



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: MARCH 29, 2012

FROM: ENVIRONMENTAL MANAGEMENT

**SUBJECT: RESOLUTION NO. _____ - MITIGATED NEGATIVE
DECLARATION FOR THE JOHN S. GIBSON BOULEVARD/I-110
ACCESS RAMPS AND SR-47/I-110 CONNECTOR IMPROVEMENTS
PROJECT (LAHD ADP NO. 081215-139; SCH NO. 2011071080)**

SUMMARY:

The City of Los Angeles Harbor Department (Harbor Department) and the State of California Department of Transportation (Caltrans) have prepared a joint Initial Study/Mitigated Negative Declaration (IS/MND) and Environmental Assessment/Finding of No Significant Impact (EA/FONSI) in accordance with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for the John S. Gibson Boulevard/I-110 Access Ramps and SR-47/I-110 Connector Improvements Project (Project).

The Project involves widening the SR 47/I-110 connector from one to two lanes, extending the additional lane on the northbound (NB) I-110 past the John S. Gibson Boulevard off-ramp, modifying the NB ramps at the I-110/John S. Gibson Boulevard interchange, and improving the intersection of John S. Gibson Boulevard and the NB I-110 ramps. The Project also includes improvements to an existing drainage system and widening of the Pacific Avenue Undercrossing and the Channel Street Overhead, as well as the construction of sound walls to abate existing and future traffic noise.

Staff recommends that the Board of Harbor Commissioners (Board) consider the IS/MND for the Project, along with the comments and responses to comments; make specific findings regarding the environmental impacts of the Project and mitigation measures to reduce or avoid such impacts; adopt a mitigation monitoring and reporting program; and approve the Project described in the IS/MND.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Consider, pursuant to CEQA Guidelines § 15096, the Initial Study/Mitigated Negative Declaration for the John S. Gibson Boulevard/I-110 Access Ramps and SR-47/I-110 Connector Improvements Project which (a) has been completed by Caltrans as the CEQA Lead Agency in accordance with CEQA, with the State CEQA

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Guidelines, and the Los Angeles City CEQA Guidelines; and (b) was presented to the Board for review and the Board reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration prior to approving the Project;

2. Find that, based on the information contained in this report and the Initial Study/Mitigated Negative Declaration for the John S. Gibson Boulevard/I-110 Access Ramps and SR-47/I-110 Connector Improvements Project, and with incorporation of revisions to the Project and mitigation measures, that the John S. Gibson Boulevard/I-110 Access Ramps and SR-47/I-110 Connector Improvements Project would not have a significant effect on the environment pursuant to Public Resources Code § 21080 and State CEQA Guidelines § 15096;
3. Find that all information added to the Initial Study/Mitigated Negative Declaration after the public review period, merely clarifies, amplifies, or makes insignificant modifications, and recirculation is not necessary;
4. Adopt the Mitigation Monitoring and Reporting Plan as required by Public Resources Code § 21081.6 and State CEQA Guidelines § 15097. The Mitigation Monitoring and Reporting Plan is designed to ensure compliance with the mitigation measures adopted to mitigate or avoid significant effects on the environment, and identifies the responsibilities of the Harbor Department as responsible agency and other applicable entities, to monitor and verify Project compliance with those mitigation measures and conditions of Project approval;
5. In consideration of the Initial Study/Mitigated Negative Declaration, together with the comment letters received and the response to comments, approve the John S. Gibson Boulevard/I-110 Access Ramps and SR-47/I-110 Connector Improvements Project;
6. Authorize the Environmental Management Division to file the Notice of Determination for the subject Project with the Los Angeles City and County Clerks; and
7. Adopt Resolution No. _____.

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DISCUSSION:

Background - On October 2, 2008, the Board approved a Cooperative Agreement between Caltrans and the Harbor Department for the Project. Per Agreement No. 07-4781 effective November 25, 2008, Caltrans will act as the Lead Agency and the Harbor Department as the Responsible Agency under CEQA for the IS/MND. The Harbor Department also agreed to be fully responsible for complying with and implementing all environmental commitments resulting from the CEQA environmental process. Separately, Caltrans is the federal Lead Agency under NEPA for the EA/FONSI portion of the environmental document.

Caltrans Role as Lead Agency - Pursuant to CEQA Guidelines § 15074, the Lead Agency must consider the IS/MND along with any public comments and adopt the IS/MND if it finds that there is no substantial evidence that the Project will have a significant effect on the environment and that the IS/MND reflects the independent judgment and analysis of the Lead Agency. The Lead Agency must also file a Notice of Determination (NOD) within five days after deciding to carry out or approve a project pursuant to CEQA Guidelines § 15075.

Harbor Department Role as Responsible Agency - Pursuant to CEQA Guidelines § 15096, the Harbor Department must consider the IS/MND (Transmittal 1), adopt mitigation measures as included in the Mitigation Monitoring and Reporting Plan (Transmittal 2) for environmental effects for parts of the Project which the Harbor Department decides to carry out, finance or approve, and file a NOD in the same manner as the Lead Agency.

ENVIRONMENTAL ASSESSMENT:

CEQA Documentation and Public Involvement - Caltrans and the Harbor Department have prepared a joint IS/MND and EA/FONSI for the Project which contains a description of the physical improvements of the proposed Project and location (Transmittal 3), a proposed finding that the Project, with mitigation, will not have a significant effect on the environment, the environmental analysis to support the finding, and mitigation measures to avoid potentially significant effects.

The joint IS/MND and EA/FONSI, dated June 17, 2011, was circulated for public review and comment for a period of 60 days beginning on August 1 and ending on September 30, 2011. The review period included a 30-day extension in response to requests from the public to extend the comment period. In accordance with State CEQA Guidelines § 15072, a Notice of Intent (NOI) to adopt the Mitigated Negative Declaration (MND) was released on August 1, 2011. Approximately 311 notices were mailed to agencies, stakeholders, and other interested parties. The notice and accompanying IS/MND were

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made available for public review on the Port of Los Angeles website at: <http://www.portoflosangeles.org>; at the Los Angeles Harbor Department Engineering Division at 425 S. Palos Verdes Street, San Pedro, CA 90731; at Los Angeles City Library, San Pedro Branch at 931 S. Gaffey Street, San Pedro, CA 90731; and the Los Angeles City Library, Wilmington Branch at 1300 North Avalon, Wilmington, CA 90744. Notice of the comment period was also advertised in both The Daily Breeze and La Opinion newspapers on August 10, 2011.

Pursuant to State CEQA Guidelines § 15073, the IS/MND was submitted to the State Clearinghouse for review by state agencies. A public hearing was held at the Harbor Department Board Room during the public review period on August 18, 2011.

Public Comments Received and Response to Comments - A total of 35 written comments and seven verbal comments were received during the public review period of the IS/MND. Comments were received from the Northwest San Pedro Neighborhood Council, the Office of Planning and Research State Clearinghouse, the Native American Heritage Commission, and the South Coast Air Quality Management District, and a variety of individuals.

Issues raised in the comments were primarily related to the temporary closure of the unpermitted Channel Street skate facility. The comments expressed concern over the length of the closure and described the importance of the skate facility as a positive community resource for San Pedro youth. Many comments requested that an alternative skate facility be made available during the closure. The Response to Comments contains copies of the comment letters and staff responses.

Based on the comments provided, staff has identified no new environmental effects that are not assessed and mitigated to a level of less than significant. Changes added to the IS/MND after the public review period, merely clarify, amplify, or make insignificant modifications. None of the issues raised during the comment period trigger the need to re-circulate the IS/MND pursuant to the requirements of State CEQA Guidelines § 15073.5.

Area of Controversy - It is important for the Board to be informed as to the areas of controversy associated with the proposed Project. The area of controversy that has been identified during the CEQA process relates to the continued use of the unpermitted Channel Street skate facility. The IS/MND provides the use of the area underneath the Channel Street Overhead for skating activities has not been permitted by the City of Los Angeles, who is the official owner of this property, and the decision to allow the use of this land for skating activities after completion of the proposed Project would rest with the City of Los Angeles and other entities, and is beyond the scope of the proposed Project. Therefore, consideration of the IS/MND does not constitute permission to use any of the subject premises as a skate park and any future use of

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City property as a skate park or otherwise would require a legal entitlement in compliance with the Los Angeles City Charter. Staff believes this issue remains controversial.

Finding and Conclusions - The IS/MND includes a discussion of the proposed Project's effects on the existing environment, including the identification of mitigation measures to reduce potential impacts. No significant effects that could not be mitigated to a less than significant level were identified. Potential significant environmental effects prior to mitigation include temporary construction impacts related to land use, community character and cohesion, utilities and emergency services, traffic and transportation, visual resources, cultural resources, paleontological resources, hazardous waste and materials, air quality, noise, and biological resources. With incorporation of mitigation measures as described in the IS/MND, impacts would be reduced to a less than significant level. The Project was not found to have significant cumulative impacts or unavoidable adverse impacts.

Record of Proceedings - As required by State CEQA Guidelines § 15074, the public agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, Los Angeles Harbor Department, 222 W. 6th Street, Suite 1080, San Pedro, California 90731.

NOD - In accordance with Los Angeles City CEQA Guidelines, Article I, and the State CEQA Guidelines § 15096, a NOD will be filed with the Los Angeles City and County Clerks after the Project is approved.

ECONOMIC BENEFITS:

Spending under the proposed project will support approximately 185 direct one-year equivalent construction jobs in the five-county region.

FINANCIAL IMPACT:

Costs associated with the preparation of the IS/MND amount to \$1,029,139 and were borne by the Harbor Department. Total estimated capital expenditures for this project is estimated at \$42,129,702, including a contingency of \$2,968,120, through fiscal year 2015/16, of which \$25,719,600 is grant reimbursable through the Los Angeles County Metropolitan Transportation Authority (MTA), State of California (State), and Federal Highway Administration (FHA), leaving a Harbor Department cost share amount of \$16,410,102. To date \$5,485,954 under this project has been spent, with \$966,290 budgeted for fiscal year 2011/12 and \$2,381,940 proposed to be budgeted for fiscal year 2012/13, leaving \$33,762,980 scheduled to be spent in future fiscal years through

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fiscal year 2016. Upon completion of this Project, the Harbor Department will not be responsible for ongoing operating and maintenance expenses associated with the completed Project. Caltrans and the City of Los Angeles will bear that responsibility.

CITY ATTORNEY:

The Office of the City Attorney finds that the Mitigated Negative Declaration complies with the requirements of the California Environmental Quality Act (CEQA).

TRANSMITTALS:

1. Initial Study/Mitigated Negative Declaration and Environmental Assessment/ Finding of No Significant Impact
2. Mitigation Monitoring and Reporting Plan
3. Project Feature Map

FIS Approval: ef (initials)

CA Approval: MC (initials)



CHRISTOPHER CANNON
Director of Environmental Management



MICHAEL R. CHRISTENSEN
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.
Executive Director

AUTHOR: LAURA MASTERSON
BOARD MEETING: April 5, 2012

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