

## **Chapter 2.0, Response to Comments**

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**Volume 1**

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# 2.0

## RESPONSE TO COMMENTS

### 2.1 Distribution of the Draft Program EIR

The Draft PEIR was distributed to the public and regulatory agencies to review and comment from February 21, 2013 to April 8, 2013. Copies of the Draft PEIR were distributed to various government agencies, organizations, individuals, and Port tenants. In addition, postcards were mailed to all addresses in the communities of Wilmington and San Pedro. LAHD conducted a public hearing regarding the Draft PEIR on March 13, 2013 to provide an overview of the proposed Program and alternatives and accept public comments on the Draft PEIR.

The Draft PEIR was available for review at the following locations:

- LAHD, Environmental Management Division, 222 W. 6<sup>th</sup> Street, San Pedro, CA 90731;
- Los Angeles Public Library – Central Branch, 630 West 5<sup>th</sup> Street, Los Angeles, CA 90071;
- Los Angeles Public Library – San Pedro Branch, 931 S. Gaffey Street, San Pedro, CA 90731; and,
- Los Angeles Public Library – Wilmington Branch, 1300 North Avalon Boulevard, Wilmington, CA 90744.

In addition to printed copies of the Draft PEIR, electronic versions were made available, as requested by interested parties. Due to the size of the document, the electronic versions were prepared as series of PDF files to facilitate downloading and printing. The Draft PEIR was available in its entirety on the LAHD website at [http://www.portoflosangeles.org/EIR/PMPU/DEIR/deir\\_pmpu.asp](http://www.portoflosangeles.org/EIR/PMPU/DEIR/deir_pmpu.asp), and the public notice was available online at <http://www.portoflosangeles.org/EIR/PMPU/DEIR/ Public Notice.pdf>.

## 2.2 Comments on the Draft Program EIR and Draft PMPU

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

The Draft PEIR and Draft PMPU were released on February 21, 2013 for a 45-day public review period ending on April 8, 2012. The LAHD received 28 comment letters, 3 public hearing comment cards, and 77 oral comments on these documents during the public review period. Table 2.2-1 presents a list of those agencies, organizations, and individuals who commented on the Draft PEIR and Draft PMPU.

**Table 2.2-1. Public Comments Received on the Draft Program EIR and Draft PMPU**

<i>Letter Code</i>	<i>Date</i>	<i>Organization/Individual</i>	<i>Page</i>
<i>State Government</i>			
NAHC	2/5/2013	Native American Heritage Commission	2-5
CSLC	4/8/2013	California State Lands Commission	2-11
DOT	4/10/2013	California Department of Transportation (Caltrans) District 7	2-17
<i>Local Government</i>			
RPV1	4/2/2013	City of Rancho Palos Verdes	2-31
RPV2	4/8/2013	City of Rancho Palos Verdes	2-35
BOS	4/11/2013	City of Los Angeles, Bureau of Sanitation	2-41
<i>Organizations</i>			
PTLA	4/5/2013	PortTechLA	2-47
PSL1	4/7/2013	Project Street Legal	2-51
CCA	4/8/2013	Coalition for Clean Air	2-55
LAC	4/8/2013	Los Angeles Conservancy	2-67
NTHP	4/8/2013	National Trust for Historic Preservation	2-85
AS	4/8/2013	The Art Spot	2-99
CFASE1	4/8/2013	Coalition For A Safe Environment	2-105
<i>Individuals</i>			
PR	3/25/2013	Patricia Ross	2-115
SG	3/29/2013	Stanley Green	2-119
LF	4/3/2013	Lawrence Fafarman	2-123
PB	4/3/2013	Philip Belfer	2-127
JR	4/6/2013	Jay Ross	2-131
DE	4/5/2013	Donna Ethington	2-135
LA	4/6/2013	Linda Alexander	2-143
SC	4/6/2013	Sue Castillo	2-147
CE	4/7/2013	Christine Esprabens	2-151
DSS	No Date	Denise and Stephen Smith	2-155
FA	No Date	Frank B. Anderson	2-159
<i>Businesses</i>			
SAR	4/2/2013	SA Recycling	2-163
EXXON1	4/4/2013	ExxonMobil Pipeline Company	2-173
GSNT	4/4/2013	Gresham Savage Nolan & Tilden	2-177
BH	4/8/2013	Brandt-Hawley Law Group	2-485



**Table 2.2-1. Public Comments Received on the Draft Program EIR and Draft PMPU**

<i>Letter Code</i>	<i>Date</i>	<i>Organization/Individual</i>	<i>Page</i>
<b>Comments Received at the Draft Program EIR and PMPU Public Hearings</b>			
<i>Draft Program EIR Public Hearing</i>			
CFASE2	3/13/2013	Coalition for a Safe Environment	2-489
EXXON2	3/13/2013	ExxonMobil	2-495
PSL2	3/13/2013	Project Street Legal	2-499
PT1	3/13/2013	Draft PEIR Public Transcripts	2-503
<i>Draft PMPU Public Hearing</i>			
PT2	4/4/2013	Draft PMPU Public Transcript	2-559

## 2.3 Responses to Comments

In accordance with CEQA (Guidelines Section 15088), LAHD has evaluated the comments on environmental issues received from agencies and other interested parties and has prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the Draft PEIR. In specific compliance with CEQA Guidelines Section 15088(b), the written responses address the environmental issues raised. In addition, where appropriate, the basis for incorporating or not incorporating specific suggestions into the proposed Program is provided. In each case, LAHD has expended a good faith effort, supported by reasoned analysis, to respond to comments.

This section includes responses to the written and oral comments received during the Draft PEIR public review period. This section also includes all the comments received on the Draft PMPU. Information provided in the response to comments on the Draft PMPU is included in Appendix A, Final PMPU, of this Final PEIR. Some comments have prompted revisions to the text of the Draft PEIR, which are referenced and included in Chapter 3.0, Modifications to the Draft Program EIR. A copy of each comment letter is provided, with responses to each comment immediately following.

### 2.3.1 Public Comments and Responses to Comments

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STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
(916) 657-5390 - Fax



February 5, 2013



Mr. James Bahng, Project Planner  
**City of Los Angeles Harbor Department**  
425 South Palos Verdes Street  
San Pedro, CA 90731

RE: SCH# 2012071081; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) – **Port of Los Angeles Master Plan Update**; located in the Harbor area of southwest Los Angeles County, California

Dear Mr. Bahng:

The Native American Heritage Commission has reviewed the Notice of Preparation (NOP) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

NAHC-1

- ✓ Contact the appropriate Information Center for a record search to determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources, which we know that it has.
  - The Native American Heritage Commission (NAHC) recommends that known cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report.
- ✓ If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure pursuant to California Government Code Section 6254.10.
- ✓ Contact has been made to the Native American Heritage Commission for:
  - A Sacred Lands File Check, and cultural resources have been identified to your agency.
  - A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter.
  - Lack of surface evidence of archeological resources does not preclude their subsurface existence once ground-breaking activity begins. If that occurs, the NAHC suggests that inadvertent discoveries be coordinated with the NAHC.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

NAHC-2

NAHC-3

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
(916) 657-5390 - Fax



- NAHC-4
- Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Singleton".

Dave Singleton  
Program Analyst  
(916) 653-6251

CC: State Clearinghouse

Attachment: Native American Contacts List

**Native American Contacts  
Los Angeles County  
March 1, 2013**

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

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

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

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

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

Gabrielino-Tongva Tribe  
Bernie Acuna, Co-Chairperson  
P.O. Box 180  
Bonsall , CA 92003  
(619) 294-6660-work  
(310) 428-5690 - cell  
(760) 636-0854- FAX  
bacuna1@gabrieinotribe.org

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

Gabrielino-Tongva Tribe  
Linda Candelaria, Co-Chairperson  
P.O. Box 1800  
Bonsall , CA 92003  
palmssprings9@yahoo.com  
626-676-1184- cell  
(760) 636-0854 - 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 only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071081; CEQA Notice of Completion; draft Environmental Impact Report for the Port of Los Angeles Master Plan Update; located in the San Pedro area of Los Angeles County, California.

**Native American Contacts  
Los Angeles County  
March 1, 2013**

Santa Ynez Tribal Elders Council  
Freddie Romero, Cultural Preservation Consnt  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
805-688-7997, Ext 37  
freddyromero1959@yahoo.  
com

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

Gabrielino-Tongva Tribe  
Conrad Acuna,  
P.O. Box 180 Gabrielino  
Bonsall , CA 92003  
310-587-2203  
  
760-636-0854 - 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 only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071081; CEQA Notice of Completion; draft Environmental Impact Report for the Port of Los Angeles Master Plan Update; located in the San Pedro area of Los Angeles County, California.

## 1 **Comment Letter NAHC: Native American Heritage Commission**

### 2 **Response to Comment NAHC-1:**

3 This comment identifies sources of information for determining whether project site  
4 locations contain known cultural and archaeological resources. As noted in Draft  
5 PEIR Section 3.04, Level of Analysis, the PEIR does not include a detailed  
6 environmental review of the proposed appealable/fill projects and land use changes  
7 since, consistent with CEQA Guidelines Section 15168, sufficient details are not  
8 available. When appropriate levels of detail regarding these projects become  
9 available, project-specific environmental documents will be prepared, concentrating  
10 on site-specific issues. Preparation of project-specific documents is expected to  
11 include records and database searches, consistent with the comment. Information  
12 concerning the existence of known resources at the project site would be presented in  
13 the CEQA document.

### 14 **Response to Comment NAHC-2:**

15 This comment notes that if an archaeological survey is required to evaluate potential  
16 project-related impacts, the results and findings of the survey should be presented  
17 in a report and coordinated with Native American Heritage Commission (NAHC).  
18 As noted in Response to Comment NAHC-1, the PEIR is programmatic in scope  
19 and existing conditions, including results from site surveys related to specific  
20 projects, will be addressed in project-specific CEQA documents. The comment is  
21 general and does not reference a specific section of the Draft PEIR or raise issues  
22 under CEQA requiring a response; therefore no further response is required (PRC  
23 Section 21091(d); CEQA Guidelines Section 15204(a)). The comment is noted and is  
24 hereby part of the Final PEIR, and is therefore before the decision-makers for their  
25 consideration prior to taking any action on the PMPU.

### 26 **Response to Comment NAHC-3:**

27 This comment identifies additional actions to mitigate potential impacts to cultural  
28 and archaeological resources. As discussed in Draft PEIR Section 3.4, Cultural  
29 Resources, the proposed appealable/fill projects could have an adverse impact on  
30 archaeological or ethnographic resources during construction activities  
31 (Impact CR-1). Because the PMPU area has recorded archaeological sites and the  
32 potential to contain unknown buried or otherwise obscured archaeological or  
33 ethnographic resources, mitigation may be required for construction activities. The  
34 Draft PEIR contains mitigation measures **MM CR-1 and MM CR-2**, as restated  
35 below, that would be implemented, as applicable, for the proposed appealable/fill  
36 projects and land use changes under the proposed Program.

37 **MM CR-1: Cultural Resource Assessment.** Once a proposed project site is  
38 identified, the LAHD shall make a determination on whether a Cultural Resource  
39 Assessment is necessary based on considerations such as the extent of proposed  
40 ground disturbance and the potential for impacting intact soil deposits. If necessary,  
41 the potential for the presence of a unique archaeological or ethnographic resource  
42 shall be identified through a phased investigation using qualified professional  
43 consultants and a consistent methodology. When a Phase I investigation identifies the  
44 presence of or the potential for an archaeological or ethnographic resource on a

1 proposed project site, the LAHD shall determine whether it is possible to avoid the  
2 resource through project redesign. If avoidance is not possible, the LAHD shall  
3 determine the need to implement measures that might include, but are not limited to,  
4 one or more of the following to further avoid, minimize, or substantially reduce the  
5 identified impacts:

6 ■ Conduct a Phase II investigation to determine site significance. When a Phase II  
7 investigation identifies a unique archaeological or ethnographic resource on a  
8 proposed project site, LAHD shall determine whether to avoid the resource  
9 through project redesign or to proceed with a Phase III investigation to mitigate  
10 impacts;

11 ■ Conduct archaeological monitoring of ground disturbing activities within  
12 potentially intact soil deposits by a qualified archaeologist meeting the Secretary  
13 of the Interior's Professional Qualifications Standards;

14 ■ Consult with the NAHC and applicable Native American groups (e.g., the  
15 Gabrielino Tongva Tribal Council) regarding proposed ground-disturbing  
16 activities and offer an opportunity to monitor the construction along with the  
17 project archaeologist; and/or,

18 ■ Conduct a pre-construction information and safety meeting to make construction  
19 personnel aware of archaeological monitoring procedures, if any, and the types of  
20 archaeological resources that might be encountered.

21 **MM CR-2: Unanticipated Discovery Procedures.** In the event potentially  
22 significant cultural resources are encountered during earthmoving activities, the  
23 construction contractor shall cease activity in the affected area until the discovery  
24 can be evaluated by a qualified archaeologist in accordance with the provisions of  
25 CEQA Section 15064.5. The archaeologist shall complete any requirements for the  
26 mitigation of impacts on any resources and implement appropriate treatment  
27 measures, including the use of 1) subsurface testing after demolition of existing  
28 buildings, 2) data recovery of archaeological or ethnographic deposits, and/or  
29 3) post-construction documentation.

30 If Native American human remains are discovered during project construction, it  
31 would be necessary to comply with state laws relating to the disposition of Native  
32 American burials that are under the jurisdiction of the NAHC (PRC Section 5097).  
33 With implementation of these mitigation measures, residual impacts to  
34 cultural/archaeological resources from the proposed Program would be less than  
35 significant.

#### 36 **Response to Comment NAHC-4:**

37 Please see Response to Comment NAHC-3.



STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

**CALIFORNIA STATE LANDS COMMISSION**  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



**JENNIFER LUCCHESI**, Executive Officer  
(916) 574-1800 FAX (916) 574-1810  
California Relay Service From TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone: (916) 574-1900**  
**Contact FAX: (916) 574-1885**

April 8, 2013

File Ref: SCH #2012071081

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



**Subject: Draft Program Environmental Impact Report (PEIR) for the Port Master Plan Update, Los Angeles County**

Dear Mr. Cannon:

The California State Lands Commission (CSLC) staff has reviewed the subject Draft PEIR for the Port of Los Angeles (Port) Master Plan Update (Program), which is being prepared by the City of Los Angeles Harbor Department (LAHD). The LAHD, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses.

CSLC-1

**CSLC Jurisdiction and Public Trust Lands**

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion



Christopher Cannon

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April 8, 2013

CSLC-1

or where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

The proposed Program affects land use on sovereign tide and submerged lands that have been transferred, in trust, to the City of Los Angeles, pursuant to Chapter 656, Statutes of 1911 and as amended.

CSLC-2

### **Project Description**

The LAHD proposes to amend the existing Port Master Plan (PMP) to meet the agency's objectives and needs as follows:

- Develop the Port in a manner that is consistent with federal, state, county, and city laws, including the California Coastal Act and Charter of the City of Los Angeles;
- Integrate economic, engineering, environmental, and safety considerations into the Port development process for measuring the long-term impact of varying development options on the Port's natural and economic environment;
- Promote the orderly, long-term development and growth of the Port by establishing functional areas for Port facilities and operations; and,
- Allow the Port to adapt to changing technology, cargo trends, regulations, and competition from other U.S. and foreign ports.

From the Project Description, CSLC staff understands that the Project would include the following components:

- Planning Areas. Changes to the number and boundaries of existing planning areas;
- Land Use Categories. Changes to existing PMP land use categories;
- Allowable Land Use. Revisions to allowable land uses within the planning areas;
- Fill Projects. Descriptions of the proposed appealable/fill projects; and,
- Other Future Projects. A list of the other projects that have been approved in a certified CEQA document and/or are undefined (i.e., in the conceptual design stage) that are identified for public disclosure purposes consistent with the Program.

The Draft PEIR identifies the No Fill Alternative, which would eliminate the cut/fill projects and associated land use changes (container storage), as the Environmentally Superior Alternative.

CSLC-3

CSLC staff has reviewed the environmental impact analysis in the Draft PEIR related to excavation of sediment from the intertidal zone to install the proposed outfall. Staff is satisfied with the analysis and has no further comments.

CSLC-4

Thank you for the opportunity to comment on the Draft PEIR for the Project. Please send copies of future Project-related documents, including electronic copies of the Final

Christopher Cannon

Page 3

April 8, 2013

PEIR, Mitigation Monitoring and Reporting Program (MMRP), Findings, Notice of Determination (NOD) and, if applicable, Statement of Overriding Considerations (SOC) when they become available, and refer questions concerning environmental review to Sarah Sugar, Environmental Scientist, at (916) 574-2274 or via e-mail at [Sarah.Sugar@slc.ca.gov](mailto:Sarah.Sugar@slc.ca.gov). For questions concerning CSLC leasing jurisdiction, please contact Sharron Guerrieri, Graduate Legal Assistant, at (916) 574-1868, or via email at [Sharron.Guerrieri@slc.ca.gov](mailto:Sharron.Guerrieri@slc.ca.gov).

↑  
CSLC-4

Sincerely,



Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
Sharron Guerrieri, CSLC  
Sarah Sugar, CSLC  
Kathryn Colson, CSLC

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## 1 **Comment Letter CSLC: California State Lands Commission**

### 2 **Response to Comment CSLC-1:**

3 The comment acknowledges that the California State Lands Commission (CSLC) has  
4 reviewed the Draft PEIR and summarizes their role as a trustee agency for proposed  
5 projects that could affect sovereign lands and accompanying Public Trust resources  
6 or uses. The comment is general and does not reference a specific section of the Draft  
7 PEIR or raise issues under CEQA requiring a response; therefore no further response  
8 is required (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). The  
9 comment is noted and is hereby part of the Final PEIR, and is therefore before the  
10 decision-makers for their consideration prior to taking any action on the PMPU.

### 11 **Response to Comment CSLC-2:**

12 This comment summarizes the proposed Program objectives and needs, and  
13 acknowledges that the No Fill Alternative is identified in the Draft PEIR as the  
14 environmentally superior alternative. The comment is general and does not reference  
15 a specific section of the Draft PEIR or raise issues under CEQA requiring a response;  
16 therefore no further response is required (PRC Section 21091(d); CEQA Guidelines  
17 Section 15204(a)). The comment is noted and is hereby part of the Final PEIR, and is  
18 therefore before the decision-makers for their consideration prior to taking any action  
19 on the PMPU.

### 20 **Response to Comment CSLC-3:**

21 The comment notes that CSLC staff have reviewed the environmental impact  
22 analysis in the Draft PEIR and were satisfied with the analysis and had no additional  
23 comments. The reference to an outfall and excavation of intertidal sediments appears  
24 to be in error, as the program description for the proposed action does not include  
25 these elements.

### 26 **Response to Comment CSLC-4:**

27 Thank you for your comment. The LAHD will provide future project-related  
28 documents to CSLC as they become available. The comment is noted and is hereby  
29 part of the Final PEIR, and is therefore before the decision-makers for their  
30 consideration prior to taking any action on the PMPU.

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

**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!*

April 10, 2013

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  
 Draft Environmental Impact Report (Draft EIR)  
 SCH #2012071081, IGR No. 130229EA  
 Vic. LA/110 / PM 0.00 – 5.00, LA/710/0.00-5.00

Dear Mr. Cannon:

The California Department of Transportation (Caltrans) has reviewed the transportation and circulation section in the Draft Environmental Impact Report (Draft EIR) prepared for the proposed Port of Los Angeles Master Plan Update (PMPU). The PMPU includes major planned developments such as the Wilmington Waterfront Project, Yang Ming Terminal Redevelopment, and Pier 500 Fill (200 acre fill). DOT-1

In our previous correspondence to the Notice of Preparation (NOP) of a Draft EIR, we expressed concerns over potential adverse transportation impacts to the state highway system (SHS) that serves the Port of Los Angeles (POLA). We also requested that traffic engineers consult with us to clarify the scope of work expected in the traffic impact study, which was not done. State highway facilities that would most likely be impacted by future growth within the PMPU include: Interstates 110 (I-110), 405 (I-405), 710 (I-710), State Routes 47 (SR-47), 60 (SR-60), State Route 91 (SR-91), State Route 103 (SR-103), and Pacific Coast Highway (SR-1). DOT-2

We understand that the Draft comment period expired April 8, 2013, but given that Caltrans is a responsible agency in the CEQA review process, Ms. Lisa Ochsner indicated in a phone conversation with my staff, that our comments would still be considered. In the interest of mutual cooperation through build-out of the PMPU, we have the following comments on the traffic impact study included in the Draft EIR. DOT-3

- The freeway analysis was limited to segments designated as monitoring stations in the Los Angeles County's Congestion Management Plan (CMP); it is not clear to what extent other freeway segments closer and farther from the POLA would be impacted. To be able to determine whether the freeway study area is appropriate, we reiterate our request to view the results of a select zone model run for all trips having trips ends at POLA zones. For example, State Route 60 is considered a preferred truck route in the greater Los Angeles area; as such Caltrans is interested in knowing the extent to which it might be impacted.

*"Caltrans improves mobility across California"*



Mr. Christopher Cannon

April 10, 2013

Page 2 of 3

- DOT-4 • The traffic impact study should include exhibits such as a map showing designated truck routes to and from the project site, as well as the trip assignment distribution.
- DOT-5 • Caltrans requests that the traffic impact study analyze the truck lane movements at intersections involving state highway facilities. For example, if the designated truck route involves an intersection with a left turn pocket, the level of service and queue of that left movement needs to be evaluated. The traffic analysis should evaluate the adequacy of the projected storage length, and truck turning radii where applicable. PMPU related truck movements should be studied in more detail, especially at ramps, as this may adversely impact safety.
- DOT-6 • According to the traffic impact study on freeways, Impact TRANS-4 (page 3.12-49), the proposed PMPU could significantly impact I-710 north of Pacific Coast Highway – northbound and southbound directions during the AM peak hour and northbound during the PM peak hour; I-710 north of I-405, south of Del Amo Boulevard – southbound during the AM peak hour; and I-710 north of I-105, north of Firestone Boulevard – northbound during the AM peak hour. We note freeway facilities were analyzed to comply with CMP. As stated in Caltrans NOP comments, Los Angeles County’s CMP criteria alone is not adequate for the analysis of transportation impacts pursuant to a California Environmental Quality Act (CEQA) review. For example, the CMP does not adequately address cumulative transportation impacts and does not analyze for safety, weaving problems, or delay. The CMP improperly uses a percentage criterion for determining the significance of traffic impacts on freeways. The use of a “ratio theory” or “comparative approach”, such as the CMP’s 2% increase in V/C, improperly measures a project’s incremental impact relative to the existing cumulative effect rather than measuring the combined effects of the proposed project and other relevant past, present, and future projects. Furthermore, CEQA does not call for evaluation of potential impacts from a project on an existing plan; it is concerned with the impacts upon the environment, which is defined as the existing physical conditions in the affected area. Given the level of existing congestion on nearby freeways, projected PMPU traffic is expected to significantly impact more freeway segments and ramps than those disclosed on the current traffic impact report. Caltrans requests the Los Angeles Harbor Department (LAHD) as lead agency consult with us and revise its criteria of significance for the SHS.
- DOT-7 • We acknowledge MM TRANS-1 which states “LAHD shall collaborate with Caltrans and Metro to secure funding and ensure timely implementation of the I-710 Corridor project by 2035 to alleviate the effects of future Port area and regional traffic growth on the I-710”. Caltrans requests that LAHD revise its mitigation commitment to mitigate for directly impacted state facilities and contribute to mitigation improvements for significant cumulative transportation impacts. It is recommended the LAHD develop a funding mechanism of its own to implement transportation improvements on the state highway system. These funds may serve as matching funds to attract State and Federal funds. Again, we request the lead agency seek Caltrans’ concurrence as to proposed mitigation measures on state facilities that are under its jurisdiction.
- DOT-8 • As you may be aware, the proposed I-710 Corridor Project has not been approved or funded. It should not be relied upon as the only mitigation proposal to I-710; alternate transportation mitigation alternatives should be considered. We remind you that the more specific the mitigation commitment is at the program level, the more predictable it is for individual projects and a less intensive freeway analysis may suffice.

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Mr. Christopher Cannon  
April 10, 2013  
Page 3 of 3

The traffic impact study does not mention whether it plans to follow through and implement improvements to freeway interchanges at I-110/"C" Street, I-110/John S. Gibson Boulevard, and the widening of the connector between southbound SR-47 to northbound I-110, for which a project study report (PSR) has been completed. Please explain whether and if these improvements are related to the PMPU. DOT-9

- In summary, the majority of the traffic concerns that Caltrans brought to your attention in the NOP comment letter have not been addressed adequately. Please see attached NOP comment letter. We request LAHD schedule a traffic impact scoping meeting with us to attempt to resolve the various outstanding issues we have identified in our comments to the NOP and now during the Draft EIR review. DOT-10

If you have any questions regarding these comments and wish to schedule a consultation meeting, you may contact project coordinator Elmer Alvarez at (213) 897 - 6696 or electronically at [elmer\\_alvarez@dot.ca.gov](mailto:elmer_alvarez@dot.ca.gov).

Sincerely,



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

Cc: Scott Morgan, State Clearinghouse

Attachment: Caltrans' comment letter to PMPU Notice of Preparation of Draft EIR

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

**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



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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.

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Mr. Christopher Cannon  
August 20, 2012  
Page 2 of 4

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.

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August 20, 2012  
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### **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.

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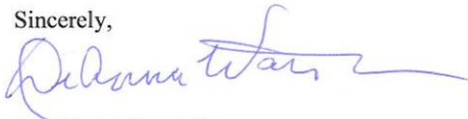
Mr. Christopher Cannon  
August 20, 2012  
Page 4 of 4

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

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## 1 **Comment Letter DOT: California Department of Transportation** 2 **(Caltrans), District 7**

### 3 **Response to Comment DOT-1:**

4 The comment addresses introductory material and does not raise issues that require a  
5 response under CEQA. Responses to specific CEQA issues raised by subsequent  
6 comments are provided below.

### 7 **Response to Comment DOT-2:**

8 The Draft PEIR does adequately address potential traffic impacts on the State  
9 Highway System (SHS; refer to Draft PEIR Section 3.12, Transportation and  
10 Circulation, and Appendix F, Ground Transportation). First, in terms of analyzed  
11 SHS locations (freeways and arterial streets), the LAHD analyzed all locations that  
12 could be potentially impacted by the proposed Program, including the SHS identified  
13 in the DOT comment. As indicated in the analyses, none of the Pacific Coast  
14 Highway (PCH) intersections would be significantly impacted by the proposed  
15 Program. Further, it can be reasonably concluded that no other SHS arterial  
16 intersections located beyond the study area would be impacted because the proposed  
17 Program-level trips would be less at these further locations due to expected  
18 dissipation. No other freeway locations beyond the study area would be impacted  
19 either, as demonstrated in the select-zone analysis/results, and additional freeway  
20 analysis (refer to Chapter 3.0, Modifications to the Draft Program EIR). This analysis  
21 indicates that the proposed Program-level number of trips on other freeways beyond  
22 the study area would be less than the projected amount on those Congestion  
23 Management Program (CMP) locations analyzed in the Draft PEIR, and the  
24 incremental change in the demand/capacity ratio (D/C ratio) would be less than 0.02,  
25 including all freeway locations identified in the comment letter.

26 As prescribed in the *Guide For The Preparation of Traffic Impact Studies*  
27 (Caltrans 2002) for general plan amendments/updates, the general plan update is to  
28 be compared to the current general plan. The Port's PMP serves as the City of Los  
29 Angeles' long-term area plan for the Port district, similar to a City of Los Angeles  
30 Community Plan component of the General Plan. Hence, the LOS results shown in  
31 the Draft PEIR (Table 4.2-7) represent the required Caltrans traffic analysis scenario,  
32 which compared the PMPU with the existing PMP. As shown in Table 4.2-7 of the  
33 Draft PEIR, the PMPU would have a marginal (demand/capacity increase of 0.016)  
34 effect on the I-710, at Willow Street, and only in the northbound direction, during the  
35 morning peak hour.

36 Regarding the methodology used to analyze arterial street intersections and potential  
37 impacts, the planning level volume-capacity methodology (as opposed to analyzing  
38 several operational parameters such as left-turn lane storage lengths) is more  
39 appropriate, as most, if not all local agencies in southern California prescribe this  
40 approach. Moreover, this is the prescribed approach of the affected local agencies'  
41 with intersections analyzed in this PEIR (i.e., City of Long Beach, City of Los  
42 Angeles, and City of Carson).

43 Regarding the methodology used to analyze freeway operations and impacts, the  
44 planning level demand-capacity methodology is prescribed by the Los Angeles

1 County Metropolitan Transportation Authority's (*Metro's*) *Congestion Management*  
2 *Program Traffic Impact Analysis Guidelines* (LACMTA 2010) and therefore is  
3 appropriate for assessing the impacts of a program-level EIR as opposed to the  
4 Highway Capacity Manual [HCM] operational methodology. Furthermore, it should  
5 be noted that program-level EIR for master plans and general plans in Los Angeles  
6 County have analyzed the freeways in the same manner. Examples include the Los  
7 Angeles World Airports LAX Master Plan EIR and several recent City of Los  
8 Angeles community plan update programmatic EIRs. Finally, the Year 2035 LOS  
9 (using the HCM operational methodology) on the I-710, which accounts for the  
10 PMPU traffic, is presently being updated for the recirculated Draft  
11 EIR/Environmental Impact Statement (EIS) for the I-710 Corridor Project. This  
12 recirculated Draft EIR/EIS is currently being prepared by Caltrans, in conjunction  
13 with Metro and the Port and Port of Long Beach. Deference to this project-specific  
14 design-level EIR LOS analysis is more appropriate and recommended. Hence, the  
15 PMPU will not be updated for HCM methodology.

16 Regarding consultation with Caltrans, the LAHD is voluntarily collaborating with the  
17 state in addressing future traffic conditions on the I-710, as a partner with Caltrans  
18 and Metro, via the I-710 Corridor Project EIR/EIS. LAHD provided all Port and Port  
19 of Long Beach traffic volumes for direct incorporation into the I-710 Corridor Project  
20 EIR/EIS model (which is a focus model of the Southern California Association of  
21 Governments [SCAG's] Regional Transportation Plan [RTP] model). These  
22 projections informed the traffic study scope and are consistent with the PMPU Draft  
23 PEIR traffic analyses.

#### 24 **Response to Comment DOT-3:**

25 Please see Response to Comment DOT-2.

#### 26 **Response to Comment DOT-4:**

27 LAHD acknowledges Caltrans' request to include exhibits such as a map showing  
28 designated truck routes and trip distribution and understands that such documentation  
29 would improve the PEIR. Figure 3.12-6, Program Trip Distribution, has been  
30 incorporated and is included in the Final PEIR Chapter 3.0, Modifications to the  
31 Draft Program EIR.

#### 32 **Response to Comment DOT-5:**

33 Please see Response to Comment DOT-2. The volume- capacity and demand-  
34 capacity methodologies used are appropriate for the PEIR. Furthermore,  
35 environmental assessment would be required at the project-level. If significantly  
36 impacted freeway locations are identified through the capacity analysis at the project-  
37 level, a design-level analysis (such as the HCM methodology) could be conducted to  
38 determine the appropriate course of action in mitigating the identified significant  
39 impacts.

#### 40 **Response to Comment DOT-6:**

41 Please see Response to Comment DOT-5. The volume- capacity and demand-  
42 capacity methodologies used are appropriate for the PEIR. Environmental assessment



1 would be required at the project-level. If significantly impacted freeway locations are  
2 identified through the capacity analysis at the project-level, a design-level analysis  
3 (such as the HCM methodology) could be conducted to determine the appropriate  
4 course of action in mitigating the identified significant impacts. Furthermore, the  
5 CMP analysis addresses cumulative transportation impacts in Draft PEIR  
6 Section 4.2.12, Transportation and Circulation, in which the Year 2035 cumulative  
7 scenario is analyzed with and without the proposed Program-level trips on the  
8 freeways and arterial street intersections (refer to Draft PEIR Section 4.12,  
9 Transportation and Circulation, Tables 4.2-5 and 4.2-7).

#### 10 **Response to Comment DOT-7:**

11 At the program-level, significant impacts to the I-710 have been identified, and as  
12 such, mitigation measure TRANS-1 does not address state highway facilities  
13 beyond I-710.

14 Project-specific environmental documentation would be completed for projects  
15 occurring under the PMPU and could determine project-specific impacts to other  
16 state highway facilities in addition to the I-710. The PEIR focuses on land use  
17 changes that would result in changes and/or intensification of activities and the  
18 proposed appealable/fill projects under the PMPU, and provides a programmatic  
19 evaluation of impacts associated with future buildout. The proposed appealable/fill  
20 projects under the PMPU are in preliminary planning stages; therefore, it is not  
21 possible to accurately describe or predict particular alternative infrastructure  
22 improvements which would be both feasible and effective at avoiding or reducing  
23 any significant freeway traffic impacts of any particular development projects under  
24 the proposed Program. This is because the type of development, timing of  
25 development, and conditions at the time in which development would occur are not  
26 currently known. Therefore, as future planning efforts occur for the proposed  
27 appealable/fill projects and development resulting from land use changes under the  
28 PMPU, separate environmental documentation with detailed traffic analyses would  
29 be prepared, if required under CEQA, to determine specific impacts associated with  
30 proposed development and mitigation would be applied, as necessary and as feasible.  
31 The mitigation measures would address significant impacts upon the I-710 and any  
32 other significantly impacted state highway facilities.

33 The LAHD proactively collaborates with other agencies to address regional  
34 transportation needs identified in LAHD and regional plans. For locations determined  
35 to be significantly impacted by Port operations through subsequent project-specific  
36 environmental documents, LAHD would collaborate with Caltrans and other  
37 agencies to identify the appropriate state highway facility improvements to mitigate  
38 those significant impacts, as it is doing for the I-710 Corridor Project. LAHD has and  
39 continues to demonstrate its commitment to collaborating with Caltrans and  
40 partnering agencies in addressing future traffic conditions on the I-710. The LAHD is  
41 a technical partner to Caltrans and Metro for the Project Approval/Environmental  
42 Documentation (PA/ED) phase. The I-710 Corridor Project Draft EIR/EIS proposes  
43 improvements to the entire 20-mile corridor to accommodate all Year 2035 Port and  
44 Port of Long Beach and regional traffic. Year 2035 Port and Port of Long Beach  
45 traffic represents buildout conditions at the ports. The corridor area includes the  
46 mainline freeway and adjacent arterial street system. The I-710 Corridor Project  
47 EIR/EIS utilizes HCM methodologies (weaving, mainline, ramp diverge/merge),

1 which is appropriate for a transportation facility environmental document and  
2 preliminary engineering.

3 The LAHD contributed \$5 million for the PA/ED phase, and participates directly and  
4 extensively by providing technical guidance/input for the preliminary engineering;  
5 the Administrative, Draft, and Final EIR/EIS; and the Caltrans Project Report. This  
6 input is provided on all technical studies as well, that includes (but is not limited to):  
7 air quality; transportation; goods movement; rail/intermodal; and, alternative  
8 technology. For these studies, the LAHD provided all Port and Port of Long Beach  
9 traffic volumes for direct incorporation into the I-710 Corridor Project EIR/EIS  
10 model (which is a focus model of the SCAG RTP model). These projections are  
11 consistent with the PMPU Draft PEIR analyses. Additionally, the Port and Port of  
12 Long Beach jointly conducted several alternative technology (zero emission  
13 container movement systems [ZECMS]) studies which guided the I-710 Corridor  
14 Project EIR/EIS studies, and ultimately led to the recommendation of a separate  
15 truckway with zero emission technology.

16 LAHD's financial contribution toward infrastructure improvements to mitigate  
17 project-specific significant impacts would be examined in conjunction with the  
18 project-specific environmental assessments, and would be subject to the existence of  
19 a mechanism for pro-rata mitigation funding for the infrastructure improvements  
20 which are determined by the LAHD to be necessary and effective for avoiding or  
21 reducing the significant impacts.

22 Since the I-710 Corridor Project has not yet been approved, and because there is  
23 currently no funding mechanism allowing projects to contribute pro-rata mitigation  
24 funding for needed infrastructure improvements to that freeway, it is not currently  
25 feasible to mitigate impacts to the I-710 by contributing mitigation funding for that  
26 purpose. Nevertheless, if the I-710 Corridor Project, or components thereof, is  
27 approved for construction, and if a mechanism for the contribution of mitigation  
28 funding for the I-710 Corridor Project comes into existence, the LAHD will consider  
29 the need for and feasibility of contribution toward funding that project in the future,  
30 in connection with subsequent project-specific environmental review for the  
31 proposed appealable/fill projects and land use changes under the PMPU. Any such  
32 funding would be in addition to revenue from tolls on the truck facility and funds  
33 from other public sources, including Metro (e.g., Measure R, CMAQ, RTSP, etc.),  
34 the federal, and/or the state government.

35 **Response to Comment DOT-8:**

36 The LAHD agrees that reliance on the I-710 Corridor Project does not guarantee the  
37 specific impacts identified in the PEIR would be mitigated, given that the I-710  
38 project has not been approved or funded. However, as future planning efforts occur  
39 for the proposed appealable/fill projects and other developments resulting from land  
40 use changes under the PMPU, project-specific environmental documentation would  
41 be conducted to readdress potential impacts. That documentation would include  
42 detailed traffic analyses that would identify specific impacts, and mitigation would be  
43 applied as necessary. Accordingly, it would be inappropriate to commit to specific  
44 mitigation measures at this time.

1 It is possible that in some cases those impacts could be mitigated by physical  
2 modifications to I-710 (no other freeways would experience significant program-  
3 related impacts). Given that the I-710 Corridor Project EIR/EIS is still in  
4 development, along with the associated specific freeway and arterial street  
5 improvement projects, it would be inappropriate and infeasible at present to identify  
6 alternative program-level specific mitigation measures. This is because such  
7 measures could be in conflict with the needs of the agency partners while those  
8 agencies are collaborating on detailed planning and design of the I-710 Corridor  
9 Project. Furthermore, it is possible that the degradation of operating conditions on the  
10 I-710 attributable to the PMPU could be ameliorated by implementation of the I-710  
11 Corridor Project.

12 If the I-710 Corridor Project has not been approved, then the project-specific CEQA  
13 process would identify appropriate feasible mitigation and require its implementation  
14 (refer to Chapter 3.0, Modifications to the Draft Program EIR). Thus, mitigation  
15 measure **MM TRANS-1** is consistent with the Department's recommendation that  
16 alternate mitigation measures be considered.

#### 17 **Response to Comment DOT-9:**

18 The I-110 Freeway Ramp & SR 47/I-110 North Bound Connector Widening Project,  
19 which is independent of the PMPU, will be advertised for construction in the next  
20 2 to 3 months, and was accounted for in the PEIR cumulative impacts traffic analysis.

#### 21 **Response to Comment DOT-10:**

22 The decision to make improvements, such as those mentioned in the NOP comment  
23 letter, would arise from the ongoing planning and design process for I-710 rather than  
24 the PEIR impact analysis. Impacts from the Port on I-710 are well documented,  
25 predating the PMPU, and are part of the consideration in the planning and design of  
26 I-710. Notably, the PEIR does not present new information, but rather provides  
27 additionally supporting results from previous analyses.

28 In summary:

- 29 ■ The LAHD believes the Draft PEIR adequately addresses potential impacts on  
30 the SHS and that the methodologies are adequate, as described in the above  
31 responses;
- 32 ■ Table 4.2-7 of the Draft PEIR represents the required Caltrans traffic analysis  
33 scenario, which compared the PMPU with the existing PMP. As shown in this  
34 table, the PMPU would have a marginal (demand/capacity increase of 0.016)  
35 effect on the I-710, at Willow Street, and only in the northbound direction, during  
36 the morning peak hour only;
- 37 ■ The PEIR is not a project-specific EIR and the cumulative impacts of all Port  
38 traffic are being addressed in the I-710 Corridor Project EIR/EIS, in which the  
39 LAHD is a technical partner; and,
- 40 ■ Project-specific environmental documentation would be completed for projects  
41 occurring under the PMPU to determine project-specific impacts to the I-710 and  
42 other state highway facilities.

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2 April 2013

VIA ELECTRONIC & U.S. MAIL

Port of Los Angeles  
 Planning & Economic Development Division  
 425 S. Palos Verdes St.  
 San Pedro, CA 90731

**SUBJECT: City of Rancho Palos Verdes' Comments on Draft Port Master Plan**

To Whom It May Concern:

The City of Rancho Palos Verdes—located just west of the San Pedro community of the City of Los Angeles—appreciates the opportunity to review the Port of Los Angeles' Draft Port Master Plan. We have reviewed the Plan and offer the following comments: RPV1-1

1. Section 5.0 of the Plan describes the five (5) planning areas of the Plan, including the designation and acreage of land uses therein. We understand that the Plan proposes to eliminate liquid bulk storage within Planning Area 1 (located nearest to densely-populated areas in San Pedro and Rancho Palos Verdes) and to designate at least one hundred sixty-six acres (166 ac.) within Planning Areas 2 and 3 for liquid bulk storage. The City of Rancho Palos Verdes is supportive of any plan that would reduce the risk of exposing residents to the hazards related to the storage and transport of liquid bulk cargoes. We further suggest that the Port should make additional provisions in the Plan to facilitate the relocation of liquid bulk storage facilities to the harbor area, including the future 200-acre Pier 500 project within Planning Area 3 (i.e., Terminal Island).

2. Section 8.0 of the Plan describes the Risk Management Plan (RMP) for the Port. We understand that the stated intent of the RMP "is to assess the potential risks of the storage and transfer of hazardous commodities occurring at liquid bulk terminals within the Port." To this end, we offer the following observations: RPV1-2

a. Although apparently not mandated by the California Coastal Commission, we believe that the RMP should also include a "good faith" effort to assess the risks associated with the storage and handling of hazardous liquid bulk cargoes on vessels, tanker trucks, rail tank cars and in pipelines, at least within the areas covered by the Plan. To do so would demonstrate the

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**Port of Los Angeles**  
**2 April 2013**  
**Page 2**

- RPV1-2 ↑  
Port's willingness to provide more than the minimum, statutorily-required protection and notification to "vulnerable resources."
- RPV1-3 | b. We note that the RMP identifies "[residents] living in the area around the Port [as] the largest and most vulnerable number of people exposed to risks." It also specifically identifies certain critical Port infrastructure (i.e., the Vincent Thomas and Badger Avenue bridges) as "vulnerable resources." The RMP discusses "hazard footprints" in terms of potential adverse impacts upon these "vulnerable resources," including radiant heat, toxic and/or flammable vapor cloud, blast overpressure and flying debris. However, the RMP provides no specifics or details regarding the location or extent of these "hazard footprints" for either existing or proposed liquid bulk facilities in the Port.
- RPV1-4 | 3. Section 9.0 of the Plan summarizes the Program Environmental Impact Report (PEIR) prepared for the Plan. The City of Rancho Palos Verdes will be commenting separately on the Draft PEIR, on or before the end of the public comment period on 8 April 2013.

Again, thank you very much for the opportunity to review and comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at [kitf@rpv.com](mailto:kitf@rpv.com)

Sincerely,



**Kit Fox, AICP**  
Senior Administrative Analyst

cc: Mayor Susan Brooks and City Council  
Carolyn Lehr, City Manager  
Carolynn Petru, Deputy City Manager  
Border Issues file

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**1 Comment Letter RPV1: City of Rancho Palos Verdes****2 Response to Comment RPV1-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Final PMPU, for information  
5 provided in response to this comment.

**6 Response to Comment RPV1-2:**

7 This comment addresses the PMPU and does not raise issues that require a response  
8 under CEQA. Please refer to Final PEIR Appendix A, Final PMPU, for information  
9 provided in response to this comment.

**10 Response to Comment RPV1-3:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Final PMPU, for information  
13 provided in response to this comment.

**14 Response to Comment RPV1-4:**

15 Thank you for your comment. Responses to the city's comments on the Draft PEIR  
16 are provided in responses to Comments RPV2-1 through RPV2-4. The comment is  
17 noted and is hereby part of the Final PEIR, and is therefore before the decision-  
18 makers for their consideration prior to taking any action on the PMPU.

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8 April 2013

VIA ELECTRONIC & U.S. MAIL

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

**SUBJECT: City of Rancho Palos Verdes' Comments on Draft Program Environmental Impact Report for the Port Master Plan Update**

Dear Mr. Cannon:

The City of Rancho Palos Verdes appreciates the opportunity to review the draft Program Environmental Impact Report (PEIR) for the Port Master Plan Update (PMPU). We have reviewed the PEIR and offer the following comments: RPV2-1

1. Section 3.7 of the PEIR discusses the hazards and hazardous materials impacts of the PMPU. The two (2) relevant mitigation measures proposed in Section 3.7 are in response to "reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment" (i.e., Impact HAZ-2). However, the City of Rancho Palos Verdes respectfully suggests that Section 3.7 of the PEIR requires additional analysis in the following issue areas:
  - a. The analysis of Impact HAZ-1 (i.e., relating to "[hazards] to the public or the environment through the routine transport, use, or disposal of hazardous materials") concludes that impacts will be less-than-significant and that no mitigation is warranted because these activities are already "extensively regulated...to prevent releases and accidents, and ensure the capability to respond in the event of an accident." From our review of the draft PMPU document, we understand that the California Coastal Commission does not mandate the assessment of risks associated with the storage and handling of hazardous liquid bulk cargoes on vessels, tanker trucks, rail tank cars and in pipelines as a part of a port master plan. However, we believe that the PEIR should include a "good faith" effort to assess these risks as well. To do so would demonstrate the Port's willingness to provide more than the minimum, statutorily-required protection and notification to vulnerable resources and populations in the vicinity of the Port.

30940 HAWTHORNE BLVD / RANCHO PALOS VERDES, CA 90275-5391 / (310) 544-5205 / FAX (310) 544-5291  
E-MAIL: CLEHR@RPV.COM / WWW.PALOSVERDES.COM/RPV  
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**Christopher Cannon**  
**8 April 2013**  
**Page 2**

- RPV2-2 | b. The analysis of Impact HAZ-2 (i.e., relating to “reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment”) concludes that there are potentially-significant impacts related to the risk of hazardous materials releases into the waters of the Port, and suggests two (2) mitigation measures that would only apply to “projects involving hazardous liquid bulk facilities with in-water operations.” The PEIR briefly discusses the Port’s Risk Management Plan (RMP) as the means by which conflicts between liquid bulk facilities and vulnerable resources and populations are to be resolved. From our review of the draft PMPU document, we understand that this is to be done through the Port’s assessment and identification of any overlapping “hazard footprints” for liquid bulk facilities and nearby vulnerable resources and/or populations. However, neither the PEIR nor the PMPU provides any specifics or details regarding the location or extent of these “hazard footprints” for either existing or proposed liquid bulk facilities in the Port. As such, we respectfully suggest that the conclusion that such environmental impacts are less-than-significant is not adequately supported by evidence provided in the PEIR.
- RPV2-3 | 2. Section 5.0 of the PEIR discusses the program alternatives to the proposed PMPU. The PEIR notes that, although many key components of the program alternatives suggested by the Port Community Advisory Committee (PCAC) have been included in the PMPU, the PCAC recommendations related to liquid bulk storage facilities near the Wilmington community in the City of Los Angeles and on Terminal Island were rejected, respectively, as:
- Not avoiding or reducing significant environmental impacts; and,
  - Being physically and financially infeasible.
- The City of Rancho Palos Verdes offers the following comments with respect to the rejection of the PCAC alternative (Section 5.1.4.1) in the PEIR:
- a. With respect to the PCAC recommendations regarding liquid bulk storage near Wilmington, the PEIR (Page 5-4, Lines 32-39) again relies upon the Port’s RMP to ensure that there are no significant adverse impacts upon “vulnerable resources.” However, as we noted in our Comment 1.b above, we are concerned that the lack of details and specifics about the “hazard footprints” of existing or proposed liquid bulk facilities in the Port does not offer sufficient evidence to support this conclusion in the PEIR.
- RPV2-4 | b. With respect to the PCAC recommendations regarding the relocation of liquid bulk storage to Terminal Island, the PEIR (Page 5-5, Lines 1-16) asserts that there is a lack of available berthing capacity and that the cost of such relocation would be economically infeasible. It is not clear if these

**Christopher Cannon**  
**8 April 2013**  
**Page 3**

conclusions took into account the possible future expansion and development of the "Pier 500" project on Terminal Island, as described in the draft PMPU document. Would the berthing capacity for the relocation of liquid bulk facilities still be inadequate on Terminal Island with the addition of Pier 500? Would the relocation of such facilities to Pier 500 still be infeasible?

↑  
RPV2-4

Again, thank you very much for the opportunity to review and comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at *kitf@rpv.com*

Sincerely,



**Kit Fox, AICP**  
Senior Administrative Analyst

cc: Mayor Susan Brooks and City Council  
Carolyn Lehr, City Manager  
Carolynn Petru, Deputy City Manager  
Border Issues file

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## 1 **Comment Letter RPV2: City of Rancho Palos Verdes**

### 2 **Response to Comment RPV2-1:**

3 This comment addresses the PEIR and requests that Draft PEIR Section 3.7, Hazards  
4 and Hazardous Materials, assess the risks to the public and environment (under  
5 Impact HAZ-1) associated with storage and handling of liquid bulk cargoes on  
6 vessels, tanker trucks, rail tank cars, and pipelines.

7 Draft PEIR Section 3.7.4.3, Impacts and Mitigation Measures, addresses the risks  
8 under Impact HAZ-1 of routine transport, use, or disposal of hazardous materials.  
9 The Draft PEIR does not address risks to the public and environment associated with  
10 vessel or pipeline transport of liquid bulk from future liquid bulk facilities because  
11 specific project details are not available. The Draft PEIR concludes that operation of  
12 the proposed appealable/fill projects and land use changes would present a less than  
13 significant risk to the public in part because transportation, storage, and use of  
14 hazardous materials are extensively regulated. These safety regulations that govern  
15 the shipping, transport, storage, and handling of hazardous materials (i.e., United  
16 States Coast Guard [USCG], City of Los Angeles Fire Department [LAFD], and  
17 United States Department of Transportation [USDOT] regulations and requirements)  
18 will limit the severity and frequency of potential releases of hazardous materials. The  
19 LAHD's Risk Management Plan (RMP) also contains rigorous policies to prevent or  
20 minimize risks associated with operations of liquid bulk facilities in the Port.

21 Siting is another primary method of controlling risks, and the LAHD's RMP  
22 precludes the siting of new hazardous liquid bulk facilities and modifications to  
23 existing facilities near vulnerable resources that could be impacted. The RMP also  
24 precludes vulnerable resources from being sited near existing hazardous liquid bulk  
25 facilities. Additionally, siting of new vulnerable resources proximal to existing or  
26 approved facilities that handle hazardous liquid bulk cargoes is not permitted.  
27 Improvements or modifications to existing hazardous liquid bulk facilities or  
28 operations that would expand a hazard footprint, and therefore result in an overlap  
29 with vulnerable resources, are not permitted. For security reasons the LAHD does not  
30 provide maps with hazard footprints in CEQA documents or the PMPU.  
31 Nevertheless, the LAHD believes that risks of routine handling of hazardous  
32 materials are adequately addressed in the Draft PEIR, and no further changes are  
33 warranted.

### 34 **Response to Comment RPV2-2:**

35 This comment addresses the PEIR and states that the less than significant conclusion  
36 under Impact HAZ-2 (refer to Draft PEIR Section 3.7, Hazards and Hazardous  
37 Materials) is not adequately supported because the PEIR and PMPU do not show  
38 hazard footprints and their relationships to sensitive resources.

39 Draft PEIR Section 3.7.4.3, Impacts and Mitigation Measures, addresses the risks  
40 under Impact HAZ-2 of a release of hazardous materials to the environment through  
41 reasonably foreseeable upset or accident conditions. As discussed in Response to  
42 Comment RPV2-1, LAHD's RMP prohibits the siting of hazardous liquid bulk  
43 facilities near vulnerable resources that could be impacted. Compliance with existing  
44 regulations and requirements would appropriately limit the risk to the public from an

1 upset or accident involving hazardous materials associated with onshore operations  
2 of the proposed appealable/fill projects and land use changes. The commenter  
3 suggests that the PEIR should provide specifics or details regarding the location or  
4 extent of hazard footprints for existing or proposed facilities. The determination of  
5 hazard footprints for proposed facilities is not supported at the program level since  
6 sufficient details regarding proposed liquid bulk facilities are not presently available.  
7 Project specific environmental documentation would be required for future liquid  
8 bulk facility developments. Hazardous footprint information for existing hazardous  
9 liquid bulk facilities, as defined by the Port's RMP, is not released to the general  
10 public for security reasons. Currently, no hazard footprints overlap with vulnerable  
11 resources outside and/or within the Port.

12 **Response to Comment RPV2-3:**

13 Please see Response to Comment RPV2-2. The LAHD believes that sufficient  
14 evidence is provided to support rejection of the Port Community Advisory  
15 Committee (PCAC) recommendations regarding the relocation of liquid bulk  
16 facilities to Terminal Island.

17 **Response to Comment RPV2-4:**

18 Please see Response to Comment RPV2-2. Pier 500 is not a proposed project because  
19 specific details are currently undefined (i.e., in the conceptual design stage). This  
20 comment addresses the PMPU and does not raise issues that require a response under  
21 CEQA. Please refer to Final PEIR Appendix A, Final PMPU, for information  
22 provided in response to this comment.

# CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

April 11, 2013

## BUREAU OF SANITATION

ENRIQUE C. ZALDIVAR  
DIRECTOR

TRACI J. MINAMIDE  
CHIEF OPERATING OFFICER

VAROUJ S. ABKIAN  
ADEL H. HAGEKHALIL  
ALEXANDER E. HELOU  
ASSISTANT DIRECTORS

NEIL M. GUGLIEMMO  
ACTING CHIEF FINANCIAL OFFICER

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

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COMMISSIONER



Christopher Cannon, Director of Environmental Management  
LOS ANGELES HARBOR DEPARTMENT  
425 S Palos Verdes Street  
San Pedro, California 90731

File: SC.CE.

Dear Mr. Cannon:

### PORT MASTER PLAN UPDATE – DRAFT EIR

This is in response to your February 21, 2013 letter received March 5, 2013 requesting a review of your proposed long-range plan to establish policies and guidelines for future developments within the coastal zone boundary. The Bureau of Sanitation has conducted a preliminary evaluation of the potential impacts to the wastewater and stormwater systems for the proposed project.

BOS-1

### WASTEWATER REQUIREMENT

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 detail 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.

### STORMWATER REQUIREMENTS

The Bureau of Sanitation, Watershed Protection Division (WPD) is charged with the task of ensuring the implementation of the Municipal Stormwater Permit requirements within the City of Los Angeles. We anticipate the following requirements would apply for this project.

BOS-2



AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER





Christopher Cannon, LOS ANGELES HARBOR DEPARTMENT  
PORT MASTER PLAN UPDATE – DRAFT EIR  
April 11, 2013  
Page 2 of 3

BOS-2 POST-CONSTRUCTION MITIGATION REQUIREMENTS

The project requires implementation of stormwater mitigation measures. These requirements are based on the Standard Urban Stormwater Mitigation Plan (SUSMP) and the recently adopted Low Impact Development (LID) requirements. The projects that are subject to SUSMP/LID are required to incorporate measures to mitigate the impact of stormwater runoff. The requirements are outlined in the guidance manual titled "Development Best Management Practices Handbook – Part B: Planning Activities". Current regulations prioritize infiltration, capture/use, and then biofiltration as the preferred stormwater control measures. The relevant documents can be found at: [www.lastormwater.org](http://www.lastormwater.org). It is advised that input regarding SUSMP requirements be received in the early phases of the project from WPD's plan-checking staff.

BOS-3 GREEN STREETS


The City is developing a Green Street Initiative that will require projects to implement Green Street elements in the parkway areas between the roadway and sidewalk of the public right-of-way to capture and retain stormwater and urban runoff to mitigate the impact of stormwater runoff and other environmental concerns. The goals of the Green Street elements are to improve the water quality of stormwater runoff, recharge local ground water basins, improve air quality, reduce the heat island effect of street pavement, enhance pedestrian use of sidewalks, and encourage alternate means of transportation. The Green Street elements may include infiltration systems, biofiltration swales, and permeable pavements where stormwater can be easily directed from the streets into the parkways and can be implemented in conjunction with the SUSMP/LID requirements.

BOS-4 CONSTRUCTION REQUIREMENTS

The project is required to implement stormwater control measures during its construction phase. All projects are subject to a set of minimum control measures to lessen the impact of stormwater pollution. In addition for projects that involve construction during the rainy season that is between October 1 and April 15, a Wet Weather Erosion Control Plan is required to be prepared. Also projects that disturb more than one-acre of land are subject to the California General Construction Stormwater Permit. As part of this requirement a Notice of Intent (NOI) needs to be filed with the State of California and a Storm Water Pollution Prevention Plan (SWPPP) needs to be prepared. The SWPPP must be maintained on-site during the duration of construction.

If there are questions regarding the stormwater requirements, please call Kosta Kaporis at (213) 485-0586, or WPD's plan-checking counter at (213) 482-7066. WPD's plan-checking counter can also be visited at 201 N. Figueroa, 3<sup>rd</sup> Fl, Station 18.

Sincerely,

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



Christopher Cannon, LOS ANGELES HARBOR DEPARTMENT  
PORT MASTER PLAN UPDATE – DRAFT EIR  
April 11, 2013  
Page 3 of 3

KB\AP:tn

cc: Kosta Kaporis, BOS  
Daniel Hackney, BOS  
Zemamu Gebrewold, BOS

Div Files\SCAR\CEQA Review\FINAL CEQA RESPONSE Ltrs\Port Master Plan Update – Draft EIR

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## 1 **Comment Letter BOS: City of Los Angeles, Bureau of Sanitation**

### 2 **Response to Comment BOS-1:**

3 The City of Los Angeles Bureau of Sanitation (BOS), Wastewater Engineering  
4 Services Division, concluded that the proposed Program is unrelated to sewers, and  
5 because of the lack of specific project information cannot provide an analysis at this  
6 time. The LAHD will provide future project-related documents to BOS as they  
7 become available. The comment is noted and is hereby part of the Final PEIR, and is  
8 therefore before the decision-makers for their consideration prior to taking any action  
9 on the PMPU.

### 10 **Response to Comment BOS-2:**

11 This comment notes that any new projects would be subject to stormwater  
12 management requirements contained in the Standard Urban Stormwater Mitigation  
13 Plan (SUSMP) and Low Impact Development (LID) requirements. The comment is  
14 noted and is hereby part of the Final PEIR, and is therefore before the decision-  
15 makers for their consideration prior to taking any action on the PMPU.

### 16 **Response to Comment BOS-3:**

17 This comment notes that the city is developing a Green Streets Initiative that can be  
18 implemented in conjunction with SUSMP/LID requirements. The comment is noted  
19 and is hereby part of the Final PEIR, and is therefore before the decision-makers for  
20 their consideration prior to taking any action on the PMPU.

### 21 **Response to Comment BOS-4:**

22 This comments notes that projects are required to implement stormwater control  
23 measures during the construction phase. The comment is noted and is hereby part of  
24 the Final PEIR, and is therefore before the decision-makers for their consideration  
25 prior to taking any action on the PMPU.

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April 5, 2013

Port of Los Angeles  
 Planning and Economic Development Division  
 Attention: Michael Cham  
 425 South Palos Verdes Street  
 San Pedro, CA 90733

Re: Port Master Plan Comments

Dear Mr. Cham,

The mission of PortTechLA is to create jobs by luring to the harbor area emerging and advanced technology companies with solutions to Port challenges in the areas of environment, clean energy, logistics and homeland security; then, incubating/accelerating their growth. We have been extremely supportive of the idea of the Marine Research Center at City Dock #1 since it was first proposed. It is highly complementary to our work, and will surely develop some overlapping technology solutions to benefit the Port and the community. PTLA-1

As we stated in remarks a couple of years ago, there is no downside to: Taking a couple of historic old waterfront warehouses at City Dock #1, rehabilitating and repurposing them, filling them with marine research scientists from eleven southern California colleges and universities, berthing several large research vessels along side, adding the world’s largest saltwater wave tank, appending a marine science business park and incubator (in conjunction with PortTechLA), instituting educational programs for local high school students and topping it all off by running the Promenade and Pacific Red Car line adjacent to the facility to connect it to the community and making it accessible to tourists interested in viewing marine research as it happens. PTLA-2

The proposed Center’s environmental benefits are obvious. Researching how a lush marine environment, large industrial port, and major population center like Los Angeles interact in an era of global warming is an extremely important study. And, it sets us on the path to becoming a world center for such research and attracting some of the world’s best scientists to San Pedro. PTLA-3

In addition to creating well-paid jobs, the Center will also add great value to our community’s social environment by providing a career ladder for local high school students studying marine science at the Port of Los Angeles and San Pedro High Schools. PTLA-4

In investment parlance, the Marine Research Center project produces an excellent “triple bottom line.” That is, it profits the Port and the community in all three areas . . . economically, environmentally and socially. We support its early completion.

Sincerely,

Herb Zimmer  
 Chairman, Board of Directors

---

302 W. 5th Street, Suite 201 • San Pedro, CA 90731 • 310.519.1801 • [www.PortTechLA.org](http://www.PortTechLA.org)

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1 **Comment Letter PTLA: PortTechLA**

2 **Response to Comment PTLA-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5 information provided in response to this comment.

6 **Response to Comment PTLA-2:**

7 This comment addresses the PMPU and does not raise issues that require a response  
8 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
9 information provided in response to this comment.

10 **Response to Comment PTLA-3:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
13 information provided in response to this comment.

14 **Response to Comment PTLA-4:**

15 This comment addresses the PMPU and does not raise issues that require a response  
16 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
17 information provided in response to this comment.

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**Cham, Michael**

**From:** donaldgalaz@yahoo.com  
**Sent:** Sunday, April 07, 2013 9:45 PM  
**To:** Cham, Michael  
**Subject:** FW: Port master plan/Project street legal "harbor area"

--- Sent with mail@metro - the new generation of mobile messaging

-----Original Message-----

From: [donaldgalaz@yahoo.com](mailto:donaldgalaz@yahoo.com)  
 Sent: April 7, 2013 4/7/13  
 To: [donaldgalaz@yahoo.com](mailto:donaldgalaz@yahoo.com)  
 Subject: Port master plan/Project street legal "harbor area"

Program:Project Street Legal

Objective: A solution to illegal street racing which is occurring in & all over the city of LA including the harbor area which is a public safety issue. Provide a safe alternative street legal racing program in the port of LA on unused parcel's of land in which there are plenty throughout the port. Parts of proceeds generated will be put back into area youth programs/gang prevention & develop a positive relationship with law enforcement with race teams such as "Team Sheriff Racing". The program would be on a temporary basis so pro's & con's analysis can be evaluated. All racing would be under a safe supervised controlled environment on a short acceleration closed course using portable k-rails & nothing will be permanent. All vehicles must pass a "Tech" inspection & have closed exhaust before participating, noise monitoring with sounds meters will be used. The course will be sanctioned by the International Hot Rod Association which has strict safety standard requirements for street legal's events. They are located in Mesquite, Texas. This program is not intended for loud professional cars. Teamwork motorsports our counterpart has an active 501 non-profit and is ready to obtain full liability and insurance coverage. We have gained support from neighborhood councils in the harbor area, unions such as, ILWU LOCAL 13, PILEDRIVERS LOCAL 2375, PIPEFITTERS LOCAL 250, auto parts stores, automotive garages, local car clubs in the harbor area, stakeholders/merchants. Collectively working with the port as a community project we could set the standard throughout the city and be an example, save youth lives, keep them out of the jail system, provide money for alternative programs.

PSL-1

--- Sent with mail@metro - the new generation of mobile messaging

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1 **Comment Letter PSL1: Project Street Legal**

2 **Response to Comment PSL1-1:**

3                   This comment addresses the PMPU and does not raise issues that require a response  
4                   under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5                   information provided in response to this comment.

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April 8, 2013

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

*Re: Comments on Draft Port Master Plan Update EIR*

Dear Mr. Canon:

On behalf of Coalition for Clean Air, I am submitting comments on the Port of Los Angeles Port Master Plan Update (PMPU). CCA-1

As a state-wide advocacy organization working to improve air quality and public health for all Californians, we are concerned that the PMPU's air quality mitigation efforts are not as comprehensive as they should be, and that the proposed Program's construction and operation activities exceed ambient air pollution concentrations, even after mitigation. As such, we recommend for the DEIR to develop and include a greenhouse gas plan as a mitigation strategy, maximize the capacity to accommodate zero and near-zero emission freight transportation technology, and analyze alternative scenarios that maximize on-dock rail.

**Greenhouse Gas Mitigation Plan**

Even after mitigation, the proposed Program would exceed CEQA threshold greenhouse gas (GHG) levels for Planning Area 2 and Planning Area 3 by 3,225% and 1,787% respectively. The proposed mitigation measures in the Program reduce GHG emissions by 2% for each Planning Area. Further reductions in GHG emissions can be achieved by developing a greenhouse gas reduction plan as part of the mitigation strategy. CCA-2

The EIR already includes emission data by cargo type but does not provide mitigation measures to reduce GHG emissions in areas where GHG emissions are CCA-3

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 Los Angeles, CA 90017  
 (213) 223-6860  
 fax (213) 223-6862

1140 N. Van Ness Ave, Suite 105  
 Fresno, CA 93728  
 (559) 486-3279  
 fax (559) 486-3669

1107 9<sup>th</sup> Street, Suite 840  
 Sacramento, CA 95814  
 (916) 993-5313  
 fax (213) 223-6862

[www.ccair.org](http://www.ccair.org)

CCA-3 ↑ expected to exceed. For example, Table 3.2-3, *Mitigated Annual Emissions-Planning Area 2 Full Build-out* and Table 3.2-32 *Mitigated Annual Emissions-Planning Area 3 Full Build-out*, show emission source by cargo type for the Program for 30 years. The highest levels of emissions by source derive from container cargo. Emissions from these sources can be reduced by using zero and near-zero emission technology and cleaner fuels as part of the program activities. Yet the only mitigation measure to mention the use of zero-emission technology is *MM AQ-17 Periodic Review of New Technology and Regulations*, however, this mitigation measures does not commit to using the technology but rather to reviewing it. We recommend including a mitigation measure that specifically addresses then generation of GHG emissions related to container cargo and assures the capacity to develop, test and deploy zero and near-zero emission container movement technologies as quickly and efficiently as possible.

CCA-4 ↓ **Air Quality**

The DEIR for the PMPU shows that the Program will generate VOC, CO, NOx, PM 10, PM 2.5 and NO2 beyond South Coast Air Quality Management District (AQMD) thresholds even after mitigation. For construction activities the *Combined Peak Day Emissions Scenario- Terminal Development and Landfill Construction*, Table 3.2-1, show that emissions exceed the applicable threshold for VOCs, CO, NOx, PM10 and PM2.5 by 303%, 146%, 1767%, 171% and 225% respectively. For operations, all the threshold levels exceeded AQMD threshold levels for Planning Area 2 and 3 with the exception of SOx for Planning Area 2.

The increased emissions from port operations activities will affect the air quality of the region and the local communities that live close to port. Though we recognize that the DEIR does not analyze the impact of the program beyond the program boundaries, the emissions generated by the program will go beyond the program's boundaries so therefore to the extent possible, we recommend for the DEIR to include mitigation efforts that protect the public health of local residents and prioritize near-dock port activities. We recommend including the following mitigation measures:

**Air Filtration**—Ensure that homes, schools, and public facilities within 1,000 feet of the project and major arterials impacted by this project are equipped with register systems *plus* high performance-panel filter air filtration systems, or systems with equivalent effectiveness.

**Trees and Streetscapes**—Include tree planting and streetscape enhancement beyond MM GHG-4 Tree Planting. Trees can also be planted

along the sidewalks along the exterior of the port boundaries in order to further extend the mitigation measure and to improve the aesthetics of the Program. Other uses include using landscape improvements to mitigate noise, emissions and other nuisances.

↑  
CCA-4

We are happy to discuss our recommendations in more detail and if you have any questions, please contact me at [patricia@ccair.org](mailto:patricia@ccair.org).

Sincerely,



Patricia Ochoa  
Deputy Policy Director

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## 1 **Comment Letter CCA: Coalition for Clean Air**

### 2 **Response to Comment CCA-1:**

3 The LAHD appreciates your comments. Comment CCA-1 includes three main  
4 topics and the responses to these are provided below in the following sections:  
5 1) Greenhouse Gas Plan, 2) Zero and Near-Zero Emission Container Movement  
6 Systems; and 3) Alternative Scenarios that Maximize On-Dock Rail.

#### 7 **Greenhouse Gas Plan**

8 The commenter requests that the Draft PEIR develop and include a greenhouse gas  
9 (GHG) plan as a mitigation strategy. The unmitigated proposed Program scenarios in  
10 the Draft PEIR include implementation of all applicable existing air regulations (refer  
11 to Draft PEIR Section 3.2, Air Quality, Tables 3-2.8 and 3.2-9). The Draft PEIR  
12 subsequently proposes all feasible measures to control and mitigate air quality and  
13 GHG impacts from construction and operational activities that could occur under the  
14 proposed Program. These measures include all applicable San Pedro Bay Ports Clean  
15 Air Action Plan (CAAP) emission control measures (Port and Port of Long  
16 Beach 2006). Many of the mitigation measures proposed in the Draft PEIR promote  
17 the use of the newest and most efficient engines and electrification of equipment that  
18 would minimize the consumption of fossil fuels and therefore the generation of  
19 criteria pollutant and GHG emissions. Specifically, mitigation measure **MM AQ-17**  
20 (Periodic Review of New Technology and Regulations) would require tenants that  
21 undergo a new LAHD lease amendment or facility modification to work with the  
22 LAHD to implement new emission reduction technologies. These new technologies  
23 could include zero and near-zero emission freight transportation systems and use of  
24 cleaner fuels. As part of a new lease agreement, the tenant would implement new  
25 emission control advancements not less frequently than once every 5 years, assuming  
26 they are operationally and economically feasible. Therefore, inclusion of a GHG plan  
27 as a mitigation strategy in the PEIR would not provide any additional GHG emission  
28 reduction benefits.

29 The LAHD and City of Los Angeles also implement a variety of citywide initiatives  
30 to minimize GHG emissions. These include the following:

- 31 ■ The City of Los Angeles Green LA Plan presents a citywide framework to create  
32 a cleaner, greener, sustainable Los Angeles (refer to Draft PEIR Section 3.2.3.4,  
33 Regional and Local Regulations and Plans);
- 34 ■ The Port's Climate Action Plan outlines specific steps that the LAHD will take to  
35 implement energy audits, green building policies, onsite photovoltaic solar  
36 energy, green energy procurement, tree planting, water conservation, alternative  
37 fuel vehicles, increased recycling, and green procurement;
- 38 ■ The Port of Los Angeles Green Building Policy requires a variety of United  
39 States Green Building Council Leadership in Energy and Environmental Design  
40 (LEED) standards for new building construction and solar power to the  
41 maximum extent feasible as well as best available technology for energy and  
42 water efficiency; and,
- 43 ■ On December 7, 2007, the LAHD, the Mayor of the City of Los Angeles, and the  
44 California Attorney General entered into a Memorandum of Understanding

1                   Creating a Partnership to Reduce Greenhouse Gases and Support the Port of Los  
2 Angeles Clean Air Action Plan that commits the LAHD to installing a  
3 10 megawatt photovoltaic solar electric system in the Port.

4                   As a result, the LAHD has comprehensive long-range plans to minimize GHG  
5 emissions from operations at the Port.

### 6                   **Zero and Near-Zero Emission Container Movement Systems**

7                   The commenter recommends that to mitigate air quality and GHG impacts that  
8 the Draft PEIR maximize the capacity to accommodate zero and near-zero  
9 emission container movement systems. While an EIR must describe feasible  
10 mitigation measures that could minimize the project's significant impacts (CEQA  
11 Guidelines Section 15126.4(a)(1)), an EIR need not identify and discuss or analyze  
12 in detail mitigation measures that are infeasible (*Clover Valley Foundation v. City of*  
13 *Rocklin* (2011) 197 Cal. App. 4th 200, 245; *Cherry Valley Pass Acres & Neighbors v.*  
14 *City of Beaumont* (2010) 190 Cal. App. 4th 316, 351). Feasible “means capable of  
15 being accomplished in a successful manner within a reasonable period of time, taking  
16 into account economic, environmental, legal, social, and technological factors”  
17 (CEQA Guidelines Section 15364).

18                   While zero and near-zero emission technologies are promising, zero emission trucks  
19 and zero emission container movement systems (ZECMS) have not yet proven,  
20 through demonstration and evaluation, to be feasible in Port operations  
21 (LAHD 2012). However, recognizing the potential future promise of ZECMS and  
22 near-zero emission technologies, the Draft PEIR includes a mitigation measure that  
23 would implement these technological advancements, when proven to be feasible,  
24 upon a 5-year review (**MM AQ-17**) and/or substituted for other equivalent new  
25 technology (**MM AQ-18**). The *Final Technology Status Report - Zero Emission*  
26 *Drayage Trucks* (TIAX 2011), prepared for the Port and Port of Long Beach,  
27 examined the state of current zero emission technologies and outlined a reasonable,  
28 programmatic approach to commercialization, based on a thorough demonstration  
29 and evaluation. The report concludes that a two-phase demonstration approach to  
30 commercialization is needed. The first phase would be a small-scale (one to three  
31 units) demonstration to test basic technical performance. This would be followed by  
32 the second phase consisting of a broader, large-scale (10 to 20 units) demonstration  
33 to assess how the technologies fit into existing operations on a multi-unit basis.

34                   To date, no zero emission technologies that meet the Port and Port of Long Beach's  
35 need for container transport have completed a small-scale demonstration, and thus  
36 zero emission technologies are considered technologically infeasible. The Port and  
37 Port of Long Beach currently have two zero emission truck demonstration projects  
38 underway: 1) one battery plug-in truck; and, 2) one hydrogen fuel cell hybrid truck.  
39 In June of 2012, the battery plug-in truck was tested on a dynamometer using a Port-  
40 specific duty cycle at the University of California Riverside Center for  
41 Environmental Research & Technology. The test provided a baseline for future  
42 improvements. Since the dynamometer testing, the battery powered truck has been  
43 tested using empty and fully loaded containers that were loaned to the port for these  
44 tests. In this testing the unit has accumulated approximately 250 hours of use, but it  
45 has not yet been put into commercial drayage service. The hydrogen fuel cell  
46 powered truck has been used in isolated tests. One test, at a facility in Commerce,  
47 California, included picking up fully loaded containers and travelling over a 6 percent

1 grade. Another test was done by a national retailer picking up containers, traversing  
2 the Vincent Thomas Bridge, and delivering them to distribution centers.

3 Both technologies have been promising in initial use and additional hours of usage  
4 are currently being accrued. However, these isolated tests do not provide enough data  
5 points to constitute a completed small scale demonstration. A small scale  
6 demonstration would consist of approximately 1 year (up to 18 months if durability is  
7 questionable) of continuous demonstration to fully assess the technical capabilities  
8 and reliability of each technology. As stated in the TIAX report (page 21) "...the lack  
9 of a real-world demonstration over an extended period of time makes it impossible to  
10 assess the viability of these technologies in drayage operations. For these reasons, it  
11 is not possible in this report to estimate the timing of large-scale commercial viability  
12 for this vehicle without further information and testing."

13 The report *Technologies, Challenges & Opportunities I-710 Corridor Zero Emission*  
14 *Freight Corridor Vehicle Systems* (CALSTART 2012), is cited in several public  
15 comments on the I-710 Corridor Project Draft EIR/EIS (Caltrans and  
16 LACMTA 2012) as a recent analysis to support the technical feasibility of  
17 implementing zero emission truck technologies. The report includes a high level  
18 preliminary assessment of some potential technologies that may be able to serve the  
19 I-710 corridor by 2035. The citations generally state the possibility of zero emission  
20 technologies being in production before 2035 and even potentially within 5 to  
21 10 years. The CALSTART report also identifies several challenges that need to  
22 be overcome before commercialization can be achieved. These challenges  
23 were generalized into three categories: 1) design factors; 2) costs; and,  
24 3) economic/business case. The report does not provide a definitive timeline for  
25 commercialization.

26 Throughout the document, the CALSTART report outlines several development steps  
27 that must be achieved before any of the technologies examined can be fully  
28 commercialized. The report states that "It is not advisable to jump directly to the  
29 desired outcome because competing technologies must be evaluated, tested, proven,  
30 and commercialized. The commercialization process for a complex product like a  
31 Class 8 truck includes significant engineering and development work, including  
32 demonstration and validation of early prototypes, building a small number of  
33 pre-production vehicles, and constructing a business case for moving to full  
34 production – over the course of several years" (page 4). This supports the LAHD's  
35 desire to fully test technologies before deployment.

36 Through actions and commitments, the LAHD can catalyze the development of zero  
37 emission technologies but it is unrealistic for the Port to solely be expected to drive  
38 the market for zero emission trucks. In 2011, approximately 171,358 Class 8 trucks  
39 were sold in the U.S. It is not anticipated that isolated projects with specific duty  
40 cycles would be enough to individually drive a market for zero emission trucks. The  
41 CALSTART report identifies regulation as a potential driver for the technology;  
42 however, "Regulations may force some users to adopt certain technologies but  
43 regulations alone may not create a large enough market base to support an OEM  
44 program" (page 28).

45 The CALSTART report also identifies economics/business case as a challenge that  
46 needs to be overcome before commercialization can be achieved. There is a high

1 capital cost associated with purchasing zero emission trucks. In some cases, electric  
2 trucks can be more than triple (\$100,000 to \$300,000+) the cost of a diesel truck.  
3 There may also be operational cost increases if battery swapping or charging  
4 downtime is required. A full economic analysis considering the current business  
5 model must be conducted prior to determining that zero emission technologies are  
6 feasible. The drayage trucking industry has recently made a large investment to  
7 comply with the Clean Truck Program. There are currently over 13,000 trucks in the  
8 Port Drayage Truck registry that meet or exceed United States Environmental  
9 Protection Agency (USEPA) 2007 emission standards. At approximately  
10 \$100,000 per truck, this represents an investment of approximately \$1.3 billion by the  
11 trucking industry. Including a new mitigation measure that requires up to triple that  
12 investment so soon after a major industry investment is not economically practical  
13 and therefore infeasible at this time.

14 It is imperative to the Port, its customers, and public safety that technologies be fully  
15 demonstrated and evaluated before being considered feasible for implementation.  
16 Research studies can be useful. However, real world data is essential, particularly  
17 when deploying technologies on public roads. There are many operational concerns,  
18 such as charging/fueling and maintenance that need to be examined prior to full  
19 deployment into the fleet. Additionally, durability, loss of power potential, and safety  
20 need to be monitored through testing before stakeholders commit to large capital  
21 investments. The amount of existing data in these areas is extremely limited.  
22 Furthermore, without the completion of the real world fleet testing with full loads and  
23 full duty cycles, including longer term mechanical service and reliability over a  
24 sufficient demonstration period, a system that later proved to be unreliable would  
25 result in disruption and delay of cargo flow and trade at the San Pedro Bay Ports. The  
26 technology of heavy-duty electric drive engines with the potential for zero emissions  
27 has advanced greatly in recent years. The LAHD has been a leader in developing and  
28 testing zero-emission, heavy-duty trucks and has sent a clear message to technology  
29 providers that zero emission technologies are needed as soon as practicable.

30 In 2006, the LAHD co-funded, with the South Coast Air Quality Management  
31 District (SCAQMD), the world's first plug-in, battery-powered heavy-duty truck  
32 prototype. Subsequently, the Port, together with the Port of Long Beach, through our  
33 Technology Advancement Program (TAP), has funded a hydrogen fuel cell/battery  
34 hybrid. The TAP is currently considering several other zero and near-zero emission  
35 heavy-duty truck technologies.

36 In July 2011, at a joint meeting with the Harbor Commissions of both ports, staff  
37 presented the *Roadmap for Moving Forward with Zero Emissions Technologies at  
38 the Ports of Long Beach and Los Angeles* (Port of Long Beach and Port 2011). This  
39 document expresses the ports' commitment to zero emission technologies by  
40 establishing a reasonable framework for future identification, development, and  
41 testing of non-polluting technologies for moving cargo.

42 As part of the LAHD's Five-Year Strategic Plan adopted by the Board in April 2012,  
43 the LAHD included an initiative to develop an action plan with a goal of 100 percent  
44 of the truck moves to proposed and existing near-dock rail yards by zero-emission  
45 trucks by 2020. These actions make the LAHD's intent with and commitment to  
46 zero-emission heavy-duty trucks abundantly clear.

1 It is unknown at this time when zero emission truck technologies will be  
2 commercially available for port needs by that time, nor is there any way to guarantee  
3 such an achievement. As discussed above, a programmatic approach to  
4 demonstration and commercialization must be completed before technologies can be  
5 viewed as commercially available. The LAHD's TAP serves as the catalyst to  
6 identify, evaluate, and demonstrate new and emerging technologies applicable to the  
7 Port. The LAHD and Port of Long Beach regularly meet with technology developers  
8 in order to stay informed about new and emerging technologies that may provide  
9 some options for reducing emissions from port operations. Furthermore, annual status  
10 reports on the TAP's completed and ongoing projects are provided on the TAP  
11 website at <http://www.cleanairactionplan.org/programs/tap/default.asp>.  
12 Recommendations from the TAP are taken to the port's Boards of Harbor  
13 Commissioners when selecting and funding projects.

14 The LAHD has had ongoing discussions with the SCAQMD on a potential  
15 demonstration project for a zero-emission catenary system that would transport  
16 containers between the Port and Port of Long Beach and near-dock rail yards. This is  
17 also being discussed as a potential project through the Zero Emission Truck Regional  
18 Collaborative, which is made up of the LAHD, Port of Long Beach, SCAQMD,  
19 Metro, Caltrans, SCAG, and Gateway Cities Council of Governments. The Regional  
20 Collaborative, with SCAQMD as the lead agency, prepared and submitted an  
21 application for grant funding to help offset the cost of a demonstration of an overhead  
22 catenary system. The project however was not selected for funding. As funding and  
23 project details are being worked out, there is currently not a project in place. A  
24 catenary system would also need to be fully demonstrated before being considered a  
25 commercially viable option.

26 The I-710 Corridor Project Draft EIR/EIS acknowledges that "the commercial  
27 viability of these types of trucks (zero-emission) will be assessed over the next  
28 several years as part of demonstration projects being developed by local agencies  
29 such as SCAQMD, LAHD, Port of Long Beach, and Metro. Although zero-emission  
30 trucks are currently in limited use, development and deployment of this technology  
31 involves the following four steps: 1) research and development; 2) technology  
32 development and demonstration; 3) pre-production deployment and assessments; and,  
33 4) early production deployments." As a funding partner in those efforts, the LAHD  
34 supports the acceleration of zero emission technologies through the mitigations  
35 recommended for this Draft PEIR and other commitments as described above.  
36 However, similar to the conclusions described in the I-710 Corridor Project Draft  
37 EIR/EIS, a programmatic approach to demonstration and commercialization must be  
38 completed before zero emission technologies can be viewed as commercially  
39 available and feasible as discussed above.

40 Another category of ZECMS, based upon the use of rail or other fixed-guideway  
41 technologies, such as electric shuttle trains or magnetic levitation systems, is  
42 discussed in the Southern California International Gateway (SCIG) Recirculated  
43 Draft EIR (Section 5.2.2) (LAHD 2012). This discussion describes the various  
44 technologies that have been proposed, the evaluation process that the LAHD and Port  
45 of Long Beach and others have undertaken, and the state of development of the  
46 various systems. The SCIG Recirculated Draft EIR also discusses the Green Rail  
47 Intelligent Design (GRID) concept, (GRID 2013) which essentially is a variant of the  
48 concepts that the LAHD and Port of Long Beach considered in the Alternative

1 Container Movement Systems process (refer to SCIG Recirculated Draft EIR,  
2 Section 5.2.2). The GRID consists of three parts: 1) a new type of marine terminal  
3 that loads and unloads ships, including direct ship-to-train; 2) an underground  
4 pipeline (the “Freight Pipeline”) containing an electrified rail line; and, 3) an inland  
5 port where containers would be sorted and distributed either to local-bound trucks or  
6 to eastbound trains. The system could in theory be deployed to move containers  
7 between terminals and a near-dock rail yard or possibly the downtown rail yards,  
8 thereby eliminating drayage truck trips. Truck emissions would be reduced in the  
9 Port area, although the electrical needs of the system would result in displaced  
10 emissions near power generating facilities. However, the GRID concept has not been  
11 tested in a cargo-handling environment, there is no operational pilot- or  
12 demonstration-scale prototype, and the concept has not undergone the screening  
13 analysis of economic and technological feasibility. At this time, the GRID concept is  
14 only a two-page concept on a website. Accordingly, the GRID concept is not a  
15 feasible technology.

### 16 **Alternative Scenarios that Maximize On-Dock Rail**

17 The commenter recommends that the Draft PEIR analyze alternative scenarios that  
18 maximize on-dock rail. The LAHD and Port of Long Beach recognize that the  
19 movement of cargo by rail is essential both economically and environmentally.  
20 Maximizing the use of on-dock rail yards is part of the CAAP and the LAHD and  
21 Port of Long Beach have a long term vision for maximizing cargo movement via on-  
22 dock rail yards. There are currently nine operating on-dock rail yards at the Port and  
23 Port of Long Beach, with two more (TraPac and Middle Harbor) permitted for  
24 construction. Four of the existing on-dock rail yards are located at the Port and five at  
25 the Port of Long Beach. The ports have plans in-place to expand on-dock rail yards  
26 and construct new facilities in the future. In addition, the ports will seek to maximize  
27 on-dock operations at the marine terminals by encouraging tenants to schedule round-  
28 the-clock shifts and optimize labor rules. LAHD’s on-dock rail expansion plan is  
29 discussed in the San Pedro Bay Ports Rail Study Update (Parsons 2006). The Draft  
30 PEIR evaluated expansion of the existing on-dock rail yards within the  
31 Berths 100-131, 212-225, and 302-305 container facilities, which are proposed  
32 appealable/fill projects under the PMPU. Other potential projects that are not part of  
33 the PMPU but would expand on-dock rail capacity in the Port include the Terminal  
34 Island On-Dock Rail Facility within the backlands of Berths 226-236 and a new  
35 container terminal on the Pier 500 Fill. These projects would nearly maximize the on-  
36 dock rail capacity of the Port and therefore no additional on-dock rail alternative  
37 scenarios are feasible.

### 38 **Response to Comment CCA-2:**

39 Please see Response to Comment CCA-1 for details regarding a GHG reduction plan  
40 and mitigation measures to reduce GHG emissions.

### 41 **Response to Comment CCA-3:**

42 Please see Response to Comment CCA-1 for information regarding the use of zero  
43 and near-zero emission technologies and cleaner fuels to reduce GHG emissions from  
44 container cargo operations under the proposed Program. Please also see Response to  
45 Comment CCA-1 for information regarding inclusion of a mitigation measure that  
46 specifically addresses the generation of GHG emissions from container cargo  
47 activities and assures the capacity to develop, test and deploy zero and near-zero  
48 emission container movement technologies.

**Response to Comment CCA-4:**

The commenter recommends that the Draft PEIR include the following measures to mitigate air quality and GHG impacts from the proposed Program: 1) equip homes, schools, and public facilities within 1,000 feet of the project and major arterials impacted by the proposed Program with air filtration systems and 2) include tree planting and streetscape enhancement beyond **MM GHG-4** (Tree Planting) and landscape improvements.

The Draft PEIR proposes all feasible measures to control and mitigate air quality and GHG impacts from construction and operational activities under the proposed Program. However, future CEQA review for individual actions proposed under the PMPU could identify additional feasible measures to mitigate currently unforeseeable air quality and GHG impacts. Those mitigation measures would need to be proportional in nature and extent to the impacts identified in future environmental documents (CEQA Guidelines Section 15041(a); PRC Section 21002; CEQA Guidelines Section 15370). Mitigation in the form of air filtration devices as recommended by the commenter requires site specific data to determine receptor locations that would likely be impacted by particulate matter (PM) and the health risk. Such analyses can only be done at the project-scale. Given this a PEIR, it is not practicable to apply a site-specific mitigation measure without conducting the necessary analysis.

As part of the TraPac Container Terminal Project EIR Memorandum of Understanding (BOHC 2008), the LAHD provided \$5.4 million to install high-efficiency air filtration devices at about 47 schools in the Wilmington area, representing the community most heavily impacted by operational emissions from the Port. This funding provides maintenance and repairs of these systems for five years. The SCAQMD implements and administers this program (SCAQMD 2011). Under the Memorandum of Understanding, as certain Port expansion projects proceed, the LAHD will make substantial additional contributions to the Port Community Mitigation Trust Fund. Those contributions could be used to support a program to install high-efficiency air filtration devices at schools, homes, and businesses.

Since the LAHD has already expended substantial funds on air filtration systems, the LAHD believes the best way to fund programs to further reduce future air quality impacts from Port operations would be to directly reduce emissions from the source, since this approach would provide the most benefit to the community as a whole. Therefore, the LAHD does not plan to implement the air filtration mitigation recommended by the commenter as part of the PMPU. This approach is reflected in the mitigation measures included in the Draft PEIR. Additionally, the LAHD already manages and/or supports programs aimed at further reducing source emissions, including the following:

**■ San Pedro Bay Ports Clean Air Action Plan**

- In 2006, the LAHD and Port of Long Beach completed development of the CAAP in collaboration with the USEPA, California Air Resources Board (CARB), SCAQMD, the public, and other stakeholders. One of the CAAP's foundations is the commitment "... to expeditiously and constantly reduce the public health risk associated with port-related mobile sources, and implement

1 programs in the near-term that will achieve this goal” (Port and Port of Long  
2 Beach 2006). The CAAP established source- and project-specific health risk  
3 standards, and identified the need to develop San Pedro Bay-wide Standards to  
4 reduce public health risks from air toxics and overall criteria pollutant  
5 emissions. The recently-adopted 2010 CAAP Update established specific  
6 aggressive long-term goals for emission and health risk reduction in the region  
7 surrounding the Port and the Port of Long Beach. A key component of the  
8 CAAP is Alternative Maritime Power (AMP), which allows ships to shut down  
9 diesel engines and plug into clean electricity while at berth, thereby reducing  
10 community impacts.

11 ■ Clean Trucks Program

- 12 □ A key component of the 2006 CAAP, this program established a progressive  
13 ban on polluting trucks, and facilitated the replacement of old trucks with  
14 low emission vehicles as mechanisms to significantly reduce port truck-  
15 related emissions.
- 16 □ As of January 2012, 100 percent of the cargo gate moves at Port terminals  
17 are being made by trucks meeting USEPA 2007 heavy duty truck emissions  
18 standards. This achievement allowed the San Pedro Bay Ports to meet their  
19 2012 goal of 80 percent emissions reductions from overall drayage  
20 operations relative to 2007.

21 ■ Air Quality Mitigation Incentive Program

- 22 □ Through the Air Quality Mitigation Incentive Program the LAHD funds air  
23 quality mitigation projects that 1) reduce diesel PM and oxides of nitrogen  
24 (NO<sub>x</sub>) emissions from Port operations in the communities of San Pedro and  
25 Wilmington; or, 2) develop emission reducing technologies that may be  
26 applied throughout the San Pedro Bay. Specific projects include yard truck  
27 replacements, marine engine repowers, off-road retrofits, and cargo handling  
28 equipment replacements.

29 ■ Technology Advancement Program

- 30 □ The LAHD, along with the Port of Long Beach, has developed the TAP which  
31 accelerates the commercialization of new technologies, including zero-  
32 emission technologies, to provide more options to reduce emissions. The TAP  
33 has contributed over \$9 million of funding for new technology projects.

34 Regarding the recommendation that the Draft PEIR include tree planting and  
35 streetscape enhancement beyond **MM GHG-4** and landscape improvements, the  
36 LAHD already implements such a measure through its Climate Action Plan  
37 (LAHD 2007). Known as the Port of Los Angeles Tree Planting Program, this measure  
38 distributes and plants trees in and around the Port area to provide the same kinds of  
39 aesthetic and environmental benefits as those identified by the commenter. The LAHD  
40 intends to continue this program into the foreseeable future. Therefore, the LAHD does  
41 not need to additionally implement this recommended mitigation as part of the PMPU.





April 8, 2013

**Submitted by email**

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

**Re: Port of Los Angeles Master Plan Update Draft Program Environmental Impact Report (PEIR)**

Dear Mr. Cannon:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Program Environmental Impact Report (PEIR) for the Port of Los Angeles Master Plan Update (PMPU). Despite our years-long efforts to work with the Port to recognize and protect the many historic resources throughout its boundaries – particularly noteworthy at Terminal Island – the Conservancy is concerned as the PMPU continues to disregard these resources and instead designate incompatible land uses that threaten their future viability. The Port appears poised to proceed with this plan without providing a path forward for preservation, full consideration of adaptive reuse opportunities, and most concerning, no identification of impacts or preservation alternatives, as required by the California Environmental Quality Act (CEQA).

LAC-1

The Conservancy has repeatedly stated its concerns regarding the PMPU in our August 29, 2012 Notice of Preparation letter (attached), and our December 9, 2011 letter addressing the Draft Port of Los Angeles Terminal Island Land Use Plan – used as a framework for the PMPU -- and the Draft Built Environment Evaluation Report for Properties on Terminal Island (attached). Further, the Conservancy has brought up similar issues in numerous meetings with Port staff throughout 2012 and early 2013, community meetings convened by the Port (most recently on March 13, 2013), and at the April 4, 2013 meeting of the Los Angeles Board of Harbor Commissioners (testimony attached).

LAC-2 | **I. Prioritize preservation on par with other goals of the Master Plan Update**

The PMPU lists “protection of historic resources” as one of its five stated goals within the master plan, but denotes this occurs only “when feasible.”<sup>1</sup> This qualifier undercuts the commitment to preserve historic resources and, unlike other stated goals, appears only to apply when the Port deems it important.

In terms of meeting the Public Trust Doctrine, the Conservancy strongly believes it is the Port’s responsibility to encourage preservation and do all it can to find feasible and creative solutions that protect the built heritage at the Port. This outcome ultimately benefits the public. We urge the Port to amend this goal to instead state, “The Port will identify and make every effort to preserve historic resources within the Port.”

We fully concur that significant events should also be memorialized, as stated in the PMPU, but this should be done first through retaining and reusing the remaining built fabric as well as through monuments. The sentence ending with “memorialized through monuments,” should add at the end “and associated existing buildings and sites.” These measures, as well as the formation and adoption of a Port-wide historic resources policy, will reaffirm the Port’s commitment to preservation as a goal equal to others in the PMPU.

LAC-3 | **II. Identify Port-wide historic resources through a comprehensive survey**

Despite the Conservancy’s earlier Notice of Preparation comments urging a comprehensive survey, the PEIR and the PMPU reference an incomplete compilation of historic and cultural resources, and completely omit any archaeological resources (for instance, Japanese-American Village remains). In addition to the resources identified at Terminal Island, an extremely limited survey of only seven selected sites was included. The Conservancy understands that the Port has not yet been surveyed nor all eligible historic resources identified. In their January 25, 2013 memorandum to the Port, the City’s Office of Historic Resources states, “the [Port’s] survey does not appear to be all inclusive of potential resources in the [PMPU] project area.”

LAC-4 | Whether the proposed uses are appropriate or will have a significant impact depends on knowing where and what the historic resources are from the beginning in terms of planning. The survey as part of the PEIR should act as the defining reference document that identifies and confirms the status of historic resources. It can also highlight adaptive reuse and rehabilitation opportunities as well as sites for potential new development. Where buildings were previously surveyed, the PMPU provides an opportunity to update and confirm the status of the resources, and collect all the information in one readily accessible location.

<sup>1</sup> Port of Los Angeles, “Draft Port Master Plan,” 2/13/2013, p.6.

**a. The historic context and list of potential historic resources in the PMPU and PEIR are incomplete**

LAC-5

The PEIR presents a narrow history of the Port area, focused primarily on the operational history of the Port. Other narratives, such as the commercial fishing history at the Port, including the tuna canning industry and the Japanese-American community on Terminal Island, are missing despite a brief mention in the appendix’s Historic Resources Evaluation Report.

As a result, at least two sites the Conservancy previously identified as potentially historic on Terminal Island were excluded in the PEIR. These are the Japanese American Commercial Village at 700-702 and 712-716 Tuna Street, and the Canner’s Steam Plant. The Port of Los Angeles Dive Team Building (Fireboat House 1/Fire Station No. 11) was also not included and others are not indicated on various Port maps and illustrations within the PMPU.

LAC-6

On December 9, 2011 the Conservancy wrote to the Port (attached) addressing these long-standing oversights. And on January 13, 2012 the Conservancy and Janet Hansen from the City’s Office of Historic Resources met with Port consultants to discuss the issues in detail. We asked to reevaluate eligibility of the Japanese-American Village and to survey for archaeological purposes. In previous analysis, this site was indicated to be eligible as a historic resource. The Conservancy believes it to be nationally significant from a cultural standpoint. In this same meeting the Conservancy also pressed for a greater understanding regarding the Port’s recent internal decision stating Canner’s Steam Plant was no longer eligible as an historical resource. We asked for further explanation and reevaluation and to date have not received a written response.

The Conservancy continues to believe these sites are eligible as historic resources, and should be treated as such in the PEIR and the PMPU. The City’s Office of Historic Resources generally concurs and has also stated concerns with ineligibility findings for the DWP Distribution Station and the Wilmington Marine Service property. At a minimum, the exclusion of these various properties should be addressed.

In our August 29, 2012 letter to the Port regarding the Notice of Preparation, the Conservancy stated:

“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.”



LAC-6 SurveyLA has yet to complete its Industrial Context so an opportunity presents itself to work with the City to complete a comprehensive inventory should the Port pursue this option.

**III. Identify indirect and direct impacts on historic resources and provide a reasonable range of alternatives**

LAC-7 Without a comprehensive and updated survey, and its inclusion in the PMPU, it is premature for the PEIR to conclude less than significant impacts on historic resources when the potential conflicts between historic resources and the PMPU land uses are unknown. Further, where known conflicts exist due to designated land uses, there is no acknowledgement of these consequences and evaluation of impacts on historic resources, or the consideration of preservation alternatives.

LAC-8 Conflicts between the PMPU proposed land use and historic resources are evident. The most blatant example is with the Southwest Marine Terminal site (Berth 240) in Planning Area 4, which includes a number of buildings and structures that contribute to a National Register-eligible historic district. The PMPU proposes two separate land uses for this district -- Maritime Support and Break Bulk -- yet the boundaries of the two different land uses bisect several buildings. This raises questions about the Port's intention for this site and for the individual buildings, as land use boundaries typically do not run through existing structures.

LAC-9 It is also unclear whether either Maritime Support or Break Bulk is an appropriate use for the industrial buildings at Southwest Marine. We ask that the Port provide examples where similar buildings have been used or adaptively reused for Break Bulk and/or Maritime Support to demonstrate those uses can be accommodated at Southwest Marine. There is no reason to declare that the Southwest Marine site shall be only used for Break Bulk or Maritime Support. Other viable uses have occurred at this location previously and are sufficiently related to water-dependent uses to survive scrutiny by the California Coastal Commission.

LAC-10 Such land use designation implies that the Port may be considering a particular project for the Southwest Marine area -- as evidenced within the Draft Port of Los Angeles Terminal Island Land Use Plan -- and is not disclosing to the public what the effects will be on historic resources. CEQA requires more analysis, including project descriptions that include reasonably foreseeable future activities that may become part of the project. *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal.3d 376.

LAC-11 Other identified historic resources will also be directly impacted by incompatible land use designations, essentially guaranteeing their demise and loss. For instance, where "Container" cargo land uses are indicated the following historic resources will be significantly impacted: Canner's Steam Plant, portions of the Japanese-American Village, the Sewage Pump Station #669 (Harris Place Sewage Pumping Plant), and the American Marine Corporation (Los Angeles Yacht Club).

A significant impact on the environment may result due to these overly prescriptive and limited land uses, ultimately to the point where there is no economically viable means of adaptive reuse. 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.

LAC-12

The Conservancy does not believe the California Coastal Act requires the Port to prescribe a narrow and limited range of land uses. Within the PEIR the Port cites four provisions of the Coastal Act as its basis for limiting uses in the way it proposes in the PMPU. However, the preservation of historic industrial Port facilities is entirely consistent with the goal of providing “coastal-related” developments. In terms of ensuring CEQA requirements are met and assessing impacts, the California Coastal Act contains a reference in Sections 20260 by permitting deviations if a proposed project would violate CEQA’s mandate:

LAC-13

where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

In reference to the Port’s goal of providing uses that support “port purposes,” Section 30708 requires that Port-related projects are located, designed, and constructed as to “minimize substantial adverse environmental impacts.”

**a. Propose land uses in PMPU that are compatible with historic resources and allow for flexibility and adaptive reuse**

LAC-14

Ultimately, the best option for protecting the historic resources while meeting the other goals of the Port is to allow the most flexible reuse options. Unlike the existing master plan, the PMPU aims to allocate a single land use to most specific parcels for land use efficiency. The Conservancy maintains that a single land use will unnecessarily limit reuse options for historic resources. Viable reuses of historic resources may be dismissed because they are outside the narrowly defined land use in the PMPU, or alternatively, a proposed use consistent with the PMPU will lead to the demolition of a historic resource.

This is particularly troublesome as existing and new industries evolve and economic factors shift demand over time. For instance, the commercial fishing land use in Planning Area 4 is appropriate for the current buildings and industry as is, but may not be adequate as this industry changes in the next twenty years. The Port acknowledges as much in its PMPU, stating “it does not seem likely that there will be additional demand for commercial fishing facilities at the Port over the next few decades.”



- LAC-14 ↑ This severely limits the ability to adaptively reuse the historic cannery buildings within Fish Harbor. While maintaining commercial fishing as the main use, we urge the Port to allow additional and ancillary uses that complement commercial fishing *and* the existing historic buildings. Neither the PMPU nor the PEIR explain why these new land use constraints are necessary.
- LAC-15 | **b. Adopt overlay “hatching” or protection zones for historic resources**  
The Port should also consider adopting an overlay zone for buildings identified as historic resources to allow for a wider range of uses if the buildings are sensitively adapted and rehabilitated. This can be implemented Port-wide to attract creative reuse ideas without impinging on the Port’s operations. Alternatively, the Port can create protected land use areas for historic resources, similar to the open space zoning set aside in Planning Area 3 for a biologically sensitive area.
- LAC-16 | **IV. Strengthen Mitigation Measures**  
With a limited historic resources survey, the incompatible land uses at Southwest Marine elsewhere, and the number of pending projects, additional mitigation in the PEIR is needed to avoid further significant impacts to historic resources. These include formal adoption of the historic resources policy that is mentioned in the PMPU’s Goal 5, as well as more specific procedures for project review and approvals that impact historic resources. As a first step, elements of the draft historic preservation policy should be incorporated into the PEIR as mitigation measures.
- LAC-17 | We also recommend the Port create a preservation staff position for in-house expertise that can guide the Port on overall planning and streamline the review process. The Port should also commit to remedying structural, environmental, or other perceived barriers in order to incentivize appropriate adaptive reuse of historic resources, as well as engage stakeholders early to seek creative and viable solutions for historic buildings.
- LAC-18 | **About the Los Angeles Conservancy**  
The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with over 6,500 members. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County.
- LAC-19 ↓ The PMPU severely and unduly limits the ability to allow for preservation to occur at the Port in the future, which would then require a lengthy process to secure amendments and action by the California Coastal Commission. Because this aspects are not acknowledged as a significant impact and preservation alternatives are not provided – for instance, as alternative land use designations, overlay zones, or the Port’s hatching – the Conservancy believes the PEIR is inadequate and represents a flawed process in terms of CEQA.

What we have been and are presently asking for is a level playing field, recognizing the historic and cultural resources that currently exist and providing land use designations that allow for some level of flexibility and expanded uses.

↑ LAC-19

Thank you for the opportunity to comment on the Program EIR (PEIR) for the Port of Los Angeles Master Plan Update (PMPU). 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,



Adrian Scott Fine  
Director of Advocacy

Attachment(s)

cc: National Trust for Historic Preservation  
San Pedro Historical Society  
City of Los Angeles, Office of Historic Resources

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## 1 **Comment Letter LAC: Los Angeles Conservancy**

### 2 **Response to Comment LAC-1:**

3 The comment includes introductory information and material relevant to the PMPU,  
4 and does not raise issues requiring a response under CEQA. Responses to specific  
5 CEQA issues raised by subsequent comments are provided below. Contrary to the  
6 commenter's opinion, the LAHD does not propose to proceed with the PMPU  
7 "without providing a path forward for preservation..." The PMPU, and the recently  
8 adopted *Built Environment Historic, Architectural, and Cultural Resource Policy*  
9 (see Response to Comment LAC-3), specifically describe the policies and procedures  
10 that the LAHD will employ to protect and preserve cultural resources (Draft PEIR  
11 Section 3.4.4.3, Impacts and Mitigation). The PEIR does, in fact, describe the  
12 impacts of the proposed Program on cultural resources and applies specific mitigation  
13 measures as appropriate (Draft PEIR Section 3.4.4.3, Impacts and Mitigation). The  
14 LAHD has received and considered the Los Angeles Conservancy's input and has  
15 incorporated it as appropriate into both the PMPU and the PEIR. Accordingly, the  
16 PEIR complies with CEQA.

### 17 **Response to Comment LAC-2:**

18 This comment addresses the PMPU and does not raise issues that require a response  
19 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
20 information provided in response to this comment.

### 21 **Response to Comment LAC-3:**

22 On May 2, 2013, the LAHD adopted its *Built Environment Historic, Architectural,*  
23 *and Cultural Resource Policy*. This policy commits the LAHD to conducting a  
24 comprehensive survey of cultural resources in the Port, establishes a protocol for  
25 evaluating such resources, and describes the mechanisms that will be used to ensure  
26 the preservation and adaptive use, where feasible, of cultural resources. Accordingly,  
27 the LAHD will not approve any development under the PMPU until the site has been  
28 surveyed pursuant to the *Built Environment Historic, Architectural, and Cultural*  
29 *Resource Policy*, and any historical resources identified during the survey will be  
30 subject to the provisions of this policy.

31 Furthermore, most of the features mentioned in the comment letter as being of  
32 particular concern (e.g., Japanese American Fishing Village, Southwest Marine,  
33 Canner's Steam, and other fishing-related structures) are on Terminal Island, all of  
34 which were the subject of historic resource surveys, the latest in 2011 (SWCA  
35 Environmental Consultants 2011). In the 2011 survey, five of the facilities or  
36 buildings on Terminal Island had undergone a historic resource evaluation in last  
37 5 years and, accordingly, were not resurveyed. Further, 5 buildings surveyed 9 to  
38 25 years ago had their surveys updated; 20 were of recent construction and did not  
39 meet the 50-year threshold for evaluation; and 9 were evaluated for the first time.  
40 Port-wide since 2000, the LAHD has conducted 28 formal historic resource surveys  
41 and has made historic status determinations for 168 buildings or facilities within the  
42 Port, not including the 11 buildings, structures and sites listed as historic resources on  
43 federal, state, or local level historic registers. Seventy-three buildings, structure and  
44 districts have been found to be potentially eligible for listing on the federal, state or

1 local registers of historic resources. To date the majority of the Port has been  
2 surveyed and the LAHD is working to complete its survey to determine the historic  
3 status of all remaining buildings, structures, objects, and districts within the next  
4 2 years.

5 The Draft PEIR, Section 3.4.2.5.1, Archaeological Resources (Table 3.4-1), identifies  
6 listed archaeological resources, based on a cultural resource site record and literature  
7 search performed on July 27, 2012 to identify the location of recorded archaeological  
8 sites and results of previous archaeological studies (Morlet et al. 2012). The records  
9 search was conducted at the South Central Coastal Information Center (SCCIC) at  
10 California State University, Fullerton, which maintains the California Historical  
11 Resource Information System (CHRIS) database for Orange, Los Angeles, and  
12 Ventura counties and keeps a record of all reported cultural resource studies and  
13 findings. The PEIR acknowledges the current state of knowledge regarding cultural  
14 resources in the Port by imposing mitigation measures that require cultural resources  
15 evaluations when proposed appealable/fill projects are initiated (**MM CR-1**), and sets  
16 forth procedures for protecting previously unknown resources discovered during  
17 construction (**MM CR-2**). The PEIR also includes a mitigation measure specific to  
18 historical resources (**MM CR-3**) that requires that proposed projects include  
19 historical resource assessments as appropriate and specifies measures to be  
20 undertaken that minimize or avoid potential impacts and protect identified historical  
21 resources; see Response to Comment LAC-7 for additional details. Accordingly, the  
22 PEIR's evaluation of potential impacts of implementing the PMPU is accurate and  
23 complies with CEQA.

24 Please refer to Response to Comment LAC-6 for information regarding the Japanese  
25 American Fishing Village and the Port's Dive Team Building (Fireboat House 1/Fire  
26 Station No. 11).

27 **Response to Comment LAC-4:**

28 Please see Response to Comment LAC-3.

29 **Response to Comment LAC-5:**

30 The Draft PEIR (Section 3.4.2.3, Historic Setting) describes the history of the Port in  
31 general terms, concentrating on its primary role as a commercial seaport, and the  
32 remainder of the cultural resources analysis (Section 3.4, Cultural Resources)  
33 describes numerous cultural resources associated with the other "narratives"  
34 mentioned by the commenter (see, for example, Draft PEIR Table 3.4-2). Although,  
35 the commenter does not specify how that approach represents a deficiency under  
36 CEQA, Final PEIR Section 3.4.2.3, Historic Setting, has nevertheless been revised to  
37 include additional information regarding the tuna canning industry and former  
38 Japanese American Fishing Village on Terminal Island.

39 **Response to Comment LAC-6:**

40 Please see Response to Comment LAC-3. The LAHD's *Built Environment Historic,*  
41 *Architectural, and Cultural Resource Policy* commits the LAHD to ongoing surveys.  
42 Section IV.B of the Policy refers to the inclusion of SurveyLA recordation forms.

1 The responses to potentially historic resources identified in Comment LAC-6 are  
2 provided below in the following sections: 1) Japanese American Fishing Village;  
3 2) Canner's Steam Plant; 3) Port's Dive Team Building (Fireboat House 1/Fire  
4 Station No. 11); 4) City of Los Angeles Department of Water and Power (DWP)  
5 Distribution Station; and, 5) Wilmington Marine Service.

### 6 **Japanese American Fishing Village**

7 In 1914, the Port began dredging the area that would become Fish Harbor, a  
8 specialized area for fish processing and canning at Terminal Island. It was  
9 operational by 1915, and most of the Port's canneries moved to the new harbor,  
10 making tuna fishing and processing the most visible activity in that part of the island.  
11 By the 1920s, 11 canneries operated from the Port, served by a large fleet of fishing  
12 vessels and employing 1,800 cannery workers and 4,800 fishermen. The workforce  
13 was ethnically diverse and included Japanese, Italians, Mexicans, and Yugoslavians.  
14 Many workers lived on the island, either in the old Brighton Beach area (generally  
15 called Terminal) or in largely cannery-owned housing north of Fish Harbor  
16 (generally called East San Pedro or Fish Harbor). The latter residential area was  
17 predominantly occupied by first (Issei) and second (Nisei) generation Japanese and  
18 Japanese Americans, who formed a distinctive island community. The Japanese  
19 inhabitants of the island developed a distinctive hybrid dialect and culture unique to  
20 the Port, and many of them lived in near isolation from the rest of Los Angeles and  
21 Long Beach. Some second-generation residents never even left Terminal Island until  
22 they reached high school age and began taking the ferry to attend San Pedro High.  
23 The commercial heart of the East San Pedro/Fish Harbor community was a small but  
24 vigorous commercial core on Tuna and Cannery Streets. The block of Tuna Street  
25 between Cannery and Fish Harbor was lined with restaurants, barber shops, pool  
26 halls, markets, clothing stores, hardware stores, and grocery and dry goods stores,  
27 including Nanka Company and Nakamura Company.

28 On Terminal Island, the Japanese community was adversely affected by America's  
29 involvement in the war. At its height in 1940, the Japanese population there had  
30 grown to 3,000, just prior to its abrupt demise following the bombing of Pearl Harbor.  
31 Beginning in early 1942, the Port's Japanese Americans were forcibly removed from  
32 their homes on Terminal Island by the federal government. The residents there were  
33 the first Japanese Americans on the west coast to be taken to internment camps. Most  
34 were sent to Manzanar in California's Owens Valley. The Navy bulldozed their  
35 homes and most of the businesses, leaving nothing to return to at the war's end. The  
36 uprooting of Terminal Island's Japanese community led not only to dissemination of  
37 the population, but the destruction of nearly its entire built environment. Those  
38 buildings that were not demolished were altered into new uses. LAHD is aware of the  
39 important lesson to be learned from the experience of the Japanese American  
40 community on Terminal Island. Working with the Terminal Islanders Club, a  
41 memorial to honor and remember the members of this community was created. This  
42 memorial overlooks Fish Harbor, the center of the former Japanese American fishing  
43 community. Of the once vibrant community only two buildings remain 700-702 Tuna  
44 Street (Nanka Company) and 712-716 Tuna Street (Nakamura Company). In light of  
45 these facts, even though the property does not possess sufficient integrity to reflect its  
46 historical associations with the Japanese American Fishing Village and period of  
47 significance, in accordance with the discretion allowed by the LAHD under the *Built*  
48 *Environment Historic, Architectural, and Cultural Resource Policy*, the buildings at

1 700-702 and 712-716 Tuna Street will be included on the LAHD Built Environment  
2 Historic, Architectural and Cultural Resource Inventory as potentially eligible for  
3 listing as a City of Los Angeles Historic-Cultural Monument (LAHCM). Final  
4 PEIR Table 3.4-2, Recorded and Potentially Eligible Historic Resources in the PMPU  
5 Area, has been modified to include these buildings.

#### 6 **Canner's Steam Plant**

7 Based on a 2004 historic resources assessment, Canner's Steam Company Plant  
8 appeared to be eligible for the NRHP under Criterion A and for the CRHR under  
9 Criterion 1 due to "its direct and significant association with the expansion of  
10 canning operations by providing the canneries with an efficient and reliable source of  
11 steam...and its high degree of integrity" (Jones & Stokes 2004). The evaluation found  
12 "[T]here have been minimal alterations to the plant over the years, and the interior  
13 equipment, in particular, appears to have been extremely well maintained. The plant  
14 clearly illustrates how the facility would have operated during the historic period.  
15 The plant's historic materials, workmanship, and design are all intact, and it remains  
16 in its original location" (Jones & Stokes 2004).

17 In 2009, the SCAQMD issued Canner's Steam Company a Notice to Comply (NTC),  
18 which identified damaged asbestos containing material (ACM) outside and inside of  
19 the steam plant. The NTC required Canner's Steam Company to address the damaged  
20 ACM to protect human health, including preparation of plan for removal of the  
21 ACM. In June 2009, SCAQMD issued a second NTC, this time to the LAHD. This  
22 NTC required the LAHD to address the hazards presented by the ACM at the steam  
23 plant.

24 In 2010, the exterior portion of the steam equipment containing asbestos was found  
25 to pose an immediate public health hazard and was removed. In light of this removal  
26 and the importance of integrity to the finding of the steam plant's eligibility for  
27 listing on the NRHP and CRHR, the steam plant was reevaluated to ascertain its  
28 current eligibility for listing. The 2011 reevaluation examined the seven aspects of  
29 integrity and found the steam plant's integrity in six had been degraded or lost  
30 (AECOM 2011). The loss of integrity was such that "[E]ssentially, the building is no  
31 longer recognizable as a steam plant and has the look and feel of an industrial  
32 building dating to the mid-20th century. Therefore, Canner's Steam Company Plant  
33 does not appear to retain sufficient integrity to meet NRHP or CRHR criteria"  
34 (AECOM 2011). The evaluation also found that the steam plant in its current  
35 condition "does not appear to qualify as a City of Los Angeles Historic-Cultural  
36 Monument [LAHCM]" (AECOM 2011).

37 In 2013, the steam plant was again evaluated after additional asbestos removal, and  
38 soil remediation of petroleum hydrocarbons from an above ground tank at the facility  
39 was completed. The steam plant was found to be not eligible for listing on the NRHP,  
40 CHRC, or as a LAHCM (AECOM 2013).

#### 41 **Port's Dive Team Building (Fireboat House 1/Fire Station No. 11)**

42 Final PEIR Table 3.4-2, Recorded and Potentially Eligible Historic Resources in the  
43 PMPU Area, has been modified to include the Port's Dive Team Building (Fireboat  
44 House 1/Fire Station No. 11), which was inadvertently omitted from the Draft PEIR.

## DWP Distribution Station and Wilmington Boat Services

In a letter to the City of Los Angeles Office of Historic Resources (OHR) dated March 11, 2013, the LAHD explained the rationale of their findings for DWP Distribution Station #3 and Wilmington Boat Services. With regards to DWP Distribution Station #3, LAHD concluded there are other examples of the DWP's distribution stations within the city that better convey the architectural and aesthetic values championed by the City of Los Angeles Municipal Art Commission in the early part of the century. In addition, the integrity of design, materials, and workmanship of DWP Distribution Station #3 is diminished by the alterations to the building. As such, the building does not meet eligibility standards or the integrity considerations and, therefore, does not possess the ability to convey its significance under criterion A for its association with Municipal Power and Light.

The basis for OHR's opinion concerning Wilmington Boat Services is that it was last owned by a Croatian immigrant. While Wilmington Marine Service has been owned for some time by a Croatian immigrant, it has been owned by others since its inception in the 1920's, and the structure is not known for its association with the Croatian community. In contrast, the Norwegian Methodist Episcopal Church is known for its association with the Norwegian community, and the Dalmatian-American Club is known as a social center for the Croatian community. Absent any other historic attribute, Wilmington Marine Service does not rise to the level of a historic, architectural, or cultural resource.

### Response to Comment LAC-7:

The commenter incorrectly characterizes the PEIR's significance determination with regard to historic resources. In fact, the PEIR acknowledges that future projects under the PMPU could encounter currently unrecorded or unsurveyed historic resources, and finds that such an occurrence would represent a potentially significant impact (refer to Draft PEIR Section 3.4.4.3, Impacts and Mitigation [Impact CR-2]). Once a proposed project site is identified, the LAHD will not approve any development until the site has been surveyed pursuant to the *Built Environment Historic, Architectural, and Cultural Resource Policy*, and any historical resources identified during the survey will be subject to the provisions of this policy. Furthermore, in accordance with **MM CR-3**, if a historic resource is present, the LAHD will determine the need to implement measures, including but not limited to: 1) preconstruction and construction monitoring activities by a preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards; 2) Historical American Buildings Survey (HABS)/Historic American Engineering Record (HAER) documentation; 3) establishing an environmentally sensitive area with barriers to ensure the protection of specific built resources; and/or, 4) implementation of additional protective measures (e.g., in-situ preservation, adaptive reuse, and relocation). Therefore, implementation of **MM CR-3** would ensure potential impacts on previously unevaluated historical resources associated with future construction of proposed appealable/fill projects and land use changes would be less than significant. Furthermore, the recently-adopted *Built Environment Historic, Architectural, and Cultural Resource Policy* provides an additional measure of protection to historic resources.

**Response to Comment LAC-8:**

The commenter is correct that with the map scales and general depictions employed in the PMPU and PEIR, land use boundaries appear to bisect one or more buildings in the vicinity of the Southwest Marine facilities. In the Final PMPU, the boundaries have been modified to include all of the buildings in the break bulk designation. Furthermore, the Final PMPU designates this area as a mixed land use site that would allow break bulk and/or maritime support uses, thereby providing greater flexibility to adaptively reuse the buildings at the former Southwest Marine site. These changes have been made as a clarification of the PMPU's intent. Break bulk cargo can include palletted and baled goods such as fruit, cotton, specialty lumber, paper rolls and other types of cargo that require relatively modest, covered warehouse spaces. In addition, break bulk facilities require office, maintenance, and other support facilities. These requirements can sometimes be accommodated by the reuse of older buildings. As an example, old warehouses in the vicinity of City Dock No. 1 have been approved for adaptive reuse as a marine technology center, and World War (WW) II-era Warehouse No. 10 has been adapted to support the Crafted marketplace in San Pedro. The LAHD has no current plans to demolish any of the buildings at the Southwest Marine facility, and would not contemplate such an action unless there was a proposed development project requiring their removal. In such a case, project-level cultural resource evaluations would be conducted in accordance with CEQA and the *Built Environment Historic, Architectural, and Cultural Resource Policy*, as described in Response to Comment LAC-3 to ensure that historic resources are adequately considered.

The modification of the land use boundaries discussed above would replace 6 acres of maritime support with break bulk land use within Planning Area 4. This change in land use would not alter conclusions regarding air quality, transportation, or utilities. In regard to air quality effects, the acreage change would result in minor increases of air emissions and resulting impacts compared to those estimated in the Draft PEIR. Draft PEIR Table 3.2-18 shows the amount of emissions that would occur from the proposed operation of 17 acres of break bulk facilities within Planning Area 4. Inclusion of emissions from an additional 6 acres of break bulk operations to the total emissions for Planning Area 4 would not change the significance of daily emissions estimated for this area. Therefore, this proposed change in the proposed Program description would not produce any new significant air quality impacts compared to those identified in the Draft PEIR. In regard to traffic effects, the addition of 6 acres of break bulk use would result in approximately 7 vehicle trips (in passenger car equivalents [PCEs]) in each of the A.M. mid-day (M.D.) and P.M. peak hour periods. This would represent an increase of 0.34, 0.31, and 0.36 percent in proposed Program trips in the A.M., M.D., and P.M. peak hours, respectively. The corresponding reduction in acreage for the maritime support use would further diminish any changes to the previous traffic analysis. As such, changing 6 acres of maritime support use to break bulk has negligible consequence on the traffic analysis and does not warrant further analysis. In regard to demand for utilities, overall water and wastewater demands would be comparatively lower, and solid waste generation would be the same, for the land use change.

**1 Response to Comment LAC-9:**

2 The comment provides no evidence that the proposed land uses would preclude  
3 adaptive reuse or other means of preserving or otherwise mitigating significant  
4 impacts to historic resources on Terminal Island (note that adaptive reuse is only one  
5 means of avoiding significant impacts on historic resources). The PEIR has  
6 incorporated mitigation measures that ensure appropriate protection of historic  
7 resources. Through the CEQA comment process the LAHD has strengthened  
8 **MM CR-3** to specify that additional protective measures will be implemented as  
9 necessary and appropriate (e.g., in-situ preservation, adaptive reuse, and relocation;  
10 see Response to Comment LAC-11). Finally, the LAHD's recently adopted *Built*  
11 *Environment Historic, Architectural, and Cultural Resource Policy* described in  
12 Response to Comment LAC-3 will enhance the protection of historic resources in the  
13 Port. These measures ensure that the PEIR complies with the requirements of CEQA  
14 as set forth in PRC Section 21002. Please refer to Final PEIR Appendix A, Port  
15 Master Plan, for information specific to the PMPU as provided in response to this  
16 comment.

**17 Response to Comment LAC-10:**

18 Please see Response to Comment LAC-8. The *Terminal Island Land Use Plan* cited  
19 by the commenter does not identify demolition of buildings at Southwest Marine as a  
20 feature of the land use plan, nor does the PMPU. The commenter's concerns  
21 notwithstanding, the LAHD is not contemplating a particular project in the area of  
22 Southwest Marine; the PMPU simply indicates permitted future land uses.  
23 Accordingly, there are no other "reasonably foreseeable future activities" that should  
24 be considered in the PEIR, and the PEIR complies with CEQA. As a note, existing  
25 uses at the Southwest Marine buildings would be allowable as non-conforming uses  
26 under the PMPU until such time as a redevelopment project is approved, so adoption  
27 of the PMPU would not have a physical effect on historic buildings (refer to Draft  
28 PMPU Section 6.3, Application Procedures).

**29 Response to Comment LAC-11:**

30 Sewage Pump Station #669 (390 North Seaside) occupies a small site within a  
31 vegetated area between North Seaside and the Terminal Island Freeway in an area  
32 that is already designated for container use. The structure coexists with the existing  
33 container operations. There is no land use change that would affect this facility.

34 There are no reasonably foreseeable actions that would affect the former Los Angeles  
35 Yacht Club facility. If a project is proposed in the future for this location, potential  
36 impacts to the structure would invoke **MM CR-3**, which could involve relocation  
37 options.

38 With respect to Canner's Steam Plant and the Japanese American Fishing Village,  
39 please see Response to Comment LAC-9.

**40 Response to Comment LAC-12:**

41 Please see Response to Comment LAC-8. The comment provides no evidence that  
42 the proposed land uses would preclude adaptive reuse or other means of preserving or

1 otherwise mitigating significant impacts to historic resources on Terminal Island  
2 (note that adaptive reuse is only one means of avoiding significant impacts on  
3 historic resources). The PEIR has imposed mitigation measures that ensure the  
4 protection of historic resources. Through the CEQA comment process the LAHD has  
5 strengthened **MM CR-3** to specify that additional protective measures will be  
6 implemented as necessary (e.g., in-situ preservation, adaptive reuse, and relocation;  
7 see Response to Comment LAC-11). Finally, the LAHD's recently adopted *Built*  
8 *Environment Historic, Architectural, and Cultural Resource Policy* described in  
9 Response to Comment LAC-3 will enhance the protection of historic resources in the  
10 Port. These measures ensure that the PEIR complies with the requirements of CEQA  
11 as set forth in PRC Section 21002.

### 12 **Response to Comment LAC-13:**

13 As noted in the previous responses to comments, the range of land uses, along with  
14 the LAHD's established policies and the mitigation measures imposed through the  
15 PEIR, afford adequate protection for historic resources in the Port. Accordingly, the  
16 land use designations in the PMPU do not conflict with the goal of protecting historic  
17 resources, and the PEIR properly concludes that, at the programmatic level  
18 appropriate for this analysis, the proposed PMPU would not have significant adverse  
19 impacts on such resources. As a result, the LAHD does not believe that any deviation  
20 from CCA goals and requirements of the sort cited by the commenter is necessary.  
21 The comment does not provide substantial evidence to the contrary, and therefore no  
22 change to the PMPU or the PEIR is required.

### 23 **Response to Comment LAC-14:**

24 This comment addresses the PMPU and does not raise issues that require a response  
25 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
26 information provided in response to this comment.

### 27 **Response to Comment LAC-15:**

28 This comment addresses the PMPU and does not raise issues that require a response  
29 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
30 information provided in response to this comment.

### 31 **Response to Comment LAC-16:**

32 As noted in previous responses to comments, the Board has adopted the LAHD's  
33 *Built Environment Historic, Architectural, and Cultural Resource Policy*, as  
34 suggested by the commenter. That policy includes a procedure for project-level  
35 management and protection of historic resources. Because it is official LAHD policy,  
36 it is unnecessary to impose the policy as mitigation in the PEIR. Please note that  
37 additional mitigation is included in the Final PEIR in the form of a revision of  
38 **MM CR-3** to incorporate specific preservation measures.

### 39 **Response to Comment LAC-17:**

40 The commenter's recommendation regarding creation of a new staff position is noted  
41 and is hereby part of the Final PEIR, and is therefore before the decision-makers for  
42 their consideration prior to taking any action on the PMPU. The comment is general



1 and does not reference any specific section of the PEIR; furthermore, such a position  
2 would not mitigate any identified significant impacts because none of those impacts  
3 is the result of lack of trained LAHD staff. Accordingly, no further response is  
4 required under CEQA (PRC Section 21091(d); CEQA Guidelines Section 15204(a)).

5 The commenter does not identify the “structural, environmental, or other perceived  
6 barriers” that the comment suggests needs remedying. Accordingly, no further  
7 response is either required under CEQA (PRC Section 21091(d); CEQA Guidelines  
8 Section 15204(a)) or possible under the PMPU public comment process.

9 **Response to Comment LAC-18:**

10 The comment addresses general descriptive material that is unrelated to either the PEIR  
11 or the PMPU, and does not raise issues that require a response under CEQA or the  
12 CCA.

13 **Response to Comment LAC-19:**

14 As described in previous responses to the Los Angeles Conservancy’s comments, the  
15 PMPU fully allows, and does not limit the ability of the LAHD to identify and protect,  
16 as appropriate, the historic resources within its jurisdiction. The PMPU and associated  
17 policies contain the necessary procedures and guidelines to allow the LAHD to manage  
18 historic resources and to mitigate impacts to such resources in full compliance with  
19 CEQA and other applicable laws. The commenter does not explain why amendments  
20 would be required or why the CCC would require additional actions, or explain how  
21 the other measures mentioned (e.g., overlay zones, “Port’s hatching”) would add to  
22 LAHD’s ability to avoid significant impacts of development under the PMPU.  
23 However, to clarify the PMPU’s intent, two additional mixed land use sites have been  
24 incorporated into the Final PMPU: 1) existing institutional uses at Warehouse No. 1  
25 would remain and/or be changed to visitor-serving commercial; and, 2) vacant land at  
26 Southwest Marine Shipyard would be changed to break bulk and/or maritime support.  
27 These land use designations provide flexibility that allows adaptive reuse of historic  
28 structures within the PMPU area. Furthermore, the term “level playing field” as used in  
29 the comment is undefined and unclear. Accordingly, the LAHD believes that the  
30 PMPU as revised to avoid bisection of buildings by land use designations provides  
31 appropriate protection for historic resources and that the PEIR adequately describes  
32 potential impacts and provides mitigation that is appropriate based on the  
33 programmatic nature of the analysis.

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

April 8, 2013

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

VIA EMAIL to: ceqacommments@portla.org

**Re: Comments on the Master Plan Update for the Port of  
Los Angeles and Draft 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 Draft Program Environmental Impact Report (Draft PEIR) for the Port Master Plan Update. The guidelines and policies established in the Plan Update will have a major role in shaping the future of the cultural and historic resources under the jurisdiction of the City of Los Angeles Harbor Department. Under the Public Trust Doctrine, the Department stewards these areas for the benefit of the public and future generations.

NTHP-1

**Summary**

As we stated in our comments on the Notice of Preparation, our particular interest is to ensure the revitalization of the historic resources in proposed planning areas 3 and 4 – particularly those concentrated near Fish Harbor. These places are invaluable assets and tangible links to the Port's history, yet many remain underused, vacant, and in need of environmental remediation. Among them are three large canneries and a steam plant that were responsible for the development of the tuna canning industry in America, a highly significant World War II shipyard, and the few remains of a once-sizeable Japanese American fishing village forcibly evacuated in the panic that followed the Pearl Harbor attack.

We are pleased that the Port has made a commitment to the preservation of historic resources in Goal 5 of the Draft Master Plan Update. In addition, the Draft PEIR proposes at least some basic mitigation measures to ensure that

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- NTHP-1  historic architecture and archaeological sites are protected as future projects move forward.
- However, the Draft Plan Update also suffers from oversights and a lack of will to preserve historic and culturally significant sites, which will prohibit the fulfillment of Goal 5. In fact, increased restrictions on uses for historic buildings and ill-conceived planning district boundaries are a step backwards for the Port from the existing Master Plan. Further, many of our comments elaborate on the same issues we pointed out in our letter on the Notice of Preparation dated August 24, 2012.
- NTHP-2 **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, 2012 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. 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 suggested that future roadway alignments would result in a radical reconfiguration of the area's street grid which would likely cause the demolition of historic resources. Much of this plan was incorporated into the Draft Master Plan Update.
- 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 similarly-situated ports across the country. We believe that this threshold will be met if the Master Plan Update promotes a realistic strategy for the adaptive re-use of historic structures a method for achieving the Port's broader economic success.

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

NTHP-3

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 Draft Plan Update, 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 those uses were traditionally 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 historic uses related to maritime activities, the Port need not limit its allowable future activities in the area. For instance, educational initiatives which promote public appreciation for the area's history should be considered if they are necessary to revitalize the Port's neglected historic structures.

**The Draft PMPU and Draft PEIR Contain an Incomplete List of Identified Historic Resources**

NTHP-4

CEQA requires that a lead agency consider a property historically significant if a "fair argument" can be made for its inclusion in the local or statewide Register of Historic Resources. *Architectural Heritage Association v. County of Monterey* (2005) 122 Cal.App.4th 1095. CEQA does not require that the resource be listed in any formal inventory, but by a fact-based opinion of an historic resources expert or advisory commission.

The Draft PEIR contains a discussion of historic resources and indicates that most are located within the Fish Harbor planning district area. Table 3.4-2

<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.

NTHP-4 ↑ purports to contain an exhaustive list of recorded and potentially eligible resources. However, we note two critical omissions:

***Canner’s Steam Plant***

This plant was built in 1951 in the years following World War II as the seafood canning industry boomed. Five canneries formed a cooperative to provide steam for cooking and canning. The centralized steam generation enhanced the canning process and increased efficiency in the industry. It is a critical link to the area’s once-mighty canning industry.

***Historic Japanese Commercial Village***

We were surprised to see that the Draft PEIR omits mention of the historic Japanese fishing village at Terminal Island. The forcible internment of the approximately 3,000 American citizens living at Terminal Island was a dark chapter in the Port’s history, but nonetheless worthy of recognition. The Port has commendably created a memorial honoring the contributions of the Japanese Americans who were evicted, but should place greater effort on acknowledging and protecting the physical remnants of the former village. Two commercial storefronts, for instance, remain intact, albeit altered, and it is unclear why the Port does not place any value on them as historic assets. In addition, we presume there is a strong likelihood that any development in the area will encounter archaeological resources. The Master Plan Update must acknowledge the value of archaeological sites that post date the Native American settlement on its property as they may contribute information to our understanding about the Port’s 19<sup>th</sup> Century history.

***Recommendation***

We recommend that the Port include a map and more comprehensive list of known cultural resources. The inclusion will improve the planning process as project specific CEQA review occurs in the future.

NTHP-5 ↓ **The Proposed Boundaries of Planning Area 3 in the Draft PMPU Do Not Respect Historic Resources and the Draft EIR Fails to Account for the Effects on Historic Resources**

The following image appears on page 36 of the Port Master Plan as a cropped version of Figure 7:



↑  
NTHP-5

The blue color indicates that the area will be zoned as a “container” land use area which is defined at Table 8 on page 22 as “Water-dependent uses focused on container cargo handling and movement.” This designation is virtually a death knell for any extant structure, and/or extant archaeology as container storage areas require expansive, flat, and paved terrain.

This new planning area differs from existing Planning Area 8 which includes within the Fish Harbor area all historic resources southeast of Terminal Way. The departure is a major matter of concern for the historic environment at Terminal Island, as it divides the historic Japanese Commercial Village by placing the district boundary at Cannery Street. The area northwest of Cannery Street is designated for containers areas, while the area southeast towards Fish Harbor, is for commercial fishing (as detailed in Figure 8). The effect of developing the area for containers would cause a major loss of integrity for this resource. Furthermore, Canner’s Steam Plant is also located within the container zone, we believe inappropriately. The Draft PEIR omits mention of both of these impacts.

**Recommendation:** Revise the boundaries of Planning Area 3 to include all the land southeast of Terminal Way within Planning Area 4. This will result in greater protection for the historic resources currently included in the Planning Area 3 boundary including the historic Japanese American Commercial Village as well as Canner’s Steam Plant.

**The Proposed Boundaries of Planning Area 4 in the Draft PMPU Do Not Respect Historic Resources and the Draft EIR Fails to Account for the Effects on Historic Resources**

NTHP-6

The following image appears on page 39 of the Port Master Plan as a cropped version of Figure 8:

↓





As the Draft PEIR indicates, this area contains, by far, the greatest concentration of significant historic architectural resources within all five planning areas. Between Cannery and Wharf Street remnants of the Japanese American Commercial village still exist. Between Barracuda Street and Ways Street on the Western waterfront are three historic canneries: Chicken of the Sea, Pan-Pacific Fisheries, and StarKist Tuna Cannery Main Plant. Finally, to the east of Fish Harbor lies Southwest Marine complex, the Terminal Island Japanese Memorial, and the Al Larson Boat Shop Complex.

The proposed zoning that applies to each of these resources varies considerably from current permissible uses. The existing Master Plan permits commercial fishing, recreation, industrial, liquid bulk, institutional and “other” uses in the Fish Harbor Area (Planning Area 8). The Southwest Marine area in Planning Area 7 permits institutional uses in addition to the aforementioned uses.

NTHP-7 Neither the Draft Master Plan Update nor the Draft EIR explains why the new constraints are necessary. The canneries and Japanese Village are designated *only* for “Commercial Fishing.” Southwest Marine is designated *only* as “Breakbulk.” The Al Larson Boat Complex and the Memorial are indicated to be “Marine Support.”

Notably, neither the Port Plan nor the Draft PEIR contain any indication of the consequences these zoning designations will have for historic resources. If a specific future tenant of these buildings was anticipated, the designation might be justified. However, the canneries and shipbuilding facilities remain vacant, underused, and in disrepair, and such strict, prescriptive zoning for these areas does not bring with it a promise of re-use.



Further, we feel that additional credit should be given to repair and retain the historic resources in the Fish Harbor area of Terminal Island because of their value to the public and for representing to future generations the unique stories of the Port’s history. We note that policy goals, such as environmental conservation, are reflected in other planning areas, such as the open space designated along the southern tip of Pier 400 as a protected area for least terns. Similarly, expanding permissible uses in places like Fish Harbor, that are densely concentrated with historic and cultural resources, is a major public policy benefit that the Port should support.

NTHP-8

The Port already has proposed a precedent for expanding potential uses. The northern edge of Terminal Island in Planning Area 3, for instance, is cross-hatched, envisioning that Dry Bulk, Breakbulk, and Container uses could all be located in the same area.

**Recommendation**

Expand the boundaries of Planning Area 3 to include all historic resources in the Fish Harbor area including Canner’s Steam Plant and the historic Japanese Commercial Village. Permit more flexible uses of historic buildings within the district by “cross-hatching” the revised “industrial history” zone with additional uses, such as has been the case under the existing Master Plan. Provide added financial incentives for tenants seeking to rehab historic buildings as a method of ensuring the long-term survival of historic resources.

NTHP-9

**CEQA Considerations**

To the extent the Draft PEIR limits 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.

NTHP-10

There is no analysis in the Draft PEIR regarding the effects of zoning the historic resources around Fish Harbor in such a narrowly prescriptive way. The single most alarming designation is the proposed breakbulk category specifically overlaid over some, but not all of the Southwest Marine site. Such designation implies that the Port may be considering a particular project for that area, and is not disclosing to the public what the effects will be on historic resources. CEQA requires much more. Project descriptions must include reasonably foreseeable future activities that may become part of the project. *Laurel Heights Improvement Ass’n v. Regents of the University of California* (1988) 47 Cal.3d 376.

NTHP-11



NTHP-11 ↑  
 Absent a specific project proposal, we see no reason to declare that the Southwest Marine site shall be only used for breakbulk, particularly when those resources have been used for a variety of uses in the past and could potentially support creative re-used proposals that are sufficiently related to water-dependent uses to survive scrutiny by the Coastal Commission.

NTHP-12 **The Coastal Act Does Not Prohibit More Expansive Port Related Uses in the Fish Harbor Area**

While the California Coastal Act of 1976 imposes unique responsibilities on the management of property within the coastal zone, we do not believe it is appropriate to cite the Act as a basis to prescribe such a narrow range of uses for historic buildings at the Port.

There are no provisions within the Coastal Act that diminishes a lead agency’s responsibilities to the historic buildings under its jurisdiction under CEQA. Passed by the California legislature six years prior to the Coastal Act, CEQA contains a specific, substantive mandate that requires agencies to implement feasible mitigation measures for projects that may otherwise cause significant adverse effects. The “environment” is defined in CEQA to be inclusive of the State’s “objects of historic or aesthetic significance.” PRC § 21060.5. Nothing within the Coastal Act in any way lessens the Port’s responsibilities to steward its historic resources differently than other value protected by CEQA.

NTHP-13 ↓  
 On page 3-8-4 of the Draft PEIR, the Port cites four provisions of the Coastal Act as its basis for limiting uses in the way it proposes in the Master Plan Update: Public Resource Code sections 30001.5(d), 30255, 30260 (which is incorrectly cited as “31260”), and 20708(c). While these sections establish that “coastal-related” developments are priorities of the Coastal Commission, preservation of historic industrial Port facilities is entirely consistent with that goal. For instance, the Coastal Act contains a clear reference to CEQA in Sections 20260 by permitting deviations if a proposed project would violate CEQA’s mandate by specifically referencing CEQA’s language:

where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

In addition, Section 30708 mandates that port-related developments shall be located, designed, and constructed as to “minimize substantial adverse

environmental impacts” in addition to the Port’s referenced citation to giving highest priority to the use of properties for “port purposes.” The language of these sections clearly imply that the Coastal Act protects the same environmental qualities as CEQA, including historic resources, and is not meant to contradict the lead agency’s responsibilities to protect those sites.

↑  
NTHP-13

**Recommendation**

The Coastal Act’s requirements can be fulfilled while meeting the mandates of CEQA by prioritizing port-related uses in the historic buildings at the Port in through much broader means. Most importantly, the Port should recognize that while the Coastal Act emphasizes preferable uses, it does not mandate them, particularly when such preferable uses would cause impacts to the environment protected by CEQA. As such, we strongly encourage more expansive land use designations recognizing that the Coastal Act does not alter the substantive requirements of CEQA to protect the State’s historic resources.

NTHP-14

**Conclusion**

The proposed PMPU has the potential to set an important benchmark for similarly-situated ports across the country. In order for historic preservation to be a realistic and meaningful goal, the rehabilitation of historic infrastructure must be facilitated through specific commitments by the Port. This includes drawing respectful boundaries of planning districts and permitting greater flexibility in use designations.

NTHP-15

Thank you for the opportunity to comment on this important document. 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 remains a major priority. Please don’t hesitate to contact me at (415) 947-0692 or bturner@savingplaces.org if you have any questions.

Sincerely,



Brian Roberts Turner  
Senior Field Officer/Attorney  
National Trust for Historic Preservation

Cc: Linda Dishman, Los Angeles Conservancy

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## 1 **Comment Letter NTHP: National Trust for Historic Preservation**

### 2 **Response to Comment NHTP-1:**

3 The comment addresses introductory material and does not raise issues that require a  
4 response under CEQA. Responses to specific CEQA issues raised by subsequent  
5 comments are provided below.

### 6 **Response to Comment NTHP-2:**

7 The comment is introductory material and does not raise issues that require a  
8 response under CEQA. Responses to specific CEQA issues raised by subsequent  
9 comments are provided below.

10 The “preliminary plans” for Terminal Island cited by the commenter are part of the  
11 *Terminal Island Land Use Plan*, which is not a formally approved document.  
12 Although applicable portions of the Terminal Island Land Use Plan were  
13 incorporated into the PMPU, the conceptual roadway alignments referenced in the  
14 comment were not integrated into the PMPU. The LAHD has no reasonably  
15 foreseeable plans to realign the roadway network on Terminal Island, and would not  
16 contemplate such an action unless there was a proposed development project that  
17 included realignment of existing roadways. In such a case, project-level cultural  
18 resource evaluations would be conducted in accordance with CEQA and the *Built*  
19 *Environment Historic, Architectural, and Cultural Resource Policy* described in  
20 Response to Comment LAC-3 to ensure that historic resources are adequately  
21 considered.

### 22 **Response to Comment NTHP-3:**

23 The LAHD agrees that preservation of historic resources is consistent with the Public  
24 Trust Doctrine. However, this comment addresses the PMPU and does not raise  
25 issues that require a response under CEQA. Please refer to Final PEIR Appendix A,  
26 Port Master Plan, for information provided in response to this comment.

### 27 **Response to Comment NTHP-4:**

28 Please see responses to Comments LAC-3 and LAC-6.

### 29 **Response to Comment NTHP-5:**

30 Please see responses to Comments LAC-3, LAC-8, and LAC-11. The comment  
31 provides no evidence that the conversion of land in Planning Area 3 to container  
32 cargo uses near Planning Area 4 (Fish Harbor) would eliminate historical buildings  
33 (see Response to Comment LAC-8). The PEIR has imposed mitigation measures that  
34 ensure the protection of identified historic resources. Through the CEQA comment  
35 process the LAHD has strengthened **MM CR-3** to specify additional protective  
36 measures (e.g., in-situ preservation, adaptive reuse, and relocation; see Response to  
37 Comment LAC-11). Finally, the LAHD’s recently adopted *Built Environment*  
38 *Historic, Architectural, and Cultural Resource Policy* described in Response to  
39 Comment LAC-3 will enhance the protection of historic resources in the Port. These

1 measures ensure that the PEIR complies with the requirements of CEQA as set forth  
2 in PRC Section 21002.

3 The LAHD has no current plans to demolish any of the historic resources within  
4 Planning Area 3, and would not contemplate such an action unless there was a  
5 proposed development project requiring their removal. In such a case, project-level  
6 cultural resource evaluations would be conducted in accordance with CEQA and the  
7 *Built Environment Historic, Architectural, and Cultural Resource Policy*, as  
8 described in Response to Comment LAC-3 to ensure that historic resources are  
9 adequately considered.

#### 10 **Response to Comment NTHP-6:**

11 Please see responses to Comments LAC-3, LAC-8, and LAC-11. The comment  
12 provides no evidence that the boundary of Planning Area 4 would affect historical  
13 resources within Fish Harbor (see Response to Comment LAC-8). The PEIR has  
14 imposed mitigation measures that ensure the protection of identified historic  
15 resources. Furthermore, the LAHD's recently adopted *Built Environment Historic,*  
16 *Architectural, and Cultural Resource Policy* described in Response to Comment  
17 LAC-3 will enhance the protection of historic resources in the Port. The LAHD has  
18 no current plans to demolish any of the historic resources within Fish Harbor, and  
19 would not contemplate such an action unless there was a proposed development  
20 project requiring their removal. In such a case, project-level cultural resource  
21 evaluations would be conducted in accordance with CEQA and the *Built*  
22 *Environment Historic, Architectural, and Cultural Resource Policy* to ensure that  
23 historic resources are adequately considered.

#### 24 **Response to Comment NTHP-7:**

25 The overall objectives of the PMPU are addressed in Section 1.4.2, Program  
26 Objectives, of the PEIR. Consolidation of the number of land uses within the  
27 planning areas and designation of a single land use for most sites are consistent with  
28 these objectives.

29 As noted in the Response to Comment LAC-13, the land use designations in the  
30 PMPU do not conflict with the goal of protecting historic resources. Instead, the  
31 range of land uses, along with the LAHD's established policies and the mitigation  
32 measures imposed through the PEIR, afford adequate protection for historic resources  
33 in the Port. Accordingly, the PEIR properly concludes that, at the programmatic level  
34 appropriate for this analysis, the proposed PMPU would not have significant adverse  
35 impacts on such resources.

#### 36 **Response to Comment NTHP-8:**

37 As noted in the Response to Comment LAC-13, the range of land uses, along with  
38 the LAHD's established policies and the mitigation measures imposed through the  
39 PEIR, afford adequate protection for historic resources in the Port. Accordingly, the  
40 land use designations in the PMPU do not conflict with the goal of protecting historic  
41 resources, and the PEIR properly concludes that, at the programmatic level  
42 appropriate for this analysis, the proposed PMPU would not have significant adverse  
43 impacts on such resources. The recommendation related to financial incentives for

1 future tenants is not an issue requiring a response under CEQA, but is addressed in  
2 Final PEIR Appendix A, Port Master Plan,

3 **Response to Comment NTHP-9:**

4 Please see the responses to Comments NTHP-7 and NTHP-8.

5 **Response to Comment NTHP-10:**

6 Please see Response to Comment LAC-19.

7 **Response to Comment NTHP-11:**

8 Please see responses to Comments LAC-8, LAC-10, LAC-11, and LAC-12. As those  
9 responses explain, the LAHD has revised the boundaries of the break bulk and  
10 maritime support uses in the vicinity of the former Southwest Marine site in order to  
11 make it clear that individual buildings will not be bisected by different land uses.  
12 Furthermore, this area has been designated as a mixed land use site that would allow  
13 break bulk and/or maritime support uses, thereby providing greater flexibility to  
14 adaptively reuse the buildings at the former Southwest Marine site. In addition, those  
15 responses confirm that the LAHD has no current plans for a particular project at the  
16 Southwest Marine site: there are no reasonably foreseeable future actions that have  
17 been proposed in sufficient detail to allow their consideration in the PEIR. The re-  
18 designation proposed in the PMPU does not require that current uses must  
19 immediately change, but rather that future proposals should be consistent with the  
20 land use designation.

21 **Response to Comment NTHP-12:**

22 The PMPU does not rely on the CCA to avoid the mandates of CEQA or reduce its  
23 stewardship responsibilities, and the commenter provides no specific evidence to the  
24 contrary. The references to the CCA are intended to illustrate the range of planning  
25 priorities that must be addressed by the PMP, but does not imply that historic  
26 preservation is not one of those priorities. As PMP Goal 5 states, historic and cultural  
27 resource preservation is, in fact, one of the LAHD's goals.

28 The PEIR does, in fact, acknowledge potentially significant impacts on historic  
29 resources from implementation of the PMPU, and imposes mitigation to reduce those  
30 impacts to less than significant, as required by CEQA. The LAHD disagrees with the  
31 commenter's statement that the PMPU land use designations conflict with CEQA or  
32 are too narrow to provide protection to historic resources. As described fully in  
33 previous responses to comments by the National Trust for Historic Preservation and  
34 the Los Angeles Conservancy, the PMPU and the PEIR both acknowledge the  
35 presence of known and unknown cultural and historic resources, and establish  
36 procedures and mitigation measures for minimizing adverse impacts to those  
37 resources by future projects implemented in accordance with the PMPU.

38 **Response to Comment NTHP-13:**

39 Please see Response to Comment LAC-13. As mentioned in Response to  
40 Comment NTHP-12, the LAHD agrees that preservation of historic Port-related

1 facilities is not inconsistent with the LAHD’s mandate under CCA to promote  
2 coastal-related development, and also agrees that the LAHD has a responsibility  
3 under both CEQA and the CCA to protect the cultural resources within its  
4 jurisdiction. Accordingly, one of the PMPU’s goals is the protection of historic  
5 resources (PMPU Section 3.2.5, Goals), and the PEIR describes the measures the  
6 LAHD will undertake to achieve that goal, including cultural resource surveys,  
7 construction safeguards, and an array of preservation measures to be applied on a  
8 project-specific basis (Draft PEIR Section 3.4.4.3, Impacts and Mitigation). The  
9 LAHD’s recently adopted *Built Environment Historic, Architectural, and Cultural*  
10 *Resource Policy*, as described in Response to Comment LAC-3, will also enhance the  
11 protection of historic resources in the Port in furtherance of LAHD’s responsibility  
12 for those resources.

13 **Response to Comment NTHP-14:**

14 Please see responses to Comments LAC-13 and NTHP-13.

15 **Response to Comment NTHP-15:**

16 Please see responses to Comments NTHP-1 through NTHP-13.



**Cham, Michael**

---

**From:** info@theartspot.org  
**Sent:** Monday, April 08, 2013 6:50 PM  
**To:** Cham, Michael  
**Cc:** bturner@savingplaces.org; afine@laconservancy.org; bpolk@lafla.org; expressomiarte@gmail.com; msldenker@gmail.com; leminick@gmail.com  
**Subject:** Pan-Pacific Fisheries Cannery Project

April 8, 2013

Geraldine Knatz  
Executive Director

Michael Cham  
Harbor Planning & Economic Analyst

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

Commissioners  
Board of Harbor Commissioners

Dear Port of Los Angeles and Board of Harbor Commissioners,

It was a pleasure to meet you last Thursday at Banning's Landing during the City Council Meeting. We, the Art Spot, would like to express our deep gratitude for your willingness to listen and consider our vision for revitalizing and restoring the Pan-Pacific Fisheries Cannery on Terminal Island. AS-1

We care not only about preserving the history of this building, but about building the future of the Port, its workers, and our community. We look forward to working together for the betterment of many.

Our Story AS-2

We are The Art Spot, a community of Women who have reclaimed and revitalized our lives through art and community. We want to use that same creative energy to fuel our vision for preserving the Pan Pacific Fisheries Cannery on Terminal Island.

Our Vision AS-3

We propose to include an additional visionary project in the Terminal Island section of the Master Plan, and therefore respectfully request that the Updated Master Plan includes the flexibility for Terminal Islands' historic buildings to be adaptively reused.

AS-4 | The Pan Pacific Cannery opened in 1946—in its day the most modern state of the art facility. The women who worked there carried on the daily process of the cannery, transforming raw fish from the wharf into canned product shipped out via truck or rail. The cannery was an essential part of these women's lives and Terminal Island itself was a true Company Town, at one time housing many employees.

To keep this spirit alive and to further this tradition, The Art Spot would like to restore and revitalize the Pan Pacific Cannery, while preserving its historicity, transforming it into a restaurant/brewery to serve the longshoremen, local community and visitors. The restaurant will be a place to sit and relax, enjoy a cup of coffee, a steaming bowl of chowder, or homemade chili, along with hand-crafted beer. The restaurant itself will be on the factory/waterfront side where customers can enjoy a view of Fish Harbor, looking out directly across the water toward our artsy neighbor Crafted, who transformed Warehouse No.10 into a craft marketplace. The décor inside the restaurant will reflect the history of both Terminal Island and specifically the Tuna industry, including where possible utilizing photos and artistic reinterpretation pieces done by our own artists.

AS-5 | We intend for this enterprise to be a Local 100, where all items needed for the meals come from within a 100 mile radius from Terminal Island. In this regard we see an "Impossible Garden" in the concrete inner courtyard of the cannery, along with a recycled water fountain, where apple, orange and lemon trees grow atop the ground on huge recycled boxes filled with dirt and love for all that is possible, along with all other varieties of fruits and vegetables.

AS-6 | Diners would be able to stroll through the garden, and on the way, hear some live music from the stage, if that didn't draw them toward the warehouse, now converted into gallery/studio space, then perhaps they are there for the play, live poetry reading at the stage.

AS-7 | The women working in this social enterprise will be survivors of domestic violence whose art not only will decorate the walls, but will provide a space for the creative arts to flourish. The Pan-Pacific Cannery will double as a thriving business and housing for women artists who are hoping to move beyond poverty and live free of violence. We will have working studio space, gallery space, artist lofts, art workshops and classes, conferences, art retreats and much more to offer to students, artists and the community.

AS-8 | We would like to explore green, wind and solar technologies in the restoration of the Pan-Pacific Fisheries Cannery to make it a green and self-sustaining model. We hope to collaborate with the best experts to be found who can help to make this a beacon of hope for the future.

AS-9 | We would like to see the tuna cannery, once a thriving place that created jobs for many and provided sustenance to the world outside of the port... again a gateway to growth, productivity and community. We believe it can also be a most modern state of the art facility -- one that transforms raw creativity into colorful reality, bringing hope to the community. It is our hope that in cooperation with the Conservancy and the Port, The Art Spot be able to collaborate with and gain the support and resources of many, together we can accomplish much.

AS-10 | Our Request

We would like to work together with you to bring this vision to life. Though we are confident in our ability to develop the expertise and partnerships that we will need along the way, we need both your guidance and your resources. We hope you will consider joining with us on this remarkable journey.

We propose to include an additional visionary project in the Terminal Island section of the Master Plan, and therefore respectfully request that the Updated Master Plan includes the flexibility for Terminal Islands' historic buildings to be adaptively reused.

Yours sincerely,

The Art Spot

*Lori Minick*

*Trini Nuñez*

*Loren Denker*

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**1 Comment Letter AS: The Art Spot****2 Response to Comment AS-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5 information provided in response to this comment.

**6 Response to Comment AS-2:**

7 This comment addresses the PMPU and does not raise issues that require a response  
8 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
9 information provided in response to this comment.

**10 Response to Comment AS-3:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
13 information provided in response to this comment.

**14 Response to Comment AS-4:**

15 This comment addresses the PMPU and does not raise issues that require a response  
16 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
17 information provided in response to this comment.

**18 Response to Comment AS-5:**

19 This comment addresses the PMPU and does not raise issues that require a response  
20 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
21 information provided in response to this comment.

**22 Response to Comment AS-6:**

23 This comment addresses the PMPU and does not raise issues that require a response  
24 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
25 information provided in response to this comment.

**26 Response to Comment AS-7:**

27 This comment addresses the PMPU and does not raise issues that require a response  
28 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
29 information provided in response to this comment.

**30 Response to Comment AS-8:**

31 This comment addresses the PMPU and does not raise issues that require a response  
32 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
33 information provided in response to this comment.

1 **Response to Comment AS-9:**

2                               This comment addresses the PMPU and does not raise issues that require a response  
3                               under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
4                               information provided in response to this comment.

5 **Response to Comment AS-10:**

6                               This comment addresses the PMPU and does not raise issues that require a response  
7                               under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
8                               information provided in response to this comment.

## Coalition For A Safe Environment

1601 N. Wilmington Blvd. Ste. B, Wilmington, California 90744  
cfase @ att.net 310-704-1265

April 8, 2013

Michael Cham  
Planning & Economic Development Division  
425 S. Palos Verdes Street  
San Pedro, CA 90731

Re: Port of Los Angeles Draft Port Master Plan

Su: CFASE Public Comments

Mr. Cham:

The Coalition For A Safe Environment (CFASE) wishes to submit the following public comments identifying omissions, non-compliance and deficiencies in the Port of Los Angeles Draft Port Master Plan (DPMP) that we would like to see included, acknowledged, assessed and addressed: CFASE1-1

1. DPMP 1.1 About the Port of Los Angeles

The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

"The Port Master Plan (Plan) establishes policies and guidelines to direct the future development of the Port. This updated Plan is designed to better promote and safely accommodate foreign and domestic waterborne commerce, navigation, and fisheries in the national, state, and local public interests. The Plan also provides for public recreation facilities and visitor serving areas to facilitate public access to the waterfront and better integrate the Port with the surrounding community, consistent with the State Tidelands Trust."

## CFASE1-2 2. DPMP 1.2 Authorizing State legislation

The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

"The Plan was originally adopted and certified in 1980 in conformance with the policies of the California Coastal Act. The California Coastal Act, enacted by the State Legislature in 1976, provides for the protection of California's coastline through the authorization of local coastal programs and port master plans to manage development in the coastal zone. The Coastal Act is administered by the Coastal Commission, whose mission is to protect, conserve, restore, and enhance the environment of the California coastline."

## CFASE1-3 3. DPMP 1.2.1 California Coastal Act Port Policies

The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manage, plans to purchase or acquire.

The Port of Los Angeles has illegally purchased or obtained properties for speculative investment, unspecified and unapproved projects using Public Trust Funds, without the authorization of the California States Lands Commission and California Coastal Commission that are not on Tidelands Property or in the Coastal Zone.

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

"The Coastal Act recognizes the importance of ports to California's economy and the national maritime industry. Ports are understood to be necessary to



ensure that inland and coastal resources are preserved and that economic development continues within the state. Further, existing ports are encouraged to modernize and construct necessary facilities within their boundaries in order to minimize or eliminate the necessity for future dredging and filling to create new ports in new areas of the state.

Chapter 8 (Ports) of the Coastal Act presents the policies of the state that are consistent with coastal protection in the port and govern the certification of port master plans. Port master plans are to contain the following elements: 1) land and water uses; 2) port facilities; 3) environmental inventory, impact analysis and mitigation measures; 4) a listing of appealable projects; and 5) provisions for public hearings and public participation in port planning and development decisions.

Under the Coastal Act, development activities within the Coastal Zone generally require a permit to ensure that the activity is consistent with the policies of the Coastal Act. A certified port master plan transfers coastal permit jurisdiction relative to port development from the Coastal Commission to the port authority, with limited appeal jurisdiction remaining with the Coastal Commission.”

4. DPMP 1.2.2 Coastal Zone Boundary

The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.

The Port of Los Angeles has illegally purchased or obtained properties, plans to illegally purchase additional land properties for speculative investment, unspecified and unapproved projects using Public Trust Funds, without the authorization of the California States Lands Commission and California Coastal Commission that are not on Tidelands Property or in the Coastal Zone.

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

The Port of Los Angeles has illegally purchased or obtained properties and plans to illegally and without authorization purchase additional properties that are beyond three miles.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

↑  
CFASE1-3

CFASE1-4  
↓

CFASE1-4	<p style="text-align: center;">↑</p> <p>“The jurisdiction of the Coastal Act, and by extension, the jurisdiction of the Plan is the coastal zone. On land, the coastal zone varies in width from several hundred feet in highly urbanized areas up to five miles in certain rural areas. The coastal zone extends three miles inland from the shoreline.”</p>
CFASE1-5	<p>5. DPMP 1.3 Port Master Plan Objectives</p> <p>The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.</p> <p>The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR’s and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.</p> <p>These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.</p> <p style="padding-left: 40px;">“To develop the Port in a manner that is consistent with federal, state, county and city laws, including the California Coastal Act of 1976 and the Charter of the City of Los Angeles.</p> <p style="padding-left: 40px;">To integrate economic, engineering, environmental and safety considerations into the Port development process for measuring the long-term impact of varying development options on the Port’s natural and economic environment.</p> <p style="padding-left: 40px;">To promote the orderly long-term development and growth of the Port by establishing functional areas for Port facilities and operations.</p> <p style="padding-left: 40px;">To allow the Port to adapt to changing technology, cargo trends, regulations, and competition from other U.S. and foreign seaports.”</p>
CFASE1-6	<p style="text-align: center;">↓</p> <p>6. DPMP 3.0 Development Goals &amp; 3.1 Approach</p> <p>The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.</p> <p>The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR’s and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited</p>

<p>to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.</p> <p>These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.</p> <p>“Long-range development goals are essential for guiding the future development and expansion of the Port. These planning goals are necessarily general to maintain flexibility and to allow the Port to respond to Port tenant needs. In addition, since development policies are driven by national and international economic trends, general goals allow the Port to respond to immediate and short-term requirements dictated by these trends.”</p>	<p>CFASE1-6</p>
<p>7. DPMP 3.1.1 Goal 1: Optimize Land Use</p> <p>The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.</p> <p>The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR’s and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.</p> <p>These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.</p> <p>“Goal 1: Optimize Land Use Development and the land uses designated on Port land should be compatible with surrounding land uses in order to maximize efficient utilization of land and minimize conflicts. Individual terminals within the Port should be compatible with neighboring Port tenants. When incompatible, port areas should be deliberately redeveloped or relocated to eliminate the conflict. Cargo handling facilities should be primarily focused on Terminal Island and other properties that are buffered from the neighboring residential communities of San Pedro and Wilmington. Non-water dependent use facilities should be eliminated from Port cargo-designated waterfront properties. Land use decisions should also take into consideration opportunities for Port tenants to grow and expand their businesses.</p>	<p>CFASE1-7</p>
<p>8. DPMP 3.1.2 Goal 2: Increase Cargo Terminal Efficiency</p> <p>The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.</p>	<p>CFASE1-8</p>

CFASE1-8

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

“Cargo terminals should be utilized to their maximum potential in order to meet current and future needs of the Port’s customers and region. The Port should develop and maintain the infrastructure necessary to support the terminals, while Port tenants should be encouraged to modernize their facilities and implement new technologies, including automated container terminal technology. Long-term development plans should maximize the utilization of low-performing assets, environmentally contaminated facilities, and unused assets.

CFASE1-9 9. DPMP 3.1.3 Goal 3: Accommodate Diverse Cargoes

The DPMP fails to include and identify all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.

The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR's and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.

These issues have been identified in submitted written public comments and in verbal comments at Port sponsored public hearings and meetings.

“The Port should continue its commitment to accommodating a variety of water-dependent cargo handling facilities, including container, breakbulk, dry bulk, and liquid bulk uses. While revenues generated from each land use vary, overall plans for the Port should allow for some capacity for different modes of cargo to serve the larger economic and public interest of the State. Ancillary uses, such as ship and boat repair, harbor craft, and barge and tug operations, are vital support industries and are also important customers that should be prioritized, based on need. Additionally, existing commercial fishing and recreational boating facilities will be protected consistent with the policies of the Coastal Act.



<p>10. DPMP references berth numbers but does not include them on maps in the DPMP so that the public cannot know or accurately determine or validate DPMP information or compliance to the PMP, regulatory agencies, laws, rules and regulations.</p>	<p>CFASE1-10</p>
<p>11. DPMP Table 8. Land Description fails to include existing Wetlands areas or potential Wetlands Restoration areas. Land Use Area Maps fail to include this information.</p>	<p>CFASE1-11</p>
<p>12. DPMP 5.2.3 Area 3 – Terminal Island – Pier 500 Fill</p> <p>Discusses Pier 500 Fill as a future Container Terminal Project area but fails to include other potential Alternative uses, such as the public requested use to be an On-Dock Railyard Intermodal Facility. The public has further requested that On-Dock Rail to be located on the shipside to facilitate maximization of efficiencies in unloading containers directly to rail and minimizing environmental and public health impacts.</p>	<p>CFASE1-12</p>
<p>13. The DPMP Planning Areas fail to include other potential Container or Cargo Terminal design configurations and Alternative uses, such as the public requested use to be an On-Dock Railyard Intermodal Facility. The public has further requested that On-Dock Rail to be located on the shipside to facilitate maximization of efficiencies by unloading containers directly to rail and minimization of environmental and public health impacts. Each terminal design should include On-Dock Rail to facilitate its handling capacity so as not to cause negative Off-Tidelands Property and Coastal Zone impacts.</p>	<p>CFASE1-13</p>
<p>14. The Draft Program Environmental Impact Report prepared for the Port of Los Angeles Master Plan Update</p> <p>The Draft Program Environmental Impact Report for the DPMP fails to include, identify and mitigate all Tidelands, Off-Tidelands and Coastal Zone properties that the Port of Los Angeles owns, has sole authority control, joint power authority control over, plans current and future development, manages or plans to manage, plans to purchase or acquire.</p> <p>The Harbor Department, Port of Los Angeles, Board of Harbor Commissioners and Los Angeles City Council have approved Project Proposals, Certified EIR’s and Coastal Permits or plan to approve, certify and issue that did not and do not comply the Port Master Plan, State Lands Commission, California Coastal Commission and CEQA. Examples include but are not limited to: China Shipping Terminal Project, TraPac Terminal Expansion Project and the BNSF SCIG Project.</p>	<p>CFASE1-14</p>
<p>15. CFASE and the undersigned request a 90 day extension of the public comment period for both the Port of Los Angeles Master Plan Update and the Draft Program Environmental Impact Report to allow adequate time for the public to review, seek expert opinion and submit written comment. Also in consideration that the Port of Los Angeles has several other project EIRs pending.</p>	<p>CFASE1-15</p>

Cordially,



Jesse N. Marquez  
Executive Director  
jnm4ej@yahoo.com  
jnmarquez@att.net

And as an individual negatively health and socio-economically impacted resident of the City of Carson living near the Port of Los Angeles.

Ricardo Pulido  
Executive Director  
Community Dreams

And as an individual negatively health and socio-economically impacted resident of the City of Carson living near the Port of Los Angeles.

Drew Wood  
Executive Director  
California Kids IAQ

**1 Comment Letter CFASE1: Coalition For A Safe Environment****2 Response to Comment CFASE1-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5 information provided in response to this comment.

**6 Response to Comment CFASE1-2:**

7 This comment addresses the PMPU and does not raise issues that require a response  
8 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
9 information provided in response to this comment.

**10 Response to Comment CFASE1-3:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
13 information provided in response to this comment.

**14 Response to Comment CFASE1-4:**

15 This comment addresses the PMPU and does not raise issues that require a response  
16 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
17 information provided in response to this comment.

**18 Response to Comment CFASE1-5:**

19 This comment addresses the PMPU and does not raise issues that require a response  
20 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
21 information provided in response to this comment.

**22 Response to Comment CFASE1-6:**

23 This comment addresses the PMPU and does not raise issues that require a response  
24 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
25 information provided in response to this comment.

**26 Response to Comment CFASE1-7:**

27 This comment addresses the PMPU and does not raise issues that require a response  
28 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
29 information provided in response to this comment.

**30 Response to Comment CFASE1-8:**

31 This comment addresses the PMPU and does not raise issues that require a response  
32 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
33 information provided in response to this comment.

**1 Response to Comment CFASE1-9:**

2 This comment addresses the PMPU and does not raise issues that require a response  
3 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
4 information provided in response to this comment.

**5 Response to Comment CFASE1-10:**

6 This comment addresses the PMPU and does not raise issues that require a response  
7 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
8 information provided in response to this comment.

**9 Response to Comment CFASE1-11:**

10 This comment addresses the PMPU and does not raise issues that require a response  
11 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
12 information provided in response to this comment.

**13 Response to Comment CFASE1-12:**

14 This comment addresses the PMPU and does not raise issues that require a response  
15 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
16 information provided in response to this comment.

**17 Response to Comment CFASE1-13:**

18 This comment addresses the PMPU and does not raise issues that require a response  
19 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
20 information provided in response to this comment.

**21 Response to Comment CFASE1-14:**

22 This comment asserts that the Draft PEIR does not address all tidelands,  
23 “off-tidelands,” and coastal zone properties that LAHD owns or manages. Contrary  
24 to this assertion, the Draft PEIR does describe all Port activities and plans relevant to  
25 the master planning process, and the comment does not provide any information to  
26 the contrary. Accordingly, no further response is required under CEQA  
27 (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). Please note that  
28 LAHD-owned lands outside the coastal zone are not included in the PMPU except  
29 insofar as that information might support activities within the coastal zone.

**30 Response to Comment CFASE1-15:**

31 This comment addresses the PMPU and does not raise issues that require a response  
32 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
33 information provided in response to this comment.