

Errata for the Berths 97-109 (China Shipping) Container Terminal Project Supplemental Environmental Impact Report

Findings of Fact and Statement of Overriding Considerations October 8, 2019

This erratum updates and replaces the language in Section 6.2 of the Draft Findings of Fact and Statement of Overriding Considerations dated September 2019 for the above referenced project.

Changes are shown as strikeout for text removed and underlined for new text added.

Section 6.2 Revised Project Benefits. Page 31

The bullet statements following the end of the second paragraph are modified as follows:

- **Fulfills Port legal mandates and objectives.** The Revised Project would fulfill LAHD's legal mandate under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601; California Tidelands Trust Act of 1911) to promote and develop commerce, navigation and fisheries, and other uses of statewide interest and benefit including industrial and transportation uses and the California Coastal Act (PRC Division 20, Section 30700, et seq.), which identifies the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry and obligates the Harbor Department to accommodate the demands of foreign and domestic waterborne commerce and other traditional water-dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state.
Further, the California Coastal Act provides that the Harbor Department should give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to navigational facilities, shipping industries and necessary support and access facilities. The Revised Project would also meet the Harbor Department's strategic green growth objectives by maximizing the efficiency and the capacity of facilities while applying mitigation measures that adhere to and/or exceed the San Pedro Bay Clean Air Action Plan (CAAP) requirements and raise environmental standards.
- **Implements the San Pedro Bay Clean Air Action Plan (CAAP).** The Revised Project incorporates many environmental features consistent with the CAAP, and additional mitigation measures and lease measures have been identified through the CEQA findings of the ~~Recirculated~~ DSEIR that meet CAAP requirements and objectives.

- **Implements feasible mitigation measures on the existing CS Container Terminal Project, to replace mitigation measures identified in 2008 EIS/EIR that have not been fully implemented.** The Revised Project would eliminate some existing mitigation measures that have proved to be infeasible or unnecessary, institute new mitigation measures, and modify other existing measures to enhance their effectiveness. In proposing these changes, the Revised Project would advance the original goals and project objectives of the CS Container Terminal Project to implement pollution control measures consistent with the CAAP, and to maximize the efficiency and capacity of the terminal while, at the same time, raising environmental standards through the application of all feasible mitigation measures. If the existing mitigation measures determined to be infeasible or unnecessary are not revised as proposed by the Revised Project, these project objectives would not be advanced as originally intended. Those objectives may not be met under the previously approved CS Container Terminal Project because impacts would remain unaddressedFurther, environmental impacts identified in the 2008 EIR/EIS would not be addressed despite the availability of new or modified alternative feasible mitigation, as identified in the SEIR. The proposed changes to existing mitigation measures that constitute the Revised Project would enable the China Shipping Container Terminal Project to better meet the original project objectives and address impacts identified in the 2008 EIR/EIS.
- **Allows for continued operation of the CS Terminal under feasible mitigation measures, providing economic benefits to the Port and the community.** The Revised Project will allow for the continued operation of the terminal, generating revenues to the Port of Los Angeles over the life of the Revised Project. The Terminal is responsible for 17% of the Port's 9.7 million Twenty-Foot Equivalent Units that were processed in Fiscal Year-ending June 30, 2019, providing jobs and funding for environmental improvements. These funds are included in the Harbor Revenue fund for the purposes of operating, maintaining and improving the Port in accordance with the Tidelands Trust. Revenues from operation of the CS Terminal also provide for environmental improvements, including incentive programs associated with the CAAP for reduction of truck emissions and advancing clean technology, and support the construction of necessary infrastructure for waterfront commercial and recreational improvements in Wilmington and San Pedro. If the Terminal cannot continue to operate, it could result in more than 800 jobs being displaced and delay implementation of environmental protection measures.