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September 18, 2015

**SUBJECT: NOTICE OF PREPARATION OF A DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 [CHINA SHIPPING] CONTAINER TERMINAL PROJECT**

The City of Los Angeles Harbor Department (LAHD) has prepared a Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report for the following project in the Port of Los Angeles:

**Berths 97-109 [China Shipping] Container Terminal Project**

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 the California Environmental Quality Act (CEQA) of 1970, Article I; the State CEQA Guidelines, Article 7, Sections 15086-15087; and the California Public Resources Code Section 21153.

Availability:

The NOP is being circulated for a period of 30 days for public review and comment starting on September 18, 2015 and ending on October 19, 2015. The NOP is available for review at: Port of Los Angeles Environmental Management Division, 222 W. 6th Street, Suite 900, San Pedro, CA 90731; Los Angeles City Library, Central Branch, 630 W. 5th Street, Los Angeles, CA 90071; Los Angeles City Library, San Pedro Branch, 931 S. Gaffey Street, San Pedro, CA 90731; Los Angeles City Library, Wilmington Branch, 1300 N. Avalon Blvd., Wilmington, CA 90744.

The NOP is also available on the Port's web site: <http://www.portoflosangeles.org> under the Environmental tab.

Public Meeting:

A scoping meeting will be held on October 7, 2015, at 6:00 p.m. in the Board Room at the Harbor Department Administration Building, 425 S. Palos Verdes Street, San Pedro, CA 90731.<sup>1</sup> The meeting will be conducted in both English and Spanish.

<sup>1</sup> As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign Language Interpreters, Communication Access Real-Time Transcription, Assistive Listening Devices or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting. When requesting sign language interpreters, five or more business days' notice is strongly recommended. For additional information please contact Faye Jones at (310) 732-3488. TTY users please use 711 for access to Telecommunication Relay Service.

**NOTICE OF PREPARATION OF A DRAFT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
FOR THE BERTHS 97-109 [CHINA SHIPPING]  
CONTAINER TERMINAL PROJECT**

**PAGE 2**

Comments:

Written 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 October 19, 2015. Please submit written comments to:

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

Comments sent via e-mail (address below) should include the project title in the e-mail's subject line and a valid mailing address within the email.

[ceqacomment@portla.org](mailto:ceqacomment@portla.org)

Questions regarding this notice or the proposed project should be directed to Lisa Ochsner, Environmental Manager at (310) 732-3675.

Sincerely,



CHRISTOPHER CANNON  
Director of Environmental Management

CC:LO:yo  
APP No.: 150224-504

Enclosure



# **Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report and Public Scoping Meeting for the Berths 97-109 [China Shipping] Container Terminal Project**

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) will be preparing a Draft Supplemental Environmental Impact Report (Supplemental EIR) for the Berths 97-109 [China Shipping] Container Terminal Project (proposed Project). This document supplements the Berths 97-109 [China Shipping] Container Terminal Project Final Environmental Impact Statement/Environmental Impact Report (FEIS/FEIR) certified by the City of Los Angeles Board of Harbor Commissioners on December 18, 2008, which is incorporated herein by reference (LAHD and USACE 2008).

The proposed Project consists of the continued operation of the China Shipping (CS) Container Terminal at Berths 97-109 in the Port of Los Angeles. China Shipping operates the CS Container Terminal at Berths 97-109 under a lease agreement (Permit No. 999) between China Shipping (North America) Holding Co., Ltd. and LAHD. China Shipping has requested that certain mitigation measures that were analyzed in the FEIS/FEIR (USACE and LAHD 2008) be reviewed and possibly revised. LAHD has also proposed that certain mitigation measures be reviewed and possibly revised based on feasibility, effectiveness, and other factors. If changes to the identified mitigation measures are recommended as a result of the analysis in the Supplemental EIR, the Board of Harbor Commissioners would exercise its independent discretion to determine if modifications to the mitigation measures are appropriate and would direct the execution of an amended Permit No. 999 with China Shipping. Details of the proposed Project are provided below in Section 2.

Pursuant to the California Environmental Quality Act (CEQA), the LAHD will serve as the lead agency for the preparation of a Supplemental EIR for its consideration of the proposed Project within its jurisdiction. Pursuant to CEQA Guidelines Section 15163, a supplement to an EIR need only contain the information necessary to make the previous EIR adequate for the project as revised. The Supplemental EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087, and may be circulated by itself without recirculating the previous draft or final EIR.

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|--|---|----------------|
| Berths 97-109 [China Shipping] Container Terminal Project SEIR | 1 | September 2015 |
|--|---|----------------|

The LAHD has prepared, as part of this NOP, an Environmental Checklist in support of the Supplemental EIR documentation to identify the resource areas to be reanalyzed, in accordance with the current City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970, (Article I); the State CEQA Guidelines (Title 14, California Code of Regulations); and the California Public Resources Code (Section 21000, et seq.). The Supplemental EIR will contain only the information necessary to make the previously approved 2008 FEIR adequate for the proposed project, as revised. When the agency decides whether to approve the project, the decision-making body, in this case the Board of Harbor Commissioners and LAHD, shall consider the previous EIR as revised by the supplemental EIR and shall make findings under Section 15091 for each significant effect shown in the previous EIR as revised (CEQA Guidelines Section 15163(e)).

**The CEQA Environmental Checklist is attached to this NOP for public review and comment. Public comments on the NOP should be submitted to the LAHD by October 19, 2015.**

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| Berths 97-109 [China Shipping] Container Terminal Project SEIR | 2 | September 2015 |
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## Scoping Meeting

The LAHD will conduct a public scoping meeting for the proposed Project. The purpose of the scoping meeting is to solicit and receive public comment and input regarding the appropriate scope and content in the preparation of the Supplemental EIR. Participation in the public meeting by state and local agencies and other interested organizations and persons is encouraged. This meeting will be conducted in both English and Spanish. Members of the public who wish to communicate and listen entirely in Spanish are encouraged to attend this meeting. The meeting time and location is as follows:

October 7, 2015  
6:00 p.m.–8:00 p.m.  
at the Board Room  
Harbor Administration Building  
425 S. Palos Verdes St  
San Pedro, CA 90731

See Figure 1 for a map of the meeting location. The scoping process is intended to provide the LAHD with information the public feels is necessary to establish the appropriate scope for preparing the environmental analysis in the Supplemental EIR. Please submit your comments, input, suggestions for project alternatives, and any other pertinent information that may enable us to prepare a comprehensive and meaningful Supplemental EIR for the proposed Project.

### Public Comment at the Scoping Meeting:

During the public scoping meeting, anyone wishing to make a statement will be allocated a certain amount of time to provide information on the proposed Project. The amount of time each person is allowed will depend on the number of people who sign up to speak at the public hearing. At this time, we estimate that individuals will be given three (3) minutes to provide their comments verbally. We encourage interest groups to designate an official spokesperson to present the group's views, and will allocate a larger amount of time to official representatives of such groups upon request.

### Written Comments:

Written and email comments to the LAHD will be received through 5:00 pm on October 19, 2015.

Written comments: Please send written comments to:

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

|   |   |                |
|---|---|----------------|
| Berths 197-109 [China Shipping] Container Terminal Project SEIR | 3 | September 2015 |
|---|---|----------------|

Email Comments: Please send email comments to:

ceqacomment@portla.org

Comment letters sent via email should include the commenter's mailing address in the body of the email, and the project title "Berths 97-109 Container Terminal Project SEIR" in the email subject line.

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| Berths 97-109 [China Shipping] Container Terminal Project SEIR | 4 | September 2015 |
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ENVIRON

**Figure 1**  
**Scoping Meeting Location**  
**Berths 97- 109 [China Shipping]**  
**Container Terminal Project**

# SUPPLEMENTARY INFORMATION:

## 1.0 Project Overview and Background

### 1.1 Project Overview

The LAHD administers the Port under the California Tidelands Trust Act of 1911 and the Los Angeles City Charter. The LAHD develops and leases Port property to tenants who operate the facilities. The Port encompasses 7,500 acres and 43 miles of waterfront and provides a major gateway for international goods and services. With 23 major cargo terminals, including dry and liquid bulk, container, breakbulk, automobile, and passenger facilities, the Port handled about 176 million metric revenue tons of cargo in fiscal year 2013/2014 (July 2013–June 2014) (POLA 2015). In addition to cargo business operations, the Port is home to commercial fishing vessels, shipyards, and boat repair facilities, as well as recreational, community, and educational facilities.

The Supplemental EIR will evaluate potential impacts of the continued operation of the CS Container Terminal under new and/or modified mitigation measures (the proposed Project), as described in more detail in Section 2 below. Operation of the CS Container Terminal has been considered in previous environmental documents (LAHD 1997, USACE and LAHD 2008). China Shipping and LAHD are proposing re-evaluation of, and possible revisions to, certain mitigation measures that were analyzed in the FEIS/FEIR, based on the feasibility of some of the mitigation measures, the availability of alternative technologies, and other factors warranting re-analysis of mitigation measures.

### 1.2 Project Background

The CS Container Terminal at the proposed project site (Berths 97-109) is operated by China Shipping under a lease agreement (Permit No. 999) between China Shipping (North America) Holding Co., Ltd.) and LAHD. China Shipping operates two berths and a container yard, and shares the on-dock West Basin Intermodal Container Transfer Facility with the adjacent Yang Ming terminal at Berths 121-131.

The Los Angeles Board of Harbor Commissioners certified the Berths 97-109 [China Shipping] Container Terminal Project FEIS/FEIR for the construction and operation of the CS Container Terminal Project in 2008 (LAHD and USACE 2008). The 2008 FEIS/FEIR incorporated a number of mitigation measures into the CS Container Terminal Project to address significant construction and operational impacts, particularly those related to aesthetics, air quality, noise, and transportation. Construction, which was divided into three phases, was largely completed by 2013 (two terminal buildings have yet to be constructed).

The proposed project site (Figure 1) is within the Port of Los Angeles Community Plan area in the City and County of Los Angeles, California. The site is near the community of San Pedro and is approximately 20 miles south of downtown Los Angeles (Figure 2). The site is generally bounded on the north by the Yang Ming container terminal; on the east by the West Basin, Main Channel, and Pier A; on the south by the World Cruise Center and State Route 47; and on the west by Pacific Avenue, Front Street, and the community of San

|  |   |                |
|--|---|----------------|
| Berths 97-109 [China Shipping] Container Terminal Project SEIR | 6 | September 2015 |
|--|---|----------------|





**RAMBOLL** ENVIRON

**Figure 2**  
**Regional Location Map**  
**Berths 97-109 [China Shipping]**  
**Container Terminal Project**

Pedro. Land uses in general vicinity of the proposed project site support a variety of cargo handling operations, including container, liquid bulk, and dry bulk; commercial fishing and seafood processing; a power plant (Harbor Generating Station); Port administration and maintenance facilities; maritime support uses; and recreational and residential uses.

## 2.0 Description of the Proposed Project

The proposed Project involves the continued operation of the CS Container Terminal under new and/or modified mitigation measures compared to those set forth in the 2008 FEIR. If changes to the mitigation measures are recommended as a result of the Supplemental EIR, the Board of Harbor Commissioners will consider amending Permit No. 999 for CS's operations at Berths 97-109 accordingly.

The 2008 FEIS/FEIR adopted 52 mitigation measures to reduce significant construction and operational impacts in the areas of aesthetics, air quality, biology, cultural resources, geology, ground water, noise, public services, and transportation. Most of these measures have either been completed or will be completed within the time period for implementation. These completed or to be completed mitigation measures are outside of the scope of the proposed Project and will not be further considered in the Supplemental EIR.

There are 11 mitigation measures, however, that have not yet been fully implemented for various reasons. For some of these, related to air quality (AQ-9, AQ-10, AQ-15, AQ-16, AQ-17, AQ-20 and AQ-23), China Shipping has requested that the mitigation measure be reviewed and possibly revised based on feasibility, the availability of alternative technologies, and other factors. LAHD has also proposed that certain mitigation measures related to air quality (AQ-23), noise (NOI-2) and transportation (TRANS-2, TRANS-3, TRANS-4 and TRANS-6) be re-evaluated based on feasibility, effectiveness, and other factors.

Table 1 summarizes the mitigation measures included in the proposed Project as candidates for review.

**Table 1.** Summary of 2008 FEIR mitigation measures for the CS Container Terminal to be reviewed

| Mitigation Measure | Description  |
|--------------------|--|
| AQ-9               | Alternative Maritime Power (AMP) for 100% of vessels                       |
| AQ-10              | 100% compliance with 40-nm Vessel Speed Reduction Program                  |
| AQ-15              | Liquefied petroleum gas (LPG) Yard Tractors/0.015 g/hp-hr PM               |
| AQ-16              | Emissions standards for yard equipment at Berth 121-131 rail yard          |
| AQ-17              | Emissions standards for yard equipment at Berths 97-109 terminal           |
| AQ-20              | LNG-powered drayage trucks (70% through 2017, 100% in 2018 and thereafter) |
| AQ-23              | Throughput tracking to verify EIR assumptions                              |
| NOI-2              | Noise walls and soundproofing of noise-sensitive structures                |
| TRANS-2            | Modify Alameda St/Anaheim St by 2015                                       |
| TRANS-3            | Modify John S Gibson Blvd/I-110 N/B ramps by 2015                          |

| Mitigation Measure | Description                                 |
|--------------------|---|
| TRANS-4            | Modify Fries Ave/Harry Bridges Blvd by 2015 |
| TRANS-6            | Navy Way and Seaside Ave by 2030            |

As the table shows, a number of the measures, in the areas of air quality (including greenhouse gases), noise, and transportation, have not yet been fully implemented. The Supplemental EIR will re-evaluate the resource areas in which mitigation measures have yet to be implemented (air quality, greenhouse gas, ground transportation, and noise), and will recommend changes in the mitigation measures as appropriate. Changes could include elimination of measures that have proven to be clearly infeasible, addition of replacement measures to address those impacts, and revision of measures that have proven problematic to implement in order to achieve comparable results.

For TRANS-3, TRANS-4 and TRANS-6, recent intersection operating conditions analyses conducted by the Port for several other projects have determined that these locations are generally currently operating at, or are projected to operate in the future at, a very good level of service (LOS) B or better, without these mitigation measures. For TRANS 2 the intersection of Alameda Street/Anaheim Street is projected to operate at LOS C in the Year 2017. Thus, mitigation would not be needed at this time. However, LAHD will reassess these locations in the Supplemental EIR to determine if and when any mitigation measures would be needed.

### 3.0 Environmental Issues

Because the Supplemental EIR is intended to serve as a supplement to the previously certified 2008 Final EIR, impacts and conditions presented in the previous EIR will serve as the primary base of comparison for the analysis. Issues identified as potentially significant or requiring further analysis under CEQA are described in the attached CEQA Environmental Checklist Form. Additional issues may be identified during the scoping process.

Not all of the environmental topics included in the CEQA Guidelines for the Initial Study Checklist will be addressed in the attached checklist or the Supplemental EIR. Certain topics are excluded because (a) the previous EIR concluded that there were no significant impacts associated with those topics, (b) that the mitigation measures proposed in the 2008 Final EIR have been implemented and/or completed, (c) that the mitigation measures are in progress and would mitigate impacts of the proposed project to a less-than-significant level, and/or (d) the level of significance is unchanged from that described in the 2008 Final EIR and any modification to the mitigation measures is not expected to affect that finding. Accordingly, the Supplemental EIR will not re-analyze or recirculate biology, cultural resources, geology, groundwater and soils, hazardous materials, land use, marine transportation, public services, recreation, utilities, and water quality, consistent with CEQA Guidelines Section 15163.

## Environmental Checklist Form

|   |   |
|---|---|
| <b>1. Project Title:</b>                      | Berths 97–109 [China Shipping] Container Terminal Project   |
| <b>2. Lead Agency Name and Address:</b>       | <b>CEQA Lead Agency:</b><br>Los Angeles Harbor Department<br>Environmental Management Division<br>425 S. Palos Verdes Street<br>San Pedro, CA 90731   |
| <b>3. Contact Person and Phone Number:</b>    | <b>CEQA Lead Agency:</b><br>Chris Cannon, Director of Environmental Management<br>(310) 732-3675  |
| <b>4. Project Location:</b>                   | China Shipping Container Terminal<br>2050 John S. Gibson Blvd<br>San Pedro, CA 90731  |
| <b>5. Project Sponsor's Name and Address:</b> | Los Angeles Harbor Department<br>Engineering Division<br>425 S. Palos Verdes Street<br>San Pedro, CA 90731  |
| <b>6. Port Master Plan Designation:</b>       | General/Bulk Cargo (Non Hazardous Industrial and Commercial)  |
| <b>7. Zoning:</b>                             | [Q]M3-1   |
| <b>8. Description of Project:</b>             | The proposed Project would continue to operate the China Shipping (CS) Container Terminal at Berths 97-109 in the Port of Los Angeles under new and/or modified mitigation measures compared to those set forth in the 2008 FEIR. Additional details are provided in Section 2.0. |

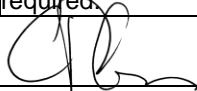
**Environmental Factors Potentially Affected:**

The environmental factors checked below would potentially be affected by this proposed Project (i.e., the proposed Project would involve at least one impact that is a “potentially significant impact”), as indicated by the checklist on the following pages. Because the Supplemental EIR is intended to serve as a supplement to the previously adopted 2008 Final EIR, impacts and conditions presented in the previous EIR will serve as the primary base of comparison for the analysis, the checklist addresses only those impact areas implicated by the proposed project.

|   |                          |                                  |   |                                    |
|---|--------------------------|----------------------------------|---|------------------------------------|
|   | Aesthetics               | Agriculture and Forest Resources | X | Air Quality                        |
|   | Biological Resources     | Cultural Resources               |   | Geology/Soils                      |
| X | Greenhouse Gas Emissions | Hazards and Hazardous Materials  |   | Hydrology/Water Quality            |
|   | Land Use/Planning        | Mineral Resources                | X | Noise                              |
|   | Population/Housing       | Public Services                  |   | Recreation                         |
| X | Transportation/Traffic   | Utilities/Service Systems        | X | 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 proposed Project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.  |
| X   | I find that the proposed Project MAY have a significant effect on the environment, and a SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT is required to address the potential for the change in the project to result in new or substantially more severe impacts than analyzed in the 2008 FEIR/FEIS. This focus meets the requirements for supplemental analysis under Section 15163 of the CEQA Guidelines, as only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. |
|   | 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 proposed Project, nothing further is required.                         |
|  |  |
| Christopher Cannon, Director of Environmental Management Division                   | Date: September 18, 2015   |

|             |  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------------|--|--------------------------------|--|------------------------------|-----------|
| <b>III.</b> | <b>AIR QUALITY.</b> Would the project:   |                                |  |                              |           |
| a.          | Conflict with or obstruct implementation of the applicable air quality plan?   |                                |  | X                            |           |
| b.          | Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | X                              |  |                              |           |
| c.          | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | X                              |  |                              |           |
| d.          | Expose sensitive receptors to substantial pollutant concentrations?  | X                              |  |                              |           |
| e.          | Create objectionable odors affecting a substantial number of people?   |                                |  | X                            |           |

**Discussion:**

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 (O3), particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), and lead (national standard only).

**a. Would the project conflict with or obstruct implementation of the applicable air quality plans?**

**Less Than Significant Impact.** The FEIR concluded that construction and operation of the CS Container Terminal would not conflict with implementation of the 2003 AQMP (the then-current version) because the Port regularly provides SCAG with its Port-wide cargo forecasts for development of the AQMP. Therefore, the attainment demonstrations included in the 2003 AQMP accounted for the emissions generated by projected future growth at the Port. The FEIR further concluded that the attainment strategies in these plans include mobile source control measures and clean fuel programs that are enforced at the state and federal levels on engine manufacturers and petroleum refiners and retailers, and, as a result, operation of the CS Container Terminal would comply with these control measures. The South Coast Air Quality Management District (SCAQMD)

also adopts AQMP control measures into the SCAQMD rules and regulations, which are then used to regulate sources of air pollution in the South Coast Air Basin. Therefore, compliance with these requirements would ensure that the proposed Project would not conflict with or obstruct implementation of the AQMP. These conclusions remain valid and this impact will not be addressed in the Supplemental EIR.

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

**Potentially Significant Impact.** Construction of the CS Container Terminal resulted in emissions of air pollutants from construction equipment. Operation of the CS Container Terminal results in emissions of air pollutants from terminal equipment, truck and train trips, and vessels. The FEIR concluded that emissions from construction and operation of the CS Container Terminal would exceed SCAQMD thresholds of significance, and proposed a suite of mitigation measures to reduce construction-related emissions (MM AQ-1 through MM AQ-8) and operational emissions (MM AQ-9 through MM AQ-24).

The measures associated with construction have all been completed or will be completed after the construction of the remaining two buildings. Accordingly, construction-related emissions will not be considered in the Supplemental EIR.

The FEIR proposed 16 mitigation measures to address operational emissions. Many of these have been implemented and are currently in effect, most as originally envisioned and some in an equally effective form.

The other measures are in various stages of implementation. Some of these mitigation measures may not be feasible as worded, some may have been superseded by subsequent regulations and standards, and others may not be as effective as intended. For some of these, related to air quality (AQ-9, AQ-10, AQ-15, AQ-16, AQ-17, AQ-20 and AQ-23), China Shipping has requested that the mitigation measure be reviewed and possibly revised based on feasibility, the availability of alternative technologies, and other factors warranting re-analysis as appropriate (see Table 2 below). Accordingly, re-evaluation of these mitigation measures that have not yet been implemented, in part or in full, is warranted, and this issue will be evaluated in the Supplemental EIR.

**Table 2. 2008 FEIR Air Quality Mitigation Measures For Re-Evaluation**

| <b>Mitigation Measure</b> | <b>Description</b>   |
|---------------------------|--|
| AQ-9                      | Alternative Maritime Power (AMP) for 100% of vessels                       |
| AQ-10                     | 100% compliance with 40-nm Vessel Speed Reduction Program                  |
| AQ-15                     | Liquefied petroleum gas (LPG) Yard Tractors/0.015 g/hp-hr PM               |
| AQ-16                     | Emissions standards for yard equipment at Berth 121-131 rail yard          |
| AQ-17                     | Emissions standards for yard equipment at Berths 97-109 terminal           |
| AQ-20                     | LNG-powered drayage trucks (70% through 2017, 100% in 2018 and thereafter) |
| AQ-23                     | Throughput tracking to verify EIR assumptions                              |

- 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.** Due to the elevated concentrations of air pollutants that currently occur in the SCAB and Port region, the proposed Project, in conjunction with other related projects, has the potential to make a substantial contribution to significant cumulative air quality impacts, despite the application of mitigation measures. Some of the mitigation measures originally adopted to address these impacts may not be feasible as worded, may have been superseded by subsequent regulations or standards, or may not be as effective as intended (see Table 2). This issue will be evaluated in the Supplemental EIR.

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

**Potentially Significant Impact.** Operational activities of the proposed Project may expose nearby sensitive receptors to increased levels of air pollution. In addition, there is the potential for the proposed Project to result in increased toxic air pollutants associated with diesel emissions from ships, trains, trucks, and cargo handling equipment. Some of the mitigation measures originally adopted to address these impacts may not be feasible as worded, may have been superseded by subsequent regulations or standards, or may not be as effective as intended (see Table 2). As a result, emissions of toxic air contaminants may be substantially different from those evaluated in the FEIR. These issues will be evaluated in the Supplemental EIR.

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

**Less Than Significant Impact.** The FEIR concluded that odors from operation of the CS Container Terminal would constitute a less-than-significant impact because of the mobile nature of the sources (diesel-fueled vehicles, equipment, locomotives, and ships) and their distance from the nearest residential receptors. Accordingly, this issue will not be evaluated in the Supplemental EIR.



|                                       |  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------------------|--|--------------------------------|--|------------------------------|-----------|
| <b>VII. GREENHOUSE GAS EMISSIONS.</b> | Would the project:   |                                |  |                              |           |
| a.                                    | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                     | X                              |  |                              |           |
| b.                                    | Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? |                                |  | X                            |           |

**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 gas emissions would be released as a result of operation of the proposed Project. The 2008 FEIR concluded that greenhouse gas emissions during operation of the CS Container Terminal would result in significant impacts. Six mitigation measures (MM AQ-25 through MM AQ-30) were proposed to reduce those impacts. These measures would be completed during construction of the two remaining buildings or, in the case of MM AQ-27 (energy audits) and AQ-29 (recycling), through the normal course of operations.

The 2008 FEIR also identified MM AQ-9, AQ-10, AQ-17, AQ-20 and AQ-21 as reducing greenhouse gas emissions. Some of these mitigation measures may not be feasible as worded, may have been superseded by subsequent regulations or standards, or may not be as effective as intended (see Table 2, under Air Quality). These issues will be evaluated in the Supplemental EIR.

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

**Less Than Significant Impact.** The Project is not expected to conflict with any applicable plan, policy, or regulation of an agency. Nevertheless, these issues will be evaluated in the Supplemental EIR.

|                    |  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------|--|--------------------------------|--|------------------------------|-----------|
| <b>XII. NOISE.</b> | Would the project:   |                                |  |                              |           |
| a.                 | Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?  | X                              |  |                              |           |
| b.                 | Expose persons to or generate excessive groundborne vibration or groundborne noise levels?   |                                |  | X                            |           |
| c.                 | Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | X                              |  |                              |           |
| d.                 | Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | X                              |  |                              |           |
| e.                 | Be located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels? |                                |  |                              | X         |
| f.                 | Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?  |                                |  |                              | X         |

**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.** The proposed project site is located in an area zoned for heavy industrial uses that is characterized by periodic increases in noise levels associated with container terminal operations and associated industrial uses. The nearest sensitive receptors are located less than 0.5 mile from the project site in the Knoll Hill area of San Pedro. The 2008 FEIR concluded that operational activities of the CS Container Terminal could result in increased noise levels as a result of additional trains, trucks, and cargo handling equipment, and imposed mitigation measure MM NOI-2, which required sound walls, if feasible, and/or soundproofing of noise-sensitive structures, as well as monitoring at residences. That measure has not yet been implemented; however, the actual effectiveness of this measure is uncertain, and there

are substantial differences in operational equipment and activity levels between the FEIR and the current situation. Accordingly, this issue will be further evaluated in the Supplemental EIR.

**b. Expose persons to or generate excessive groundborne vibration or groundborne noise?**

**Less Than Significant Impact.** The FEIR concluded that operation of the CS Container Terminal would not cause excessive groundborne vibration or groundborne noise. Accordingly, impacts would be less than significant; however, this issue will be evaluated in the Supplemental EIR.

**c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Potentially Significant Impact.** Terminal operations under the proposed Project could result in increased noise above ambient conditions as a result of train, truck, and terminal equipment activities. The 2008 FEIR concluded that operation of the CS Container Terminal could result in increased noise levels as a result of additional trains, trucks, and cargo handling equipment, and imposed mitigation measure MM NOI-2, which required sound walls and/or soundproofing of noise-sensitive structures, as well as monitoring at residences. That measure has not yet been implemented; however, the actual effectiveness of this measure is uncertain, and there are substantial differences in operational equipment and activity levels between the FEIR and the current situation. This issue will be further evaluated in the Supplemental EIR.

**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.** Operation of the proposed Project may generate temporary or periodic increases in ambient noise levels. The 2008 FEIR concluded that operation of the CS Container Terminal could result in increased noise levels as a result of additional trains, trucks, and cargo handling equipment, and imposed mitigation measure MM NOI-2, which required sound walls and/or soundproofing of noise-sensitive structures, as well as monitoring at residences. That measure has not yet been implemented; however, the actual effectiveness of this measure is uncertain, and there are substantial differences in operational equipment and activity levels between the FEIR and the current situation. This issue will be further evaluated in the Supplemental EIR.

**e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The Project is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, this issue will not be discussed in the Supplemental EIR.

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

**No Impact.** The proposed Project is not located in the vicinity of a private airstrip. Therefore, this impact will not be discussed in the Supplemental EIR.

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|                                     |   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------------------------------------|---|--------------------------------|--|------------------------------|-----------|
| <b>XVI. TRANSPORTATION/TRAFFIC.</b> | Would the project:  |                                |  |                              |           |
| a.                                  | Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | X                              |  |                              |           |
| 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?   | X                              |  |                              |           |
| c.                                  | Result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  |                                |  |                              | X         |
| d.                                  | Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   |                                |  |                              | X         |
| e.                                  | Result in inadequate emergency access?  |                                |  | X                            |           |
| f.                                  | Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?   |                                |  |                              | X         |

**Discussion:**

- a. **Would the project exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all 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.** The 2008 FEIR concluded that operation of the CS Container Terminal would increase the number of cargo truck trips, resulting in significant impacts on levels of service and volume/capacity ratios at local intersections, and imposed six mitigation measures involving modifications of those intersections to improve traffic flow. Four of those measures (MM TRANS-2, MM TRANS-3, MM TRANS-4 and MM TRANS-6) have not yet been fully implemented, and none is included in any current transportation project.

Recent intersection operating conditions analyses conducted by the Port for several other projects have determined that these locations are generally currently operating at, or are projected to operate in the future at, a very good level of service (LOS) B, or better, without these mitigation measures, and that the intersection of Alameda Street/Anaheim Street would operate at a good LOS C in the Year 2017. The LAHD proposes to reassess these locations in the Supplemental EIR to determine if and when any mitigation measures would be needed. Accordingly, this issue will be evaluated in the Supplemental EIR.

- 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.** The 2008 FEIR concluded that operation of the CS Container Terminal would increase the number of cargo truck trips, resulting in significant impacts on levels of service and volume/capacity ratios at local intersections, and imposed six mitigation measures involving modifications of those intersections to improve traffic flow. Four of those measures (MM TRANS-2, MM TRANS-3, MM TRANS-4 and TRANS-6) have not yet been fully implemented, and none is included in any current transportation project. The need for and actual effectiveness of these measure is uncertain. Accordingly, this issue will be evaluated in the Supplemental EIR

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

**No Impact.** The FEIR concluded that the Port’s maritime infrastructure could safely accommodate the large cargo vessels associated with operation of the CS Container Terminal. Accordingly, the impact would be less than significant and this issue will be not discussed in the Supplemental EIR.

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

**No Impact.** The proposed Project does not include modification of any roadways or include any design features that would be incompatible with the current zoning or land use designation. Accordingly, this issue will not be discussed in the Supplemental EIR.

**e. Would the project result in inadequate emergency access?**

**No Impact.** The FEIR concluded that operation of the CS Container Terminal would not result in inadequate emergency access to, from, and within the site. Accordingly, this issue will not be discussed in the Supplemental EIR.

**f. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

**No Impact.** The FEIR concluded that construction and operation of the CS Container Terminal would have no impact on alternative transportation policies or facilities. Accordingly, this issue will not be discussed in the Supplemental EIR.

|               |  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------|--|--------------------------------|--|------------------------------|-----------|
| <b>XVIII.</b> | <b>MANDATORY FINDINGS OF SIGNIFICANCE</b>  |                                |  |                              |           |
| a.            | Does 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? |                                |  | X                            |           |
| b.            | Does 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.)   | X                              |  |                              |           |
| c.            | Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?  | X                              |  |                              |           |

**Discussion:**

- a. Does 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?**

**Less Than Significant Impact.** Operation of the proposed Project does not have the potential to degrade the quality of the environment with regard to biological resources.

- b. Does 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.** The proposed Project, in conjunction with other related projects, has the potential to result in significant cumulative impacts. The 2008 FEIR identified several mitigation measures as reducing such impacts. Some of these mitigation measures may not be feasible as worded, may have been superseded by subsequent regulations or standards, or may not be as effective as intended (see discussions above). Accordingly, the potential for cumulative impacts will be evaluated in the Supplemental EIR.

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

**Potentially Significant Impact.** The proposed Project could result in adverse impacts on human beings, either directly or indirectly, related to air quality, noise, transportation, and greenhouse gases. The 2008 FEIR identified several mitigation measures as reducing such impacts. Some of these mitigation measures may not be feasible as worded, may have been superseded by subsequent regulations or standards, or may not be as effective as intended (see discussions above). This issue will be further evaluated in the Supplemental EIR.

# References

California Department of Conservation. 1999. *Seismic Hazard Zones, San Pedro Quadrangle*. Released March 25, 1999.

———. 2001. *Oil, Gas, and Geothermic Fields in California 2001*. Division of Oil, Gas, and Geothermic Resources. Map S-1.

———. 2010. Farmland Mapping and Monitoring Program. 2010 data. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/los10.pdf>. Last accessed February 19, 2013.

California Department of Transportation. 2013. List of Officially Designated Scenic Highways, Office of the State Landscape Architect. Available at: <http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm>. Last accessed February 19, 2013.

City of Los Angeles. 1996. *City of Los Angeles General Plan, Safety Element*. Approved August 8; adopted November 26.

———. 2002. *City of Los Angeles Environmental Quality Act Guidelines*. Adopted July 31.

———. 2006. City of Los Angeles Tree Preservation Policy (Ordinance No. 177404). Available at: [http://cityplanning.lacity.org/Code\\_Studies/Other/ProtectedTreeOrd.pdf](http://cityplanning.lacity.org/Code_Studies/Other/ProtectedTreeOrd.pdf). Adopted February 28; effective April 23.

Federal Emergency Management Agency (FEMA). 2008. Flood Insurance Rate Map (FIRM), Los Angeles County, California, Panel 1945 of 2350, Map Number 0603777C1945F. September 26, 2008

Los Angeles Harbor Department (LAHD). 2002. *Port of Los Angeles Port Master Plan, Amendment No. 21*. February.

Moffatt & Nichol. 2007. *Tsunami Hazard Assessment for the Ports of Long Beach and Los Angeles, Final Report*. Prepared for Port of Long Beach and Port of Los Angeles. Dated April.

Port of Los Angeles (POLA). 2007. LAHD Green Building Policy. Resolution No. 6493 adopted August 16, 2007.

———. 2009. Berths 302-306 [APL] Container Terminal Project and Transmittal of the Notice of Intent (NOI)/Notice of Preparation (NOP) of the Draft Environmental Impact Statement/Environmental Impact Report. July. Los Angeles, CA

———. 2012. Notice of Preparation of a Program Environmental Impact Report for the Port of Los Angeles Master Plan Update. July. Prepared by Environmental Management Division, City of Los Angeles Harbor Department. Available at: [http://portoflosangeles.org/planning/pmp/PMP\\_NOP\\_IS\\_07-2012.pdf](http://portoflosangeles.org/planning/pmp/PMP_NOP_IS_07-2012.pdf)

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| Berths 97-109 [China Shipping] Container Terminal Project SEIR | 24 | September 2015 |
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\_\_\_\_\_. 2013a. *Facts and Figures Card*. Available at:  
<http://www.portoflosangeles.org/about/facts.asp>. Accessed October 10, 2013.

\_\_\_\_\_. 2013b. The Port of Los Angeles Port Master Plan. August 2013,  
[http://www.portoflosangeles.org/planning/pmp/PMP\\_Final.pdf](http://www.portoflosangeles.org/planning/pmp/PMP_Final.pdf)  
 South Coast Air Quality Management District (SCAQMD). 2012. Final 2012 Air Quality  
 Management Plan. Adopted December 7, 2012.

\_\_\_\_\_. 2015. Tonnage Statistics. <http://www.portoflosangeles.org/maritime/tonnage.asp>.

## Laws and Regulations

California Code of Regulations, Title 14. State CEQA Guidelines

California Health and Safety Code, Section 7050.5

California Health and Safety Code, Section 7052

California Public Resources Code, Section 21000, et seq.

Public Resources Code, Sections 5097.94 and 5907.98.

U.S. Government Code, Title 33, Sections 1344 et seq. (Section 404 of the Clean Water Act of 1972, as amended.)

U.S. Government Code, Title 33, Sections 1401 et seq. (Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972.)

U.S. Government Code, Title 33, Sections 403 et seq. (Section 10 of the Rivers and Harbors Act of 1899)  
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