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July 26, 2012

**SUBJECT: NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE PORT OF LOS ANGELES MASTER PLAN UPDATE**

This Notice of Preparation (NOP) is to inform responsible and trustee agencies, public agencies, and the public that the City of Los Angeles Harbor Department (LAHD), as the lead agency under the California Environmental Quality Act (CEQA), will be preparing a Program Environmental Impact Report (PEIR) for the Port of Los Angeles Master Plan Update (PMPU). The PMPU serves as a long-range plan to establish policies and guidelines for future development within the coastal zone boundary of the Port of Los Angeles (Port). In general, the PMPU area is bounded by the community of Wilmington to the north, lands surrounding the Consolidated Slip to the northeast, lands surrounding the Cerritos Channel and City of Los Angeles boundary to the east, Los Angeles Harbor to the south, and the community of San Pedro to the west (Figure 1).

LAHD seeks comments from agencies and the public regarding the scope and content of the environmental impacts, mitigation measures, and alternatives to be addressed in the PEIR. For agencies, LAHD seeks comments relevant to each agency's statutory responsibilities, in connection with the PEIR and the various actions and activities to be evaluated. The LAHD has prepared, as part of the NOP, an Environmental Checklist in accordance with current City of Los Angeles Guidelines for the Implementation of CEQA (Article I); the State CEQA Guidelines (Title 14, California Code of Regulations); and the California Public Resources Code (Section 21000, *et seq.*).

The NOP is being circulated for a period of 30 days for public review and comment starting on July 26, 2012 and ending on August 24, 2012. A copy of the document is available for public review on the Port of Los Angeles' website at: <http://www.portoflosangeles.org>; the Los Angeles Harbor Department Environmental Management Division located at 222 West 6th Street, San Pedro; the Los Angeles City Library San Pedro Branch at 931 S. Gaffey Street; and at the Los Angeles City Library Wilmington Branch at 1300 North Avalon, Wilmington.

Comments on the NOP should be submitted in writing prior to the end of the 30-day public review period and must be postmarked by August 24, 2012. Please submit written comments to:

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

Written comments may also be sent via email to [ceqacomment@portla.org](mailto:ceqacomment@portla.org). Comments sent via email should include the project title in the subject line and a valid mailing address in the email.

The LAHD will conduct a public scoping meeting to receive public and agency comments. The meeting will be conducted in both English and Spanish. The meeting time and location are as follows:

August 14, 2012  
6:00 pm  
Banning's Landing Community Center  
100 E. Water Street, Wilmington, CA 90744



Questions regarding this notice or the proposed program should be directed to Lisa Ochsner, CEQA Supervisor at (310) 732-3412.

Sincerely,

CHRISTOPHER CANNON  
Director of Environmental Management

CC:LO:mr  
ADP No.: 110518-060



Figure 1. PMPU and Coastal Zone Boundaries

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# Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update

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*Prepared by:*  
Environmental Management Division  
City of Los Angeles Harbor Department

*with assistance from:*  
Science Applications International Corporation

July 2012



# **Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update**

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*Prepared by:*

Environmental Management Division  
City of Los Angeles Harbor Department  
425 S. Palos Verdes Street  
San Pedro, CA 90731

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**July 2012**



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# PORT OF LOS ANGELES MASTER PLAN UPDATE NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT

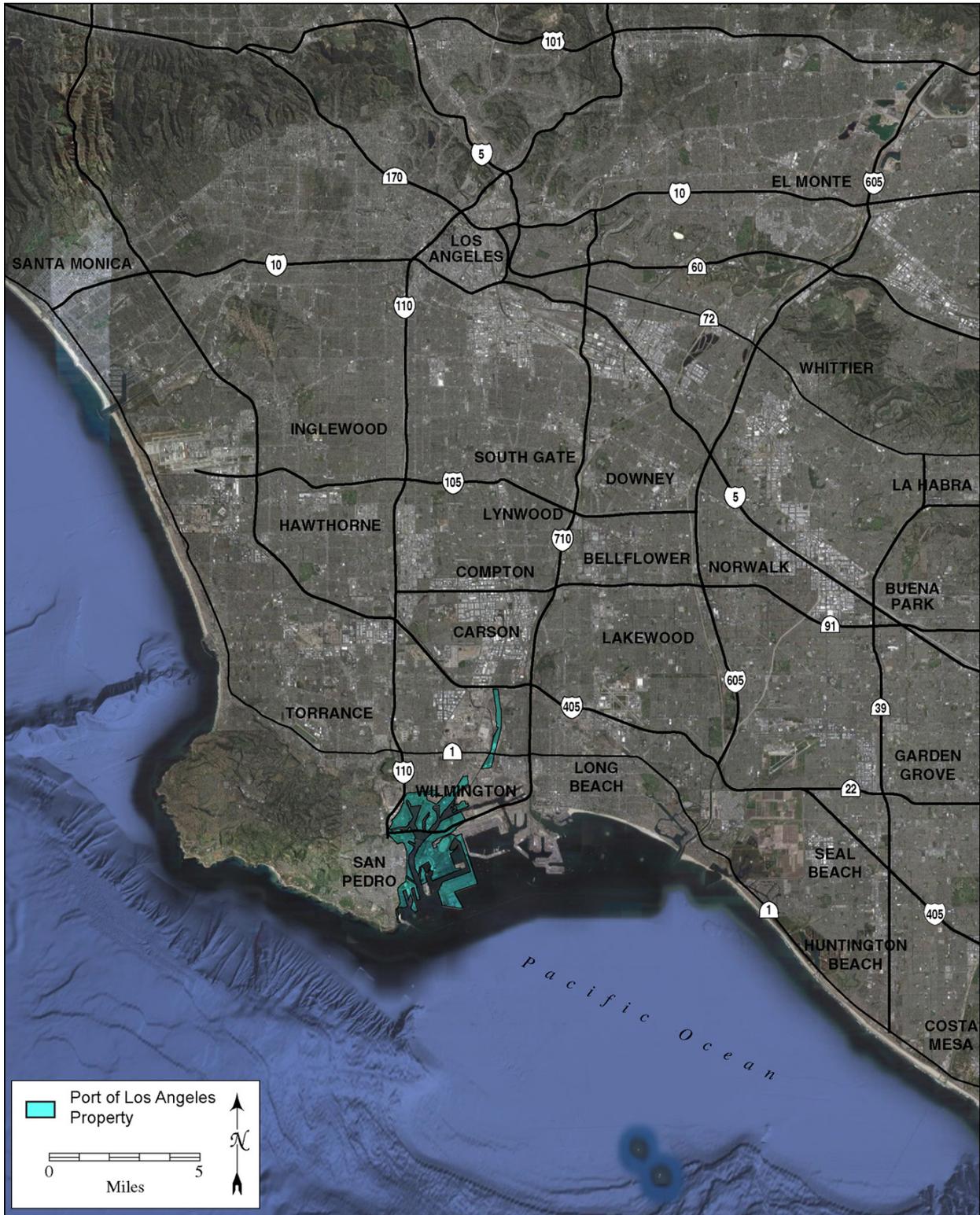
## 1.0 Introduction and Background

### 1.1 Introduction

This Notice of Preparation (NOP) is to inform responsible and trustee agencies, public agencies, and the public that the City of Los Angeles Harbor Department (LAHD) is preparing a Program Environmental Impact Report (PEIR) for the Port of Los Angeles Master Plan Update (PMPU or proposed Program). The PMPU serves as a long-range plan to establish policies and guidelines for future development at the Port of Los Angeles (Port), which is situated in San Pedro Bay approximately 20 miles south of downtown Los Angeles (Figure 1). The PMPU will serve as the Local Coastal Plan (LCP) for the portion of the Port's jurisdiction that falls within the coastal zone, as required under the California Coastal Act (CCA). Accordingly, the PMPU will focus on the entire Port boundary that lies within the coastal zone (i.e., the Port's coastal zone boundary) (Figure 2). In general, the PMPU area is bounded by the community of Wilmington to the north, lands surrounding the Consolidated Slip to the northeast, lands surrounding the Cerritos Channel and City of Los Angeles boundary to the east, Los Angeles Harbor to the south, and the community of San Pedro to the west. The PEIR will be prepared by the LAHD as lead agency pursuant to the California Environmental Quality Act (CEQA) and California Public Resources Code (PRC) Section 21000 *et seq.* The PEIR will analyze potential environmental impacts from a Port-wide perspective that is programmatic in nature. As such, it will not specifically analyze individual projects. Project-specific analysis will be undertaken at the appropriate time when individual projects are proposed and carried forward for environmental review.

LAHD seeks comments from agencies and the public regarding the scope and content of this PEIR. For agencies, LAHD seeks comments regarding the scope and content of environmental information that is relevant to each agency's statutory responsibilities, in connection with the PEIR and the various actions and activities to be evaluated. The LAHD has prepared, as part of this NOP, an Environmental Checklist for the PEIR determination in accordance with current City of Los Angeles Guidelines for the Implementation of the CEQA (Article I); the State CEQA Guidelines (Title 14, California Code of Regulations); and the California PRC (Section 21000, *et seq.*). The Environmental Checklist is attached to this NOP for public review and comment.

LAHD is chartered to develop and operate the Port under the California Tidelands Trust Act of 1911, the Los Angeles City Charter (Article VI, Section 601) and the CCA (PRC Division 20, Section 30700, *et seq.*). LAHD leases Port property to over 300 tenants who operate their own facilities. The Port encompasses 7,500 acres and 43 miles of waterfront and provides a major gateway for international goods and services. With 27 major cargo terminals, including dry and liquid bulk, container, break bulk, automobile, and omni facilities, the Port handles almost 190 million metric revenue tons of cargo per year. In addition to cargo business operations, the Port is home to commercial fishing operations, shipyards, and boat repair yards, as well as recreational, community, and educational facilities.



**Figure 1. Regional Location**

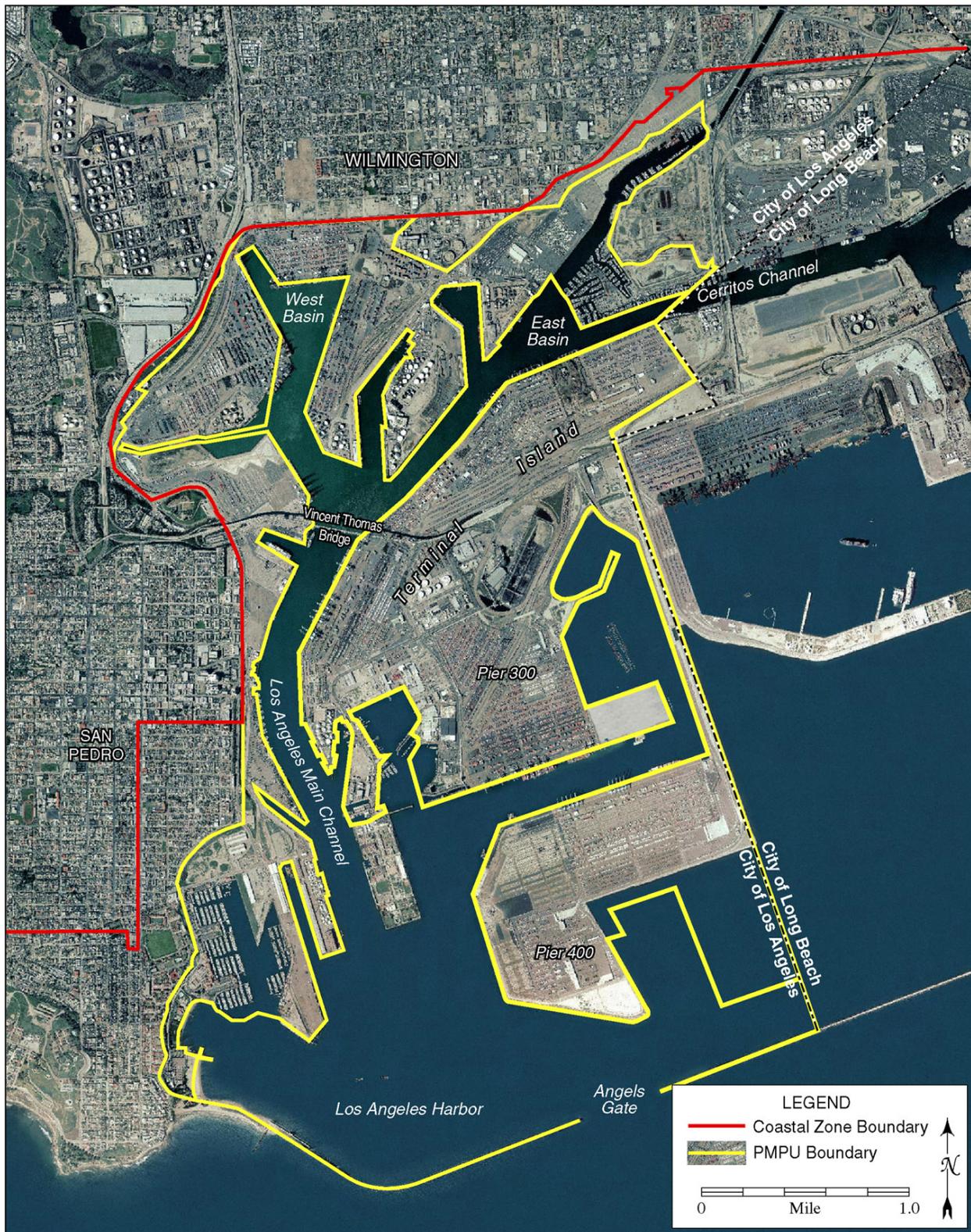


Figure 2. PMPU and Coastal Zone Boundaries

## 1.2 Background

### Coastal Zone Management Act

In 1972, Congress passed the Coastal Zone Management Act (CZMA) to “preserve, protect, develop, and where possible, to restore or enhance, the resources of the nation’s coastal zone for this and succeeding generations” and “encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone” (16 United States Code [USC] 1452, Section 303[1] and [2]).

Section 307(c)(3)(A) of the CZMA states that “any applicant for a required federal license or permit to conduct an activity, in or outside the coastal zone, affecting any land or water use or natural resource of the coastal zone of that state shall provide a certification that the proposed activity complies with the enforceable policies of the state’s approved program and that such activity would be conducted in a manner consistent with the program.” In order to participate in the coastal zone management program, a state is required to prepare a program management plan. Once the plan and its enforceable program policies are approved, a state program gains “federal consistency” jurisdiction. This means that any deferral action (e.g., a project requiring federally issued licenses or permits) that occurs within a state’s coastal zone must be found to be consistent with state coastal policies before the federal action can occur.

### California Coastal Act

In 1976, the CCA was enacted to establish policies and guidelines that provide direction for the conservation and development of the California coastline. The CCA established the California Coastal Commission (CCC) as the coastal management and regulatory agency over the Coastal Zone (PRC 30103), within which the Port is included. The CCC is responsible for assisting in the preparation, review, and certification of LCPs. The LCPs are developed by municipalities for that portion of their jurisdiction that falls within the coastal zone. Following certification of the LCP, regulatory responsibility is then delegated to the local jurisdiction.

The coastal zone boundary within the state’s coastal zone is defined by the CCC (State Coastal Zone Boundaries, CCC, February 9, 2012) as follows:

*California’s coastal zone generally extends 1,000 yards inland from the mean high tide line. In significant coastal estuarine habitat and recreational areas it extends inland to the first major ridgeline or five miles from the mean high tide line, whichever is less. In developed urban areas, the boundary is generally less than 1,000 yards.*

Chapter 3 of the CCA identifies the six coastal resources planning and management policies that are generally used to evaluate a proposed project’s consistency with the CCA. The following CCA policies and regulations address coastal zone conservation and development decisions:

- Providing for maximum public access to California’s coast;
- Protecting water-oriented recreational activities;
- Maintaining, enhancing, and restoring California’s marine environment;
- Protecting sensitive habitats and agricultural uses;
- Minimizing environmental and aesthetic impacts of new development; and
- Locating coastal-dependent industrial facilities within existing sites whenever possible.

The CCA recognizes the Port, as well as other California ports, as primary economic, and coastal resources and as essential elements of the national maritime industry. Decisions to undertake specific development projects, where feasible, would be based on consideration of alternative locations and designs to avoid or minimize any adverse environmental impacts. CCA regulations require environmental protection while expressing a preference for port-dependent projects. The CCA requires that a coastal development permit be obtained from the CCC for any development within the ports. However, a commercial port is granted the authority to issue its own coastal development permits once it completes a master plan certified by the CCC. If a port desires to conduct or permit major developments that are not consistent with the approved master plan, the port must apply to the CCC for an amendment to the master plan.

Under the CCA, existing ports are encouraged to modernize and construct as necessary to minimize or eliminate the need for the creation of new ports. Chapter 8, Article 2, of the CCA includes policies that pertain to port-related development that is consistent with coastal protection in port areas. CCA Chapter 8, Article 2, Section 30703 stipulates that ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate alternative space has been provided. New or expanded tanker terminals shall be designed and constructed to minimize the volume of oil spilled and risk of collision from movement of other vessels (CCA Chapter 8, Article 2, Section 30707).

Water areas may be diked, filled, or dredged for the following purposes (Chapter 8, Article 2, Section 30705[a]):

- Construction, deepening, widening, lengthening, or maintenance of ship channel approaches, ship channels, turning basins, berthing areas, and facilities required for the safety and accommodation of commerce and vessels to be served by the port facilities; and
- New or expanded facilities or waterfront, land for port-related facilities.

The design and location of new or expanded facilities shall, to the extent practicable, take advantage of existing water depths, water circulation, and siltation patterns to minimize the need for future dredging. Dredging shall be planned, scheduled, and carried out to minimize disruption to fish and bird breeding and migrations, marine habitats, and water circulation (CCA Chapter 8, Article 2, Section 30705[b][c]). Water areas to be filled shall be the minimum necessary to achieve the purpose of the fill and designed to minimize adverse impacts to coastal resources (e.g., water quality, fish and wildlife resources, and recreational resources) and shall be consistent with navigational safety (CCA Chapter 8, Article 2, Section 30706).

CCA Chapter 8, Article 2, Section 30708 requires that all port-related developments be located, designed, and constructed to:

- Minimize substantial adverse environmental impacts;
- Minimize potential traffic conflicts between vessels;
- Give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities;
- Provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat uses, to the extent feasible; and
- Encourage rail service to port areas and multicompany use of facilities.

Chapter 8 of the CCA establishes specific planning and regulatory procedures for California's "commercial ports" (defined as the ports of San Diego, Los Angeles, Long Beach, and Hueneme). Chapter 8, Article 3, of the CCA stipulates that ports shall prepare and adopt master plans containing provisions within that chapter (California PRC Section 30710-30721). Port master plans are then certified by the CCC and development projects authorized or approved pursuant to an adopted and certified master plan are deemed to be in conformity with the coastal zone management program.

CCA Chapter 8, Article 3, Section 30711(a) requires that a master plan include the following:

- The proposed uses of land and water areas, where known;
- The projected design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body;
- An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impact;
- Proposed projects listed as appealable in Section 30715 in sufficient detail to be able to determine their consistency with the policies of CCA Chapter 3; and
- Provisions for adequate public hearings and public participation in port planning and development decisions.

CCA Chapter 8, Article 3, Section 30711(b) stipulates that a port master plan shall contain information in sufficient detail to allow the CCC to determine its adequacy and conformity with the applicable CCA policies.

## **1980 Port Master Plan**

The LAHD's Port Master Plan (PMP) (1980 plus subsequent amendments) provides policies and guidelines for the short- and long-term development, expansion, and alteration of the Port. The PMP and subsequent amendments have been certified by the CCC and are, therefore, consistent with the CZMA and CCA. Due to the dynamic nature of world commerce, the PMP has been written to encompass broad LAHD goals and specific projects, while recognizing and planning for changes in cargo transport and requirements, throughput demand, available technology and equipment, and available lands for primary Port terminal development. The PMP sets forth permitted uses, design and location of land use areas, anticipated projects listed as appealable, objectives, policies, and environmental goals that guide future development within each of the PMP Planning Areas. The current PMP and certified amendments are listed in Table 1 below. The current PMP and amendments can be viewed online at the Port's website <http://www.portoflosangeles.org/planning/masterplan.asp>.

**Table 1. Port Master Plan With Amendments**

<b>PMP</b>	<b>Title</b>	<b>Coastal Commission Certification Date</b>
Original	Port of Los Angeles Port Master Plan	April 1980
Amendment 2	Commercial Fishing Industry Plan	June 1981
Amendment 3	Risk Management Plan	November 1983
Amendment 4	Guidelines for Implementation	August 1982
Amendment 6	Master Planning Area 9, 190-Acre Landfill Site	June 1983
Amendment 7	Terminal Way Parcel, Boundary and Land Use	August 1983
Amendment 8	Map Revision to Area 2 and Area 6	June 1984
Amendment 9	Slip 228 Dike and Fill	November 1984
Amendment 10	Terminal Way Parcel, General Cargo Land-Use	April 1985
Amendment 12	Piers 300/400	April 1993
Amendment 13	1.4 Acre Landfill at Pier 300	June 1994
Amendment 14	General Cargo Use in Fish Harbor Parcel	August 1995
Amendment 15	Harbor Landfill Mitigation Credit Account	October 1996
Amendment 16	Banning's Landing Project at Head of Slip 5 in Wilmington	October 1996
Amendment 17	Phase II- PIER 400 Landfill and Deep Water Channels	April 1997
Amendment 19	Main Channel Deepening Project	May 1998
Amendment 21	Channel Deepening and Fill Project, Increased Depth and New Landfills	May 2002
Amendment 23	West Channel/Cabrillo Marina Phase II Development Project	January 2006
Amendment 24	Main Channel Deepening Project, Modifications and New Disposal Sites	October 2009
Amendment 25	China Shipping Container Terminal Land Use Designation and Landfill	November 2009
Amendment 26	LA Waterfront Land Use Additions, Minor Fills and New Harbors	August 2011
Amendment 27	Al Larson Boat Shop	July 2012
<p>Note: Proposed amendments that were initially considered by the LAHD but not carried forward for approval by the CCC are not included in this table. Therefore, there are gaps in the amendment numbering sequence.</p>		

## **2.0 CEQA Requirements and Intended Uses of the Program EIR**

### **2.1 CEQA Requirements**

A PEIR for the PMPU is considered the appropriate document because it is a type of EIR prepared for a series of actions that can be characterized as one large project, and are related as follows per CEQA Guidelines Section 15168:

- Geographically;
- As logical parts in the chain of contemplated actions;
- In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
- As individual activities carried out under the same authorizing statutory or regulatory authority, and having generally similar environmental effects which can be mitigated in similar ways.

Subsequent activities in the program must be examined in the light of the PEIR to determine whether an additional environmental document must be prepared. If a later activity would have effects that were not examined in the PEIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. If the agency finds that no new effects would occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the PEIR, and no new environmental document would be required. An agency should incorporate feasible mitigation measures and alternatives developed in the PEIR into subsequent actions in the program (CEQA Guidelines Section 15168).

The use of a PEIR may serve as a first-tier document for later CEQA review of individual projects included within a program. A PEIR is intended as a process to simplify the task of preparing subsequent environmental documents (CEQA Guidelines Section 15168). Accordingly, a PEIR can:

- Provide the basis in an Initial Study for determining whether the later activity may have any significant effects;
- Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole; and/or
- Focus an EIR on a subsequent project to permit discussion solely of new effects that had not been considered before.

### **2.2 Intended Uses of the Program EIR**

The PEIR will analyze the potential significant environmental effects of implementing the PMPU in accordance with the requirements of CEQA. The PEIR will serve as an informational document to inform decision-makers and the public of the potential significant environmental effects of the PMPU and recommended alternatives and mitigation measures to avoid or minimize significant environmental effects. The Los Angeles Board of Harbor Commissioners will consider the information contained in the PEIR in making a decision on whether to certify the PEIR and proceed with the PMPU.

The analysis in the PEIR will be based on changes between the current PMP and the proposed PMPU, including anticipated projects in the next five years, as further described in Section 3.4. However, the PEIR will not include a detailed environmental review of the anticipated projects to be proposed in the future as part of the PMPU. The PEIR will focus the scope of the analysis on a Port-wide scale including consideration of cumulative effects, alternatives, and mitigation measures that are comparably broad in scope. The LAHD will use the broad and general analysis in the PEIR with later CEQA documents prepared for specific individual projects through a process known as “tiering.” PRC Section 21068.5 defines “tiering” as “the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as a significant effect on the environment in the prior environmental impact report.” CEQA Guidelines Section 15152(c) states that when a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof, the development of detailed, site-specific information may not be feasible and can be deferred to a project-specific CEQA document. For each site-specific project, LAHD will determine the appropriate CEQA document (e.g., EIR or Negative Declaration) or, in some instances, a National Environmental Policy Act (NEPA) document that would evaluate the environmental effects of the project. Future documents on specific projects will incorporate the PEIR by reference, and concentrate on the site-specific issues related to the later project (CEQA Guidelines Section 15152).

The PEIR will identify mitigation measures and related performance standards that LAHD would apply to future individual projects if the PEIR is certified. In future site-specific review, LAHD would apply the performance standards set forth in an EIR to confirm that one or more mitigation measures would effectively avoid or reduce particular environmental impacts (CEQA Guidelines Section 15126.4[a][1][B]).

## 3.0 Program Description

### 3.1 Program Objectives

The overall objectives of the PMPU are to:

- Consolidate the 1980 PMP and its subsequent amendments into a single planning document that clarifies the LAHD’s plans in an easily accessible manner;
- Update historically outdated language in the 1980 PMP, as amended, with current and new policies and guidelines that reflect the present community and resource environment and account for trends in foreign and domestic waterborne commerce, navigation, and fisheries;
- Eliminate or minimize land use conflicts within the Port and between the Port and adjacent communities;
- Increase waterfront accessibility with visitor serving land uses that strengthen beneficial connections with adjacent communities; and
- Increase land use efficiency by consolidating cargo movement land uses, allocating land for ancillary and maritime support land uses, and prioritizing water dependent uses.

### 3.2 Program Location

The PMPU planning area includes the Port’s coastal zone boundary as established under CCA Section 30710. In general, the PMPU area is bounded by the community of Wilmington to the north, lands surrounding the Consolidated Slip to the northeast, lands surrounding the Cerritos Channel and City of Los Angeles boundary to the east, Los Angeles Harbor to the south, and the community of San Pedro to the west (Figure 2).

### 3.3 PMP Planning Areas

#### Existing Conditions

The existing PMP divides the Port into nine planning areas and allows a variety of land uses within each Planning Area (Table 2 and Figure 3). The existing PMP land use definitions are summarized in Table 3.

**Table 2. Existing PMP Planning Areas and Allowable Land Uses**

Planning Area	Land Uses Allowed
1	Recreation, Industrial (light), Liquid Bulk, General Cargo, Other
2	General Cargo, Liquid Bulk, Dry Bulk, Commercial Fishing, Commercial, Recreation, Institutional, Industrial, Other
3	General Cargo, Liquid Bulk, Commercial, Institutional, Industrial, Other
4	General Cargo, Liquid Bulk, Industrial, Other
5	General Cargo, Liquid Bulk, Other Liquid Bulk, Dry Bulk, Commercial Fishing, Commercial*, Recreational*, Institutional, Industrial, Other
6	Recreation, Liquid Bulk, Other
7	General Cargo, Liquid Bulk, Dry Bulk, Commercial Fishing, Institutional, Industrial, Other
8	General Cargo*, Dry Bulk*, Commercial Fishing, Recreation, Industrial, Liquid Bulk, Other
9	General Cargo, Liquid Bulk*, Dry Bulk, Commercial Fishing*, Institutional, Industrial, Other

Note: \*Indicates allowed land uses based on Port Master Plan Amendments.



Figure 3. Existing PMP Planning Areas

**Table 3. Existing PMP Land Use Definitions**

General Cargo	Generally including container, unit, break bulk, neo bulk, and passenger facilities.
Liquid Bulk	Comprising crude oil, petroleum products, petrochemical products, chemicals, and allied products.
Other Liquid Bulk	Comprising molasses, animal oils, and fats and vegetable oils.
Dry Bulk	Comprising metallic ores, some nonmetallic minerals, coal, chemicals, and allied products, primarily metal products, waste and scrap materials, and grains.
Commercial Fishing	Generally relating to the commercial fishing industry, including commercial fishing docks, fish canneries, fish waste treatment facilities, fish markets, and commercial fishing berthing areas.
Recreational	Uses include water-oriented parks, marinas, and related facilities, small craft launching ramps, museums, youth camping and water-oriented facilities, public beaches, public fishing piers, and sports fishing.
Industrial	Uses include shipbuilding/yard/repair facilities, light manufacturing/industrial activities, and ocean resource-oriented industries.
Institutional	Uses pertain to those lands that are either owned or leased by institutions of federal, state, or city governments.
Commercial	Uses include restaurants, tourist attractions, Ports O' Call office facilities, and retail activities.
Other	Uses include some vacant land, proposed acquisitions; rights of way for rail, utilities, and roads; and areas not designated for a specific short-term use.

**Planning Area 1**

Planning Area 1 (West Channel/Cabrillo Beach) is located in the southwestern portion of the Port and encompasses approximately 110 acres (Figure 3). This area is generally designated for marine-oriented recreation activities. Existing land uses within Planning Area 1 include recreation, light industrial, liquid bulk, general cargo (e.g., open storage area and warehouses), and other.

**Planning Area 2**

Planning Area 2 (West Bank) is located west of the Los Angeles Harbor Main Channel and south of Fourth Street (Figure 3). This area encompasses approximately 218 acres and contains a variety of land uses including general cargo, liquid bulk, dry bulk, commercial fishing, commercial, recreation, institutional, industrial, and other.

**Planning Area 3**

Planning Area 3 (West Turning Basin) encompasses approximately 213 acres and extends from Berth 87 on the south to Berth 115 on the north (Figure 3). Existing land uses within this area include general cargo, liquid bulk, commercial, institutional, industrial, and other.

**Planning Area 4**

Planning Area 4 (West Basin) encompasses 224 acres and is located between the Harbor Freeway and the West Basin area of the Inner Harbor (Figure 3). Existing land uses include general cargo, liquid bulk, industrial, and other.

**Planning Area 5**

Planning Area 5 (Wilmington District) surrounds the northern terminus of the Main Channel and includes areas adjacent to the community of Wilmington and the Consolidated Slip (Figure 3). This area encompasses approximately 622 areas and includes the following land uses: general cargo; liquid bulk; other liquid bulk; dry bulk; commercial fishing; institutional; industrial; and other.

**Planning Area 6**

Planning Area 6 (Cerritos Channel) is located in the northeastern portion of the Port between the East Basin and Cerritos Channel (Figure 3). This area encompasses approximately 59 acres and includes nine

separate marinas and supporting facilities (e.g., boat repair and maintenance, administrative offices, marine supplies, and recreational areas). Existing land uses include recreation, liquid bulk, and other.

### ***Planning Area 7***

Planning Area 7 (Terminal Island/Main Channel) extends from Berth 206 to Reservation Point and is adjacent to the East Basin Channel, Turning Basin, and Main Channel (Figure 3). Fish Harbor and southern Terminal Island are situated on the southeastern boundary of this area. This area encompasses approximately 743 acres and contains several land uses including general cargo, liquid bulk, dry bulk, commercial fishing, institutional, industrial, and other.

### ***Planning Area 8***

Planning Area 8 (Fish Harbor) encompasses approximately 134 acres and is located in the southern portion of Terminal Island (Figure 3). This area supports the commercial fishing industry. Existing land uses include commercial fishing, recreation, industrial, liquid bulk, and other.

### ***Planning Area 9***

Planning Area 9 (Terminal Island/Seaward Extension) is generally located on the southern portion of Terminal Island and adjacent to the Outer Harbor (Figure 3). This area encompasses approximately 294 acres and supports general cargo, dry bulk, institutional, industrial, and other land uses.

## **3.4 Program Elements**

The PMPU will include all the required sections under CCA Chapter 8, Article 3 (Section 30711[a] and [b]), including the permitted uses, design and location of land use areas, an estimate of the effect of development on environmental resources, and anticipated projects listed as appealable. The PEIR will focus the analysis on the land use portion of the PMPU. However, the PEIR will address and incorporate environmental goals, policies, and mitigation measures identified during the planning and environmental review process. Port land outside the coastal zone is not subject to coastal development permits; and therefore, will not be evaluated in the PEIR.

The PEIR includes the following program elements, which constitute the project description in accordance with CEQA Guidelines (Section 15124):

- Changes to existing PMP land use categories;
- Reduction in the number of PMP Planning Areas;
- Changes to the boundary of the PMP Planning Areas;
- Revisions to allowed land uses within the Planning Areas; and
- Descriptions of anticipated projects.

### **PMPU Land Use Categories**

The proposed changes include new and redefined land use categories (Tables 4 and 5).

### **PMPU Planning Areas and Allowable Land Uses**

The PMPU would consolidate general areas with predominant land use patterns within the Port and reduce the number of Planning Areas from nine to five (Table 6 and Figures 4 and 5). The PMPU consolidates the

number of land uses within the Planning Areas and allocates a single land use to most specific parcels. Significant deviation from the allowable land use would require an amendment to the PMPU; however, slight boundary modifications would not require an amendment. Existing facilities that are not consistent with the land use designation of the PMPU would be a nonconforming use. General maintenance and repair proposals would still be allowed under the PMPU, but project proposals for expansions and increases in the intensity of its use would not be allowed and would require a PMP amendment.

**Table 4. Changes in Land Use Categories**

Existing PMP Land Use Categories	PMPU Land Use Categories	Comments
General Cargo	Container	The General Cargo land use category is divided into three categories to provide more specificity.
	Break Bulk	
	Cruise Operations	
Liquid Bulk Other Liquid Bulk	Liquid Bulk	Liquid Bulk and Other Liquid Bulk (nonhazardous) is consolidated into one category.
Dry Bulk	Dry Bulk	No change.
Commercial Fishing	Commercial Fishing	No change.
Recreational	Recreational Boating	This category is divided to differentiate marinas from parks/beaches due to their different land use and water requirements.
	Open Space	
Industrial	Maritime Support	This category is renamed to provide more clarity to the land use description.
Institutional	Institutional	No change.
Commercial	Commercial	No change.
Other	N/A	This land use category is no longer needed.

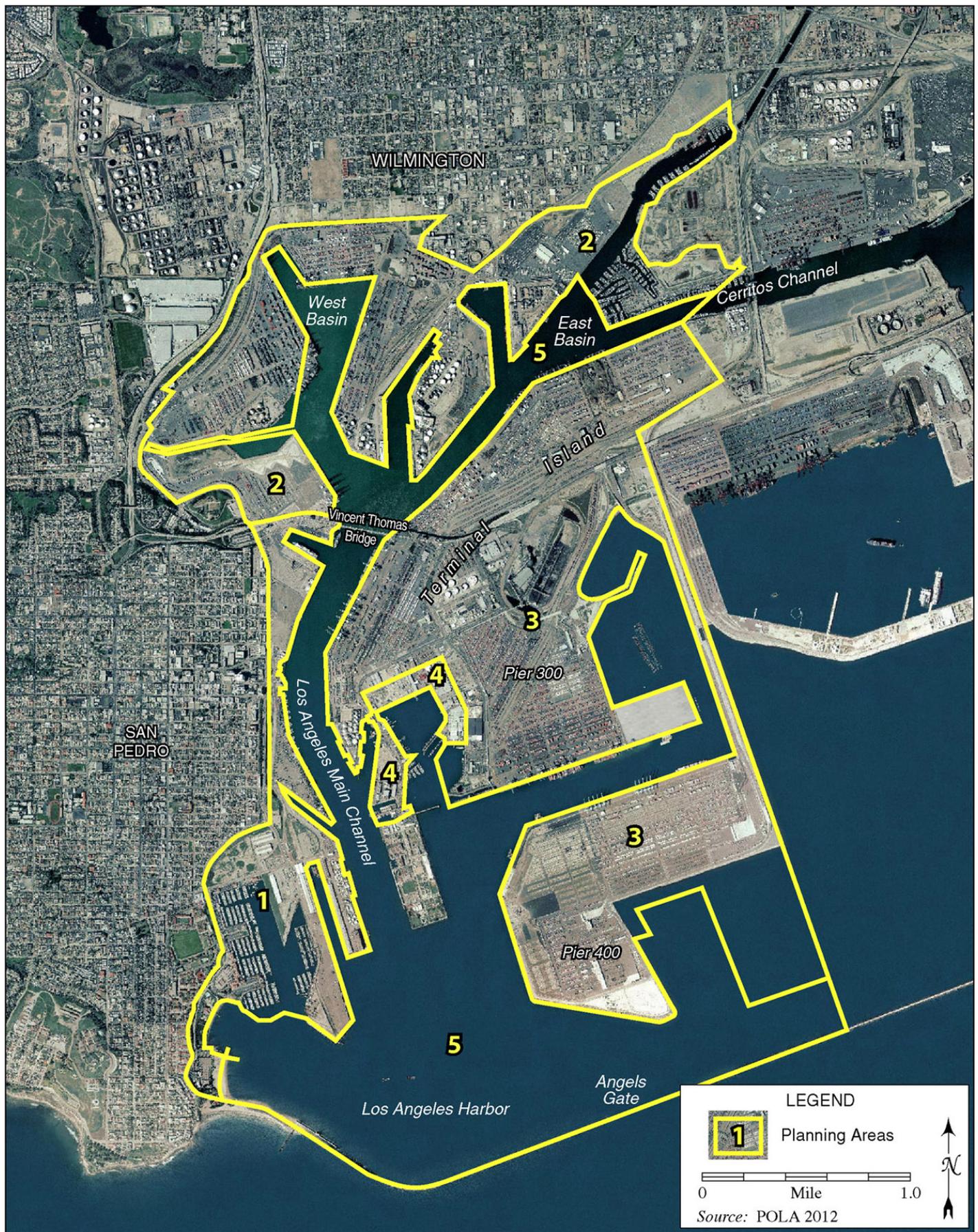
**Table 5. Proposed PMPU Land Use Definitions**

Container	Container, chassis storage and rail yards.
Dry Bulk	Bulk cargo in large unpackaged amounts (e.g., ore, grain, and cement).
Break Bulk	Bulk cargo packaged as a unit (e.g., pallets, vehicles, and container cranes).
Cruise Operations	Cruise facilities and baggage handling.
Liquid Bulk	Crude, petroleum products, non-petroleum projects, and other liquid.
Maritime Support	Barge/tug, boatyard/ship repair, marine fueling, water taxi, cargo fumigation, and marine service contractors.
Commercial Fishing	Fish processing, cold storage, and fishing vessel moorage.
Commercial	Restaurants, retail, sport fishing, office, and tour vessels.
Open Space	Beaches, parks, and environmentally protected areas.
Institutional	Police, fire, local/state/federal agencies, educational, museum, marine research, and community center.
Recreational Boating	Marinas and upland boat storage.

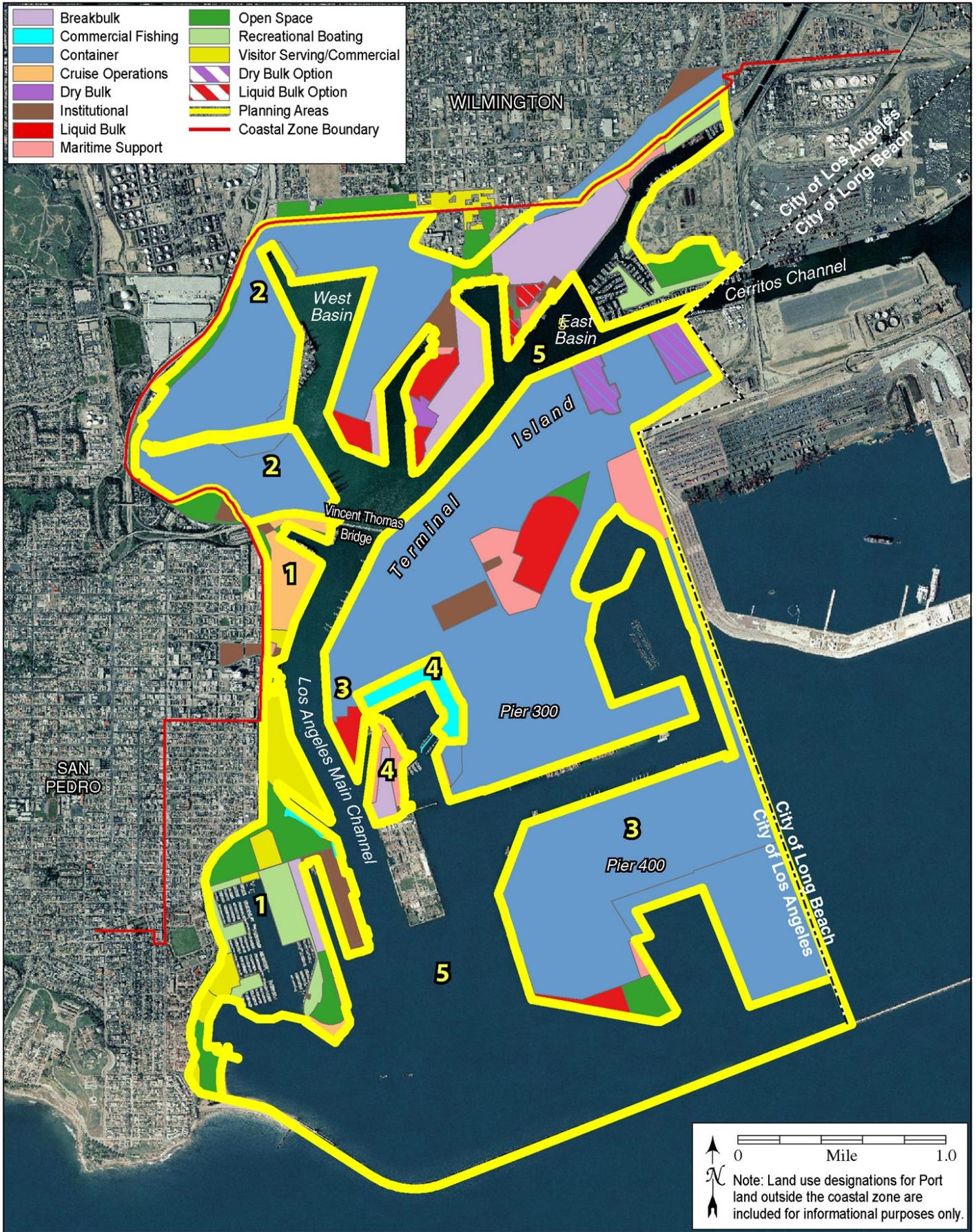
**Table 6. PMPU Planning Areas and Allowable Land Uses**

Planning Area	Location	Acreage	Allowable Land Uses <sup>1</sup>
1 (San Pedro)	From the Breakwater up to the Vincent Thomas Bridge	538	Recreational Boating, Commercial, Break Bulk, Open Space, Institutional, Cruise Operations, and Maritime Support
2 (West Basin and Wilmington)	From the Vincent Thomas Bridge to north of the Cerritos Channel	1,205	Container, Open Space, Liquid Bulk, Break Bulk, Dry Bulk, Maritime Support, Recreational Boating, and Commercial
3 (Terminal Island)	Terminal Island, excluding Fish Harbor	2,143	Container, Liquid Bulk, Dry Bulk, Maritime Support, Open Space
4 (Fish Harbor)	Fish Harbor, including former Southwest Marine site	92	Commercial Fishing, Maritime Support, Break Bulk, and Institutional
5 (Water)	All water excluding areas adjacent to marinas	2,810	Navigable Waterways, Maneuvering Areas, Anchorage Areas, and Shallow Water Habitat

Note: <sup>1</sup> Proposed land uses will be confined to the specific parcels identified on the PMPU Land Use Designations Map (Figure 5).



**Figure 4. PMPU Planning Areas**



**Figure 5. PMPU Land Use Designations**

## Anticipated Projects

The PMPU includes a list of major anticipated projects (Table 7), including those that are appealable under CCA Section 30715. As defined in the CCA (Section 30715), appealable projects include liquefied natural gas and crude oil projects that could have a significant impact on oil and gas supplies; wastewater treatment facilities except those producing incidental amounts associated with Port activities; road or highway projects that are not principally for internal circulation within the Port; office and residential buildings not associated with Port administrative activities; hotels, motels, and shopping facilities not associated with commercial goods for water-oriented purposes; commercial fishing facilities; recreational small craft marina related facilities; oil refineries; and petrochemical production plants.

**Table 7. PMPU Anticipated Projects<sup>1</sup>**

Planning Area	Anticipated Projects	Appealable
Planning Area 1: San Pedro	City Dock #1 Marine Research Center	No
	Ports O' Call Redevelopment	No
	Outer Harbor Cruise Terminal	No
Planning Area 2: West Basin and Wilmington	Anchorage Road Open Space	No
	<b>China Shipping Fill (16 acre fill)</b>	No
	East Basin Marina Relocation	Yes
	Liquid Bulk Redevelopment at Berth 148 - Vopak Relocation	Yes
	Wilmington Waterfront Project	No
	<b>Yang Ming Terminal Redevelopment, including Cut and Fill (3 acre cut; 6 acre fill)</b>	No
Planning Area 3: Terminal Island	<b>APL Expansion, including the berth and fill (18 acre fill)</b>	No
	Pacific LA Marine Oil Terminal	Yes
	<b>Pier 500 Fill (200 acre fill)</b>	No
	Relocation of SA Recycling	No
	Trucking Support Center, Including Restaurant	No
	Terminal Island On-Dock Rail Facility	No
Planning Area 4: Fish Harbor	Relocation of Jankovich Marine Fueling Station	Yes
	Tri Marine Expansion	Yes
	Al Larson Marina	Yes
	Chicken of the Sea Facility Redevelopment	Yes
Planning Area 5: Water	Container Terminal Berth Dredging and Wharf Upgrade Project	No
<i>Note:</i> 1. The future fill projects would be consistent with the PMPU and would not require an amendment. Anticipated projects that would have fill or cut and fill (and the volumes) are bolded.		

The anticipated projects are in planning stages and may be anticipated to be initiated or completed within the next five years. Note that the PEIR will not analyze project-specific impacts of those anticipated projects that have already been evaluated or are being evaluated in current CEQA documents. However, the PEIR will evaluate the cumulative impacts of these anticipated projects. Further, several of the anticipated projects currently are at the conceptual design stage; consequently, sufficient project details are not available to support quantitative assessments of potential impacts. Therefore, assessment of anticipated project impacts in the PEIR will rely primarily on qualitative assessments for some resource areas. Subsequent to completion of future project-specific CEQA reviews, the LAHD would issue coastal development permits for the anticipated projects. As mentioned in Section 2, future documents on specific projects will incorporate this PEIR by reference and concentrate on the site-specific issues related to the anticipated project at the appropriate phase of the planning process.

### **3.5 Program Schedule**

The PMPU will be based on growth and cargo forecasts, including the Southern California Association of Governments (SCAG) 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (SCAG 2012) and the Port's 2009 cargo forecast (The Tioga Group 2009). Buildout of the anticipated projects would occur in multiple phases; however, the specific timing and in most cases, the scope of the anticipated projects is unknown or has not yet been developed in sufficient detail at this time.

### **3.6 Baseline**

The PEIR must identify significant impacts that would be expected to result from implementation of the PMPU by comparing the proposed Program to a baseline condition. The difference between the proposed Program and the baseline is then compared to a threshold of significance to determine if the difference between the two is considered significant. The baseline normally represents existing conditions in the vicinity of the proposed project as they exist at the time the NOP is published (CEQA Guidelines Section 15125). For the purposes of the PEIR, the baseline will be calendar year 2011 based on the most recent and available data for that time period which is considered representative of existing conditions.

It is important to acknowledge that growth in the Port complex will increase substantially by 2035 with or without implementation of the PMPU. The CEQA required environmental baseline of existing conditions means that the impact analysis for resource areas in the PEIR will be cumulative in nature. Therefore, the analysis in the PEIR may also include a comparison of expected future conditions with the PMPU and the expected future conditions without the PMPU.

## 4.0 Program Alternatives

CEQA Guidelines (Section 15126.6) require that an EIR examine alternatives to a project in order to explore a range of reasonable alternatives that meet most of the basic project objectives, while reducing the severity of potentially significant environmental impacts. The LAHD will evaluate a variety of possible alternatives to be included in the PEIR. It is notable that key elements of the Port of Los Angeles Community Advisory Committee (PCAC) plan related to the Port's Master Plan (PCAC 2004) were incorporated into the proposed Program, but other portions of the PCAC plan were not consistent with Program objectives.

Alternatives to the proposed Program (PMPU) represent a reasonable range of approaches to minimize environmental impacts while achieving most of the Program objectives. Potential alternatives to be assessed may include the following:

1. Reduced Fill Alternative that minimizes the creation of new fill in the harbor but allows for reconfiguring certain land uses to meet future cargo growth; and
2. The No Project Alternative which includes continuation of the current 1980 PMP and certified amendments, including previously approved projects that have completed environmental documents and/or are planned for and currently undergoing construction.

Once comments on the NOP are received, the LAHD will undertake a screening process to determine which alternatives will be evaluated in detail in the PEIR and which will be eliminated from further consideration. In screening the alternatives, the LAHD will consider the following factors:

- Would the alternative achieve the Program objectives?
- Would the alternative avoid or reduce any significant environmental effects?
- Is the alternative feasible?

The PEIR will contain a detailed explanation of this screening process and the reasons why some alternatives are included and others eliminated.

### **References**

CCC (California Coastal Commission). 2012. State Coastal Zone Boundaries. February 9.

SCAG (Southern California Association of Governments). 2012. 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Adopted April 4, 2012.

The Tioga Group, Inc. 2009. San Pedro Bay Container Forecast Update. Prepared for the Ports of Long Beach and Los Angeles. July.

## Environmental Checklist

### Initial Study

1. **Program Title:** Port of Los Angeles Port Master Plan Update
2. **Lead Agency Name and Address:** Los Angeles Harbor Department  
Environmental Management Division  
425 South Palos Verdes Street  
San Pedro, CA 90731
3. **Contact Person and Phone Number:** Lisa Ochsner  
CEQA Supervisor  
Environmental Management Division  
Telephone: (310) 732-3412
4. **Program Location:** In general, the proposed Program is bounded by the community of Wilmington to the north, the Consolidated Slip to the northeast, the Cerritos Channel and City of Los Angeles boundary to the east, Los Angeles Harbor to the south, and the community of San Pedro to the west.
5. **Program Sponsor's Name and Address:** Los Angeles Harbor Department  
Planning Division  
425 South Palos Verdes Street  
San Pedro, CA 90731
6. **General Plan Designation(s):** General/Bulk Cargo and Commercial/Industrial Uses
7. **Zoning Designation(s):** M3 and [Q]M3-1 (Heavy Industrial Zone that includes a qualified classification); PF (Public Facilities)
8. **Description of Program:** The LAHD is proposing to update the existing Port Master Plan (PMP) to consolidate PMP amendments, land use plans, and approved projects into a single planning document. The PMPU includes the following components: 1) changes to existing PMP land use categories; 2) reduction in the number of PMP Planning Areas; 3) revisions to allowed land uses within the Planning Areas; and 5) descriptions of anticipated projects that would occur in multiple phases over a 30-year planning horizon.
9. **Surrounding Land Uses and Setting:** The PMPU area is urbanized and surrounded by industrial, commercial, institutional, and residential uses and by Port waters.
10. **Potential Responsible Agencies, Trustees, and City of Los Angeles Departments:** U.S. Army Corps of Engineers;  
U.S. Fish and Wildlife Service;  
National Marine Fisheries Service;  
U.S. Coast Guard;  
California Environmental Protection Agency;  
State Lands Commission;  
State Water Resources Control Board;  
California Coastal Commission;  
California Department of Fish and Game;  
California Department of Toxic Substances Control;  
California State Historic Preservation Officer;  
South Coast Air Quality Management District;  
Los Angeles Regional Water Quality Control Board;  
California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR);  
City of Los Angeles Department of Transportation;  
City of Los Angeles Planning Department;  
City of Los Angeles Department of Public Works; and  
City of Los Angeles Fire Department.

**Environmental Factors Potentially Affected:**

The environmental factors checked below would potentially be affected by the proposed Program (i.e., the proposed Program would involve at least one impact that is a “potentially significant impact”), as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forest Resources           | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources     | <input checked="" type="checkbox"/> Cultural Resources              | <input type="checkbox"/> Geology/Soils                                 |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality            |
| <input type="checkbox"/> Land Use/Planning                   | <input type="checkbox"/> Mineral Resources                          | <input checked="" type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population/Housing                  | <input checked="" type="checkbox"/> Public Services                 | <input checked="" type="checkbox"/> Recreation                         |
| <input checked="" type="checkbox"/> Transportation/Traffic   | <input checked="" type="checkbox"/> Utilities/Service Systems       | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**Determination:**

On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed Project MAY have an impact on the environment that is “potentially significant” or “potentially significant unless mitigated” but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Project, nothing further is required.



Chris Cannon, Director of Environmental Management Division

7/20/2012

Date

## Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “no impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “no impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “no impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially significant impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “potentially significant impact” entries when the determination is made, an EIR is required.
4. “Negative declaration: less than significant with mitigation incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “potentially significant impact” to a “less than significant impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used if, pursuant to tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063[c][3][D]). In this case, a brief discussion should identify the following:
  - (a) Earlier analysis used. Identify and state where earlier analyses are available for review.
  - (b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation measures. For effects that are “less than significant with mitigation incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - (a) the significance criteria or threshold, if any, used to evaluate each question, and
  - (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.

# Environmental Checklist

## Aesthetics

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>1. AESTHETICS. <i>Would the project:</i></b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) *Would the project have a substantial adverse effect on a scenic vista?*

**Less than Significant Impact.** The proposed Program could introduce new structures and buildings in the course of developing the anticipated projects and redeveloping existing uses. Such activities would be unlikely to have an adverse impact on scenic vistas because developments would be similar in nature and size to existing structures in the Port area. Therefore, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Less than Significant Impact.** The nearest, officially designated, state scenic highway is located approximately 34 miles north of the PMPU area (State Highway 2, from approximately 3 miles north of Interstate (I)-210 in La Cañada to the San Bernardino County Line) (California Scenic Highway Mapping System 2010). The nearest eligible state scenic highway is approximately 10 miles southeast of the PMPU area (State Highway 1, from State Highway 19 near Long Beach to I-5 south of San Juan Capistrano) (California Scenic Highway Mapping System 2010). The PMPU area is not visible from either of these locations. The City of Los Angeles has City-designated scenic highways that are considered for local planning and development decisions which include several streets in San Pedro that are in the vicinity of the PMPU area (City of Los Angeles 1996). John S. Gibson Boulevard, Pacific Avenue, Front Street, and Harbor Boulevard are City-designated scenic highways because they afford views of the Port and the Vincent Thomas Bridge. No scenic trees or rock outcroppings exist in the PMPU area. However, the proposed Program could introduce new structures and buildings in the course of developing the anticipated projects and redeveloping existing uses that would slightly alter scenic resources visible from a City-designated scenic highway. This impact is considered less than significant, but will nevertheless be addressed in the PEIR.

c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

**Potentially Significant Impact.** Future development undertaken consistent with the PMPU would consist of the addition of buildings and infrastructure required to support the anticipated projects. Such developments would generally resemble the existing setting in character, and thus would not be

incompatible with the general character of the surrounding areas in terms of density, height, bulk, and setbacks of surrounding buildings. However, the PMPU area includes historic properties that are listed on or eligible for listing on the National Register of Historic Places. The proposed Program, depending on the location of the anticipated projects, has the potential to impact the visual character of historical resources by constructing new infrastructure on or in proximity to these resources. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- d) *Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?*

**Potentially Significant Impact.** The proposed Program could potentially create new sources of substantial light or glare that could affect nighttime views in areas surrounding the anticipated project sites. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

### **References**

California Scenic Highway Mapping System. 2010. State Highway 2. Available at:  
[http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm).

City of Los Angeles. 1996. Safety Element of the City of Los Angeles General Plan. Adopted by the City Council November 1996.

## Agricultural and Forest Resources

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p><b>2. AGRICULTURAL AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p><b>Would the project:</b></p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**No Impact.** The California Department of Conservation's Farmland Mapping and Monitoring Program identifies Prime Farmland, Unique Farmland, and/or Farmland of Statewide Importance in the state, based on indicators such as historical use as farmland and other local data; uniqueness of crops; and soil conditions such as the water table, flooding, permeability rate, soil sodium content, and rock fragment depth. The Port has no history of being used for farmland and is unmapped by the Department of Conservation's Farmland Mapping and Monitoring Program (California Department of Conservation 2012a). As a result, no farmland would be converted to accommodate construction or operation of the anticipated projects. The proposed Program would have no impact related to the conversion of farmland. This issue will not be discussed further in the PEIR.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**No Impact.** The PMPU area does not contain land zoned for agricultural use, or land that is under a Williamson Act contract (California Department of Conservation 2012b). The proposed Program would therefore have no impact on land zoned for agricultural use or on land subject to a Williamson Act contract. This issue will not be discussed further in the PEIR.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact.** The PMPU area is a highly urbanized Port complex that contains limited undeveloped habitat, including trees. The PMPU area would not be considered forest land, timberland, or timberland zoned Timberland Production. The proposed Program would, therefore, have no impact on forest land, timberland or timberland zoned Timberland Production. This issue will not be discussed further in the PEIR.

- d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** The PMPU area is a highly urbanized Port complex that contains limited undeveloped habitat, including trees. The proposed Program would have no impact on the loss of forest land or the conversion of non-farmland to non-forest use. This issue will not be discussed further in the PEIR.

- e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

**No Impact.** The PMPU area contains limited undeveloped habitat (e.g., trees) and consists of a highly urbanized Port complex. The proposed Program would therefore not result in the conversion of farmland to non-agricultural or forest land to non-forest use.

## **References**

California Department of Conservation. 2012a. *Farmland Mapping and Monitoring Program*, <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>. Accessed May 29, 2012.

\_\_\_\_\_. 2012b. Williamson Act Program, <http://www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx>. Accessed May 29, 2012.

## Air Quality

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p><b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.  <b>Would the project:</b></p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

**Less than Significant Impact.** The Port is located within the South Coast Air Basin (SCAB), which consists of the urbanized areas of Los Angeles, Riverside, San Bernardino, and Orange Counties. Due to the combined air pollution sources from over 15 million people and meteorological and geographical effects that limit the dispersion of these pollutants, the SCAB can experience high air pollutant concentrations. As a result, the region currently does not attain the national and California ambient air quality standards for ozone (O<sub>3</sub>), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), and lead (national standard only).

The South Coast Air Quality Management District (SCAQMD) and Southern California Association of Governments (SCAG), in cooperation with the California Air Resource Board (ARB) and United States Environmental Protection Agency (USEPA), have developed air quality plans that are designed to bring the SCAB into attainment of the national and state ambient air quality standards. The *2007 Air Quality Management Plan (2007 AQMP)* is the current applicable air quality plan for the PMPU area (SCAQMD 2011a). The AQMP is periodically updated and the SCAQMD has released an NOP/Initial Study for the Draft PEIR for the 2012 AQMP, which is expected to be final in October 2012. Through this attainment planning process, the SCAQMD develops the *SCAQMD Rules and Regulations* to regulate stationary sources of air pollution in the SCAB (SCAQMD 2012).

The National Ambient Air Quality Standards as defined in the Clean Air Act of 1970 identify six common air pollutants and set standards for their maximum allowable concentration in the atmosphere. If the standards are exceeded in any given area, then the pollutants are in “nonattainment” and the area in which the standards are exceeded is called a “nonattainment” area. Construction and operational activities associated with the PMPU would produce emissions of nonattainment pollutants in the form of (1) combustive emissions due to the use of fossil fuels in vessels and land-based vehicles and (2) fugitive dust emissions (PM<sub>10</sub> and PM<sub>2.5</sub>) due to the operation of vehicles on roads and exposed soils. The 2007

AQMP proposes emission reduction measures that are designed to bring the SCAB into attainment of the national and state ambient air quality standards. These attainment strategies include emission control measures and clean fuel programs that are enforced at the federal and state level on engine manufacturers and petroleum refiners and retailers. The SCAQMD also adopts control measures proposed by the 2007 AQMP into the SCAQMD rules and regulations, which are then used to regulate sources of air pollution in the SCAB. Activities associated with the PMPU would comply with these regulatory requirements, such as SCAQMD Rule 403 (Fugitive Dust).

The LAHD, in conjunction with the Port of Long Beach (POLB), implements the *2010 Update - San Pedro Bay Ports Clean Air Action Plan (CAAP)* (LAHD and POLB 2010). This planning policy sets goals and implementation strategies that reduce air emissions and health risks from Port operations. The CAAP implements emission control measures for ocean-going vessels (OGVs), harbor craft, trains, trucks, and terminal equipment. In some cases, these measures have produced emission reductions from these sources that are greater than those forecasted in the 2007 AQMP. Operational activities associated with the PMPU would comply with the source-specific performance standards found in the CAAP and therefore would be consistent with emission reduction goals in the 2007 AQMP.

The LAHD provided cargo forecasts that were used by SCAG to simulate future growth and emission scenarios in the 2007 AQMP (and the 2012 AQMP). These cargo forecasts encompass the operational activities associated with the PMPU. As a result, activities associated with the PMPU would not exceed the future emission growth projections in the 2007 AQMP.

In conclusion, construction and operational activities associated with the anticipated projects included in the PMPU would not conflict with or obstruct implementation of the applicable air quality plan. This impact is considered less than significant, but will nevertheless be addressed in the PEIR.

- b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

**Potentially Significant Impact.** Due to the elevated concentrations of air pollutants that currently occur in the SCAB and Port region, air emissions from the PMPU would have the potential to contribute to an exceedance of an ambient air quality standard. As a result, this impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

**Potentially Significant Impact.** The SCAQMD has developed quantitative thresholds to determine the significance of proposed construction and operational emissions for CEQA purposes (SCAQMD 2011b). Air emissions from construction and operational activities associated with the anticipated projects included in the PMPU would have the potential to exceed one or more of these daily emission thresholds. As a result, this impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Potentially Significant Impact.** Certain persons are particularly sensitive to air emissions. These “sensitive receptors” include the very young, elderly, and those suffering from illnesses or disabilities. Locations of sensitive receptors include schools, daycare centers, parks, recreational areas, medical facilities, rest homes, and convalescent care facilities. Sensitive receptors exist directly adjacent to the Port in San Pedro and Wilmington. As a result, air emissions from construction and operational activities associated with the anticipated projects included in the PMPU would have the potential to substantially impact sensitive receptors within the PMPU area. Therefore, this impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will include an evaluation of the effects of proposed criteria pollutants and toxic air contaminants to communities surrounding the PMPU area. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

e) *Would the project create objectionable odors affecting a substantial number of people?*

**Potentially Significant Impact.** The occurrence and severity of odor impacts depend on numerous factors, including (1) the nature, frequency, and intensity of the source; (2) wind speed and direction; and (3) the presence of individuals sensitive to an odor. While offensive odors rarely cause physical harm, they are unpleasant to some individuals, which can lead to considerable distress and generate complaints to local governments and regulatory agencies.

Construction activities associated with the anticipated projects included in the PMPU would produce, for example, odorous emissions from the combustion of diesel fuel in heavy equipment, asphalt paving, and the application of surface coatings. Operational activities associated with future anticipated projects would produce odorous emissions mainly due to the combustion of diesel fuel. Due to the substantial population that surrounds the PMPU area, odorous emissions from future anticipated projects would have the potential to affect a substantial number of people. As a result, this impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

## References

Los Angeles Harbor Department and Port of Long Beach. 2010. *2010 Update - San Pedro Bay Ports Clean Air Action Plan*. Available at <http://www.cleanairactionplan.org/reports/documents.asp>.

SCAQMD. 2012. Rules and Regulations. Available at <http://www.aqmd.gov/rules/rulesreg.html>.

\_\_\_\_\_. 2011a. *2007 Air Quality Management Plan*. Available at <http://www.aqmd.gov/aqmp/2012aqmp/index.htm>.

\_\_\_\_\_. 2011b. *SCAQMD Air Quality Significance Thresholds*. Available at <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>.

SCAQMD, ARB, Southern California Association of Governments, and USEPA. 2007. *Final 2007 Air Quality Management Plan*. Available at <http://www.aqmd.gov/aqmp/07aqmp>.

## Biological Resources

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES. <i>Would the project:</i></b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

### Discussion

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Potentially Significant Impact.** Several sensitive species are known to occur within the PMPU area. The endangered California Least Tern nests and forages within the Port. The delisted California Brown Pelican uses the outer breakwaters as resting habitat, and the delisted Peregrine Falcon nests on certain bridges within the harbor-complex. Other non-listed special status species with the potential to occur include Black-crowned Night Heron, Great Blue Heron, Black Oystercatcher, Black Skimmer, Caspian Tern, Elegant Tern, Double-crested Cormorant, and Burrowing Owl. Several of those species, are known to nest within the harbor-complex. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Potentially Significant Impact.** The proposed Program would have the potential to adversely affect sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS). Depending on the location of the anticipated projects, future in-water construction activities could occur within or adjacent to natural habitats including kelp beds, eelgrass beds, shallow-water habitats, or in areas designated as Essential Fish Habitat. Future operational activities at the anticipated project sites could impact sensitive habitats from accidental fuel spills and/or unauthorized discharges associated with increased vessel activities. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**No Impact.** The proposed Program would not affect federally protected wetlands (as defined by Section 404 of the Clean Water Act [CWA]) during future in-water construction activities (i.e., new landfills and dredging) because the only federally-protected wetlands in the PMPU area, the Cabrillo Salt Marsh and the Anchorage Road Salt Marsh, would not be redeveloped or otherwise disturbed by anticipated projects. Therefore, there would be no impact and this issue will not be addressed in the PEIR.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Potentially Significant Impact.** The PMPU area includes known terrestrial wildlife migration corridors. The proposed Program could potentially block or interfere with migration or movement of species covered under the Migratory Bird Treaty Act during construction activities at the anticipated project sites. Operations associated with the anticipated projects could result in a barrier to wildlife passage and potentially affect wildlife movement or migration in the harbor. Common fish habitat could be affected by dredging and/or replacement of wharf pilings from future construction activities. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less than Significant Impact.** The PMPU area is a highly urbanized Port complex that contains limited undeveloped habitat, including trees, shrubs, and grass. No biological resources protected by local ordinances or policies are located within the PMPU area. Accordingly, the proposed Program would likely result in less than significant impacts; however, this will be further analyzed in the PEIR. If, upon further analysis, the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** The proposed Program would not be located within an adopted Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP). The NCCP program, which began in 1991 under California's Natural Community Conservation Planning Act, is administered by the CDFG, and is a cooperative effort between resource agencies and developers that takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. There is only one NCCP approved or under consideration near the Port and it was designed to protect coastal scrub (Palos Verdes Peninsula Sub-Regional Plan).

HCPs are administered by the USFWS and are designed to identify how impacts would be mitigated when a project would impact endangered species. There are no HCPs in place for the Port. A Memorandum of Understanding is in place for the LAHD, CDFG, USFWS, and the Corps to protect the California least tern and requires a 15-acre nesting site to be protected during the annual nesting season (May to October). The site is on Pier 400 and is being considered for designation as a Significant Ecological Area by the County of Los Angeles.

The proposed Program would have no impact on HCPs, NCCPs, the Memorandum of Understanding regarding California Least Tern, or the Significant Ecological Area for Least Tern. This issue will not be discussed further in the PEIR.

## Cultural Resources

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES. <i>Would the project:</i></b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

**Potentially Significant Impact.** The PMPU area includes historic properties that are listed or eligible for listing on the National Register of Historic Places. The proposed Program, depending on the location of the anticipated projects, has the potential to impact these historic resources by constructing new infrastructure on or in proximity to these resources. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

**Potentially Significant Impact.** Recorded and/or unknown archaeological sites are potentially located within and adjacent to the PMPU area. The proposed Program could have an adverse impact on archaeological resources from future construction and in-water activities associated with the anticipated projects. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Potentially Significant Impact.** The majority of the PMPU area is constructed on artificial fill and has been extensively redeveloped over the years. However, future construction-related excavations associated with the anticipated projects could occur in areas not underlain by artificial fill materials. These activities would have the potential to affect paleontological resources within and adjacent to the anticipated project sites. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

**Potentially Significant Impact.** In general, the PMPU area is located on artificial fill and has been extensively redeveloped over the years. The majority of harbor waters have been disturbed by previous dredging activities. However, the proposed Program could have an adverse effect on human remains if ground-disturbing activities occur in areas not underlain by artificial fill or in waters not disturbed by previous dredging. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

## Geology, Soils, and Seismicity

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>6. GEOLOGY, SOILS, AND SEISMICITY. <i>Would the project:</i></b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)*

**Less Than Significant Impact.** The PMPU area is located within the Los Angeles Coastal Plain of the Peninsular Ranges geomorphic province of southern California, which is a seismically active region. Several principal active faults lie within 25 miles of the PMPU area. These include the Palos Verdes, Newport-Inglewood, Elysian Park, Whittier-Elsinore, and Santa Monica-Raymond faults. The distances to the nearest fault vary with location within the PMPU area. The Safety Element of the City of Los Angeles General Plan (City of Los Angeles 1996) indicates that portions of the PMPU area are within Alquist-Priolo Earthquake Fault Zone, a Fault Rupture Study Area, and/or within the Palos Verdes Fault Zone. Therefore, substantial damage to structures or infrastructure could occur during a seismic event. However, the modern construction of buildings and other structures would reduce the risk of injury in the event of an earthquake. Emergency planning and coordination would also contribute to reducing injuries to on-site

personnel during a seismic activity. With incorporation of emergency planning and compliance with current building regulations, damage and/or injury may occur, but impacts due to seismically induced ground failure would be less than significant. Therefore, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

*ii) Strong seismic ground shaking?*

**Less than Significant Impact.** Several principal active faults lie within 25 miles of the PMPU area. These faults are capable of producing ground movements of a maximum moment magnitude 6.6 to 7.1. Faults such as these are typical of southern California, and it is reasonable to expect a strong ground motion seismic event during the lifetime of any project in the region. However, the modern construction of buildings and other structures would reduce the risk of injury in the event of an earthquake. Emergency planning and coordination would also contribute to reducing injuries to on-site personnel during a seismic activity. With incorporation of emergency planning and compliance with current building regulations, damage and/or injury may occur, but impacts due to seismically induced ground failure would be less than significant. Therefore, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

*iii) Seismic-related ground failure, including liquefaction?*

**Less than Significant Impact.** The PMPU area lies within an area susceptible to liquefaction based on the historic occurrence of liquefaction or local geological, geotechnical, and groundwater conditions, which indicate a potential for permanent ground displacements (City of Los Angeles 1996). However, the modern construction of buildings and other structures would reduce the risk of injury in the event of an earthquake. Emergency planning and coordination would also contribute to reducing injuries to on-site personnel during a seismic activity. Although damage and/or injury may occur due to seismically induced ground failure, compliance with current building regulations would reduce such an impact to less than significant. Therefore, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

*iv) Landslides?*

**Less than Significant Impact.** Landslides occur when masses of rock, earth, or debris move down a slope. Landslides are caused by disturbances in the natural stability of a slope. They can accompany heavy rains or follow droughts or earthquakes. Construction activities such as grading can accelerate landslide activity. The topography of the majority of the PMPU area generally is flat with no significant natural or graded slopes. Therefore, while impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

*b) Would the project result in substantial soil erosion or the loss of topsoil?*

**Less than Significant Impact.** There is potential for soil erosion during demolition, excavation, and construction of any future anticipated projects considered under the PMPU. Typically, conditions that would allow soil erosion would be of short duration and subject to fugitive dust and stormwater runoff management as required by regulatory agencies. During demolition and excavation, anticipated project sites would be managed in accordance with the Los Angeles Regional Water Quality Control Board (LARWQCB) Permit No. CAS004001 for Municipal Storm Water and Urban Runoff Discharges within the County of Los Angeles and in accordance with SCAQMD rules and regulations (i.e., Rule 403 – Fugitive Dust).

If individual projects would disturb more than one acre of soil, a Statewide General Construction (and National Pollutant Discharge Elimination System [NPDES]) permit would be required along with

submittal of a notice of intent to the State Regional Water Quality Control Board (SRWCB) prior to commencement of demolition activities. As part of the NPDES permit requirements, development of a Storm Water Pollution Prevention Plan (SWPPP) would be required prior to construction, which would include stormwater control measures. Anticipated projects also would be subject to compliance with the applicable Standard Urban Storm Water Mitigation Plan (SUSMP) and the City's Low Impact Development (LID) ordinance. With development of a SWPPP and compliance with all applicable regulations during grading, soil erosion would be minimized. Still, the proposed Program has the potential for impacts resulting from substantial topsoil erosion, and, therefore, this issue will be addressed in the PEIR.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

**Less than Significant Impact.** Portions of the PMPU area are designated as a liquefiable area in the Safety Element of the Los Angeles General Plan (City of Los Angeles 1996). All new structures would be subject to City building and safety guidelines, restrictions, and permit regulations. Adherence to these requirements would address potential impacts related to unstable geologic units or soils. While impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

**Less than Significant Impact.** Expansive soils are clay-based soils that tend to expand (increase in volume) as they absorb water and shrink (lessen in volume) as water is drawn away. Expansive soils can occur in any climate; however, arid and semi-arid regions are subject to more extreme cycles of expansion and contraction than more consistently moist areas. Expansive soils are often present in liquefaction zones due to the high level of groundwater typically associated with liquefiable soils. The hazard associated with expansive soils lie in the structural damage that may occur when buildings are placed on these soils.

Expansive soil may be present at specific parcels within the PMPU area. Anticipated projects with building requirements could create substantial risks to life or property. Typically, as part of the design phase, a qualified geotechnical engineer evaluates the expansion potential associated with on-site soils. The recommendations of the engineer are incorporated into the design specifications for the project, consistent with City design guidelines, including Sections 91.000 through 91.7016 of the City of Los Angeles Municipal Code. All new structures are subject to City building and safety guidelines, restrictions, and permit regulations. Compliance with the existing regulations and utilization of a site-specific geotechnical investigation during the design phase would minimize risk relating to expansive soil. Therefore, this issue will be addressed in the PEIR.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**No Impact.** The Los Angeles Department of Public Works Bureau of Sanitation provides sewer service to all areas within its jurisdiction, including the PMPU area. Any new development associated with the anticipated projects included in the PMPU would be connected to this system, and sewage would be sent to the Terminal Island Facility. There would be no use of septic tanks or alternative wastewater disposal systems; therefore, no impacts would occur. This issue will not be discussed further in the PEIR.

**References**

City of Los Angeles. 1996. Safety Element of the City of Los Angeles General Plan. Adopted by the City Council November 1996.

\_\_\_\_\_. 1994. Los Angeles General Plan Safety Element Exhibit A: Alquist-Priolo Special Study Zones & Fault Rupture Study Areas in the City of Los Angeles. November 1996. Los Angeles, CA.

## Greenhouse Gas Emissions

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>7. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i></b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Potentially Significant Impact.** Greenhouse gases (GHGs) are gases that trap heat in the atmosphere. These emissions occur from natural processes and human activities. Accumulating scientific evidence indicates a correlation between the worldwide proliferation of GHG emissions by mankind over the past century and increasing global temperatures (Intergovernmental Panel on Climate Change 2007, U.S. Global Change Research Program 2009, and California Energy Commission 2009). The climate change associated with this global warming is predicted to produce negative economic and social consequences across the globe.

The most common GHGs emitted from natural processes and human activities include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Examples of GHGs created and emitted primarily through human activities include fluorinated gases (hydrofluorocarbons and perfluorocarbons) and sulfur hexafluoride. Each GHG is assigned a global warming potential (GWP), which is the ability of a gas or aerosol to trap heat in the atmosphere. The GWP rating system is standardized to CO<sub>2</sub>, which has a value of one. For example, CH<sub>4</sub> has a GWP of 21, which means that it has a global warming effect 21 times greater than CO<sub>2</sub> on an equal-mass basis. Total GHG emissions from a source are often reported as a CO<sub>2</sub> equivalent (CO<sub>2e</sub>). The CO<sub>2e</sub> is calculated by multiplying the emission of each GHG by its GWP and adding the results together to produce a single, combined emission rate representing all GHGs.

Construction and operational activities associated with the anticipated projects included in the PMPU would generate GHGs from a variety of fossil fuel-powered sources. These sources would have the potential to generate a substantial amount of GHGs and to produce a significant impact on the environment. As a result, this impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard design measures and potential significance criteria that will be considered during future site-specific reviews.

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less than Significant.** Assembly Bill (AB) 32, signed by Governor Arnold Schwarzenegger in 2006, directs the State of California to reduce statewide GHG emissions to 1990 levels by the year 2020. In accordance with AB 32, the ARB developed the Climate Change Scoping Plan (Scoping Plan), which outlines how the state will achieve the necessary GHG emission reductions to achieve this goal (ARB 2008 and 2011). The Scoping Plan includes 39 recommended actions that would reduce GHG emissions

with the use of direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. Two of these actions would apply to Port and PMPU operations: (1) ship electrification at ports (electric shore power for vessels at berth); and (2) goods movement efficiency measures.

In May 2007, the City of Los Angeles Mayor's Office released the Green LA initiative, which presents a citywide framework to confront global climate change and create a cleaner, greener, sustainable Los Angeles (City of Los Angeles 2007). The Green LA initiative directs the LAHD to develop its own Climate Action Plan that examines opportunities to reduce GHG emissions from Port operations. In accordance with this directive, the LAHD developed its Climate Action Plan, which pertains to GHG emission sources operated by the LAHD (such as Port buildings and Port workforce operations) (LAHD 2007). The Climate Action Plan outlines specific steps that LAHD has taken and will take on global climate change. These steps include specific actions that will be taken for energy audits, green building policies, onsite photovoltaic (PV) solar energy, green energy procurement, tree planting, water conservation, alternative fuel vehicles, increased recycling, and green procurement.

Construction and operational activities associated with the anticipated projects included in the PMPU would comply and/or be consistent with all of the above plans, policies, and regulations adopted to reduce emissions of GHGs. As a result, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

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## Hazards and Hazardous Materials

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>8. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**Potentially Significant Impact.** Specific requirements for routine transport, use, or disposal of hazardous wastes are expected to vary for anticipated projects addressed in the PMPU. In general, all hazardous materials are required to be stored, handled, and disposed of in accordance with local, county, and state laws that protect public safety. Anticipated projects that require removal and disposal of asbestos, lead and any other hazardous material, soil, and/or groundwater would adhere to all applicable local, state, and federal regulations. Although adherence to these regulations would minimize the potential for hazardous materials impacts to the public and the environment, some activities associated with future anticipated projects addressed in the PMPU could involve the handling and disposal of hazardous materials. Thus, this issue is considered potentially significant and will be further evaluated in the PEIR. The PEIR will identify and evaluate standard design measures and potential significance criteria that will be considered during future site-specific reviews.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Potentially Significant Impact.** As described in response to (a) above, requirements for routine transport, use, or disposal of hazardous wastes are expected to vary for anticipated projects. Although all hazardous materials are required to be stored, handled, and disposed of in accordance with local, county, state, and federal laws that protect public safety, because projects could involve handling and disposal of hazardous materials, an unforeseeable upset or accident could occur.

Construction activities would involve the use of equipment that contains oil, gas, or hydraulic fluids that could be spilled during normal usage or during refueling. Construction and demolition activities would be conducted in accordance with standard practices and best management practices (BMPs) in accordance with the Los Angeles Municipal Code (Chapter 5, Section 57, Division 4 and 5; Chapter 6, Article 4). Quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to a Release Response Plan (RRP) and a Hazardous Materials Inventory (HMI). Implementation of increased inventory accountability and spill prevention controls associated with this RRP and HMI, such as limiting the types of materials stored and size of packages containing hazardous materials, would limit both the frequency and severity of potential releases of hazardous materials, thus minimizing potential health hazards and/or contamination of soil during construction/demolition activities. These measures would reduce the frequency and consequences of spills by requiring proper packaging for the material being shipped, limits on package size, and thus potential spill size, as well as proper response measures for the materials being handled.

A number of parcels within the PMPU area may have contaminated soils as a result of past activities. Unless otherwise authorized by the lead regulatory agency for any given site, the tenant (applicant) shall address all contaminated soils within anticipated project boundaries discovered during demolition and grading activities. Contamination existing at the time of discovery is the responsibility of the past and/or current property owner. Contamination as a result of the construction process shall be the responsibility of the tenant and/or tenant contractors. Remediation shall occur in compliance with local, state, and federal regulations, and as directed by the lead regulatory agency for the site.

Soil removal shall be completed such that remaining contamination levels are below risk-based health screening levels for industrial sites established by OEHHA and/or applicable action levels (e.g., Environmental Screening Levels, Preliminary Remediation Goals) established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments for industrial sites, but are subject to the review of the lead regulatory agency. Excavated contaminated soil shall be properly disposed of off-site unless use of such material on site is beneficial to construction and approved by the agency overseeing environmental concerns. All imported soil to be used as backfill in excavated areas shall be sampled to ensure that it is suitable for use as backfill at an industrial site.

Demolition activities could also expose workers to lead-based paint (LBP), and/or other hazardous materials (e.g., creosote-treated piles), which could involve potential health hazards. Demolition activities would be carried out in accordance with federal, state, and local regulations regarding management of hazardous wastes, including SCAQMD Rule 1403, Title 40, Code of Federal Regulations (CFR), Title 49, CFR, and California Health and Safety Code Division 20, Chapter 6.5, which govern the removal, transport, and disposal of hazardous wastes to minimize health and environmental impacts. Standard procedures exist for protecting workers from exposure to chemicals of potential concern.

This impact is considered potentially significant and will be further evaluated in the PEIR. The PEIR will identify and evaluate standard design measures and potential significance criteria that will be considered during future site-specific reviews.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Potentially Significant Impact.** As noted, a number of parcels within the PMPU area may have contaminated soils as a result of past activities. The potential for individual parcels to emit hazardous materials during future development is too speculative for consideration. However, this impact is considered potentially significant and will be further evaluated in the PEIR. The PEIR will identify all existing and proposed schools within one-quarter mile of the PMPU areas and will evaluate standard design measures and potential significance criteria that will be considered during future site-specific reviews.

- d) *Is the project located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Potentially Significant Impact.** California Government Code Section 65962.5 requires various state agencies to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells, and solid waste facilities from which there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. This question would apply only if an anticipated project site is included on any of the lists referenced above and, therefore, would pose an environmental hazard to surrounding sensitive uses. However, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site specific reviews.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The PMPU area is not located within 2 miles of a public airport or within an airport land use plan. The Long Beach Airport and Los Angeles Airport are 15 miles and 20 miles, respectively from the Port. The nearest airport facilities are helicopter-landing pads at Berth 95 and at 1175 Queens Highway, in Long Beach. Only small helicopters operate from these locations and transit primarily is via the Main Channel of the Port. Given the distance from the heliport, persons at the anticipated project sites would not be exposed to safety hazards associated with aircraft. The proposed Program would have no impact related to public airport uses. This issue will not be discussed further in the PEIR.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

**No Impact.** The PMPU area is not located in the vicinity of a private airstrip. The closest private use airport is the Torrance Municipal Airfield located approximately 5 miles to the northeast. Therefore, the proposed program would not result in a safety hazard to people working or residing in the PMPU area. This issue will not be discussed further in the PEIR.

- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Less than Significant Impact.** The proposed Program addresses changes in allowable land uses within the PMPU area. The proposed Program would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Program would likely result in less than significant impacts; however, this will be further analyzed in the PEIR. If upon further analysis the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- h) *Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

**No Impact.** The PMPU area is urbanized and surrounded on all sides by industrial uses and by Port waters and no wildlands are adjacent to Port property. The PMPU area is not designated as Very High Fire Hazard Severity Zone per the City of Los Angeles Fire Department pursuant to Government Code 51178 (City of Los Angeles Municipal Code 2011). The proposed Program would not affect or be affected by wildland fires. Further, global warming is not expected to increase the potential risk for wildland fires at anticipated project sites because the PMPU area is not adjacent to or intermixed with wildlands. Therefore, no impacts related to wildland fires would occur and this issue will not be discussed further in the PEIR.

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## Hydrology and Water Quality

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>9. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
a) Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) *Would the project violate any water quality standards or waste discharge requirements?*

**Potentially Significant Impact.** Future anticipated project construction would require permits and would be governed by waste discharge requirements. Assessments of the potential for anticipated projects to impact hydrology and water quality typically include assumptions, based on regulatory controls, that the project would require the following:

- A Section 404 (of the CWA) permit from the USACE for in-water construction activities;
- A Section 401 (of the CWA) Water Quality Certification from the LARWQCB for in-water construction activities that contains conditions including standard Waste Discharge Requirements (WDRs);

- An individual NPDES permit for storm water discharges or coverage under the General Construction Activity Storm Water Permit. This permit will include preparation of a project-specific SWPPP with BMPs to prevent runoff of pollutants to harbor waters (State Water Resource Control Board 2010);
- A Debris Management Plan and SPCC Plan would be prepared and implemented prior to the start of construction activities;
- The tenant would obtain and implement the appropriate stormwater discharge permits for operation of the sites; and
- The tenant would comply with POLA Marine Oil Terminal lease conditions, which include provisions for the inspection, control, and cleanup of leaks from aboveground tank and pipeline sources, and the Water Resources Action Plan (WRAP; POLA and POLB 2009).

In general, construction activities throughout the Port have the potential to adversely affect harbor water quality if the construction site is not appropriately managed for erosion, dust, and runoff. Construction contractors are required to implement BMPs such as general site management, construction and waste materials management, erosion control, and sediment control. Future projects will also require routine monitoring of stormwater discharges to the harbor. These discharges would require an NPDES permit, which would specify effluent or receiving water limits. In most areas of the Port, housekeeping BMPs (e.g., contained and covered storage, regular sweeping, and appropriate waste management, storage, and handling procedures) are the principal means of preventing or minimizing discharges of contaminated stormwater. Implementing appropriate BMPs and compliance with the requirements of the NPDES Stormwater Program, City of Los Angeles Municipal Code, and all other applicable federal, state, and local regulations prior to project approval would be required for anticipated projects.

Because future projects included in the PMPU could include additional in-water work, this potential impact is, for the purposes of this analysis, considered potentially significant and will be discussed further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

**Less than Significant Impact.** Groundwater in the harbor area is impacted by saltwater intrusion and is, therefore, unsuitable for use as drinking water. In general, Port projects typically do not have a need to extract groundwater, other than possible dewatering during initial construction activities. Implementation of the proposed Program would not create a substantial demand on groundwater sources and would not substantially change the amount of groundwater pumped from local wells. Also, stormwater programs typically encourage infiltration as a means to limit runoff. Thus, most projects would not be expected to affect groundwater volumes or depth to the local groundwater table level. Any anticipated projects with requirements of extracting groundwater would need to evaluate the potential impacts. While impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

- c) *Would the project substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?*

**Less than Significant Impact.** Changes in allowable land uses would not result in substantial alterations in existing drainage or surface flow patterns. Surface water features within the PMPU area, other than open water associated with Planning Area 5, consist mostly of channelized flows that drain into adjacent watersheds. While future development of some parcels could entail site grading, this would not occur within the course of a stream or a river and would not be expected to cause appreciable changes to existing drainage patterns. Implementation of appropriate BMPs and compliance with the requirements of the NPDES Stormwater Program, City of Los Angeles Municipal Code, WRAP, and all other applicable federal, state, and local regulations prior to approval of the anticipated projects would minimize potential impacts. Therefore, while impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

- d) *Would the project substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?*

**Less than Significant Impact.** As discussed in item (c), changes in allowable land uses would not result in substantial alterations in existing drainage or surface flow patterns. Anticipated projects could increase or decrease the amount of impervious surface cover on site, which would affect the portion of the rainfall that would infiltrate at these project sites, and consequently the runoff volumes. However, these differences in runoff volume are expected to be minor and they would have negligible effect on flooding potential on- or off-site. Also, it is reasonable to expect that any new development would have adequate storm drain system capacity to accommodate expected runoff volumes. While impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

**Less than Significant Impact.** Depending on the locations of future anticipated projects, the proposed Program could create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Program design, however, would include provisions to control surface run-off. The requirements of the applicable NPDES permits (including the Standard Urban Stormwater Mitigation Plan) and the City's new LID ordinance would be considered. The proposed Program would likely result in less than significant impacts; however, this will be further analyzed in the PEIR. If, upon further analysis, the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- f) *Would the project otherwise substantially degrade water quality?*

**Potentially Significant Impact.** Anticipated projects envisioned under the PMPU could entail new dredging and in-water construction. Fill placement and dredging operations could result in a number of impacts to water quality, such as increased turbidity levels and suspended particle and trace contaminant concentrations, decreases in dissolved oxygen concentrations, and changes in circulation patterns that, in turn, alter the exchange between harbor and ocean waters and mixing and dilution of watershed inputs. In-water work represents a potential source for releases of materials that could affect water quality or that

could disturb bottom sediments, resulting in releases of chemical contaminants into the water. Sediments in some portions of the harbor contain elevated contaminant concentrations which, if released from resuspended sediments, could affect water quality. However, effects to water quality typically are localized and short-term because sediments suspended by construction activities would settle to the bottom within a period of minutes to hours, depending on the particle size and current speed. Also, the contaminants associated with bottom sediments typically have strong affinities for particles, and losses of soluble contaminants to marina waters are expected to be minimal.

Under Section 303(d), the State is required to list water segments that do not meet water quality standards and to develop action plans, called total maximum daily loads (TMDLs), to improve water quality. Portions of the Los Angeles Harbor currently are listed as impaired for a variety of chemical contaminants and indicator bacteria (Table 8). TMDLs currently are being developed to address a number of these impairments. Projects that contribute to loadings of these contaminants in the harbor would be expected to degrade water quality.

**Table 8. Section 303(d) Listed Waters in Los Angeles Harbor**

Listed Waters/Reaches	Impairments
Los Angeles/Long Beach Outer Harbor, inside breakwater (4,042 acres)	Tissue: DDT, PCBs Sediment: Toxicity
Cabrillo Marina (77 acres)	Tissue: DDT, PCBs Sediment: Benzo(a)pyrene
Inner Cabrillo Beach (82 acres)	Tissue: DDT, PCBs Sediment: none
Los Angeles/Long Beach Inner Harbor (3,003 acres)	Tissue: DDT, PCBs Sediments: Benthic community effects, toxicity, benzo(a)pyrene, chrysene, copper, zinc
Fish Harbor (91 acres)	Tissue: DDT, PCBs Sediment: Toxicity, chlordane, DDT, PCBs, PAHs, benzo[a]anthracene, benzo[a]pyrene, chrysene, dibenz[a,h]anthracene, phenanthrene, pyrene, copper, lead, mercury, zinc
Consolidated Slip (36 acres)	Tissue: Chlordane, dieldrin, DDT, PCBs, toxaphene Sediments: Benthic community effects, toxicity, chlordane, DDT, PCBs, benzo[a]anthracene, benzo[a]pyrene, chrysene, phenanthrene, pyrene, 2-methynaphthalene, cadmium, chromium, copper, lead, mercury, zinc
Dominguez Channel Estuary	Tissue: chlordane, dieldrin, DDT, lead Sediment: Benthic community effects, benzo[a]pyrene, benzo[a]anthracene, chrysene, phenanthrene, pyrene, DDT, PCBs, zinc
<p>Notes: PCBs = polychlorinated biphenyls; DDT = dichloro-diphenyl-trichloroethane; PAHs = polycyclic aromatic hydrocarbons. The term "tissue" typically refers to edible fish tissue. Source: LARWQCB &amp; USEPA 2011.</p>	

Activities that place fill materials into waters of the U.S. are regulated under Section 404 of the CWA, as administered by the USACE. A Section 401 Water Quality Certification or waiver from the governing RWQCB is also necessary for issuance of Section 404 permits, and the Section 401 certification would include WDRs. Landside construction and operations activities would necessitate the appropriate NPDES permits, including preparation of SWPPPs to control pollutant loadings in stormwater entering the harbor.

Future anticipated projects considered in the PMPU could accommodate increases in vessel traffic which could result in higher mass loadings of contaminants such as copper that are leached from vessel hull anti-fouling paints. Portions of the Los Angeles Harbor are impaired with respect to copper; therefore, increased loadings associated with increases in vessel traffic relative to baseline conditions would likely exacerbate water and sediment quality conditions for copper. Additionally, discharges, spills and accidental releases of pollutants from vessels is another potential source of pollutants to the harbor that

could degrade water quality. Oil Spill Prevention, Control, and Countermeasure (SPCC) regulations require the Port to have in-place measures that help ensure oil spills do not occur. However, if they do, there are protocols and response equipment in place to contain the spill and neutralize the potential harmful impacts. An SPCC Plan and an Oil Spill Contingency Plan (OSCP) would detail and implement spill prevention and control measures. For the purposes of this analysis, this impact will be considered potentially significant and will be discussed further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site specific reviews.

- g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

**No Impact.** Portions of the PMPU area are within the 100-year flood plain area (FEMA 2011). (The 100-year flood zone is defined as the land that would be inundated by a flood having a one percent chance of occurring in a given year.) However, the proposed Program would not construct housing. Therefore, the proposed Program would not place housing within a 100-year flood hazard area and no impacts related to a 100-year flood hazard area would occur. This issue will not be discussed further in the PEIR.

- h) Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?*

**Less than Significant Impact.** As discussed in Section 4.9(g), portions of PMPU area are within the 100-year flood plain area (FEMA 2011). Structures constructed on parcels within the PMPU area could redirect runoff flow patterns within the anticipated project sites. However, the PMPU area generally is open and flat with little or no constrictions or interferences to runoff. Therefore, the presence of the structures associated with the anticipated projects would not promote flooding at these sites or at adjacent properties. Therefore, while impacts related to a 100-year flood hazard area anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

- i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

**Less than Significant Impact.** In general, the PMPU area is not within a potential dam or levee inundation area as identified in the Los Angeles General Plan Safety Element (City of Los Angeles 1996). Thus, any development or operations accommodated by changes to allowable land uses or associated with the anticipated projects would not expose people or structures to significant risk of loss, injury or death from failure of a levee or dam.

However, portions of the PMPU area are subject to inundation under certain future sea level change scenarios (CO-CAT 2010). Predictions concerning the magnitude of sea level change that will be experienced in southern California reflect different possible green house gas emission scenarios. For example, the California Sea Level Rise Interim Guidance Document (Co-CAT 2010) estimated a range in possible sea level rise elevations of 12 to 69 inches by 2100 based on reviews of projections from a number of published studies. Lempert et al. (unpublished) modified this range for the Port to 0.4 to 81 inches to account for local circulation effects. Sea level rise corresponding to the upper limits of these ranges, when combined with storm surge and tidal conditions, would make portions of the Port susceptible to flooding.

Future anticipated projects included in the PMPU could be located along the shoreline and therefore could be subject to flooding effects as a result of sea level rise. While there is no current consensus on the actual

magnitude of sea level rise that can be expected in the future, there is agreement that coastal areas are at risk and various models have produced a range of possibilities. Regardless, it is likely that changes would occur gradually over periods of decades and therefore would be accommodated by updated construction plans and offsets. Thus, it is not likely that flooding poses a significant threat to the PMPU area. However, this issue will be discussed further in the PEIR.

- j) *Would the project expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?*

**Less than Significant Impact.** Tsunamis are defined as gravity waves of long wavelengths generated by seismic activities that cause vertical motions of the earth's crust. This vertical motion can cause displacement of overlying waters that trigger transoceanic waves of water containing large amounts of energy. According to the Safety Element of the Los Angeles City General Plan, portions of the PMPU area are located within an area susceptible to impacts from a tsunami and subject to possible inundation as a result (City of Los Angeles 1996). A model has been developed to predict tsunami wave heights in the Long Beach and Los Angeles harbors. This model indicates that, under certain conditions, a tsunami could result in overtopping at between 4.9 feet above mean sea level to 11.2 feet above mean sea level, which could affect portions of the PMPU area. However, the potential is very low that the Port property would be affected by a major tsunami (Moffatt & Nichols 2007). Nevertheless, this issue will be analyzed further in the PEIR. Seiche and mudflow hazards are not likely to occur as a result of buildout associated with the anticipated projects. While impacts anticipated as a result of the proposed Program are expected to be less than significant, this issue will be discussed in the PEIR.

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## Land Use and Land Use Planning

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>10. LAND USE AND LAND USE PLANNING. <i>Would the project:</i></b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**a) *Would the project physically divide an established community?***

**No Impact.** The proposed Program would not divide an established community. The PMPU area encompasses all lands within the Port’s coastal zone boundary. The closest established communities are Wilmington and San Pedro. All anticipated projects would be contained entirely within existing Port lands and future development would not be constructed or require any improvements within Wilmington or San Pedro. The proposed Program would have no impact related to the division of an established community. Therefore, this issue will not be discussed further in the PEIR.

**b) *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

**Less than Significant Impact.** The applicable land use plans for the Port include the City of Los Angeles General Plan and Port of Los Angeles Community Plan. The proposed Program would change existing land use designations within the PMP Planning Areas. It is unlikely that these land use changes would be incompatible with applicable land use plans, policies, or regulations of the City of Los Angeles. Therefore, this impact is considered less than significant. Nevertheless, this issue will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

**c) *Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

**No Impact.** As discussed in Section 4(f), the PMPU area is not located within any habitat conservation plan or natural communities conservation plan. Therefore, no impacts would occur. This issue will not be addressed further in the PEIR.

## Mineral Resources

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>11. MINERAL RESOURCES. <i>Would the project:</i></b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**Less than Significant Impact.** Anticipated projects associated with the proposed Program could impact a known mineral resource, or a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. For example, the sites of future anticipated projects could be in or in proximity to an oil field drilling area. The proposed Program would likely result in less than significant impacts; however, this will be further analyzed in the PEIR. If, upon further analysis, the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**No Impact.** No designated important mineral resource recovery sites are located in the Port, with the exception of subterranean oil reserves. Oil extraction is a recognized activity that is fully protected by existing state, city, and Port policies. Accordingly, the proposed Program would have no impact on mineral resources, and this issue will not be analyzed in the PEIR.

## Noise

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>12. NOISE. <i>Would the project:</i></b>				
a) Result in Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Potentially Significant Impact.** During construction of future projects within the PMPU area, noise would be produced by construction-related equipment. During the operational phase of the proposed Program, the predominant sources of noise would be vessel traffic, cargo operations, rail movements, truck and automobile traffic, and on-street activity throughout the Port. Changes in allowable land uses may increase traffic in the area above what currently exists. Construction activities may occasionally exceed the City’s ambient noise level thresholds. The location, intensity, and timing of noise generating activities under the proposed Program are uncertain. However, due to the potential for noise to exceed established thresholds in the City of Los Angeles Noise Ordinance (City of Los Angeles 2006), the impact is therefore considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project expose persons to or generate excessive groundborne vibration or groundborne noise?*

**Potentially Significant Impact.** Anticipated future projects associated with the proposed Program could potentially result in some vibration-related impacts from increased rail traffic and construction activities. As a result, potential impacts from vibration are considered potentially significant and will be evaluated

further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

**Potentially Significant Impact.** During the operational phase of future projects associated with the proposed Program, the predominant sources of noise would be vessel traffic, cargo operations, rail movements, truck and automobile traffic, and on-street activity throughout the Port. The new uses may increase traffic in the area above what currently exists. The location, intensity, and timing of noise generating activities under the proposed Program are uncertain. However, due to the potential for a substantial permanent increase in ambient noise levels above levels established in the City of Los Angeles Noise Ordinance, the impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

**Potentially Significant Impact.** During construction of future projects associated with the proposed Program, noise above ambient levels would be produced by construction-related equipment. During the operational phase of anticipated projects for the proposed Program, vessel traffic, cargo operations, rail movements, truck and automobile traffic, and on-street activity throughout the Port may be audible above ambient levels. Anticipated projects addressed in the proposed Program would require substantial construction over time that could exceed the City of Los Angeles ambient noise level thresholds. The location, intensity, and timing of noise generating activities under the proposed Program are uncertain. However, due to the potential for substantial or periodic increases in ambient noise, the impact is considered potentially significant and will be evaluated further in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- e) *For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?*

**No Impact.** The activities of anticipated projects associated with proposed Program would not be located within an airport land use plan area or within 2 miles of a public airport or public use airport. The closest public airport, Long Beach Airport, is located approximately 9 miles from the PMPU area. Therefore, the proposed Program would not result in a safety hazard to people working or residing in the PMPU area. This issue will not be discussed further in the PEIR.

- f) *For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** Anticipated projects associated with proposed Program would not be located within the vicinity of a private airstrip. The closest private use airport is the Torrance Municipal Airfield located approximately 6.5 miles from the PMPU area. Therefore, the proposed Program would not result in a safety hazard to people working or residing in the PMPU area. This issue will not be discussed further in the PEIR.

## References

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## Population and Housing

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>13. POPULATION AND HOUSING. <i>Would the project:</i></b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less Than Significant Impact.** Anticipated projects associated with the proposed Program would not establish new residential uses within the Port nor would it require expansion of roads or other infrastructure sufficient to induce substantial population growth. Future development of anticipated projects under the proposed Program would not result in the relocation of substantial numbers of people from outside of the region. Therefore, the proposed Program would not induce substantial population growth either directly or indirectly. While some population growth may occur from economic growth related to projects undertaken in the future, the growth would be minimal and less than significant. Nevertheless, population growth will be addressed in the PEIR.

- b) *Would the project displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?*

**Less than Significant Impact.** There is no formal housing within the Port. However, there are liveaboard boat owners in some marinas within the Port. It is possible that changes in allowable land uses and/or future anticipated projects under the proposed Program may displace liveaboards if marina space is limited. No formal housing would be displaced and therefore, no replacement housing would need to be constructed. Displacement of liveaboards, if any, is expected to be limited to a small number of persons and would not necessitate constructing replacement housing. This impact is considered less than significant, but will nevertheless be addressed in the PEIR.

- c) *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

**Less than Significant Impact.** Liveaboard boat owners in some marinas within the Port may be displaced if changes in allowable land uses and/or anticipated projects under the proposed Program reduce available marina space. Displacement of liveaboards, if any, is expected to be limited to a small number of persons and would not necessitate constructing replacement housing. This impact is considered less than significant, but will nevertheless be addressed in the PEIR.

## Public Services

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>14. PUBLIC SERVICES. <i>Would the project:</i></b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

a) *Would the project result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:*

***i, ii) Fire and police protection?***

**Potentially Significant Impact.** The Los Angeles Fire Department (LAFD) currently provides fire protection and emergency services within the PMPU area. LAFD facilities in the Port include land-based fire stations and fireboat companies. The Los Angeles Harbor Department Port Police (Port Police) and the Los Angeles Police Department (LAPD) both provide police services to the Port. The Port Police is the primary responding agency in the Port and is responsible for operations within the Port’s property boundaries. Port Police headquarters is located at 330 Centre Street in San Pedro. Some anticipated projects developed under the proposed Program may increase the need for fire or police protection within the Port, although the nature, timing, and magnitude are unknown at this time. However, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

***iii) Schools?***

**No Impact.** Anticipated projects considered under the proposed Program would not involve residential development that would increase the demand for additional or modified school facilities. The proposed Program would, therefore, have no impact on schools. This issue will not be discussed further in the PEIR.

*iv) Parks?*

**Potentially Significant Impact.** The PMPU area encompasses all lands within the Port's coastal zone boundary, including public open space areas. Development of anticipated projects under the proposed Program could potentially result in additions and/or reductions in park facilities and other amenities, although the nature, timing, and magnitude are unknown at this time. However, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

*v) Other public facilities?*

**Potentially Significant Impact.** The U.S. Coast Guard (USCG), as the only other public facility within the PMPU area, is a federal agency responsible for a broad scope of regulatory, law-enforcement, humanitarian, and emergency-response duties. Within the PMPU area, the USCG's primary responsibility is to ensure the safety of vessel traffic in the channels of the Port and in coastal waters. The 11th USCG District, which maintains a post within the Port on Terminal Island, would provide USCG support to the PMPU area. USCG, in cooperation with the Marine Exchange, also operates Vessel Traffic Information Systems. This voluntary service is intended to enhance vessel safety in the main approaches to the Port. Anticipated projects considered under the proposed Program would involve vessel traffic, and could, therefore, result in impacts to USCG facilities or operations, although the timing and extent cannot be determined at this time. However, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

## Recreation

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>15. RECREATION. <i>Would the project:</i></b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?*

**Potentially Significant Impact.** The PMPU area encompasses recreational facilities and amenities within the Port. Demand for parks would not likely occur as a consequence of future development under the PMPU, because such demand is generally associated with the increase of housing or population in an area which is not expected to be substantial with proposed Program implementation. The proposed Program consists primarily of industrial, commercial, and institutional uses and would not include residential uses. In addition, the proposed Program would not likely result in substantial physical deterioration of facilities. However, the proposed Program would result in an overall decrease in designated recreational areas within the Port compared to the existing PMP. The proposed Program would increase open space areas (parks/beaches) on Port lands; however, recreational boating uses would be reduced compared to existing conditions. Therefore, this issue will be analyzed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

**Less than Significant Impact.** The PMPU area encompasses all lands within the Port’s coastal zone boundary, which includes recreational facilities and open space areas. The Port has constructed recreational facilities and may, under the proposed Program construct more. However, it is unlikely that such construction would be required by the PMPU. Therefore, this impact is considered less than significant, but will nevertheless be addressed in the PEIR.

## Transportation and Traffic

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>16. TRANSPORTATION AND TRAFFIC. <i>Would the project:</i></b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air or water traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Result in inadequate parking capacity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program would increase vehicular, pedestrian, and vessel traffic throughout the Port. Anticipated projects could also involve improvements to surrounding streets, extension of rail lines in some cases, and improvements to navigational facilities and vessel berths. Impacts associated with the increased traffic resulting from the various modes described above will be analyzed in the PEIR to determine their consistency with applicable plans and policies contained in the Southern California Association of Governments (SCAG) 2008 Regional Comprehensive Plan and Comprehensive Regional Goods Movement Plan, the Port of Los Angeles 2012-2017 Strategic Plan, the City of Los Angeles General Plan, and any other applicable plans. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

**Potentially Significant Impact.** As discussed above, anticipated projects associated with the proposed Program could result in increased vehicular traffic on roadways throughout the Port. This increased traffic may conflict with the levels of service and/or traffic demand measures established by the Congestion Management Program for Los Angeles County. Therefore, this issue will be analyzed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project result in a change in air or water traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?*

**Potentially Significant Impact.** Anticipated future projects associated with the proposed Program would not result in a change in air traffic patterns or result in a substantial safety risk surrounding air traffic. The closest public airport is the Long Beach Airport, which is approximately 9 miles from the PMPU area, and the closest private airstrip is located at the Torrance Municipal Airfield, which is approximately 6.5 miles from the PMPU area. However, anticipated projects associated with the proposed Program may result in increased vessel traffic within the Port or a change in the location and intensity of vessel traffic, which could result in significant impacts related to water traffic. Therefore, this issue will be analyzed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program could result in design features (e.g., sharp curves or dangerous intersections) or incompatible uses within the PMPU area. These types of traffic hazards will be evaluated and this issue will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- e) *Would the project result in inadequate emergency access?*

**Less than Significant Impact.** As part of the approval process for anticipated future projects associated with the proposed Program, the LAFD, Port Police, and LAPD would review and approve all plans to ensure that they comply with applicable access requirements. Compliance would ensure that emergency access to, from, and within the Port is adequate. During construction of anticipated future projects, there would be potential for temporary traffic impacts requiring traffic control measures to ensure adequate emergency access. The proposed Program would likely result in less than significant impacts; however, this will be further analyzed in the PEIR. If, upon further analysis, the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

**Potentially Significant Impact.** Anticipated projects constructed pursuant to the PMPU may involve construction of new pedestrian facilities associated with commercial and visitor-serving activities and amenities adjacent to a working waterfront. Future project activities could be inconsistent with applicable plans and policies surrounding pedestrian facilities and public transit and could potentially increase safety concerns surrounding the implementation of future facilities near a working waterfront. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- g) *Would the project result in inadequate parking capacity?*

**Potentially Significant Impact.** The proposed Program involves the development of future anticipated projects within the Port. Future development could result in increases in the number of visitors and employees of Port tenants. Developments constructed under the PMPU would include parking areas to accommodate the increased number of tenants or visitors to various locations within the Port. However, future parking demands cannot be determined at this time. Therefore, this impact is considered potentially significant. The PEIR will identify and evaluate standard parking mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

## Utilities and Service Systems

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>17. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

**Potentially Significant Impact.** Anticipated projects included in the PMPU would be required to conform to all applicable wastewater standards set forth by the LARWQCB. Some future projects could result in the generation of additional wastewater compared to present levels. Anticipated projects could be required to tie into existing sewer lines that may or may not require capacity expansion. Wastewater would likely flow to the Terminal Island Treatment Plant, which is operated by the City's Department of Public Works Bureau of Sanitation. Because of present uncertainties in capacity, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program may increase the demand for potable water and/or increase the generation of wastewater as individual projects are developed. The magnitude and timing of future demand cannot be determined at this time. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and

evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- c) *Would the project require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program may increase the amount of stormwater runoff if projects result in an increased area of impervious surfaces. However, the timing and magnitude of these changes cannot be determined at this time. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program may increase the demand for potable water as individual projects are developed. However, the magnitude and timing of future demand cannot be determined at this time. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- e) *Has the wastewater treatment provider that serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program may increase wastewater volumes as individual projects are developed. However, the magnitude and timing of future wastewater generation cannot be determined at this time. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program may generate increased volumes of solid waste as individual projects are developed. However, the magnitude and timing of future waste generation cannot be determined at this time. Therefore, this impact is considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- g) *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

**Less than Significant Impact.** Anticipated projects associated with the proposed Program may generate increased volumes of solid waste as individual projects are developed. Projects developed under the PMPU would be required to comply with all federal, state, and local statutes and regulations related to solid waste. Therefore, the proposed Program would likely result in less than significant impacts. However, this will be further analyzed in the PEIR. If upon further analysis the PEIR determines mitigation would be necessary, the PEIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

## Mandatory Findings of Significance

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE. <i>Would the project:</i></b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a) *Would the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

**Potentially Significant Impact.** Anticipated projects associated with the proposed Program would have the potential to degrade the quality of the environment with regard to several resource areas. For example, future in-water construction activities (e.g., dredging and installation of new piles) could affect biological communities, including benthic animals, fish, and marine birds. Although limited undeveloped habitat exists for terrestrial wildlife species and plants, raptors have the potential or are known to nest within Port boundaries. Anticipated projects associated with the proposed Program could have an adverse impact to historic and archaeological resources from future construction and in-water activities. Therefore, impacts are considered potentially significant and will be addressed in the PEIR. The PEIR will identify and evaluate standard design and mitigation measures and potential significance thresholds that will be considered during future site-specific reviews.

- b) *Would the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

**Potentially Significant Impact.** There is potential for anticipated future projects associated with the proposed Program to result in cumulatively considerable effects. The PEIR will evaluate the proposed Program as a whole and consider its impacts in combination with other past, present, or reasonably foreseeable future projects.

- c) *Would the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?*

**Potentially Significant Impact.** The proposed Program could result in environmental effects that could cause substantial affects on human beings, either directly or indirectly. These potentially significant impacts will be addressed in the PEIR.

## Acronyms & Abbreviations

AB	Assembly Bill
ARB	Air Resource Board
BMP	best management practices
CAAP	Clean Air Action Plan
CCA	California Coastal Act
CCC	California Coastal Commission
CDFG	California Department of Fish and Game
CFR	Code of Federal Regulations
CH <sub>4</sub>	methane
CO <sub>2</sub>	carbon dioxide
CO <sub>2e</sub>	CO <sub>2</sub> equivalent
CZMA	Coastal Zone Management Act
CEQA	California Environmental Quality Act
DDT	dichloro-diphenyl-trichloroethane
DOGGR	California Department of Conservation, Division of Oil, Gas, and Geothermal Resources
EIR	Environmental Impact Report
GHG	Greenhouse gases
GWP	global warming potential
HCP	Habitat Conservation Plan
HMI	Hazardous Materials Inventory
LAFD	Los Angeles Fire Department
LAHD	Los Angeles Harbor Department
LARWQCB	Los Angeles Regional Water Quality Control Board
LAPD	Los Angeles Police Department
LBP	lead-based paint
LCP	Local Coastal Plan
LID	Low Impact Development
N <sub>2</sub> O	nitrous oxide
NCCP	Natural Communities Conservation Plan
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
O <sub>3</sub>	ozone
OGV	ocean-going vessels
OSCP	Oil Spill Contingency Plan
PAH	polycyclic aromatic hydrocarbons
PCAC	Port of Los Angeles Community Advisory Committee
PCB	polychlorinated biphenyls
PEIR	Program Environmental Impact Report
PF	Public Facilities
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in diameter
PM <sub>10</sub>	particulate matter less than 10 microns in diameter
PMP	Port Master Plan
PMPU	Port Master Plan Update
Port	Port of Los Angeles
Port Police	Los Angeles Harbor Department Port Police
PRC	Public Resources Code
PV	photovoltaic
RRP	Release Response Plan
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SPCC	Oil Spill Prevention, Control, and Countermeasure

SRWCB	State Regional Water Quality Control Board
SUSMP	Standard Urban Storm Water Mitigation Plan
SWPPP	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USC	United States Code
USCG	U.S. Coast Guard
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
WDR	Waste Discharge Requirements
WRAP	Water Resources Action Plan

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7, OFFICE OF TRANSPORTATION  
PLANNING - IGR/CEQA BRANCH  
100 MAIN STREET, MS # 16  
LOS ANGELES, CA 90012-3606  
PHONE: (213) 897-6696  
FAX: (213) 897-1337



*Flex your power!  
Be energy efficient!*

August 20, 2012



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

Re: Port of Los Angeles Master Plan Update  
Program Environmental Impact Report (NOP)  
SCH #2012071081, IGR No. 120727EA  
Vic. LA-110 / PM 0.00 – 5.00

Dear Mr. Cannon:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the proposed Port of Los Angeles Master Plan Update (PMPU). Based on the Notice of Preparation of an Environmental Impact Report (EIR), the environmental review will evaluate the cumulative effects of planned development projects within the various planning areas. Major planned developments include the Wilmington Waterfront Project, Yang Ming Terminal Redevelopment, Pier 500 Fill (200 acre fill).

The California Department of Transportation (Caltrans), the State agency with jurisdiction over State highways (freeways), is concerned that the expected increase in traffic volume has the potential to affect Interstates 110 (I-110), 405 (I-405), 710 (I-710), State Routes 47 (SR-47), 60 (SR-60), 91 (SR-91) and 103 (SR-103).

A traffic study, using Caltrans Criteria, is necessary to fully evaluate the potential project impacts to the above mentioned State transportation facilities. Please refer the traffic consultant to the *Caltrans Guide for the Preparation of Traffic Impacts Studies* (see Traffic Study Elements attachment) Website:

[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf)

The traffic study should analyze the extent of the impact to the mainline, as well as, the intersections at SR-47 and Harbor Boulevard, and the I-110 interchanges at John S. Gibson Boulevard, C Street, and Harry Bridges Boulevard.

The expected growth in the port complex promises substantial increase in container truck traffic by year 2035. Potential impacts from future increase in heavy duty truck traffic should receive special consideration in the transportation impact analysis.

It is requested that a queue analysis on the off-ramps that are expected to be utilized the most. Please include proposed mitigation measures for off-ramps where the projected vehicle queuing is expected to exceed the storage capacity.

To determine the scope of freeway analysis, a select zone model run for trips with trip ends at the project zones should be performed, including loaded 2035 network with and without project, with network improvements.

It is requested that the traffic consultant contact Caltrans prior to the commencement of the traffic study to clearly identify scope of work. Caltrans may be able to share any data it may have collected for the routes to be analyzed.

Caltrans requests that the following information be included in the traffic impact analysis:

- Presentations of assumptions and methods used to develop trip generation, trip distribution, trip assignments, and choice of travel mode. Travel modeling should be consistent with other regional and local modeling forecasts and with travel data.
- Include all appropriate traffic volumes: a) traffic from the project under consideration, b) cumulative traffic from all specific approved developments in the area, c) cumulative traffic from likely not-yet-approved developments in the area, and d) traffic growth other than from the project and developments. For example: existing+ project+ other projects+ other growth.
- Analysis of AM, and PM peak-hour volumes for both existing and future conditions in the affected area. Level of Service should be specified (HCM2000 methodology is requested). Future conditions would include build-out of all projects and any plan-horizon years.
- Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. This discussion should include, but not be limited to, the following:
  - description of transportation infrastructure improvements
  - financial costs, funding sources and financing
  - sequence and scheduling considerations
  - implementation responsibilities, controls and monitoring
- A plan of realistic mitigation measures under the control of the lead agency or project sponsors or specification percent shares of the costs for various mitigation actions undertaken by other agencies. Any assessment fees for mitigation action should be in proportion of the additional traffic generated by the project to the amount of traffic benefiting from action (see Traffic Impact Study Guide).

The lead agency is required to comply with Los Angeles County Congestion Management Program (CMP) standards and thresholds of significant. However, Caltrans does not consider the Los Angeles County's CMP criteria alone to be adequate for the analysis of transportation impacts pursuant to a CEQA review. The CMP does not adequately address cumulative transportation impacts and does not analyze for safety, weaving problems, or delay. Caltrans' Guide directs preparers of traffic impact analysis to consult with the local District as early as possible to determine the appropriate requirements and criteria of significance to be used in the traffic impact analysis.

## **Traffic Mitigations Alternatives**

The traffic engineering firm retained to prepare the traffic impact analysis should work cooperatively with Caltrans to determine and include transportation mitigation needed on State Highway facilities.

Due to the magnitude of planned development, it is anticipated that improvements to nearby State highways would be necessary to accommodate projected traffic demand. It is expected the plan will recommend construction of mitigation improvements on State facilities that are directly impacted and contribute on a proportional basis to those State facilities where the plan impacts on a cumulative basis.

The Port of Los Angeles in conjunction with Caltrans has prepared Project Study Reports (PSR) for modifications to the interchanges at I-110/John S. Gibson and I-110/C Street and for the widening of the connector between southbound SR-47 to northbound I-110. It is anticipated that the program EIR will require the completion these improvements.

Listed below are mitigation measures that may be considered:

### Mitigation measures for Direct Impacts may include:

- On-Dock Rail projects new or enhancement to existing ones.
- Construction of On and Off-ramp improvements to/from I-110, SR-47, SR-103
- Mainline operational improvements, e.g. Changeable Message signs, metering, etc.
- Synchronization of traffic signals
- Enhancements to Traffic Management Center

### Transportation Demand Management (TDM) Measures

- Shuttle Buses to Marine Research Center and/or Ports O' Call Fish Market
- Incentives to Vanpooling and Carpooling, e.g. preferential parking
- Port Shuttles e.g. Dash Buses

### Mitigation measures for Cumulative impacts may include:

- Fair Share funding contributions towards construction of future freeway improvements.
- Funding of necessary planning studies to bring about future freeway improvements

## **Construction Traffic**

There may be extensive construction activity associated with the planned projects, therefore, it is requested that the PMPU require truck-management-plans for those projects. Transportation of heavy equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods as to avoid disruption of daily traffic.

The transportation of heavy construction equipment, materials, or other special equipment, which requires the use of oversized-transport vehicles on State highways, will require a Caltrans transportation permit.

In all instances where the proposed work falls within or affects the State right-of-way such as constructions, grading, changes to hydraulic run-off, etc., a Caltrans encroachment permit will be required. The permit process for complex highway improvements requires additional time and attention.

Early coordination with Caltrans is strongly encouraged for any mitigation improvements to State highways.

**Conclusion**

We look forward to reviewing the traffic study and expect to receive a copy from the State Clearinghouse when the DEIR is completed. However, to expedite the review process, you may send a copy in advance to the undersigned. Caltrans staff is available for consultation meetings at your earliest convenience. If you have any questions regarding these comments, you may reach project coordinator Elmer Alvarez at (213) 897 – 6696 or electronically at [Elmer\\_Alvarez@dot.ca.gov](mailto:Elmer_Alvarez@dot.ca.gov). Please refer to our internal record number 120727/EA.

Sincerely,



DIANNA WATSON,  
IGR/CEQA Branch Chief  
Office of Transportation Planning  
Caltrans District 7



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

Notice of Preparation

July 25, 2012



To: Reviewing Agencies  
Re: Master Plan Update  
SCH# 2012071081

Attached for your review and comment is the Notice of Preparation (NOP) for the Master Plan Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Lisa Ochsner**  
**Port of Los Angeles**  
**425 South Palos Verdes Street**  
**San Pedro, CA 90731**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2012071081  
**Project Title** Master Plan Update  
**Lead Agency** Los Angeles, Port of

**Type** **NOP** Notice of Preparation

**Description** The City of Los Angeles Harbor Department has prepared an NOP/IS Checklist for the Port of Los Angeles Master Plan Update (PMPU). The PMPU serves as a long-range plan to establish policies and guidelines for future development within the coastal zone boundary of the Port of Los Angeles (Port). The PMPU addresses all the required sections under CCA Chapter 8, Article 3 (Section 30711[a] and [b]), including the permitted uses, design and location of land use areas, an estimate of the effect of development on environmental resources, and anticipated projects listed as appealable. The Program EIR will focus on analysis on the land use portion of the PMPU. However, the PEIR will address and incorporate environmental goals, policies, and mitigation measures identified during the planning and environmental review process.

**Lead Agency Contact**

**Name** Lisa Ochsner  
**Agency** Port of Los Angeles  
**Phone** 310 732 3412 **Fax**  
**email**  
**Address** 425 South Palos Verdes Street  
**City** San Pedro **State** CA **Zip** 90731

**Project Location**

**County** Los Angeles  
**City**  
**Region**  
**Cross Streets** Within Port of Los Angeles boundaries  
**Lat / Long**  
**Parcel No.** Multiple  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** Hwy 110 and 47  
**Airports**  
**Railways**  
**Waterways** Los Angeles Harbor  
**Schools**  
**Land Use** Various land use designations within Port boundaries

**Project Issues**

**Reviewing Agencies** Resources Agency; Department of Boating and Waterways; California Coastal Commission; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 7; Air Resources Board, Transportation Projects; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 4

**Date Received** 07/25/2012 **Start of Review** 07/25/2012 **End of Review** 08/23/2012



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2012071081

Project Title: Port of Los Angeles Master Plan Update

Lead Agency: City of Los Angeles Harbor Department
Mailing Address: 425 S. Palos Verdes Street
City: San Pedro Zip: 90731 County: Los Angeles
Contact Person: Lisa Ochsner
Phone: 310-732-3412

Project Location: County: Los Angeles City/Nearest Community: San Pedro and Wilmington

Cross Streets: Within Port of Los Angeles boundaries Zip Code: 90731,90744

Longitude/Latitude (degrees, minutes and seconds): ... N / ... W Total Acres:

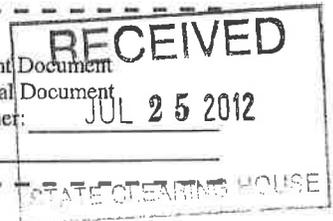
Assessor's Parcel No.: Multiple parcels Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: 110 and 47 Waterways: Los Angeles Harbor

Airports: Railways: Schools:

Document Type:

- CEQA: [X] NOP [ ] Draft EIR [ ] Early Cons [ ] Neg Dec [ ] Mit Neg Dec
[ ] Supplement/Subsequent EIR (Prior SCH No.)
Other: Initial Study Checklist
NEPA: [ ] NOI [ ] EA [ ] Draft EIS [ ] FONSI
Other: [ ] Joint Document [ ] Final Document [ ] Other: JUL 25 2012



Local Action Type:

- [ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [X] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other:

Development Type:

- [ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees
[ ] Commercial: Sq.ft. Acres Employees
[ ] Industrial: Sq.ft. Acres Employees
[ ] Educational:
[ ] Recreational:
[ ] Water Facilities: Type MGD
[ ] Transportation: Type
[ ] Mining: Mineral
[ ] Power: Type MW
[ ] Waste Treatment: Type MGD
[ ] Hazardous Waste: Type
[ ] Other:

Project Issues Discussed in Document:

- [X] Aesthetic/Visual [ ] Fiscal [X] Recreation/Parks [X] Vegetation
[X] Agricultural Land [X] Flood Plain/Flooding [X] Schools/Universities [X] Water Quality
[X] Air Quality [ ] Forest Land/Fire Hazard [ ] Septic Systems [X] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[X] Coastal Zone [X] Noise [X] Solid Waste [X] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[X] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Various land use designations within Port boundaries.

Project Description: (please use a separate page if necessary)

The City of Los Angeles Harbor Department (LAHD) has prepared an NOP/Initial Study Checklist for the Port of Los Angeles Master Plan Update (PMPU). The PMPU serves as a long-range plan to establish policies and guidelines for future development within the coastal zone boundary of the Port of Los Angeles (Port). The PMPU addresses all the required sections under CCA Chapter 8, Article 3 (Section 30711 [a] and [b]), including the permitted uses, design and location of land use areas, an estimate of the effect of development on environmental resources, and anticipated projects listed as appealable. The Program EIR (PEIR) will focus on analysis on the land use portion of the PMPU. However, the PEIR will address and incorporate environmental goals, policies, and mitigation measures identified during the planning and environmental review process.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Air Resources Board              | <input checked="" type="checkbox"/> Office of Historic Preservation          |
| <input type="checkbox"/> Boating & Waterways, Department of          | <input type="checkbox"/> Office of Public School Construction                |
| <input type="checkbox"/> California Emergency Management Agency      | <input type="checkbox"/> Parks & Recreation, Department of                   |
| <input type="checkbox"/> California Highway Patrol                   | <input type="checkbox"/> Pesticide Regulation, Department of                 |
| <input checked="" type="checkbox"/> Caltrans District # _____        | <input type="checkbox"/> Public Utilities Commission                         |
| <input type="checkbox"/> Caltrans Division of Aeronautics            | <input checked="" type="checkbox"/> Regional WQCB # _____                    |
| <input type="checkbox"/> Caltrans Planning                           | <input type="checkbox"/> Resources Agency                                    |
| <input type="checkbox"/> Central Valley Flood Protection Board       | <input type="checkbox"/> Resources Recycling and Recovery, Department of     |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy          | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.           |
| <input checked="" type="checkbox"/> Coastal Commission               | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board                        | <input type="checkbox"/> San Joaquin River Conservancy                       |
| <input type="checkbox"/> Conservation, Department of                 | <input type="checkbox"/> Santa Monica Mtns. Conservancy                      |
| <input type="checkbox"/> Corrections, Department of                  | <input checked="" type="checkbox"/> State Lands Commission                   |
| <input type="checkbox"/> Delta Protection Commission                 | <input type="checkbox"/> SWRCB: Clean Water Grants                           |
| <input type="checkbox"/> Education, Department of                    | <input type="checkbox"/> SWRCB: Water Quality                                |
| <input type="checkbox"/> Energy Commission                           | <input type="checkbox"/> SWRCB: Water Rights                                 |
| <input checked="" type="checkbox"/> Fish & Game Region # _____       | <input type="checkbox"/> Tahoe Regional Planning Agency                      |
| <input type="checkbox"/> Food & Agriculture, Department of           | <input checked="" type="checkbox"/> Toxic Substances Control, Department of  |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of                      |
| <input type="checkbox"/> General Services, Department of             | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Health Services, Department of              | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Housing & Community Development             |  |
| <input type="checkbox"/> Native American Heritage Commission         |  |

### Local Public Review Period (to be filled in by lead agency)

Starting Date July 26, 2012 Ending Date August 24, 2012

### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>Port of Los Angeles</u>
Address: _____	Address: <u>425 S. Palos Verdes Street</u>
City/State/Zip: _____	City/State/Zip: <u>San Pedro, CA 90731</u>
Contact: _____	Phone: <u>310-732-3412</u>
Phone: _____	

Signature of Lead Agency Representative: Lisa Ochener Date: 7/24/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

## PUBLIC UTILITIES COMMISSION

320 WEST 4<sup>TH</sup> STREET, SUITE 500  
LOS ANGELES, CA 90013



August 10, 2012

Lisa Ochsner  
Port of Los Angeles  
425 S. Palos Verdes Street  
San Pedro, CA 90731

Dear Ms. Ochsner:

Re: SCH# 2012071081 Port of Los Angeles Master Plan Update

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Preparation (NOP)* from the State Clearinghouse for the proposed Port of Los Angeles (POLA) Master Plan Update.

RCES recommends that POLA add language to the Master Plan Update so that any future development adjacent to or near the shared railroad/light rail right-of-way is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way and compliance with the Americans with Disabilities Act.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

If you have any questions, please contact Ken Chiang, Utilities Engineer at (213) 576-7076 or [ykc@cpuc.ca.gov](mailto:ykc@cpuc.ca.gov), or me at (213) 576-7078 or [rxm@cpuc.ca.gov](mailto:rxm@cpuc.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Muñoz".

Rosa Muñoz, PE  
Senior Utilities Engineer  
Rail Crossings Engineering Section  
Consumer Protection & Safety Division

C: State Clearinghouse



Recommendations from Central San Pedro Neighborhood Council:

As the Central San Pedro Neighborhood Council is vitally and ardently interested in the outcome of the Port of Los Angeles master plan update, it would *urgently request that steps and strategy to arrive at the finished document be accurately and promptly communicated* by the Port of Los Angeles to the Central San Pedro Neighborhood Council, on each and every occasion when that communication is appropriate.

A. We ask that Port of Los Angeles master plan update meetings including, but not limited to, scoping meetings, public outreach meetings and community workshops be notified to all Central SP NC board members and Central SP NC Port Relations Committee members in a timely manner by email.

B. We ask that vital meetings relevant to the development of this update be not held between 6p.m. and 10p.m. on evening of the second Tuesday of any month.

C. We ask that PCAC committee members are all notified of meetings, scoping meetings, public outreach meetings and community workshops. (Although three of the Central San Pedro Neighborhood Council Port Relations Committee members [Anderson, Vought, Alexander] attended a Port of Los Angeles Port Master Plan Update Public Workshop on Thursday July 19, 2012 at the Banning's Landing Community Center in Wilmington, - none of these three received email notice nor a postcard advising of August 14<sup>th</sup> public scoping meeting).

The following list of relevant items we, (the Central San Pedro Neighborhood Council), feel to be vital for inclusion in future planning for the Port of Los Angeles, and we ask that the Central San Pedro Neighborhood Council adopt these items as its own, as we feel that they all need to be included in the Port of Los Angeles Master Plan update, *on behalf of our stakeholders*:

A. Emphasis must be placed on developing and enhancing those sections of waterfront which are designed for use by visitors and local residents, (e.g. Crafted, USS Iowa, Kaiser Point cruise terminal) e.g., parking issues, marketing, infrastructure, landscaping, mass public transit.

B. ***The San Pedro Waterfront needs to be developed as a 'seamless interface' with downtown San Pedro in accordance with the vision described by the Urban Land Institute***, SMWM studies, consultant Keith Gurney, the City of L.A. Community Redevelopment Agency, and others.

The ULI Study (2002) is available here:

[http://www.chulavistaca.gov/City\\_Services/Development\\_Services/RedevHousing/Projects/documents/SanPedroReport.pdf](http://www.chulavistaca.gov/City_Services/Development_Services/RedevHousing/Projects/documents/SanPedroReport.pdf)

see also <http://sanpedrocity.org/wp-content/uploads/2012/03/AGENDAPACKETMAR2012.pdf>

and <http://sanpedrocity.org/wp-content/uploads/2011/02/buscainoletterCRAwithattachments.pdf> and (from the Port of Los Angeles): [http://www.portoflosangeles.org/EIR/SPWaterfront/FEIR/1\\_Introduction.pdf](http://www.portoflosangeles.org/EIR/SPWaterfront/FEIR/1_Introduction.pdf)

CRA intentions are here: [http://www.crala.net/internet-site/Projects/Pacific\\_Corridors/upload/Pacific%20Corridor%20Five%20Year-2.pdf](http://www.crala.net/internet-site/Projects/Pacific_Corridors/upload/Pacific%20Corridor%20Five%20Year-2.pdf) .

Further analysis of need for seamless interface is here:

- C. The Red Car or other Port of Los Angeles light rail needs to connect with the Los Angeles Metro passenger rail system which serves downtown Los Angeles and the proximity of Los Angeles International Airport.
- D. A water taxi or other means of public water transportation needs to be developed to connect the Port of Los Angeles with other waterfront destinations such as Santa Monica, Newport Beach, Seal Beach, Alamitos Beach.
- E. The Red Car project must be developed to interconnect broader areas of San Pedro town and its suburbs.
- F. Central San Pedro Neighborhood Council would like to see more diversity in the Port of Los Angeles's economic development plan. Revenues should be diversified beyond relying too heavily on container traffic at the expense of developing other revenueable plans; this will require the Port of Los Angeles to expand the diversity of its economic activities.
- G. Truck traffic on city streets must be ameliorated and its impact reduced as a public safety need, an aesthetic need and an environmental need. Alternatives must be found to this problem, (e.g. a dedicated on/off ramp at Westmont and the 110 Freeway).
- H. The general public must have more access to the water, (not just to viewing the water from the waterfront), but access to the ocean or to channels. (E.g. beaches, coastal berms, boat launches).
- I. The Port must reduce the heat island effect on its land through increased and improved landscaping and alternative surface materials along with other means that the Port identifies and implements.
- J. The California Coastal trail needs to be further established and improved throughout Port of Los Angeles property.
- K. The impact of night time operations on adjacent communities needs to be abated and reduced, including the impacts of *light and noise pollution at night*.
- L. A bicycle lane system needs to be established between Long Beach and Downtown San Pedro, across Terminal Island.
- M. Historical sites, buildings and facilities need to be protected and preserved.
- N. Dedicated space must be found for the relocation of hazardous materials including the facilities owned or operated in San Pedro by Plains All American Pipeline, L.P. or PAA Natural Gas Storage, L.P., or by PNGS GP LLC
- O. Nature Preserves and Marine Habitats should be encouraged, developed, expanded and maintained.
- P. Landscaping should be instigated and carried out all along Ocean Boulevard, wherever it is within Port of Los Angeles boundaries.

- Q. More Port of Los Angeles land must be dedicated to capture and generate electrical power, thereby reducing dependence on the Los Angeles' grid: A renewable energy-based system must be developed to facilitate the large-scale transmission and storage of solar and wind power.
- R. Interface between Port of Los Angeles properties and the adjacent community(ies) should be beautified and landscaped including the undergrounding of utility cables and lines.
- S. The Port of Los Angeles must develop a plan which guarantees that continued personal recreational use of the Outer Harbor is not hindered, reduced or curtailed.
- T. Industrial land use should be concentrated on Terminal Island, and not on community-adjacent land (e.g. the west bank of the main channel).
- U. Rail cargo should access and egress the Port of Los Angeles via grade separations to minimize impact on local traffic, improve quality of life for harbor area residents, and reduce danger to road users.
- V. The percentage of all cargo moved by rail, (including empty containers), entering and leaving the Port of Los Angeles should be increased, and the percentage needing the use of streets and freeways should be decreased.
- W. Quiet zones need to be established for all railway/railroad activities adjacent to residential communities.
- X. Central San Pedro Neighborhood Council would like to know the Port's long-term plans for Knoll Hill.

# CITY OF LOS ANGELES

CALIFORNIA



**ANTONIO R. VILLARAIGOSA**  
MAYOR

September 20, 2012

## BUREAU OF SANITATION

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WASTEWATER ENGINEERING SERVICES DIV.  
2714 MEDIA CENTER DRIVE  
LOS ANGELES, CA 90065  
FAX: (323) 342-6210 OR 342-6211

File: SC.CE.

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Christopher Cannon, Director of Environmental Management Division  
LOS ANGELES HARBOR DEPARTMENT  
425 S Palos Verdes St, Post Office Box 151  
San Pedro, CA 90731-0151

Dear Mr. Cannon:

### Port of Los Angeles Master Plan Update – Notice of Preparation EIR

This is in response to your letter requesting wastewater service information for the proposed project for a Master Plan Update. The Bureau of Sanitation, Wastewater Engineering Services Division (WESD) has reviewed the request and found the project to be related to a long-range plan to establish policies and guidelines for future development within the Port of Los Angeles only.

Based on the project description, we have determined the project is unrelated to sewers and therefore do not have sufficient details to offer an analysis at this time. Should the project description change, please continue to send us information so that we may determine if a sewer assessment is required in the future.

If you have any questions, please call Kwasi Berko of my staff at (323) 342-1562.

Sincerely,

Ali Poosti, Division Manager  
Wastewater Engineering Services Division  
Bureau of Sanitation

cc: Rowena Lau

Div Files\SCAR\CEQA Review\Final Response Ltr\Port of Los Angeles Master Plan Update – NOP EIR



VIA EMAIL to [ceqacomment@portla.org](mailto:ceqacomment@portla.org)

August 24, 2012

Mr. Christopher Cannon

Director of Environmental Management

Port of Los Angeles

425 South Palos Verdes Street

San Pedro, CA 90731

Re: Port of Los Angeles Notice of Preparation of Program Environmental Impact Report for the Port of Los Angeles Master Plan Update

Dear Mr. Cannon:

This letter is written on behalf of Coalition for Clean Air to urge the Port of Los Angeles (POLA) to include the Green House Gas (GHG) emissions reductions plan in the Master Plan Update (Update).

POLA has developed a GHG emissions reduction plan that it has been waiting for more than two years to release and implement. The Master Plan Update is a great opportunity for the Port to release the GHG emissions reduction plan.

I will follow up this letter with a telephone call to set up an in person meeting with you. Thank you for your consideration of our comments. We look forward to working with the Port as this process moves forward.

Sincerely,

Luis Cabrales

Deputy Director of Campaigns

Coalition for Clean Air

**Communities for a Better Environment \* Coalition for Clean Air  
End Oil/Communities for Clean Ports \* Natural Resources Defense Council**

VIA FEDERAL EXPRESS AND EMAIL to [ceqacomment@portla.org](mailto:ceqacomment@portla.org)

August 23, 2012

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

Re: Port of Los Angeles Notice of Preparation of Program Environmental Impact Report  
for the Port of Los Angeles Master Plan Update

Dear Mr. Cannon:

This letter is written on behalf of the Natural Resources Defense Council, Communities for a Better Environment, Coalition for Clean Air, and End Oil/Communities for Clean Ports. We appreciate the opportunity to present our concerns about the Port of Los Angeles Notice of Preparation of Program Environmental Impact Report for the Port of Los Angeles Master Plan Update (Update). We discuss below several issues which we feel should be examined in depth in the forthcoming Draft Environmental Impact Report (DEIR).

**ON DOCK RAIL**

On-dock rail is vastly superior to near-dock rail in environmental quality. Much of the cargo entering the Port can and should be served by on-dock rail, and the Update should encourage this. By way of context, the Port of Los Angeles's Rail Policy and the Port's Rail Study Update<sup>1</sup> and the October 22, 2009 Port of Los Angeles Public Rail Workshop<sup>2</sup> call for the maximization of utilization of on-dock rail. In addition, rail traffic on the Alameda Corridor has been well under projections, so much so that the Alameda Corridor Transportation Authority (ACTA) has had trouble making its debt service payments.<sup>3</sup> This suggests that even more on-dock capacity may exist now and in the future.

In the DEIR, the Port should revise the various cargo forecasts now in existence in light of current data, and should compare its new forecast with the amount of current and projected on-dock capacity. Then it should assess the availability of land on Terminal Island, Long Beach Pier T and all other reasonable sites, including Pier 500 at POLA, Pier B in POLB, and a potential future site to be created from fill, to fix any shortfall that may exist.

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<sup>1</sup> [http://www.portoflosangeles.org/DOC/REPORT\\_SPB\\_Rail\\_Study\\_ES.pdf](http://www.portoflosangeles.org/DOC/REPORT_SPB_Rail_Study_ES.pdf)

<sup>2</sup> [http://portoflosangeles.org/pdf/Rail\\_Workshop\\_Presentation.pdf](http://portoflosangeles.org/pdf/Rail_Workshop_Presentation.pdf)

<sup>3</sup> [http://acta.org/revenue\\_finance/Shortfall\\_Advance\\_Notice\\_08.15.11.pdf](http://acta.org/revenue_finance/Shortfall_Advance_Notice_08.15.11.pdf)

In contrast, new near-dock facilities should be discouraged. The communities near the port where, for example, the SCIG and ICTF facilities are proposed, are already suffering too much from diesel-related pollution from Port-serving trucks, trains and ships. The Port puts its future growth in danger by relying on the construction of near-dock projects that are fraught with legal, moral and economic issues.

## **ZERO EMISSION CARGO MOVEMENT**

The Update should include a firm timetable for the adoption of zero emission cargo movement from the Port to the off-dock railyards. The Ports of Los Angeles and Long Beach have developed the Technology Advancement Program (TAP) to support development and demonstration of new, clean air technologies in the port environment. POLA has devoted part of its website to this topic: <http://www.portoflosangeles.org/environment/zero.asp>.

In July, 2011, the Port of Los Angeles and Port of Long Beach jointly adopted a “Roadmap for Zero Emissions.”<sup>4</sup> This Roadmap has near-term and longer-term timelines for short- and medium-haul drayage as well as rail options, including within 3 years to “Collaborate with rail companies and other stakeholders to further evaluate zero emission rail technologies, including LSM, overhead catenary, and battery electric tender car” (Roadmap, p 3).

Similarly, a Port of Los Angeles August, 2011 report on zero emissions container movement<sup>5</sup> points out that the Ports of Los Angeles and Long Beach “have advanced zero emission technologies through multiple pathways, investing over \$4 million to date . . .” since 2006.<sup>6</sup> These include the Balqon lead-acid battery electric drayage truck and the Vision Motor Corporation’s hydrogen fuel cell/plug-in electric on-road truck and terminal tractor.<sup>7</sup> The I-710 project is considering freight lanes dedicated to zero emission trucks.<sup>8</sup> The Southern California Association of Governments (SCAG) is also considering zero-emission cargo movement in its latest draft Regional Transportation Plan.<sup>9</sup>

In terms of timing, the 2011 report notes that:

In the near term, the demonstrations of zero emission trucks that are currently underway through the TAP are designed to address the need for zero emission, battery electric technologies for short-haul drayage . . . [the Balqon and Vision] trucks will undergo an 18-month demonstration period in accordance with an approved Demonstration and Test Plan.

With respect to short haul drayage, the report identifies two options that the ports have developed: “[d]eployment of an on-road zero emission trucks, including but not limited to battery-electric trucks, zero emission hybrid-electric trucks, electric trucks powered by an

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<sup>4</sup> <http://www.portoflosangeles.org/pdf/ZeroEmissions.pdf>

<sup>5</sup> <http://www.cleanairactionplan.org/civica/filebank/blobload.asp?BlobID=2527>

<sup>6</sup> *Id.* at 8.

<sup>7</sup> *Id.* at 9, 18–19.

<sup>8</sup> *Id.* at 11.

<sup>9</sup> [http://rtpscscs.scag.ca.gov/Documents/2012/draft/2012dRTP\\_02\\_TransportationInvestments.pdf](http://rtpscscs.scag.ca.gov/Documents/2012/draft/2012dRTP_02_TransportationInvestments.pdf)

overhead catenary system, or electric trucks using wayside power or LSM embedded in existing roadways or dedicated truck lanes; and [c]onstruction of an automated fixed guideway system incorporating technologies such as maglev or the adaptation of LSM to existing railroad tracks.”<sup>10</sup> It is worth noting that all evaluation criteria for electric trucks are deemed satisfactory or better (*see* page 23 of the report, which is available as part 2 of the report via <http://www.cleanairactionplan.org/reports/default.asp>).

The Update DEIR should take these accomplishments into consideration and require the quickest possible replacement of the current diesel-fueled Port drayage fleet with a zero-emission system or systems. In this sense, it is important to keep in mind that LNG and CNG vehicles are not zero-emission.

### **INDUCED GROWTH & SCOPE OF IMPACTS**

Transportation-related projects such as the I-710 expansion and the SCIG and ICTF projects are likely to induce additional growth in the area. The Port takes multiple positions on induced growth. On one hand, it argues the freight will naturally come to the region regardless of what infrastructure enhancements occur. On the other hand when justifying projects, it claims we need the infrastructure enhancements to compete with other ports in light of future changes like the expansion of the Panama Canal. The Port needs an honest assessment of how the expansion projects within the Port Master Plan will induce growth. This is important to allow for true mitigation of impacts from this expansion. This analysis must also include looking at what facilities outside the planning area need to be changed to accommodate the massive increases in freight the Port wants to attract. We disagree with the conclusions in the Update that “[a]ll anticipated projects would be contained entirely within existing Port lands and future development would not be constructed or require any improvements within Wilmington or San Pedro.”<sup>11</sup> There will likely be many projects to help accommodate the massive amount of freight desired by 2035. Given that induced demand is common with these types of transportation enhancements,<sup>12</sup> the Port needs to evaluate this and provide adequate mitigation for these impacts.

### **CUMULATIVE IMPACTS**

As the Update notes, there are a number of large projects planned for the Port area. The DEIR needs to contain a robust cumulative impact analysis, including analysis of the effects of additional polluting-inducing facilities on the environmental justice communities near the Port.

### **AIR POLLUTION REDUCTION MEASURES**

The DEIR needs to evaluate the future of the Clean Air Action Plan and measures such as the Clean Trucks Plan and the Vessel Speed Reduction Plan. In particular, the truck concession agreements needs to make sure that the required maintenance is being done and paid for by the LMCs, not the drivers, in order to maximize the environmental benefits. The DEIR should also

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<sup>10</sup> *Id.* at 16.

<sup>11</sup> Update at 52.

<sup>12</sup> *See generally* Robert Cervero and M Hansen, “Induced Travel Demand and Induced Road Investment: A Simultaneous Equation Analysis,” *Journal of Transport Economics and Policy* 36, no. 3 (2002): 469, 490.

suggest appropriate changes to the CAAP and truck concession agreements to decrease diesel particulate and other forms of air pollution.

**HARBOR BENEFITS COMMUNITY FOUNDATION.**

The Harbor Benefits Community Foundation was set up as part of the TraPac MOU. The DEIR should analyze the mitigation measures that the Foundation can undertake and explore use of this resource to mitigate impacts from port growth. This will require additional funding than what is already programmed, however.

Thank you for your consideration of our comments. We look forward to working with the Port as this process moves forward.

Sincerely,

David Pettit  
Director of the Southern California Air Program  
Natural Resources Defense Council

Gisele Fong, Ph.D.  
Executive Director  
End Oil/Communities for Clean Ports

Maya Golden-Krasner  
Staff Attorney  
Communities for a Better Environment

Luis Cabrales  
Deputy Director of Campaigns  
Coalition for Clean Air

**ExxonMobil Pipeline Company**

800 Bell Street, Room 653D  
Houston, Texas 77002  
(713) 656-3261 Telephone  
(713) 656-9586 Facsimile

**Dennis J. Courtney**

Vice President  
Business Development & Joint Interest

**ExxonMobil**  
*Pipeline*

August 23, 2012

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



Dear Mr. Cannon:

ExxonMobil Pipeline Company, on behalf of ExxonMobil Oil Corporation, appreciates the opportunity to comment on the Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update. As a long-term Port of Los Angeles (POLA) tenant, we are very interested in proposed changes to the Port Master Plan, particularly those that could negatively impact our operations, as is the case with this proposal.

ExxonMobil's Southwest Terminal (SWT) facility in the Port consists of two sections which enable marine transfers and product storage. The section known as Area 1 includes the marine terminal plus products and intermediates tankage, and Area 2 contains the crude oil tankage.

We recognize and appreciate the continued designation of Area 1 as liquid bulk storage in the Port Master Plan Update. At the same time, per our January 13, 2012 correspondence to Ms. Geraldine Knatz (copy attached), we are very concerned about the Port's Master Plan Update which eliminates SWT Area 2 and converts our facility into additional land for containers. ExxonMobil views SWT Area 2 as a key component of its crude oil logistics infrastructure supporting the ExxonMobil Torrance Refinery. Forecasts suggest California based crude supply will diminish significantly over the next five-to-ten years thus it is anticipated ExxonMobil will increasingly rely upon waterborne crude oil supplies to meet the refinery's needs.

The refinery and our SWT operations support approximately 700 employee and over 700 contractor well-paying jobs, including many union positions, which depend on an economical supply of crude oil to sustain operations. Recognizing this, ExxonMobil is analyzing a variety of options to receive crude deliveries, including utilizing SWT Area 2 for waterborne crude tankage. Until the analysis is complete, ExxonMobil opposes any plan that eliminates SWT Area 2, as no economically adequate solution has been presented to relocate, extend, or expand our current facilities.

Additionally, the issue of Port based petroleum facilities was addressed under Item 5 at the August 2, 2012 Harbor Commissioners meeting. At that meeting, it is my understanding the Harbor Commissioners directed Port staff to meet with industry, reconsider facility locations, and report back to the Board with a revised proposal later this fall. Given this guidance, it seems premature to conduct an Environmental Impact Report for the Port of Los Angeles Master Plan Update which eliminates petroleum facilities before a revised recommendation is provided to the Board.

As a compromise, and in the spirit of working towards a mutually acceptable solution, ExxonMobil Pipeline Company requests the Environmental Impact Report designate SWT Area 2 as dual usage, Container and Liquid Bulk; similar in concept to the Container/Dry Bulk area in the North East section of planning area three of the PMPU Land Use Designations (Figure 5). We further recommend consideration be given to designating the south end of the former LAXT site as dual usage as well, Maritime Support and Liquid Bulk. The former LAXT site may be needed for future oil tankage to facilitate waterborne usage for hydrocarbons and/or biofuels. Sufficient tankage is necessary to ensure efficient oil terminal berth utilization.

I thank you in advance for your consideration of delaying execution of the Environmental Impact Report, or at a minimum, modifying the land use designations utilized for the Port of Los Angeles Master Plan Update to facilitate our continued use of our long-term Port facilities and create value for the Port and for the people of California. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

  
on behalf of Dennis Courtney

Attachments: January 13, 2012 Letter to Ms. Geraldine Knatz

cc - Geraldine Knatz  
Kathryn McDermott  
David Mathewson  
Michael Galvin  
Commission President Cindy Miscikowski  
Commission Vice President David Arian  
Commissioner Robin Kramer  
Commissioner Douglas P. Krause  
Commissioner Dr. Sung Won Sohn

**ExxonMobil Pipeline Company**

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(713) 656-9586 Facsimile

**Tim J. Adams**

Vice President  
Business Development & Joint Interest



January 13, 2012

Ms. Geraldine Knatz, Ph.D.  
Executive Director  
Port of Los Angeles  
425 S. Palos Verdes St.  
San Pedro, CA 90731

Dear Ms. Knatz:

ExxonMobil appreciated the opportunity to participate throughout the past several months in the Terminal Island Plan Working Group meetings – the committee formed to establish a revised long-range plan for the area. As a long-term Port of Los Angeles (POLA) tenant, we were pleased to engage and provide input.

ExxonMobil's South West Terminal (SWT) facility is divided into two sections known as Area 1, which consists of the marine terminal plus products and intermediates storage, and Area 2, which consists of crude storage. These facilities support our Torrance refinery, which produces nearly 10 percent of the gasoline refined in California, most of which is sold in Southern California. While the refinery receives the majority of its crude from the San Joaquin Valley, forecasts suggest this domestic crude supply will diminish significantly over the next five-to-ten years. ExxonMobil will increasingly rely upon waterborne crude to meet the refinery's needs. In planning for this inevitability, ExxonMobil intends to increase crude tank storage utilization at SWT Area 2; therefore, SWT Area 2 should be considered waterfront use.

While differing drafts of POLA's long-range plan emerged from the meetings, all versions eliminated SWT Area 2 and converted our facility into additional land for containers. Our representative at the meetings expressed our concern with this proposal. Additionally, as we have discussed in conversations and written communications between our organizations, and also as we discussed at our December 2010 meeting at the POLA offices, ExxonMobil views SWT Area 2 as a key component of our crude logistics infrastructure now and into the future.

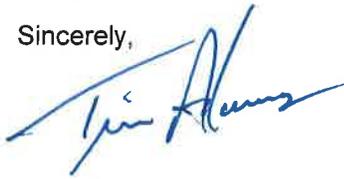
Unfortunately, we have learned that POLA staff will seek the endorsement and support of the proposed long-range plan at the January 19, 2012 Board of Harbor Commissioners (Board) meeting. **ExxonMobil opposes any plan that eliminates SWT Area 2, as no economically adequate solution has been presented to relocate, extend, or expand our current facilities.** Without an understanding of the costs and benefits of such a proposal by both parties, there is the potential for adverse impacts to our business and to Southern California's energy consumers that may not be fully appreciated. We do not want to slow down the good work and progress made on the Terminal Island Master Plan; we just want to ensure that the review and endorsement sought from the Board does not preclude the Port from reconsideration of the concept of converting our terminal land into container use as the SWT Area 2 is necessary to receive crude deliveries whether via Pier 400 or via SWT Area 1.

ExxonMobil requests the Port's support in continuing to work towards a mutually acceptable solution.

Additionally, we recommend consideration be given to preserving the south end of the LAXT "racetrack" be as a site for future oil tankage to facilitate waterfront usage for hydrocarbons and/or biofuels. Sufficient tankage is necessary to ensure efficient oil terminal berth utilization. Further, sufficient tankage proximate to POLA's existing berth facilities could encourage additional utilization. The current planned use as "Maritime support (no berth)" could be located in a more remote location and allow more water-dependent uses that directly impact berth utilization, such as tankage, to be located adjacent to the waterfront.

I thank you in advance for your consideration of our continued use of our long-term Port facilities and value to the Port and to California. Should you or POLA staff have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Adams", written over a horizontal line.

cc: Commission President Cindy Miscikowski  
Commission Vice President David Arian  
Commissioner Robin Kramer  
Commissioner Douglas P. Krause  
Commissioner Dr. Sung Won Sohn  
Kathryn McDermott  
Saul Flota  
Ruth Cronin-Fruitt  
Anthony Sorensen  
Ryan Pfister  
Patty Errico  
Daymond Rice



August 29, 2012

**Submitted by email**

Mr. Christopher Cannon, Director  
City of Los Angeles Harbor Department  
Environmental Management Division  
425 S. Palos Verdes Street  
San Pedro, CA 90731  
Email: [ceqacomment@portla.org](mailto:ceqacomment@portla.org)

**Re: Notice of Preparation for the Port of Los Angeles Master Plan Update**

Dear Mr. Cannon:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Notice of Preparation (NOP) for a Programmatic Environmental Impact Report (EIR) for the Port of Los Angeles Master Plan Update. The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 7,000 members. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County.

The Conservancy has long advocated for preservation to be a priority in planning at the Port and in particular at Terminal Island. Despite the Port's past stewardship and investments in heritage tourism as a component of its waterfront revitalization efforts, the continued threat to historic resources on Terminal Island from lease changes, proposed projects, neglect, and long-term infrastructure plans prompted the Conservancy to nominate Terminal Island to the National Trust for Historic Preservation's 2012 list of America's 11 Most Endangered Historic Places. We believe the master plan update is an opportunity to establish policies and procedures that protect historic resources throughout the Port while offering clarity for future development. As such we submit the following comments to guide the impact analysis in the EIR in accordance with the California Environmental Quality Act (CEQA).

**I. Include a historic resources survey in the Draft EIR**

As the main seaport for Los Angeles for the past hundred years, the Port of Los Angeles has a multi-layered history that continues to be embodied in its extant historic buildings and resources. To adequately assess potential impacts of the master plan update, the Port's historic resources must first be identified. Historic resources at the Port may include buildings like warehouses, factories, sheds, and offices, as well as features such as piers, slips, and docks and archeological remains. The Conservancy has identified the following sites on Terminal Island as historic:

- Southwest Marine (Bethlehem Steel Corp; Southwestern Shipbuilding)
- Al Larson Boat Shop Complex
- Port of Los Angeles Dive Team Building (Fireboat House 1/Fire Station No. 111)
- Japanese American Commercial Village (700-702; 712-716 Tuna Street)
- Canner's Steam Plant
- Chicken of the Sea Cannery
- Pan-Pacific Fisheries Cannery
- Star-Kist Tuna Cannery Main Plant
- American Marine Corporation (formerly Los Angeles Yacht Club)
- U.S. Custom House
- Sewage Pump Station #669

We believe they should be treated as historic resources in the EIR, along with other resources identified in the survey of the entire Port property, including potential historic districts. While many areas of the Port have been surveyed as a part of past projects, a comprehensive survey will establish a baseline for long-term planning and highlight adaptive reuse and restoration opportunities. It will also identify suitable sites for new construction with minimal or no adverse impacts to potential historic resources.

To ensure the survey results are compatible with the citywide SurveyLA project, we urge the Port to coordinate survey activities with the City of Los Angeles' Office of Historic Resources. As SurveyLA will be evaluating buildings and sites up to 1980, the Port may wish to adopt a similar scope. Given the master plan update is expected to be in effect for over twenty years, we also recommend the inclusion of policies mandating periodic survey updates so that buildings that may become historic before the planned expiration in 2035 are properly identified.

## **II. Evaluate Impacts and Maintain Flexibility in Allowable Land Use Designations**

Once historic resources have been identified, the EIR should also assess the compatibility and flexibility of existing and proposed allowable land uses with the historic resources. For instance, will the proposed land use for the 1967 U. S. Customs House on Terminal Island permit a compatible adaptive reuse? Would the breakbulk land use designation for the Southwest Marine complex in the new Fish Harbor Planning Area reduce or increase the demolition pressure for the site? Potentially adverse direct, indirect and cumulative impacts, including added or reduced development pressures, should be identified and appropriate mitigation measures proposed.

In an apparent departure from the existing master plan, the Port Master Plan Update will allocate a single land use to most specific parcels. While this may meet one of the program objectives to increase land use efficiency, a single land use may unnecessarily limit reuse options for historic resources, particularly as existing and new industries evolve and economic factors shift demand over time. To preserve the maximum flexibility of uses for the Port's historic resources while meeting the changing needs of

the Port, we urge maintaining a range of allowable, compatible uses in the various Planning Areas, such as Fish Harbor and Terminal Island. While ideally the historic canneries along Fish Harbor can continue their original use, changes in the commercial fishing industry may necessitate adaption of these industrial buildings for other uses during the lifespan of the master plan update. One possible way to provide flexibility at the historic resources would be to do an overlay zone which would allow a variety of possible uses that will both meet preservation and Port objectives.

### **III. Propose Meaningful Mitigation Measures to Guide Implementation of the Port Master Plan Update**

To ensure that the Port Master Plan Update will avoid significant adverse impacts to historic resource, we urge the development of policies and procedures that offer clarity in the treatment of the Port's historic resources. This may include principles for maintenance and rehabilitation that follow the *Secretary of the Interior's Standards for the Treatment of Historic Resources* (the Standards), as well as guidelines for adaptive reuse and infill development near historic resources.

Procedures for project approvals that directly or indirectly impact historic resources should also be developed. Such procedures can define minor versus major projects, establish trigger thresholds, and incentivize Standards-compliant projects with streamlined review and approvals. Alternatively, for projects that seek to demolish or extensively alter historic resources, additional environmental review should be required. The University of Southern California has developed such a management plan as part of its recent master plan update, which can serve as a model for the Port.

Thank you for the opportunity to comment on the Port of Los Angeles Master Plan Update Notice of Preparation. We look forward to working with the Port to provide a framework for growth at the Port while protecting the existing historic resources. Please feel free to contact me at (213) 430-4203 or [afine@laconservancy.org](mailto:afine@laconservancy.org) should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Adrian Scott Fine". The signature is written in a cursive, slightly slanted style.

Adrian Scott Fine  
Director of Advocacy

cc: National Trust for Historic Preservation



# Metro

August 20, 2012

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



Dear Mr. Cannon:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Port of Los Angeles Master Plan Update. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (LACMTA) concerning issues that are germane to our agency's statutory responsibilities in relation to the proposed project.

A Traffic Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County", Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic);
2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections;
3. Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour; and
4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

In addition to identifying the CMP requirements, MTA is responding in the capacity as a responsible agency with respect to the proposed project's potential impacts on Metro and municipal transit services:

The Transportation Section on Page 60 of the NOP notes that the Programmatic Environmental Impact Report (PEIR) will analyze the consistency of the proposed project's transportation-related elements with various applicable agency plans and policies. The PEIR should include MTA's transportation planning documents including the MTA Board-adopted 2009 Long Range Transportation Plan in this analysis.

MTA looks forward to reviewing the Draft PEIR. If you have any questions regarding this response, please call me at 213-922-2836 or by email at [hartwells@metro.net](mailto:hartwells@metro.net). Please send the PEIR to the following address:

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Hartwell", written in a cursive style.

Scott Hartwell  
CEQA Review Coordinator, Long Range Planning

Attachment

# GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

*Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of "Baseline Travel Data for CMP TIAs."*

## D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

- Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
- Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
- Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

## D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

### D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

### D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

- All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
- If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
- Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

**If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).**

### D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

**D.5.1 Existing Traffic Conditions.** Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

**D.5.2 Selection of Horizon Year and Background Traffic Growth.** Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

## D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of Trip Generation, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

## D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

## D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

**D.8.1 Intersection Level of Service Analysis.** The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

- The Intersection Capacity Utilization (ICU) method as specified for CMP highway monitoring (see Appendix A); or
- The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

**D.8.2 Arterial Segment Analysis.** For TIAs involving arterial segment analysis, volume-to-capacity ratios must be calculated for each segment and LOS values assigned using the V/C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels.

**D.8.3 Freeway Segment (Mainline) Analysis.** For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.

**D.8.4 Transit Impact Review.** CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:

- Evidence that affected transit operators received the Notice of Preparation.
- A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both “peak hour” and “daily” refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
  - Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
  - For each time period, multiply the result by one of the following factors:
    - 3.5% of Total Person Trips Generated for most cases, except:
      - 10% primarily Residential within 1/4 mile of a CMP transit center
      - 15% primarily Commercial within 1/4 mile of a CMP transit center
      - 7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
      - 9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
      - 5% primarily Residential within 1/4 mile of a CMP transit corridor
      - 7% primarily Commercial within 1/4 mile of a CMP transit corridor
      - 0% if no fixed route transit services operate within one mile of the project

To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification*. For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

- Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction’s TDM Ordinance measures, but other project specific measures.

- Analysis of expected project impacts on current and future transit services and proposed project mitigation measures, and;
- Selection of final mitigation measures remains at the discretion of the local jurisdiction/lead agency. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the existing mitigation monitoring requirements of CEQA.

## D.9 IDENTIFICATION AND EVALUATION OF MITIGATION

**D.9.1 Criteria for Determining a Significant Impact.** For purposes of the CMP, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ( $V/C \geq 0.02$ ), causing LOS F ( $V/C > 1.00$ ); if the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ( $V/C \geq 0.02$ ). The lead agency may apply a more stringent criteria if desired.

**D.9.2 Identification of Mitigation.** Once the project has been determined to cause a significant impact, the lead agency must investigate measures which will mitigate the impact of the project. Mitigation measures proposed must clearly indicate the following:

- Cost estimates, indicating the fair share costs to mitigate the impact of the proposed project. If the improvement from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips.
- Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

**D.9.3 Project Contribution to Planned Regional Improvements.** If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

- Any project contribution to the improvement, and
- The means by which trips generated at the site will access the regional facility.

**D.9.4 Transportation Demand Management (TDM).** If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

---

**D.10 REFERENCES**

1. *Traffic Access and Impact Studies for Site Development: A Recommended Practice*, Institute of Transportation Engineers, 1991.
2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
3. *Travel Forecast Summary: 1987 Base Model - Los Angeles Regional Transportation Study (LARTS)*, California State Department of Transportation (Caltrans), February 1990.
4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
6. *Building Better Communities*, Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
9. *Encouraging Public Transportation Through Effective Land Use Actions*, Municipality of Metropolitan Seattle, May 1987.



**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](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



July 27, 2012

Ms. Lisa Ochsner, Project Planner

**City of Los Angeles Harbor Department**

425 S. Palos Verdes Street  
San Pedro, CA 90731



Re: SCH#2012071081; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Port of Los Angeles Master Plan Update Project; located in the City of San Pedro; Los Angeles County, California.

Dear Ms. Ochsner:

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. 3<sup>rd</sup> 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.

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 recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project. This area of Los Angeles County 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).

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.

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.'

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.

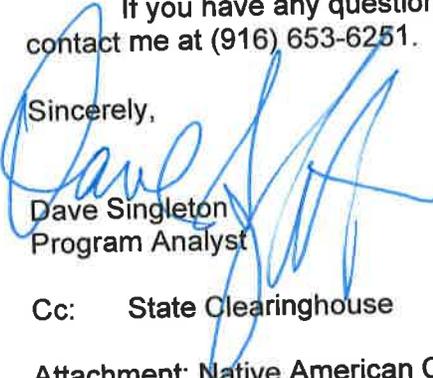
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other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

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.

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).

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

**Native American Contact**

Los Angeles County  
July 27, 2012

LA City/County Native American Indian Comm  
Ron Andrade, Director  
3175 West 6th St, Rm. 403  
Los Angeles , CA 90020  
randrade@css.lacounty.gov  
(213) 351-5324  
(213) 386-3995 FAX

Ti'At Society/Inter-Tribal Council of Pimu  
Cindi M. Alvitre, Chairwoman-Manisar  
3094 Mace Avenue, Apt. B Gabrielino  
Costa Mesa, , CA 92626  
calvitre@yahoo.com  
(714) 504-2468 Cell

Tongva Ancestral Territorial Tribal Nation  
John Tommy Rosas, Tribal Admin.  
Private Address Gabrielino Tongva  
  
**tattnlaw@gmail.com**  
310-570-6567

Gabrieleno/Tongva San Gabriel Band of Mission  
Anthony Morales, Chairperson  
PO Box 693 Gabrielino Tongva  
San Gabriel , CA 91778  
GTTribalcouncil@aol.com  
(626) 286-1632  
(626) 286-1758 - Home  
(626) 286-1262 -FAX

Gabrielino Tongva Nation  
Sam Dunlap, Chairperson  
P.O. Box 86908 Gabrielino Tongva  
Los Angeles , CA 90086  
samdunlap@earthlink.net  
  
(909) 262-9351 - cell

Gabrielino Tongva Indians of California Tribal Council  
Robert F. Dorame, Tribal Chair/Cultural Resources  
P.O. Box 490 Gabrielino Tongva  
Bellflower , CA 90707  
**gtongva@verizon.net**  
562-761-6417 - voice  
562-761-6417- fax

Gabrielino-Tongva Tribe  
Bernie Acuna  
1875 Century Pk East #1500 Gabrielino  
Los Angeles , CA 90067  
(619) 294-6660-work  
(310) 428-5690 - cell  
(310) 587-0170 - FAX  
bacuna1@gabrieinotribe.org

Gabrielino-Tongva Tribe  
Linda Candelaria, Chairwoman  
1875 Century Pk East #1500 Gabrielino  
Los Angeles , CA 90067  
lcandelaria1@gabrielinoTribe.org  
626-676-1184- cell  
(310) 587-0170 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071081; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Port of Los Angeles Master Plan Update; located in the City of San Pedro; Los Angeles County, California.

**Native American Contact**  
Los Angeles County  
July 27, 2012

Gabrieleno Band of Mission Indians  
Andrew Salas, Chairperson  
P.O. Box 393                      Gabrielino  
Covina                      , CA 91723  
(626) 926-4131  
gabrielenoindians@yahoo.  
com

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071081; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Port of Los Angeles Master Plan Update; located in the City of San Pedro; Los Angeles County, California.**



**National Trust for  
Historic Preservation**  
*Save the past. Enrich the future.*

August 24, 2012

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

VIA EMAIL to: [ceqacomment@portla.org](mailto:ceqacomment@portla.org).

**Re: Port of Los Angeles Master Plan Update—Comments  
on the Notice of Preparation of a Program  
Environmental Impact Report**

Dear Mr. Cannon:

On behalf of the National Trust for Historic Preservation, thank you for the opportunity to provide comments on the Port of Los Angeles's Notice of Preparation of a Program Environmental Impact Report (NOP) for the Port Master Plan Update (PMPU). The proposed project is an update the Port's Master Plan which establishes the policies and guidelines to direct future development at the Port of Los Angeles, the busiest container port in the nation. The current Master Plan was originally approved in April, 1980, and includes 26 amendments that have been adopted since that time.

**Interests of the National Trust**

The National Trust for Historic Preservation was chartered by Congress in 1949 as a private nonprofit membership organization for the purpose of furthering the historic preservation policies of the United States and facilitating public participation in the preservation of our nation's heritage. 16 U.S.C. § 468. The National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

On June 6, the National Trust for Historic Preservation listed the historic resources at Terminal Island at the Port of Los Angeles among America's 11 Most Endangered Places in 2012. Our cause for concern was twofold. First, many historic resources on Terminal Island have long sat vacant and neglected and the Port has not prioritized their re-use. Without active long-term uses, the buildings are likely to further fall into disrepair, making their

eventual re-use more challenging. Second, preliminary plans for Terminal Island that will be incorporated into the PMPU suggested that future roadway alignments would result in a radical reconfiguration of the area's street grid and cause the demolition of historic resources.

Concurrent with the 11-Most listing the National Trust designated Terminal Island a National Treasure, based on both the area's national significance, and recognition that the involvement of the National Trust would have positive implications for preservation nationwide. Through our focused advocacy we aim to work closely with the Port to create a master plan for Terminal Island that can serve as a model for Port's across the country. We believe that threshold will be met if the PMPU promotes the adaptive re-use of historic structures a strategy towards achieving the Port's broader economic success.

The following are observations we have on the NOP and issues we believe need to be addressed in the Draft PEIR

**1. The Public Trust Doctrine Establishes the Basis for the Port's Responsibility to Preserve Historic Maritime Commerce Facilities at Terminal Island**

Because most of Terminal Island consists of former tidelands, the Port of Los Angeles has the responsibility to manage the land and its assets consistent with the Public Trust Doctrine. Its general duties under this rule are not discussed in the NOP, but have important consequences for historic preservation. The Public Trust Doctrine stems from the common law presumption that the land below the natural high tide line is incapable of private ownership. Each manager of public trust lands, such as the Port of Los Angeles, must steward the land for the benefit of the public, a principle rooted in Roman Civil Law and English Common Law.<sup>1</sup>

Fundamental to serving the public interest is the proper stewardship of assets that embody and reflect the Port's unique maritime-related history. While uses have traditionally been focused on promoting navigation, commerce, and fisheries, courts have recognized the need for new uses consistent with the desires of the public. In a landmark case in 1971, the California Supreme Court confirmed that "[t]he public uses to which tidelands are subject are sufficiently flexible to encompass changing public needs. In administering the trust the state is not burdened with an outmoded classification favoring one mode of utilization over another."<sup>2</sup> As a result, in order to promote

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<sup>1</sup> National Audubon Society v. Superior Court (1983) 33 Cal. 3d 419, 433-34/

<sup>2</sup> Marks v. Whitney (1971) 6 Cal.3d 251, 259.

historic uses related to maritime activities, the Port need not limit its allowable future activities in the area. Activities which promote public appreciation for the area's history should be considered if they are necessary to revitalize the Port's neglected historic structures.

**2. The PMPU Should Expand Allowable Uses at Terminal Island to Comply with the Port's Responsibilities to Steward Historic Properties**

The Master Plan Update is a critical step that will determine the fate of many historic resources within the jurisdiction of the Port of Los Angeles. While it does not propose specific projects, it will have a major influence in setting forth the long-term priorities for the Port. The discussion of allowable land uses within specific planning areas is particularly critical for directing growth appropriately. However, consistent with the comments above, we believe that proposed uses may severely constrain adaptive re-use opportunities as they arise. We believe that CEQA requires a Plan that would grant greater flexibility for uses in historic buildings in need of rehabilitation. This is uniquely important in the Fish Harbor and Terminal Island/Main Channel planning areas (Planning Areas 7 and 8 in the current Master Plan). These areas are the central focal point of our concern as they contain an abundance of nationally-significant historic resources that should be prioritized for re-use as the Port grows.

a. Fish Harbor

While it is difficult to discern the precise boundaries in the new proposed planning area for Fish Harbor in the map included in the NOP, Planning Area 4, its historic resources appear to include the former Southwest Marine shipbuilding plant, the Terminal Island Japanese Memorial, the Al Larson Boat Shop Complex, the Port of Los Angeles Dive Team Building, Japanese American Commercial Village, Canner's Steam Plant, and three significant canneries formerly belonging to Chicken of the Sea, Pan-Pacific Fisheries and StarKist Tuna.

The PMPU proposes retaining Fish Harbor as an independent planning area and would include within its boundaries the historic resources at the Southwest Marine site. Current land uses allowed in the area under the existing PMP for Fish Harbor include General Cargo, Dry Bulk, Commercial Fishing, Recreation, Industrial, Liquid Bulk, Other (NOP, p.12).<sup>3</sup> The PMPU

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<sup>3</sup> The Southwest Marine Site in current Planning Area 7 which would be moved to Planning Area 3 has the same allowable land uses with one exception: the area allows "institutional" uses which

would change allowable land uses in this area to “Commercial Fishing, Maritime Support, Break Bulk and Institutional.”

We are concerned that the proposed allowable land use changes in this area may limit opportunities for creative entrepreneurship and adaptive re-use of historic buildings. Tables 4 and 5 of the NOP specify multiple proposed changes in land use definitions. While the addition of “institutional” use appears to be a positive change, the removal of “recreation” and “other” could impose new constraints. “Recreation,” as is currently defined allows for public boating and legitimizes activities that promote open space. Continuing a recreational component could be useful for drawing to the public to Fish Harbor to experience the historic environment. Further, the ability for the Port to entertain uses that can be defined as “other” allows it flexibility and discretion to entertain unique opportunities as they arise, such as filming. Table 4 indicates that the “category is no longer needed,” but does not offer an explanation.

Further, the change of “Industrial” to “Maritime Use” could be consequential even though the NOP indicates that the change is renamed “to provide more clarity in the land use description.” The term “industrial,” as is currently used, suggests much broader potential uses than specifically “Maritime.” The NOP does not make it clear why this change is necessary.

Because Fish Harbor contains many significant historic industrial buildings, the preservation of which is squarely in the public interest and consistent with the public trust, we recommend creating a specific “Allowable Land Use” category that recognizes, and prioritizes the Port’s historic assets for re-use. There is clearly great public benefit in preserving the very unique industrial history in Fish Harbor. This is particularly true as the Port considers options for the “Chicken of the Sea Facility Redevelopment,” an Anticipated Project in the area noted on pg. 17, Table 7. It is well within the Port’s legal authority to use discretion in its consideration of allowable uses if those uses will offer new life to the maritime-related historic buildings in this planning area.

**b. Terminal Island/Main Channel**

The Port plans to combine two formerly separate planning areas at Terminal Island into a single area, Planning Area 3, simply referred to as Terminal Island. The area would not include the historic resources at Fish Harbor, as discussed above, nor the Southwest Marine site, but the map in the NOP indicates that it will include three historic resources – the US Custom House,

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include police, fire, local/state/federal agencies, educational, museum, marine research, and community center.

Sewage Pump Station #669 and the American Marine Corporation (Los Angeles Yacht Club).

Allowable uses in Planning Area 7 currently include general cargo, liquid bulk, dry bulk, commercial fishing, institutional, industrial, and other. The NOP states that the PMPU would change the area to Planning Area 3 and change these uses to “container, liquid bulk, dry bulk, maritime support, and open space.”

We have similar concerns with the proposed changes in allowable use in this area as stated above in our comments on the Fish Harbor Planning Area. Allowable uses in this area should remain sufficiently flexible to ensure that the rehabilitation of historic resources is prioritized. We recommend adding an additional category of allowable land uses to accommodate uses that will ensure these buildings are properly stewarded.

- c. The Map of Proposed Land Use Designations at Figure 5 Indicates Changes That Would Cause a Significant Impact on the Environment Because of Unnecessary Limitations Placed on the Use of Historic Resources

Figure 5 in the NOP heightens our concerns that land use designations could have the implicit effect of making historic rehabilitations more challenging in the proposed Terminal Island and Fish Harbor Planning Areas. Without discussion of specific re-use projects, the map color codes specific land within those planning areas to reflect only one allowable use. For instance, all of the resources at Southwest Marine shipbuilding plant are characterized as “Break Bulk,” defined as “bulk cargo packaged as a unit (e.g. pallets, vehicles, and container cranes).” The strict limitation on use could have negative impacts on historic resources, a fact not disclosed in the Cultural Resources section of the Environmental Checklist.

To the extent the PEIR unduly limits allowable uses for historic resources to the point where there is no economically viable means of rehabilitating them for that use, it may cause a significant impact on the environment. Pub Res. Code § 24084.1; Guideline § 15064.5 As a result, the Port must determine if there are “feasible alternatives or feasible mitigation measures available that would substantially lessen [those] environmental effects.” Pub Res. Code § 21002. As such, we urge the Port to consider all possible future uses for historic buildings consistent with their obligations under CEQA as well as obligations to the public under the Public Trust Doctrine.

## **Conclusion**

The proposed PMPU has the potential to set an important benchmark for Ports across the country. As the Port of Los Angeles moves forward at this critical stage, we look forward to helping ensure that the preservation and use of historic resources is a major priority.

Thank you for the opportunity to comment on this important issue. Please don't hesitate to contact Brian Turner at (415) 947-0692 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Brian R. Turner". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

Brian Roberts Turner  
Senior Field Officer/Attorney

Cc: Linda Dishman, Los Angeles Conservancy  
Milford Wayne Donaldson FAIA, California State Historic Preservation  
Office

Port of Los Angeles Community Advisory Committee  
EIR Sub-Committee

Sept. 17, 2012

Christopher Cannon  
Director, Environmental Management Division  
Port of Los Angeles  
425 S Palos Verdes St  
San Pedro, CA

Re: Port Master Plan NOP/IS

Dear Mr. Cannon,

This letter conveys our comments on the Port Master Plan Update NOP. (PMPU) We apologize for being late on submitting these in writing but hope they will be helpful.

Many of our comments were reviewed verbally with Port Staff (Ms Oschner) at our meeting of August 9, 2012. We attach a copy of pages 3 and 4 of that meeting which summarize those comments. (Attachment A)

Further Comments:

The 1982 PMP was developed in part to increase public safety after the Sansenina tanker explosion and fires/explosions at a tank farm facility on 22<sup>nd</sup> St. We are hoping the updated Master Plan will be further protective of the safety of the neighboring communities. Public safety should be a key focus of the updated Master Plan.

We request that the PMPU focus on all Port owned or leased properties whether they are in the Coastal Zone or elsewhere. We feel that Port owned properties or port activity related land uses outside the Coastal Zone do in fact affect land use and planning. Activities at these properties will affect land or water use or natural resources of the Coastal Zone. These are potentially significant impacts which should be analyzed.

We are concerned that historical buildings would be allowed to be destroyed by the PMPU.

Once again we call for planning to include several boatyards and repair facilities for small vessels in the Port of Los Angeles area. There are several thousand small vessels (less than 70 feet LOA) based in the Port of Los Angeles area. They all need periodic maintenance and repair. We feel this is a badly overlooked opportunity to create local jobs.

We feel that diversification of facilities beyond container movement is in the long term best interest of both the Port and the local community. Container movement is likely to be the dominant activity at the port for the foreseeable future, but diversified activities such as small boat repair, marine related retail, and recreational facilities all should be included in the mix.

The PMPU must guarantee that continued individual recreational use of the Outer Harbor is not hindered, reduced or curtailed. The 300 foot exclusion zone that would exist around a cruise ship berthed at Kaiser point is an example of such a hindrance or curtailment.

We do not support the establishment of a cruise ship terminal at Kaiser Point or in the Outer Harbor. We feel that a cruise ship terminal is an industrial use like an airport, train station or freight terminal which conflicts with the recreational uses planned for Area 1.

Dedicated space must be found for the relocation away from homes, schools and businesses of hazardous materials including the facilities owned or operated in San Pedro by Plains All American Pipeline LLP, or PAA Natural Gas Storage, or by PNGS GP LLC.

We request that the I-710 Corridor Project Health Impact Assessment prepared for the Gateway Cities Council of Governments Nov 2011 and subsequent dates be reviewed in the preparation of the PMPU. We assert that the I-710 Corridor Health Impact Assessment must be made a part of the Public Record on the PMPU.

We support the concept of breaking down the category of General Cargo into the 3 categories of container, break bulk, and cruise operations.

We support the concept of re-categorizing Recreational Activity to Recreational Boating and Open Space.

Existing East Basin marinas should not be removed or relocated.

We recognized that the Port Master Plan fulfills the purposes of the Local Coastal Program (LCP) under the California Coastal Act. However, the Port Plan which is *different* from the Port Master Plan has not been updated for many years. It thus does not fulfill the General Plan requirement pursuant to the California Government Code. This is a problem that needs to be addressed.

Thank you for the opportunity to comment on this NOP.

Sincerely,

 FACEP  
John Miller M.D. FACEP Chairman PCAC EIR Subcommittee

Minutes of PCAC EIR Subcommittee Meeting  
August 9

4. Status of Alternative Maritime Emission Control System (AMEC) Certification:

The AMEC system is in the early stages of the demonstration and testing process, which is being coordinated through the Technology Advancement Program (TAP). Ms. Ochsner did not know what the certification timeline was.

G. Discussion/Notice of Preparation (NOP) for the Environmental Impact Report for the Port Master Plan Update:

The Port Master Plan Update for the Port of LA will be the equivalent of a Local Coastal Plan. If the Update Plan is certified by the California Coastal Commission, the authority to issue permits would be delegated to the Port of LA through this Plan. Otherwise POLA will continue to operate under the current 1980 PMP.

The Environmental check list for the PMP Update has potential significant impacts checked for everything except geology and soils, mineral resources and land use/planning and population housing.

Suggested comments from the Subcommittee:

- How could the PMP Update not significantly affect land use and planning?
- Request that the PMP Update focus on all Port of LA properties regardless of whether they are within the Coastal Zone. Port owned properties outside this area will affect "the land/water use/natural resources" of the Coastal Zone
- Request that the PMP Update focus on all POLA lease agreements regardless of whether or not they are in this Coastal Zone
- Nine (9) Planning areas being reduced down to five (5) Planning areas?
- No matter how land use is divided, recreational space is diminishing
- Existing facility uses not consistent with land use designations in the PMP Update would be categorized as non-conforming uses. (Example: If an existing container terminal was consistent with the present PMP, but not with the Updated PMP it would be designated as a non-conforming use in the new plan, pending approval and certification by the California Coastal Commission.
- Concern that changing boundaries for Planning Zones and Land Use definitions could render some historical buildings/facilities non-conforming and ultimately a loss for the community.
- Need for small vessel repair facilities, for a Port serving multiple functions
- A Cruise Ship operation at Kaiser Point – Planning area 1 is generally designated as marine oriented recreation activities. A cruise terminal is not a recreational activity. It's an industrial operation like a bus terminal, truck terminal or airport, with a similar intensity for traffic and usage.
- Are there any known requirements for percentages of recreational/open space vs. industrial space ?
- Boundaries/Land use regarding Rancho LPG facility?

RE: NOP for PMP Update:

Subcommittee will provide comments supporting:

- The concept of breaking down General Cargo by the proposed 3 categories of container, break bulk and cruise operations
- The concept of re-categorizing Recreational activity to Recreational Boating and Open Space

H. Old Business/New Business/Non Agenda Items: None

I. Next EIR Subcommittee meeting scheduled for September 13, 2012, at the San Pedro Municipal Building, 638 S. Beacon Street, San Pedro, CA

J. Adjournment: 6:00 PM

  
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Dr. John Miller, Chair  
EIR/Aesthetic Mitigation Subcommittee

\_\_\_\_\_  
Debra Babcock-Doherty, PCAC Executive Assistant

Riverside County Transportation Commission

August 23, 2012

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



**Subject: Comments on the Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update dated July 26, 2012**

Dear Mr. Cannon:

The Riverside County Transportation Commission (RCTC) appreciates this opportunity to review and comment on the Port of Los Angeles (Port) Notice of Preparation and Initial Study (NOP) related to the Program Environmental Impact Report (PEIR) for the Port of Los Angeles Master Plan Update (PMPU). RCTC is responsible for region-wide transportation planning in Riverside County and, as such, hopes to work with the Port to ensure that the environmental impacts from the PMPU are thoroughly reviewed pursuant to the California Environmental Quality Act (CEQA).

As you are likely aware, traffic congestion is a critical problem in many parts of Riverside County. Unfortunately, one of the main causes of traffic congestion is traffic originating from and traveling to the Port through Riverside County. Increased numbers of Port cargo containers results in increased railcars to trains, which in turn makes for longer trains and extended automobile and truck wait times around at-grade train crossings. It also results in increased train and truck trips carrying containers and freight. All of these factors add to the severe congestion issues facing Riverside County freeways and roadways as well as increased air emissions from the train and truck traffic.

Furthermore, although only a fraction of Port cargo is handled or used in Riverside County, the majority simply passes through as transient traffic congestion—something that could be addressed at its source at the Port, but is outside the purview of discretionary local government land use controls within Riverside County. Accordingly, Riverside County feels the strain of subsidizing mitigation for increased Port-related rail and truck traffic without being able to assert discretionary control over the source of the environmental impacts and receive adequate remuneration for resulting necessary infrastructure improvements. Because of these impacts and limitations, we invite the Port to discuss options with RCTC for mitigating traffic impacts related to the Project in Riverside County.

As a document that establishes policies and guidelines for future development within the Port's coastal zone boundary, the PMPU and its PEIR importantly provide an opportunity to address impacts on traffic and air quality. CEQA is intended to "[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities." (State

CEQA Guidelines, § 15002, subd. (a)(1)). An EIR achieves this objective by “identifying possible ways to minimize the significant effects, and describe reasonable alternatives to the project” for consideration by the public and the lead agency approving the project. (State CEQA Guidelines, § 15121, subd. (a).) Significant effect on the environment means a substantial, or potentially substantial, adverse change in the environment or in any of the physical conditions within the area affected by the project including land, air, and ambient noise. (Pub. Res. Code, § 21068; State CEQA Guidelines, § 15382, *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1333.)

The NOP’s Project description (Project) notes that the PMPU will change Port land use designations and that the PEIR will analyze impacts from several other anticipated projects in the PEIR—many of which involve expansion. The NOP notes that the PEIR will be incorporated into future environmental documents for other specific projects at the Port. (NOP pp. 13-18.) Because of these important environmental analyses that will be relied upon, RCTC notes that CEQA requires the PEIR to address any reasonably foreseeable significant impacts related to the Project increasing traffic in Riverside County. (See *County Sanitation District No. 2 of Los Angeles v. County of Kern* (2005) 127 Cal.App.4th 1544.)

The NOP checklist acknowledges that several impacts will be “potentially significant” and that the PEIR will analyze those impacts. Most concerning to RCTC are the air quality and traffic impacts that would occur from the Project in Riverside County. The NOP notes potential air quality impacts from contributing to the exceedence of ambient air quality standards and daily thresholds in the SCAB region—of which western Riverside County is a part—and from exposing sensitive receptors to pollutants and creating objectionable odors. The NOP also notes potential significant traffic impacts, including potential conflicts with Southern California Association of Governments (“SCAG”) regional plans and the Los Angeles County Congestion Management Plan.

As part of these analyses, the PEIR should describe and analyze foreseeable impacts in Riverside County from increased traffic and emissions caused by the Project and propose mitigation to reduce or eliminate the level of impacts. The PEIR should describe and analyze cumulative development that would occur independent of, but during the same timeframe as, the proposed Project, or in the reasonably foreseeable future, and it should analyze whether project-level incremental contributions to traffic and air quality impacts in Riverside County are cumulatively considerable and provide mitigation for these impacts.

For Project alternatives, the NOP identifies the following: 1) reducing the amount of fill, while reconfiguring land uses to meet cargo growth, and 2) the no Project alternative. (NOP p. 19.) While RCTC expects that more robustly selected alternatives will be evaluated, we urge the Port to consider options that reduce traffic and air quality impacts in Riverside County.

RCTC anticipates submitting additional comments regarding the PEIR’s analyses addressing impacts in Riverside County. Accordingly, we request that the Port include analyses of these impacts so that we can provide meaningful comments on mitigation and alternatives. RCTC staff would be pleased to further cooperate with and assist the Port with discussing the impacts of the proposed Project in Riverside County and to work with the Port in developing feasible mitigation.

Christopher Cannon

August 23, 2012

Page 3

Finally, RCTC requests to be added to the Port's PMPU mailing list and to receive copies of all CEQA and public meeting/hearing notices related to the PMPU, as is permitted under CEQA and the Ralph M. Brown Act. Again, we thank you for providing RCTC with this opportunity to comment on the Project. Please contact me should you wish to discuss these concerns further.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Mayer", is written over the typed name and title.

Anne Mayer  
Executive Director



3200 East Frontera Street  
Anaheim, CA 92806  
Office: (714) 630-2000  
Fax: (714) 630-8931  
[www.sarecycling.com](http://www.sarecycling.com)

Subject: Port Master Plan Update

**Statement submitted on behalf of SA Recycling to the Port of Los Angeles concerning the Notice of Preparation and Initial Study (NOP/IS) for the Port Master Plan Update (PMPU) on August 24, 2012.**

During the past year representatives from SA Recycling have participated in the various Terminal Island Plan update workshops, appeared before the Harbor Commission and met with staff regarding the status of the future tenancy of SAR at the Port of Los Angeles. The company has recently celebrated its 50<sup>th</sup> year at the port and is looking forward to another 50 years of successful operations at the port. Ergo, we are keenly interested and involved with the Port's plans for the future utilization of Terminal Island. The preferred Plan alternative presented in the draft Master Plan update recommends that SAR be moved to a new location at Berths 206-208 across the way from the various small craft marinas or be removed from Terminal Island altogether. Our purpose here today is to comment on the draft Master Plan Update and to urge the staff to take into consideration a proposal regarding the future of scrap operations which the company had presented at the January 19<sup>th</sup> 2012 public hearing before the Board of Harbor Commissioners and since then had submitted to the port staff in greater detail.

**We urge the staff in the strongest terms to reconsider its current recommendation and amend the Master Plan to allow for SAR's continued presence at its current location!** Our request falls into two categories: One has to do with the argument in favor of keeping SAR's operations at its present location; the other has to do with the serious complications presented by the proposed relocation alternative.

Let me begin with our argument in favor of keeping SAR at its current location:

During the past 50 years, SAR and its predecessor business entities have made enormous financial commitments to upgrade the site which was heavily contaminated and needed major infrastructure improvements. Since 1996 the company has spent millions on remediating the soil at the site thus saving the port that expense. The company has also spent additional millions on infrastructure improvements such as upgrading the electrical grid, the storm water management systems and the water quality treatment facility, reinforcing the soil and placing on it new concrete cover and improving access into the site. SAR shared the expense 50/50 with the Port on constructing a new rail spur into the leasehold.

In addition to the land improvements, the company has spent huge amounts of its financial resources to construct a state-of-the-art electric shredder, upgrade its electric shear, install a non-ferrous metal recovery plant, and, most importantly, the company has implemented multiple environmental air quality and water control systems which are above and beyond most governmental regulations during the past 15 years. *(For a list of the major items please see footnote below\*)*. SAR had received numerous air quality and other environmental awards for these projects and for its leadership role in meeting the public goals of “greening” the Port of Los Angeles. In 2010 SA Recycling received the San Pedro Bay Ports Clean Air Action Plan Air Quality Awards presented by the Ports of Long Beach and Los Angeles as a Significant Early Action to Reduce Emissions. To receive and be honored for this award SA Recycling retired, replaced, and retrofitted cargo-handling equipment at its facilities in both ports, exceeding state clean-air regulatory requirements. In August of 2012, SA again was honored with a Clean Air Action Plan Air Quality Award for exemplary efforts to reduce air pollution from its local maritime and goods-movement operation. These awards, given by your port staff, exemplify the commitment SA Recycling has to the environment and the community it serves.

SAR’s recycling operation helps provide the region with the ability to meet the state mandated recycling goals while generating revenues for the Port and the City from one of its major exporting port facilities. SAR’s electric shredder and shear operations process over a million tons of shredded and HMS #1 scrap annually, which is exported to over 15 countries around the globe. The facility at Terminal Island employs over 150 men and women (30% of them have been with the company for 30 plus years) and generates thousands of additional peripheral jobs in connection with its recycling activities. In fact, SAR generates more jobs per acre than most other tenants in the port *(as a rule of thumb a container terminal hires approximately one job per acre, SAR generates 6 jobs/acre)*.

In summary, we want to be on record urging the port to recognize the contributions the company has made to the commercial viability of the port and for the special services the company’s operations offer for the city/port and the region. **We believe such services should continue to be an integral part of the Port at its current location.**

Now let us address the concerns and the complications we foresee with the staff’s recommendation of relocating SAR to Berths 206-208.

First of all, SAR would like to express its objections to debating the merits of relocating SAR **at this point in time**. It was not that many years ago *(when the Port was contemplating moving the small craft marinas out of the Cerritos channel)* that we REPEATEDLY asked the Port to allow us to build our new shredder at the very location that is being proposed now. At that time, we were assured by port management that our current site suited the Port’s long term plans. Based on that assurance, the company moved ahead with the investment of tens of millions of

dollars in new equipment and facilities. Those sunk costs will need years to recapture. To relocate our business in the near future could result in major operational disruptions and certainly will require considerable additional costs for constructing new facilities and equipment as we have stated previously. The costs of such an undertaking would take additional decades to recover.

**We are strongly opposed to the recommended relocation of SAR especially since we find the port staff's recommendation of the relocation site lacking in features important to SAR's successful operation.**

They are the following:

- The proposed site configuration is too narrow to accommodate the key operational elements such as the mega-shredder, the shear, the rail spur and having a sufficient area for ship loading.
- The site is limited to the loading of one ship at a time which negatively impacts the company's ability to efficiently load multiple vessels which frequent the company's berth. The efficiency of the company's bulk loading capacity has been curtailed in the past as well as currently by the limitations of a shorter than preferred, needed wharf. One of the discarded, previous options considered by staff (Option 2) provided for a wharf length long enough to berth two vessels for simultaneous loading.
- The relocation site is also too small to accommodate any future expansion. As stated in the Port's own report, recycling volumes will increase at a 3.1 percent compounded annual growth rate. Given the projected volumes of scrap (*please note the Port's Scrap Metal Study*) within about 15 years, the relocation site will be at least 10-15 acres too small to accommodate such growth in the volumes.
- The new facility would have to be fully upgraded to withstand the weight of scrap metal piles along with the existing old wharf where the pavement thickness is currently insufficient for the use of the large cranes used by SAR for loading scrap onto the docked vessels. Prior to that, the entire site will have to be fully upgraded to the standards required for SAR's type of recycling operation.
- SAR also has concerns that its proposed relocated operations would be directly across the channel from the remaining small craft marinas. The Plan did not sufficiently address the potential conflicts which are likely to arise from the proximity of these two uses-one industrial and the other recreational.

- We also foresee a serious problem with the rail alignment going to YTI's future, expanded terminal which will cause continuous and unavoidable disruptions at the front gate of SAR. The proposed site also will require a suitable rail spur into the SAR site (with *appropriate grade, switch control, rail curvature that can accommodate multiple rail car access to the site*).
- The regulatory complications and requirements provide no assurances that SAR would be able to secure the prerequisite permits from the various regulatory agencies for its core operational elements-the mega shredder. In such a case, given the prohibitive costs of relocation and the limited viability of the new site, this relocation option would be completely beyond the realm of feasibility.
- Even if the above stated deficiencies and the considerable financial costs at the new site can somehow be addressed, SAR believes that the logistical aspects of any relocation in the future would be extremely problematic. The availability of the new site would need to be coordinated with SAR's relocation. This means that SAR will be forced into a duplicate operation as **SAR must be able to continue to operate at its current location until all key elements are in place and operational at the new site are such as the rail, the wharf, the shredder, the shear, the MRP and other components- to assure that SAR will not have to shut down its operations and layoff its workers for any period of time prior to its move.**
- From our perspective the relocation site has serious deficiencies; coupling that with the enormity of the cost of moving our entire operation seriously jeopardizes the company's ability to relocate to the new site. If the current recycling facility at Berths 210-211 is removed, according to the Port's Staff Report: "***the region would not have enough capacity to meet demand unless a new facility is built.***" We agree. However, a new recycling facility at the recommended relocation area is simply not financially and operationally feasible!

#### **Recommended solution:**

SAR appreciates the Port's efforts at finding a long term solution for the continued presence of SAR's dry bulk operations. However, we do believe that such an effort should be based on reality. For the reasons stated above, we believe that the option of relocating SAR's operation to Berths 206-208 is clearly unrealistic and infeasible, unless the port is able and willing to cover the extensive costs of such relocation and mitigate the serious disruptive effects of such a move. Since SAR has not been given any assurances by the Port that such an agreement is forthcoming, we recommend that the Port Master Plan continue to keep the proposed relocation area designated for terminal use. We also urge the port staff work with SAR to

address the issues presented by the continued tenancy of SAR at its current location. We believe that this option is the only feasible one. At the same time we also recognize that some changes in SAR's circumstances may be warranted given the port's goal of marketing the surrounding area as a viable container terminal.

During the past several months SAR has formally requested that the port seriously consider certain infrastructure changes adjacent to the SAR leasehold as a more feasible and financially affordable solution to the issues raised by the port staff. The Port's Study states that "*staff had determined that SA Recycling's current location hinders the potential long-term benefits of a unified container terminal. Container terminal operators continue to request larger facilities to utilize economies of scale, especially considering the significant capital costs associated with constructing a modern container operation*". We understand this concern and, therefore, we have put forth an engineering solution that would provide a feasible physical **connection between the two terminal areas that are separated by the SAR leasehold**. By constructing such a connection the Port could provide an operational link between the adjoining container terminals, while allowing SAR to stay at its current location. We also believe that such an option would be immeasurably less costly than the costs associated with the wholesale relocation of SAR. SAR is hoping to continue working closely with Port staff to evaluate the details of this proposal. It is our hope that an agreement can be reached by all affected parties regarding this alternative and that such a project will be reflected in the **Master Plan Update** document and will be a part of the Port's CEQA review of the Master Plan. *(For a rendering of our suggested option please see attached.)*

**In summary, we strongly urge the Port to reconsider and discard any option which negates an opportunity for SAR – a tenant at the port for 50 years- to continue to be a valuable and viable tenant at the port for decades to come. Therefore, we recommend that the Port Master Plan Update leave SAR at its current location and include in the Plan a feasible grade separation alternative.**

**Thank you for your consideration,**

**Statement submitted by Barna Szabo on behalf of SA Recycling on August 24<sup>th</sup>, 2012**

*\*Footnote:*

*The improvements implemented at SAR's Terminal Island facility are as follow:*

- 1) Paved all 23 acres, raising the ground level to 6' in 1998*
- 2) Installed 24" underground pipes to handle the water storm system 1998*
- 3) Installed 10 water tanks holding 750,000 gallons of reusable water and upgraded onsite advanced water treatment system; one of the most cutting-edge systems in the country*
- 4) Upgraded the rail road system to handle 16 RR cars in 1998*

- 5) *Placed the mega shredder in service in 2006 and Regenerative Thermal Oxidizer (RTO) in 2011 - air filtering system*
- 6) *Metal recovery plant upgraded in 2010*
- 7) *Constructed steel sound wall around the water front and east side*
- 8) *Added new employee lunch room and locker room*
- 9) *A majority of our equipment has been upgraded to Tier III engine diesel emission standards. The balance will soon to follow.*

***The cost of all these improvements totaled around \$ 88.5 MM during the last 15 years.***



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

E-Mailed: August 24, 2012  
[ceqacomment@portla.org](mailto:ceqacomment@portla.org)

August 24, 2012

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

Dear Mr. Cannon:

## **Review of the Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update**

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Program Environmental Impact Report (EIR) for the Port of Los Angeles Master Plan (PMP) Update. The following comments are meant as guidance for the lead agency and should be incorporated into the Draft EIR as appropriate. AQMD staff looks forward to continuing to work with the lead agency to minimize air quality impacts from port operations wherever feasible.

The PMP Update project proposes to consolidate and update the existing PMP, eliminate or minimize land use conflicts, increase waterfront accessibility, and increase land use efficiency. As you are aware, emissions from the Port of Los Angeles are substantial and impact air quality both locally and regionally. While the detailed air quality analysis for the PMP Update has been deferred to the Draft Program EIR, AQMD staff requests that the attached comments be considered in addition to standard air quality analysis calculations and methodologies.

Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead upon its completion. 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.

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

Sincerely,

A handwritten signature in black ink that reads "Ian V. MacMillan". The signature is written in a cursive, slightly slanted style.

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

Attachment

**Competitive Advantage**

In the recently certified APL project Final EIR, the lead agency explained that many proposed additional mitigation measures addressing air quality were not feasible because it would put the operator at a competitive disadvantage if these measures were only applied to one project. Because the PMP Update will encompass the entire Port of LA complex, consideration should be made to incorporate enforceable air quality mitigation measures that would apply to the entire port complex. These could include but not be limited to measures to reduce emissions from vessels, locomotives, cargo handling equipment, and trucks. By making uniform policies at the PMP level, competitive advantages or disadvantages can be minimized while also reducing air quality impacts even further.

**Mitigation Measures**

Because the PMP Update is designed to address port growth and operations over the long term, AQMD staff recommends that mitigation measures be considered that may become available within the life of the plan. For example, many zero and near-zero emission technologies are forecast to become available over the next several years but likely after approval of the PMP Update. The PMP Update and Program EIR should include a commitment to review *and implement* these technologies as they come online. Other measures should include reviewing and updating tier 2 and 3 ocean going vessel incentives.

**Alternatives Screening Analysis**

Page 19 of the NOP states that the Los Angeles Harbor Department (LAHD) will undertake a screening process to determine which alternatives to evaluate in detail in the Draft EIR. AQMD staff requests that we be provided the opportunity to review the detailed alternatives and provide feedback prior to LAHD determining which alternatives to remove or include in the Draft EIR.

**Consistency with the AQMP**

Pages 27 and 28 of the NOP state that the PMP Update will have a less than significant impact on implementation of our Air Quality Management Plan (AQMP). Because of the substantial emissions from Port of LA operations, and many of the 'black box' emission reductions needed to achieve the AQMP goals may need to at least partially come from port emission sources, AQMD staff recommends that the lead agency defer a determination of significance on this impact until a more thorough analysis is presented in the Draft EIR.

**Air Quality Analysis Methods**

Pages 28 and 29 of the NOP state that the Program EIR will identify and evaluate standard mitigation measures and potential significance thresholds that will be considered for future site-specific reviews. There have been some disagreements in the past between our agency staff and lead agency staff about specific methodologies used to determine air quality impacts. For example, AQMD staff recommends that the impacts of site-specific projects be separated from the impacts of previously adopted emission standards. AQMD staff recommends that methodology comments from our previous EIR comment letters be reviewed when making determinations in the Program EIR. Further, we look forward to continuing to discuss these methodologies with lead agency staff to resolve any remaining concerns.

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

**SUBJECT: NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE PORT OF LOS ANGELES MASTER PLAN UPDATE**

**via email:** [ceqacomment@portla.org](mailto:ceqacomment@portla.org).

Thank you for the opportunity to comment on the Notice of Preparation for the Port of Los Angeles Master Plan Update. The Port has made commendable progress over the past 10 years addressing the substantial impacts from its industrial operations and in improving public waterfront access and maritime-related recreation facilities.

The proposed Master Plan update should provide the public and decision-makers an accurate, comprehensive evaluation of potential environmental effects of future port operations under a reasonable growth model. In many CEQA checklist areas identified, the analysis to be conducted appears sufficient to serve as an adequate information document. This comment letter focuses therefore on one specific area where the NOP appears to be inadequate: land use, and recommends an analytical approach that should address the information deficiency identified.

The NOP proposes to limit analysis of land use impacts to lands within the "PMPU Boundary" (figure 1), an area generally the same, it appears, as the port's jurisdictional state tidelands area. As a result, significant port-serving lands have been excluded from the proposed detail CEQA analysis, including land purchased by the port in the past beyond the tidelands for terminal expansion, mitigation buffers and related port serving facilities, land operated by the port under cooperative arrangements such as the ACTA, as well as lands where the port has paid for or contributed to construction of infrastructure improvements such as freeway ramps and road widenings.

Importantly, the immediate off-port lands also contain areas not owned by the port yet still necessary for port operations. These near-port, port-serving uses include rail yards, container storage areas, customs houses, security facilities and the like.

Functional daily operations, and impacts, at a port facility the scale of Los Angeles necessarily "spill-over" beyond the jurisdictional tidelands boundaries. Not all facilities necessary for port operations fit within the jurisdictional boundaries of the Port. Usefully, the NOP does acknowledge this "spill-over" effect in its discussion of air quality and traffic impacts.

The CEQA document prepared for the Master Plan Update should apply the same reasoning to land use that it has applied to air quality and traffic: that individual project impacts and cumulative impacts from existing and reasonably foreseeable future projects "spill-over" tidelands boundaries. The baseline condition and evaluation of future impacts on land use should therefore be evaluated in the CEQA document. The land use analysis might include components provided on the attached.

Thank you for the Port's continued excellent progress combining economic benefits with leadership in advancing world-class environmental mitigation and public benefit programs.

Very Truly,  
s/Frank O'Brien  
San Pedro Resident / Individual

**SUBJECT: NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE PORT OF LOS ANGELES MASTER PLAN UPDATE**

LAND USE ANALYSIS:

- Baseline data on Port land purchases beyond the tidelands area. Specific, quantitative list with exhibit map indicating location, size, date, purpose.
- Evaluation of whether growth model used for PMP Update will / may require further purchases of land beyond tidelands by Port.

NOTE: The above should be conducted for all port land purchases, while the below may be limited to data / impacts analysis for Wilmington and San Pedro. This is based on a "rule of reason" that direct port affects on land use exist within an immediate zone of impact. Unless evidence is found that shows otherwise, land uses beyond the immediate impact zone may be considered part of the wider pattern of urbanization in Los Angeles.

- Baseline data for privately owned, port serving uses necessary for daily ongoing port operations. These uses include rail yards, security and customs facilities, container storage yards and the like.
- Evaluation of whether such private, port-serving land uses in Wilmington and San Pedro will / may expand under the projected growth model.
- For both off-port land uses, both port-owned and private, serving the port's daily operations, the CEQA document should analyze potential adverse impacts, including impacts arising from proximity of port-serving land uses to homes, schools, parks and businesses.
- This analysis may find off-port impacts arising from port serving land uses in areas such as: aesthetics/blight, public safety, noise, traffic, air quality, recreation and natural resources, as well as within the CEQA land use thresholds of significance.
- The question of whether the necessary functional near-port, port-serving land uses displace other alternative uses should be evaluated, as well as the individual and cumulative past, present and future impacts of the port operations on land uses within the near port communities of the City of Los Angeles.
- Should impacts be identified alternatives and / or proportional mitigation measures should be identified such that the impacts are reduced below the significance level.

//

# Janet R. Gunter

PO Box 642 – San Pedro, CA 90733

[Arriane5@aol.com](mailto:Arriane5@aol.com) - (310) 251-7075

August 22, 2012

Christopher Cannon  
Director of Environmental Management  
Port of Los Angeles  
425 So. Palos Verdes  
San Pedro, CA 90731

RE: COMMENTS REGARDING NOP: POLA MASTER PLAN UPDATE

Dear Mr. Cannon:

The Port of Los Angeles seems to have no historic memory of the emphasized LA City Planning directive for the existing Port Master Plan in its efforts to ensure public safety. That directive in the POLA Master Plan calls for “the segmentation and segregation of all hazardous and non hazardous liquid and dry bulk facilities”. This instruction from the City in the 1970’s was based on the interest of removing incompatible land uses and creating a better planning strategy for protecting the public. The initial Master Plan draft in the 1970’s was “rejected” for NOT including this important planning directive as part of *that* plan. The directive was later included as ***the remedy for approval of the current Port of LA Master Plan***, and was certified accordingly. However, while the written words appear in the Port’s Master Plan, the action itself to comply has been effectively ignored since the day it was certified. The Port has been in non-compliance with its own Master Plan for decades on this very straight forward planning goal. This fact clearly illustrates the fundamental defect in the Port’s own procedures. The achievement of that original goal for segmentation and segregation of hazardous and non hazardous facilities is every bit as essential today as it was then.

The current Master Plan cites on pg VI-4;

*Long range preferred uses are guides for ultimate area planning and indicate the basic activities that could possibly take place in the long term. The preferred eventual uses of all Planning Areas represent the direction that future development will take in such areas. In order for these long range objectives to be achieved, it will require that new land on deep water, with necessary road and in some instances rail access, be available primarily for the **relocation of existing and the development of new dry and liquid bulk cargo facilities, particularly those of a hazardous nature. Additionally, in the relocation of such existing facilities, contractual, financial, and legal problems which may be involved will have to be resolved. The intent on the part of the port to meet its objectives in port planning and development through long range preferred uses illustrates the critical importance of the development and expansion of Planning Area 9 south of Terminal Island for both hazardous and nonhazardous dry and liquid bulk cargoes. When this area becomes available, compatible new facilities can be developed and incompatible facilities relocated in order to meet the objectives of the Port Master Plan.***

Further, on page VI13 of the PMP continues the following;

*The long range goal of the port is to **relocate hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension.....***

*The preferred long range uses for Area 2 would **necessitate the eventual phasing out and relocation of the existing dry bulk facility, deep water oil terminal, petroleum storage and the petrochemical berth and storage tanks, and are premised on the availability of additional land and a 65 foot channel and berthing areas as planned in Area 9.***

As everyone is well aware, the remote location envisioned as the relocation site for hazardous terminals became the largest container terminal in the US without one solitary liquid bulk facility being relocated. One such hazardous terminal, Petrolane LPG, was introduced by the port in 1973. However, the “marine storage terminal” (as noted in the Port EIR of the facility) was located “off” of port land due to the volatile nature of the gas and the product was piped to berth 120 for shipping. The voluminous ultra hazardous facility continues to sit within 1,000 ft. of neighborhoods and schools. The Port refused to renew their pipeline lease in 2007 because of safety concerns, but continues to permit the use of their rail spur to accommodate transport endangering their own port tenants and local residents. The paragraph on pg. VI-4 of the PMP discusses the potential *contractual, financial and legal problems associated with the relocation of hazardous facilities in order to meet the Port’s planning goal.* This would certainly apply to the relocation of Petrolane LPG because of the extenuating circumstances. When the Port abandoned their Master Plan relocation plan, they also abandoned the innocent people whose lives are in jeopardy every day from the Port’s lack of respect for public safety.

The legacy of the Port ignoring their vested document of authority, The Master Plan, continues on. Although not documented in the Master Plan, it has now become publicly acknowledged that the Port is in the process of developing **Pier 500**. The foundation for Pier 500 was created using the “shallow water habitat” placement from the *dredging material* from the Pier 400 project. The dredging of Pier 400 was paid for by Federal funds awarded under the **predication** of “*public safety*” in our government’s attempt to **expedite** the construction of “Energy Island” for the safe “relocation of hazardous terminals”. Of course, this \$108 Million of Federal Grant money was misappropriated from the very beginning and is continuing to be misused as yet more land shall be created to facilitate the port’s “own” independent plan for business, rather than public safety.

In the existing Port Master Plan are valuable comments from both Ms. Goldie Otter and Ms. Bea Atwood. Both women have now been deceased for many years but their messages continue to reverberate as if time has stood still.

Ms. Otters: “My understanding of the landfill use was to be for relocation of hazardous storage: now another use is proposed. And another landfill will be requested for storage and another more profitable use will be proposed ad infinitum.”

Ms. Atwood: “It is my understanding that to receive the money to dredge and landfill that this was done by promising that the tank farms would be relocated.”

The bait and switch of Pier 400 continues to be a serious injustice to the people of the local Harbor Area. It appears that the Port's intent in changing their Master Plan now is to erase the obligations that are the most important to our local communities. This should not be allowed to happen. All previous commitments should be honored and the City of LA should reinforce the LA Planning Department's *wisdom* in directing the Port to congregate and segregate these hazardous and non hazardous facilities in the interest of Public Safety. Also, it is imperative that the Port and City of LA NOT be allowed to pull a Pontius Pilate act in the washing of their hands on the LPG storage facility that they so recklessly introduced. Rather than acting as responsible guardians, the Port is effectively "partnering" with the current operators of Petrolane, Rancho LPG (a subsidiary of Plains All American Pipeline) in facilitating the transport of this "cargo of particular hazard" (as defined by the US Coast Guard) through the port and our neighborhoods. The obligation and responsibility of the Port of LA still exists to protect the public that they have so demonstrably chosen to jeopardize.

Sincerely,

Janet Gunter  
PO Box 642'  
San Pedro, CA 90733  
(310) 251-7075

**From:** [Joyce Dillard](#)  
**To:** [Ceqacomment](#)  
**Subject:** Comments to Port of LA Master Plan NOP due 8.24.2012  
**Date:** Friday, August 24, 2012 4:51:54 PM

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The Port needs to address its impact on the LOS ANGELES REGION BASIN PLAN FOR COASTAL WATERSHEDS, not only the Watershed and Sub-Watershed but the impact on other Watersheds (footprint) and Total Daily Maximum Loads TMDLs.

How are Overweight Trucks effecting all underground pipe breakage and contamination. What is its vibration damage to the area.

What are the effects on the Southern California Bight.

Will there be an effect on Sediment Management Planning as well as Sea-Level Rise and Flooding.

How will Air Quality be effected in the location and the footprint.

Geology and soils issue are a factor in Methane and other Hazardous Gas Emissions.

How are injection projects (TIRE) effect the environment.

Overall, what is its effect in Migratory Bird routes as well as marine issues.

What is the effect of Wetland Mitigation Banking in its footprint.

We ask you incorporate Watershed Regional Management Planning into the study.

Joyce Dillard  
P.O. Box 31377  
Los Angeles, CA 90031

**From:** [Hagner, Dennis](#)  
**To:** [Ochsner, Lisa](#); [Cham, Michael](#)  
**Subject:** FW: Master Plan Update POLA  
**Date:** Friday, August 24, 2012 11:35:03 AM

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**From:** Castalo@aol.com [mailto:Castalo@aol.com]  
**Sent:** Thursday, August 23, 2012 1:59 PM  
**To:** Ceqacomments  
**Subject:** Master Plan Update POLA

Christopher Cannon,  
Director City of LA HD, EMD

Dear Sir

If the port would consider a Sky High Hotel that provided underground parking, rooms and Angels Flight revolving type of restaurant, this would not only be a significant draw but accommodate several of our other concerns since the arrival of the IOWA, CRAFTED and the much deserved and needed improvements to Ports O' Call Village itself. As travel will obviously increase over the years this could be our catalyst and map marker not to mention allowing many to view our port and Southern California from a whole new perspective.

Respectfully submitted

Lorna Salem

1 FOR THE CITY OF LOS ANGELES HARBOR DEPARTMENT  
2 UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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6 In the Public Hearing for: )  
7 The Port of Los Angeles )  
8 Master Plan Update )  
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16 TRANSCRIPT OF PROCEEDINGS  
17 wilmington, California  
18 August 14, 2012

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24 REPORTED BY MONICA JANUARY, CSR No. 13647

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6 In the Public Hearing for: )

7 The Port of Los Angeles )  
8 Master Plan Update )

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TRANSCRIPT OF PROCEEDINGS,

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Commencing at the hour 6:00 p.m. on Tuesday, August 14,

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2012 at Banning's Landing Community Center, 100 E.

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Water Street, Wilmington, California, before MONICA

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JANUARY, Certified Shorthand Reporter in and for the

23

State of California.

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MR. CANNON: I want to welcome you all here

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for the start of the process for the California

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Environmental Quality Act process of the Master Plan

5 EIR. It's just the beginning. There will be several  
6 opportunities for the public to be involved. In fact,  
7 I always say that the environmental process works best  
8 when we collaborate, which is to say that, you know,  
9 you talk to us about issues, we talk about possible  
10 ways we can solve them, and we go back and forth until  
11 we find something that works. So we look forward to  
12 hearing from members of the public. We actually don't  
13 have a lot of people here tonight, so we're not going  
14 to have as -- maybe as formal a presentation as we  
15 might normally do. So it frees us up to move through  
16 things relatively quickly. But on the other hand,  
17 obviously, we want to give you an opportunity to have  
18 an understanding of what's being proposed and more  
19 importantly -- or just as important in how we are going  
20 to try to analyze it.

21                   So the people here at the front here are  
22 the two key people. To my immediate right is Lisa  
23 Ochsner, she is the supervisor for the CEQA and NEPA  
24 work at the Environmental Management Division. I guess  
25 I didn't introduce myself. My name is Chris Cannon,

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1 I'm the Director of the Environment Management  
2 Division. And so Lisa is our CEQA Supervisor, she's  
3 also the project manager for this particular  
4 Environmental Impact Report. And then to her right is  
5 Michael Chan, he's the Project Manager for the Planning  
6 Department and -- what is your official title? He's

7 the Harbor Planner -- forgive me for not knowing that  
8 Michael. He is Project Manager for the actual Master  
9 Planning and Development, and so he's a very important  
10 player in this process as well.

11 So Lisa is going to give the summary of  
12 the CEQA process and the description of the Master Plan  
13 and then we'll have an opportunity to let you, if you  
14 have anything to say as a public comment and then we  
15 will close the meeting. So Lisa, I'll turn it over to  
16 you.

17 MS. OCHSNER: Thank you, Chris.

18 Good evening. Again, my name is Lisa Ochsner,  
19 and I'll be doing the staff presentation for tonight's  
20 meeting. Here is just a quick overview of the agenda;  
21 we have our opening remarks by Chris Cannon, followed  
22 by the presentation that I'll soon lead. After the  
23 presentation, if we do have public comment cards, we  
24 will call in the order that it was received, and we'll  
25 get your input and comments that you are interested in

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1 providing tonight, and then we'll cover next steps.

2 In terms of just some general housekeeping  
3 items, there is a sign-in sheet that's at the front  
4 desk, so please make sure that you include your  
5 information on that form so that we can continue to  
6 keep you notified about the process. We do have some  
7 headsets for Spanish translation, so for those of you  
8 that are using them, if you could please remember to

9 return them at the front desk when this meeting is  
10 convened. As I mentioned, we will have a public  
11 comment period, so if we do get speaker cards or if  
12 you're thinking about submitting comments for tonight,  
13 please make sure that you fill out that form. And  
14 given the size of tonight's meeting -- we generally  
15 like to limit comments to three minutes, but since it's  
16 a relatively small group we can definitely accommodate  
17 more time if needed.

18 All right. So the purpose of tonight's  
19 scoping meeting is to notify the public that the Port  
20 as the lead agency under the California Environmental  
21 Quality Act will be preparing what's called a Program  
22 Environmental Impact Report for the Port Master Plan  
23 Update. So the Port Master Plan Update is essentially  
24 the project or program that we're going to be  
25 analyzing. We'll provide information about the

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1 proposed program, identify potential environmental  
2 issues and alternatives to be analyzed in the program  
3 EIR, and get public input on the scope and content of  
4 the environmental issues to be studied.

5 The objectives of CEQA are to disclose the  
6 potential environmental impact for the project,  
7 identify ways to avoid or reduce impacts, prevent  
8 environmental damage through mitigation or  
9 alternatives, foster inter-agency coordination in the  
10 review of projects, and enhance public participation.

11 So as I mentioned we will be preparing a program EIR  
12 for this Port Master Plan Update, and we determined  
13 that that was the appropriate document for this type of  
14 program given that a program EIR is used to address a  
15 series of actions that can be considered a larger  
16 project and are related. One important item to note is  
17 that a program EIR is programmatic in nature and scope.  
18 So what that means is that anticipated projects that  
19 are identified in the program EIR are not analyzed in  
20 detail like a specific project would be in an EIR.

21 A program EIR can serve as a first tier  
22 document for later CEQA review of individual projects  
23 and a simplified preparation of subsequent  
24 environmental documents.

25 So here is an overview of the environmental

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1 review process. The first stage is the Notice of  
2 Preparation, which you all received a notice on. The  
3 Notice of Preparation is made available for a 30 day  
4 public review and comment period, during which time we  
5 hold a scoping meeting, which is today's meeting.  
6 We'll then begin working on the draft program EIR and  
7 that will provide an opportunity for public and agency  
8 input. We expect to release that document sometime in  
9 December of this year. That would then be followed by  
10 a 45-day public review and comment period, which will  
11 also have a public meeting for further public and  
12 agency input on the impacts, alternatives, and

13 mitigation measures that are studied in the document.  
14 After the close of the comment period on the draft  
15 program EIR, we'll prepare the final program EIR, which  
16 typically includes responses to all public comments  
17 received on the document as well as changes that were  
18 made to the document or to the project itself. And  
19 when that final document is prepared, we hope to bring  
20 it to the Board of Harbor Commissioners for  
21 certification next year in May.

22           So in terms of the current Port Master Plan.  
23 If -- those of you that are familiar with it, it is a  
24 dated document. It was certified in 1980. Since 1980  
25 we have not done a comprehensive update to that plan.

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1 It has 21 approved amendments. It was largely based on  
2 nine planning areas, which have now been reduced to  
3 five, and I'll go over that in the next slide. And  
4 within those nine planning areas historically the  
5 current Port Master Plan has emphasized flexibility in  
6 land use. So for example, in one particular area you  
7 can have as many as three to nine different land uses.  
8 So the idea with the update is that we would  
9 consolidate and make those land uses more specific.  
10 And just one important thing to note is that the Port  
11 Master Plan, both in current form and the update, serve  
12 as a long range planning tool to guide future  
13 development in the Port that requires a Coastal  
14 Development Permit. And so the whole purpose of the

15 plan is to really enforce the requirements of the  
16 Coastal Act and because of that requirement through  
17 this regulation, the plan itself addresses properties  
18 within the Coastal Zone Boundaries. So even though the  
19 Port may own or lease a number of other properties  
20 beyond or outside their Coastal Zone Boundary the  
21 intent of this plan is to address only those specific  
22 properties that fall within the Coastal Zone and that  
23 are subject to Coastal Development Permitting.

24 So in terms of the Port Master Plan Update,  
25 what we intend to do is update the goals and policies

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1 for Coastal Permit decisions as well as the guidelines  
2 and procedures for Coastal Permit Processing. We'll  
3 also identify changes in land and water use  
4 designations, including projected cuts and fills, and  
5 we intend to consolidate the planning areas with more  
6 specific land uses. For the purposes of the  
7 environmental analysis, our main focus throughout this  
8 process will be on the land use element of the plan.  
9 So the analysis will focus specifically on changes to  
10 allowable land uses that are more specific than the  
11 current Port Master Plan. We'll also look at the  
12 impacts again on the programmatic nature for projected  
13 land fills and cuts. And we have identified some  
14 specific land fill cuts that would occur in the future  
15 and that includes a 16-acre fill at China Shipping, a  
16 3-acre cut and a 6-acre fill at Yang Ming Terminal, an

17 18-acre fill at the APL Terminal, and a new 200-acre  
18 land fill for the creation of Pier 500. We'll also  
19 identify other anticipated development projects, and  
20 those typically fall into categories such as: Projects  
21 that are currently undergoing environmental review or  
22 have already gone through the CEQA process, or have not  
23 yet been constructed. So an example of that would be,  
24 for instance, the City Dock Marine Research Center,  
25 which is going through the CEQA process and the A1

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1 Larson Boat Shop, which already has a certified EIR  
2 that has not yet been developed.

3 So these are the updated planning areas.  
4 Again the -- our boundary typically follows the same  
5 boundary in the current Port Master Plan, which is  
6 based on the Coastal Zone Boundary at the Port of Los  
7 Angeles, and we've reduced the number of planning areas  
8 from five -- I'm sorry, from nine to five. And I'll go  
9 over in a little more detail the land use changes that  
10 are shown in this map.

11 So starting in the San Pedro waterfront area  
12 and working our way clockwise. This area has already  
13 primarily been designated for open space recreational  
14 boating and visitor serving commercial uses. The  
15 changes that will likely occur in this area, again, are  
16 projects that are being analyzed or have not yet been  
17 constructed. So as the example that I mentioned, City  
18 Dock Marine Research Center is proposed to be located

19 in this area. A project that has already been analyzed  
20 but has not yet been developed would be the Outer  
21 Harbor Cruise Terminal with an open space in this area.  
22 Moving north to the West Basin and Wilmington area,  
23 that is all primarily container terminal land and this  
24 area here would be the China Shipping new fill that I  
25 have, kind of, previously mentioned as well as the cut

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1 and fills for the Yang Ming Terminal in this area.  
2 Over in this area with the hatch and the different  
3 color designations, our option is to either keep Vopak  
4 in its current location or relocate them to another  
5 area, which would allow for some new changes in land  
6 uses. And those would be, for instance, institutional  
7 or maritime support uses with open space as well.  
8 Moving south to Terminal Island, this area is primarily  
9 container terminal as well. But we do have an option  
10 to consider moving SA Recycling to a new location to  
11 the east. In this area we also have maritime support  
12 uses and possibly a future truck stop center as well as  
13 open space. At Pier 300, where APL Terminal is  
14 currently located, we have an 18-acre fill as an  
15 expansion for future development. And to the south on  
16 Pier 400 would be the creation of a new 200-acre land  
17 fill for Pier 500. In planning area four, which is  
18 Fish Harbor, that will continue to primarily be  
19 dedicated to commercial fishing uses. And our plan for  
20 that area is to utilize vacant sites that are idle and

21 that could be used for additional commercial fishing  
22 uses. And then the last planning area are all of the  
23 water areas. And that continues to remain the same in  
24 terms of the Main Channel and the West Basin and East  
25 Basin areas. The reason why we show the land areas is

11

1 because the Coastal Act requires that in a Port Master  
2 Plan you delineate specifically the water areas  
3 associated with the plan.

4 So in addition to the program update or the  
5 project that we are proposing, we also have to look at  
6 a reasonable range of alternatives as required under  
7 CEQA. And an alternative need to meet most of the  
8 objectives of the project, so its main intent or  
9 purpose would be to avoid or reduce impacts that may be  
10 identified for the proposed project. So what we will  
11 be required to analyze is a no-program alternative,  
12 which is required under CEQA and that would assume that  
13 the current 1980 Port Master Plan remained in place as  
14 well as the certified amendments. And then we're also  
15 looking at a reduced program alternative, and what we  
16 mean by that is reduced new fills that would be  
17 anticipated in the future. So one option might be  
18 eliminating the 200-acre fill at Pier 500.

19 This is a list of the environmental resource  
20 areas that we will be studying in the program EIR. I  
21 won't list them in detail. They are the same resource  
22 areas that were identified in the initial study

23 checklist that was attached to the Notice of  
24 Preparation. So we will be analyzing a number of areas  
25 that are shown on this slide.

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□

1 So that concludes an overview of the  
2 environmental review process. We do want to highlight  
3 that today's meeting is really about getting your input  
4 and feedback and comments on the proposed Master Plan  
5 Update and there's a number of ways that you can do  
6 that: At tonight's meeting you can fill out a comment  
7 card and provide your comments verbally, you can also  
8 mail the comment card to us or hand it to us at the end  
9 of the meeting, there's also an opportunity to submit a  
10 written comment letter and this is the mailing address  
11 that you would send your letter to, or you can send us  
12 an e-mail to our CEQA comments e-mail address. And the  
13 comment period for the Notice of Preparation ends on  
14 August 24th. So please make sure that if you are  
15 mailing any comments that they are postmarked on that  
16 date.

17 So before we get into the public comment  
18 period, if there are any cards that have been turned in  
19 so far, I wanted to highlight again the steps and  
20 projected milestone dates associated with the  
21 environmental review process: So tonight we have the  
22 scoping meeting, as I mentioned earlier, we would like  
23 to release the draft program EIR by the end of this  
24 year, in December; which would then be followed by a

25 public hearing in January of early next year; with the

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1 final EIR going to the Board of Harbor Commissioners in  
2 the Spring of 2013.

3 Parallel to the environmental review process,  
4 Mike Chan will be heading up the actual planning  
5 process, which includes development of the Port Master  
6 Plan update itself. And some of you might have  
7 participated already in the workshop that was held on  
8 July 19th. There will also be a second workshop in  
9 October, followed by a release of the draft Master Plan  
10 Update in December, so that would coincide with the  
11 release of the draft program EIR, there would then be a  
12 public hearing in February 2013, the plan would be  
13 presented to the Board of Harbor Commissioners in  
14 Spring of next year, and the last step would be Coastal  
15 Commission Certification in June of next year.

16 So with that, do we have any comment cards?  
17 It looks like we have two comment cards, so I will call  
18 up the speakers. And the first person is Janet Gunter.

19 AUDIENCE MEMBER: She has left.

20 MS. OCHSNER: She left. Okay. Kathleen  
21 Woodfield.

22 MS. WOODFIELD: Hi, my name is Kathleen  
23 Woodfield. I'm speaking on behalf of the San Pedro  
24 Peninsula Homeowner's Coalition as their vice  
25 president. One of the things you're silent on that is

1 particularly important to us is relocation of the  
2 hazardous and volatile liquid bulk storage. So we want  
3 to make sure that that language that's in the current  
4 Port Master Plan for the new location does not  
5 disappear. As a matter of fact, we're concerned that  
6 one of the main motivations for this Port Master Plan  
7 change is to have that language disappear. So we are  
8 very concerned about that.

9 I want to read to you from a document from  
10 1981, where the original Port Master Plan that was  
11 submitted was rescinded because it did not have the  
12 language for the location of the dangerous liquid bulk  
13 material. Let me just read one sentence: "Coastal  
14 Acts of mismanagement concepts require a more  
15 affirmative planning approach on the part of the Port,  
16 indicating to tenants where the safest and most  
17 efficient locations are for new projects and providing  
18 for the eventual relocation of currently  
19 inappropriately cited activities." Such approach,  
20 however is not actually borne out of the subject risk  
21 management plan, which is partly incorporated into  
22 your Port Master Plan. So we don't want the  
23 institutional memory of that relocation requirement to  
24 be lost.

25 we also feel that ever since the Pier 400

1 money was misappropriated for creating a container  
2 terminal instead of creating a new relocation area,  
3 that you have been out of compliance on your new Port  
4 Master Plan. So we question why you're even allowed to  
5 make a broad change to a Master Plan that you're out of  
6 compliance with and -- is the Coastal Commission here?  
7 Because we understand the Coastal Commission to be the  
8 ones who are supposed to make sure that all these  
9 things are correct and that only if you are in  
10 compliance and that your Port Master Plan is sound, do  
11 you then get to act, basically, independently. And  
12 we've always felt that that independence was not earned  
13 based on the fact that you were out of compliance with  
14 the Port Master Plan.

15 Am I the only one that's going to be speaking  
16 tonight?

17 MR. CHAN: No.

18 MS. WOODFIELD: Okay. Let me just make sure  
19 that I said everything since there seems to be no other  
20 speakers. Okay, well, that is our main point. We do  
21 not want to see that language disappear. The other  
22 thing I noticed is that you're changing -- you said  
23 you're going from nine uses to five. I'm not sure  
24 exactly what you mean by -- well, I know what you mean  
25 by that. You didn't detail what uses you are

1 eliminating. I am concerned that you're changing the  
2 use of the area that is in the open space recreational  
3 area of San Pedro, that you're now going to be adding  
4 the industrial use of Cruise Terminal. When you first  
5 put out the request -- when you first proposed your  
6 project for the Cruise Terminal, one the community's  
7 points was that that is not a recreational use, it's an  
8 industrial use. So now you turn around and change your  
9 Port Master Plan and make that into an industrial use.  
10 well, we find that to be disingenuous, right?

11 Okay. I think there were -- there is some  
12 concern about your changing of uses and it would be --  
13 it would have been meaningful for you to be very  
14 specific about what those changes were, so that I could  
15 add some more comments. But as far as my input, that's  
16 it at this time. Thank you.

17 MS. OCHSNER: Thank you.

18 MR. CHAN: You're very welcome.

19 MS. OCHSNER: Okay. The next speaker is  
20 Carrie Scaville.

21 MS. SCAVILLE: Thank you. My name is Carrie  
22 Scaville, I'm with the Central San Pedro Neighborhood  
23 Counsel. The Counsel will be submitting their comments  
24 in writing. They have a counsel meeting tonight as we  
25 speak, in which they're going to vote on the comments

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1 to send in. But there's about 20 points -- 20 pretty  
2 general points of input for this.

3 I know I have two questions. I don't have any  
4 comments to add tonight. I just have two questions.  
5 I'd like to know if you could go back to the slide with  
6 the map on it, please, because I have a question on  
7 some of the uses that are displayed on the map. Set  
8 area three, Pier 400, the green area, what is that?

9 MS. OCHSNER: This is the current Least Tern  
10 nesting site, which is a protected habitat for the  
11 Least Tern.

12 MS. SCAVILLE: And that -- so it's not public  
13 access?

14 MS. OCHSNER: Not really.

15 MR. CHAN: No.

16 MS. SCAVILLE: Okay. And you're going to --  
17 so you intend to keep it that way?

18 MR. CHAN: Yes.

19 MS. SCAVILLE: Okay. That was my question. I  
20 thought the Least Terns were just on the shore, I  
21 didn't understand that they had a habitat.

22 MS. OCHSNER: No. There's an actual parcel  
23 that's dedicated as a permanent habitat.

24 MS. SCAVILLE: And my second question relates  
25 to outreach. What's the relationship between this NOP

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1 and the workshops that are going on, because the  
2 workshops seem to be going on independent of the NOP.  
3 So what is the sequence of what is going on and how do  
4 they relate?

5 MR. CHAN: I'm doing the work. To answer  
6 you're question, we are doing workshops and we are  
7 soliciting public input on very specific land use  
8 issues and proposals that would bring forward much like  
9 the ones that you just asked. Lisa, jump in if I say  
10 anything incorrectly.

11 But what we're doing today is the  
12 environmental document, which is very important to the  
13 overall Port Master Update, but a little bit different  
14 in part of CEQA law and you need to have a specific  
15 scoping meeting, which is what we're doing today. And  
16 that's why we couldn't necessarily combine them. We  
17 wanted to make sure that we kept everything tidy for  
18 CEQA, very clearly. But we did have another process  
19 where we have more free, open-ended, free-willing  
20 discussion and that's what I'm doing. And I look  
21 forward to receiving the Neighborhood Counsel's  
22 comments, and we'll definitely work together on this.

23 MS. SCAVILLE: So the input for the workshops  
24 has already happened, it's not going to go into the  
25 NOP, it's going to go into the draft EIR, is that what

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1 it is?

2 MS. OCHSNER: It is being integrated into the  
3 process. Mike and I are serving really essentially as  
4 co-project managers. So I'm heading up the  
5 environmental review, Mike is heading up the planning  
6 side in terms of the plan development. So the two are

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7 very interrelated. We are sharing and working on  
8 comments that are received formally as part of the EIR  
9 process, as well as informally, if you will, through  
10 the workshops. But the difference, as Mike  
11 highlighted, is that under CEQA we're required to have  
12 an NOP scoping meeting, a draft EIR public hearing, and  
13 it's more formal in a sense that -- that the comments  
14 that are received are recorded by a court reporter and  
15 they're submitted as part of the administrative record  
16 and also with the formal responses to those comments.

17 MS. SCAVILLE: Thank you. My Counsel was very  
18 confused as to why the NOP closes on the 24th, yet  
19 there is still workshops ongoing.

20 MS. OCHSNER: It's an interim process.

21 MR. CANNON: Again, thank you all for coming.  
22 And I wanted to make the one comment. Kathleen, you  
23 actually had some good comments and I -- I mean, we  
24 didn't respond directly and you also had some questions  
25 which we answered. But don't feel that the fact that

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1 we didn't respond, doesn't mean that we aren't  
2 interested. At this particular process, it's  
3 appropriate for us to listen and not engage in that  
4 kind of a discussion. So we will respond to those as  
5 part of the developmental and environmental document.  
6 And then you all know me well enough to know, if you  
7 don't, you will. If you want to you can come and talk  
8 to me, if you have any particular concerns that you

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10 want to talk to me about you can. But remember that in  
11 order to participate formally in the environmental  
12 process, you need to submit a comment letter, you need  
13 to submit an e-mail, or you need to engage in the  
14 process that Lisa described that the two of these  
15 people here are involved. There's the comment period  
16 for the scoping and then there will be a public comment  
17 period for the draft EIR. But as I said, if you want  
18 to come talk to me and get some background information,  
19 you're always welcome to do that.

20 So any last comments or anything anybody else  
21 has or wants to say? Okay. Well, thank you all for  
22 coming and we look forward to working with you  
23 throughout this process of evaluating the Port Master  
24 Plan.

25 (The hearing was concluded at 6:38  
p.m.)

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1 REPORTER'S CERTIFICATE

2

3 I, MONICA JANUARY, a Certified Shorthand  
4 Reporter No. 13647 in the State of California, do  
5 hereby certify:

6 That the foregoing proceedings were taken  
7 before me at the time and place herein set forth; that  
8 a verbatim record of the proceedings was made by me  
9 using machine shorthand which was thereafter  
10 transcribed under my direction; further, that the

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12 foregoing is an accurate transcription thereof.

13 I further certify that I am neither  
14 financially interested in the action nor a relative or  
15 employee of any of the parties.

16 IN WITNESS WHEREOF, I have hereunto  
17 subscribed my name this day of , 2012.  
18  
19  
20

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21 MONICA R. JANUARY  
22 CSR No. 13647  
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24  
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