the CARB requirement, NYK utilized AMP on 68 vessel calls eliminating considerable amounts of emissions from the harbor. With this early adoption NYK Line also elected CARB's early compliance 'Option 2', the "Equivalent Emissions Reduction Option," meeting CARB's AMP targets beginning in 2010, four years ahead of "Option 1," which all but NYK Line and one other shipping line chose as the compliance option.
- In Los Angeles NYK Line met or exceeded annual early compliance measures for 2010, 2011, 2012 and 2013. Starcrest, an independent environmental company reports emissions data for the Ports of Los Angeles and Long Beach. As part of YTI's ISO-14001 program under the International Environmental Management Standard, YTI also employs Starcrest to monitor emissions including OGV emissions reductions at the YTI terminal. The latest data fully available is from the 2012 year-end report and highlights reductions between the baseline year (2005) and 2012. This data shows significant emissions reductions of vessels calling at YTI.

Comparison of OGV Emissions, 2012 vs. 2005							
Emission Type	PM10	PM2.5	DPM	NOx	SOx	CO	HC
<b>2012 vs. 2005</b>	<b>-84%</b>	<b>-82%</b>	<b>-85%</b>	<b>-40%</b>	<b>-93%</b>	<b>-22%</b>	<b>-15%</b>

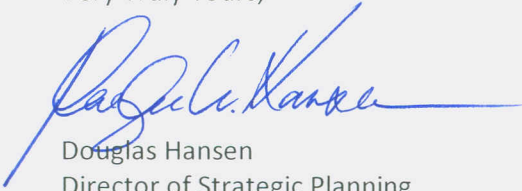
- NYK has been recognized repeatedly in FTSE4Good (11 Consecutive years), Dow Jones Sustainability Index (11 consecutive years), Global 100 Most Sustainable (8 consecutive years) companies and has numerous recognitions for ship design from Lloyds List for advancements including solar power adoption, environmentally friendly hull coatings and the development of the 'air bubble hull system' to reduce drag on hulls and conserve fuel.
- NYK received the special achievement award at the 2013 Nikkei Annual Report Awards for publishing of their combined Annual and CSR (Corporate Social Responsibility) report. The report contains information about the group's finances in addition to its long-term ESG (Environment, Society and Governance) solutions in order to provide stakeholders with a reliable understanding of the NYK Group's corporate values.
- NYK has been certified by the Lloyds Register as ISO-14001 compliant since 2002. YTI has been ISO-14001 certified since 2003. Audits are conducted annually using global standards to ensure effective environmental management and performance.

Finally, it is important to note that the Draft EIS/EIR has identified a process to implement future technology. The Clean Air Action Plan is not a static plan and the Port is working on advancing emission reduction strategies through the TAP and regular updates to the CAAP. The Port of Los Angeles is also working with the International Association of Ports and Harbors (IAPH) to develop incentive program strategies to participate in the Environmental Ship Index Program; NYK Line was one of the initial lines to join the ESI at its inception. ESI is an international web-based ship-rating system ports can use to promote clean ships by rewarding operators whose

vessels exceed current environmental performance standards and regulations. The ESI identifies voluntary engine, fuel and technology enhancements ships can use to exceed current standards. The ESI targets primary pollutants and also contains a component to help reduce greenhouse gases. As Lease Measure AQ-1 requires, tenants must periodically review and assess new emissions reductions technologies, and work with the Port to implement such technologies that are determined to be feasible.

Please confirm receipt of this correspondence and contact me directly to arrange and discuss any formalities associated with the contents of this letter. We thank you for your continuing partnership and look forward to the successful completion of the EIR process related to the terminal redevelopment.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Douglas Hansen", with a long horizontal flourish extending to the right.

Douglas Hansen  
Director of Strategic Planning  
Yusen Terminals, Incorporated