Addendum #2 to the Berths 302-306 Container Terminal Project Final Environmental Impact Report

APP No. 190716-535

SCH No. 2009071031

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May 2021

THE PORT OF LOS ANGELES

Transmittal 3

1. Introduction

A Final Environmental Impact Report (Final EIR) for the proposed Berths 302-306 Container Terminal Project (alternatively referred to as Pier 300) was certified by the Los Angeles Board of Harbor Commissioners (Board) on June 7, 2012 (SCH# 2009071031 and APP No. 081203-131).[1] The Board also approved the project itself, including improvements and expansion to the existing Pier 300 container terminal (also referred to as Project or Approved Expansion Project). The Board then issued and approved a Level III Coastal Development Permit (CDP #1207) on June 21, 2012. The overall purpose of the Approved Expansion Project was to "optimize and expand the cargo-handling capacity at the terminal to accommodate the increased throughput demand" expected at the Port of Los Angeles (Final EIR, Section ES.2.3, page ES- 5). This expansion would be achieved through waterside and landside improvements at the site as described more fully in Section 2.1.2 below.

The Final EIR was prepared by the City of Los Angeles Harbor Department (LAHD) as the Lead Agency under the California Environmental Quality Act (CEQA) to address the significant environmental effects of the proposed project, recommend mitigation measures to avoid or minimize the significant effects, and describe a range of reasonable alternatives. Addendum 1 was prepared in October 2016 for a smaller version of the project that continued with their prior operations with minor modifications, and extending the term of its existing lease.

As will be described more fully below, the current operator of Berths 302-306, Fenix Marine Services (FMS), has chosen to move forward with the expansion project with some modifications to the previously approved project components. This document, Addendum 2, has been prepared pursuant to the requirements of CEQA and focuses on the incremental changes from the Approved Expansion Project in the Final EIR and assesses any new significant impacts or an increase in the severity of previously identified impacts that may occur as a result of implementing the currently proposed modifications to be discussed below pursuant to CEQA Guidelines Sections 15164 and 15162. The Mitigation Monitoring and Report Program, will remain intact with no modifications. As described in greater detail below, the Port of Los Angeles finds that the previously certified Final Environmental Impact Report (SCH# 2009071031) remains relevant in light of the proposed changes.

[1] https://www.portoflosangeles.org/environment/environmental-documents (Select "BERTHS 302-306 [APL] CONTAINER TERMINAL PROJECT")

2. Background

2.1.1 Facility Overview as assessed in 2012 FEIR

At approximately 291 acres, the Pier 300 terminal is the second largest cargo container terminal at the Port of Los Angeles. FMS is the permit holder and terminal operator and originally had an existing lease (Permit #733) that would have expired in 2027. The Pier 300 terminal has four berths with approximately 4,000 feet of wharf, 16 wharf cranes and an on-dock rail yard that can accommodate nearly three full intermodal unit trains. Two dedicated lead rail tracks within the terminal connect to the main rail line within the Alameda Corridor. Other facility features include 15 inbound and 8 outbound truck lanes, 600 refrigerated container plugs, maintenance and repair facilities and two marine buildings (Final EIR, Figure 2-3). As analyzed in the Final EIR, the CEQA baseline year of June 2008-July 2009 showed 1,128,080 twenty-foot equivalent units (TEUs), the standard for measuring container activity handled at the terminal with 247 annual ship calls and other operational activity as summarized in Tables 1-2 of the Final EIR.

2.1.2 Previously Assessed and Approved Expansion Project

The Board certified the Final EIR in 2012 and approved the following project:

- Projected cargo throughput of 3.2 million TEUs annually;
- The addition of 56 acres to the existing 291 acres to Berths 302-306;
- The construction of approximately 1,250 feet (4 acres) of concrete wharf to create Berth 306;
- The installation of up to 8 new cranes on the new wharf at Berth 306;
- The installation of Alternative Maritime Power (AMP) along the new wharf at Berth 306;
- Dredging at Berth 306 with disposal of approximately 20,000 cubic yards of material either beneficially reused, placed at an approved confined disposal facility (CDF) site, or disposed of at an existing ocean disposal site;
- The improvement of approximately 41 acres of already constructed but unimproved fill as container terminal back land with infrastructure that could support traditional diesel-powered operations or electric equipment operations on the Berth 306 back lands;
- The redevelopment of approximately 2 acres of the former Los Angeles Export Terminal (LAXT) conveyor right of way and approximately 7 acres of former backland behind Berth 301 into container terminal back land;
- The development of approximately 2 acres of existing land northeast of the current main gate for a new out gate location;
- The modification of the outbound gates associated with the main gate;
- The modification of the terminal entrance lanes;
- The modification of Earle Street gate;
- The installation of 4 new cranes at Berths 302-305;
- The conversion of a portion of the existing dry container storage unit area to a refrigerated container unit (reefer) storage area equipped with plug-in electric power;
- The demolition and reconstruction of the Roadability Facility;
- The expansion of the Power Shop facilities by constructing and operating a separate two-story Power Shop Annex building; and,

- The installation of utility infrastructure at various areas in the existing back lands. (See Section 2.5.1 – Project Elements, of the Final EIR).

The Final EIR's proposed Project split construction in two phases. Phase I consisted of dredging, constructing the Berth 306 wharf extension, installation AMP at Berth 306, and improving the 41-acre fill site. Phase II consisted of all other project modifications.

The Board adopted a Mitigation Monitoring and Reporting Program (MMRP) for the Approved Expansion Project on June 7, 2012. As will be discussed below, the applicant at the time, chose not to implement the Approved Expansion Project subsequent to the certification of the document.

Figure 1 is a regional map and Figure 2 below highlights the Approved Expansion Project as was certified in 2012.

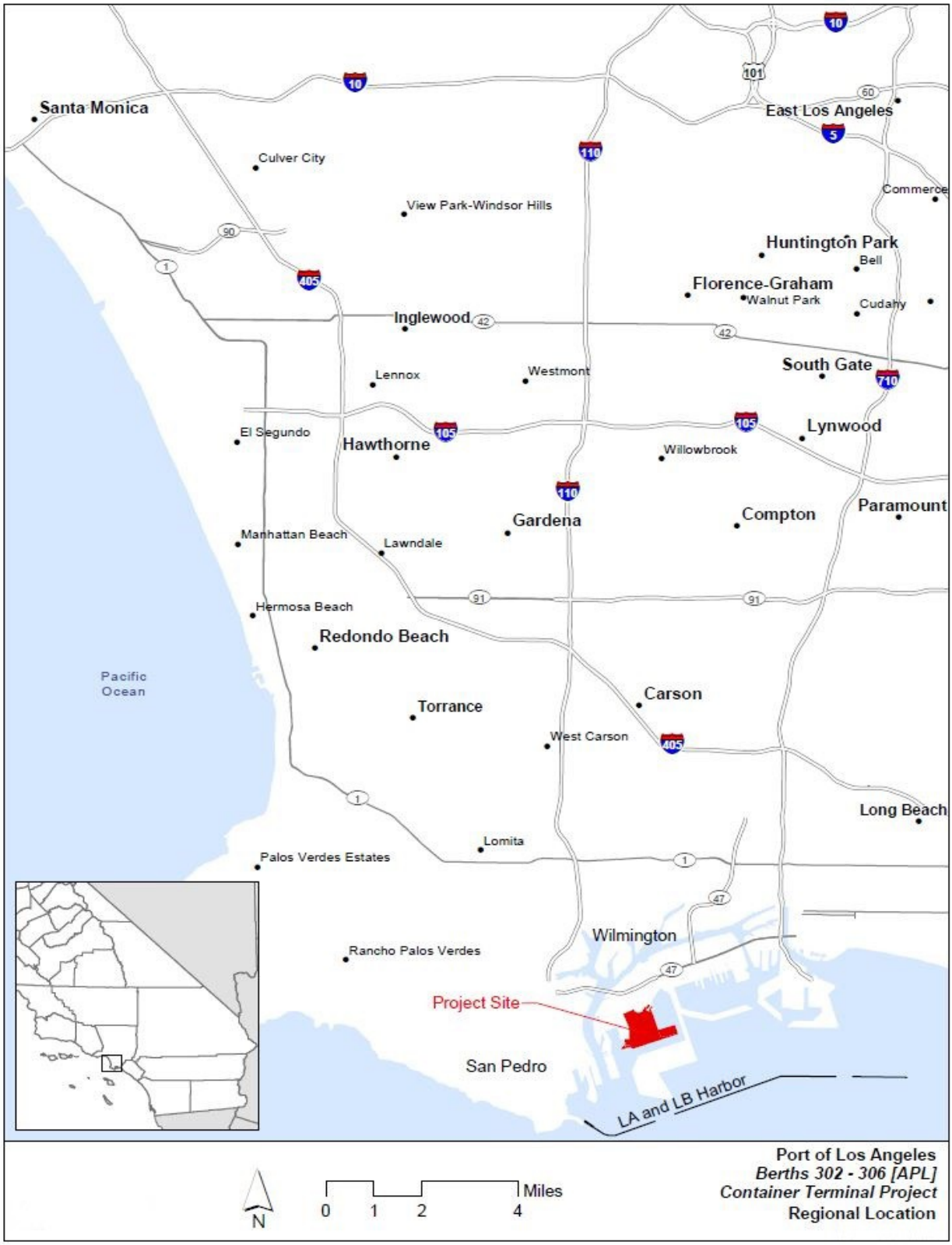

Figure 1 - Regional Location of the Proposed Project

Figure 2 – Approved Expansion Project at Full Buildout as Assessed in 2012 Final EIR

2.1.3 Addendum #1 to the Final EIR

In 2016, the operator of Berth 302-306 approached LAHD with a smaller version of the project that continued with their prior operations with minor modifications, and extending the term of its existing lease. The extended lease allowed it to continue operating through 2043 to provide the financial stability necessary to operate.[2] The Revised Project as highlighted in Addendum 1[3] include the following components:

- Extension of Permit 733 under Amendment 10 for 16 years through 2043 (rather than 2027 as was originally assessed in the 2012 Final EIR/EIS for those areas identified in Figure 2; and,
- Replacement of eight existing 280' cranes at the facility with new taller cranes approximately 375 feet in order to better service newer and larger vessels expected to utilize Berths 302-305.

The throughput capacity assumed under Addendum 1 was lower than the Final EIR due to the fact that Berth 306 and associated backlands were not part of the negotiation at the time. The mitigation measures set forth in the adopted MMRP for the Approved Expansion Project remained the same with new implementation dates to reflect the delays in project development. No mitigation measures were deleted as a result of the First Addendum's Proposed Project.

2.1.4 Addendum #2 – Purpose

This Addendum has now been prepared in accordance with the requirements of the CEQA (Public Resources Code [PRC] 21000 et seq.), and the State CEQA Guidelines (California Code of Regulation Title 14, Section 15000 et seq.), and focuses on changes to the project approvals to implement the Draft EIR with minor modifications, and to assess the need for supplemental environmental review.

The scope of analysis contained within this Addendum addresses all environmental resource areas. All previously identified mitigation measures for the Final EIR and Addendum 1 would be incorporated into the Proposed Lease Amendment as assessed under Addendum 2 herein. The Revised Proposed Project seeks to make the following specific changes from the approved 2012 Final EIR:

- Expanded on-dock railyard with approximately five new tracks in Phase 1 on the northern bundle to shift 520,000 TEUs from truck to rail annually;
- Expanded on-dock railyard with three additional tracks and/or reuse of existing tracks in the southern bundle under Phase 2;
- The acquisition of an additional parcel of approximately 9 acres with existing warehouses and accessory structures to be utilized for equipment storage;
- Demolition of three small warehouses and the accessory structures within the newly acquired nine acre parcel;
- The re-routing of terminal access around the new warehouse and the closure of Earle Street and

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[2] *While extending the useful, economic life of a project is not an environmental impact, LAHD has chosen to proceed with this Addendum for purposes of full public disclosure. Denhe v. County of Santa Clara (1981) 115 cal. App3rd 827, 840*

[3] Addendum 1 is available online at: https://kentico.portoflosangeles.org/getmedia/3ef84a0e-9221-4bbe-bd28-23e32b57cef9/APL_FEIR_Addendum_101716

Marina Street within the property's boundaries;

- A new gate on Earle Street or Terminal Way;
- A reopening of approximately 1,200 linear feet of Barracuda Street
- The change in use of approximately 7+ acres north of Berth 301 previously assessed in the Final EIR/EIS from parking and miscellaneous storage to container terminal backland;
- Continuation of hydrogen fueling station in 7+ acre parcel north of Berth 301;

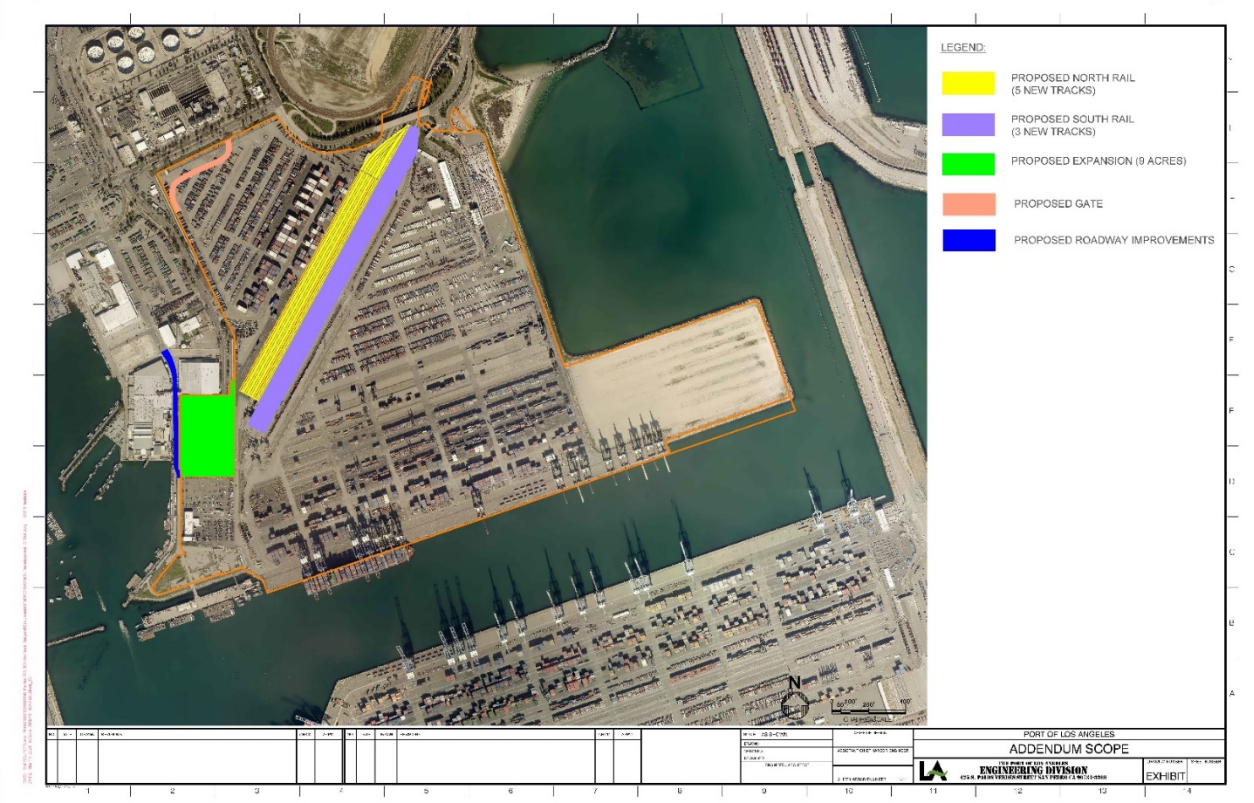

Figure 3 – Changes from Certified Project being Assessed Herein

This analysis has determined that none of the conditions set forth in CEQA Guidelines 15162 and 15163 calling for the preparation of a subsequent or supplemental EIR would occur as a result of the above described changes and additions. There are no new significant environmental effects and no substantial increase in the severity of previously identified significant effects that would occur as a result of the Revised Proposed Project and revised mitigation measures. There are no known mitigation measures or alternatives that were previously considered infeasible but are now considered feasible that would substantially reduce one or more significant effects on the environment previously identified in the Final EIR. Similarly, there are no known mitigation measures or alternatives that are considerably different than those required by the adopted Final EIR that would substantially reduce one or more significant effects on the environment identified in the adopted Final EIR. Therefore, neither a subsequent EIR nor a supplemental EIR, as defined under CEQA Sections 15162 and 15163, respectively, is required. An Addendum to the Final EIR, as permitted under Section 15164, is appropriate.

An Addendum need not be circulated for public review but can be included in or attached to the adopted Final EIR. The decision-making body considered the Addendum prior to making a decision on the project along with the previously certified Final EIR/EIS. Addendum #2 also need not be circulated for public review but will need consideration from the decision-making body (i.e., Board of Harbor Commission) as this constitutes a change to the previously adopted and certified project.

Specifically, Section 15162 of the State CEQA Guidelines states that, for a project covered by a certified EIR or adopted negative declaration, no subsequent EIR or negative declaration shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1) Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR, was certified as complete or the negative declaration was adopted, shows any of the following:
   a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;
   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

3. Scope and Content

The analysis in this Addendum focuses on the changes to the impacts that would occur as a result of the Revised Proposed Project. The following resource topics were evaluated in the preparation of the 2012 Final EIR. As such, the following resource areas have been re-evaluated as part of this Addendum:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions (previously included in the Air Quality analysis)
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources (previously included in the Cultural Resources analysis)
- Utilities and Service Systems
- Wildfires (new resource area)
- Mandatory Findings of Significance

The following resource categories were addressed in the Initial Study/Notice of Preparation for the Final EIR and Addendum 1 and were dismissed from further evaluation as having no potential to be adversely affected by the Approved Expansion Project. These categories were re-visited as part of this Addendum to determine if the currently Revised Proposed Project with additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station would create a new impact not identified in the Final EIR. There were no new impacts identified, there was no substantial increase in severity of previously identified significant impacts, and no mitigation measures are required.

- Agricultural and Forestry Resources – This resource area was eliminated from analysis in the Draft and Final EIR as well as Addendum 1 due to the Project's lack of proximity to any prime farmland, unique farmland, agricultural use, forest land or timberland. This conclusion is not altered under the Revised Proposed Project.
- Mineral Resources – This resource area was eliminated from analysis in the Draft and Final EIR as well as Addendum 1 due to the Project site's lack of any known mineral resource on a man-

made fill site. This conclusion is not altered under the Revised Proposed Project.

- Population/Housing – This resource area was eliminated from analysis in the Draft and Final EIR as well as Addendum 1 due to the Project's lack of growth-inducing components or the potential to displace people or housing as the Project is built on an existing industrial site only. This conclusion is not altered under the Revised Proposed Project.

In addition to the abovementioned categories, Wildfire is a new resource area of the State CEQA Guidelines that was not previously included in the 2012 Final EIR/EIS. This category is only applicable if the project site is located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The Revised Proposed Project is located in an already established heavy-duty industrial area with no state-controlled lands/protected areas in the area. As such, this category has been dismissed as well.

4. Previous Environmental Documents Incorporated by Reference

Consistent with Section 15150 of the California State CEQA Guidelines, the following documents, available for review at the Port of Los Angeles Environmental Management Division, were used in preparation of this Addendum and are incorporated herein by reference:

- **Berths 302-306 Container Terminal Project, Notice of Preparation**. (SCH #2009071021 and APP #081203-131). This document identified all environmental resource areas and determined which areas may be potentially impacted by the project. This document is incorporated by reference because those resource areas eliminated from analysis in the Draft and Final EIR are being reevaluated to ensure that this Revised Proposed Project does not trigger a new impact not previously assessed. This document was circulated for a 30-day public review and comment period. This document can be accessed via the LAHD website under the Environment tab: https://www.portoflosangeles.org/environment/environmental-documents (Select "BERTHS 302-306 [APL] CONTAINER TERMINAL PROJECT").

- **Berths 302-306 Container Terminal Project Draft EIR/EIS, December 16, 2011.** (SCH #2009071031 and APP No. 081203-131). This document addressed all potential environmental impact areas from the original project and included the full project description, existing setting, environmental checklist, comparison of project alternatives, socioeconomic impact analysis, growth-inducing impacts and any significant irreversible changes. This document is incorporated by reference as all environmental analyses contained therein are being utilized for a comparison against the proposed project change (i.e., 16-year lease extension) to ensure that no new impact is created and no previously identified impact is exacerbated. The document was circulated for a 60-day public review and comment period. This document can be accessed via the LAHD website under the Environment tab: https://www.portoflosangeles.org/environment/environmental-documents (Select "BERTHS 302-306 [APL] CONTAINER TERMINAL PROJECT").

- **Berths 302-306 Container Terminal Project Final EIR/EIS, June 7, 2012.** (SCH #2009071031 and APP No. 081203-131). This document was the Final EIR/EIS after the public review process and scoping meeting. It contains all mitigation measures and reporting requirements as well as public comments received on the document and responses to those comments and any changes between the Draft EIR/EIS and the Final EIR/EIS. This document is being incorporated by reference as all mitigation measures and reporting requirements and lease measures contained therein are still applicable to the project and will be included as standard conditions of project approval. This document can be accessed via the LAHD website under the Environment tab: https://www.portoflosangeles.org/environment/environmental-documents (Select "BERTHS 302-306 [APL] CONTAINER TERMINAL PROJECT")

- **Addendum to the Berths 302-306 –Container Terminal Project, October 2016.** (SCH #2009071031 and APP No. 081203-131). This document assessed a lease extension from 2027 through 2043 without the inclusion of the backlands and Berth 306. Addendum 1 also assessed the replacement of eight existing 280' cranes at the facility with new taller cranes approximately 375 feet in order to better service newer vessels expected to utilize Berths 302-305. The MMRP was revised to reflect updated construction and implementation dates that had already passed. This document can be accessed the LAHD website under the Environment tab: https://www.portoflosangeles.org/environment/environmental-documents (Select "BERTHS 302-306 [APL] CONTAINER TERMINAL PROJECT").

5. Required Permits and Approvals

The following permits and approvals may be required for the Revised Proposed Project assessed herein:

- Lease Amendment to Permit #733
- LAHD Harbor Engineers Permit
- LAHD Coastal Development Permit
- Los Angeles Department of Building and Safety Permit
- United States Army Corps of Engineers Permit
- Los Angeles Regional Water Quality Control Board Permit

6. Environmental Analysis

6.1 Aesthetics

6.1.1 Final EIR Conclusions

Aesthetic impacts of the Approved Expansion Project were presented in the Final EIR, Chapter 3.1. The analysis determined there would be no impacts related to the Approved Expansion Project's potential to damage scenic resources within a state scenic highway, create a source of light or glare, or generate significant shading effects. The Final EIR evaluated 12 proposed new cranes that would be added to the Project site. The proposed 12 new cranes were assessed for an overall increase in crane density from 12 cranes to a total of 24 cranes at the site with a height increase for those 12.

An analysis of existing views toward the proposed Project site was conducted to identify key viewing areas most visible to sensitive viewer groups. An inventory of viewing areas was developed that included approximately 14 representative viewpoints located from various angles and locations surrounding the project site. The Final EIR found that impacts from all elements of the construction and operation of the proposed Project were less than significant with no mitigation measures required (Final EIR, Section 3.1, pages 3.1-1 and 3.1-2).

6.1.2 Addendum 1 Conclusions

Addendum 1 evaluated the replacement of 12 existing cranes at the site. The original EIR/EIS assessed the cranes as being approximately 280' in stowed position. The revised crane heights would be as follows: four would now be 340' in stowed position and eight would be 375' in stowed position. In Addendum 1, Table 1 – "Cranes Evaluated in the Final EIR Versus the Revised Proposed Project," highlights the proposed project- related changes. To ensure that the cranes would not create an adverse aesthetics impact not previously identified, representative viewpoints from the Final EIR were revisited using visual simulations for a comparison of existing conditions, the approved Project and Addendum 1.

Addendum 1 concluded that raising the cranes would not result in negative adverse changes to the visual character and quality of the existing landscape in the Project area or surrounding areas and no mitigation measures were required.

6.1.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. There is nothing that differs from the previously certified analysis that was not addressed in Addendum 1 and; as such, impacts remain the same. The terminal is already a functioning industrial facility so the changes included in the Revised Proposed Project do not alter the current visual aesthetics of the site.

6.2 Air Quality and Greenhouse Gases[4]

6.2.1 Final EIR Conclusions

Construction

Construction of the Final EIR's Proposed Project was estimated to occur over twenty-four months beginning in late 2012. Project construction was anticipated to take place six days per week between 6 a.m. and ending between 4 p.m. to 6 p.m. Construction elements in the 2012 Final EIR/EIS included the following:

- 1,250-foot wharf and advanced marine power (AMP) at Berth 306;
- Channel dredging along Berth 306;
- Crane delivery and installation for Berths 302-306;
- Development of 41-acre backlands at Berths 302-306;
- Demolish Roadability facility;
- Construction Roadability and Genset facilities;
- Expand power shop facilities;
- Develop 7+ acres behind Berth 301;
- Develop new out-gate;
- Modify terminal entrance;
- Modify Earle Street gate;
- Convert dry container storage area to refrigerated container storage area; and,
- Install infrastructure throughout the backlands.

The Final EIR concluded that the Project would result in significant and unavoidable air quality impacts from volatile organic compounds (VOCs), carbon monoxide (CO), oxides of nitrogen (NOx), Particulate Matter 10 micron in diameter (PM10), Particulate Matter 2.5 micron in diameter (PM2.5) and greenhouse gases (GHGs) for construction. The Final EIR also determined that construction activities would result in significant and unavoidable impacts for PM10 and NOx with off-site ambient air pollution concentrations that exceed a South Coast Air Quality Management District (SCAQMD) threshold of significance. The certified EIR determined that an expanded on-dock railyard would have had similar construction and thus would have similar level of emissions, though peak day emissions could be slightly higher under Alternative 6 depending on the overlap of construction activities. (Draft EIR, Section 6.4.1.1.)

No significant construction activities occurred after certification of the Final EIR. Construction-related activities that occurred at the site included the installation of four new cranes in 2013 as assessed in the Final EIR and replacement of four ship to shore cranes and six new rubber tired gantry cranes in 2018 as assessed in the First Addendum.

Operations

Operation of the expanded Pier 300 terminal as evaluated in the Final EIR including a new concrete wharf, eight new cranes on the new wharf, improvement of approximately 41 acres of unimproved fill as container

[4] Greenhouse Gases is now a standalone checklist topic. However, the analysis conducted in the Final EIR under Air Quality remains consistent and addresses the Appendix G questions as currently written. As a result, Air Quality and Greenhouse Gases are being collectively addressed in Section 8.2.1.

backland with the ability to potentially automate operations, redevelopment of two acres of the former LAXT conveyor right of way and approximately 7 acres of the former LAXT backland behind Berth 301 into container backland and development approximately 2 acres of land northeast of the current main gate for a new out gate location. The Project evaluated in the Final EIR at full build out would have increased the throughput capacity at the site by slightly more than one million TEUs. The 2008-2009 CEQA baseline used in the Final EIR assumed that 1,128,080 TEUs were being handled at the site with a potential increase up to 2.1M TEUs without any improvements. The Final EIR analyzed that the build out of the Project would allow for the annual throughput of approximately 3,206,000 TEUs. This would have been achieved with the construction of the additional wharf, backlands expansion and improvements and other significant Project components (Final EIR, Section 2.3).

A container terminal capacity analysis was conducted for the Pier 300 terminal as a whole. To estimate terminal capacity, the POLA and most ports in the world use a methodology that relies on two capacity models, one that analyzes the terminals' container yard (CY) capacity and one that analyzes the terminals' berth capacity (a terminal could be berth constrained or CY constrained or evenly balanced between the two). Key model variables include: the length of berth, number/size of berth cranes, size of vessels, berth crane productivity, size of the storage area, how the containers are stored (i.e., chassis vs. grounded) and how long the containers remain in storage (container dwell time), and operating hours for the berth and the yard. This analysis determined that the wharf capacity is less than the CY capacity, and thus is the governing capacity.

An analysis was also conducted to estimate the increase in capacity and commensurate use of the on-dock railyard. The proposed improvements will increase the railyard capacity and ultimately commensurate use by approximately 520,000 TEU/year. Hence, these same amount of containers will shift from off-dock railyards to the on-dock railyard. This shifting of off-dock to on-dock use potentially reduces the dwell time of these same containers in the terminal, by a day or so, which theoretically could increase the container yard capacity a nominal amount. However, since the terminal's limiting capacity is that of the wharf, the increased on-dock railyard use will not increase the total terminal volume. Thus, the net effect of the proposed improvements is the shifting of 520,000 TEU/year from off-dock yards to the on-dock yard, without affecting the terminal's overall throughput.

The Final EIR evaluated average daily emissions associated with full build out and the throughput capacity of 3.2 million TEUs. Project impacts at the 2027 full build out years resulted in significant emissions of oxides of nitrogen (NOx) in the 2015, 2025 and 2027 analyzed years without mitigation measures. The Project resulted in significant emissions of VOCs in the 2027 full build out year. With the implementation of mitigation measures, emissions of VOCs remained significant and unavoidable (Final EIR, Table 3.2-30, page 3.2-118). Operations of the Project at full build out were also expected to create significant and unavoidable emissions in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance. GHG emissions from the operations of the Project would exceed the CEQA significance threshold of 10,000 carbon dioxide equivalent units (CO2e)/year and would remain significant and unavoidable (Final EIR, Table 3.2-41, page 3.2-155). Lastly, the operations of the Project were determined to expose receptors to significant levels of Toxic Air Contaminants (TACs). The future cancer risk would be significant and unavoidable for residential and occupational receptors. The acute hazard index was also determined to be significant and unavoidable for occupational receptors. (Final EIR, Table 3.2-37b, page 3.2-142).

The environmental analysis of Alternative 6 in the Final EIR/EIS, which is similar in scope to the currently proposed on-dock railyard concluded that it "would generate slightly less operational emissions than the

proposed Project [and] would generate slightly fewer trips than the proposed Project. The reduction in truck trips as compared to the proposed Project contributes to slightly lower operational air emissions and fewer traffic impacts overall..." (Draft EIR pages 6-5, 6-6, 6-11, 6-12, and 6-23.)

6.2.2 Addendum 1

Construction

Addendum 1 to the Final EIR added additional time to the existing permit allowing the facility to operate through 2043. Addendum 1 concluded that there were no adverse environmental impacts associated with extending the lease as there was no change to the throughput and the equipment, and heavy-duty vehicles and rail operations get progressively cleaner over time. This same conclusion applies to construction-related equipment as the original analysis assumed Tier 1 and Tier 2 equipment, which has also been replaced with much cleaner alternatives.

All mitigation measures included in the Final EIR/EIS will remain intact and must be complied with throughout Revised Proposed Project construction and operation.

Operation

Operation of the proposed facility was assessed in Addendum 1 for a lower throughput assumed since Berth 306 and the associated backlands were not being considered in lease negotiations. However, the Final EIR always assumed eventual buildout of the site with a 3.2 million TEU capacity. As previously stated, with trucks, ships, rail and cargo handling equipment all getting cleaner over time, emissions from operations would decrease even with the 3.2 million TEU capacity.

All mitigation measures included in the Final EIR/EIS will remain intact and must be complied with throughout Revised Proposed Project construction and operation.

6.2.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project would incorporate additional construction tasks and additional rail beyond that assumed under Alternative 6 – Expanded On-Dock Railyard in the 2012 Final EIR. Phase 1 of expanded on-dock rail included in the Revised Proposed Project would add approximately 5 new tracks, including an expanded throat and tail track. These additional tracks would allow the facility to transport an additional 520,000 TEUs by rail per year that would have otherwise left the facility via heavy-duty truck. In addition, the Revised Proposed Project allows for an optional Phase 2 of three additional tracks or the reuse of existing tracks in the southern bundle of the on-dock railyard. The 520,000 TEUs diverted from truck to rail is only for the Phase 1 installation of the five new tracks. The three additional tracks installed under Phase 2 would further increase the diversion of TEUs and reduce emissions further. Since the terminal's limiting capacity is that of the wharf, the increased on-dock railyard use will not increase the total terminal volume. This Revised Proposed Project would also include the reopening of Barracuda, regrading and paving of Earle Street and Marina Street for inclusion in the Berths 302-306 container terminal property boundary, an additional nine-acre parcel with an existing warehouse and paving for equipment storage and parking, as well as the demolition of three small structures. One gate to the facility will change as a result of re-routing the trucks away from the new 9-acre parcel (see Figure 3). The main entrance gate will remain the same.

Construction

Construction related to the currently Revised Proposed Project was evaluated in the 2012 Final EIR as it is similar to what was assessed under Alternative 6 – Expanded On-Dock Railyard. The document concluded that both the Approved Project and Alternative 6 would have significant and unavoidable impacts to volatile organic compounds, carbon monoxide, oxides of nitrogen, particulate matter, and greenhouse gases. The applicant now proposes additional rail tracks beyond what was assessed in Alternative 6. These additional tracks would have short-term construction emissions but the overall construction of Alternative 6 was significant and unavoidable with or without the additional tracks. While the installation of the tracks may increase emissions slightly on a short-term basis, emissions associated with rail installation come predominately from grading and disturbing large areas. The entire parcel identified for the on-dock railyard was always going to be disturbed and graded.

Regulations governing emissions from off-road construction equipment have resulted in significant emission reductions since the original Berths 302-306 Container Terminal EIR was certified; thereby, reducing emissions associated with the Approved Project. When the prior EIR was approved in 2012, the document relied on the Off-Road Emission Factors Composite (2007-2025) from the South Coast Air Quality Management District. The selected composited year was 2012 and it included a construction fleet mix from that composite year. None of the Approved Project was ever constructed. Based on composite year 2021, emissions of NOx and VOCs have been reduced by more than 50% and PM10 has been reduced by nearly 75%.

As stated under Section 4 - Purpose, there are roadway improvements and the demolition of approximately three small structures not previously assessed in the Final EIR/EIS or Addendum 1. While the document did include other demolition activities, the new tasks were calculated to ensure no new or significant air quality impacts would occur. Please see the bulleted list below for a summary of the new construction-related tasks associated with this Addendum.

The proposed new/additional construction tasks now proposed as part of this Revised Proposed Project include:

- Demolition of 3 Warehouses & Structures;
- Demolition of tanks;
- Grading, paving and excavating 9 acre parcel and roadway areas;
- Closure of Earl and Marina Streets; and
- Road Re-Opening at Barracuda Street.

As part of this assessment, emission calculations were completed for each of these tasks using 2021 composite off-road and on-road emission factors. Peak daily emissions occur during the grading and excavating task. Those emissions are summarized in the tables below and are compared to a previous demolition task which was assessed in the EIR/EIS, but which is no longer expected to be needed.

Table 1
Peak Daily Construction Emissions (pounds per day)

	NO_x	VOC	SO_X	CO	PM_{10}	$PM_{2.5}$
Peak Daily Construction Emissions[1]	44.4	7.3	0.10	59.6	9.8	4.3
Berths 302-306 Construction Phase Id – Demolish Roadability Canopy & Building[2]	32.93	3.68	0.05	14.73	4.77	1.98
Net Difference	11.47	3.62	0.05	44.87	5.03	2.32
SCAQMD Max. Daily CEQA Significance Threshold	100	75	150	550	150	150
Exceeds CEQA Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[1]Peak Daily Construction Emissions occur during the Grading/Excavating Task
[2]Appendix E – Berths 302-306 Container Terminal Project EIR/EIS

Table 2
Peak Daily Construction Emissions (pounds per day) – Compared to LSTs

	NO_x	VOC	SO_X	CO	PM_{10}	$PM_{2.5}$
Peak Daily Construction Emissions	44.4	7.3	0.10	59.6	9.8	4.3
Berths 302-306 Construction Phase Id – Demolish Roadability Canopy & Building	32.93	3.68	0.05	14.73	4.77	1.98
Net Difference	11.47	3.62	0.05	44.87	5.03	2.32
SCAQMD Localized Significance Thresholds (LSTs) [1]	179	NA	NA	10,198	191	120
Exceeds CEQA Threshold?	**No**	**NA**	**NA**	**No**	**No**	**No**

[1] SCAQMD LST Guidance, revised October 21, 2009 – Final LST Methodology, Tables C-1, C-2, C-4, and C-6 based on Source Receptor Area 4 (South Coastal Los Angeles County). Assumes 5-acre site area, nearest sensitive receptor is >500 m away at the Al Larson Marina.

Table 3 Greenhouse Gas Emissions - Construction	
Construction Task	**MT/yr**
Demolition of Warehouses	91
Tank Demolition	23
Grading/Excavating	256
Closure of Marina and Earle	22
Re-opening Barracuda	117
Amortized Construction[1]	*17*
Threshold	10,000
Exceeds CEQA Threshold?	**No**

[1]Construction emissions have been amortized over a 30-year lifetime.

All mitigation measures identified and approved for the Project would still be applicable to the Revised Proposed Project. There is no additional construction anticipated with the addition of the nine-acre parcel highlighted in Figure 3. The parcel has an existing warehouse that will be utilized for equipment storage. Construction components in the 9-acre parcel includes demolition of 3 small warehouses, tanks, and a truck rack, and paved for use as equipment storage and parking. These additional project features will not create a substantial increase in the severity of previously identified significant effects from construction-related activities.

Operations

The Project as originally proposed at full build-out would have a total of 3.2 million TEUs with the accompanying vessel call increases, truck trips, rail trips and expanded use of Cargo Handling Equipment such as yard tractors, rubber tired gantry cranes (RTGs), top handlers, sidepicks, forklifts and miscellaneous equipment. All of these factors contributed to the air quality impacts associated with the Project. Operational assumptions included 390 vessel calls, 24 cranes at the site, over 3,000,000 annual truck trips, almost 3,000 rail trips and a container throughput capacity of 3.2 million TEUs per year. The highest emission categories were as follows: ships during transit and anchoring; ships during hoteling; trucks; terminal equipment; and trains.

The Revised Proposed Project does not alter the overall 3.2 million TEU throughput evaluated in the Final EIR. As mentioned previously, a container terminal capacity analysis was conducted for the terminal as a whole for the FEIR and determined that the wharf capacity is less than the container yard capacity. Therefore, wharf capacity is the governing capacity and preventing an increase in throughput. Emissions would decrease compared to the Project particularly in the area of NOx, PM10, PM2.5 and SOx from reduced truck trips as approximately 520,000 TEUs from the additional 5 new tracks would now be leaving via rail. Additionally, reduced GHG emissions (as CO2e) are shown in Tables 4-7 below. Therefore, the Revised Proposed Project would not have a substantial adverse effect on the environment with regard to climate change and would have a potentially beneficial effect once operational. Shifting truck trips to rail trips results in environmental benefits in comparison to the Project in the 2012 EIR, because goods movement by truck is less fuel efficient. Potential air quality project benefits are summarized below.

Table 4 – Change in Peak Daily Emissions Associated with the Berths 302-306 On-Dock Rail Project
Year 2024 (peak daily emissions lbs/day)

Source Category	VOC	CO	NOx	SOx	PM10	PM2.5	CO2	CO2e
Trains	0.3	2.4	8.1	0.01	0.2	0.2	914	923
Trucks	-0.1	-1.8	-21.7	-0.09	-1.2	-0.04	-9,578	-10,027
Total	**0.2**	**0.6**	**-13.6**	**-0.08**	**-1.0**	**-0.2**	**-8,664**	**-9,104**

Table 5 – Change in Peak Daily Emissions Associated with the Berth 302-306 On-Dock Rail Project Year 2043 (peak daily emissions lbs/day)

Source Category	VOC	CO	NOx	SOx	PM10	PM2.5	CO2	CO2e
Trains	1.1	26.2	28.6	0.1	0.4	0.4	10,130	10,230
Trucks	-1.1	-15.7	-192.9	-0.6	-10.6	-3.3	-63,643	-66,626
Total	**-0.1**	**10.5**	**-164.3**	**-0.5**	**-10.2**	**-2.9**	**-53,513**	**-56,396**

Table 6 – Change in Annual Emissions Associated with the Berths 302-306 On-Dock Rail Project Year 2024 (lbs/year)

Source Category	VOC	CO	NOx	SOx	PM_{10}	$PM_{2.5}$	CO2	CO2e
Trains	101	786	2,692	3.0	60	57	303,195	306,187
Trucks	-31	-440	-5,357	-22	-297	-93	-2,365,820	-2,476,677
Total	**70**	**346**	**-2,665**	**-19**	**-237**	**-36**	**-2,062,625**	**-2,170,490**

Table 7 – Change in Annual Emissions Associated with the Berths 302-306 On-Dock Rail Project Year 2043 (lbs/year)

Source Category	VOC	CO	NOx	SOx	PM_{10}	$PM_{2.5}$	CO2	CO2e
Trains	352	8,710	9,482	31	147	138	3,361,399	3,394,564
Trucks	-276	-3,887	-47,640	-148	-2,625	-818	-15,719,916	-16,456,627
Total	**76**	**4,823**	**-38,158**	**-117**	**-2,478**	**-680**	**-12,358,517**	**-13,062,063**

1. All emissions reflect Revised Proposed Project minus No Project.

The additional parcel of land being incorporated into the permit amendment does not increase throughput or increase air quality emissions/impacts operationally. The added acreage is for the storage and parking of equipment. Additionally, wharf capacity is the governing capacity and preventing an increase in throughput. These workers were accounted for in the original air quality analysis and equipment are on the existing terminal. No additional workers beyond what was assessed are necessary for this Revised Proposed Project.

For the reasons cited above, operational air quality and GHG impacts from the selection of the Revised Proposed Project with its project modifications would not create a substantial increase in the severity of previously identified significant effects of the Project in the Final EIR on an operational basis and similar to what was assessed on a short-term construction basis. No new or additional mitigation measures are required. Nevertheless, all operational mitigation measures will continue to be incorporated into the

Proposed Permit Amendment and implemented using a phased schedule beginning the start date of the Proposed Permit Amendment approval.

6.3 Biological Resources

6.3.1 Final EIR Conclusions

Assessment of impacts to biological resources is presented in Chapter 3.3 of the Final EIR, which concluded that no critical habitat for any listed species exists within the Project site. There would be no impacts to Significant Ecological Areas (SEAs), kelp beds, eelgrass beds or wetlands due to construction or operations because none of these habitats are present at or near the site. The analysis of construction activities concludes that potential impacts could occur to elegant or Caspian terns if they are nesting on the 41-acre site during construction. In addition, potential impacts were identified to marine mammals during pile driving activities. Mitigation Measure BIO-01 was included to require nesting bird surveys prior to construction. LAHD's Standard Condition of Approval (SC) BIO-01 was also included to reduce any impacts to marine mammals during pile driving at Berth 306. With mitigation and the Standard Conditions of Approval, impacts to threatened, rare or candidate species and/or habitat were found to be less than significant. No other impacts related to the construction of the Project were identified (Final EIR, Section 3.3, page 3.3-1 and 3.3-2).

Impacts to biological resources as a result of the expanded operations at the site were also evaluated in the Final EIR. The Final EIR assessed conflict with local plans and policies and ordinances that protect biological resources, interference with migratory fish or wildlife, modification of a special species habitat and interference with a federally protected wetland. The Final EIR concluded that the only adverse impact resulted from an increased number of ship calls with the potential to result in the introduction of non- native species into the Harbor via ballast water or vessel hulls and thus could substantially disrupt local biological communities. There were no mitigation measures identified for this adverse impact and impacts remained significant and unavoidable.

6.3.2 Addendum 1

Implementation of Addendum 1 determined that the revised Project would not cause an increase in vessel calls nor would it exacerbate impacts through the discharge of ballast water or biofouling of vessel hulls as evaluated in the Final EIR. In addition, migratory bird species that visit or pass through the Project area would not be impeded by implementation of a lease extension and crane raises as described in Addendum 1. There were no adverse impacts identified and no new mitigation measures would be triggered.

6.3.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project includes minor construction activities beyond some additional rail tracks currently being used for on-dock rail. A 9-acre parcel is being acquired that will need some small structures to be demolished as well as roadway improvements that will require some paving, excavating, and resurfacing.

During construction activities, removal of trees along Earle Street would be necessary. Mitigation Measure (MM) BIO-1, which was previously included in the 2016 Revised MMRP, would be triggered during tree removal activities of the Revised Proposed Project.

MM BIO-1. Conduct nesting bird surveys.

This measure applies only if tree removal or construction on the 41-acre undeveloped area is to occur between February 15 and September 1. Prior to ~~ground disturbing~~ these activities, a qualified biologist shall conduct surveys for the presence of ~~tern~~ bird nests on the 41-acre backlands, and within the proposed Project site that contains potential nesting bird habitat. Surveys shall be conducted no later than 1 week prior to the clearing, removal, or grubbing of any vegetation or ground disturbance. If active nests of species protected under the MBTA and/or similar provisions of the California Fish and Game Code (i.e., native birds including but not limited to the black-crowned night heron) are located, then a barrier installed at a 50–100 foot radius from the nest(s) shall be established. The barrier will remain until a qualified biologist determines that the young have fledged or the nest is no longer active.

Timing: If construction occurs between February 15 and September 1, biological surveys will be conducted within ~~two~~ one week~~s~~ of ground clearing activities.

Methods: This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to ensure contractor(s) are aware of potential work area limitations. The contractor shall adhere to these specifications throughout construction activities. Biologists will survey site for active bird nests. If nests are present, a barrier installed at a 50-100 foot radius from the nest(s) shall be established and construction will avoid those sites. The barrier will remain until a qualified biologist determines that the young have fledged or the nest is no longer active. Enforcement shall include oversight by the LAHD project/construction manager.

Implementation: LAHD~~, USACE~~

Monitoring and Reporting: Environmental Management Division, Construction Management Division

The Revised Proposed Project would not cause an increase in vessel calls. The throughput for either scenario remains at 3.2 million TEUs. As ships get larger, vessel calls decrease which, in turn, lower the likelihood of ballast water or biofouling of vessel hulls above what was evaluated in 2012. As mentioned above, development is minimal and there is no potential to impact a significant ecological area or natural plant community. Migration by bird species that visit or pass through the Proposed Project area would not be affected as no new structures would be built that would impede their movement. For the reasons described above, the Revised Proposed Project would produce no new impacts to biological resources than those disclosed in the Final EIR with no new mitigation necessary. For all of these reasons, the Revised Proposed Project would require no new biological mitigation measures. All mitigation measures committed to for Approved Project components previously assessed under the Final EIR/EIS would still be applicable to the Revised Proposed Project.

6.4 Cultural Resources

6.4.1 Final EIR Conclusions

The Final EIR determined that no known archaeological sites are recorded within the Project area and no evidence of prehistoric or historic archaeological material was identified during previous cultural resource site record and literature searches and archaeological surveys (Final EIR, Section 3.4, pages 3.4-1 and 3.4-2). As a result, no significant impacts were identified. Due to the extensive nature of previous ground disturbances within the Project area and the substantial depths to which the soils have been disturbed, it is highly unlikely that any unknown, intact archaeological deposits exist within soils in the proposed Project area. There are no structures onsite that possess unique or significant architectural value.

6.4.2 Addendum 1

Addendum 1 was a lease extension of 16 years with some crane raises. As stated above, the site has no known archaeological sites and no evidence of prehistoric or historic archaeological material identified. There was nothing in Addendum 1 that would cause any impact to any cultural resource beyond those disclosed in the Final EIR.

6.4.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project includes an expanded on-dock railyard with additional rail tracks and the acquisition of a 9-acre parcel not currently in the leasehold. Roadway improvements and a new gate are also considered part of the Revised Proposed Project as these improvements are necessary to re-route existing traffic around the new 9-acre parcel and warehouse. The new Revised Proposed Project includes some roadway improvements as well as the demolition of three small structures that are not historic in nature. The warehouse being acquired in the permit amendment was assessed for historic significance for the Los Angeles Harbor Department in January 2019. The structure was not found to eligible for listing under the National Register of Historic Places, the California Register of Historic Resources or the Los Angeles Historic Cultural Monument (ICF Historic Memo, Star-Kist Re-evaluation Memo, January 11, 2019). Standard Condition of Approval (SC) CR-1 is included in the MMRP and will be upheld and implemented as necessary throughout Project construction. As the 41-acre backlands will now be built as was assessed under the Project in the 2012 Final EIR. For the reasons described above, the Revised Proposed Project would not cause any new or substantially more severe significant impacts to cultural resources beyond those disclosed in the Final EIR.

6.5 Energy

6.5.1 Final EIR Conclusions

As mentioned above, the State CEQA Guidelines Checklist (Appendix G) was revised in late 2018 and took effect in April of 2019. As such, there was no specific Energy Section contained in the 2012 Final EIR. However, fuel consumption and usage were quantified for both construction and operations in the Final

EIR in order to assess related air quality impacts. The questions now contained in the 2019 CEQA Checklist relate to the usage of energy in a wasteful or inefficient manner as well as any potential conflict with a state or local plan for renewable energy or energy efficiency. The project's fuel usage was what was necessary to construct the project and was not wasteful or inefficient. Wasteful use of fuel or other commodities is not cost-effective and there would be no need to utilize excess fuel for construction equipment.

Operationally, fuel was needed for the vessel increases, associated cargo handling equipment, truck trips and rail trips to account for the volume increase to 3.2 million TEUs. This fuel usage would be consistent with other terminals and would not be used in an inefficient or wasteful manner. Further the project would not require such a large volume of energy or create a conflict with a state or local plan for renewable energy or energy efficiency.

6.5.2 Addendum 1

Addendum 1 did not include additional vessel calls, an increase in throughput or any operational change that could utilize additional energy. The Project was a lease amendment for 16 years and the raising of existing cranes to allow larger ships to visit, thereby reducing emissions and fuel usage from multiple smaller vessels coming in. While a lease extension would allow vessels to come in for a longer period of time, there is no wasteful or inefficient use of energy from the Project nor does it conflict with a state or local plan for energy or energy efficiency. Terminal-related equipment (i.e., ships, cargo handling equipment, trucks, rail, etc.) have all gotten progressively cleaner over time; thereby using less energy and cleaner energy in the process. There are no significant environmental impacts to Energy identified from implementation of Addendum 1.

6.5.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project would maintain the same throughput as assessed in the Final EIR/EIS but would transport approximately 520,000 TEUs by rail in lieu of heavy-duty truck by adding five additional tracks. The inclusion of three additional tracks under Phase 2 would further increase the diversion by rail but has not been assessed in these calculations. This would be a reduction in fuel usage and an operational benefit to air quality, GHG and Energy. By shifting truck trips to rail trips, the revision results in environmental benefits in comparison to the Approved Project in the 2012 EIR, because goods movement by truck is less fuel efficient. The use of an existing warehouse would not cause an increase in energy usage nor would the re-opening of Barracuda Street to access the site. Construction components of Revised Proposed Project are not substantially more severe than those proposed in the Project for the 2012 EIR and therefore would not be a wasteful or inefficient use of energy. The Revised Proposed Project does not create a significant impact to Energy and no mitigation measures are necessary.

6.6 Geology and Soils

6.6.1 Final EIR Conclusions

The Final EIR assessed the geologic conditions and potential to expose people and structures to substantial adverse effects in the following areas: surface rupture, ground shaking and liquefaction; tsunamis or seiches; land subsidence/soil settlement; expansive soils; and, unstable soil conditions from excavation, grading or fill. The evaluation was based on published reports and the general geologic setting as indicators of potential geologic hazards as well as compliance with all applicable building codes, regulations, modern engineering and safety standards and LAHD policies and regulations. The analysis found that the topography at the Project site and surroundings is flat and not subject to landslides or mudflows. In addition, there are no prominent geologic or topographic features located at the site that could be destroyed as a result of Project implementation and the site contains no mineral resources. The Final EIR also determined that there is no substantial risk of flooding from an earthquake-based seiche or tsunami. Lease Measure (LM) GEO-1 – Emergency Response Planning, was incorporated into the Final EIR to ensure that no significant geological impacts could occur. LM GEO-01 states that the terminal operator will coordinate with LAHD engineers and Port Police to develop tsunami response training and procedures to assure that construction and operations personnel would be prepared in a large seismic event. The Final EIR identified no significant adverse impacts and no mitigation measures were required. (Final EIR, Section 3.5, pages 3.5-1 and 3.5-2).

6.6.2 Addendum 1

Addendum 1 extended the existing permit by 16 years and replaced/raised eight existing cranes at the site. Since there was no construction assumed in Addendum 1, there were no new geological impacts identified. However, MM GEO-01 remained in effect and will be adhered to throughout Project construction.

6.6.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Project Revised Project includes additional rail tracks on the north bundle at the currently existing on-dock railyard with the potential for additional tracks or the reuse of tracks at a future date. In addition, a 9-acre parcel would also be added into the leasehold with an existing warehouse occupying most of the parcel. The remaining portion of the parcel will be used for employee vehicles or equipment storage. Minor construction would include the demolition of three small warehouse and associated structures and roadway improvements to existing roads. Other than this, construction activities for the Revised Proposed Project remain the same as what was evaluated in the 2012 Final EIR. The additional 9-acre parcel will not expand throughput as it includes an existing warehouse that will be maintained and utilized for equipment storage and parking. A portion of Barracuda Street will also be reopened to allow truck access to the site to avoid interference with the new warehouse and parking.

The current modifications have no potential for increased exposure to tsunami- or seiche-related hazards, soil expansion, landslides, mudslides or the permanent loss of availability of any mineral resources beyond what was analyzed in the EIR. LM GEO-1 will remain in effect and will be adhered to as a condition of

Proposed Lease Amendment approval. Based on the above analysis, the Revised Proposed Project would not cause any new or substantially more severe significant impacts related to geologic resources beyond those disclosed in the Final EIR. No new mitigation measures are required and Mitigation Measures established by the Final EIR would remain in the Revised MMRP and would apply to the Revised Proposed Project.

6.7 Groundwater and Soils

6.7.1 Final EIR Conclusions

The Final EIR assessed impacts to groundwater and soils from construction and operation of the Project. Specifically, the Final EIR assessed the exposure of toxic substances or other contaminants associated with historical uses at the port, an expansion of a contaminated area due to construction and operation, changes to potable water levels, the reduction in groundwater recharge capacity, and the violation of regulatory water quality standards at an existing production well. The primary features of the Project that could affect groundwater and soils were from construction-related activities such as the modification and development of entrances and gates, the development of the backlands behind Berths 302-306, modifications to the existing Power Shop and the development of the former LAXT right-of-way. All impacts to groundwater and soils were determined to result in less than significant impacts or no impacts. The Final EIR concluded that the Project would not excavate significant quantities of surface soil nor would it result in groundwater contamination or the reduction in groundwater or existing potable water levels. The analysis determined that construction activities may encounter toxic substances or other contaminants associated with historical Port uses resulting in short-term exposure to construction/operations personnel during the 24-month construction duration. However, the Final EIR concluded that the Project would handle, transport, remediate and/or dispose all contaminated soil in accordance with all applicable federal, state and local laws and regulations in accordance with the State Department of Toxic Substance Control and the Los Angeles Regional Water Quality Control Board. (Final EIR, Section 3.7, pages 3.7-1 through 3.7-3).

To ensure impacts remain less than significant, LAHD included two Lease Measures outlining site remediation procedures and a Contamination Contingency Plan. LM GW-1 – Site Remediation, requires the Tenant to address all contaminated soils with the proposed Project boundaries discovered during demolition and grading activities. LM GW-2 – Contamination Contingency Plan, requires a plan to be developed and implemented to address contamination discovered during demolition, grading and construction.

6.7.2 Addendum 1

Addendum 1 assessed a 16-year permit extension and the adjustment of eight cranes. There were no construction components considered at the time so there was possibility to adversely affect groundwater or soils beyond what was disclosed in the Final EIR. Lease Measures GW-1 and GW-2 remain in the MMRP. No additional mitigation measures are necessary.

6.7.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project would result in the construction of 5 tracks on the north bundle of the existing on-dock railyard as well as roadway improvements and the acquisition of a new, 9-acre parcel that will need three small structures to be demolished. It would also move the gate entrance to Earle Street and reopen Barracuda Street for access to the property. Phase 2 would include an expanded on-dock railyard with three additional tracks and/or reuse of existing tracks in the southern bundle. The 5 tracks on the north bundle of the existing on dock railyard will overly a portion of the former Auto Shredder Waste Disposal Area, comprised of automobile shredder waste, which was buried 12-feet below grade and capped with asphalt. Construction of the new rail will not penetrate the auto shredder waste material and does not pose a significant impact. In addition, groundwater monitoring is conducted annually to act as an early warning system for potential releases into the adjacent harbor, and monitoring will continue.

There is nothing in the Revised Proposed Project that would adversely affect groundwater and soils beyond any impacts assessed in the Final EIR. For these reasons, the Revised Proposed Project would not result in new exposure of contaminated soils and/or groundwater or require dewatering operations. Therefore, the Revised Proposed Project would not cause any new or substantially more severe impacts to groundwater and soils beyond what was disclosed in the Final EIR.

Lease Measures GW-1 and GW-2 remain in the MMRP. No additional mitigation measures are necessary.

6.8 Hazards and Hazardous Materials

6.8.1 Final EIR Conclusions

The Final EIR concluded that the Project would not result in any impacts to hazards and hazardous materials. The Final EIR analyzed the potential impacts of hazards and hazardous materials related to releases of hazardous materials to the environment, and impacts on public health and safety from fires, explosions, and releases of hazardous materials associated with construction and operation of the Project. The Final EIR determined that the Project would not significantly increase the risks associated with the probability of a hazardous spill or release. The Project would also not result in an increased risk or frequency of potential acts of terrorism or an increased likelihood of tsunami-induced flooding or seismic events that would result in fuel releases from ships or hazardous substances from containers. Although the Project would increase the throughput of TEUs and associated truck-related traffic, the increase was not determined to significantly increase the risk of regional injury or fatality rates. There were no mitigation measures identified for Hazards or Hazardous Materials (Final EIR, Section 3.8, pages 3.8-1 and 3.8-2).

6.8.2 Addendum 1

This document assessed the extension of Permit #733 an additional 16 years and the raising of approximately eight cranes. There was nothing in Addendum 1 that would change the throughput capacity and would not change any usage of potentially hazardous materials or cause any increase in hazards

potential. There were no hazardous impacts identified in the Final EIR that would have been made more severe by Addendum 1 and no new mitigation measures were necessary.

6.8.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project does not include any new project components or project elements that could have the potential to create a significant impact from the use of increased transport of hazardous materials. Any transport, storage or use of hazardous materials would not increase from the selection of the Revised Proposed Project as the throughput of the project remains the same. The facility would continue to operate under Permit #733 and would acquire an additional nine acres to be used for equipment storage and parking and other associated area from the Final EIR. There is no new additional storage of hazardous materials proposed in the warehouse or vacant paved adjacent lot. The Revised Proposed Project would not cause any new significant impacts related to hazards and hazardous materials beyond the impacts disclosed in the Final EIR and no mitigation measures are necessary. Mitigation Measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply, as appropriate, to the Revised Proposed Project.

6.9 Hydrology and Water Quality

6.9.1 Final EIR Conclusions

Impacts to water quality from possible spills and discharges, stormwater runoff, risk of flooding and sediments, were analyzed in the Final EIR. The Final EIR concluded that Project-related construction would not be expected to create pollution, contamination, a nuisance, or violate any water quality standards, and impacts to water quality from in-water construction activities and disposal would be less than significant. Spills or leaks that occur on land would be contained and cleaned up before any impacts to surface water quality can occur. Spills from dredges or barges could directly affect water quality within the channel between Pier 300 and Pier 400, resulting in a visible film on the surface of the water; however, the probability of an accidental spill from a vessel to the Harbor that would cause a nuisance or adversely affect beneficial uses is low. Therefore, accidental spills of pollutants would cause less than significant impacts. Potential water surface and water column impacts could result from Project construction (including dredging, wharf construction, and pile driving), runoff and accidental spills. Operational impacts could result from runoff, changes to water circulation, erosion, vessel spills, illegal discharges and contaminant leaching. All potential impacts were identified as less than significant and no mitigation measures were required (Final EIR, Section 3.14, page 3.14-1).

6.9.2 Addendum 1

Addendum 1 assessed a lease extension of 16 years and modified eight of the cranes at the terminal. Addendum 1 did not change the configuration of the terminal nor did it add any additional construction work or increase operational throughput. No findings or conclusions were altered as a result of the proposed modifications and no mitigation is necessary.

6.9.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project is similar to the expanded on-dock railyard alternative with additional five tracks with the option of further track installation in the future. The Revised Proposed Project would also allow for the acquisition of an additional 9 acres of land to the project footprint that includes an existing warehouse for equipment storage. The Revised Proposed Project would also include integration of Low Impact Development features, which would only further reduce potential impacts. No findings or conclusions are altered as a result of the proposed modifications and no mitigation is necessary. Mitigation Measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply, as appropriate to the Revised Proposed Project.

6.10 Land Use and Planning

6.10.1 Final EIR Conclusions

Section 3.9 of the Final EIR evaluated potential land use impacts from the Project. The analysis found that the Project would be consistent with the adopted land use/density designation in the Community Plan which allows for commercial and industrial uses at the site, redevelopment plan or specific plan. The Project was also found to be consistent with the General Plan and the Port of Los Angeles Master Plan. The Project was also evaluated for a potential to substantially affect the types and/or extent of existing land uses in the area or cause a secondary effect on any land uses in the area. There were no significant land use impacts associated with the Project and no mitigation measures were necessary. (Final EIR, Section 3.9, page 3.9-1)

6.10.2 Addendum 1

Addendum 1 extended the permit for an additional 16 years and raised approximately eight cranes. The modifications remained consistent with the industrial land use designation at the site. There would be no difference in the type of activity occurring at the site, and thus no potential to affect the land use or cause a secondary impact to the surrounding community. There was no growth or expansion associated with Addendum 1 as the facility would remain in its existing configuration. Addendum 1 concluded that it would not cause any new or substantially more severe significant impacts related to land use beyond those disclosed in the Final EIR and no mitigation measures were necessary.

6.10.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project would remain consistent with the industrial land use designation at the site as well as its existing industrial use. There would be no difference in the type of activity occurring at the site, and thus no potential to affect

the land use or cause a secondary impact to the surrounding community. There is no growth or expansion associated with the Revised Proposed Project other than the acquisition of 9 acres of already developed area that would not result in an increase in throughput. The relocation of a new gate and reopening of Barracuda will not affect land use or planning in any way. The Revised Proposed Project would not cause any new or substantially more severe significant impacts related to land use beyond those disclosed in the Final EIR and no mitigation measures were required.

6.11 Noise

6.11.1 Final EIR Conclusions

Section 3.11 of the Final EIR addressed potential noise impacts as a result of the construction and operation of the Project. Construction noise related to pile driving was determined to result in significant noise impacts to noise sensitive uses at Reservation Point and Fish Harbor. MM NOI-1 would require a silencing kit or sound insulation system capable of limited maximum noise levels at 50 feet from the pile driver to 104 decibels or less for wharf construction. The pile driver would initiate a soft start which would induce which would induce marine mammals and birds to leave the area before the equipment reaches full energy mode. MM NOI-2 was also included to erect temporary noise attenuation barriers adjacent to the pile driving equipment as necessary and feasible. There were operational impacts associated with the proposed expansion identified in the Final EIR but the impacts were below the CEQA significance threshold of 3 decibels and no mitigation measures were required (Final EIR, Section 3.11, pages 3.11-1 and 3.11-2). Further, there were no additional impacts to noise as a result of Alternative 6 in comparison to the Project.

6.11.2 Addendum 1

Addendum 1 assessed a 16-year extension to Permit #733 and the replacement/modification of eight cranes. There was no new equipment, truck trips, rail traffic or change in operations in general that would alter the noise conditions at the site. The mitigation measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply to Addendum 1 as well.

6.11.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project does not significantly alter construction-related activities. Construction equipment associated with the highest noise levels were coming from pile driving, which has remained the same. Operationally, the revised Project will shift more truck trips to rail thereby increasing rail activity from the Project while reducing heavy-duty truck trips. The only location that had originally indicated a 2 decibel increase from the Final EIR were liveaboard residents at the Island Yacht Anchorage Marina. This site is located in very close proximity to the Badger Avenue rail bridge (65 feet from the tracks) and the Highway 47 vehicular bridge (270 feet from new vehicular bridge alignment). Train traffic via the Badger Avenue rail bridge is constant and the addition of minimal increased rail trips as a result of the modification will not alter any noise findings. Additional train traffic as a result of the Revised Proposed Project with increased tracks still

results in less than a 10% increase via rail from the previously Approved Project. No new significant impacts were identified and no additional mitigation is necessary.

6.12 Public Services

6.12.1 Final EIR Conclusions

Section 3.13 of the Final EIR evaluated impacts to Public Services and Utilities. Public services include fire protection, emergency medical services and police protection. Public utilities include water services, wastewater, storm drains, solid waste, energy facilities, electricity and/or natural gas demand. The analysis determined that the Project would not increase the demand for additional law enforcement and facilities such that the United States Coast Guard (USCG), Los Angeles Police Department (LAPD), and LAHD's Port Police would not be able to maintain an adequate level of service without additional facilities. Project operations would affect emergency response times because the site would have the same land use and similar layout and same distances to fire stations as the existing terminal. The Final EIR concluded that construction and expansion of the terminal would require on-site water or wastewater lines, these increases would be negligible and the overall operation requiring the water or generating the wastewater would be similar to baseline conditions. The Final EIR concluded that the Los Angeles Department of Water and Power (LADWP) had more than enough electrical power to supply the Approved Expansion Project (Final EIR, page, 3.13-41). In addition, solid waste generation and disposal associated with the construction of the Project would result in less than significant impacts to landfill capacity. Standard Conditions of Approval were included to ensure that solid waste and demolition debris would be minimized wherever possible. SC PS-1 calls for the recycling of construction materials and SC PS-2 calls for the use of recycled materials during construction wherever feasible (Final EIR, Section 3.13, pages 3.13-1 and 3.13-2).

6.12.2 Addendum 1

Addendum 1 included an amendment to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 as well as the replacement/modification of eight cranes. There were no construction- or operation-related expansions as a result of the lease extension. No findings or conclusions were altered as a result of the proposed modifications and no mitigation was necessary. All mitigation measures established in the Final EIR would nevertheless remain in the MMRP.

6.12.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project does not adversely impact Public Services or Utilities. The solid waste generation and disposal associated with construction of the Project was found to be less than significant in the Final EIR/EIS. Construction components included under the Revised Proposed Project are not anticipated to generate substantially more waste or create substantially more utility usage than the Project in Final EIR that would alter this conclusion. Further, the Revised Proposed Project will not increase its throughput and/or its total water demand which was estimated to be 325,851 gallons per acre feet (Draft EIR, Section 3.13, Table 3.13-2, page 3.13-21).

The Revised Proposed Project results in the same vessel calls and throughput so there is no increased demand on USCG, LAPD or Port Police. The use of an existing warehouse and paved vacant area does not contribute to any potential impact to public services or utilities nor does the reopening of Barracuda Street. This street is the responsibility of LAHD and is maintained by LAHD.

The Revised Proposed Project does not alter the findings of the Final EIR and no new mitigation is necessary. SC PS-1 and SC-PS-2 will remain in effect and must be adhered to throughout project construction.

6.13 Recreation

6.13.1 Final EIR Conclusions

Section 3.12 of the Final EIR evaluated Recreation impacts as a result of the proposed terminal expansion. The analysis evaluated whether the Project would result in a substantial physical deterioration or expansion of existing park or recreational facilities or include the construction of new facilities. The document concluded that the only potential impact to Recreation was from construction-related Noise and would potentially impact the Al Larson Marina. However, with the implementation of MM NOI-1 and MM NOI-2 described above, impacts were found to be less than significant. There were no impacts to Recreation identified as a result of operation of the Project (Final EIR, Section 3.12, pages 3.12-1 and 3.12-2).

6.13.2 Addendum 1

Addendum 1 included an amendment to Permit #733 to allow the facility to continue operating through 2043 and the replacement/modification of eight cranes. Since the only potential impact to Recreation came from Noise and Noise was found to be less than significant, there were no additional Noise/Recreation impacts associated with the lease extension. No new or increased construction was anticipated nor was the operational potential at the site going to increase. Further, noise (similar to air quality) is expected to decline over time due to improved equipment and operations. No new significant adverse impacts were identified and no new mitigation was required.

6.13.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project would allow for increased on-dock rail tracks as well as the additional 9-acre parcel with a warehouse for equipment storage and roadway improvements. The Revised Proposed Project will extend Barracuda Street to have a more direct route into the terminal and avoid the new 9-acre parcel with the warehouse. Potential noise impacts may have occurred from a minimal increase in rail traffic; however, the Al Larson Marina is located south of the rail tracks and should not experience any Noise increase as a result of the mode shift. Further, there was no significant impact identified at the site from operations and this Revised Project is not expected to change that finding. There are no significant impacts to Recreation as a result of the Revised Project and no additional mitigation is necessary.

6.14 Transportation

6.14.1 Final EIR Conclusions

The Final EIR assessed the capacity of existing circulation systems, potential conflict with congestion management programs, an increase in hazards, inadequate emergency access and inadequate parking. The Final EIR concluded that construction of the Project would not result in significant impacts to ground transportation. Construction would also not result in any short-term temporary increase in truck and auto traffic (Final EIR, Section 3.6, pages 3.6-1 and 3.6-2)

Operation of the Project was evaluated to determine whether there was a traffic impact or increase in public transit usage due to an increase in on-site employees. Operations were also evaluated and determined to pose no significant impact related to freeway congestion nor was a delay found at railroad grade crossing within the Project's vicinity. The analysis concluded that the Project had the potential to significantly impact a study location volume/capacity ratios or Level of Service (LOS). A potentially significant traffic impact was identified at the intersection of Navy Way and Reeves Avenue. Navy Way is an internal Port roadway that provides local access to Pier 300 and Pier 400 from Seaside Avenue/Ocean Boulevard and the Terminal Island Freeway (Ibid). Reeves Avenue is a two to three-lane roadway that serves the eastbound extension of Terminal Way between Navy Way and Nimitz Road. The incorporation of MM TRANS-1 was determined to reduce this impact to less than significance. This measure requires the re-striping of the southbound (and eastbound approach to accommodate the southbound dual right turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach. This mitigation would be triggered if the intersection drops to a Level of Service E or F in accordance with the Los Angeles Department of Transportation. The Project did not identify any other significant adverse impacts associated with operation of the terminal expansion (Ibid). The Final EIR determined that an expanded on-dock railyard would generate slightly fewer trips that the proposed project." (Draft EIR pages 6-6, 6-12.)

6.14.2 Addendum 1

Addendum 1 reassessed traffic-related impacts and LOS at key intersections through the additional 16 years through 2043. Since the water- and land-side improvements were not being built, the 3.2 million TEU throughput at the site would not have occurred so the traffic assessment conducted for Addendum 1 evaluated the existing capacity along with background traffic concentrations through 2043. The assessment concluded that Addendum 1 would not cause a new or more severe traffic impact or otherwise trigger any of the criteria set forth in CEQA Guidelines Section 15162 and 15163 that call for a subsequent or supplemental EIR.

6.14.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. Based on the results of the traffic studies conducted for the 2012 Final EIR/EIS, circulation impacts at Navy Way and Reeves Avenue would be significant and MM TRANS-1 would be implemented. The Final EIR determined that with

implementation of MM TRANS-1, impacts would then be less than significant. The additional on-dock rail tracks will shift approximately 520,000 TEUs to rail in lieu of heavy-duty truck trips, and therefore generate fewer trips in comparison to the Project as proposed in the Final EIR. If Phase 2 of the on-dock railyard is implemented and three more tracks are constructed or reused, more TEUs would be diverted to rail from trucks and traffic impacts would likely be alleviated further. Worker trips and associated Vehicle Miles Traveled (VMT) was evaluated in the Final EIR as part of the air quality analysis (Final EIR, Air Quality Appendix, Table 1.5-2). The analysis concluded that both the Approved Project and Alternative 6 would require the same number of workers onsite to handle the 3.2 million TEUs expected to be processed annually. Therefore, impacts of the Revised Proposed Project would be lower than the previously identified LOS impacts, which is an independent basis for concluding that subsequent or supplemental environmental review is not required.

Since the 2012 Final EIR was certified, changes were made to the impact checklist questions, including revisions to questions a), b), and d), and removal of questions c) and f). Impacts considerations regarding LOS and congestion were removed from the checklist questions, pursuant to Pub. Res. Code § 21099(b)(2) and CEQA Guidelines § 15064.3(a). VMT metrics do not explicitly apply to heavy-duty truck trips associated with goods movement at the Port because they do not meet the definition of "automobile," (i.e., on-road passenger vehicles, specifically cars and light trucks). (Office of Planning and Research Technical Advisory, p. 4.) VMT is a proxy for transportation-related GHG emissions and the associated effect on the climate. (ARB, January 2019). Mobile source GHG emissions were analyzed in the Draft EIR. (Berths 302-306 Container Terminal EIR p. 3.2-151; Appendix E.) The EIR included analysis of Alternative 6, which is the most similar to the Revised Proposed Project. It concluded that the expanded on-dock rail which "would involve the addition of a ninth set of double tracks…" and 1,250 linear feet of new wharf. (Berths 302-306 Container Terminal EIR Executive Summary, Figure ES-5b, Table ES-2, and Section ES.4.2.6.) The environmental analysis of Alternative 6 concluded that it "would generate slightly less operational emissions than the proposed Project [and] would generate slightly fewer trips than the proposed project…The reduction in truck trips as compared to the proposed Project contributes to slightly lower operational air emissions and fewer traffic impacts overall..." (Berths 302-306 Container Terminal EIR pages 6-5, 6-6, 6-11, 6-12, and 6-23.) Since additional TEUs will be moved via rail than was considered under Alternative 6, operational emissions, GHGs and traffic-related impacts and congestion will also be lower for the Revised Proposed Project.

Worker trips for both construction and terminal operations and the associated VMT was evaluated in the Final EIR as part of the air quality analysis (Final EIR, Air Quality Appendix, Table 1.5-2). The analysis concluded that both the Approved Project and its alternatives would require the same number of workers onsite to handle the 3.2 million TEUs expected to be processed annually. The throughput estimate has not changed, therefore, worker counts and associated worker VMT remain the same. The analysis also concluded that an employee's average round trip was 31 miles. This was a default CalEEMod emission factor at the time of the Final 2012 EIR. LAHD has refined data related specifically to terminal workers to support that worker commutes are significantly lower than the model. Even using the higher VMT estimate provided in the Final EIR, worker commute VMT does not increase as a result of the project and may have been overstated. Further, although the VMT definition does not include heavy-duty truck trips, the currently

Revised Proposed Project will cause approximately 520,000 TEUs annually to be diverted from truck traffic to rail, which is both a traffic and VMT benefit. This benefit does not consider the optional additional rail tracks and reuse of existing tracks that could be implemented as a part of the Revised Proposed Project.

The addition of 9 acres to the project site does not increase the need for additional workers or increased VMT. In addition, re-routing the traffic by opening Barracuda Street merely helps traffic flow near the site and does not add additional VMT into or around the terminal.

Therefore, the Revised Proposed Project would not result in any substantial changes to the previously identified impacts and no additional mitigation is necessary.

6.15 Tribal Cultural Resources

6.15.1 Final EIR Conclusions

This category was not an impact area in the Final 2012 EIR. However, Section 3.4 – Cultural Resources, addressed this topic. Section 3.4 concluded that the Project was built completely on fill and underlain with dredged material and was already highly paved and/or disturbed (Final EIR, page 3.4-1). However, a Standard Condition of Approval (SC CR-1) was included into the document to indicate that construction activities would cease if any artifact, or an unusual amount of bone, shell or non-native stone. In addition, LAHD will meet with applicable Native American groups to identify any areas of potential concern. A treatment plan must also be developed to establish the proper way of handling artifacts in the event of an archaeological discovery.

In addition to SC CR-1, the Native American Heritage Commission (NAHC) was contacted back in 2009 to request a records search related to sacred or cultural properties in the area. The NAHC record search of the Sacred Lands failed to indicate any presence of Native American cultural resources in the Project area. For the abovementioned reasons, there were no significant adverse impacts to tribal resources associated with the original Final EIR.

6.15.2 Addendum 1

This category was not an impact area in Addendum 1. However, Addendum 1 merely extended Permit #733 through 2043 and made some adjustment to eight gantry cranes already on the developed wharf. There was no potential to disrupt or disturb any Tribal Cultural Resources. No mitigation would have been necessary.

6.15.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The new construction tasks included in the Revised Proposed Project are in existing industrial areas that have previously been disturbed. For the reasons cited above, there is nothing in the previous analysis that would be altered by the Revised Proposed Project.

6.16 Utilities and Service Systems

6.16.1 Final EIR Conclusions

This discussion was previously found in the Final EIR under Section 3.13 – Public Services and Utilities. See above.

6.16.2 Addendum 1

Addendum 1 determined that there were no adverse impacts to Utilities or Service Systems. The Project would not generate additional waste nor would it require additional energy or public services beyond what was assessed in the Final EIR. The Project as assessed was to allow the facility to continue operating for an additional 16 years through 2043.

6.16.3 Revised Proposed Project

The Revised Proposed Project includes the following components: add additional tracks, the acquisition of approximately nine acres with an existing warehouse, acquisition of an additional parcel, demolition of structures, re-routing and closure of streets, a new gate, reopening of Barracuda Street, change of use for the Berth 301 backlands, and continuation of a hydrogen fueling station. The Revised Proposed Project has not identified any additional need for utilities and service systems other than what was assessed in the Final 2012 EIR. The Revised Proposed Project adds an additional 9-acre parcel with a warehouse, demolishing three small existing warehouses and associated structures, closes Earle Street and Marina Street within the property's boundaries; includes a new gate on Earle Street or Terminal Way and reopens approximately 1,200 linear feet of Barracuda Street. The Revised Proposed Project also adds 5 additional rail tracks to the north bundle of the existing on-dock railyard with the option of adding additional tracks to the southern bundle. These project components do not create any additional need for utilities nor does the use of an existing warehouse with power supply in place. There is no additional impact to Utilities and/or Service Systems and no mitigation is required.

6.17 Mandatory Findings of Significance

6.17.1 Final EIR Conclusions

CEQA requires an analysis that evaluates the potential for the proposed Project, together with past, present, and reasonably foreseeable future projects in the cumulative geographic scope of each resource area, to make a cumulatively considerable contribution to a significant cumulative impact.

The Final EIR for the Berths 302-306 terminal expansion project found that after mitigation; impacts would remain significant for the following areas: air quality, meteorology and greenhouse gases and biological resources. Significant and unavoidable air quality impacts were determined from construction activities. Emissions of VOCs, CO, NOx, PM10, PM2.5 and GHGs remained significant with mitigation. Air quality emissions from operations remained significant and unavoidable for VOCs and GHGs as well as the exposure to TACs. The Final EIR concluded that the increased number of ship calls has the potential to result in the introduction of non-native species into the Harbor via ballast water or vessel hulls and thus

could substantially disrupt local biological communities. Impacts to biological resources from this potential impact were found to be significant and unavoidable.

Impacts were found to be significant but could be mitigated to less than significant impacts for the following impact areas: Biological resources for construction, Noise for construction and Ground Transportation for operations. Lease Measures or Standards Conditions of Approval were imposed for the following impacts areas to ensure that their impacts do not reach a significance threshold: Cultural Resources; Biological Resources; Geology; Groundwater and Soils; and, Public Services and Utilities.

When looking at projects in the past, present and reasonably foreseeable future in the vicinity of the Berths 302-306 Terminal, the Final EIR concluded that the Project would make a cumulatively considerable contribution to a significant cumulative impacts in the following resource areas: Air Quality, Meteorology and Greenhouse Gases; Biological Resources; and, Noise. These areas have been revisited below to ensure that the Project modifications do not exacerbate any findings made in the Final EIR.

6.17.2 Air Quality, Meteorology and Greenhouse Gases

The Final EIR found cumulatively significant impacts to air quality during construction that would remain even after implementation of mitigation measures. The analysis determined that operation of the Project would result in a cumulatively significant impact to air quality for odors, VOCs and would cumulatively exceed an ambient air quality standard for NOx. The Project was not found to have a cumulatively considerable impact relative to non-cancer health risks. However, the analysis determined that emissions of TACs from the Project would make a cumulatively considerable contribution to a significant cumulative impact relative to cancer risks relative to CEQA baseline levels for all receptor types. Further, the Project would result in a cumulatively considerable and unavoidable contribution to a significant impact relative to climate change under CEQA as well (Final EIR, Section 4.2.2, pages 4-35 through 4-48).

The Revised Proposed Project includes the addition five additional rail tracks in Phase 1 (optional three additional tracks in Phase 2), the acquisition of approximately 9 additional acres that allows additional space for equipment storage and parking after the demolition of three small warehouse and associated structures. Roadway improvements will also be included and emissions were calculated and included under Air Quality and Greenhouse Gases. The Revised Proposed Project does not alter any significance findings for air quality nor does it exacerbate any previous findings. As a result, it is not expected that construction impacts will be made any more severe from the additional tracks or from the Revised Proposed Project. Operationally, the Revised Proposed Project will divert approximately 520,000 TEUs from trucks to on-dock rail which is an emissions and traffic benefit. If additional rail tracks are constructed in the future, this number will be even higher.

For the reasons described above, the Revised Proposed Project would not cause the incremental contributions to significant impacts on air quality (as described in the Final EIR) to be substantially more cumulatively considerable than disclosed in the Final EIR.

6.17.3 Biological Resources

The Final EIR determined that the Approved Project would make a cumulatively considerable contribution to a significant impact to marine mammals (the potential contribution to whale mortality) from potential vessel strikes under CEQA (Final EIR, Section 4.2.3, pages 4-48 through 4-62).

The Revised Proposed Project does not include any additional vessel calls beyond the originally approved Project. Construction associated with the Project is not altered on the waterside and the implementation of MM AQ 10 – Vessel Speed Reduction, will still occur. Since there is no waterside work or additional vessel calls as a result of the Revised Proposed Project, it would not cause an incremental contribution to be substantially more cumulative than what was disclosed in the Final EIR.

6.17.4 Addendum 2 Revised Proposed Project

The Revised Proposed Project as assessed herein does not alter any of the conclusions made in the Final EIR nor does it exacerbate existing conditions. All mitigation measures will be upheld and complied with throughout project construction and operation and the use of additional rail versus heavy-duty truck trips is an emissions benefit as well as a VMT benefit. Further, new construction components being added herein are minor in nature and will be conducted at an existing heavy-duty industrial site with no potential to exacerbate any impacts to biological resources.

7. Conclusions

None of the conditions as described under Sections 15162 and 15163 of the State CEQA Guidelines requiring a subsequent or supplemental EIR have occurred under the Revised Proposed Project. The Revised Proposed Project adds an additional 9-acre parcel with a warehouse, demolishing three small existing structures, closes Earle Street and Marina Street within the property's boundaries; includes a new gate on Earle Street or Terminal Way and reopens approximately 1,200 linear feet of Barracuda Street. The Revised Proposed Project also adds 5 additional rail tracks to the north bundle of the existing on-dock railyard with the option of adding additional tracks to the southern bundle or reusing existing tracks in the future. No new significant environmental effects and no substantial increase in the severity of previously identified significant effects would occur as a result of the Revised Proposed Project. Impacts previously identified under air quality, biological resources, ground transportation, and noise are reduced or remain the same under the Revised Proposed Project. Furthermore, there are no known mitigation measures or project alternatives that were previously considered infeasible but are now considered feasible that would substantially reduce one or more significant effects on the environment identified in the adopted Final EIR. All mitigation measures included in Addendum 1 will be upheld and included for the Revised Proposed Project.

8. Acronyms

AMP	Alternative Maritime Power
APL	American President Lines Container Terminal
APP	Application for Port Permit
AQ	Air Quality
BIO	Biological Resources
Board	Los Angeles Board of Harbor Commissioners
CDF	Confined Disposal Facility
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CO	Carbon Monoxide
CO2e	Carbon Dioxide Equivalent Units
CR	Cultural Resources
CY	Container Yard
EIR	Environmental Impact Report
FMS	Fenix Marine Services
Final EIR	Final Environmental Impact Report
GEO	Geology
GHGs	Greenhouse Gases
GW	Groundwater and Soils
LADWP	Los Angeles Department of Water and Power
LAHD	Los Angeles Harbor Department
LAPD	Los Angeles Police Department
LAXT	Los Angeles Export Terminal
LM	Lease Measure
LOS	Level of Service
LST	Localized Significance Threshold
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Report Plan
NAHC	Native American Heritage Commission
NOI	Noise
NOx	Oxides of Nitrogen
PM10	Particulate Matter, 10 micron in diameter
PM2.5	Particulate Matter, 2.5 micron in diameter
PRC	Public Resources Code
PS	Public Services and Utilities
RTGs	Rubber Tired Gantry Cranes
SC	Standard Condition of Approval
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SEAs	Significant Ecological Areas
TACs	Toxic Air Contaminants
TEUs	Twenty-foot Equivalent Units
TRANS	Transportation
USCG	United States Coast Guard
VMT	Vehicle Miles Travelled
VOCs	Volatile Organic Compounds

9. References

AECOM, *APL Terminal Vessel Activity*, prepared on behalf of Los Angeles Harbor Department, September 28, 2016.

AECOM, *APM Terminal Capacity Analysis*, prepared on behalf of Los Angeles Harbor Department, March 31, 2014.

AECOM, *Summary of Berth Capacity Modeling for the Fenix Terminal Berth and Container Yard*, prepared on behalf of Los Angeles Harbor Department, April 28, 2021.

AECOM, *Yard Plan for Fenix Terminal Container Yard*, prepared on behalf of Los Angeles Harbor Department, April 27, 2020.

Castle Environmental Consulting, *Air Quality Tables: Change in Peak Daily Emissions Associated with the Berths 302-306 On-Dock Rail Project for 2023 and 2024*, prepared on behalf of Los Angeles Harbor Department, June 2020.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Notice of Preparation, July 2009.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Draft Environmental Impact Report/Environmental Impact Statement, December 2011.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Final Environmental Impact Report/Environmental Impact Statement, June 7, 2012.

Los Angeles Harbor Department*, Port of Los Angeles Inventory of Air Emissions*, 2015, published July 2016.

South Coast Air Quality Management District, Localized Significance Thresholds Guidance, revised October 21, 2009 – Final Localized Significance Threshold Methodology, Tables C-1, C-2, C-4, and C-6 based on Source Receptor Area 4.

Svinth, Fred M., Senior Consultant and Principal, Illingworth and Rodkin, Inc., via electronic mail, September 21, 2016.