CITY DOCK NO. 1
MARINE RESEARCH CENTER PROJECT

FINAL
ENVIRONMENTAL IMPACT REPORT

SCH# 2010121013

Prepared for:

Los Angeles Harbor Department
Environmental Management Division
425 S. Palos Verdes Street
San Pedro, CA 90731
Contact: Christopher Cannon, Director
c/o Kevin Grant
Phone: (310) 732-7693

Prepared by:

ICF Jones & Stokes
9775 Businesspark Avenue, Suite 200
San Diego, CA 92131
Contact: Charles Richmond
(858)578-8964

September 2012

ICF. 2012. City Dock No.1 Marine Research Center Project Final EIR. September. (ICF 211.11.) San Diego, CA. Prepared for: Los Angeles Harbor Department.

CONTENTS

TABLES

FIGURES

1.0

INTRODUCTION

1.0 INTRODUCTION

1.1 Final Environmental Impact Report Organization

A draft environmental impact report (EIR) was prepared and circulated for public comment to evaluate environmental impacts related to the construction and operation of the City Dock No. 1 Marine Research Center Project (hereafter referred to as the "proposed Project"), as proposed by the Los Angeles Harbor Department (LAHD). LAHD administers development within the Port of Los Angeles (Port) and overall Port operations. The proposed Project is located in the Port of Los Angeles, near the San Pedro Community in the City of Los Angeles (City). The proposed project site encompasses Berths 56 through 60 and Berths 70 and 71 within the San Pedro Waterfront Plan (SPWP) area, and is bounded by the East Channel to the west, the Main Channel to the east, 22nd Street to the north, and the open water of the San Pedro Bay to the south. The proposed Project involves development of an urban marine research center within a 28-acre portion of the 400-acre San Pedro Waterfront Master Plan area along the west side of the Los Angeles Harbor's Main Channel.

This chapter presents background and introductory information for the proposed Project. Additionally, this chapter discusses general changes and modifications made to the Draft EIR, which are mostly editorial in nature. Chapter 2, "Response to Comments," presents information regarding the distribution of and comments on the Draft EIR, and the responses to those comments. Chapter 3, "Modifications to the Draft EIR," presents the modifications to the Draft EIR. This Final EIR fulfills the requirements of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] 15000 et seq.). The City of Los Angeles Harbor Department (LAHD) is the lead agency.

1.2 CEQA Review Process

The preparation of the EIR began in December 2010 with the publication of the Notice of Preparation (NOP) and will conclude with the Board of Harbor Commissioner's consideration to certify the Final EIR, which is anticipated to occur in October 2012. The following describes the environmental review process that LAHD has undertaken for the proposed Project.

1.2.1 Notice of Preparation and Scoping Process

The NOP and Initial Study (IS) were released and distributed on December 3, 2010, to over 14 agencies, organizations, individuals, and the California Office of Planning and Research, State Clearinghouse. The State Clearinghouse assigned the following State Clearinghouse Number to the proposed Project: 2010121013. An executive summary of the NOP was translated into Spanish and included in the distribution. Over 70,000 postcards were distributed notifying the public of the date of the scoping meeting and the term of the comment period. Notice of the comment period and meeting was also posted in five local newspapers. The NOP was also filed with the Los Angeles City Clerk and the Los Angeles County Clerk. The public scoping comment period was open from December 3, 2010 through January 31, 2011. Six comment letters were received during the scoping period.

A public scoping meeting was held on January 13, 2011 at the LAHD Board Room in San Pedro, California. Nine people at the meeting provided written or oral comments on the proposed Project. Spanish translation services were made available at the meeting.

1.2.2 Draft EIR and Public Review

Following the scoping process, the Draft EIR was prepared and was distributed directly to agencies, organizations, and interested groups and persons for comment on May 24, 2012, for a 45-day review period to comply with Section 15087 of the State CEQA Guidelines. Approximately 32 printed and 994 digital copies (CD) of the Draft EIR were distributed to various government agencies, organizations, individuals, and Port tenants. The Draft EIR was also available for general public review from May 24, 2012, through July 9, 2012, on the LAHD website and at the Los Angeles Harbor Department Environmental Management Division, Long Beach Public Library Main Branch, Los Angeles Public Library Central Branch, Wilmington Branch, and Los Angeles Public Library San Pedro Branch. Members of the public were invited to request a CD containing the EIR, and digital copies were made available free of charge in response to requests. Due to the size of the document, the digital copies were prepared as a series of PDF files to facilitate downloading and printing.

LAHD conducted a public hearing regarding the Draft EIR on June 12, 2012, to provide an overview of the proposed Project and alternatives and to accept public comments on the proposed Project, alternatives, and environmental document. LAHD received seven comment letters on the Draft EIR during the public review period.

1.2.3 Final EIR and Certification

Following the public review period on the Draft EIR, LAHD has prepared this Final EIR, which includes responses to comments and modifications to the Draft EIR. The Final EIR is anticipated to be considered by the Board of Harbor Commissioners in October 2012 for certification along with the decision on the proposed Project.

Should the Board decide to approve the proposed Project, it will adopt Findings of Fact pursuant to PRC Section 21081 and Section 15091 of the State CEQA Guidelines to support a decision on the City Dock No.1 Marine Research Center (proposed Project). Additionally, because the EIR identified significant and unavoidable impacts, the Board of Harbor Commissioners will consider a Statement of Overriding Considerations, which finds that specific overriding economic, legal, social, technological, or other benefits of the proposed Project outweigh the unavoidable adverse environmental effects (PRC Section 21081(b); 14 CCR 15093).

Furthermore, because the EIR identifies mitigation measures to reduce certain environmental impacts, the Board must also adopt a mitigation monitoring and reporting program (MMRP) when approving or carrying out the proposed Project pursuant to PRC Section 21081.6. The purpose of this program is to ensure that when an environmental document identifies measures to reduce potential adverse environmental impacts to less than-significant levels that those measures are implemented as detailed in the environmental document.

1.3 Existing Environmental Setting

1.3.1 Regional Setting

The Port is located at the southernmost portion of the City and comprises 43 miles of waterfront and 7,500 acres of land and water, with approximately 300 commercial berths. The Port is approximately 23 miles south of downtown Los Angeles and is surrounded by the community of San Pedro to the west, the Wilmington community to the north, the Port of Long Beach to the east, and the Pacific Ocean to the south. Figure 1-1 shows the regional location of the proposed project area.

The Port is an area of mixed uses, supporting various maritime-themed activities. Port operations are predominantly centered on shipping activities, including containerized, break-bulk, dry-bulk, liquid-bulk, auto, and intermodal rail shipping. In addition to the large shipping industry at the Port, there is also a cruise ship industry and a commercial fishing fleet. The Port also accommodates boat repair yards and provides slips for approximately 3,950 recreational vessels, 150 commercial fishing boats, 35 miscellaneous small service crafts, and 15 charter vessels that handle sportfishing and harbor cruises. The Port has retail shops and restaurants, primarily along the west side of the Main Channel. It also has recreation, community, and educational facilities, such as a public swimming beach, the Cabrillo Beach Youth Waterfront Sports Center, the Cabrillo Marine Aquarium, and the Los Angeles Maritime Museum, 22nd Street Park, and the Wilmington Waterfront Park.

1.3.2 Proposed Project Setting

City Dock No.1 consists of approximately 28 acres within the Port near the San Pedro Community and includes Berths 56 through 60 and Berths 70 and 71 within the San Pedro Waterfront area. The proposed project site also includes a 4.5-acre parking lot adjacent to the 28-acre site across 22nd Street and 1.3-acre site at Berth 260, the current location of SCMI, for a total of 33.8 acres. At the local level, the

proposed project site is bounded by the East Channel to the west, the Main Channel to the east, 22nd Street to the north, and the open water of the San Pedro Bay to the south. Local access to the site is provided by 22nd Street and Sampson Way. Figure 1-2 shows the proposed Project's local setting.

1.3.3 Existing Site Conditions

The existing site comprises eight berths, including Berths 56 through 60, 70 and 71 (former Westway Terminal Site), and 260 (the existing SCMI facility). The existing Berths 56 through 60, 70, and 71 were constructed between the 1910s and 1930s, and several buildings within Berths 56, 57, 58–60, and 70–71 are considered eligible for listing as historically significant resources (see Section 3.4, "Cultural Resources" of the Draft EIR). Figure 1-3 shows the existing conditions on the proposed project site.

1.4 Proposed Project

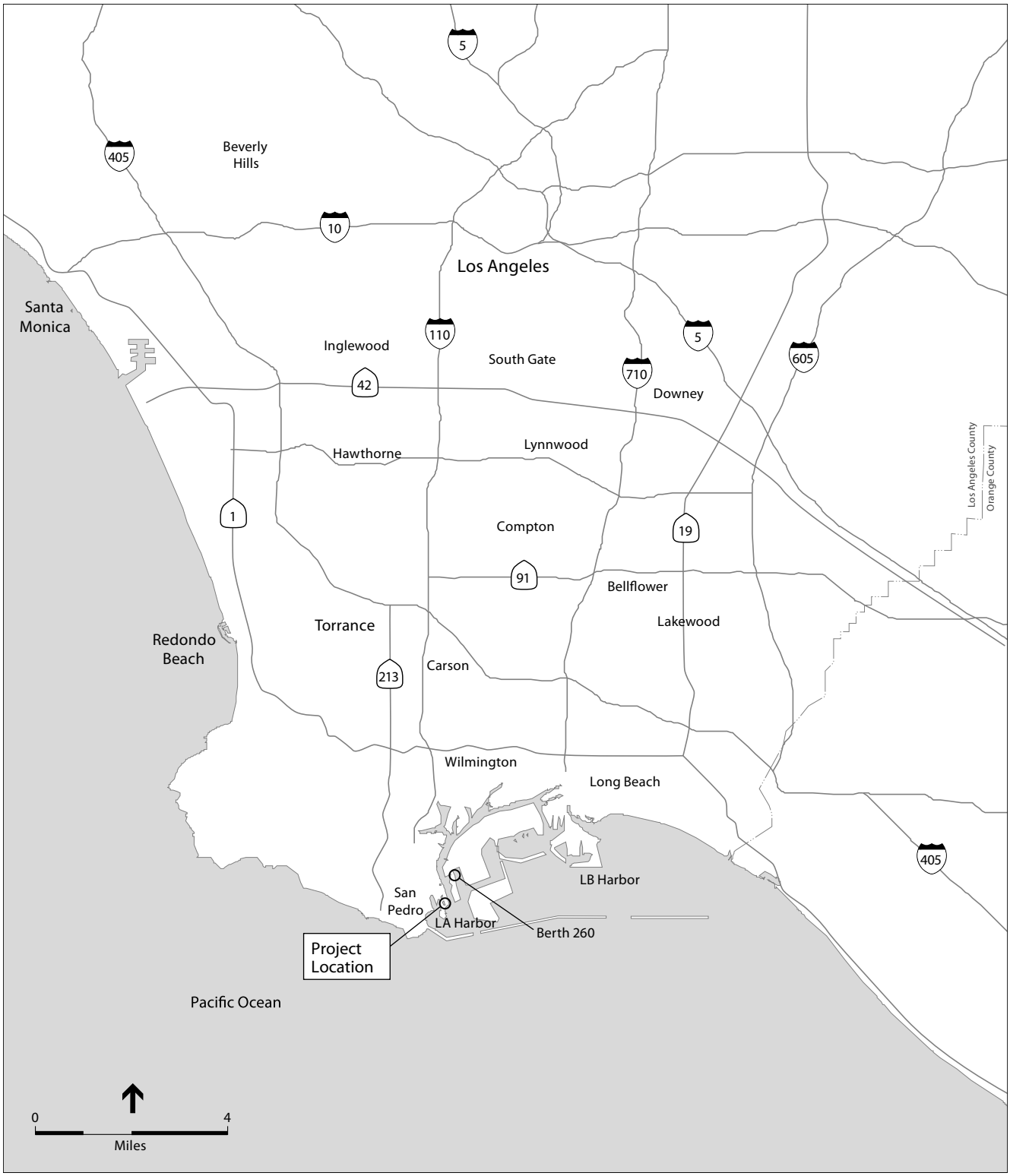
1.4.1 Proposed Project Purpose

The overall purpose of the proposed Project is to adaptively reuse the transit sheds at Berths 57–60 and the adjacent Berths 70–71 proposed project site and existing buildings (e.g., transit centers) to provide world-class marine research facilities and space to bring together leading researchers and entrepreneurs, including SCMI, southern California universities and colleges, government research agencies, such as the National Oceanographic and Atmospheric Association (NOAA), and businesses to conduct cutting-edge urban marine research and education, and develop technologies to address the most pressing problems of the day. The proposed Project seeks to achieve this purpose though the rehabilitation of the existing buildings and wharves to house state-of-the art marine research and educational facilities and provide deep draft berthing space for research vessels, and by providing for a cluster of university researchers, educational programs, and spin-off marine science technology ventures.

1.4.2 Proposed Project Objectives

The proposed Project would provide a world-class urban marine research center and support the research needs of the Southern California region's universities, research and education institutions, and government agencies, as well as provide an incubator for marine-related business venues. Specifically, the proposed Project would achieve the following objectives.

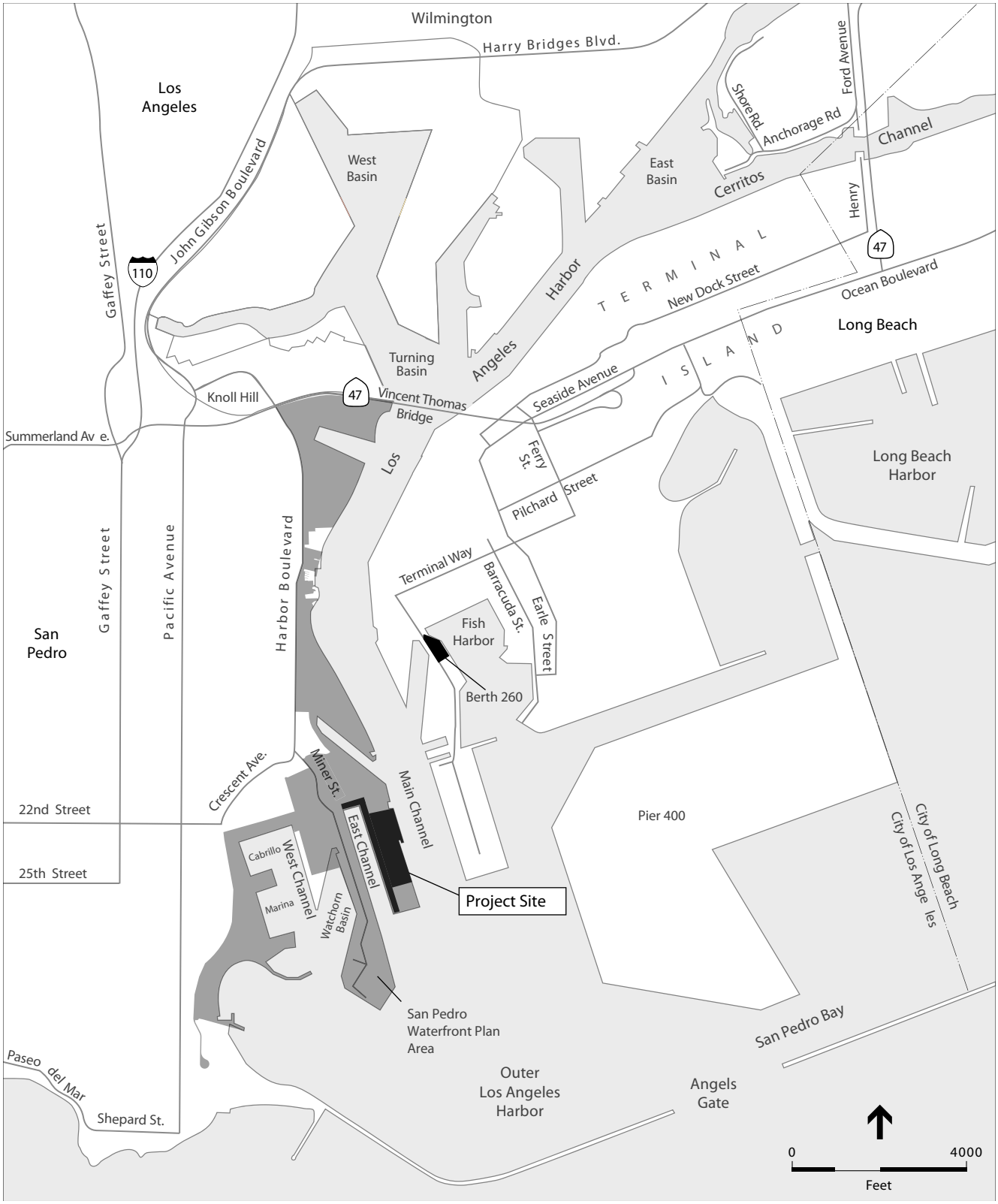
- Adaptively reuse Berths 56–60 and 70–71 to provide marine researchers in Southern California with world-class marine research facilities including laboratories, a seawater circulation system, offices, classrooms, a lecture hall/auditorium, and storage space to study the most pressing marine-related problems of the day.



K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PD\Fig1_2_Regional_Location.ai TZ (08-08-12)

SOURCE: ESA (2010)

Figure 1-1
Regional Location
City Dock No. 1 Marine Research Center Project



K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PD\Fig1_1_Project_Vicinity.ai TZ (08-08-12)

SOURCE: POLA, ESA (2010)

ICF INTERNATIONAL

Figure 1-2
Project Vicinity
City Dock No. 1 Marine Research Center Project

K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PDF\Fig1_3_ExistingConditions.mxd 8/8/2012 19542

ICF INTERNATIONAL

Figure 1-3
Existing Conditions
City Dock No. 1 Marine Research Center Project

- Construct a natural seawater wave tank to allow scientists from around the world to study tsunamis, rouge waves, and the generation of wave energy; conduct vessel and platform studies; and conduct coastal engineering studies.
- Provide space within Los Angeles Harbor to relocate, upgrade, and expand SCMI's operations, which are currently located at Berth 260 in Fish Harbor.
- Provide an opportunity for SCMI and its members, government and other institutional researchers, and research organizations with multiple deep draft berths to accommodate vessels ranging in size from small to large 300-foot vessels adjacent to landside facilities.
- Provide a location for a marine-related business incubator park for synergy among research and commercial interests, and develop commercial technologies to address marine environmental problems.
- Provide public amenities, including public education classroom space and interpretive exhibits related to marine studies and a cafe, along with a waterfront promenade, consistent with the San Pedro Waterfront Project while not impacting the health and safety of the visiting public.

1.4.3 Proposed Project Background

The proposed Project was devised in concept during the planning for the SPWP. However, at the time, details for programming the site were not known, and, therefore, as part of the SPWP, the proposed project site was programmatically analyzed for future "institutional/research and development" use in the SPWP 2009 certified Final EIR/Environmental Impact Statement (EIS).

LAHD and the Southern California Marine Institute (SCMI), with support from the Annenberg Foundation, and advice and input from area academic and research institutions, local aquariums, business leaders, environmental organizations, and community groups in San Pedro and Wilmington, joined together to develop a City Dock No. 1 urban marine research center vision, as detailed in the March 2009 visioning study (SCMI 2009). This "visioning study" compiles and organizes a diverse body of material from academic marine researchers at various campuses, community stakeholders, non-university educators, public officials, and designers into a single volume to envision the outlines of what has the potential to become a major center for marine research on the West Coast. Since completion of the visioning study, the Port, SCMI, and other City Dock No. 1 stakeholders have been working together to further expand upon that conceptual plan. The proposed Project is a result of this joint effort.

1.4.4 Proposed Project Elements

The proposed Project involves a comprehensive plan for the reuse of City Dock No. 1 that would be built out in two phases. Phase I, which is anticipated to begin in late 2012 and conclude in 2016, would include the conversion of Berths 56 and 57 into a new SCMI facility and development of an interpretive center open to the public. The majority of the remaining proposed project elements would be constructed under

Phase II, which is anticipated to commence construction in 2013 and conclude around 2024. Table 1-1 provides a summary of the two phases of development by each element and the total area each major element would contribute to the overall proposed Project. The proposed site plan is illustrated in Figure 1-4.

All construction staging and material laydown would occur within the proposed project site at Berths 70-71 and the Sampson Way and 22nd Street Parking Lot during Phase I, with the majority of the staging and laydown occurring at the parking lot as Phase II progresses toward completion. In addition, prior to commencement of the proposed Project, the existing occupant (SP Bait Company) would relocate its operations from the proposed project site.

Table 1-1. Elements of the Proposed Project

Element/Phase	*Area*
PHASE I (2012–2016)	
Berth 56	
▪ Construct 2-Story Learning Center at Berth 56 (150-seat lecture hall/auditorium and classrooms)	11,500 sf
Berth 57	
▪ Convert Berth 57 Transit Shed into SCMI Research Facility and Develop Marine Research- and Education-Related Facilities □ Office-Related Space (12,000 sf) o Faculty Office Space o Administrative Suite o Staff Support Facilities (toilets, showers, and lockers) □ Laboratory Related Space (34,500 sf) o Teaching Laboratories o Research Laboratories and Facilities o Lab Support Space o Building Support Facilities (machine shop, storeroom, chemical storage, hazardous waste, scuba gear, instrument support, etc.)	46,500 sf
□ Outdoor Space (8,200 sf)[1] o Outdoor Teaching/Outreach Classroom o Outside Storage Space	
▪ Replace Berth 57 Entrance (3,640 sf) with New Addition (Public Interpretive Center)	3,600 sf

Element/Phase	*Area*
▪ Install Seawater Circulation and Life Support System including Exterior Storage Tanks for Berths 57 and Seawater Intake/Discharge Infrastructure to Serve City Dock No.1 Research Laboratory Buildout	New utility
▪ Construct Floating Docks Adjacent to Berth 57 (12 vessel slips)	18,500 sf
▪ Rehabilitate/Repair Berth 57 Wharf and Associated Ground Improvements	625 lf[1]
□ Create Berthing for Research Vessels and Loading Space on the Wharf for Crane	--
▪ Construct Public Plaza at Berth 57	7,500 sf[1]
▪ Relocate SCMI from Berth 260 to new Berth 57 Facilities	--
Berth 260	
▪ Demolish Existing SCMI Facility (demolition of existing 19,000-sf building, 2,700-sf warehouse, and 2,400-sf shop storage)	(24,100 sf)
Total Structure Square Feet in Phase I	*80,100 sf*[2]
Signal Street Improvements/Parking Facilities	
▪ Repair/Repave/Restripe	625 lf[1]
▪ Add Surface Parking Adjacent to Berth 56	15 spaces
▪ Add Surface Parking Adjacent to Berth 57	40 spaces
▪ Utilize Sampson Way and 22nd Street (existing parking lot; 4.5 acres)	409 spaces
Total Parking Added in Phase I	*55 spaces*
Total Available Parking in Phase I	*464 spaces*
Total Area Redeveloped and Enhanced in Phase I	*8.8 acres*
PHASE II (2013–2024)	
Berths 58–60	
▪ Covert Transit Sheds into Marine Research Facility □ Office Related Space (50,000) o Office/Administrative Space3 o Staff Support Facilities (toilets, showers, and lockers) o Hallways, Walkways □ Laboratory Related Space (70,000) o Research Laboratories and Facilities o Lab Support Space o Storage Facilities (robotics, instruments, etc. deployed on marine research vessels) o Marine Research Vessel Support Facilities (crew quarters, showers, etc.) o Building Support Facilities (machine shop, storeroom, chemical storage, hazardous waste, scuba gear support, etc.) □ Outdoor Space (16,400 sf) o Outside Storage Space	120,000 sf

Element/Phase	*Area*
▪ Convert Transit Shed to Marine Business Incubator Space □ Office Related Space (20,000) o Office/Administrative Space3 o Staff Support Facilities (toilets, showers, and lockers) □ Laboratory Related Space (40,000) o Research Laboratories and Facilities o Lab Support Space o Storage Facilities (robotics, instruments, etc. deployed on marine research vessels)	60,000 sf
▪ Develop Waterfront Promenade including Public Plaza/Viewing Platform at Berth 60	6,000 lf[1]
▪ Construct Waterfront Café	1,000 sf
▪ Install Seawater Circulation System including Exterior Storage Tanks for Berths 58–60	New utility
▪ Relocate Items Stored by Water Taxi Service (to within the general vicinity)	--
▪ Rehabilitate/Repair Berths 58–60 Wharf and Associated Ground Improvements	1,875 lf[1]
□ Create Berthing for Research Vessels and Loading Space on the Wharf[3]	--
Berths 70-71 (Westways)[4]	
▪ Construct 2-Story NOAA Administration and Research Facility	50,000 sf
▪ Implement Wharf Maintenance	--
▪ Construct 5-story Building (to house an 80,000 sf wave tank), including Seawater Intake	100,000 sf
▪ Opportunity Site. Options could include: □ Support Facilities for Berth 57–60 Operations such as Seawater Storage Tanks, Life Support Facilities, Discharge Treatment Facilities, and Storage Space. □ Outside Research Tanks □ Additional Marine Research/Business Laboratory Space	
Total Structure Square Feet in Phase II	*331,000 sf*
Signal Street Improvements/Parking Facilities	
▪ Implement Repaving and Restriping	1,875 lf[1]
▪ Install New Diagonal Parking	155 spaces
▪ Remove Existing Heavy Rail Line from Street	8,000 lf[1]
Total Parking Added in Phase II	*155 spaces*
Total Parking Available in Phase II	*619 spaces*[5]
Total Area Redeveloped and Enhanced in Phase II	*25.00 acres*

Element/Phase	*Area*
PROPOSED PROJECT TOTALS	
Total Proposed Project Area Structures	411,100
Total Parking Spaces Available for Proposed Project	619
Total Proposed Project Area Redeveloped and Enhanced	33.8 acres

[1] Not a structure and is therefore not counted in total structure sf.

[2] Excludes demolition of existing SCMI Facility at Berth 260.

[3] NOAA facilities, including office and research space within Berths 58–60 Transit Shed and berthing space at Berths 58–60 to be relocated to Berths 70–71 when remediation and development of those berths has been completed.

[4] Demolition of the Westway tanks, piping, and related structures at Berths 70–71 as well as the remediation following has been analyzed under the San Pedro Waterfront EIS/EIR and is not considered a component of the proposed Project.

[5] In addition to the 155 new parking spaces provided under Phase II, visitors and employees would have access to the 464 parking spaces identified under Phase I for a total of 619 spaces for the proposed Project.

sf = square feet; lf = linear feet

1.4.4.1 Learning Center Building (Berth 56)

Berth 56 improvements under Phase I would include construction of a Learning Center building. This building would include three classrooms and a 150-seat auditorium that would feature theater-style seating and related facilities. The Learning Center would be designed in accordance with the Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards) to ensure architectural compatibility with adjacent historic resources, including plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards.

1.4.4.2 Transit Shed Upgrades for SCMI (Berth 57)

In order to achieve the conversion of Berth 57, construction would first involve wharf upgrades and landside improvement to meet current seismic code. Upon completion of the wharf retrofit and ground improvements, work would begin on upgrading the existing Berth 57 transit shed to current seismic and occupancy codes. Phase I would also include the demolition of an existing 1933 wood-frame structure to allow construction of a new glazed entryway to potentially house the public interpretive center. The new structure would introduce a contemporary, neutral, and visually prominent entrance into the SCMI facility, distinct from the existing historic transit shed façade. This new façade may include large glass aquaria at the entrance way. The façade would reflect the same general shape and profile as the transit shed in height and massing and could include an area for public education and outreach.

The existing Berth 57 transit shed would require extensive renovations prior to occupancy by SCMI. The SCMI research facility would include office space for faculty, staff, and administration; laboratory space for teaching and research laboratories; lab support and building support spaces; and outdoor space for outdoor teaching, classrooms, and storage space. A seawater circulation and life support system would be installed at Berth 57, including exterior storage tanks, and seawater

intake/discharge infrastructure adequate to serve City Dock No. 1 urban marine research center build-out.

Repair, retrofit, and rehabilitation of the transit shed to address structural deficiencies would be facilitated by the exposed condition of all structural elements. These include repairing rusted exterior corrugated metal siding with new panels, upgrading structural connections to meet established seismic and wind load resistance, retrofitting large openings (east and west façades) to ensure stability and water tight openings, sandblasting and repainting corroded steel members and gusset plates, and replacing deteriorated and damaged steel members, as required. In addition, it is anticipated that new traverse and longitudinal frames would be added, interior steel columns repaired, and new concrete encasements around the base of each column constructed. Installation of a continuous perimeter foundation wall, limited to shallow (2 to 3 feet maximum) excavations to inhibit water intrusion at the building perimeter and utility placement may be required. However, to gain access to the wharf underlying the transit sheds, the roof and western façade of the transit sheds would be temporarily removed to provide direct access to the wharf for pile driving purposes.

All renovations would be required to conform to the Secretary's Standards for buildings eligible for listing or listed on the National Register of Historic Places (NRHP) and would undergo a plan review by a qualified consulting architectural historian to ensure compliance. Due to the minimal nature of the existing structure (without insulation), the existing transit sheds would primarily serve as an "outer shell building" to provide basic shelter from water and wind and sun. The proposed marine laboratory, classroom, and office SCMI facility facilities would be within the existing envelope of the transit shed and be constructed by the tenant, SCMI. Therefore, the historic integrity of Berth 57 would be maintained and, at the same time, it would be adaptively re-used to integrate state-of-the-art fire/life safety protection, seismic resistance, security features, and utility infrastructure as required by its change in use. The exterior of the transit sheds would largely be maintained with the exception of necessary improvements to the siding, roof, cornices, etc. There is a potential that a few of the current loading doors would be replaced with windows to provide for public viewing/research interpretive opportunities. The following list summarizes the ways in which this proposed project element would generally meet the guidance provided in the Secretary's Standards.

- Existing metal roll-up-style doors would be replaced with new glazed openings to provide more light, air, and egress into the interior spaces. This modification would be consistent with the guidance provided by the Secretary's Standards because it would maintain the repetitive punched openings along the structure's elevations, and most of the roll-up doors are non-original replacements. The design of the new glazing systems would reference the industrial maritime character of the building, with industrial metal sashes and clear glazing, as opposed to vinyl or wood sashes and reflective or opaque glazing.
- Deteriorated historic features would be repaired rather than replaced whenever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature would match the old in design, color, texture, and other visual qualities and, where possible, materials. In the case of the Berth 57 transit

Path: K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PDF\Fig1_4_ProposedProjectSitePlan.mxd; Author: 22912; Date: 8/8/2012

Figure 1-4
Proposed Project Site Plan
City Dock No. 1 Marine Research Center Project

shed, rusting corrugated metal siding, steel members, and gusset plates would be repaired, and those materials that cannot be repaired due to advanced deterioration would be replaced in-kind with similar metal materials.

- Correcting structural deficiencies in preparation for the new use is allowable by the Secretary's Standards assuming that the improvements are completed in a manner that preserves the structural system and individual character-defining features. In the case of the interior of the transit shed at Berth 57, the open trusses are character-defining features of the building's interior. Upgrading the structural connections would not obscure, remove, or otherwise significantly alter in an adverse manner the metal truss system.
- Removal and replacement of portions of the roof and western façade to accommodate the wharf improvements and associated ground improvements at the Berths 57–60 transit shed would reuse the existing materials (corrugated metal roofing and siding) to the extent feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature would match the old in design, color, texture, and, where feasible, materials
- In the case of the Berth 57 transit shed, the new interior "buildings" would not obscure or destroy the interior truss work, allowing these features to read as original features of the building. The new interior structures would not reach the ceiling, thus allowing the open, floor-to-ceiling height of the interior spaces to read visually as they do today (i.e., not obscure the clerestories). The new construction would also retain a significant amount of open interior space, particularly in the center of the building, where long interior vistas are possible (i.e., new construction will be relegated to the side aisles of the structure). The buildings would be differentiated from the old but also compatible with the massing and scale of the building. Therefore, industrial shed-like architecture with exposed steel structures and metal siding would be an appropriate architectural motif for the new construction.
- New additions and adjacent or related new construction would be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

1.4.4.3 Floating Docks (Berth 57)

Phase I would also develop an 18,500-square-foot, 12-slip floating dock in the East Channel adjacent to Berth 57 to accommodate existing small SCMI research vessels and to allow sufficient capacity for additional small research vessels.

1.4.4.4 Wharf Improvements and Associated Ground Improvements (Berths 57–60)

In order to accommodate the proposed project elements at Berths 57–60, construction would involve first upgrading the adjacent wharf and the existing retaining wall to current seismic code. There are two potential options for the wharf improvements and associated ground improvements.

The first option involves installing 127 new 72-inch diameter steel pipe piles (superpiles) with 20 feet of spacing along the footprint of the existing building. The superpiles would be installed in-water and would carry virtually all of the seismic loads, leaving the existing structure to carry only gravity loads. In addition, to retain the existing aesthetic appearance, the new superpiles would be set back from view, and the existing viewable rows of piles would be replaced with new concrete piles that would be indistinguishable from the existing condition, which would allow the new wharf to retain the same general appearance. Similar to the existing wharf design, the first row of concrete piles, end caps, and decking along the westernmost edge of the wharf would be reconstructed using approximately 16-inch-square concrete piles spaced about 15 feet apart with a concrete deck resting directly above. As such, these new features would match the old in design, color, texture, and materials, and would conform to the guidance provided by the Secretary's Standards. When detailed plans of the replacement piles are available, they would be reviewed by a qualified consulting architectural historian to ensure compliance with the Secretary's Standards. Work would include removing the roof of the existing transit sheds, demolishing 18,288 square feet of existing concrete slab, installing silt curtains, driving the piles, pouring new pile caps and deck slab, and replacing the roof. Exterior façade removal and reinstallation along the entire length of Berths 58–60 would be required.

The second option involves the installation of 252 new 60-inch-diameter steel pipes (in groups of four), which would be located along the back face of the existing seawall, outside of the water, spaced 40 feet apart. The four-pile groups would be installed with a 5-foot-thick concrete pile cap to minimize the displacement of the wharf structure during a seismic event. A 6-inch-thick topping slab acting as a "drag-slab" would extend across the existing deck to tie in the existing wharf structure to the new pile clusters. The existing viewable rows of piles would be replaced with new concrete piles that would be indistinguishable from the existing condition, which would allow the new wharf to retain the same general appearance. Similar to the existing wharf design, the first row of concrete piles, end caps, and decking along the westernmost edge of the wharf would be reconstructed using approximately 16-inch-square concrete piles spaced about 15 feet apart with a concrete deck resting directly above. As such, these new features would match the old in design, color, texture, and materials, and would conform to the guidance provided by the Secretary's Standards. When detailed plans of the replacement piles are available, they would also be reviewed by a qualified consulting architectural historian to ensure compliance with the Secretary's Standards. Work would include removing the roof of the existing transit sheds, demolishing 6,300 square feet of existing concrete slab, installing silt curtains, driving the piles, pouring new pile caps and deck slab, and replacing the roof.

Both options would require removal and replacement of the transit shed's roof and western façade, which are considered character-defining features of these historic buildings. In order to comply with the Secretary's Standards, the existing corrugated metal siding and roofing would be removed, stored, and reinstalled to the extent feasible and where such materials and features are currently in good condition, or would be replaced in-kind if such materials are deteriorated beyond repair.

Prior to initiating the wharf improvements, the SP Bait Company would relocate operations either across the East Channel or to Fish Harbor. However, the barge would remain in its current location as permitted under the current lease.

1.4.4.5 Demolition of SCMI Facilities (Berth 260)

Upon completion of the conversion of Berth 57 into new SCMI marine research and educational space, SCMI would be relocated from its Berth 260 location to Berth 57. The existing SCMI building and parking lot at Berth 260 in Fish Harbor on Terminal Island would be vacated. The facilities to be demolished include an existing office and research building, a storage warehouse, a workshop, and shop storage. The floating docks would remain. After structure demolition, the site would be graded and restored as required by LAHD's agreement with SCMI. Any future development associated with this site would be subject to separate environmental review in accordance with CEQA.

1.4.4.6 Transit Shed Upgrades for Marine Research Facility and Business Incubator Space (Berths 58–60)

Under Phase II, Berths 58–60 would be converted to provide approximately 120,000 square feet for marine research facilities and approximately 60,000 square feet of marine business incubator space. These facilities would include office space, which could be utilized for temporary office space for NOAA, until Berths 70–71 are developed. The storage areas at the end of Berth 60 utilized by the water taxi service would be relocated within the general vicinity of Berth 60 to better accommodate the proposed Project.

The seawater circulation and life support system would be expanded to Berths 58–60 during Phase II, as described further in Section 2.3.4.8 of the Draft EIR. In order to achieve the conversion of Berths 58–60, construction would first involve wharf upgrades and ground improvement to meet current seismic code. Upon completion of the wharf and ground improvements, the next steps would involve upgrading the existing transit shed at Berths 58–60 to meet current seismic code, as well as renovating the building in conformance with the Secretary's Standards for buildings eligible for listing or listed on the NRHP. Conversion of Berths 58–60 would occur much as it would for Berth 57 in that tenant improvements would be constructed within the envelope of the existing transit shed.

The repairs and upgrades to the transit shed at Berths 58–60 would be designed to meet the Secretary's Standards' requirement for new work to be compatible with, yet architecturally differentiated from, the old, including plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards. The building parameters discussed above for the Berth 57 transit shed would be applicable to the Berth 58–60 transit shed repairs.

1.4.4.7 Berths 70 and 71 (Westway Terminal)

Once remediation and restoration activities at Berths 70–71 are completed, the proposed Project would develop Berths 70–71 with a 50,000-square-foot facility for NOAA that would include office and laboratory space. The NOAA building would be designed in accordance with the Secretary's Standards, including plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards.

The two-story building would be subordinate to the six-story Municipal Warehouse No. 1 building. The building design would reference the adjacent building's maritime industrial character, materials, and massing. As an example, appropriate design cues would be taken from the adjacent Municipal Warehouse No. 1 building, such as a rectilinear form with flat roof or monitor roof shapes, exposed exterior walls painted a light color, expressed pilasters, repetitively punched openings, and symmetrically arranged elevation. The use of overly elaborate architectural styles that purposely depart from the simple, maritime industrial character of the area would be avoided, as would large amounts of landscaping, because landscaping is not characteristic of the area.

The Westway Terminal Administration Building (also known as the Pan-American Oil Company Pump House) would be adaptively reused by a future occupant. The Mission Revival style character of the Westway Terminal Building would be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize this building, stucco wall cladding, or stepped Mission parapet, would be avoided.

Deteriorated historic features of the Westway Terminal Building would be repaired rather than replaced, to the extent feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature would match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features would be substantiated by documentary, physical, or pictorial evidence, to the extent available.

In addition, Berths 70–71 along the Main Channel would be made available for berthing of research vessels, with a maximum vessel length of approximately 250 feet. There are no plans to relocate current vessels in the NOAA fleet to the proposed project site, but there is a possibility that future built vessels could be home ported at City Dock No.1. Furthermore, full functioning of the site would include the regular docking of NOAA vessels home-ported in other locations but passing through Los Angeles as part of research expeditions.

Redevelopment of Berths 70–71 would also involve development of an 80,000-square-foot steel-reinforced concrete wave tank on the land side, which would be enclosed within its own five-story, 100,000-square-foot building. The wave tank would be constructed to allow the study of tsunamis, rouge waves, and the generation of wave energy, as well as vessel and platform, and coastal engineering studies. The wave tank building would include an internal crane mechanism for moving tank baffles and actuators and equipment within the building.

The base of the building would be above the mean high tide mark, which would allow for a depth of approximately 10 feet below the existing grade elevation. The first story would comprise the foundation, the next two stories would house the wave tank, the fourth story would include walkways and view platforms, and the final story would provide clearance for cranes to maneuver the wave tank baffles.

The building would be designed to be compatible with the historic materials and features of nearby historic structures to the extent feasible given its required size. For example, the design of the wave tank would reference motifs, massing, and materials of other large-scale buildings in the immediate vicinity to help maintain the industrial maritime character of the district.

1.4.4.8 Marine Research Facility Support Structures

The proposed urban marine research center is intended to support marine research and entrepreneurial business development to address the next generation of ocean-driven challenges and opportunities such as tidal, wind, and biomass energy; aquaculture and sustainable fisheries; shoreline dynamics; and tsunamis, rouge waves, remote sensing, coastal resource management, marine pollution, marine biochemistry and pharmacology, underwater robotics, and climate change and sea-level rise. The proposed Project would not only support marine research being conducted by Southern California universities and colleges and state and national marine-related agencies, but is also intended to accommodate visiting researchers from around the nation and world.

Research would be selected, undertaken, and managed by the tenants/subtenants of City Dock No. 1. Research topics are anticipated to evolve and change over time, as new information and environmental concerns are identified. Similarly, equipment storage needs, seawater circulation system, life support system, and seawater volume needs are anticipated to fluctuate over time based on research being conducted.

Marine Research Seawater In-Take, Life Support, and Treatment Systems

Initially, the seawater system, and associated life support and water treatment systems, and water would only serve Berth 57, but the intake/discharge infrastructure would be designed with enough capacity to eventually serve Berths 58–60 and 70–71 once those upgrades and new construction are completed in Phase II. The current combined volume of all Berths 57–60 and 71 marine research tanks is estimated at approximately 1,000,000 gallons.

Seawater storage tanks necessary for Berth 57 marine research operations would be installed as part of Phase I. Additional seawater storage tanks would be added as additional research and business incubator facilities are developed in Phase II in order to address the needs of those additional operations. Life support systems, such as water filtration, protein skimmers, and ozone treatment systems would also be constructed and installed, as applicable, to all City Dock No. 1 facilities, with space reserved for additional components to be added as build out of the center proceeds.

Chillers and heaters would be installed for seawater systems that require specific temperature requirement.

The exact seawater system(s), life support, and treatment systems to be utilized at the facilities would be designed to meet the needs of the research planned to be conducted within each section of the proposed City Dock No. 1 facility, for which specific detailed needs are currently unknown. However, it is anticipated that the seawater systems would comprise a combination of both flow-through and recirculating capabilities. Depending on the system that is ultimately developed, the quantity of discharge, and the types of activities that occur and species handled in the research laboratories, different discharge and filtration requirements may be needed for either ocean or sewer discharge. Conservative intake and discharge estimates for each type of seawater system are included to ensure potential impacts of both potential marine research facility seawater systems were evaluated and addressed in the Draft EIR.

Seawater In-Take and Discharge

The seawater intake and discharge locations for the Berths 57–60 and 70–71 research facilities are proposed to be located at the southern end of City Dock No.1, slightly extending out past the rip-rap, or under the Berths 57–60 wharves, as deemed most appropriate for the final seawater system design. It is anticipated that the seawater systems would comprise a combination of both flow-through and recirculating capabilities. The intake flows would be limited to 0.5 feet per second or less, which is the velocity identified in the U.S. Environmental Protection Agency (EPA) guidelines as a rate that generally allows fish to pull away from the intake structure and results in *de minimus* impingement levels. The intake pipe size would be designed to acquire the volume of water needed, while ensuring a velocity of 0.5 feet/second or less. The in-take would be located in an area without nearby sensitive habitat, would operate at low flows and velocities, and would be screened to minimize entrainment and impingement. Should a combination of recirculation and flow-through system be used, seawater in-take volume would be significantly less.

The discharge rate for flow-through systems would use the same rate as the in-take. The discharge location would be to the west of the proposed in-take location at the southern end of City Dock No.1, or under the Berths 57–58 wharves, as deemed most appropriate for the final seawater system design.

Flow-Through Seawater Systems

Flow-through seawater systems would take in seawater and circulate it through the marine tanks. After circulation through the tanks, the seawater would be filtered and treated for discharge back to the harbor. This type of system minimizes the need for: (1) seawater storage tanks; (2) life support treatment systems, such as protein skimmers and ozone treatment; (3) seawater discharge to the sewer; and (4) electricity usage. Based on the experience of the existing SCMI operation, it is currently anticipated that filtering systems would be adequate to treat seawater from the flow-through system for ocean discharge.

To ensure a healthy environment for marine life, it is anticipated that the water in all tanks would need to be turned over twice daily. This would result in the need to in-take and discharge 2,000,000 gallons per day, twice the volume of the City Dock No. 1 research facility tanks, every 24-hour period.

In-take seawater may be chilled, or heated, as appropriate for the tanks and research being conducted. Water that is higher or lower than ambient harbor water temperatures would be managed during discharge to achieve ambient water temperatures prior to discharge to the harbor. Seawater used in tanks that house nonnative species would either be discharged to the sewer or processed through enhanced treatment systems, as necessary to eradicate any nonnative species and prevent their introduction into harbor waters.

Recirculating Seawater Systems

Recirculating seawater systems would take in seawater, circulate it through tanks, and then filter and treat the water to remove biological waste created by marine organisms maintained in the tanks through filtration, protein skimmers, and ozone treatment. The water would then be recirculated through the tanks. New seawater would be introduced on an ongoing basis as needed to maintain the appropriate water quality, and re-used seawater would be discharged. The turnover rates of seawater for recirculation systems vary based on the treatment systems used and marine organisms maintained. Based on the experience of local aquariums an annual turnover rate of between 6 and 10 is anticipated, resulting in daily intake and discharge volumes of between 16,438 and 27,397 gallons, respectively. Maximum marine research facility sanitary seawater discharge, based on a 100% recirculating seawater system with a 10 times per year turnover rate, would be 27,397 gallons/day. However, should a combination of recirculation be used, seawater discharge volume would be significantly less.

Used seawater would require treatment prior to discharge to the sanitary sewer or harbor. Should sanitary sewer discharge be involved, discharges would need to be scheduled to avoid negative impacts on the Terminal Island Treatment Plant, and would be sampled and monitored to ensure compliance with industrial waste discharge requirements for sanitary sewer discharge. In addition, filters used in the recirculated seawater cleansing process must be backwashed to maintain the cleansing ability. The backwash would require discharge to the sanitary sewer. Recirculation systems minimize water in-take and are able to better control fluctuations in water quality. However, recirculation systems are space intensive, requiring a large footprint for storage tanks and life support/treatment systems, and are energy intensive. In addition, due to the re-use of water, biological wastes are concentrated, and discharged water requires a greater level of treatment than flow-through systems for harbor discharge, resulting in additional space needs and energy resources.

As in the case of the flow-through system, in-take seawater may be chilled, or heated, as appropriate for the tanks and research being conducted. However, water temperature would not be a consideration for seawater discharged to the sanitary sewer.

Wave Tank Seawater In-Take and Discharge

A separate seawater intake and treatment system would be developed for the wave tank during Phase II. The proposed wave tank has a total proposed volume of approximately 14,361,600 gallons, and the in-take is proposed to be located along the Berths 70–71 wharf in the main channel.

The gallon per day seawater in-take for filling the proposed wave tank would largely be dependent upon the time allocated to initially fill the tank. A 90-day tank fill time would require 159,574 gallons/day. The in-take flows would be limited to 0.5 feet per second or less. After the initial filling of the wave tank, ongoing seawater in-take needs would be minimal because discharges from the wave tank would be infrequent and intermittent.

Once filled, the seawater in the wave tank would be chemically treated to eliminate marine growth within the tank and retained in stasis except on rare occasions when lower water levels would be needed for a study. On such occasions water may be discharged from the tank. Upon completion of the study, seawater would be needed to again fill the tank. Prior to discharge, chemically treated water would be filtered to ensure that chemicals used to treat the water are removed prior to discharge to the harbor or would be discharged to the sanitary sewer. Discharges would be tested and monitored to ensure compliance with all applicable discharge requirements. The wave tank harbor discharge location would be adjacent to the in-take location along the Berths 70–71 wharf in the main channel.

1.4.4.9 Waterfront Promenade

The SPWP EIS/EIR (POLA 2009) assessed the construction of a continuous waterfront pedestrian promenade throughout the waterfront project site. Extending the promenade through a marine laboratory facility could pose special challenges because the waterfront would be utilized for vessel loading on a routine basis by forklifts, cranes, and other heavy equipment at unpredictable intervals. The approximately 6,000-linear-foot promenade would be constructed along the edge of the wharf in such a manner as to maintain public access without creating a safety hazard or otherwise unduly impeding the work that is necessary at a marine laboratory. As such, as part of the proposed Project, the proposed location of the promenade would be along East 22nd Street and Signal Street, and along the existing wharf that runs the perimeter of City Dock No. 1, to the extent feasible. The south end of Berth 60 would be developed to accommodate a public viewing area and platform.

1.4.4.10 Signal Street Improvements

Signal Street would be repaved and realigned as part of the proposed Project. As part of the realignment, a total of approximately 195 diagonal parking spaces would be provided along one side of the street. The proposed Project would add 15 spaces adjacent to the Berth 56 Learning Center building, 40 new spaces adjacent to the Berth 57 transit shed, and 155 spaces adjacent to Berths 58–60. In addition, the existing heavy rail tracks that are embedded within Signal Street would be removed

(approximately 8,000 lineal feet), and the area that is disturbed during the rail removal would be repaved.

1.4.4.11 Utility Improvements

The proposed Project would provide new utility connections to the proposed buildings as well as the existing buildings to allow for the proposed project elements described above. All connections would be located within the proposed project site and would connect with the existing infrastructure located under Signal Street. In addition to the general utility connections, the proposed Project would potentially upgrade the existing sewer pump servicing the proposed project site. This upgrade to the sewer pump would provide additional capacity to accommodate the proposed Project under full buildout as well as additional future projects if needed.

1.4.4.12 Sustainable Design Project Features

The proposed Project is intended to showcase LAHD's commitment to sustainability. The proposed Project would incorporate a number of sustainable elements focusing on the effort of LAHD to create a green Port. These are analyzed as part of the proposed Project within the Draft EIR. Additionally, the proposed Project would incorporate several features to enhance the final design of the proposed Project. Although not required to mitigate a significant impact, these design measures would further minimize the proposed Project's effect on surrounding uses and environmental resources. The following proposed project elements and design measures are consistent with LAHD's Sustainability Program and policies.

- Use recycled water if available for all landscaping and water feature purposes to decrease the proposed Project's use of potable water.
- Include drought-tolerant plants and shade trees in the planting palette.
- Require Leadership in Energy and Environmental Design (LEED™) certification for all new buildings as feasible by implementing and ensuring consistency with LAHD's Green Building Policy; LEED Certification (minimum Silver) is required for all new development over 7,500 square feet.
- Follow LAHD sustainable engineering design guidelines in the siting and design of new development.
- Employ LAHD sustainability measures during construction and operation and use recycled and locally derived materials for proposed project construction, while achieving recycling goals for construction and demolition debris.
- Implement energy efficient design features in the final design to help ensure energy needs are minimized to the extent feasible during construction and operation of the proposed Project.
- Implement water quality and conservation design features in the final design to help ensure water quality impacts are minimized during construction at the water's edge and in the water and operationally through the use of construction best management practices (BMPs) and bioswales.

- Implement aesthetic design features. Public art would be integrated into the proposed project area and would include sculptural pieces. Views of the waterfront would be created through the construction of the waterfront promenade around the edge of the site. The proposed Project would also implement the San Pedro Waterfront Development Design Guidelines to improve efficiency and reduce glare.
- Implement pedestrian access features. Pedestrian access to the waterfront and throughout the proposed project site would be improved through development of a waterfront promenade. The proposed Project would also be designed to accommodate the extension of the Waterfront Red Car Line, which was previously approved under the SPWP in 2009.

1.5 Port of Los Angeles Environmental Initiatives

1.5.1 Port of Los Angeles Environmental Management Policy

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

> LAHD is committed to managing resources and conducting Port developments and operations in an environmentally and fiscally responsible manner. LAHD strives to improve the quality of life and minimize the impacts of its development and operations on the environment and surrounding communities. This is done through the continuous improvement of its environmental performance and the implementation of pollution-prevention measures, in a feasible and cost-effective manner that is consistent with the overall mission and goals of LAHD and with those of its customers and the community.
>
> To ensure this policy is successfully implemented, LAHD will develop and maintain an Environmental Management Program that will:
>
> 1. Ensure this environmental policy is communicated to Port staff, its customers, and the community;
> 2. Ensure compliance with all applicable environmental laws and regulations;
> 3. Ensure environmental considerations include feasible and cost effective options for exceeding applicable regulatory requirements;
> 4. Define and establish environmental objectives, targets, and best management practices and monitor performance;
> 5. Ensure the Port maintains a Customer Outreach Program to address common environmental issues; and

6. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations through environmental awareness and communication with employees, customers, regulatory agencies, and neighboring communities.

The Port is committed to the spirit and intent of this policy and the laws, rules and regulations, which give it foundation.

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

1.5.2 Environmental Plans and Programs

LAHD has implemented a variety of plans and programs to reduce the environmental effects associated with operations at the Port. These programs include the San Pedro Bay Port Complex Clean Air Action Plan (CAAP), Water Resources Action Plan (WRAP), deepening the channels of the Port to accommodate larger and more efficient ships, and converting to electric and alternative-fuel vehicles. All of these efforts ultimately reduce environmental effects.

1.5.2.1 Clean Air Action Plan

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

In 2004, LAHD developed a plan to reduce air emissions through a number of near-term measures. The measures were primarily focused on decreasing nitrogen oxide (NO_X), but also diesel particulate matter (DPM) and sulfur oxides (SO_X). In August 2004, a policy shift occurred, and Mayor James K. Hahn established the No Net Increase Task Force to develop a plan that would achieve the goal of No Net Increase (NNI) in air emissions at the Port relative to 2001 levels. The plan identified 68 measures to be applied over the next 25 years that would reduce particulate matter (PM) and NO_X emissions to the baseline year of 2001. The 68 measures included near-term measures; local, state, and federal regulatory efforts; technological innovations; and longer-term measures still in development.

In 2006, in response to a new mayor and the Los Angeles Board of Harbor Commissioners, LAHD—together with the Port of Long Beach and in conjunction

with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB) and EPA—began work on the CAAP, a comprehensive strategy to cut air pollution and reduce health risks from port-related air emissions. The CAAP's goal was to expand upon existing emissions reductions strategies and to develop new ones. The draft CAAP was released as a draft plan for public review on June 28, 2006, and it was approved at a joint meeting of both the Los Angeles and Long Beach Boards of Harbor Commissioners on November 20, 2006.

Through the CAAP, the ports have established uniform air quality standards for the San Pedro Bay. To attain such standards, the ports will leverage a number of implementation mechanisms including, but not limited to, lease requirements, tariff changes, CEQA mitigation, and incentives. Specific strategies to significantly reduce the health risks posed by air pollution from port-related sources include:

- aggressive milestones with measurable goals for air quality improvements,
- specific standards for individual source categories,
- recommendations to eliminate emissions of ultra-fine particulates,
- a technology advancement program to reduce greenhouse gases, and
- a public participation process with environmental organizations and the business communities.

The CAAP focuses primarily on reducing DPM, along with NO_X and SO_X, with two main goals: (1) to reduce port-related air emissions in the interest of public health, and (2) to disconnect cargo growth from emissions increases. The CAAP is expected to eliminate more than 47% of DPM emissions, 45% of smog-forming NO_X emissions, and 52% of SO_X from port-related sources within the next 5 years.

On April 7, 2010, the ports of Los Angeles and Long Beach released for public review a proposed, updated document, the 2010 San Pedro Bay Ports Clean Air Action Plan (CAAP Update) that includes new, far-reaching goals for curbing port-related air pollution over the next decade. The focus areas of the draft CAAP Update remain the same as the original CAAP. The CAAP Update includes information on the ports' overall progress in implementing the original CAAP strategies, as well as updates based on changes in federal and state regulations. The most significant addition to the draft CAAP Update is the San Pedro Bay Standards, which establish long-term goals for emissions and health-risk reductions for the ports. Also, the draft CAAP Update identifies milestone dates and forecasts potential emissions reductions and budget commitments through the end of 2013.

The draft CAAP's goals for 2014 include cutting Port-related DPM emissions by 72%, NO_X emissions by 22%, and SO_X emissions by 93% below 2005 levels. Further decreases including reducing the population-weighted residential cancer risk of Port-related DPM emissions by 85% are targeted by 2023. The CAAP goals are closely tied to the SCAQMD's plan to meet federal air quality standards.

The CAAP includes near-term measures implemented largely through the CEQA/National Environmental Policy Act (NEPA) process and through new leases

at both ports. Port-wide measures at both ports are also part of the plan. This Draft EIR analysis assumes compliance with the CAAP. Proposed project-specific mitigation measures applied to reduce air emissions and public health impacts are consistent with, and in some cases exceed, the emission reduction strategies of the CAAP.

1.5.2.2 Environmental Management System

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

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

1.5.2.3 Port of Los Angeles Sustainable Construction Guidelines

In February 2008, the Port's Board of Harbor Commissioners adopted the Los Angeles Harbor Department Sustainable Construction Guidelines for Reducing Air Emissions (Port Construction Guidelines). These guidelines, updated in November 2009, will be used to establish air emission criteria for inclusion in construction bid specifications. The Port Construction Guidelines will reinforce and require sustainability measures during performance of the contracts, balancing the need to protect the environment, be socially responsible, and provide for the economic development of the Port. Future Board resolutions will expand the Port Construction Guidelines to cover other aspects of construction, as well as planning and design. These guidelines support the forthcoming Port Sustainability Program.

The intent of the Port Construction Guidelines is to facilitate the integration of sustainable concepts and practices into all capital projects at the Port and to phase in the implementation of these procedures in a practical yet aggressive manner. Significant features of the Port Construction Guidelines include, but are not limited to, the following:

- All dredging equipment shall be electric.
- All ships and barges used primarily to deliver construction-related materials for LAHD construction contracts shall comply with the expanded Vessel Speed Reduction Program (12 knots from 40 nautical miles).

- Harbor craft shall meet EPA Tier 2 engine emission standards.
- All on-road heavy-duty trucks must meet the requirements of the Clean Truck Program (CTP).
- Off-road construction equipment must meet Tier 2 standards in the period prior to December 31, 2011, Tier 3 standards in the period between January 1, 2012 and December 31, 2014, and shall meet Tier 4 standards after January 1, 2015.
- As applicable, off-road construction equipment shall be equipped with a CARB-verified Level 3 diesel emission control system.
- Construction equipment idling is limited to five minutes when not in use.
- Full compliance with SCAQMD Rule 403, Fugitive Dust, including an approved Control Plan is required.

This EIR analysis requires that the proposed Project would adopt all applicable Sustainable Construction Guidelines as mitigations. These measures are incorporated into the emission calculations for the mitigated proposed Project and alternatives scenarios. LAHD adopted the Port of Los Angeles Sustainable Construction Guidelines in February 2008; the guidelines were updated in November 2009.

1.5.2.4 Other Environmental Programs

Air Quality

Alternative Maritime Power (AMP). AMP reduces emissions from container vessels docked at the Port. Normally, ships shut off their propulsion engines when at berth but use auxiliary diesel generators to power electrical needs such as lights, pumps, and refrigerator units. These generators emit an array of pollutants, primarily NOX, SOX, and particulate matter smaller than or equal to 10 or 2.5 microns in diameter (PM10 or PM2.5). The AMP program dramatically reduces these emissions by allowing ships to "plug in" to shore-side electrical power while at dock instead of using their onboard generators. (This process is also referred to as cold ironing.) Before being used at the Port, AMP was only used commercially by the cruise ship industry in Juneau, Alaska. However, AMP facilities have been installed and are currently in use at the wharf at Berth 100. Additionally, AMP facilities are complete at the Yusen Terminals (the NYK ship Atlas is AMP-capable and has begun plug-in testing at Yusen) and TraPac Terminals with plans for additional facilities at the Evergreen Terminal, among others. AMP facilities have been installed for the existing World Cruise Center at Berths 91/21, 93, and 230.

Off-Peak Program. Extending cargo terminal operations by five night and weekend work shifts, the Off-Peak Program, managed by PierPASS (an organization created by marine terminal operators) has been successful in increasing cargo movement, reducing the waiting time for trucks inside port terminals, and reducing truck traffic during peak daytime commuting periods.

On-Dock Rail and the Alameda Corridor. Use of rail for long-haul cargo is acknowledged as an air quality benefit. Four existing on-dock railyards at the Port,

including the existing on-dock facility on the proposed project site (another two on-dock yards are proposed), significantly reduce the number of short-distance truck trips (the trips that normally would convey containers to and from offsite railyards). Combined, these intermodal facilities eliminate an estimated 1.4 million truck trips per year, and the emissions and traffic congestion that go along with them. A partner in the Alameda Corridor project, the Port is using the corridor to transport cargo to downtown railyards at 10 to 15 miles per hour faster. Use of the Alameda Corridor allows cargo to travel the 20 miles to downtown Los Angeles at a faster pace and promotes the use of rail versus truck. In addition, the Alameda Corridor eliminates 200 rail/street crossings and emissions produced by cars with engines idling while the trains pass.

Tugboat Retrofit Project. The engines of several tugboats in the Port were replaced with ultra-low-emission diesel engines. This was the first time such technology had been applied to such a large engine. Emissions testing showed a reduction of more than 80 tons of NO_X per year, nearly three times better than initial estimates. Under the Carl Moyer Program, the majority of tugboats operating in the Port Complex have been retrofitted.

Electric and Alternative Fuel Vehicles. The Port has converted more than 35% of its fleet to electric or alternative-fuel vehicles. These include heavy-duty vehicles and passenger vehicles. The Port proactively has embarked on the use of emulsified fuels that are verified by CARB to reduce diesel particulates by more than 60% compared to diesel-powered equipment.

Electrified Terminal Operating Equipment. The 57 ship-loading cranes currently in use at the Port operate under electric power. In addition, numerous other terminal operations equipment has been fitted with electric motors.

Yard Equipment Retrofit Program. Over the past 5 years, diesel oxidation catalysts (DOCs) have been applied to nearly all yard tractors at the Port. This program has been carried out with Port funds and funding from the Carl Moyer Program.

Vessel Speed Reduction Program. Under this voluntary program, oceangoing vessels slow to 12 knots when within 20 nautical miles of the entrance to Los Angeles Harbor, thus reducing emissions from main propulsion engines. Currently, approximately 70% of ships comply with the voluntary program.

Water Quality

Water Resources Action Plan. The Ports of Los Angeles and Long Beach have developed a coordinated Water Resources Action Plan (WRAP), a comprehensive effort to target remaining water and sediment pollution sources in the San Pedro Bay. Both ports face ongoing challenges from contaminants that remain in port sediments, flow into the harbor from port land, and flow from upstream sources in the watershed, well beyond the ports' boundaries. The goals for the WRAP are: 1) to support the attainment of full beneficial uses of harbor waters and sediments by addressing the impacts of past, present, and future port operations, and 2) to prevent

port operations from degrading existing water and sediment quality. Both ports are working closely with federal and state officials and other stakeholders to develop measures that will further minimize landside and waterside sources of pollutants in the San Pedro Bay. The WRAP incorporates these new programs while continuing the many water quality initiatives already underway at both ports. The final plan was adopted at a joint meeting of the Los Angeles and Long Beach Boards of Harbor Commissioners on August 12, 2009.

Clean Marinas Program. To help protect water and air quality in Los Angeles Harbor, LAHD is developing a Clean Marinas Program. The program advocates that marina operators and boaters use BMPs—environmentally friendly alternatives to some common boating activities that may cause pollution or contaminate the environment. It also includes several innovative clean water measures unique to the Port. The Clean Marinas Program features both voluntary components and measures required through Port leases; CEQA mitigation requirements; or established federal, state, and local regulations.

Water Quality Monitoring. LAHD has been monitoring water quality at 31 established stations in San Pedro Bay since 1967, and the water quality today at the Port is among the best of any industrialized port in the world. Samples are tested on a monthly basis for dissolved oxygen, biological oxygen demand, and temperature. Other observations are noted, such as odor and color, as well as the presence of oil, grease, and floating solids. The overall results of this long-term monitoring initiative show the tremendous improvement in harbor water quality that has occurred over the last four decades.

Cabrillo Beach Water Quality Improvements. The Port is one of the few industrial ports in the world that also has a swimming beach. Inner Cabrillo Beach provides still water for families with small children. However, bacteria in shoreline waters frequently exceed water quality standards. LAHD has invested several million dollars in water circulation/quality models and studies to investigate and remediate the problem. Recently, LAHD repaired storm drains and sewer lines in this area and replaced the beach sand as part of its commitment to make sure that Cabrillo Beach continues to be an important regional recreational asset.

Endangered Species

California Least Tern Site Management. The federal- and state-endangered California least tern (a species of small sea bird) nests from April through August on Pier 400 in the Port adjacent to the Pier 400 container terminal. Through an interagency nesting site agreement, the Port maintains, monitors, and protects the approximately 15-acre nesting site on Pier 400.

Port Planning

Green Terminal Program. LAHD is developing a green terminal program that would be applied to the long-term development of Port container facilities. The program would embrace all aspects of terminal construction and operation and

include guidance on a suite of environmental measures to minimize the effects of cargo handling on air, water, and land resources.

Channel Deepening. By deepening the main and ancillary channels, the Port can accommodate larger ships. Larger ships would result in fewer ship visits to bring in the same amount of goods, and fewer ships would result in fewer emissions.

Green Ports Program. LAHD and the Port of Shanghai have signed a historic agreement to share technology aimed at improving air quality, improving water quality, and mitigating environmental impacts on the operations of the Ports.

Recycling. LAHD incorporates a variety of innovative environmental ideas into Port construction projects. For example, when building an on-dock rail facility, LAHD saved nearly $1 million and thousands of cubic yards of landfill space by recycling existing asphalt pavement instead of purchasing new pavement. LAHD also maintains an annual contract to crush and recycle broken concrete and asphalt. In addition, LAHD has successfully used recycled plastic products, such as fender piles and protective front-row piles, in many wharf construction projects.

1.5.3 Port of Los Angeles Leasing Policy

On February 1, 2006, the Los Angeles Board of Harbor Commissioners approved a comprehensive leasing policy for the Port that not only establishes a formalized, transparent process for tenant selection but also includes environmental requirements as a provision in Port leases.

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

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

1.5.4 Port Community Advisory Committee

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

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

1.6 Changes to the Draft EIR

The Final EIR discusses changes and modifications that have been made to the Draft EIR. Actual changes to the text, organized by Draft EIR chapters and sections, are presented in Chapter 3, "Modifications to the Draft EIR," of this Final EIR. The changes to the Draft EIR include:

- Correction of the acronym of NOAA.
- Clarification to Mitigation Measure MM AQ-1 related to engine requirements for harbor craft used during construction.
- Correction of the summary of Impact AQ-2 "Impacts after Mitigation" in Summary of Impact Determinations, Tables ES-3, to accurately summarize the findings in Draft EIR Impact AQ-2 air quality analyses.
- Enhancement of an operational Mitigation Measure MM AQ-4 to reduce volatile organic compound (VOC) emissions to include cleaning products.
- Clarification to Figures ES-2 and 2-2, "Project Vicinity," to clarify the proposed project site location.
- The inclusion of all comment letters received on the Notice of Preparation (NOP) of the DEIR.

Changes to Chapter 3 of the Draft EIR, "Environmental Analysis," are identified by text strikeout and underline in Chapter 3 of the Final EIR. These changes are also referenced in Chapter 2, "Response to Comments," of this Final EIR, where applicable. The changes and clarifications presented in Chapter 3 were reviewed to determine whether or not they warranted recirculation of the Draft EIR prior to certification of the EIR according to CEQA Guidelines and Statutes. The changes do not result in any new significant environmental impacts or a change in the severity of

an existing environmental effect, there are no new or increased significant effects on the environment due to the Draft EIR changes, and no new alternatives have been identified that would reduce significant effects of the proposed Project. The changes to the Draft EIR are also consistent with the findings contained in the environmental impact categories in Chapter 3 of the Draft EIR. Therefore, the Draft EIR does not need to be recirculated, and the EIR can be certified without additional public review, consistent with PRC Section 21092.1 and CEQA Guidelines Section 15088.5.

1.7 References

Los Angeles Harbor Department (LAHD). 2008. Los Angeles Harbor Department Sustainable Construction Guidelines. Los Angeles, CA. Updated: November 2009.

Port of Los Angeles (POLA). 1979. Port of Los Angeles Master Plan with Amendments. Last revised: November 2009.

———. 2006. Port of Los Angeles Real Estate Leasing Policy. Available: <http://www.portoflosangeles.org/Publications/POLA_Leasing_Policy_020106.pdf>. Accessed: June 2012.

———. 2007. Green Building Policy. Available: <http://www.portoflosangeles.org/newsroom/2007_releases/news_082907green_building_policy.pdf>. Accessed: June 2012.

———. 2009. Port of Los Angeles Channel Deepening Project, Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report. State Clearinghouse No. 1999091029.

Port of Los Angeles and Port of Long Beach. 2009. Water Resources Action Plan (WRAP). August. Available: <http://www.portoflosangeles.org/DOC/WRAP_Final.pdf>. Accessed: June 2012.

Southern California Marine Institute (SCMI). 2009. City Dock #1 Marine Research Institute Opportunity Site Visioning Study. Terminal Island, CA. Prepared for the Annenberg Foundation and the Port of Los Angeles. March 19, 2009.

2.0

RESPONSE TO COMMENTS

2.0 RESPONSE TO COMMENTS

2.1 Distribution of the Draft EIR

The Draft EIR prepared for the LAHD was distributed to the public and regulatory agencies on May 24, 2012, for a 45-day review period. Approximately 32 printed and 994 digital copies (CD) of the Draft EIR were distributed to various government agencies, organizations, individuals, and Port tenants. LAHD conducted a public hearing regarding the Draft EIR on June 12, 2012, to provide an overview of the proposed Project and alternatives and to accept public comments on the proposed Project, alternatives, and environmental document.

Printed and digital copies of the Draft EIR were available for review at the following locations:

- Los Angeles Harbor Department, 425 South Palos Verdes Street, San Pedro, CA, 90731
- Long Beach Public Library—Main Branch, 101 Pacific Avenue, Long Beach, CA 90802
- Los Angeles Public Library—Central Branch, 630 West 5th Street, Los Angeles, CA 90071
- Los Angeles Public Library—San Pedro Branch, 931 South Gaffey Street, San Pedro, CA 90731
- Los Angeles Public Library—Wilmington Branch, 1300 North Avalon, Wilmington, CA 90744

Members of the public were invited to request a CD containing the EIR. Digital copies were made available free of charge in response to requests. Due to the size of the document, the digital copies were prepared as a series of PDF files to facilitate downloading and printing. The Draft EIR was also available in its entirety on the Port web site at http://www.portoflosangeles.org/EIR/CityDock/DEIR/deir_citydock.asp.

2.2 Comments on the Draft EIR

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

LAHD received seven comment letters and verbal comments through the public hearing transcript on the Draft EIR during the public review period. The table below presents a list of those agencies, organizations, and individuals who commented on the Draft EIR.

Letter Code	*Date*	*Individual/Organization*	*Page*
State Government			
DTSC	June 28, 2012	Department of Toxic Substances Control	2-4
NAHC	June 7, 2012	Native American Heritage Commission	2-13
Regional and Local Government			
SCAQMD	July 6, 2012	South Coast Air Quality Management District	2-18
Organizations			
LAC	July 9, 2012	Los Angeles Conservancy	2-26
NWSPNC	July 13, 2012	Northwest San Pedro Neighborhood Council	2-29
PCAC	July 9, 2012	Port of Los Angeles Community Advisory Committee	2-32
SPCC	June 29, 2012	San Pedro Chamber of Commerce	2-35
Draft EIR Public Hearing			
CDPH	June 12, 2012	Rick Whearty, Recovery at Sea and Grow Foods	2-37
CDPH	June 12, 2012	Mr. Jahangiri	2-40

2.3 Responses to Comments

In accordance with CEQA (Guidelines Section 15088), LAHD has evaluated the comments on environmental issues received from agencies and other interested parties and has prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the Draft EIR. In implementing specific compliance with State CEQA Guidelines Section 15088(b), the written responses address the environmental issues raised.

In addition, where appropriate, the basis for incorporating or not incorporating specific suggestions into the proposed Project is provided. LAHD has expended a good faith effort, supported by reasoned analysis, to respond to comments.

This section includes responses not only to the written comments received during the 45-day public review period of the Draft EIR, but also to verbal comments made at the public hearing for the Draft EIR. Some comments have prompted revisions to the text of the Draft EIR, which are referenced and shown in Chapter 3, "Modifications to the Draft EIR." A copy of each comment letter is provided followed by responses to each comment.

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

June 26, 2012

RECEIVED
JUN 28 2012
ENV. MGMT. DIV
HARBOR DEPARTMENT
CITY OF LOS ANGELES

Mr. Christopher Cannon, Director
C/o Mr. Kevin Grant
Los Angeles Harbor Department
Environmental Management Division
425 S. Palos Verdes Street
San Pedro, California 90731

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY DOCK NO.1 MARINE RESEARCH CENTER PROJECT, (SCH#2010121013), LOS ANGELES COUNTY

Dear Mr. Cannon:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "This draft EIR has been prepared to evaluate environmental impacts related to the construction and operation of the City Dock No.1 Marine Research Center Project (hereafter referred to as the "proposed Project"), as proposed by the Los Angeles Harbor Department (LAHD). The proposed Project involves development of an urban marine research center within a 28-acre portion of the 400-acre, San Pedro Waterfront Master Plan area along the west side of the Los Angeles Harbor's Main Channel. The proposed Project is located in the Port of Los Angeles (Port), near the San Pedro Community in the City of Los Angeles. The proposed project site encompasses Berths 56 through 60 and Berths 70 and 71 within the San Pedro Waterfront area, and is bounded by the East Channel to the west, the Main Channel to the east, 22nd Street to the north, and the open water of the San Pedro Bay to the south. The existing site comprises eight berths, including Berths 56 through 60, 70 and 71, and 260. The Port includes a variety of uses supporting various maritime-themed activities, as well as retail shops and restaurants, recreation, community, and educational facilities."

Based on the review of the submitted document DTSC has the following comments:

1) DTSC provided comments on the project Notice of Preparation (NOP) on January 25, 2011; some of those comments have been addressed in the submitted draft | DTSC-1

Printed on Recycled Paper

EIR. Please ensure that all those comments will be addressed in the final Environmental Impact Report of the project. DTSC-1 Cont.

2) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489. DTSC-2

3) Also, in future CEQA document, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail. DTSC-3

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,

Rafiq Ahmed
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3585

Department of Toxic Substances Control

Linda S. Adams
Acting Secretary for
Environmental Protection

Leonard E. Robinson
Acting Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

RECEIVED
FEB - 1 2011
CITY OF LOS ANGELES

January 25, 2011

Mr. Christopher Cannon
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, California 90731

NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT (NOP) FOR CITY DOCK NO. 1 MARINE RESEARCH CENTER PROJECT (SCH# 2010121013)

Dear Mr. Cannon:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The Port of Los Angeles (Port) working with the Southern California Marine Institute (SCMI) and other universities and institutions, proposes to create City Dock No. 1 Marine Research Center at a 28-acre site within the San Pedro Waterfront Plan area that encompasses Berths 56 through 60, and Berths 70 and 71. To be constructed in two phases, the first phase of the proposed Project would include improvements to the historic Berth 57 Transit Shed and the wharf for use by the SCMI, as well as construction of a Learning Center at Berth 56 and construction of a 12-slip finger dock for SCMI and visiting small vessels. SCMI, which is a consortium of universities in Southern California, currently occupies a building in the fish harbor district that would be demolished upon SCMI's relocation to the project site. The second phase of the proposed Project would consist of improvements to the Berth 58–60 transit shed for use by SCMI and SCMI partners, and of improvements to Berths 70 and 71 for use by the National Oceanic and Atmospheric Administration (NOAA), including docking for up to three NOAA vessels, and construction of an 80,000-square-foot wave tank within the current westways footprint".

Based on the review of the submitted document DTSC has the following comments:

1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies: DTSC-4

02/08/11 J. ROBSTOCK - FOR HANDLING
LAND, 100114-003, POLA City Dock #1, B. 57-72 EIR

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

DTSC-4 Cont.

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

DTSC-5

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

DTSC-6

Mr. Christopher Cannon
January 25, 2011
Page 3

4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies. DTSC-7

5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. DTSC-8

6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. DTSC-9

7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA. DTSC-10

8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489. DTSC-11

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472. DTSC-11 Cont.

Sincerely,

Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3111

1

2.3.1 State Government

2.3.1.1 Department of Toxic Substances Control

Response to Comment DTSC-1

The DTSC's NOP comment letter was considered in preparation of the Draft EIR but was inadvertently not reproduced in the Draft EIR Appendix A. The letter has been added to Appendix A of the Final EIR. The Draft EIR addresses DTSC's NOP comments as detailed in Response to Comments DTSC-4 to DTSC-11.

Response to Comment DTSC-2

As indicated in Draft EIR Sections ES.3.2.1.5 and 2.2.3.5, the lead regulatory agency for the cleanup of Berths 70–71 is the Los Angeles Regional Water Quality Control Board (LARWQCB), and demolition of the tanks was initiated in May 2012. The remediation and restoration of Berths 70–71 is not part of the proposed Project and was assessed as part of the San Pedro Waterfront Development Project EIR/EIS certified by the Los Angeles Board of Harbor Commissioners on September 29, 2009.

As discussed in Draft EIR Section 3.6, remediation action is not anticipated to be required for other portions of the proposed project site. However, if unforeseen contamination is discovered during construction requiring remediation, the appropriate lead regulatory agency will be contacted and consulted for appropriate clean-up action. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-3

The following statement, including the email address, was included on the Notice of Availability (NOA) of the Draft EIR, which was included with all distributed copies of the Draft EIR:

> Comments can also be sent via e-mail to ceqacomments@portla.org. Comments sent via email should include the project title ("City Dock No. 1 Marine Research Center Project") in the e-mail's subject line and a valid mailing address within the email.

No changes to the Draft EIR are required as a result of this comment.

The following are responses to NOP scoping comments provided by DTSC in its January 25, 2011 Comment Letter:

Response to Comment DTSC-4

Draft EIR Section 3.6.2.3.1 includes the results of a FirstSearch™ database search, which utilized the NPL, Envirostor, Geotracker, RCRIS, CERCLIS, SWIS, and other relevant hazardous materials databases. Further, Draft EIR Section 3.6.2.3 summarizes soil and groundwater investigations completed by LAHD at the proposed project site. As discussed in Draft EIR Section 3.6.4.3, impacts from contaminated groundwater and soils related to both construction and operational activities would be less than significant. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-5

Section 3.6 of the Draft EIR identifies the applicable soil and groundwater contamination and hazardous materials regulations associated with the proposed Project. As described in Section 3.6.4.3 of the Draft EIR, during proposed project construction, if potentially hazardous materials are found, any remediation would be performed in accordance with applicable federal, state, and local laws, regulations, and rules. Also see Response to Comment DTSC-2. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-6

Section 3.6.2.3 of the Draft EIR summarizes the existing soil and groundwater investigations associated with the proposed project site and vicinity. In addition, as described in Section 3.6.4.3 of the Draft EIR, should contamination be discovered during construction, remediation would be performed in accordance with applicable federal, state, and local laws, regulations, and best practices. Also see Response to Comment DTSC-2. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-7

See Response to Comment DTSC-2.

Response to Comment DTSC-8

As detailed in Section 3.6.4.3 of the Draft EIR, although significant impacts related to the potential for exposure to underlying contaminants would not occur, any contaminated soil or groundwater encountered during construction of the proposed Project would be handled, transported, remediated, and/or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency (e.g., DTSC, Los Angeles RWQCB) and LAHD lease measures pertaining to the development of a contamination contingency plan.

As discussed in Draft EIR Section 3.6.4.3.1, compliance with these measures would ensure that should contaminated materials be encountered on site, personnel on site would not have short- and/or long-term exposure to toxic substances or other contaminants associated with historic uses at the proposed project site, and impacts would be less than significant. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-9

As detailed in Section 3.6.4.3 of the Draft EIR, although significant impacts related to the potential for exposure to underlying contaminants would not occur, any contaminated soil or groundwater encountered during construction of the proposed Project would be handled, transported, remediated, and/or disposed of in accordance with all applicable federal, state, and local laws and regulations and in accordance with the regulatory lead agency (e.g., DTSC, Los Angeles RWQCB) and LAHD lease measures pertaining to the development of a contamination contingency plan. Demolition of existing buildings or structures that potentially contain lead-based paint (LBP) and asbestos-containing building materials (ACM) would adhere to existing regulations and requirements for demolition and conversion (i.e., SCAQMD Rule 1403—Asbestos Emissions from Demolition/Renovation Activities). The processes and measures in place are detailed in Section 3.7.4.3 under Impact RISK-1a. Compliance with these measures would ensure that should contaminated materials be encountered on site, personnel on site would not have short- and/or long-term exposure to toxic substances or other contaminants associated with historic uses at the proposed project site, and impacts would be less than significant. In addition, construction personnel would be trained in safety and defensive emergency response procedures. Construction personnel would also receive hazardous-waste–related training that focuses on recognition of potentially hazardous materials that may be encountered during subsurface excavations for proposed structures. No changes to the Draft EIR are required as a result of this comment. See also Response to Comments DTSC-2 and DTSC-4 through DTSC-8.

Response to Comment DTSC-10

Draft EIR Section 3.7.4.3.2 specifically identifies the types of hazardous materials and wastes anticipated to be present at the site during operations. As discussed in Draft EIR Sections 3.6 and 3.7, proposed project construction and operations would comply with all applicable hazardous materials laws, rules, and regulations, including specifically California Health and Safety Code, Division 20, Chapter 6.5 and California Health and Safety Code of Regulations, Title 22, Chapter 11, Section 66260 et seq. See also Response to Comment DTSC-8. No changes to the Draft EIR are required as a result of this comment.

Response to Comment DTSC-11

Information regarding clean-up oversight by DTSC and the applicable contact information is noted. See also Response to Comment DTSC-2. No changes to the Draft EIR are required as a result of this comment.

08/01/2012 14:05 FAX 916 657 5390 NAHC 001

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

June 5, 2012 (Revised 8-1-2012)

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

Sent by FAX to: 213-627-6853 for **Mark Robinson**
No. of Pages: 3

Re: SCH#2010121013; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **City Dock No. 1 Marine Research Center Project;** located in the San Pedro area; Los Angeles County, California.

Dear Mr. Cannon:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3 *et seq.*

NAHC-1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File search of the project site (area of potential effect or APE) and no Native American cultural resources were identified. This area is known to the NAHC to be very culturally sensitive.

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

NAHC-2

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources. NAHC-3

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq*. and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.' NAHC-4

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

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'. NAHC-5

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects. NAHC-6

2

08/01/2012 14:05 FAX 916 657 5390 NAHC ☑003

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). NAHC-7

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

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

3

1

2.3.1.2 Native American Heritage Commission

Response to Comment NAHC-1

As discussed in Draft EIR Section 3.4.2.2.1, a records search at the South Central Coastal Information Center of the California Historical Resources Information System located at California State University, Fullerton, was conducted. The records search included a review of all recorded cultural resources within a 1-mile radius of the proposed project area. In addition, a review of historic registers was conducted, including: California Historic Landmarks (CHL), National Register of Historic Places (NRHP), California Register of Historic Resources (CRHR), California Points of Historical Interests (PHI) and California Historic Resources Inventory (HRI), California Place Names, and Los Angeles Historic-Cultural Monuments. That record search indicated that no known prehistoric or historical archaeological sites are located within the proposed project area, which is consistent with the NAHC's record search that also found no Native American sites within the proposed project site. No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-2

Confidential cultural information was not circulated with the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-3

As discussed in Draft EIR Section 3.4.4.3, earthwork associated with the proposed Project is not expected to encounter archaeological resources. Further, because the proposed project site is located on fill land created in the early 1910s, there is no potential for Native American artifacts to be located on site, and therefore consultation with Native American Groups will not be undertaken at this time.

However, as detailed in Draft EIR Section 3.4.4, the proposed Project would be required to comply with applicable cultural resource laws and regulations, including 14 CCR Section 15064.5 (f), PRC 21082, and Code of Federal Regulations (CFR), title 36, section 800.11). Therefore, although potentially significant Native America archaeological resources are not anticipated to be on site, if encountered, the proposed Project would avoid any potentially significant archaeological resources wherever feasible and consultation with Native American Groups would be undertaken as appropriate. No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-4

As indicated in Draft EIR Section 2.6.1, LAHD is also working with the USACE on permitting, which includes the Section 106 consultation process. As stated in Draft EIR Chapter 2, "Project Description," the redesign and rehabilitation of the existing transit sheds as well as the new buildings proposed in their proximity will meet the Secretary of the Interior's (Secretary's) Standards for the Treatment of Historic

Properties. Draft EIR Sections 2.3.4.2, 2.3.4.4, 2.3.4.6, 2.3.4.7, and 3.4.4 further detail the steps that will be required to ensure the Secretary's Standards are met, including the provision of "plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards." No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-5

As noted on Draft EIR page 3.4-24:

> In the event human remains are discovered, LAHD would be required to comply with California state law which states that there would be no further excavation or disturbance of the area or any nearby area reasonably suspected to overlie adjacent remains until the coroner is contacted and the appropriate steps taken pursuant to Health and Safety Code Section 7050.5 and PRC Section 5097.98. If the coroner determines the remains to be Native American, the coroner would contact the NAHC within 24 hours. If Native American human remains are discovered during proposed Project construction, it would be necessary to comply with state laws relating to the disposition of Native American burials that are under the jurisdiction of the NAHC (PRC Section 5097).

No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-6

As discussed in Draft EIR Section 3.4.4.3, the proposed project site is located on fill land created in the early 1910s. Native American artifacts are not anticipated to be located on site; however, if encountered, the proposed Project would avoid any potentially significant archaeological resources wherever feasible, and consultation with Native American Groups would be undertaken as appropriate. See also Response to Comment NAHC-3. No changes to the Draft EIR are required as a result of this comment.

Response to Comment NAHC-7

See the Response to Comments NAHC-5 and NAHC-6. No changes to the Draft EIR are required as a result of this comment.

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: July 6, 2012 July 6, 2012
ceqacomments@portla.org

Mr. Christopher Cannon
Director of Environmental Management
Los Angeles Harbor Department
P.O. Box 151
San Pedro, CA 90733-0151

Review of the Draft Environmental Impact Report (Draft EIR) for the City Dock No. 1 Marine Research Center Project

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the Final Environmental Impact Report (Final EIR) as appropriate.

Based on a review of the Draft EIR the proposed project would have significant regional air quality and greenhouse gas (GHG) emissions impacts. Specifically, the proposed project would exceed the AQMD's regional construction and operational emissions thresholds for NOx, VOCs and CO emissions and would yield over 28,000 $MTCO_2e$/year. Therefore, to minimize the project's significant air quality impacts from the proposed project the AQMD staff recommends that the lead agency provide additional mitigation measures pursuant to CEQA Guidelines Section 15126.4. Further, the AQMD staff recommends that the lead agency revise mitigation measure (MM) AQ-1 to ensure the project's insignificant localized construction impacts. Details regarding these comments are attached to this letter. SCAQMD-1

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any SCAQMD-2

other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments. SCAQMD-2 Cont.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC120529-05
Control Number

Construction Equipment Mitigation Measures

1. The proposed project exceeds the CEQA localized construction significance thresholds for NOx in the years 2014 and 2015; therefore, the lead agency determined that the project could contribute to exceedances of the federal ambient air quality standard for NO_2 in the immediate project vicinity. As a result, the lead agency requires mitigation measures MM AQ-1 through AQ-7 to reduce these potential impacts to an insignificant level. However, the AQMD staff is concerned that these measures may not provide enforceable emission reductions that are necessary to reduce the project's impacts to an insignificant level. Specifically, the AQMD staff is concerned that the exemptions provided for MM AQ-1 may reduce the effectiveness of the measure resulting in higher emissions than estimated. Therefore, the Final EIR should include a revision to MM AQ-1 that removes the conditions/exemptions provided below the actual mitigation measure or revise the air quality analysis such that it does not take credit for the emissions benefits provided by MM AQ-1. While these conditions may be reasonable tests to determine feasibility, the uncertainty about the availability of the mitigation measure as currently stated in the Draft EIR precludes the lead agency's ability to enforce actual mitigation during project activities. SCAQMD-3

Operational/Greenhouse Gas Mitigation Measures

2. Given that the lead agency determined that the proposed project will exceed the CEQA regional operational significance thresholds for NOx, VOC, CO, and GHG's, the AQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.

Transportation

- Require electric car charging stations and provide designated areas for parking of zero emission vehicles (ZEVs) for car-sharing programs. SCAQMD-4a
- Provide incentives for employees and the public to use public transportation such as discounted transit passes, and/or other incentives.
- Implement a rideshare program for employees.
- Create or participate in local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.
- Require the use of electric or alternative fueled maintenance vehicles.
- Provide parking system for quick entry and exit that will reduce vehicle idling time. A system should also be installed that provides sufficient signage or communication for available parking, parking locations, and parking fee. SCAQMD-4b
- Construct off-site bicycle facility improvements, such as bicycle trails linking the facility to designated bicycle commuting routes or on-site improvements such as bicycle paths, bicycle parking facilities, etc. SCAQMD-4c

Energy

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project SCAQMD-4d

site to generate solar energy for the facility.

- Require all lighting fixtures, including signage, to be state-of-the art and energy efficient, and require that new traffic signals have light-emitting diode (LED) bulbs and require that light fixtures be energy efficient compact fluorescent and/or LED light bulbs. Where feasible use solar powered lighting.
- Maximize the planting of shade trees in landscaping and parking lots.
- Use light colored paving and roofing materials.
- Use passive heating, natural cooling, solar hot water systems, and reduced pavement.
- Utilizing only Energy Star heating, cooling, and lighting devices, and appliances.
- Limit the hours of operation of outdoor lighting.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.

SCAQMD-4d Cont.

Other

- Require use of water-based or low VOC cleaning products.

SCAQMD-4e

Additional Operational/Greenhouse Gas Mitigation Measures

3. A substantial portion of the project's significant operational emissions are a result of marine vessels and harbor craft equipment. Therefore, the AQMD staff recommends that in addition to the operational mitigation measures identified in comment number two above the lead agency consider providing mitigation measures that require hybrid technologies and higher tiered engines for marine vessels and harbor craft equipment utilized for the project's operations. Further, the lead agency should provide additional discussion on the feasibility of implementing mitigation measures for hybrid technologies and higher tiered engines applicable to the project's marine vessel fleet and auxiliary equipment inventory.

SCAQMD-5

1

2.3.2 Regional and Local Government

2.3.2.1 South Coast Air Quality Management District

Response to Comment SCAQMD-1

See Response to Comments SCAQMD-3 through SCAQMD-5.

Response to Comment SCAQMD-2

Consistent with PRC Section 21092.5, LAHD will send all Draft EIR commenters, including SCAQMD, written responses to their comments at least 10 days prior to the Final EIR certification hearing. No changes to the Draft EIR are required as a result of this comment.

Response to SCAQMD-3

Mitigation Measure MM AQ-1 requires the use of minimum Tier 2 engines in all harbor craft used during construction. Further, MM AQ-1 supplements that minimum requirement with a requirement to meet Tier 3 standards where available. The emission benefits associated with MM AQ-1 as summarized in Draft EIR Tables 3.12-15, 3.12-16, and 3.2-19 are based upon the conservative assumption that all equipment will meet Tier 2 engine standards and do not take credit for additional reductions that could result from the use of Tier 3 engines in the event the technology is not available in a controlled manner within the state or within 200 miles of the proposed Project. The language of Mitigation Measure MM AQ-1 has been clarified to more directly reflect that the exemptions are only applicable to Tier 3 engines.

As indicated above, MM AQ-1 establishes a minimum performance standard of Tier 2 engines for all harbor craft used during construction, which is enforceable. If available, harbor craft meeting Tier 3 engine standards will be used during construction. This determination is made during development of contract bid specifications for construction by LAHD and construction contractor(s). Thus, the mitigation provision to require Tier 3 engines where available is enforceable by LAHD and will further reduce emissions quantified in the Draft EIR. As such, no changes to Mitigation Measure MM AQ-1, other than the clarification discussed above, are required as a result of this comment.

Response to Comment SCAQMD-4a

Universities participating in SCMI, and which may also be tenants in Phase 2 of the proposed Project, have existing programs in place to reduce vehicle trips and associated emission, such as zero-emissions vehicle (ZEV) parking/charging, car-sharing programs, incentives for the use of public transportation, ridesharing, and electric/alternative fueled maintenance vehicles programs, which would be applicable to the City Dock No. 1 facilities. NOAA and other federal and state resource

agencies, such as the California Fish and Game, have similar programs in place as well. In regard to the installation of ZEV charging stations at the proposed project site, the low-emission fleet technology selected for use by future tenants (e.g. hybrid electric, natural gas, hydrogen cell, electric, etc.) is currently uncertain. However, the LAHD's LEED building policy will ensure that facility users' vehicle fleet needs would be considered and supported during the building design process. Therefore, a mitigation measure with these requirements would be duplicative and create an unnecessary administrative monitoring requirement. No changes to the Draft EIR are required as a result of this comment.

Response to Comment SCAQMD-4b

As illustrated in Figure 2-5 and Table 2-1 of the Draft EIR, parking locations for the proposed Project are directly adjacent to the facilities, with free, open, and easy access, thereby minimizing the need for parking location signage. Systems for quick entry and exit to reduce vehicle idling time are unnecessary because the proposed parking facilities are free and sufficient parking spaces would be provided. No changes to the Draft EIR are required as a result of this comment.

Response to Comment SCAQMD-4c

Existing bicycle facilities within the area provide adequate linkages to commuting routes and include the following:

- Bike paths (Class I): paved trails that are separated from roadways
- Bike lanes (Class II): lanes on roadways designated for use by bicycles through striping, pavement legends, and signs
- Bike routes (Class III): designated roadways for bicycle use by signs only

Class I bike paths are provided along Cabrillo Beach and parallel to Crescent Avenue between Harbor Boulevard and 22nd Street and on the east side of Harbor Boulevard between Swinford Street and 5th Street. Class II bike lanes are provided on Harbor Boulevard from Front Street to 22nd Street, on Front Street from Harbor Boulevard to Pacific Avenue, on Pacific Avenue south of 22nd Street, and on 9th Street west of Gaffey Street. Bicycle parking is currently available within the Cabrillo Marina area, in proximity to the proposed project site as well as at other locations within the San Pedro Waterfront development area.

Further, as indicated in Draft EIR Section 1.1.2, the proposed Project is located within the SPWP area. One of the key features of SPWP is to provide enhanced pedestrian and bicycle access to the San Pedro Waterfront. That plan includes development of a continuous bike path through the San Pedro Waterfront area. Thus, as the SPWP is further implemented, bicycle linkages will be further enhanced. No changes to the Draft EIR are required as a result of this comment.

Response to Comment SCAQMD-4d

As discussed in Draft EIR Sections 2.3.5, 3.12.3.2.7, and 3.12.3.2.8, the proposed Project incorporates several sustainable design features to minimize energy use. Specifically, LAHD's Green Building Policy requires that new buildings, such as those included in the proposed Project, be designed to a minimum standard of LEED NC Silver, which includes many of the elements itemized in SCAQMD's comment, while providing a level of flexibility in selecting the elements most appropriate for each individual building. In addition to meeting LEEDs standards, the Green Building Policy requires that such buildings incorporate solar power to the maximum feasible extent as well as incorporate the best available technology for energy and water efficiency. In addition, Mitigation Measure MM GHG-1 requires that the LAHD review the feasibility of including the City Dock No. 1 site on its Inventory of Potential PV Solar Sites at POLA from their December 2007 Climate Action Plan. No changes to the Draft EIR are required as a result of this comment.

Response to Comment SCAQMD-4e

Mitigation Measure MM AQ-4 will be renamed as follows: "MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard and Use of Low VOC Products." MM AQ-4 has been revised as follows: "Architectural coatings used on site will meet SCAQMD's super-compliant VOC standard of 10 grams of VOC per liter. The use of water-based or low VOC cleaning products, where feasible, will result in further VOC reduction. The reductions associated with the use of water-based or low VOC cleaning products were conservatively excluded from emission calculations." The Final EIR includes the above discussed enhancements to MM AQ-4 in response to this comment, and these changes are presented in Chapter 3 of this Final EIR, "Modifications to the Draft EIR."

Response to Comment SCAQMD-5

As discussed in Draft EIR Section 3.2.4.1.2, it is anticipated that the majority of the marine research vessels operations would occur outside of the California coastal water boundaries, and vessels would use shore-side power while at berth, substantially reducing the cost-effectiveness (cost per weighted ton of pollutants reduced) of SCAQMD's proposed mitigation measure of enhanced vessel engine turn-over, especially for auxiliary engines. This reduced cost-effectiveness also negatively impacts the ability of projects to qualify for the limited competitive grant funding available for mobile source emission reduction projects. As an example, in 2010, the cost-effectiveness of replacing the auxiliary engines on SCMI's research vessel the *Yellowfin* was calculated at $26,139 per ton. This compares to the cost-effectiveness required to qualify for CARB's Carl Moyer Program of $17,080 per ton as stated in the California Environmental Protection Agency, Air Resources Board, Carl Moyer Program Guidelines, and Approved Revisions 2011, released March 29, 2012.

Further, the enhanced turn-over of research vessel engines would require specific allocation of additional resources by public agencies, such as NOAA, and academic and research institutions, such as SCMI and its member universities and colleges, that

are envisioned to use the proposed City Dock No. 1, all of which currently have significant funding constraints and numerous competing social and academic responsibilities. Therefore, in addition to cost-effectiveness and the availability of grant funding, the feasibility of the public agency or the academic and research institution to fund enhanced vessel engine turn-over would also need to be evaluated on a case-by-case basis. Further, it would be entirely speculative to attempt to analyze feasibility at this juncture because the future applicable budgets are unknown at this time.

The feasibility to retrofit open ocean going marine research vessels is impacted by costs, as discussed above, as well as technical issues. Retrofit of vessels with hybrid electric technology requires substantial space for housing of batteries and substantially increases the weight of the vessel. In addition, the hybrid electric conversion can also impact vessel propulsion and cooling systems. Therefore, the feasibility of retrofitting vessels to hybrid electric vehicles must not only consider the cost-effectiveness of the retrofit and the funding ability of an entity, but also the individual parameters of the individual vessel and its ability to accommodate the required changes and battery space needs. Nonetheless, LAHD is committed to demonstrating the feasibility of hybrid technologies for marine vessel applications, as feasible and appropriate. LAHD understands the issues discussed herein as it is currently concluding the retrofit of its tour boat the *Angelena II* as the world's first electric hybrid tour boat. LAHD also partnered in funding the retrofit of two Foss Tugboats, the *Carolyn Dorothy* and the *Campbell Foss*. It should be noted that these vessels operate exclusively within the San Pedro Bay, improving the cost-effectiveness of these retrofits and minimizing the technological issues and safety concerns that may be associated with application of these technologies in long-term open ocean operations.

As illustrated by LAHD's Technology Advancement Program, Air Quality Mitigation Incentive Program, and other funding partnerships with its tenants and air quality agencies, LAHD is committed to working with all of its tenants to identify funding and demonstration opportunities for emission reduction technologies. Indeed, one of important objectives of the proposed Project, as stated in Draft EIR Sections ES.3.1 and 2.1, is to develop synergies among universities, colleges, government agencies, and businesses to solve the region's environmental problems, and the follow-on creation of new "green" jobs through demonstration of such technologies.

Due to the individual circumstances related to each ocean-going research vessel that may be home ported at the proposed City Dock No. 1 facility, and the current uncertainties related to each potential vessel's operations, design and configuration, cost-effectiveness of engine turn-over or hybrid electric retrofit, and funding feasibility (including availability of grant funding), a mitigation measure requiring enhanced vessel engine turn-over or hybrid electric retrofit is not proposed.

No changes to the Draft EIR are required as a result of this comment.

LOS ANGELES CONSERVANCY

July 9, 2012

Submitted electronically
Port of Los Angeles
Chris Cannon
Director of Environmental Management
425 South Palos Verdes Street
San Pedro, CA 90731
Email: ceqacomments@portla.org

Re: City Dock No. 1 Marine Research Center Project, Draft Environmental Impact Report (DEIR)

Dear Mr. Cannon:

On behalf of the Los Angeles Conservancy thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the City Dock No. 1 Marine Research Center Project at the Port of Los Angeles. The Conservancy is very encouraged by the scope of this project and supports it in concept, provided further design refinements will follow. We greatly appreciate the Port's interest in historic preservation and the adaptive reuse of these historic resources.

The proposed project encompasses a large area of the Port and will affect numerous historic buildings within the potential Municipal Pier No. 1 Historic District. The Conservancy supports the adaptive reuse of historic buildings whenever possible, and believes the proposed project and use as a planning and research facility are appropriate. Open-span industrial warehouses offer tremendous flexibility and creativity for integrating new spaces while still maintaining the look and feel of the historic building. Given the scope of the proposed work, we urge the Port to add an objective under Proposed Project Objectives that specifically calls out the preservation and rehabilitation of historic resources to maintain the eligibility of individual historic buildings as well as the Municipal Pier No. 1 Historic District. LAC-1

The Project Description states and references all renovations will conform to the *Secretary of the Interiors Standards for Rehabilitation*. The Conservancy has some concern and reservations regarding proposed building modifications outlined in the Project Description and as envisioned within preliminary design renderings. For example, at Berth 57, a 1933 wood-frame addition (deemed noncontributing) would be removed and a new, modern addition introduced to serve as a primary entrance and public interpretive center for SCMI. While we understand the renderings developed in the visioning process and available publicly are conceptual at this stage, two very different types of designs are depicted. However, both will obscure and overpower the historic building and likely will be in nonconformance to the Secretary's Standards. We strongly urge the Port and all user groups involved in this project to engage qualified preservation architects and LAC-2

523 West Sixth Street, Suite 826, Los Angeles, California 90014 T: 213 623 2489 F: 213 623 3909

consultants early in the process and throughout subsequent design phases to ensure the Secretary's Standards are fully addressed and adhered to in the final design of the entire project. LAC-2 Cont.

Thank you for the opportunity to comment on the proposed project. The Conservancy looks forward to working with the Port of Los Angeles on this effort and continuing our efforts to identify solutions for historic properties at Terminal Island. Please feel free to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions.

Los Angeles Conservancy
The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 7,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Sincerely,

Adrian Scott Fine

Adrian Scott Fine
Director of Advocacy

cc: Councilmember Joe Buscaino, Council District 15
Office of Historic Resources, City of Los Angeles
San Pedro Historical Society
National Trust for Historic Preservation

2

1

2.3.3 Organizations

2.3.3.1 Los Angeles Conservancy

Response to Comment LAC-1

As stated in Draft EIR Section 2.3.2, a proposed project objective is to adaptively reuse Berths 56–60 and 70–71. As stated in Draft EIR Chapter 2, "Project Description," the redesign and rehabilitation of the existing transit sheds as well as the new buildings proposed in their proximity will meet the Secretary's Standards for the Treatment of Historic Properties. Draft EIR Sections 2.3.4.2, 2.3.4.4, 2.3.4.6, 2.3.4.7, and 3.4.4 further detail the steps that will be required to ensure the Secretary's Standards are met, including the provision of "plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards."

While preservation and rehabilitation of Berths 56–60 and 70–71 buildings and wharves is a priority of the proposed Project, as disclosed in Draft EIR Section 3.4.4.5, the development of the proposed 5-story, 100,000-square-foot building that would house the 80,000-square-foot wave tank would result in an unavoidable significant impact to the Municipal Pier No.1 Historic District. Mitigation Measure MM CR-1 is proposed to reduce this impact. No changes to the Draft EIR are required as a result of this comment.

Response to Comment LAC-2

As stated in Draft EIR Chapter 2, "Project Description," the redesign and rehabilitation of the existing transit sheds as well as the new buildings proposed in their proximity will meet the Secretary's Standards for the Treatment of Historic Properties. Draft EIR Section 2.3.4.2 discussed how the Berth 57 transit shed upgrades and addition would meet the guidance provided in the Secretary's Standards, including the provision of "plan review by a qualified consulting architectural historian for compliance with the Secretary's Standards." LAHD acknowledges that the early engagement of a consulting architectural historian will minimize the need for changes in the final design to comply with Secretary's Standards. See also Response to Comment LAC-1. No changes to the Draft EIR are required as a result of this comment.

Northwest San Pedro Neighborhood Council

"Your Community Voice"

Diana Nave
President

George Thompson
Vice President

Scott Allman
Treasurer

Katie Marrie
Secretary

July 13, 2012

Chris Cannon
Director
Environmental Management
Port of Los Angeles

Dear Mr. Cannon,

The governing board of the Northwest San Pedro Neighborhood Council approved the enclosed report and resolution concerning the City Dock One DEIR. NWSPNC-1

The documents basically support the project, and repeat our earlier scoping comments concerning connectivity of the project with the local and scientific community. NWSPNC-2

One additional comment not previously addressed, concerns alternative electrical energy supplies. Given some its energy demands, we believe there should be an emphasis on alternative energy sources, including solar, wind, tidal and generators such as the Bloom Energy Servers in use at CalTech and elsewhere. NWSPNC-3

Thanks you for considering our comments.

Sincerely,

Diana Nave
President

638 S. Beacon Street Box 688 • San Pedro, CA 90731 • (310)-732-4522
www.nwsanpedro.org

NORTHWEST SAN PEDRO NEIGHBORHOOD COUNCIL
RESOLUTION

CONCERNING CITY DOCK ONE

WHEREAS, the proposed city Dock One project continues the process of de-industrializing the west portion of the main channel of the San Pedro Waterfront to allow for less-intensive uses that are more compatible with the surrounding community; and

WHEREAS, the project would consolidate existing research organizations and personnel that are currently performing similar work in scattered locations throughout the region and proposes a new NOAA research facility which the Northwest San Pedro Neighborhood Council believes could serve as a catalyst for researchers to locate to San Pedro resulting in new business and development; and NWSPNC-4

WHEREAS, as part of the proposed project we request that the LAHD evaluate the use of solar and other alternative electrical sources such as tidal or wave power, or Bloom Energy Servers for this project. Given the expected energy intensive uses, wave generation, life support systems for animals, and marine vessel support, the using alternative energy sources will be advantages to the project and LAHD. NWSPNC-5

NOW THEREFORE, based on our review of the DEIR and understanding of the project the Neighborhood Council supports the adoption of the City Dock No. 1 Marine Research Center Project Draft Environmental Impact Report Dated May 2012 by the Board of Harbor Commissioners, as modified by our comment herein.

Approved by the Northwest San Pedro Neighborhood Council at its meeting on July 9, 2012.

1

2.3.3.2 Northwest San Pedro Neighborhood Council

Response to Comment NWSPNC-1

No changes to the Draft EIR are required as a result of this comment.

Response to Comment NWSPNC-2

As discussed in Draft EIR Section 1.1.2, the City Dock No. 1 area was contemplated for "institutional/research and development" in the SPWP. The SPWP establishes transportation and pedestrian linkages along the San Pedro waterfront. The proposed City Dock No. 1 Project incorporates the SPWP components applicable to the proposed Project, most specifically the promenade as described in Draft EIR Section 2.3.4.9.

In terms of educational linkages to the community, there is also the potential for ties to local education programs and an opportunity to engage community youth in the marine sciences. Linkages to existing education programs in the area such as the San Pedro High School Marine Magnet, Banning High School, and youth programs at Cabrillo Marine Aquarium could occur as the future program operations are further refined.

Response to Comment NWSPNC-3

As detailed in Draft EIR Sections 2.3.5 and 3.12, the proposed Project would incorporate several sustainable design elements, including ways to improve energy efficiency. Further, although there were no significant impacts on utilities identified, in response to the greenhouse gas emissions from the proposed Project, Mitigation Measure MM GHG-1 requires LAHD to review the feasibility of including the proposed project site on its Inventory of Potential PV Solar Sites at POLA. No changes to the Draft EIR are required as a result of this comment.

Response to Comment NWSPNC-4

See Response to Comment NWSPNC-2.

Response to Comment NWSPNC-5

See Response to Comment NWSPNC-3.

July 8, 2012

Port of Los Angeles Community Advisory Committee
EIR Sub Committee

To : Chris Cannon
Director of Environmental Management
Port of Los Angeles
425 S. Palos Verdes St.
San Pedro, CA

Re: Comments on DEIR for City Dock No. 1 Marine research Center.

Dear Sir,

Thank you for the opportunity to comment on this DEIR and Project.

In general terms the Sub Committee was favorably impressed with this DEIR and Proposed Project. The Research Center with it's focus in part on "development of technologies to address the most pressing marine related problems of the day" promises a better future for Southern California and the communities near the Port. In our view, the laboratories, dock space for research vessels, the wave tank and the learning center will become a part of a larger synergy with other facilities and plans for the San Pedro and Wilmington waterfronts, such as the recent opening of the Battleship Iowa and the Crafted Center. This synergy will enhance the overall success of the San Pedro Waterfront Project. We see the Research Center as a potential unique major attraction for our area. PCAC-1

These developments promise a more multifunctional Port, one that directly serves a broader citizen base and one that will enjoy broader citizen support.

This Sub Committee has received community input to the effect that the removal of the tanks at the Westways site represents another step toward the redemption of a promise by the Port to the community that was broken in the past. This was the promise that hazardous facilities and materials, especially petroleum products, would be removed or moved farther away from the community and concentrated on the so-called "Energy Island"- Pier 400 . Pier 400 was "sold" to the public as the much needed "Energy Island" to help guarantee So Cal's future energy needs and get dangerous facilities farther from homes and businesses. This promise was broken when Pier 400 became the world's largest container terminal in a sweet heart deal to a private company. PCAC-2

At least now, part of that promise can be redeemed with the removal of the Westways Terminal tanks.

We applaud the Port's continued commitment to the use of Sustainable Design Project Features. PCAC-3

Nevertheless some questions and concerns remain.

Unfortunately, at the project site especially at Berth 70-71 there remains a large amount of subsurface contamination by various hydrocarbons due to industrial operations that must be cleaned up. Since there is as yet no full site characterization study and there will not be one until after the demolition of the tanks at Berths 70-71 and there is no complete remedial action design, it seems fair to assert that the costs of remediation of this site are unknown but likely to be large. It seem fair also to suspect that whatever the initial estimate of the cleanup cost, it will likely be larger than anticipated after the full site characterization .

Given that this cleanup is anticipated to be paid for with Tidelands Trust funds (Port of LA money, which is Public money) despite leases that called for the cleanup of the site(s) to be paid for by the tenants at the end of their leases, we have to see this as a subsidy for a cost of private business entities doing their business. In other words what should have been a cost of doing business for corporations gets "externalized" and ultimately born by the public. The corporations get a free ride and the public pays. PCAC-4

We have seen this pattern before at POLA. Contrary to lease language, when it is convenient for the Port to move a tenant, the cleanup costs get waived. We urge POLA not to continue this practice as we see this as an abuse and misuse of Tidelands Trust funds.

In the case of the Marine Research Center, some community members feel it is worth it but as a general principal this is a very questionable practice as it constitutes a public subsidy for private businesses.

We wonder if the National Oceanic and Atmospheric Administration (incorrectly described as the National Oceanic and Atmospheric Association in section ES 2.1.1) has committed to be a tenant if the proposed project is built ? Language in the DEIR such as "this development would include the construction of a new building for NOAA operations…" suggests this is the case, but is this Federal Agency really committed? A major NOAA facility would be a welcome addition to our community, but what happens if they don't come given Federal budget constraints? Would we suddenly be looking for some new use for that building? PCAC-5 PCAC-6

Respectfully,

John G Miller MD FACEP

John G Miller M.D. FACEP
Chairman, Port of Los Angeles Port Community Advisory Committee EIR
Sub Committee

1

2.3.3.3 Port of Los Angeles Community Advisory Committee

Response to Comment PCAC-1

Comment noted. No changes to the Draft EIR are required as a result of this comment.

Response to Comment PCAC-2

Comment noted. No changes to the Draft EIR are required as a result of this comment.

Response to Comment PCAC-3

Comment noted. No changes to the Draft EIR are required as a result of this comment.

Response to Comment PCAC-4

As indicated in Draft EIR Sections ES.3.2.1.5 and 2.2.3.5, remediation and restoration of Berths 70–71 are part of the SPWP and is not part of the proposed Project. No changes to the Draft EIR are required as a result of this comment.

Response to Comment PCAC-5

The typographical error has been corrected in the Final EIR to refer to the NOAA as the National Oceanic and Atmospheric Administration. This change is reflected in Chapter 3, "Modifications to the Draft EIR."

Response to Comment PCAC-6

At this time there has not been a commitment from NOAA to locate at the proposed City Dock No. 1 facility. While a NOAA presence at the proposed Project is desired, in the event NOAA decides not to locate at City Dock No. 1, other marine research-related entities consistent with the purpose of the proposed Project could locate in the area identified as a NOAA facility in the Draft EIR.

San Pedro CHAMBER of COMMERCE

RECEIVED
JUN 29 2012
ENV MGMT DIV
HARBOR DEPARTMENT
CITY OF LOS ANGELES

June 22, 2012

Dr. Geraldine Knatz
Executive Director, POLA
425 South Palos Verdes Street
San Pedro, CA 90731

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

Los Angeles Board of Harbor Commissioners
Cindy Miscikowski, President
David Arian, Vice-President
Robin Kramer
Douglas P. Krause
Dr. Sun Wong Sohn
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Knatz, Mr. Cannon, and Members of the Board of Harbor Commissioners:

The San Pedro Chamber of Commerce through its Board of Directors supports the approval of the Draft Environmental Impact Report for the proposed City Dock No. 1 Marine Research Center Project.

We fully support the proposed plan to provide world-class marine research facilities and space to bring together leading researchers and entrepreneurs, including SCMI, Southern California universities and colleges, government research agencies, such as NOAA, and businesses to conduct cutting-edge urban marine research and education, and develop technologies to address the most marine-related pressing problems of the day.

SPCC-1

We feel that this project aligns with the Chamber's mission..."to promote, support and advocate the interests of the business community by actively working to develop a vital and sustainable local economy that enhances the social and environmental resources of the community". The project will advance the business incubator concept developed by the Chamber and PortTech LA. It will enhance and develop new green technologies, provide local jobs, bring additional tourism to the Historic Downtown Business District and the Waterfront, and provide educational programs for our students. These are many of the reasons that the San Pedro Chamber of Commerce supports the City Dock No. 1 Marine Research Center Project.

Sincerely,

Anthony Pirozzi
Chairperson, Board of Directors

Betsy Cheek
President/CEO

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

1

2.3.3.4 San Pedro Chamber of Commerce

Response to Comment SPCC-1

Comment noted. No changes to the Draft EIR are required as a result of this comment.

ORIGINAL

RECEIVED
JUN 26 2012
ENV. MGMT. DIV
HARBOR DEPARTMENT
CITY OF LOS ANGELES

IN RE THE MATTER OF CITY DOCK NO. 1)
MARINE RESEARCH CENTER DEIR,)
PORT OF LOS ANGELES, SAN PEDRO,)
CALIFORNIA.)
)

Transcript of the public hearing on the
Draft Environmental Impact Report, City Dock No. 1
Tuesday, June 12, 2012
San Pedro, California

SNYDER HEATHCOTE INC.

REPORTED BY Jamie L. Apodaca
CSR No. 10990
OUR FILE NO.

OFFICIAL COURT REPORTERS
3055 WILSHIRE BOULEVARD
SUITE 640
LOS ANGELES, CA 90010
TELEPHONE (213) 388-2151

1

MR. GRANT: Thank you, Charlie.

That's -- that being said, the document is available at the port web site at www.PortofLosAngeles.org. It's also available at the M.B. office for review, and it's also available at the four public libraries for you to review to provide comments prior to our July 9th meeting.

So if you do -- if you haven't already provided a comment letter to us, please do. We can take those as well. We can also take them up until July 9th, and you can send them to Chris Cannon; Director of Environmental Management -- he loves receiving those -- and here is his address. And you can also e-mail comments to us at "CEQA comments at Port of L.A." I'll leave this up, and you can always call me if you'd like.

With that being said, we will now enter the public comment period, and the first up will be Rick Whearty.

So if you'd please come to the podium, and we'll start for three minutes, and then after that, Jay Jahangiri.

MR. WHEARTY: Rick Whearty, representing Recovery at Sea and Grow Foods.

In --

Is this on?

Rick Whearty representing Recovery at Sea and Grow Foods.

We were -- when I looked at the Web site, there was

16

SNYDER HEATHCOTE, INC. (213) 388-2151

CDPH-1

1

something mentioned about aquaculture and I had also heard Geraldine Knatz at the Harbor Commission meeting at the beginning of last month -- May 3rd, I believe. She mentioned that was a possibility -- that the port was looking at developing that.

And the company that I'm working with -- the companies that I'm working with are looking at providing that in the port here. We actually have a bunch of drawings, but I don't know if this is the right time -- some interesting documents that you might like to look at. But I know this might be a little bit early for them.

CDPH-1 Cont.

MR. CANNON: You know what? Let me give you my card. Why don't you come talk to me? This is more intended to talk about the environmental document.

MR. WHEARTY: The future of this environmental stewardship is on the right track. I'm really glad to see this happening. And V&D, together -- that we work with, and the Port Tech group in quite a few staff fronts, and this is really neat that this is going to happen in the port here. So it looks like it's going to be a really good thing moving forward. So I will talk to you, Chris, and we'll see you later today.

MR. CANNON: We appreciate it, and here's my card, and let's talk off-line, and happy to see what you have and to pass it along.

17

SNYDER HEATHCOTE, INC. (213) 388-2151

MR. GRANT: Next up is Jay.

MR. JAHANGIRI: Good evening. Jay Jahangiri. I'll be very brief about my comments following the admonitions, just sticking to what the document is. Frankly, as an environmental professional and a person that takes a great deal of pride in being in this industry, I've reviewed the documents.

And to me, CEQA is a statute that says, "Do disclosure." You've got to disclose the impacts. And, you know, from my standpoint, as an environmental professional, as a port and maritime professional, this document is a great example of disclosure of those impacts. Whether they're good or they're challenging impacts, they'd better be identified at the end of the day, balance it out, and figure out what alternative is the right alternative.

CDPH-2

So from that standpoint, I -- our comments -- my personal comment, as an environmental professional, is this is a balanced document, and the project itself, frankly, it's a display of win-win for this community. And I think this probably is one of the first examples in the nation of a marine research facility at a port -- in an active port. That's a little comment. I may be wrong about that, but I believe it's either the first or one of the first research facilities. Thank you.

MR. GRANT: Thank you, Jay.

1

2.3.3.5 Draft EIR Public Hearing Transcripts

Response to Comment CDPH-1

Comment noted. No changes to the Draft EIR are required as a result of this comment.

Response to Comment CDPH-2

Comment noted. No changes to the Draft EIR are required as a result of this comment.

3.0

MODIFICATIONS TO THE DEIR

3.0 MODIFICATIONS TO THE DRAFT EIR

3.1 Introduction

This chapter presents modifications made to the Draft EIR for the City Dock No.1 Marine Research Center Project at the Port of Los Angeles. It presents all revisions to the Draft EIR, including changes in response to public comments received, as determined necessary by LAHD, the lead agency, for the following areas of the document:

- Executive Summary:
  - Correction to the name of the National Oceanographic and Atmospheric Administration;
  - Enhancement of Mitigation Measure MM AQ-4 related to reducing VOC emissions to include cleaning products;
  - Correction of summary of AQ-2 "Impacts after Mitigation" to accurately summarize the findings in Draft EIR AQ-2 air quality analyses; and
  - Clarification to Figure ES-2, Project Vicinity.
- Section 2.0 clarification to Figure 2-2, Project Vicinity
- Section 3.2, "Air Quality and Greenhouse Gases":
  - Clarification of Mitigation Measure MM AQ-1 related to engine requirements for harbor craft used during construction.
  - Enhancement of Mitigation Measure MM AQ-4 related to reducing VOC emissions to include cleaning products.
- Chapter 12.0, "Acronyms," to correct the name of the National Oceanographic and Atmospheric Administration.
- Appendix A, "Initial Study/Notice of Preparation," to add comment letters received on the Notice of Preparation (NOP) that were inadvertently not included in the Draft EIR from the following entities:
  - Department of Toxic Substances Control
  - Port Community Advisory Committee
  - Marine Mammal Care Center

- South Coast Air Quality Management District

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. This chapter complies with the latter of these two guidelines. No revisions to supporting documentation are required. The numbering format from the Draft EIR is maintained in the sections presented here. Only sections that have revisions based on public comment or issues identified by LAHD, the lead agency, are included, and sections that have no revisions are not included. Readers are referred to the Draft EIR to view complete sections. Changes to the Draft EIR are shown in revision mode text (i.e., deletions are shown with ~~strikethrough~~ and additions are shown with underline). None of the changes result in changes to significance findings.

3.2 Changes to the Draft EIR

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

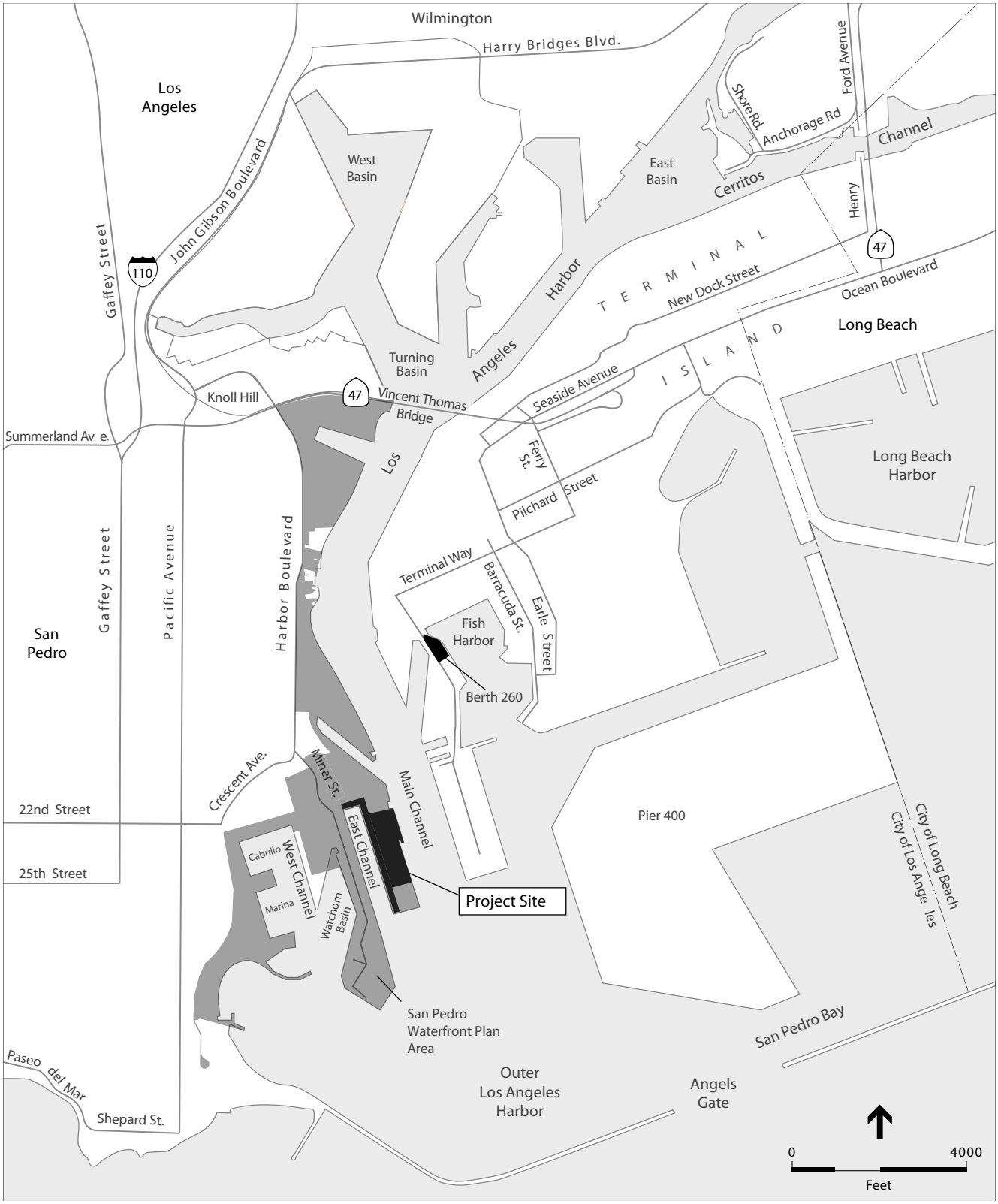
3.2.1 Changes Made to the Executive Summary

3.2.1.1 Section ES.2.1, CEQA Purpose, Page ES-3

The overall purpose of the proposed Project is to adaptively reuse the transit sheds at Berths 57–60 and the adjacent Berths 70–71 proposed project site and existing buildings (e.g., transit centers) to provide world-class marine research facilities and space to bring together leading researchers and entrepreneurs, including the Southern California Marine Institute (SCMI), southern California universities and colleges, government research agencies, such as the National Oceanographic and Atmospheric ~~Association~~ Administration (NOAA), and businesses to conduct cutting-edge urban marine research and education, and develop technologies to address the most pressing problems of the day. The proposed Project seeks to achieve this purpose though the rehabilitation of the existing buildings and wharves to house state-of-the art marine research and educational facilities and provide deep draft berthing space for research vessels, and by providing for a cluster of university researchers, educational programs, and spin-off marine science technology ventures.

3.2.1.2 Figure ES-2, Project Vicinity, After Page ES-2

Figure ES-2, Project Vicinity, was modified to remove the “City Dock No. 1” label and arrow in order to more clearly define the location of the proposed Project.



K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PD\FigES_2_Project_Vicinity.ai DD (05-11-12)

SOURCE: POLA, ESA (2010)

ICF INTERNATIONAL

Figure ES-2
Project Vicinity
City Dock No. 1 Marine Research Center Project

3.2.1.3 Section ES.5.3, Pages ES-41 and ES-42, Table ES-3

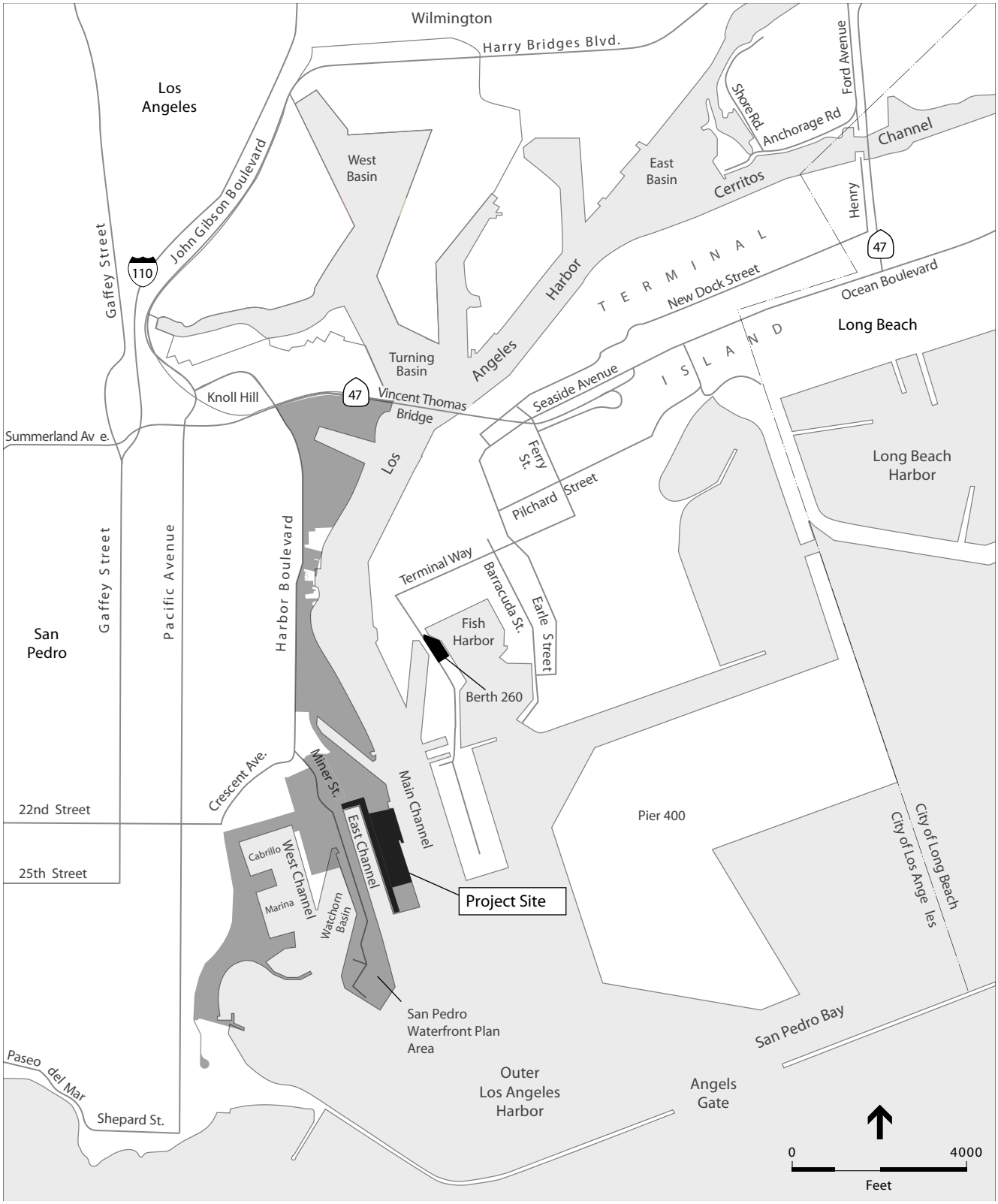
Environmental Impacts	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.2. AIR QUALITY AND GREENHOUSE GASES			
Construction			
AQ-1: The proposed Project would result in construction-related emissions that exceed an SCAQMD threshold of significance.	Significant	**MM AQ-1: Implement Harbor Craft Engine Standards**. All harbor craft used during the construction phase of the proposed Project will, at a minimum, be repowered to meet EPA Tier 2. Additionally, where available, harbor craft will meet EPA Tier 3 or cleaner marine engine emission standards~~. Analysis conservatively reflects the use of engines that meet EPA Tier 2 standard.~~ ~~This harbor craft measure will be met~~ unless one of the following circumstances exists, and the contractor is able to provide proof of its existence: ▪ A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement. ▪ A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the proposed Project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. ▪ A contractor has ordered a control device for a piece of equipment planned for use on the proposed 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 have attempted to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the proposed Project has the controlled equipment available for lease. The analysis conservatively reflects the use of engines that meet EPA Tier 2 standards. **MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard and Use of Low VOC Products**. Architectural coatings used on site will meet SCAQMD's super-compliant VOC standard of 10 grams of VOC per liter. The use of water-based or low VOC cleaning products, where feasible, will result in further VOC reduction. The reductions associated with the use	Significant and unavoidable

Environmental Impacts	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
		of water-based or low VOC cleaning products were conservatively excluded from emission calculations.	
AQ-2: The proposed Project would result in offsite ambient air pollutant concentrations during construction that exceed a threshold of significance.	Significant	Implement Mitigation Measures MM AQ-1 through MM AQ-7.	Less than significant ~~Significant and unavoidable~~

3.2.2 Changes Made to Chapter 2, "Project Description"

3.2.2.1 Figure 2-2, Project Vicinity, After Page 2-2

Figure 2-2, Project Vicinity, was modified to remove the "City Dock No. 1" label and arrow in order to more clearly define the location of the proposed Project.



K:\Irvine\GIS\Projects\POLA\00211_11\mapdoc\PD\Fig1_1_Project_Vicinity.ai TZ (08-08-12)

SOURCE: POLA, ESA (2010)

ICF INTERNATIONAL

Figure 2-2
Project Vicinity
City Dock No. 1 Marine Research Center Project

3.2.3 Changes Made to Section 3.2, "Air Quality and Greenhouse Gases"

3.2.3.1 Section 3.2.4.3.1, Construction Impacts, Impact AQ-1, Table 3.2-13

Off-road Construction Equipment	*On-road Trucks*	*Tugboats*	*Fugitive Emissions*
MM AQ-2: Implement Fleet Modernization for Construction Equipment	**MM AQ-5: Clean Trucks Program for Construction Haul Trucks**	**MM AQ-1: Implement Harbor Craft Engine Standards**	**MM AQ-3: Implement Additional Fugitive Dust Controls** **MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard <u>and Use of Low VOC Products</u>**
Mitigation Measures Not Quantified in the Mitigated Emission Calculations[a]			
MM AQ-6: Implement Best Management Practices **MM AQ-7: Implement General Mitigation Measure**			
[a] These mitigation measures were not quantified because their effectiveness has not been established. Note: This table is not a comprehensive list of all applicable regulations; rather, the table lists key regulations and agreements that substantially affect the emission calculations for the proposed Project. A description of each regulation or agreement is provided in Section 3.2.3, "Applicable Regulations."			

3.2.3.2 Section 3.2.4.3.1, Construction Impacts, Impact AQ-1, Page 3.2-61

MM AQ-1: Implement Harbor Craft Engine Standards. All harbor craft used during the construction phase of the proposed Project will, at a minimum, be repowered to meet EPA Tier 2. Additionally, where available, harbor craft will meet EPA Tier 3 or cleaner marine engine emission standards~~. Analysis conservatively reflects the use of engines that meet EPA Tier 2 standard.~~

~~This harbor craft measure will be met~~ unless one of the following circumstances exists, and the contractor is able to provide proof of its existence:

- A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.
- A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the proposed Project, but the

application process is not yet approved, or the application has been approved, but funds are not yet available.

- A contractor has ordered a control device for a piece of equipment planned for use on the proposed 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 have attempted to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the proposed Project has the controlled equipment available for lease.

The analysis conservatively reflects the use of engines that meet EPA Tier 2 standards.

3.2.3.3 Section 3.2.4.3.1, Construction Impacts, Impact AQ-1, Page 3.2-64

MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard and Use of Low VOC Products. Architectural coatings used on site will meet SCAQMD's super-compliant VOC standard of 10 grams of VOC per liter. The use of water-based or low VOC cleaning products, where feasible, will result in further VOC reduction. The reductions associated with the use of water-based or low VOC cleaning products were conservatively excluded from emission calculations.

3.2.3.4 Section 3.2.4.3.2, Operational Impacts, Impact AQ-3, Table 3.2-21

Marine Vessels	*Land-Side Equipment*	*Vehicle Sources*	*Fugitive Sources*
Mitigation Measures Included in the Mitigated Emission Calculations			
			MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard and Use of Low VOC Products
Mitigation Measures Not Included in the Mitigated Emission Calculations[a]			
MM AQ-7: Implement General Mitigation Measure			

[a] These mitigation measures were not included in the calculations because their effectiveness has not been established.

Note:

This table is not a comprehensive list of all applicable regulations; rather, the table lists key regulations and agreements that substantially affect the emission calculations for the proposed Project. A description of each regulation or agreement is provided in Section 3.2.3, "Applicable Regulations."

3.2.3.5 Section 3.2.4.3.3, Summary of Impact Determinations, Table 3.2-29

Environmental Impacts	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.2. AIR QUALITY AND GREENHOUSE GASES			
Construction			
AQ-1: The proposed Project would result in construction-related emissions that exceed an SCAQMD threshold of significance.	Significant	**MM AQ-1: Implement Harbor Craft Engine Standards**. All harbor craft used during the construction phase of the proposed Project will, at a minimum, be repowered to meet EPA Tier 2. Additionally, where available, harbor craft will meet EPA Tier 3 or cleaner marine engine emission standards~~. Analysis conservatively reflects the use of engines that meet EPA Tier 2 standard.~~ ~~This harbor craft measure will be met~~ unless one of the following circumstances exists, and the contractor is able to provide proof of its existence: ▪ A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement. ▪ A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the proposed Project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. ▪ A contractor has ordered a control device for a piece of equipment planned for use on the proposed 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 have attempted to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the proposed Project has the controlled equipment available for lease. <u>The analysis conservatively reflects the use of engines that meet EPA Tier 2 standards.</u> **MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard <u>and Use of Low VOC Products</u>**. Architectural coatings used on site will meet SCAQMD's super-compliant VOC standard of 10 grams of VOC per liter. <u>The use</u>	Significant and unavoidable

Environmental Impacts	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
		of water-based or low VOC cleaning products, where feasible, will result in further VOC reduction. The reductions associated with the use of water-based or low VOC cleaning products were conservatively excluded from emission calculations.	

3.2.3.6 Section 3.2.4.4, Mitigation Monitoring, Impact AQ-4, Table 3.2-30

Mitigation Measure	**MM AQ-4: Implement SCAQMD's Super-Compliant Architectural Coating Standard and Use of Low VOC Products**.

3.2.4 Changes Made to Chapter 12.0, "Acronyms"

NOAA National Oceanographic and Atmospheric ~~Association~~ Administration.

3.2.5 Changes Made to Appendix A, "Initial Study/Notice of Preparation"

The following letters received during the Notice of Preparation (NOP) process were inadvertently omitted from Appendix A of the Draft EIR, and have been added to the end of this chapter of the Final EIR:

- Department of Toxic Substances Control
- Port Community Advisory Committee
- Marine Mammal Care Center
- South Coast Air Quality Management District

1 # Department of Toxic Substances Control

Department of Toxic Substances Control

Linda S. Adams
Acting Secretary for
Environmental Protection

Leonard E. Robinson
Acting Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

RECEIVED
FEB - 1 2011
CITY OF LOS ANGELES

January 25, 2011

Mr. Christopher Cannon
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, California 90731

NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT (NOP) FOR CITY DOCK NO. 1 MARINE RESEARCH CENTER PROJECT (SCH# 2010121013)

Dear Mr. Cannon:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The Port of Los Angeles (Port) working with the Southern California Marine Institute (SCMI) and other universities and institutions, proposes to create City Dock No. 1 Marine Research Center at a 28-acre site within the San Pedro Waterfront Plan area that encompasses Berths 56 through 60, and Berths 70 and 71. To be constructed in two phases, the first phase of the proposed Project would include improvements to the historic Berth 57 Transit Shed and the wharf for use by the SCMI, as well as construction of a Learning Center at Berth 56 and construction of a 12-slip finger dock for SCMI and visiting small vessels. SCMI, which is a consortium of universities in Southern California, currently occupies a building in the fish harbor district that would be demolished upon SCMI's relocation to the project site. The second phase of the proposed Project would consist of improvements to the Berth 58–60 transit shed for use by SCMI and SCMI partners, and of improvements to Berths 70 and 71 for use by the National Oceanic and Atmospheric Administration (NOAA), including docking for up to three NOAA vessels, and construction of an 80,000-square-foot wave tank within the current westways footprint".

Based on the review of the submitted document DTSC has the following comments:

1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

02/08/11 J. ROSTOCK – FOR HANDLING
LAND, 100114-003, POLA City Dock #1, B. 57-72 EIR

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

Mr. Christopher Cannon
January 25, 2011
Page 4

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,

Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3111

1 Port Community Advisory Committee

January 23, 2011

Port of Los Angeles Community Advisory Committee
EIR Sub-Committee

To: Christopher Cannon, Director
Environmental Management Division

Regarding:

NOP Comments City Dock No. 1 Marine Research Center

Dear Mr. Cannon,

The EIR Sub Committee is generally supportive of the City Dock No. 1 Project. We feel it will be a benefit to the community and the region when it is completed and operational.

We have a few concerns.

We note that the Project Location states that the North boundary of the Project Site is East 22nd St., yet we notice on Figure 3 "Project Site" which outlines the proposed project area in red that there is a square area outlined in red *to the North of East 22nd St.*, that is, *outside* of the stated project area. What is this square area and what will it be? Is this some sort of mistake? At present it appears to be a parking lot. Is this to be changed? We have not found any apparent description of this in section 2.1 "Project Site Existing Conditions" nor have we found a description of this in "Table 1 Project Elements". Are we missing something here? Please clarify.

We see the removal from Berths 70-71 of the GATX / Westway hazardous liquid bulk facility as a very positive step for the community. The community has long called for the removal of this dangerous facility. We commend the Port for undertaking this.

We do wonder about the circumstances of the removal of the tenant. From what we know so far, GATX was relieved of its contractual obligations to remediate the extensive toxic contamination due to its operations at that site. We have been unable to see the documentation for this relief of remediation requirements, which were clearly stated in the GATX lease. Despite a Public Records Request by our Sub-Committee Chair, to date Port Staff has not produced the records detailing this reported relief of GATX's remediation obligations.

If it is indeed true that any or all of GATX's remediation obligations were waived, we wonder what the ultimate cost of such relief will be to the Port. Typically, remediation measures for the types and extent of contaminations described at the site by the NOP run into the tens or even hundreds of millions of dollars. Regardless of the cost, we see getting rid of this as a "good deal" for the community.

We wonder if this is a "good deal" for the Port. Possibly this depends on what the actual cost of the remediation turns out to be, as the NOP implicitly tells us that the cost is unknown at this time. It begs the question-will a true, full cleanup actually occur once the responsible party (GATX) has been relieved of its obligations?

Thank you for the opportunity to comment on this NOP.

Respectfully,

John G. Miller, M.D. FACEP
Chair, PCAC EIR Sub-Committee

1 # Marine Mammal Care Center

Marine Mammal Care Center Fort MacArthur
3601 S. Gaffey · San Pedro, CA 90731
(310) 548-5677

RECEIVED
FEB 15 2011
EXECUTIVE DIRECTOR
HARBOR DEPT.
CITY OF L.A.

February 8, 2011

RECEIVED
FEB 24 2011

Dr. Geraldine Knatz
Executive Director of the Port of Los Angeles
P.O. Box 151
San Pedro, CA 90733-0151

Re: City Dock No. 1 Marine Research Center Project

Dear Dr. Knatz,

As Director of the Marine Mammal Care Center Fort MacArthur I would like to extend our support for the proposed Marine Research Center Project at City Dock No. 1 in San Pedro. For 19 years the Marine Mammal Care Center at Fort MacArthur has provided medical rehabilitation services for stranded and injured marine mammals in Los Angeles County and response capability for oiled marine mammals. In addition, we routinely collaborate with local and regional teachers and professors to provide educational opportunities for children age K-12, college students, and veterinary students interested in marine mammal science. Over the last few years we have worked closely with research faculty at the University of Southern California on the detection of harmful algal bloom toxins in stranded pinnipeds as well as with faculty of the College of Veterinary Medicine at Western University College of Health Sciences in Pomona, CA on physiological adaptations of northern elephant seals.

The proposed Marine Research Center would be an asset to the area and provide a central research facility where regional stakeholders in marine business, science, education and conservation work collaboratively. I extend our full support of the proposed project.

Sincerely,

David Bard
Director, Marine Mammal Care Center Fort MacArthur

2/23 - copy to Chris Cannon

1 # South Coast Air Quality Management District

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

December 15, 2010

Christopher Cannon, Director
Environmental Management
Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90733

RECEIVED
DEC 20 2010

Notice of Preparation of a CEQA Document for the
City Dock No. 1, Marine Research Center Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis
The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the

recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
LAC101207-04
Control Number

1

2