



**INSTRUCTIONS FOR FILING AN APPLICATION FOR PORT PERMITS
(APP INSTRUCTIONS)**

**City of Los Angeles Harbor Department
Planning & Economic Development Division**

425 S. Palos Verdes Street, San Pedro, CA 90731
P.O. Box 151, San Pedro, CA 90733-0151

APRIL 2014

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Summary

All projects conducted in the Port of Los Angeles (Harbor District) must be reviewed by the Harbor Department and any required permits must be issued prior to project implementation.¹ The *Instructions for Filing an Application for Port Permits (APP)* answer the following frequently asked questions:

- Who should apply?
- Where do I get an APP?
- How do I get help completing the APP?
- Which APP forms do I need to submit?
- Where do I submit the APP?
- What happens after I submit the APP?
- What is the APP permit fee?
- If approved, how long will it take for the permit(s) to be issued?
- How do I get my permit(s)?

There are different application forms depending on the nature of your project.

¹ Project is defined as every event, activity, development, and/or work of construction within the Harbor District.



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Introduction

All projects in the Harbor District are subject to review by the Harbor Department pursuant to the California Environmental Quality Act (CEQA) and the certified Port Master Plan (PMP). Projects within the Harbor District require permits prior to project implementation.² To find out if your proposed project is within the Harbor District visit: <http://ipola/dev/ENG/Documents/Publicity%20Map%202012.pdf>.

The APP is the mechanism used by the Harbor Department to initiate the internal review process for all projects ultimately leading to the issuance of a permit(s). Projects are further defined as either *Development* or *Non-Development Projects*.

A Development Project is one that changes the density or intensity of the use of land, affects access to the water, or involves construction, reconstruction, demolition, or any alteration within the Harbor District. *Events that involve fencing, bleachers, and/or stage setup require a Harbor Engineer Permit and therefore are a Temporary Development under the Coastal Act. As such, these events are treated as Development Projects.*

Non-Development Projects include new leases or permits, lease or permit renewals, lease or permit amendments, events, parking requests for events, and foreign trade zone agreements.³

Who should apply?

An APP must be submitted to the Harbor Department by the Applicant. The Applicant is the person that proposes to carry out a project that seeks a permit or other Agreement for use of Harbor Department property.⁴ The APP and all related supplemental documents must be signed by the Applicant or an Authorized Representative of the Applicant. An Authorized Representative is an individual that has the authority to act as the Applicant's representative and to bind the Applicant in all matters concerning the APP. Proof of authorization will be required for Authorized Representatives..

² Harbor District means the Harbor District of the City of Los Angeles as established in accordance with the provisions of the City Charter of the City of Los Angeles and within the boundary of the Coastal Zone as defined in the Coastal Act.

³ Permit means any license, certificate, approval, or other entitlement for use granted or denied by any public agency which is subject to the provisions of this division (California Coastal Act, Section 30110).

⁴ Person means any individual, organization, partnership, limited liability company or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof (California Coastal Act, Section 30111).



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Where do I get an APP?

The APP can be obtained:

1. Through the Port of Los Angeles website (Adobe Acrobat is required for viewing):
http://www.portoflosangeles.org/business/department_forms.asp.
2. By sending an e-mail to developmentpermits@portla.org
3. In person at:
City of Los Angeles Harbor Department
Planning & Economic Development Division
425 S. Palos Verdes Street
San Pedro, CA 90731
Tel: (310) 732-3850

How do I get help completing the APP?

The Applicant can obtain answers to their questions concerning the APP by contacting the Planning & Economic Development Division at (310) 732-3850 or by emailing developmentpermits@portla.org.

The Applicant can also request a **pre-application meeting** with Harbor Department staff to inquire about the process for a particular project.

To schedule a pre-application meeting with Harbor Department staff, please email your request to developmentpermits@portla.org with the following information:

1. Applicant information
2. Brief project description
3. Project location (address/site location)
4. Reason for requesting the pre-application meeting
5. Tentative dates and times you would be available to meet

We will respond to your request within one (1) business day.



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Which APP forms do I need to submit?

The APP contains several different forms. The Applicant is not required to submit all forms for all project types. The required forms for each project type are described below.

1. Development Projects:

For Development Projects the Applicant must submit the following forms:

- *General Information Form*
- *Environmental Assessment Form*

The Applicant may need to submit the following supplemental form:

- *Risk Management Analysis Form* - required for Applicants whose proposed project involves the handling, transportation, or storage of hazardous liquid bulk commodities.

In addition, the APP may require the following Real Estate Division forms to acquire the appropriate property use rights:

- *Permit to Use Harbor Department Property Form* - required for Applicants who are seeking a new permit or an amendment to an existing permit to occupy Harbor Department property.
- *Temporary Entry and Use of Harbor Department Property Form* - required for Applicants seeking a short-term (generally 30 days or less) use or right of entry to Harbor Department property.

All required forms should be filled out as completely as possible. When filing, the Applicant should also complete *Exhibit 1: Application for Port Permits for Development Projects Checklist* which includes additional information you must submit with your application.



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2. Non-Development Projects:

For Non-Development Projects the Applicant must submit the following forms:

- *General Information Form*
- *Environmental Assessment Form*

In addition, the APP may require the following Real Estate Division forms to acquire the appropriate property use rights:

- *Permit to Use Harbor Department Property Form* - required for Applicants who are seeking a new permit or an amendment to an existing permit to occupy Harbor Department property.
- *Temporary Entry and Use of Harbor Department Property Form* - required for Applicants seeking a short-term (generally 30 days or less) use or right of entry to Harbor Department property.

All required forms should be filled out as completely as possible. When filing, the Applicant should also complete the *Exhibit 2: Application for Port Permits for Non-Development Projects Checklist* which includes additional information you must submit with your application.

Where do I submit the APP?

The Planning & Economic Development Division is not able to accept electronic applications or attachments at this time. The APP forms can be submitted in person or by mail.

To submit in person: Planning & Economic Development Division
City of Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90731

To submit by mail: City of Los Angeles Harbor Department
Planning & Economic Development Division
P.O. Box 151
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What happens after I submit the APP?

The permit coordinator will receive and review the APP for completeness. Within one (1) business day of receiving the APP, the Planning & Economic Development Division will issue confirmation that the application was received. Within thirty (30) calendar days the Applicant will be notified if the APP is deemed complete or if additional information is needed.⁵ Once the APP is deemed complete, the permit coordinator will distribute APP to other Harbor Department divisions for review. Project analysis/determinations will be made and the process to issue the required permits will commence. Please note that any application can be denied at any stage of the process.

Depending on the complexity of the project, you might be contacted by the permit coordinator or any other division(s) reviewing your project. Additional information requested must be received within thirty (30) calendar days or the Applicant must contact the permit coordinator at developmentpermits@portla.org if additional time is needed. If requested information or a request for additional time is not received within thirty (30) calendar days, the permit coordinator may issue an APP cancellation notice. If the Applicant disagrees with determination of incomplete, the Applicant may file an appeal by notifying the permit coordinator in writing within thirty (30) calendar days. The permit coordinator will schedule a hearing before the Board of Harbor Commissioners (BOHC).

1. Development Projects

Once the APP is deemed complete, project determinations will be made pursuant to CEQA and permits issued or denied pursuant to the PMP. Upon completion of the project determinations, the permit coordinator will issue a **Report to Applicant**. The Report to Applicant will inform the Applicant of the required Harbor Department permits and assessments. **All required permits must be issued before the project can commence.**

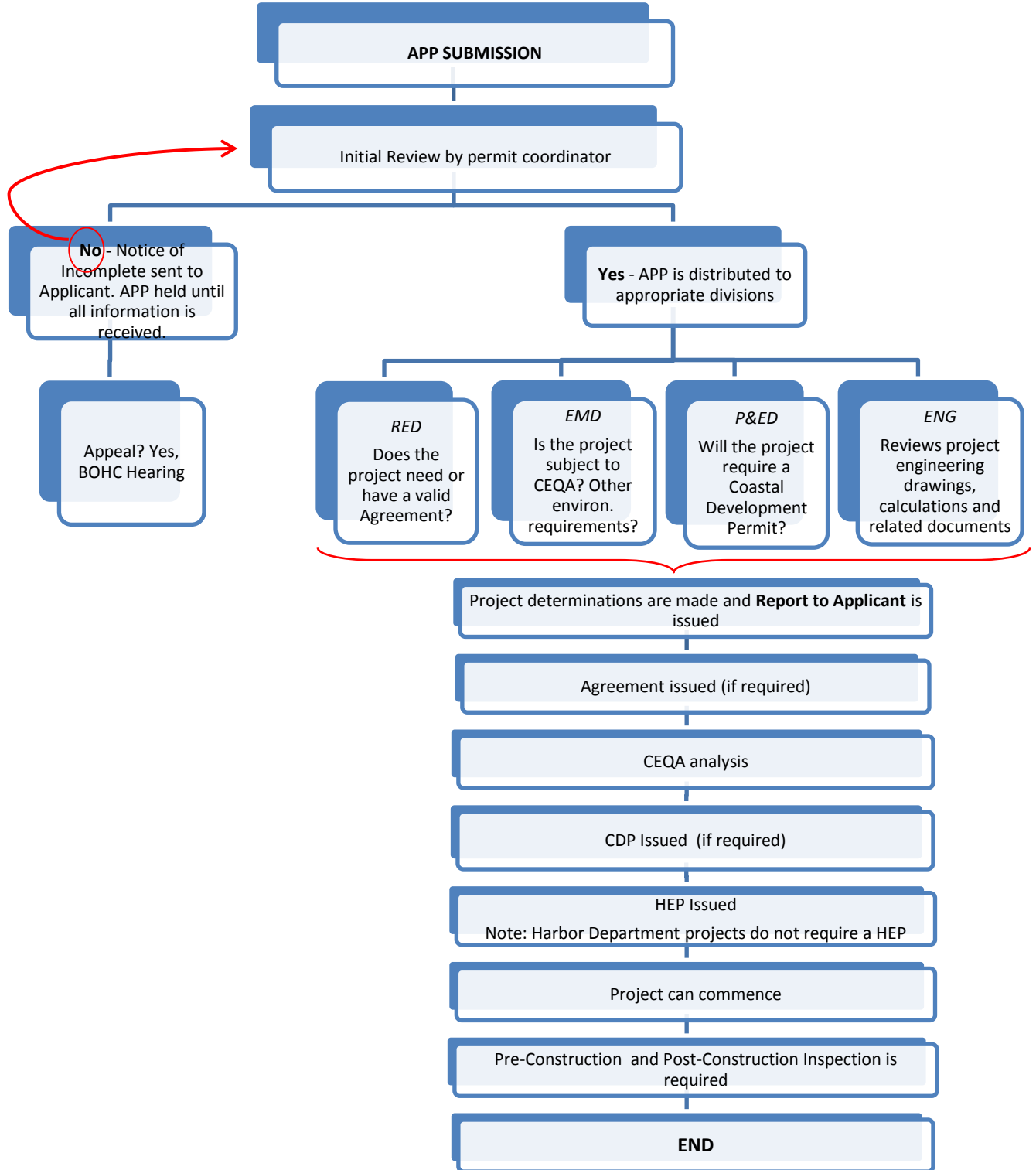
Development activities will be reviewed by four (4) divisions within the Harbor Department (Figure1: Application for Port Permits Process - Development Projects):

- a. Real Estate Division (RED)
- b. Environmental Management Division (EMD)
- c. Planning & Economic Development Division (P&ED)
- d. Engineering Division (ENG)⁶

⁵ California Government Code: Section 65943

⁶ Harbor Department projects are exempt from a Harbor Engineer Permit

Figure 1: Application for Port Permits Process - Development Projects





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a. Real Estate Division:

The Harbor Department administers more than 300 agreements concerning Harbor Department property throughout the Harbor District. The types of agreements are listed in Table 1.

A Real Estate Division property manager will review the APP Real Estate form and determine if the project is consistent with the Harbor Department Leasing Policy and confirm if the project requires a new, or involves an existing Agreement.

Table 1: Agreement Types

Auth. Prefix	Authority Type	Description
A	Agreement	Port-related services provided on Harbor Department property.
CA	Concession Agreement	Commercial use of formerly Federal property (Fort MacArthur, Lower Reservation). Long-term agreements, typically 30+ years.
L	Lease	Long-term agreements, typically 30+ years. Form of agreement no longer used; replaced by Permits (P).
O	Order	Harbor Department infrastructure (streets, sewers, etc.) permits with public agencies.
P	Permit	Fixed term leases.
RP	Revocable Permit	Leases that may be revoked with 30-120 days' notice. Typically of indeterminate length.
TEUP	Temporary Entry and Use Permits	Required for all applicants who are seeking short-term use or right of entry to Harbor Department property. This temporary use may include special events, environmental testing, police training, parking, storage and staging areas for construction.



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b. Environmental Management Division:

The Environmental Management Division will review the APP Environmental form and determine if the project is consistent with the Harbor Department's Environmental Policy and undertake a CEQA analysis. The Environmental Management Division will determine whether the project is exempt from CEQA or will require an environmental impact assessment pursuant to CEQA. The environmental assessment will involve the preparation of an Initial Study (IS) which may lead to a Negative Declaration (ND), Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR).

If not exempt from CEQA, additional processing time and information requests will be required for the completion of the environmental impact assessment. The CEQA process may require a public hearing, document preparation, and approval by the Board of Harbor Commissioners. Additional regulatory approvals may also be required from other agencies, such the City of Los Angeles Department of Building and Safety and/or the U.S. Army Corp of Engineers.

c. Planning & Economic Development Division:

The Planning & Economic Development Division will review the APP forms and determine whether the project is exempt from a Coastal Development Permit (CDP) or will require a Level I or a Level II CDP.

A Level I CDP is non-appealable and is issued when activities have minimal resources involved, they have only minimal change in the land and/or water used and in the density or intensity of the use of land/water and they have no significant environmental impacts. The Executive Director is designated with the authority to issue or deny a Level I CDP.

A Level II CDP can be non-appealable or appealable as defined in Section 30715 of the Coastal Act. They require a public hearing and approval by the Board of Harbor Commissioners. Additionally, following the Board action, the matter may also be subject to review by the City of Los Angeles (Los Angeles City Charter 245), City Council, and additional regulatory approvals for developments that are appealable to the California Coastal Commission. A Level II CDP is determined to have the potential to create a significant impact on the Port or the surrounding environment and conform to one of the following requirements: significant resources are involved; cause major changes to land and/or water uses and in the density or intensity of the use; or have the potential of creating a significant environmental impact that can or cannot be mitigated.

If the project requires a Level I or Level II CDP, the Planning & Economic Development Division permit coordinator will ask the Applicant to come to the Planning & Economic



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Development Division at the Harbor Department Administration Building to sign the CDP after it has gone through the required process, as described above.

The CDP can be mailed to the Applicant for signature and returned by U.S. mail to the Planning Coordinator. The CDP becomes effective when all copies have been signed by all parties and they have been received by the permit coordinator.

d. Engineering Division:

After the Report to Applicant is issued by the Planning & Economic Development Division, Engineering will review the submitted drawings, calculations, and related documents. All submittals are expected to comply with the Harbor Department and City of Los Angeles standards when applicable. Should there be any questions or comments regarding the submittals, the permit engineer will contact the applicant directly. After completion of review and approval of all submittals, preparation for issuing a Harbor Engineer Permit (HEP) will commence. Once the HEP is prepared, the permit engineer will ask the Applicant to come to the Engineering Division at the Harbor Administration Building to sign the HEP. Please note that the HEP will not be issued until the CEQA analysis has been completed and all other required permits have been issued.

Note: The Applicant must notify the Harbor Department Chief Inspector at (310) 732-3522 24 hours prior to commencing construction and no later than 24 hours upon completion of the work.



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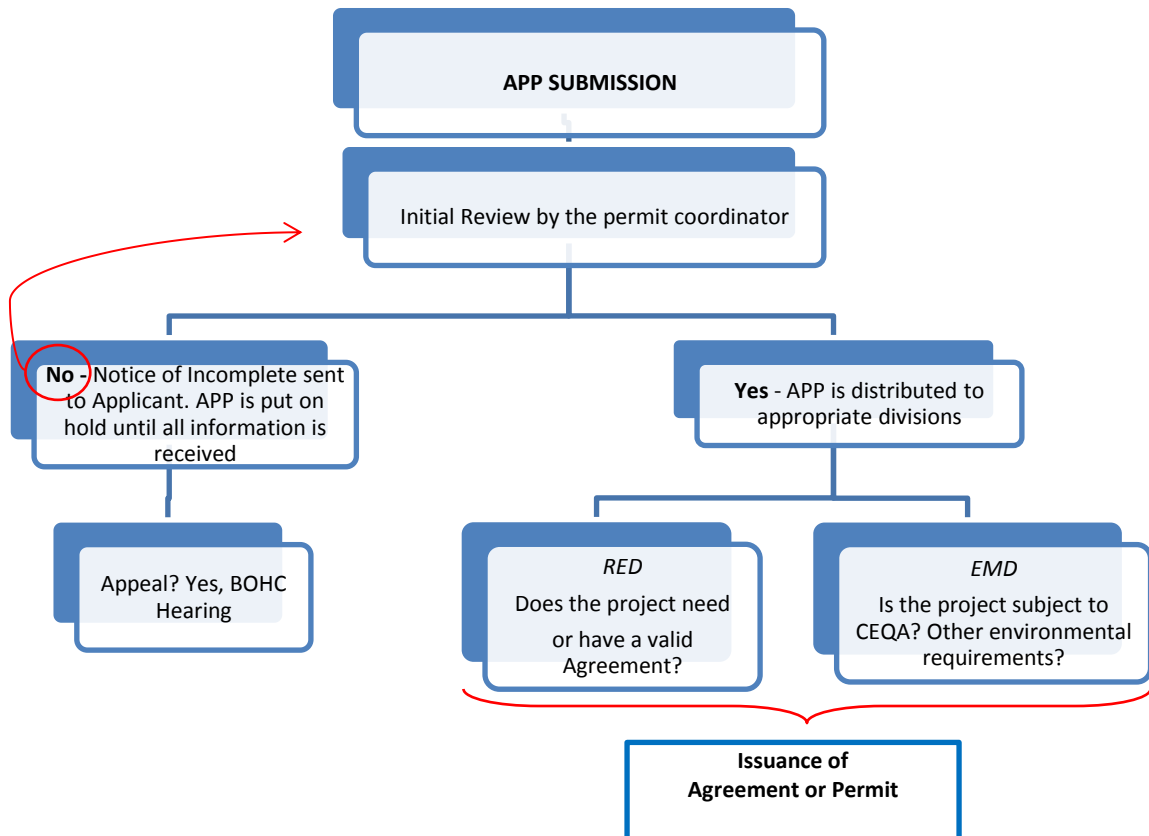
2. Non-Development Projects:

Once the APP is deemed complete, project determinations will be made and permits issued. Upon completion of these requirements, these actions would be followed by the issuance of an Agreement for use of Harbor Department Property (see Figure 2).

You might be contacted by the permit coordinator or the technical specialists reviewing your project with a request for additional information. Additional information requested must be received within thirty (30) calendar days or the Applicant must contact the permit coordinator at developmentpermits@portla.org if additional time is needed.

If requested information or a request for additional time is not received within thirty (30) calendar days, the permit coordinator may issue an APP cancelation notice. If the Applicant disagrees with determination of incomplete the Applicant may file an appeal by notifying the permit coordinator in writing within thirty (30) calendar days. The permit coordinator will schedule a hearing before the Board of Harbor Commissioners (BOHC).

Figure 2: Application for Port Permits Process - Non-Development Projects





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What is the APP permit fee?

All APPs for Development Projects must be submitted with the standard, non-refundable fee of \$500. Fees can only be paid by check or money order payable to the Port of Los Angeles at the time the APP is submitted to the permit coordinator in person or by mail.

A fee is not required for submittal of an APP for Non-Development Projects.

Are there any other fees that may apply?

Other Development Project costs may apply. Projects that require CEQA analysis, such as an IS, ND, MND, EIR, may involve additional costs. The Applicant will be advised of these additional costs and may be required to enter into a reimbursement agreement with the Harbor Department in order to continue the permit process.

The Applicant may also be required to submit a refundable deposit of \$2,000, or 2% of the project cost, whichever is greater, at the time the HEP is issued by the Engineering Division. Upon Project completion, the deposit will be refunded to the Applicant by mail within 60 days of submittal of satisfactory as-built drawings.

Property use fees may apply and are determined during the review process and calculated based on the total square footage and term requested. In addition, cost recovery of Harbor Department services will be estimated during the application review process, if services are required or requested. All TEUP fees must be paid by the applicant prior to the TEUP being issued.

If approved, how long will it take for the permit(s) to be issued?

Projects that have an Agreement in place and are exempt from both CEQA and a CDP can be permitted within thirty (30) to sixty (60) days **from the time the APP is deemed complete**. Projects that require the issuance of a new Agreement or the preparation of an environmental document may take considerably longer.

How do I get my permit(s)?

Harbor Department staff will contact you when each required permit is ready and will instruct you on obtaining it. If you have any questions, contact the Planning & Economic Development Division, at (310) 732-3850 or e-mail developmentpermits@portla.org.



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EXHIBIT 1

APPLICATION FOR PORT PERMITS

DEVELOPMENT PROJECT CHECKLIST

- Agreement Number (if applicable). If you do not know the lease or permit number, please call the Real Estate Division at (310) 732-3860.
- One (1) copy of each applicable form signed by the Applicant or the Authorized Representative. Proof of authorization will be required for the contractor.
- One (1) site location map that accurately depicts the project location.
- One (1) set of 11" X 17" and three (3) sets of 24" X 36" engineering drawings, calculations and other related documents (if applicable) signed and stamped by a State of California licensed engineer. If you have any questions, please call the Harbor Department Engineering Division at (310) 732-33276.
- One (1) detail site plan including all dimensions, laydown areas, demolition, building footprints, etc.
- A \$500 check or money order made payable to the City of Los Angeles Harbor Department.

Note: other documents may be requested during the pre-application meeting or during the permit process itself.



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EXHIBIT 2

APPLICATION FOR PORT PERMITS

NON-DEVELOPMENT PROJECT CHECKLIST

- One (1) copy of each applicable form signed by the Applicant or the Authorized Representative. Proof of authorization will be required for the contractor.

- One (1) site location map that accurately depicts the project location.



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Glossary

Term	Definition
<i>Applicant</i>	The person seeking or holding the agreement.
<i>Authorized Representative</i>	Individual that has the authority to act as the current and/or potential Applicant's representative and to bind the Applicant in all matters concerning the APP.
<i>California Environmental Quality Act (CEQA)</i>	The California law governing environmental review of proposed Projects.
<i>Change of Use</i>	A proposed Project to conduct activities on a property that are not currently allowable under the agreement to use that property, or an increase in the intensity of an allowed use under the agreement that would result in exceeding any threshold established in the terms and conditions of the current agreement.
<i>Coastal Dependent Development</i>	Any development or use which requires a site on, or adjacent to, Harbor District waters to be able to function.
<i>Coastal Development Permit (CDP)</i>	A permit for any development within the Harbor District that is required pursuant to subdivision (a) of Section 30600 of the California Coastal Act.
<i>Deposit</i>	\$2000 or 2% of the Project cost, whichever is more.
<i>Development</i>	Means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line." California Government Code Section 30106.



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Term	Definition
<i>Development Project</i>	Means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. "Development project" does not include any ministerial projects proposed to be carried out or approved by public agencies. California Government Code Section 65928.
<i>Discretionary Action</i>	The exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.
<i>Emergency</i>	A sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage.
<i>Agreement</i>	Right to Use Harbor Property, i.e. Permit, Revocable Permit, Space Assignment, Temporary Entry and Use Permit
<i>Environmental Impact Report (EIR) / Environmental Impact Statement (EIS)</i>	A detailed statement prepared under CEQA (NEPA for EIS) describing and analyzing the significant environmental effects of a Project and discussing ways to mitigate or avoid the effects.
<i>Exemption</i>	An exemption from CEQA for a class of projects based on a finding by the Secretary for Resources that the class of projects does not have a significant effect on the environment.
<i>Fee</i>	\$500 standard non-refundable fee for Development Projects, subject to additional fees for substantive CEQA or HEP review.
<i>Handler of Hazardous Materials</i>	Any business which handles hazardous materials, at any time during the reporting year, at or above the following quantities: 1) total volume of 55 gallons or total weight of 500 pounds or 200 cubic feet (at standard temperature and pressure) of a compressed gas or 2) the applicable threshold planning quantity for an extremely hazardous substance listed in Appendix A, Part 355, Title 40, of the Code of Federal Regulations or 3) the permit amounts for hazardous materials in LAFD Standard No. 68
<i>Harbor District</i>	Means the Harbor District of the City of Los Angeles as established in accordance with the provisions of the City Charter of the City of Los Angeles and within the boundary of the Coastal Zone as defined in the Coastal Act.
<i>Harbor Engineers Permit (HEP)</i>	Issued by the Engineering Division for work requested by Applicants or their contractor or utility owners



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Term	Definition
<i>Hazardous Liquid Bulk Commodities</i>	Any liquid material designated as such by the Fire Department, in accordance with the fire code, or for planning purposes having a National Fire Protection Association (NFPA) hazard rating of two or more with respect to health hazard, flammability, reactivity, or presenting other special hazards determined by the Harbor Department.
<i>Hazardous Materials</i>	Substances that are flammable, toxic, corrosive, or reactive, and have shown through experience or testing to pose an extreme hazard to the public health because of its carcinogenicity, high acute or chronic toxicity, bioaccumulative properties, or persistence in the environment.
<i>Hazardous Waste</i>	Waste or combination of waste which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either: 1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating health or environment when improperly treated, stored, transported, or disposed of or otherwise managed
<i>Initial Study (IS)</i>	A preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration must be prepared or to identify the significant environmental effects to be analyzed in an EIR.
<i>Coastal Development Permit (CDP)</i>	A permit for any development within the Harbor District that is required pursuant to subdivision (a) of Section 30600 of the California Coastal Act.
<i>Level I CDP</i>	Level I Coastal Development Permits are non-appealable as defined in Section 30715 of the Coastal Act and do not require a public hearing. They are required for development occurring within the Harbor District that are minor in nature and are determined to have insignificant impacts on the Port or surrounding environment. They must conform to all of the following requirements: (a) minimal resources are involved; (b) only minimal change in land and/or water use and in the density or intensity of the use of land and water area may occur; and (c) there are no significant adverse environmental impacts.
<i>Level II CDP</i>	Level II Coastal Development Permits are required for developments occurring within the Harbor District that are determined to have the potential to create a significant impact on the port or the surrounding environment, and conform to at least one of the following requirements: (a) significant resources are involved; (b) cause major changes in land and/or water use and in the density or intensity of the use; and (c) have the potential of creating significant environmental impacts that can or cannot be mitigated. A Level II Coastal Development Permit requires a public hearing (Section 6.5 of these Guidelines), Staff recommendation (Section 6.6 of these Guidelines), and action by the Board (Section 6.7 of these Guidelines). They can be non-appealable or appealable as defined in Section 30715 of the Coastal Act and special conditions may apply.



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Term	Definition
Material Safety Data Sheet (MSDS)	Details of the hazards associated with a chemical, and gives information on its safe use.
Mitigated Negative Declaration (MND)	A negative declaration prepared for a Project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the Project plans or proposals made by, or agreed to by, the Applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the Project, as revised, may have a significant effect on the environment.
National Environmental Policy Act (NEPA)	The federal law governing environmental review of proposed Projects. This law is applicable to California Projects when the Projects is jointly carried out by a federal agency, requires a federal permit, agreement or authorization, receives funding from a federal agency, or occurs on federal land.
Negative Declaration (ND)	A written statement by the Lead Agency briefly describing the reasons that a proposed Project, not exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR.
Person	Means any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof. California Government Code Section 30111
Permit	Means any license, certificate, approval, or other agreement for use granted or denied by any public agency which is subject to the provisions of this division. California Government Code Section 30110.
Port Related	Reliant upon a coastal dependent development or use.
Project	Means any activity involving the issuance to a person of a lease, permit, license, certificate, or other agreement for use by one or more public agencies. California Government Code Section 65931.
Project Description	A brief, concise statement of what the proposed Project entails.
Project Location	A description of where the Project will take place, as described by an address, berth number, parcel number, boundaries, GPS location, Engineering Drawing Number, etc.
Temporary Entry and Use Permit (TEUP)	Right to use Harbor Department property on a short-term basis and improvements are not allowed