2.0

RESPONSE TO COMMENTS

2.1 Distribution of the Draft EIR

The Draft EIR prepared for the Los Angeles Harbor Department (LAHD) was distributed to the public and regulatory agencies December 4, 2008, through January 30, 2009, for a 57-day review period. Approximately 46 hardcopies and 841 CD copies of the Draft EIR were distributed to various government agencies, organizations, individuals, and LAHD tenants. LAHD conducted a public hearing regarding the Draft EIR on January 15, 2009, to provide an overview of the proposed Wilmington Waterfront Project and to accept public comments on the proposed Project and environmental document.

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

- Los Angeles Public Library, Central Branch, 630 West 5th Street, Los Angeles California
- Los Angeles Public Library, Wilmington Branch, 1300 North Avalon, Wilmington, California
- Los Angeles Public Library, San Pedro Branch, 921 South Gaffey Street, San Pedro, California
- Los Angeles Harbor Department, Environmental Management Division Offices, 222 W. 6th Street Suite 1080, San Pedro California

The Draft EIR was also available in its entirety on LAHD's web site at: *www.portoflosangeles.org/ environmental/publicnotice.htm*. Electronic copies of the Draft EIR on a compact disc were available free of charge to interested parties. A Reader's Guide to the Draft EIR, which summarized the proposed project elements, impacts, and key community issues, was also directly distributed to over 800 stakeholders, in both English and Spanish.

2.2 Comments on the Draft EIR

The public comment and response component of the CEQA process serves an essential role. It allows the lead agency to assess the impacts of a project based on the analysis of other responsible, concerned, or adjacent agencies and interested parties, and it provides the opportunity to amplify and better explain the analyses that the lead agency has undertaken to determine the potential environmental impacts of a project. To that extent, responses to comments are intended to provide complete and thorough explanations to commenting agencies and individuals, and to improve the overall understanding of the project for the decision-making bodies.

LAHD received 25 comment letters on the Draft EIR during the public review period and had 15 speakers at the Draft EIR public meeting. Table 2-1 presents a list of those agencies, organizations, and individuals who provided comment on the Draft EIR.

Table 2-1. Public Comments Received on the Draft EIR

Letter Code	*Date*	*Individual/Organization*	*Page*
Federal Government			
NMFS	1/30/09	National Marine Fisheries Service	2-5
State Government			
CalTrans	12/26/08	California Transportation Authority	2-21
DOGGR	1/12/09	California Department of Conservation Division of Oil, Gas, and Geothermal Resources	2-27
CAPUC	1/23/09	California Public Utilities Commission	2-31
Regional Government			
LAMETRO	1/28/09	Metropolitan Transportation Authority	2-35
SCAQMD	1/30/09	South Coast Air Quality Management District	2-39
Local Government			
LACSD	1/12/09	Los Angeles County Sanitation Districts	2-47
RPV	1/12/09	City of Rancho Palos Verdes	2-51
DCP	1/28/09	Los Angeles Department of City Planning	2-55
LADWP	1/30/09	Los Angeles Department of Water and Power	2-61
LACOPH	1/30/09	Los Angeles County Public Health	2-95
LADOT	1/30/09	Los Angeles Department of Transportation	2-107
CRA	1/30/09	Community Redevelopment Agency of the City of Los Angeles	2-117
Local Organizations			
PHL	1/12/09	Pacific Harbor Line	2-121
WCC	1/30/09	Wilmington Chamber of Commerce	2-127
Individuals/Companies			
CAS	1/15/09	Sue Castillo	2-131
HERR	1/15/09	Frank Herrera	2-135
LIT	1/15/09	Jeannette Littlebury	2-139
ROME	1/15/09	Pat Rome	2-143
BEL	1/23/09	Hamish R. Bell of Rosstron Inc.	2-147
STA	1/23/09	Robert Standart	2-151
STAN	1/23/09	Thelma Standart	2-155
ROM	1/28/09	Patricia Winkel Rome	2-159
BAT	1/30/09	Bill and Cindy Bater	2-163
HER	No Date	Arthur Hernandez	2-167
WWFPC	1/15/09	Public Meeting Transcript	2-171

2.3 Responses to Comments

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

This section includes responses not only to comments made at the public hearing for the EIR but also to written comments received during the 57-day public review period of the Draft EIR. Some comments have prompted changes to the text of the Draft EIR, which are referenced in this chapter and shown in Chapter 3, "Modifications to the Draft EIR." A copy of each comment letter is provided, and responses to each comment letter immediately follow.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

JAN 30 2009

In response, refer to:
150308SWR2008PR00070:MLD

Dr. Ralph G. Appy
Director of Environmental Management
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the Draft Environmental Impact Report (DEIR) for the Port of Los Angeles's (POLA) Wilmington Waterfront Development Project (Project). NMFS offers the following comments pursuant to section 305(b)(4)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), Marine Mammal and Protection Act (MMPA), and the Fish and Wildlife Coordination Act.

Proposed Project

The proposed Project would include the construction of a waterfront promenade, public viewing piers, and 5,870-square-feet of floating docks for recreational boaters, which would include the construction of 43,220 square feet of new overwater surface area and approximately 17,880 square feet of replacement area. In total, 61,100 square feet of pile-supported waterfront promenade and piers would be constructed. However, total new shaded area would be 41,325 square feet due to the design feature of adding 7,765 square feet of metal grating to permit light to pass through. Approximately 750 new and 478 replacement pilings would be required to support the promenade and piers.

The proposed Project would also reconstruct the existing bulkhead, which is an old, piecemeal structure that does not meet current seismic design standards. Two different structural systems would be used to reconstruct the bulkhead: (1) a deep soil-cement mixing landward of the existing bulkhead, with no work waterward of the existing bulkhead, and (2) a sheet pile bulkhead, located waterward of the existing bulkhead. This second system would require the filling of approximately 2,200 square feet (0.05-acres) of marine habitat below the mean higher high water (MHHW) line. The sheet pile bulkhead would require the sheet pile be driven using both a vibratory and an impact pile driver.

The loss of 0.05 acres of Inner Harbor habitat would be mitigated by debiting the appropriate credits from the Inner Harbor Mitigation Bank, as governed by the Memorandum of Understanding (MOU) to establish a procedure for advance compensation of marine habitat losses incurred by selected Port development projects within the Harbor District of the City of Los Angeles

The soft start technique will be employed for all pile driving activities. The soft start technique requires that the initial strikes of a piling with an impact type pile driver are not performed at full force, but at a significantly reduced force and slowly build to full force over several strikes. This method provides opportunity for species that may occur in the vicinity of the pile driving activities to effectively move to another area away from the pile driving, thus limiting the effects of pile driving to disturbance and avoiding injury.

The proposed Project would also result in use of the waterfront by recreational boaters. The floating docks allow for 9 vessels averaging 30 feet in length. A water taxi may also operate from the floating docks at some point in the future. As a worst-case scenario, it is estimated that, as a result of the proposed Project, there would be approximately 36 recreational boat trips and possibly a water taxi program that could be developed at a later time.

Magnuson-Stevens Fishery Conservation and Management Act Comments

Action Area

NMFS-1

The proposed project occurs in essential fish habitat (EFH) for various federally managed fish species within the Pacific Groundfish and Coastal Pelagics Fishery Management Plans (FMPs). In addition, the project occurs within estuarine habitat, which is considered a habitat area of particular concern (HAPC) for various federally managed fish species within the Pacific Groundfish FMP. HAPC are described in the regulations as subsets of EFH which are rare, particularly susceptible to human-induced degradation, especially ecologically important, or located in an environmentally stressed area. Designated HAPC are not afforded any additional regulatory protection under MSA; however, federally permitted projects with potential adverse impacts to HAPC will be more carefully scrutinized during the consultation process.

Effects of the Action

The proposed fill associated with the bulkhead would result in the direct loss of 0.05 acres of EFH and habitat for other fishery resources. As part of the proposed project, POLA will debit the appropriate credits from the Inner Harbor Mitigation Bank to compensate for loss of EFH and habitat for other fish and wildlife resources. NMFS believes this will adequately offset the adverse impacts to EFH associated with the proposed fill.

NMFS-2

The proposed Project involves a significant amount of overwater structures (e.g. docks, piers, and promenade). The shadow cast by an overwater structure affects both the plant and animal communities below the structure. Light is the single most important factor affecting aquatic plants. Light levels underneath overwater structures have been found to fall below threshold amount for the photosynthesis of diatoms, benthic algae, eelgrass, and associated epiphytes and

other autotrophs. These photosynthesizers are an essential part of nearshore habitat and the estuarine and nearshore food webs that support many species of marine and estuarine fishes.

In addition, fishes rely on visual cues for spatial orientation, prey capture, schooling, predator avoidance, and migration. The reduced-light conditions found under an overwater structure limit the ability of fishes, especially juveniles and larvae, to perform these essential activities. Shading from overwater structures may also reduce prey organism abundance and the complexity of the habitat by reducing aquatic vegetation and phytoplankton abundance. Able *et al.* (1998)[1] concluded that habitat quality under large platforms of large piers is likely poor for juvenile fishes when compared with nearby pile field and open-water habitat types.

NMFS-2 CONT.

Overwater structures and their associated artificial structures may also have additional impacts beyond just changes in light conditions. Recent research has suggested that placement of artificial substrates in the nearshore environment may disproportionately favor the proliferation of non-native species. In addition, these structures may alter local hydrological and sedimentation patterns, which may in turn affect community structure. Lastly, the addition of overwater structures for public access purposes (e.g. promenade) may inadvertently result in increased pollution or debris due to the expected increase in public use. NMFS believes the net increase in overwater structures and coverage would adversely affect EFH by reducing the quality of habitat available within the Inner Harbor.

Pile driving and other related construction activities will result in direct benthic disturbances and will increase turbidity within the project area. Turbidity can adversely affect fish and other aquatic life by impairing vision and sense of smell, injuring gills, reducing water transparency, and covering sessile organisms. NMFS expects these impacts will likely be temporary and minimal.

NMFS-3

The construction activities associated with this project may generate significant underwater noise. For example, pile driving can generate intense underwater sound pressure waves that may adversely affect the ecological functioning of EFH. These pressure waves have been shown to injure and kill fish. Injuries associated directly with pile driving are poorly studied, but include rupture of the swimbladder and internal hemorrhaging. Sound pressure levels (SPL) 100 decibels (dB) above the threshold for hearing are thought to be sufficient to damage the auditory system in many fishes. Short-term exposure to peak SPL above 190 dB (re: 1 μPa) are thought to cause physical harm to fish. However, 155 dB (re: 1 μPa) may be sufficient to temporarily stun small fish. According to the DEIR, noise and vibration from pile driving will be in the range of 192 dBpeak, or roughly 172 to 182dB$_{RMS}$. POLA proposes to utilize a 'soft start' approach when utilizing an impact hammer for concrete piles. NMFS believes this approach would help minimize impacts to EFH. Turbidity, noise, and vibration would likely cause most fish to temporarily leave the immediate project area during construction.

NMFS-4

[1] Able, K. W., J.P. Manderson, and A.I. Studholme. 1998. The distribution of shallow water juvenile fishes in an urban estuary: the effects of man-made structures in the Lower Hudson River. Estuaries 21: 731-44.

Another potential project concern is the spread of the invasive alga *Caulerpa taxifolia* from pile driving activities. As you may be aware, this alga has been introduced to our coastline. Evidence of harm that can ensue as a result of an uncontrolled spread of the alga has already been seen in the Mediterranean Sea where it has destroyed local ecosystems, impacted
NMFS-5 commercial fishing areas, and affected coastal navigation and recreational opportunities. Although it is not known to be present within POLA, it has been detected in two other locations in Southern California. If the invasive alga is present within the project area, the pile driving activities would adversely affect EFH by promoting its spread and increasing its negative ecosystem impacts.

EFH Conservation Recommendations

As described in the above effects analysis, NMFS has determined that the proposed action would adversely affect EFH for various federally managed fish species within the Coastal Pelagics Species and the Pacific Coast Groundfish FMPs. Therefore, NMFS offers the following EFH conservation recommendations to avoid, minimize, mitigate, or otherwise offset the adverse effects to EFH pursuant to section 305(b)(4)(A) of the MSA.

1. POLA should evaluate an additional alternative that further minimizes the amount of overwater coverage. NMFS recognizes the importance of providing coastal access opportunities. However, NMFS believes that coastal access can also be provided by creating viewing opportunities that are adjacent to marine habitat, rather than over it. POLA should describe the water dependency of the action and provide justification
NMFS-6 for any increases in overwater coverage.

2. Given the relatively large amount of habitat impacted (~ 1 acre) by increased overwater coverage, POLA should develop a mitigation plan that offsets the reduction in habitat quality. This plan should be developed in consultation with NMFS and other interested resource agencies.

3. A pre-construction survey for Caulerpa of the project area should be conducted in accordance with the Caulerpa Control Protocol (see http://swr.nmfs.noaa.gov/hcd/caulerpa/ccp.pdf) not earlier than 90 days prior to planned construction and not later than 30 days prior to construction. The results of that survey should be transmitted to NMFS and the California Department of Fish and Game at least 15 days prior to initiation of proposed work. In the event that Caulerpa is detected within the project area, no work shall be conducted until such time as the infestation has been isolated, treated, and the risk of spread is eliminated.

Marine Mammal Protection Act (MMPA) Comments

Marine mammals have not been well studied within Los Angeles Harbor, however, both
NMFS-7 pinnipeds and cetaceans have been recorded including: Pacific harbor seals (*Phoca vitulina richardii*), California sea lions (*Zalophus californianus*), bottlenose dolphins (*Tursiops truncatus*), short-beaked common dolphins (*Delphinus delphis),* pacific white-sided dolphins

(*Lagenorhynchus obliquidens*), Risso's dolphins (*Grampus griseus*), and gray whales (*Eschrichtius robustus*). The harbor's most common marine mammal is the sea lion, which can be observed throughout the year foraging within the harbor or resting on buoys, breakwaters, and other man-made objects. They are commonly found on the Main Channel, adjacent to the commercial fishing markets and around sport fishing vessels, specifically near the Ports O'Call. Harbor seals are less likely to be found in the area, but have been observed. The other marine mammals listed above are rare visitors to the harbor area. Possible impacts to marine mammals from the proposed project may include underwater sound from pile driving and project-related vessels. In addition, we offer comments related to dredging, as it was not clear from the DEIR if dredging will be a component of this project over the lifetime of this project.

NMFS-7 CONT.

Whales, dolphins, porpoises, seals, and sea lions are protected under the Marine Mammal Protection Act (MMPA). *See* 16 U.S.C. § 1361 *et seq.* Under the MMPA, it is generally illegal to "take" a marine mammal without prior authorization from NMFS. "Take" is defined as harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture, or kill any marine mammal. Except with respect to military readiness activities and certain scientific research conducted by, or on behalf of, the Federal Government, "harassment" is defined as any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

NMFS-8

Sounds introduced into the sea by man-made devices could have a deleterious effect on marine mammals by causing stress or injury, interfering with communication and predator/prey detection, and changing behavior. Acoustic exposure to loud sounds, such as those produced by pile driving activities, may result in a temporary or permanent loss of hearing (termed a temporary (TTS) or permanent (PTS) threshold shift) depending upon the location of the marine mammal in relation to the source of the sound. NMFS is currently in the process of determining safety criteria (*i.e.,* guidelines) for marine species exposed to underwater sound. However, pending adoption of these guidelines, we have preliminarily determined, based on past projects, consultations with experts, and published studies, that 180 dB re $1\mu Pa_{RMS}$ (190 dB re $1\mu Pa_{RMS}$ for pinnipeds) is the impulse sound pressure level that can be received by marine mammals without injury. Marine mammals have shown behavioral changes when exposed to impulse sound pressure levels of 160 dB re $1\mu Pa_{RMS}$.

Harassment of marine mammals may occur if hauled animals flush the haul out site and/or move out of the immediate aquatic area to increase their distance from pile driving or dredging-related activities, such as noise associated with the dredging, pile driving, presence of workers, or unfamiliar activity in proximity to a haul out site. Percussive piles, such as an impact hammer or drop hammer, generally result in the greatest noise production when compared to other methods of pile installation. Although percussive pile driving does not produce a continuous noise, the high amplitude and repeated blows of the hammer every few seconds can affect ambient noise levels in the surrounding acoustic environment. The force used to drive a pile, or power setting of the hammer, pile type and diameter, and hardness of the substrate the pile is driven, are important factors in determining the amount of energy released into the surrounding waters. Because of the high amplitude and wide frequency spectrum of pile driving noise, many species can potentially be affected. The measured sound exposure levels of a clamshell dredge may

NMFS-8 CONT.

range between 75-88 dBA (re 20 μPa) at 50 feet. Animals have been observed flushing from haul out sites at a sound exposure level of less than 100dBA, and it is possible that marine mammals may modify their behavior as a result of the noise produced by the pile driving and dredging operations.

In section 3.3.4.3.1, Impact BIO-1a, the DEIR indicates that installation of 24-inch concrete piles with an impact hammer typically generates 192 dB_{peak} or roughly 172 to 182 dB_{RMS} at 33 feet. NMFS supports the recommendation for a "soft start," as proposed for minimizing impacts to marine mammals in the area, however, as noted in the DEIR using the San Francisco Oakland Bay bridge project as an example, "...sea lions swam rapidly out of the area when the piles were being driven" and it is expected that the animals would react similarly during this project. Please note the definition of a "take" under the MMPA and that the rapid exit from the project area could be considered harassment under the MMPA. In addition, this is not considered a mitigation measure to reduce impacts to marine mammals should the action cause harassment and remove the animals from the project area. Please note, that for the example used in the DEIR for pile driving, Caltrans was issued an Incidental Harassment Authorization under the MMPA, permitting them for take by harassment for their activities at the San Francisco Oakland Bay Bridge, which included pile driving.

Based on the information provided in the DEIR regarding the potential take of pinnipeds, it may be necessary to receive authorization from NMFS under the MMPA for this proposed project. Most incidental take authorizations to date have involved the incidental harassment of marine mammals by noise.

NMFS-9

Please note, that in the event of a construction vessel collision with a marine mammal, Mr. Joseph Cordaro, the NMFS Southwest Regional Office's Stranding Coordinator must be immediately contacted at 562-980-4017 and a report must be sent to the NMFS Southwest Regional Office.

NMFS-10

In addition, NMFS recommends that the applicant consider including a design feature, particularly to the low-lying docks on the water, to non-lethally deter pinnipeds, specifically California sea lions, from hauling out. NMFS offers their expertise and assistance, should the applicant want to explore design modifications.

Thank you for coordinating with NMFS regarding this project. We appreciate your efforts to comply with Federal regulations and to conserve and protect marine mammals. Please contact Monica DeAngelis at 562-980-3232 or Monica.DeAngelis@noaa.gov if you have any questions concerning this letter or if you require additional information.

Sincerely,

for

Rodney McInnis
Regional Administrator

National Marine Fisheries Service (NMFS)

NMFS-1 Thank you for your comment. LAHD is pleased that NMFS agrees that credits from the Inner Harbor Mitigation Bank will adequately offset impacts on Endangered Fish Habitat (EFH) associated with the proposed 0.05 fill to replace the bulkhead along the Wilmington Waterfront proposed project area.

NMFS-2 Slip 5 is a small blind slip of approximately 35.8 acres of water located in the Inner Harbor, off the Main Channel, approximately 0.75 miles north of the Vincent Thomas Bridge. Current land uses surrounding the slip include general marine cargo terminals, liquid bulk marine terminals, and the Banning's Landing Community Center. The proposed Project is located at the northern-most end of the slip, approximately 0.4 miles from the mouth of the slip. The depth of the harbor under the existing structures varies from 0 to -25 Mean Lower Low Water (MLLW) and consists of rock slope protection over a constructed 1.5:1 slope, while the area under the proposed water structures varies in depth from 0 to -35 MLLW and also consists of rock slope protection over a constructed 1.5:1 slope, as well as a dredged channel bottom.

The construction of new over-water structures will result in a reduction of light under these structures and may have some impact on diatoms, benthic algae, or epiphytes that are present. However, the new over-water structures represent a 2.8% reduction of open water in Slip 5 and a 0.03% reduction harbor wide. Given the abundance of habitat for aquatic autotrophs in the harbor, this impact is not significant. No kelp or eelgrass beds are present in the proposed project study area, and therefore these autotrophs would not be impacted by the over-water structures.

Furthermore, the area affected would be within the intertidal zone and shaded by the wharf so that little change to EFH would accrue from the new over-water surface area (Draft EIR, pg. 3.3-28). As presented in the Draft EIR (Section 3.3), the proposed Project would result in an increase of 43,220 square feet of new over-water surface area as a result of construction of the waterfront promenade and piers. To address the concern of NMFS regarding the over-water coverage affecting light, the proposed project design has been modified to increase the amount of metal grating mesh to 33% of covered area. This change would equate to approximately 14,262 square feet of additional mesh, which would decrease the amount of new over-water surface area as a result of construction of the waterfront promenade and piers from 43,220 square feet to a total of 28,958 square feet. Thus, while the shading impact on marine species is consider less than significant, as discussed in the Draft EIR, the additional design measure to increase the use of mesh metal grating would further reduce the area of shading.

The addition of artificial substrate may disproportionately favor the proliferation of nonnative species; however, the location and habitat conditions present where artificial substrate is placed needs to be considered. Slip 5 is a blind slip that does not appear to provide habitat preferred by native or nonnative species. The proposed Project would not likely change this condition for either native or nonnative species. Habitat within Slip 5 is degraded due to industrial/commercial development surrounding the Slip. The increase in over-water surface area could create conditions more suitable for nonnative species

and/or increased predation; however, the low abundance or absence of many species from Slip 5 are expected to remain the same; thus, the impact of the change in habitat and habitat conditions would be relatively low; impacts would be less than significant.

As noted on page 3.14-32 of the Draft EIR, construction of the proposed Project would not result in a permanent adverse change in surface water movement because the proposed Project would not create any barriers to water movement through the Los Angeles Harbor. Small but likely measurable changes in water flow would occur in close proximity (within a few feet) of the pilings placed to support the waterfront promenade. Similarly small changes could occur in close proximity to the steel bulkhead. These changes would not result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the velocity or direction of water flow. Use of silt curtains during construction would result in a temporary restriction of surface water movement. Such use would be required and authorized by permits for the proposed work. The change in surface water movement would be beneficial rather than adverse, functioning to limit the extent of water quality impacts from the proposed Project. The use of silt curtains would have no permanent effect on the movement of surface water. Thus the impacts on surface water movement would be less than significant.

Moreover, as noted on pages 3.14-37 and -38 of the Draft EIR, in-water and over-water demolition and construction activities during the construction phases of the proposed Project would not entail any direct discharges of waste to waters of the harbor. Activities related to construction of the proposed Project would disturb and resuspend bottom sediments, which would result in temporary and localized changes to some water quality indicators. Such changes would only be observable within a few feet of the activity, and would be minimized by use of silt curtains. Elutriate testing results presented in Section 3.14.2.1.3 indicate that such disturbance of sediments in the proposed project area would not cause significant toxicity, contaminant bioaccumulation, or releases of contaminants to surface waters because almost all contaminants are insoluble and would be re-deposited rather than entering the water column. Impacts on water quality from in-water and over-water construction activities would be less than significant.

Finally, as noted on page 3.14-41 of the Draft EIR, the proposed Project would implement a storm water pollution prevention plan (SWPPP) incorporating best management practices (BMPs,) such as sediment basins or traps and fabric filter fences or strawbale barriers, to control runoff of eroded soils and pollutants. The SWPPP also would incorporate monitoring requirements intended to minimize potential impacts and verify BMP effectiveness. These measures, combined with remediation of sites prior to construction and the low potential for erosion, would limit the soil and contaminant loading to Slip 5 and other waters of the Inner Harbor. Discharges of stormwater runoff to the harbor would also comply with specific conditions contained in the construction SWPPP that would control releases of contaminants to receiving waters. Therefore, runoff from upland construction activities would not create pollution, contamination, a nuisance, or violate any water quality standards; and impacts on water quality would be less than significant.

In regards to the concern over increased pollution or debris due to the expected increase in public use, LAHD is in the process of implementing the Water Resources Action Plan (WRAP) in cooperation with the Port of Long Beach. Comments on the draft 2009 WRAP were due on May 22, 2009. A number of individuals and organizations provided comments. Comments were generally supportive of the WRAP and included recommendations for additional prevention measures. Most of the control measures included in the WRAP address the source of pollutants, rather than the specific pollutants themselves, since a given measure is likely to be effective for more than one pollutant.

Four basic types of sources are addressed by the WRAP's control measures:

- **Land Use Discharges:** Land-based uses such as cargo and passenger terminals; industrial facilities; roads and rail lines; and shops, restaurants, fishing piers, beaches, and marinas. These uses include cargo handling areas, maintenance and fueling areas; various landscaping and area maintenance activities; roads, parking lots, and other public access areas; construction sites; railroad facilities; commercial fishery facilities; auto repair/dismantling businesses; and visitor-serving areas such as restaurants and boat launches.
- **On-Water Discharges:** Cargo and passenger vessels, harborcraft, fishing vessels, and in-water structures.
- **Sediments:** Contaminated sediments, which serve as a repository for and a potential source of contaminants into the water.
- **Watershed Discharges:** Inputs of stormwater and wastewater originating outside the harbors (and beyond the jurisdiction of the Ports), and conveyed into the harbors by the Dominguez Channel, the Los Angeles River, and storm drains.

The following control measures in the WRAP address trash:

- **Control Measure LU-1: Housekeeping BMPs.** Enhance and expand housekeeping BMPs in maintenance and fueling areas, general cargo handling areas, certain dry-bulk cargo handling areas, automobile dismantling and boat repair facilities, oil production facilities, and building maintenance and landscaping areas.
- **Control Measure LU-2: Design Guidance Manual.** Develop a port-wide guidance manual for design of new and redeveloped facilities, including design criteria and structural BMPs.
- **Control Measure LU-3: Install Structural BMPs.** Install structural BMPs for key discharges and targeted pollutants at existing facilities where necessary to ensure compliance.
- **Control Measure LU-5: Litter Control Program.** Enhance and expand litter control programs and implement relevant elements of those programs in specific sources.

In addition, as part of both municipal policy and National Pollutant Discharge Elimination System (NPDES) MS4 permit compliance, LAHD performs regular sweeping of LAHD-controlled roads and parking lots, and the City of Los Angeles Public

Works Department sweeps public roads and streets. LAHD also performs daily trash collection activities throughout port-controlled areas of the Los Angeles Harbor District. Trash collection includes management of trash receptacles, and removal of trash on land and in water via two boats. LAHD has ordered a third trash collection boat, equipped with trash collector arms and a conveyor, to increase the efficiency of collection of water-borne trash. In addition, the City's Bureau of Sanitation-Watershed Protection Division (WPD) has evaluated structural trash control devices for catchment basins and implemented pilot programs to measure the effectiveness of the most promising ones(inserts and screen covers); LAHD is using this information to implement a pilot program at its Construction and Maintenance yard (WRAP 2009).

NMFS-3 Thank you for your comment. LAHD agrees that pile driving and other related construction activities will result in short-term direct benthic disturbances and increased turbidity. As discussed in Section 3.3 of the Draft EIR, disturbance to benthic habitat and increased turbidity is expected to occur in the immediate vicinity of those activities that disturb benthic habitat. Increased turbidity resulting from benthic disturbance associated with pile driving and other related construction activities is not expected to reach a level that would impair vision or sense of smell or injure gills. However, as discussed, most aquatic species will move from the proposed project vicinity as the soft-start pile driving activities are initiated, thereby avoiding any direct contact with increased turbidity.

NMFS-4 Thank you for your comment. As discussed in Section 3.3 of the Draft EIR, LAHD agrees any fish that are present prior to implementation of the soft start piling technique would temporarily leave once it is initiated to avoid the turbidity, noise, and vibration and would not be present once the full effort associated with the proposed piling driving is underway.

As discussed in the Draft EIR, the most common Fisheries Management Plan (FMP) species present in the Inner Harbor are northern anchovy, Pacific sardine, and jack mackerel (MEC and Associates 2002). Disturbances in the water column during waterfront promenade and pier construction activities would affect individuals of FMP species present in those areas during in-water construction activities (e.g., pile driving). These impacts are not considered to be significant, as they would likely be limited to behavioral changes (i.e., avoidance of the construction area) that would be initiated through the use of a soft start to pile driving activities. The soft start technique requires that the first strikes of a piling with an impact type pile driver are not performed at full force, but at a significantly reduced force and slowly build to full force over several strikes. This method allows any species (both aquatic and terrestrial) that may occur in the vicinity of the pile driving activities to move to another area away from the pile driving, thus limiting the effects of pile driving to disturbance and avoiding injury (Draft EIR, pg. 3.3-28). LAHD agrees with NFMS that habitat disturbance associated with pile driving activities and vibration would be temporary and minimal. This is consistent with the conclusions in Section 3.3 of the Draft EIR that impacts would be less than significant.

NMFS-5 Thank you for your comment. LAHD routinely follows the *Caulerpa* control protocols for the detection and eradication of this alga from California waters developed and maintained by the NMFS and the Department of Fish and Game (CDFG) (NMFS and

CDFG 2007) prior to all in-water construction activities, as discussed in Section 3.3 of the Draft EIR. Bays, inlets, and harbors between Morro Bay and the U.S./Mexico border are potential habitat and need to be surveyed for *Caulerpa* presence prior to potentially disturbing activities such as dredging, in order to ensure that no *Caulerpa* is present. No *Caulerpa* has been observed in San Pedro Bay (Prickett pers. comm.) despite over 30 surveys conducted in the Port since 2001 (SCCAT 2008). As clarified in Chapter 3.3 of the Final EIR, LAHD will conduct a pre-construction survey for *Caulerpa* in the project area. The surveys will comply with methods and reporting (including project delay if the algae is found until it has been eradicated), as outlined in the *Caulerpa Control Protocol* (Version 4.0, adopted February 25, 2008) (NMFS and CDFG 2003) developed by the Southern California Caulerpa Action Team, which has been added as Appendix L to the Final EIR.

NMFS-6 LAHD has addressed NMFS' Essential Fish Habitat (EFH) Conservation Recommendations by incorporating additional measures into the project to minimize potential adverse effects to EFH for various federally managed fish species within the Coastal Pelagic Species and the Pacific Coast Groundfish FMPs. The measures include the following:

1) LAHD operates the Port in accordance with the Los Angeles City Charter, the Los Angeles Tidelands Trust Grant, the Public Trust Doctrine, and the California Coastal Act. These legal mandates require that LAHD use the Port for the purposes of promoting and accommodating waterborne commerce, navigation, fisheries, and related purposes. The proposed piers and docks promote and accommodate navigation and related purposes, such as water-related recreational opportunities.

   The objectives of the proposed Project include the following:

   - create a project that will serve as a regional draw and attract visitors to the Wilmington Waterfront;
   - design and construct a waterfront park, promenade, and dock to enhance the connection of the Wilmington community with the waterfront while integrating design elements related to the Port's and Wilmington's past, present, and future;
   - construct an independent project that integrates design elements consistent with other area community development plans to create a unified Los Angeles waterfront through the integration of publicly oriented improvements;
   - enhance the livability and economic viability of the Los Angeles Harbor area, Wilmington community, and surrounding region by promoting sustainable economic development and technologies within the existing commercial Avalon Development District; and
   - integrate environmental measures into design, construction, and operation to create an environmentally responsible project.

   As discussed in Section 2.6 of the Draft EIR, several of these objectives are met and enhanced through the design of the proposed Project's over-water features and floating docks. By providing waterfront access for the general public and for local

residents of Wilmington and San Pedro, the proposed Project would serve as a regional draw, enhance the local and regional connection to the water, integrate publicly oriented improvements, and enhance the livability of the Los Angeles Harbor area and surrounding region. The proposed Project will accomplish this in an environmentally responsible manner by minimizing impacts on biological habitat and individual species.

Moreover, the waterfront promenade, piers, and docks are intrinsic to the design of the proposed Project, as they function to enhance the community's connection to the water and provide a more useable waterfront. Specifically, the floating dock encourages the use of the proposed project area by transient boats and small recreational craft, while over-water viewing piers expand the area available for public use and recreational activities as well as waterfront commerce. These opportunities would not be present if LAHD were to construct the proposed Project only adjacent to the water, as opposed to over the water, as suggested by NMFS. Finally, in general terms, the proposed Project is designed to aesthetically and functionally complement public recreational opportunities available at the Port.

As discussed in response to NMFS-2, the proposed Project would result in an increase of 43,220 square feet of new over-water surface area as a result of construction of the waterfront promenade and piers. To address the concern of NMFS regarding the over-water coverage affecting light, the proposed Project has been modified to increase the amount of metal grating to 33% of covered area. This change would equate to approximately 14,262 square feet of additional metal grating, which would effectively decrease the amount of new over-water surface area as a result of construction of the waterfront promenade and piers from 43,220 square feet to a total of 28,958 square feet.

2) Construction of the proposed Project would result in permanent changes to the proposed project area that would increase shading through the addition of 43,220 square feet of over-water structures. This change in ambient light would not affect eelgrass, kelp, or other aquatic vegetation or macroalgae, as these types of aquatic vegetation are not present in the proposed project study area (Draft EIR, pg. 3.3-33).

In general, the habitat value for fish is highest in the Outer Harbor shallow areas followed by deep water in the Outer Harbor and diminishing as one proceeds into the Inner Harbor and particularly blind slip areas. The proposed Project is located in the Inner Harbor. The replacement of the existing bulkhead with the sheet pile option would result in the permanent loss of 2,200 square feet (0.05 acres) of marine habitat. The replacement with the deep soil–cement option would not result in any permanent loss of marine habitat. Overall, the habitat that would be removed by the sheet pile option has a diminished habitat value, as it is located relatively deep in the Inner Harbor. Mitigation for loss of inner harbor habitat would occur through the debit of the required mitigation credits from LAHD's Inner Harbor Mitigation Bank (Draft EIR, pg. 3.3-33).

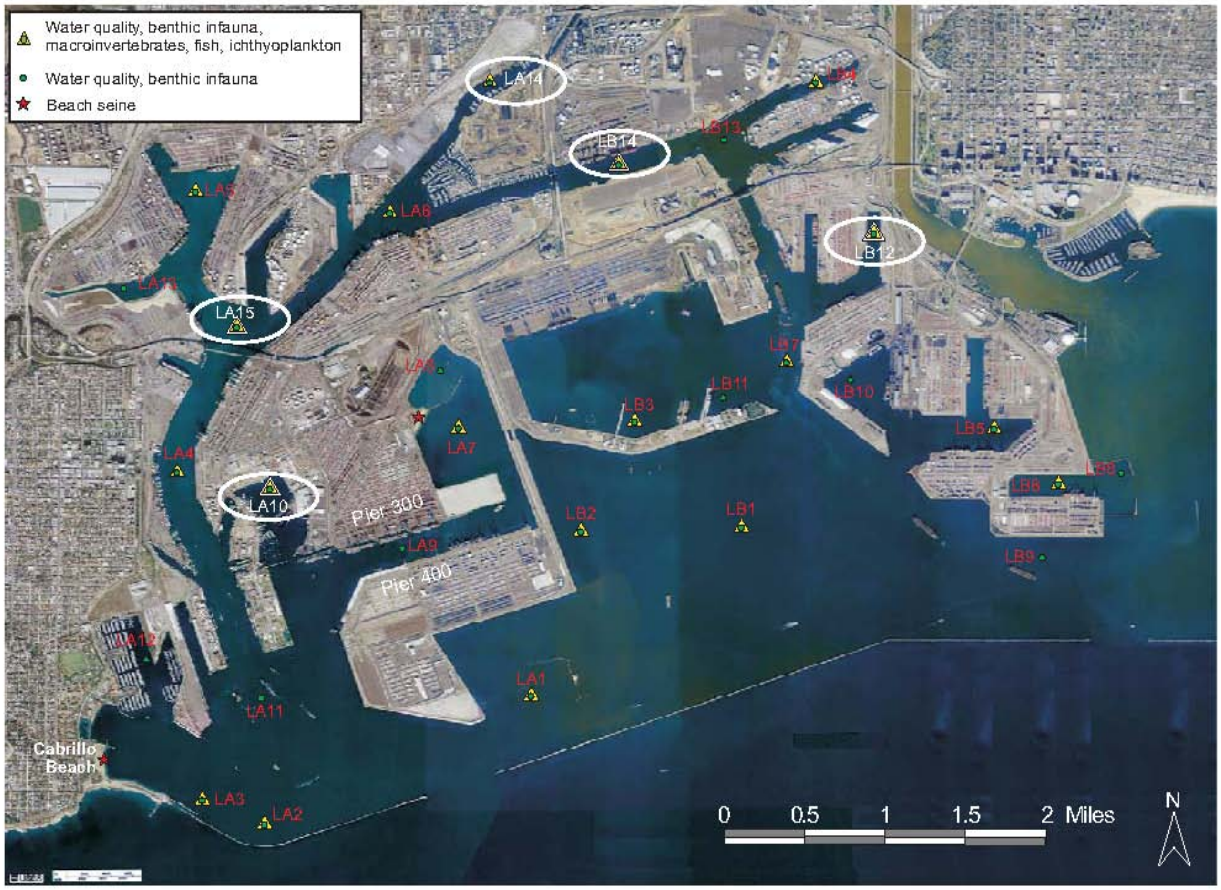
The proposed Project would have minimal effects on the EFH for Pacific groundfish and coastal pelagic species that occur in the harbor, because few if any individuals

would be expected in the proposed Project area. Marine species of concern (NMFS 2007a) that may be found in the proposed project study area include cowcod, bocaccio, green abalone, and pink abalone. Cowcod and bocaccio are generally found at depths greater than 69 feet (21 meters) (McCain et al. 2005); therefore, these species are not expected to be present within the Inner Harbor as the depths in the inner harbor area are less than 50 feet (Draft EIR, pg. 3.3-27). These species were not collected in the Inner Harbor in the last MEC baseline marine biology surveys (MEC Analytical Systems 2002) or in the most recent, harbor-wide biological survey (SAIC, unpublished)

As discussed in the Draft EIR, Section 3.3, the most common FMP species present in the Inner Harbor are northern anchovy, Pacific sardine, and jack mackerel (MEC and Associates 2002). Table 2-2 shows the mean abundance of fish species caught by lampara (Day and Night) in Los Angeles and Long Beach Harbors, January–July 2008. The use of Slip 5, particularly its most northern portion, by these species would be expected to be extremely limited. Jack mackerel are rarely observed anywhere in the harbor (SAIC, unpublished). The latest survey data also indicate a pattern of reduced use by these species further into the harbor and in narrower areas further away from the Main Channel. The nearest station to Slip 5 sampled in the SAIC study was LA-6, located in the southern region of the East Basin, near Berth 192 (see the figure below, a higher resolution version of which is presented as Appendix M to the Final EIR). This station consistently had among the lowest mean abundance for FMP species. It would be expected that numbers would be even further reduced at the northern most area of Slip 5.

Table 2-2. Mean Abundance of Fish Species Caught by Lampara (Day and Night) in Los Angeles and Long Beach Harbors, January–July 2008.

Common Name	*Species*	*Outer Harbor (Deep & Shallow Water)*					*Inner Harbor (Larger Channels)*			*Inner Harbor (Narrow Channels)*		
		LA1	*LA4*	*LA2*	*LA3*	*LA7*	*LA10*	*LA15*	*LA5*	*LA14*	*LA6*	*LB14*
Northern anchovy	*Engraulis mordax*	0.2	138.8	486.7	158.2	176.7	435.0	181.6	428.3	90.5	31.7	31.3
Pacific sardine	*Sardinops sagax*	0.0	3.3	4.0	0.3	0.0	33.0	2.0	41.8	0.0	0.3	0.5
Jack mackerel	*Trachurus symmetricus*	0.0	0.0	0.3	0.5	1.8	0.0	0.2	0.3	1.8	0.0	0.7



Within the proposed project site, the habitat along the base of the existing bulkhead is currently comprised of rock slope protection, interspersed with timber pile stubs. Any loss of aquatic marine habitat in the harbor is considered a significant impact on marine resources (Draft EIR, pg. 3.3-29). As a result, the loss of aquatic marine habitat requires mitigation per a Memorandum of Understanding (MOU) between the Harbor Department of the City of Los Angeles and resource agencies (City of Los Angeles 1984), which is proposed as mitigation measure MM BIO-1.

MM BIO 1. Debit Inner Harbor Mitigation Bank.

The loss of 2,200 square feet (0.05 acres) of Inner Harbor marine habitat will be mitigated by debiting the required credits from the Inner Harbor Mitigation Bank, per the terms and conditions established in the MOU between LAHD, CDFG, NMFS, and USFWS (City of Los Angeles 1984). The MOU provides that for each acre of marine habitat impacted within the Inner Harbor the mitigation bank will be debited 0.5 credit. Thus the 0.05 acre of marine habitat impacted in the Inner Harbor will result in a debit from the mitigation bank of 0.025 credit.

3) Regarding the request to conduct a *Caulerpa* survey, please refer to response NMFS-5. The Final EIR has been modified to clarify that a pre-construction survey will be conducted for *Caulerpa*.

NMFS-7 There will be no dredging associated with the construction or operation of the proposed Project; therefore, impacts on marine mammals related to dredging activities would not occur. Please also see response to NMFS-8 as it relates to the effects of pile driving on marine mammals.

NMFS-8 Comment noted. As discussed in response to comment NMFS-7, no dredging would occur.

In regards to the potential effects of pile driving on marine mammals, the analysis of the pile driving includes incorporation of the soft start method as a condition of project approval. As discussed in Section 3.3 of the Draft EIR, using a soft start technique for pile driving is not mitigation but a project element. Soft start involves slowly ramping up pile-driving efforts at the start of pile-driving (at the beginning of the day and at restarting of construction after lunch breaks or other pile-driving interruptions of longer than 15 minutes). When employing this technique, the hammer is operated at less than full capacity (i.e., approximately 40 to 60% energy levels) with no less than a 1-minute interval between each strike for a 5-minute period. LAHD would also require the use of sound abatement techniques to reduce noise and vibrations from pile-driving activities. Sound abatement techniques include, but are not limited to, vibration or hydraulic insertion techniques, drilled or augured holes for cast-in-place piles, bubble curtain technology, and sound aprons where feasible. As discussed in Section 3.3 of the Draft EIR, marine mammals, and in particular sea lions, would be expected to avoid areas where sound pressure waves could affect them. Harbor seals are unlikely to be present as few have been observed in the Inner Harbor areas (MEC and Associates 2002). Any seals or sea lions present during construction would avoid the disturbance areas and thus would not be injured. No other protected or sensitive marine species normally occur in the proposed project area (Draft EIR, pg. 3.3-26).

In addition, following consultation with the NMFS on other LAHD construction projects, a mitigation measure has been added to the final EIR to further reduce potential impacts on marine mammals.

MM BIO-2 Pile Driving Monitoring

A qualified biologist hired by LAHD will be required to monitor the area in the vicinity of pile-driving activities for any fish kills during pile driving. If there are any reported fish kills, pile driving shall be halted and NMFS will be notified via LAHD's Environmental Management Division. The biological monitor will also note (surface scan only) whether marine mammals are present within 100 meters of the pile driving and, if any are observed, temporarily halt pile driving until the observed marine mammals move beyond this distance.

In addition to the above proposed project elements and mitigation measure, LAHD understands that NMFS is pursuing a comprehensive study to evaluate noise levels and their effects on fish and marine mammals that could include addressing this issue at a Port-wide level; LAHD is interested in working with NMFS and other interested agencies on such a study.

The use of the soft-start approach to pile driving, sound abatement techniques, and implementation of mitigation measure MM BIO-2 will ensure "take" of marine mammals does not occur; therefore, an Incidental Harassment Authorization under the Marine Mammal Protection Act (MMPA) will not be required. However, LAHD will continue to work with NMFS to evaluate noise levels as discussed above.

As discussed in response to comment NMFS-7, no dredging would occur and therefore sound and vibration from a clamshell dredge is not an issue.

NMFS-9 Comment noted. Although it is considered unlikely as the majority of construction vessels will stay within the Port's breakwater, in the event of a construction vessel collision with a marine mammal, LAHD will notify NMFS Southwest Regional Office's Stranding Coordinator at 562-980-4017 immediately.

NMFS-10 Comment noted. LAHD will work with NMFS on adding design features to deter pinnipeds from hauling out of the water onto the docks. This language has been added to the Final EIR as a feature of the proposed Project:

> Operational activities associated with the proposed Project would not substantially disrupt local biological communities. Anticipated increases in boat traffic associated with the proposed Project would include 36 boat trips per day, on average, to and from the floating docks. A total of 9 boats averaging 30 feet in length would be able to moor at the floating docks at one time. Increased boat traffic is not anticipated to result in significant impacts on local biological communities. LAHD will work with NMFS on adding design features to non-lethally deter pinnipeds from hauling out of the water onto the docks. No expansion or increase in facilities would result from operational activities.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET
LOS ANGELES, CA 90012-3606
PHONE (213) 897-3747
FAX (213) 897-1337

Flex your power!
Be energy efficient!

December 26, 2008

Dr. Ralph Appy, Director
Environmental Management Division
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Wilmington Waterfront Project
Draft Environmental Impact Report
LOS /110 various IGR No. 081217/EK

Dear Dr. Appy:

We have received the Draft Environmental Impact Report for the Project referenced at above right. The project would involve park and open space areas, facilities for active and passive recreation, and commercial/industrial development. For the California State Department of Transportation (Caltrans), we have the following comments.

CALTRANS-1 The project is stated to not degrade traffic Level of Service below adopted standards, on County CMP facilities (section 4.2.11.4.2). We incidentally remind you that Caltrans is the agency of jurisdiction over State highway facilities and that its criteria of traffic analysis should also be considered. For Caltrans criteria on traffic studies, impacts, and mitigation cost sharing, the Statewide Guide for the preparation of Traffic Impact Studies can be found at the following WEB-site:
http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf .

CALTRANS-2 Currently, several Caltrans facilities improvements involving interchanges along the southern I-110 freeway, in the vicinity of the proposed project, are in the planning stages. These improvements, including C Street and Harry Bridges / John Gibson Boulevards realignments, are planned to mitigate impacts of developments such as port expansions. If Wilmington Waterfront would result in further cumulative (through year 2020) traffic impacts on Caltrans facilities that are being improved in order to mitigate impacts, we ask for consideration of allocating an appropriate contribution share towards their costs.

CALTRANS-3 If oversize or overweight vehicles would use State facilities during construction, permits from the Department would be needed. We advise allowing time for review by the Caltrans Transportation Permits Office in San Bernardino [telephone (909) 383-4637]. We ask for use of methods to avoid caravans of construction vehicles that could interfere with use of freeway interchanges. We also request avoidance of running substantial numbers of large vehicles during periods of commute traffic.

If you have any questions regarding our comments, please refer to our internal IGR/CEQA Record Number 081217. Also please do not hesitate to contact our review coordinator Edwin Kampmann at (213) 897-1346 or to contact me at (213) 897-6696. Our E-mail addresses are edwin_kampman@dot.ca.gov and elmer_alvarez@dot.ca.gov .

Sincerely,

Elmer Alvarez
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse

California Transportation Authority (Caltrans)

CALTRANS-1

Thank you for your comment. The proposed Project is located within the City of Los Angeles' jurisdiction; therefore, the traffic impact analysis was conducted using City of Los Angeles traffic impact study guidelines. As stated in Section 3.11, "Transportation and Circulation," of the Draft EIR, the methods and criteria used in the Draft EIR to assess the significance of proposed project impacts on the freeway system are the methods and criteria established in the Los Angeles County Congestion Management Program (CMP). The CMP was developed by the Los Angeles County Metropolitan Transportation Authority (MTA) under state statute and has been adopted by the City of Los Angeles. The CMP provides reasonable methods and criteria for the assessment of incremental project impacts on the regional transportation system. As the CMP has the legal standing as the means by which freeway facilities are administered, LAHD has no obligation under CEQA to analyze the proposed Project's potential impacts on the freeway system via an alternative methodology, such as the one suggested by Caltrans.

As stated in the freeway mainline monitoring station analysis, the CMP mainline freeway monitoring location nearest to the project site is: I-110 south of C Street. According to the incremental project trip generation estimates developed and the project-only traffic volumes illustrated in Figures 3.11-5a through 3.11-6b of the Draft EIR, the proposed Project is not expected to add sufficient new traffic to exceed the freeway analysis criteria at this location. Since incremental proposed project-related traffic in any direction during either peak hour is projected to be less than the minimum criteria of 150 vehicles per hour (vph), a CMP freeway analysis was not required, and CMP freeway impacts are considered to be less than significant.

CALTRANS-2

As discussed in the Draft EIR (Section 3.11), the proposed Project is not expected to impact the referenced interchange improvements. The analysis presented in both the Draft EIR (Section 3.11) and the traffic report (Appendix I of the Draft EIR) included the I-110 and C Street Interchange Improvements to be in place for the future baseline (without Project) analysis. The traffic shifts were estimated based on the future configuration of this intersection. Since the analysis includes these improvements as the future baseline and then determines that, with the addition of the proposed Project there would be no cumulative impact on these intersections, the traffic impacts discussed in the document are fully analyzed, and no cumulative impacts would occur.

Additionally, LAHD has received federal funding to supplement direct funding for the interchange projects. Although Caltrans is the lead agency for environmental analysis related to the interchange projects, LAHD is funding and constructing the projects. No additional funding is necessary.

CALTRANS-3

The appropriate permits for oversize or overweight vehicles will be obtained as required. As discussed in Section 3.11, overweight vehicles may be used during proposed project

construction. The proposed Project includes mitigation measure MM TC-1, which requires a Traffic Control Plan to be developed for the construction phases to minimize potential impacts on local roadways. (See Draft EIR pages 3.11-37 through 3.11-38). As discussed in Section 3.11, this plan will be approved by City and County engineers before construction. The traffic control plan will include:

- a street layout showing the location of construction activity and surrounding streets to be used as detour routes, including special signage;
- a tentative start date and construction duration period for each phase of construction;
- the name, address, and emergency contact number for those responsible for maintaining the traffic control devices during the course of construction; and written approval to implement traffic control from other agencies, as needed.

Additionally, the traffic control plan will include the following stipulations:

- provide access for emergency vehicles at all times;
- avoid creating additional delay at intersections currently operating at congested conditions, either by choosing routes that avoid these locations, or constructing during nonpeak times of day;
- maintain access for driveways and private roads, except for brief periods of construction, in which case property owners will be notified;
- provide adequate off-street parking areas at designated staging areas for construction-related vehicles;
- maintain pedestrian and bicycle access and circulation during proposed project construction where safe to do so; if construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk;
- if construction encroaches on a bike lane, warning signs will be posted that indicate bicycles and vehicles are sharing the roadway;
- utilize flag persons wearing OSHA–approved vests and using a “Stop/Slow” paddle to warn motorists of construction activity;
- maintain access to Metro and LADOT transit services and ensure that public transit vehicles are detoured;
- post standard construction warning signs in advance of the construction area an at any intersection that provides access to the construction area;
- post construction warning signs in accordance with local standards or those set forth in the *Manual on Uniform Traffic Control Devices* (Federal Highway Administration 2001) in advance of the construction area and at any intersection that provides access to the construction area;
- during lane closures, have contractor and/or LAHD notify LAFD and LAPD, as well as the Los Angeles County Sheriff’s and Fire Departments, of construction locations to ensure that alternative evacuation and emergency routes are designed to maintain response times during construction periods, if necessary;

- provide written notification to contractors regarding appropriate routes to and from construction sites, and weight and speed limits for local roads used to access construction sites; submit a copy of all such written notifications to the City of Los Angeles Planning Department; and repair or restore the road right-of-way to its original condition or better upon completion of the work.

This Page Intentionally Left Blank

DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

5816 Corporate Avenue • Suite 200 • CYPRESS, CALIFORNIA, 90630-4731

PHONE 714 / 816-6847 • **FAX** 714 / 816-6853 • **WEBSITE** conservation.ca.gov

January 12, 2009

Mr. Ralph G. Appy, Ph.D., Director
Los Angeles Harbor Department
425 South Palos Verdes Street
Wilmington, CA 90731

Subject: Draft Environmental Impact Report for Wilmington Waterfront Development Project – SCH# 2008031065

Dear Mr. Appy:

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced Draft EIR for the Los Angeles Harbor Department. We offer the following comments for your consideration.

The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and plugging and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy; and (4) damage to oil and gas deposits by infiltrating water and other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor (Supervisor) the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable methods for the purpose of increasing the ultimate recovery of oil and gas.

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4, of the California Code of Regulations.

DOGGR-1 The proposed project is located within the administrative boundaries of the Wilmington oil field. There are thirty-seven plugged and abandoned wells within or in proximity to the project boundaries. The wells are identified on Division map 128 and in Division records. The Division recommends that all wells within or in close proximity to project boundaries be accurately plotted on future project maps.

DOGGR-2 Building over or in the proximity of idle or plugged and abandoned wells should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current Division specifications. Also, the State Oil and Gas Supervisor is authorized to order the reabandonment of previously plugged and abandoned wells when construction over or in the proximity of wells could result in a hazard (Section 3208.1 of the Public Resources Code). If

DOGGR-3 abandonment or reabandonment is necessary, the cost of operations is the responsibility of the owner of the property upon which the structure will be located. Finally, if construction over an abandoned well is unavoidable an adequate gas venting system should be placed over the well.

DOGGR-4 Furthermore, if any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

DOGGR-5 To ensure proper review of building projects, the Division has published an informational packet entitled, "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for review. Developers should contact the Division Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction.

Thank you for the opportunity to comment on the Draft Environmental Impact Report. If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, CA 90630-4731; phone (714) 816-6847.

Sincerely,

Paul Frost

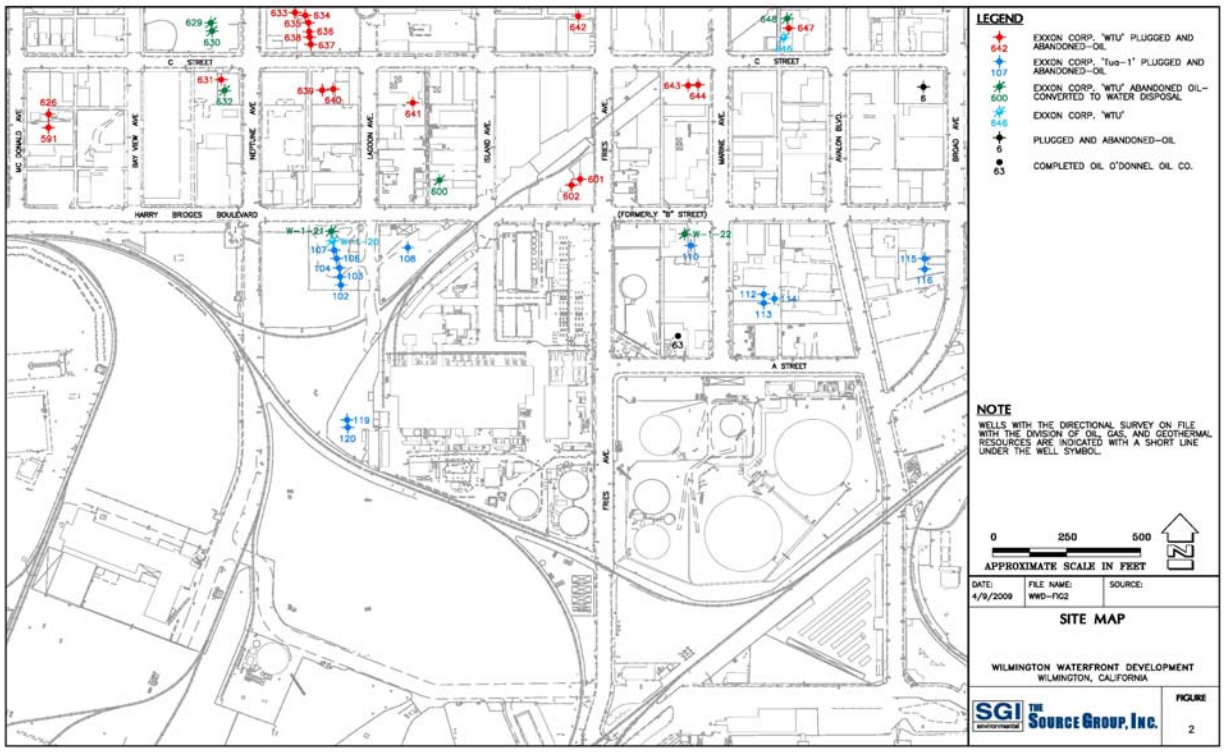
Paul Frost
Associate Oil & Gas Engineer
Division of Oil, Gas and Geothermal Resources
District 1 - Cypress

cc: State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Linda Campion – Division Headquarters
Sacramento

Department of Oil, Gas and Geothermal Resources

DOGGR-1 Thank you for your comment. The Wilmington Waterfront Development project is located within the administrative boundaries of the Wilmington oil field. Maps available from the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) and other sources (LAHD-supplied maps) indicate that many of the city blocks that comprise the proposed Project have been formerly used for crude oil exploration and production. However, no aboveground structures associated with past petroleum exploration and production remain on the proposed project site. DOGGR has determined that there are 37 plugged and abandoned wells within or in proximity to the proposed Project boundaries. Please refer to figure below for locations of the wells (this figure is presented in greater resolution as Appendix N of this Final EIR).



DOGGR-2 DOGGR requires that any well located near the proposed construction activities must be tested to ensure that the wells are plugged and abandoned to current standards. To confirm that that wells are properly plugged, the wells must be excavated and accessible for testing by DOGGR personnel. The testing must have been completed within 12 months prior to the initiation of construction. Thus, excavating and testing the wells too soon may require that the wells be tested again if construction is delayed. For this reason, the testing of wells within the Wilmington Waterfront Development Project will be phased and completed in conjunction with the planned construction activities.

DOGGR-3 Three wells are located within a portion of the proposed project area planned for commercial use. Should building construction over an abandoned well occur, an adequate gas venting system will be used as required by law.

DOGGR-4 Should any wells be damaged or discovered during construction, as a standard operating procedure, LAHD will contact the Division's district office for guidance on remedial action.

DOGGR-5 Comment noted. LAHD will submit the appropriate documents regarding project construction site review and well abandonment procedure to ensure the proper review of building projects.

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

ARNOLD SCHWARZENEGGER, *Governor*

January 28, 2009

Dr. Ralph Appy
Los Angeles Harbor Department
425 S. Palos Verdes
San Pedro, CA 90731

Dear Dr. Appy:

Re: SCH# 2008031065; Wilmington Waterfront Development Project

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

CAPUC-1

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-DEIR* from the State Clearinghouse for the waterfront development project which includes extension of the Waterfront Red Car Line. This letter affirms that RCES is in contact with the Los Angeles Harbor Department regarding the proposed development's impact at nearby crossings. RCES thanks the department for the advance contact in this manner.

Please continue to keep RCES informed of the project's development. If you have any questions, please contact Sergio Licon, Utilities Engineer at 213-576-7085, sal@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,

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

C: Andrew Fox, PHL

This Page Intentionally Left Blank

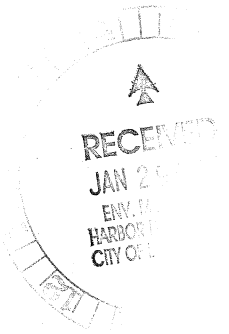
California Public Utilities Commission

CAPUC-1 Thank you for your comment. LAHD will remain in contact with the Rail Crossings Engineering Section (RCES) regarding the proposed Project's impact at nearby crossings. Furthermore, RCES will receive a copy of the Final EIR**.**

This Page Intentionally Left Blank

Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
213.922.2000 Tel
metro.net

Metro



January 28, 2009

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

Los Angeles County Metropolitan Transportation Authority (Metro) is in receipt of the Draft EIR for the Wilmington Waterfront project. This letter conveys recommendations concerning issues that are germane to Metro's statutory responsibilities in relation to the proposed project.

The Traffic Impact Analysis prepared for the Draft EIS/EIR satisfies the traffic and transit requirements of the proposed project. However, the following issue should be addressed for the Final EIR:

LAMETRO-1

Several transit corridors with Metro bus service could be impacted by the project. Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore should be included in construction outreach efforts.

Metro looks forward to reviewing the Final EIS/EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Final EIR to the following address:

Metro CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Susan Chapman

Sincerely,

Susan Chapman
Program Manager, Long Range Planning

cc: Spencer D. MacNeil

This Page Intentionally Left Blank

Metropolitan Transportation Authority

LAMETRO-1 Please see response to CALTRANS-3. As discussed in Section 3.11, mitigation measure MM TC-1 will require a Traffic Control Plan be developed for construction, which will include a provision to maintain access to Metro and LADOT transit services and ensure that public transit vehicles are detoured where necessary and in coordination with Metro and LADOT.

This Page Intentionally Left Blank

South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

January 30, 2009

Dr. Ralph G. Appy
Director of Environmental Management
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

Draft Environmental Impact Report
Wilmington Waterfront Development Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The location of the Wilmington Waterfront Development Project is in close proximity to terminals and is located in an area that is currently experiencing health risks in excess of 1,000 in a million.[1] The elevated health risk is primarily from diesel emissions from terminal related operations. The SCAQMD staff is concerned that the Project will attract people to an area that will increase their exposure to DPM emissions.

SCAQMD-1 We understand the desire to create a recreational area for the surrounding community. However, as previously stated in our letter on April 11, 2008, the SCAQMD staff is concerned about a recreational development located in an area with an elevated exposure to diesel particulate emissions. According to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective*, siting new sensitive land uses immediately downwind of Port operations should be avoided.[2] Furthermore, the CARB Handbook is critical of siting sensitive land use areas next to industrial facilities such as power plants, noting facility-specific information should be obtained and analyzed. If the lead agency moves forward with the approval of the Project, there should be continued implementation of the Ports' Clean Air Action Plan, in addition to all State and Federal programs to reduce DPM emissions and the resultant exposure to people that visit the proposed Project as well as the surrounding community.

SCAQMD-2

SCAQMD-3 The DEIR concludes that air quality impacts from the proposed project are significant and unavoidable during construction activities. In particular, in early 2011, peak daily construction emissions of NOx are projected to exceed the significance threshold by nearly four times (maximum concurrent daily emissions of 398 lbs/day vs. 100 lb/day allowable threshold). In addition, emissions of PM_{10} are also projected to exceed the significance threshold during

1 California Air Resources Board. April 2006. "Diesel Particulate Matter Exposure Assessment Study for the Ports of Los Angeles and Long Beach."

2. California Air Resources Board, April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at http://www.arb.gov/ca/landuse.htm.

SCAQMD-3 CONT. February 2011. Attachment I identifies additional means to feasibly strengthen the mitigation measures that were identified for the proposed project.

SCAQMD-4 Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The SCAQMD staff appreciates the opportunity to comment on this important project. We look forward to working with the Port of Los Angeles on this and future projects. If you have any questions, please call me at (909) 396-3105.

Sincerely,

Susan Nakamura
Planning Manager

Attachment

SN:EE:RG

LAC081209-13RG
Control Number

Attachment I
Additional Comments on the DEIR for
The Wilmington Waterfront Development Project

The following includes more detailed and specific comments on the Proposed Wilmington Waterfront Development Project.

Mitigation Measures

MM AQ-1: Harbor Craft Engine Standards

SCAQMD-5

MM AQ-1 proposes that all harbor craft used during construction be repowered to meet the cleanest existing marine engine emission standards, or USEPA Tier 2. Where available, harbor craft will meet EPA Tier 3 standards or cleaner. MM AQ-1 gives several "outs" which allow the use of equipment which does not meet the cleanest emission standards. The SCAQMD staff feels that this mitigation measure should rely on the cleanest feasible technologies which become available during the construction phase of the proposed project. To the extent feasible, SCAQMD staff recommends that harbor craft engines meeting the proposed U.S. EPA Tier 4 marine engine standards be used when they become available.

MM AQ-3: Fleet Modernization for Onroad Trucks

SCAQMD-6

MM AQ-3 requires that all on-road heavy-duty diesel trucks used during construction shall comply with EPA 2004 on-road PM emission standards until 12/31/11, and thereafter shall comply with EPA 2007 on-road standards. In addition, all on-road trucks shall be equipped with a CARB verified diesel emission reduction control strategy (VDECS) that will achieve Level 3 diesel emission reductions during construction. SCAQMD staff urges the lead agency to require as part of this mitigation measure, use of the cleanest available trucks, prior to 2011. Specifically, trucks used during construction should operate on engines with the lowest certified NOx emissions levels, but must meet at a minimum the 2007 NOx emission standards. It is also recommended that these requirements apply during circumstances where a piece of compliant equipment is on order and becomes available during the timeframe of construction.

MM AQ-4: Fleet Modernization for Construction Equipment

SCAQMD-7

MM AQ-4 requires that prior to 2011, all off-road diesel–powered construction equipment greater than 50 horsepower meet Tier 2 non-road emission standards with CARB certified Level 3 emissions control device. However, construction equipment meeting Tier 3 emission standards has been available since 2006. SCAQMD staff recommends that MM AQ-4 be revised to require all construction equipment used prior to 2011 meet the cleanest off-road engine emission standard available: at a minimum, equipment meeting Tier 3 NOx emission standards, equipped with Level 3 CARB verified diesel emission control technology.

MM AQ-6 Best Management Practices (BMPs)

SCAQMD-8

MM AQ-6 requires the use of nine BMP measures on construction equipment. SCAQMD staff recommends that the lead agencies consider adding the following additional BMP measures to further reduce construction air quality impacts from the project, if applicable and feasible:

- Use electricity from power poles rather than temporary diesel or gasoline power generators;
- Provide temporary traffic controls such as flag person, during all phases of construction to maintain smooth traffic flow;

SCAQMD-8 CONT.

- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours, to the extent possible;
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;
- Configure construction parking to minimize traffic interference;

South Coast Air Quality Management District (SCAQMD)

SCAQMD-1 As discussed in Chapter 2 of the Draft EIR, the objectives of the proposed Project are to:

- create a project that will serve as a regional draw and attract visitors to the Wilmington Waterfront;
- design and construct a waterfront park, promenade, and dock to enhance the connection of the Wilmington community with the waterfront while integrating design elements related to the Port's and Wilmington's past, present and future;
- construct an independent project that integrates design elements consistent with other area community development plans to create a unified Los Angeles waterfront through the integration of publicly oriented improvements;
- enhance livability and economic viability of the Los Angeles Harbor area, Wilmington community, and surrounding region by promoting sustainable economic development and technologies within the existing commercial Avalon Development District; and
- integrate environmental measures into design, construction, and operations to create and environmentally responsible project.

The siting of new and sensitive land uses immediately downwind of Port operations is required to meet these important objectives. A qualitative assessment of how toxic air contaminant (TAC) emissions would result in a significant health risk to sensitive receptors was conducted for the proposed Project. The assessment is presented in Section 3.2 of the Draft EIR and includes consideration of the California Air Resources Board's (CARB's) *Air Quality and Land Use Handbook: A Community Health Perspective*. The health risks associated with the proposed Project and its alternatives have been adequately analyzed and fully disclosed within the Draft EIR, allowing the reader, and subsequently the Board (the decision-maker), to compare and contrast the benefits and costs of the proposed Project.

Please also refer to response to comment LADWP-1 from the Los Angeles Department of Water and Power, which includes an updated Health Risk Assessment (HRA) of the adjacent power plant.

SCAQMD-2 LAHD is committed to full implementation of the Clean Air Action Plan (CAAP), as well as following state and federal programs to reduce diesel particulate matter (DPM) emissions and the resultant exposure to people that visit the proposed Project as well as the surrounding community. Under the CAAP, LAHD is exceeding targeted reductions in DPM. The 2007 reduction goal for DPM was 4%; LAHD achieved 18%. From 2005 to 2007, DPM emissions were reduced by 192 tons per year. With implementation of the Port's Clean Truck Program, which started in October 2008 with a ban on pre-1989 trucks entering Port terminals, LAHD expects this progress to continue. In the first 6 months of the Clean Trucks Program, pollution at the San Pedro Bay Port complex was reduced by 23%. When fully implemented in 2012, Port truck emission reductions could exceed 80%.

SCAQMD-3 Comment noted. The discussion of Attachment I comments are included below in SCAQMD-5 to -8.

SCAQMD-4 LAHD has prepared written responses for all SCAQMD comments on the Draft EIR and will continue to meet with SCAQMD to discuss the proposed Project and other LAHD projects.

SCAQMD-5 Comment noted. All harbor craft will meet the proposed U.S. Environmental Protection Agency (EPA) Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards, where available. The construction mitigation measures were based on LAHD's recently approved Sustainable Construction Guidelines for Reducing Air Emissions (LAHD 2008). LAHD conducted a survey in early 2008 of construction contractors and equipment providers, including information on future equipment orders. The survey found there would be limited availability of Tier 3 tugboats in 2009 with inventories increasing over the years. As discussed in the mitigation measure, LAHD will require the use of Tier 2 at a minimum but strongly encourage the use of Tier 3 tugs when available.

In regards to the comment that suggested that mitigation measure MM AQ-1 provides for several "outs" that allow using equipment that does not meet the emission standards, the exemptions are necessary due to potential equipment unavailability. As provided in the measure, the contractor is only allowed to not comply with the measure if they cannot secure a piece of equipment within California and must provide proof of unavailability. Availability will be verified by LAHD. As discussed above, LAHD conducted a number of surveys of construction equipment to help develop the Sustainable Construction Guidelines and ensure requirements could be met. However, there may be occasional cases where the contractor cannot comply due to construction project overlaps. In such cases, as described below, LAHD would work with the contractor to secure the next best piece of equipment in terms of emissions reductions.

In addition, as described below, LAHD will encourage use of cleaner construction equipment, including the cleanest available harbor craft, through the Environmental Compliance Plan required of all contractors. Each contractor is required to submit an Environmental Compliance Plan. The Environmental Compliance Plan will be developed by the contractor and must:

- identify the overall construction area;
- identify work hours and days;
- describe the overall construction scope of work;
- identify all construction equipment to be used to complete the project;
- identify all applicable mitigation measures depending on scope of work and construction equipment list;
- develop a plan to adhere to all applicable mitigation measures;

- develop a record-keeping system to track mitigation and any pertinent permits and/or verification documents, such as equipment specifications, equipment logs, and receipts;
- develop a tracking system to ensure mitigation is completed within the specified plan;
- identify one lead person, plus one backup person to be responsible for environmental compliance; and
- identify additional measures, practices or project elements to further reduce environmental impacts.

The Environmental Compliance Plan must be submitted to LAHD for review prior to commencing construction. LAHD reserves the right to modify the Plan, in conjunction with the contractor, to identify additional measures, practices, or project elements to further reduce environmental impacts. Through the Environmental Compliance Plan, LAHD will encourage the use of Tier 4 marine engines when available.

SCAQMD-6 Please see response to SCAQMD-5 for an explanation of LAHD's Sustainable Construction Guidelines and the requirement for an Environmental Compliance Plan. Per LAHD Sustainable Construction Guidelines for Reducing Air Emissions, all on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater shall comply with EPA 2004 on-road emission standards for PM_{10} and NO_X prior to December 31, 2011. Beginning January 1, 2012, on, all on-road heavy-duty diesel trucks with a GVWR of 19,500 pounds or greater shall comply with EPA 2007 on-road emission standards for PM_{10} and NO_X. According to the proposed project construction schedule, some construction will be completed prior to 2011, but will continue through to 2020. As a result, construction beginning January 1, 2012, will require the use of EPA 2007 on-road trucks. The Guidelines were developed based on equipment availability. LAHD conducted a survey in early 2008 of construction contractors and equipment providers, including information on future equipment orders. As a result of this survey, it was found that EPA 2007–compliant trucks would not be readily available before the end of 2012 (construction is anticipated to be complete by the end of 2012). However, as described in SCAQMD-5 LAHD will encourage use of EPA 2007–compliant trucks through the Environmental Compliance Plan required of all contractors.

SCAQMD-7 Please see response to SCAQMD-5 for an explanation of LAHD's Sustainable Construction Guidelines and the requirement for an Environmental Compliance Plan. The construction contractor would be required to use construction equipment meeting Tier 3 standards beginning in January 2012. The Guidelines were developed based on equipment availability. LAHD conducted a survey in early 2008 of construction contractors and equipment providers, including information on future equipment orders. As a result of this survey, it was found that Tier 3 construction equipment would not be readily available before 2012. However, as described in SCAQMD-5, LAHD will encourage use of the cleanest construction equipment through the Environmental Compliance Plan required of all contractors.

SCAQMD-8 In addition to mitigation measure MM AQ-6, as stated in Section 3.2.3.5, the Draft EIR analysis assumes that the proposed Project would adopt all applicable Sustainable Construction Guidelines. In addition, mitigation measure MM AQ-6 has been amended as suggested as shown below:

MM AQ-6: Best Management Practices.

The following types of measures ~~are required on~~for construction equipment (including onroad trucks) will be used where applicable and feasible:

1. Use diesel oxidation catalysts and catalyzed diesel particulate traps
2. Maintain equipment according to manufacturers' specifications
3. Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use
4. Install high-pressure fuel injectors on construction equipment vehicles
5. Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors
6. Improve traffic flow by signal synchronization
7. Enforce truck parking restrictions
8. Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc.
9. Re-route construction trucks away from congested streets or sensitive receptor areas.
10. Use electric power in favor of diesel power where available
11. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow
12. Schedule construction activities that affect traffic flow on the arterial system for off-peak hours, to the extent possible
13. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off site
14. Configure construction parking to minimize traffic interference

LAHD will implement a process by which to select additional BMPs to further reduce air emissions during construction. ~~The~~ LAHD will determine the BMPs once the contractor identifies and secures a final equipment list and project scope. ~~The~~ LAHD will then meet with the contractor to identify potential BMPs and work with the contractor to include such measures in the contract. BMPs will be based on Best Available Control Technology (BACT) guidelines and may also include changes to construction practices and design to reduce or eliminate environmental impacts.

WATER RECLAMATION
SOLID WASTE MANAGEMENT

COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

January 12, 2009

File No. 31R-100.10

Dr. Ralph G. Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

Dear Dr. Appy:

Comments on the Draft Environmental Impact Report (EIR)
for the Wilmington Waterfront Development Project (SCH# 2008031065)

The County Sanitation Districts of Los Angeles County (Districts) received the above-referenced documents for the proposed project on December 15, 2008. Regarding solid waste management for the above-mentioned project, the Districts offer the following updated comments:

LACSD-1

1. There are seven major landfills currently operating within Los Angeles County. These landfills serve large geographic areas that are not necessarily limited to those areas in the immediate vicinity of these sites. There is insufficient permitted disposal capacity within the existing system serving Los Angeles County to provide for its long-term disposal needs. However, there is additional capacity potentially available within Los Angeles County through the expansion of local landfills, and outside of Los Angeles County through the use of waste-by-rail at the proposed Eagle Mountain Landfill in Riverside County and the Mesquite Regional Landfill in Imperial County. Consequently, while this additional capacity will be needed, all the necessary permits and approvals have not yet been issued to access and/or use these facilities.

   The Districts entered into a Purchase and Sale Agreements in August 2000 on the only two fully permitted rail haul landfills in California: the Mesquite Regional Landfill in Imperial County and the Eagle Mountain Landfill in Riverside County. The Districts closed escrow on the Mesquite Regional Landfill in December 2002. Due in part to pending federal litigation, the Districts have not closed escrow on the purchase of the Eagle Mountain Landfill.

LACSD-2

   In the Mesquite Regional Landfill Waste-by-Rail system, the municipal solid waste will be transported approximately 210 miles to the site via the Union Pacific Railroad main line, which extends from Metropolitan Los Angeles to Glamis and then by a proposed 4.5-mile rail spur built to the site. Construction of the infrastructure necessary to make MRL operational was completed at the end of 2008. Construction of the rail facilities will begin in 2009 and will complete in 2011/2012.

   The City of Industry Planning Commission has issued a CUP for the Puente Hills Intermodal Facility (PHIMF) in June 2008. The PHIMF, which will be used for loading and unloading rail-ready shipping containers for the Waste-by-Rail system, is being constructed adjacent to the PHMRF. At full operation the PHIMF will manage up to 8,000 tons (2 trains) per day of municipal solid waste. Additional intermodal facilities may become part of the Waste-by-Rail system as disposal capacity needs for Los Angeles County increase. The Waste-by-Rail system is expected to be operational by 2011/2012.

LACSD-3 2. On page 3.12-8, please replace the sentence on lines 19 and 20 to read: "Additionally, the County Sanitation Districts of Los Angeles County (Sanitation Districts) is developing a waste-by-rail system. An EIR for the Puente Hills Intermodal Facility was approved June 2008."

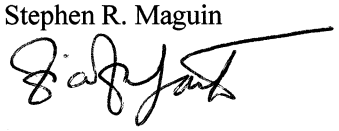
LACSD-4 3. On page 3.12-8, please replace "Los Angeles County Ordinance 7A" - on line 26 – with: "Sanitation Districts Ordinance No. 4."

LACSD-5 4. On page 3.12-8, please remove Calabasas Landfill from the list of potential secondary landfills available for use by the proposed project (Table 3.12-3). The Calabasas Landfill is a restricted-wasteshed facility operated by the Districts, and is, hence, not available for the disposal of solid waste generated by the project.

If you have additional questions concerning this response, please contact me at telephone (562) 908-4288, extension 2764.

Very truly yours,

Stephen R. Maguin



Ziad A. El Jack
Senior Engineer
Planning Section

ZE:mh

Los Angeles County Sanitation Districts (LACSD)

LACSD-1 Your comment regarding the seven major landfills currently operating within Los Angeles County is noted. As discussed in Section 3.12, the proposed Project includes two mitigation measures, MM UT-3 and MM UT-4, which require recycling construction materials and using recycled materials in construction to minimize land filling any waste.

LACSD-2 Comment noted regarding waste-by-rail plans. Please see response to Comment LACSD-1.

LACSD-3 Thank you for your comment. The recommended revision on lines 19 and 20 on page 3.12-8 has been made to read as follows:

> Additionally, the County Sanitation Districts of Los Angeles County is developing a waste-by-rail system. An EIR for the Puente Hills Intermodal Facility was approved June 2008. ~~Additionally, the City of Industry is developing an EIR for a Puente Hills Intermodal Facility, which is expected to be approved by the summer of 2008.~~ This is a waste-by-rail project, intended to accommodate the solid waste removal needs for Los Angeles County. The proposed facility would eventually have the capacity to handle up to two trains per day, transporting a total of 8,000 tons of municipal solid waste per day~~. If approved, it is anticipated to be in operation by 2011~~ (Puente Hills Intermodal Facility Draft EIR 2007).

LACASD-4 Thank you for your comment.

The recommended change to line 26 on page 3.12 of the Draft EIR has been made to replace "Los Angeles County Ordinance 7A" with "Sanitation Districts Ordinance No. 4" and now reads in the Final EIR as:

> Sanitation Districts Ordinance No. 4 ~~Los Angeles County Ordinance 7A~~ prohibits solid waste generated in the City of Los Angeles from being handled by or disposed of in facilities and landfills operated by the Los Angeles County Sanitation District.

LACSD-5 Thank you for your comment. Calabasas Landfill has been removed from the list of potential secondary landfills available for use by the proposed project on page 3.12-8, Table 3.12-3, since Calabasas is a restricted wastershed facility. Its removal does not change the analysis or impact conclusion.

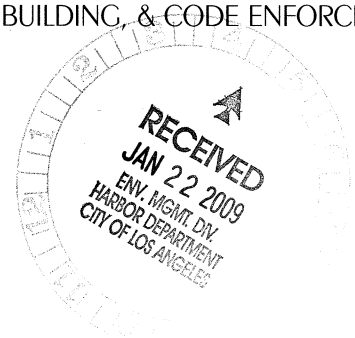
Table 3.12-3. Secondary Landfills for the Proposed Project

Landfill	*Maximum Permitted Throughput, Tons/Day*	*Remaining Capacity, Cubic Yards*	*Remaining Capacity Date*	*Operation Cease Date*
Azusa Land Reclamation Co. Landfill	6,500	34,100,000	March 31, 1996	January 1, 2025
Burbank Landfill Site No. 3	240	5,107,465	May 31, 2006	January 1, 2053
~~Calabasas Sanitary Landfill~~	~~3,500~~	~~16,900,400~~	~~October 14, 2004~~	~~January 1, 2028~~
Savage Canyon Landfill	350	7,419,580	July 15, 2006	January 1, 2025
Source: CIWMB (2008a).				

CITY OF RANCHO PALOS VERDES

PLANNING, BUILDING, & CODE ENFORCEMENT

20 January 2009



Dr. Ralph G. Appy, Director of Environmental Management
Los Angeles Harbor Department
425 S. Palos Verdes St.
San Pedro, CA 90731

SUBJECT: Comments on the Notice of Availability (NOA) for a Draft EIR for the Wilmington Waterfront Project

Dear Dr. Appy:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Report (DEIR) for the above-mentioned project. We have reviewed the DEIR and attended the public hearing held on January 15, 2008.

RPV-1 The City of Rancho Palos Verdes is very impressed by the obvious community support for this project. We recognize the importance of the Port of Los Angeles as an economic driver in the South Bay, and that improving public access to the waterfront is a key factor in this economic success. For these reasons, we have similarly supported public access improvements in San Pedro. The Wilmington Waterfront project will also serve to increase trail linkages, which are very important to our residents, by improving a segment of the California Coastal Trail.

Again, thank you for the opportunity to comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5228 or via e-mail at *kitf@rpv.com*.

Sincerely,

Kit Fox, AICP
Associate Planner

cc: Mayor Clark and City Council
Carolyn Lehr, City Manager
Joel Rojas, Director of Planning, Building and Code Enforcement

M:\Border Issues\Wilmington Waterfront Project\20090120_POLA_EIRComments.doc

This Page Intentionally Left Blank

City of Rancho Palos Verdes

RPV-1 Thank you for your comment. LAHD welcomes the support of the proposed Project and the support for increasing trail linkages by improving a segment of the California Coastal Trail.

This Page Intentionally Left Blank

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ROBIN R. HUGHES
FR. SPENCER T. KEZIOS
RICARDO LARA
CINDY MONTAÑEZ
MICHAEL K. WOO

JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA

ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271

VINCENT P. BERTONI, AICP
DEPUTY DIRECTOR
(213) 978-1272

JOHN M. DUGAN, AICP
DEPUTY DIRECTOR
(213) 978-1274

EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
(213) 978-1270

www.planning.lacity.org

January 28, 2009

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Re: DEIS/DEIR for the Wilmington Waterfront Development Project (ADP#050927-164)

Dear Mr. Appy:

Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS)/Draft Environmental Impact Report (DEIR) for the Wilmington Waterfront Development Project. One of the main objectives of the coordination between POLA and DCP has been to ensure a consistent and cohesive connection between the waterfront and adjacent community. This is an important project for the Port of Los Angeles and the Wilmington Community and holds much promise for continuing positive changes along the waterfront. The Department of City Planning (DCP) submits a few suggested clarifications for your consideration.

Clarifications/Comments

DCP-1

1. **Executive Summary:** Page ES-2, lines 7-13, Avalon Development District (Areas A and B) is written as a combined list of proposed project elements for both Areas A and B. The proposed project elements should be separated to correspond with either Area A or B to clarify their location and boundary.

DCP-2

2. Page ES-5, lines 1-27, Proposed Planning/Land Use Changes, as part of the proposed General Plan Amendment to downgrade Avalon Boulevard between A Street and Water Street from a Collector Street to a Local Street, the street vacation is not listed and should be listed as part of the proposed action. In an effort to maintain consistency throughout the document the street vacation should be discussed in concert with the General Plan Amendment (street downgrade) and be included among all the requested entitlements.

DCP-3

3. Page ES-8, Proposed Project Setting, lines 37-38, Surrounding Uses, states "while the proposed project site lies partially within the Wilmington-Harbor City Community Plan...," a more accurate description would state that most of the proposed project lies within the existing boundary of the Wilmington-Harbor City Community Plan.

DCP-4 4. Page ES-10, line 1, Surrounding Uses, states "the nearest residential area is within 5 miles of the proposed project." A more accurate description would state the nearest residential area including both single- family and multiple-family is within 1 mile of the proposed project.

DCP-5 5. Page ES-12, lines 22-24, Proposed Project Elements, change language to read: "jurisdictional boundary adjustments are proposed (instead of required) for the Port Element of the City's General Plan, Wilmington Harbor-City Community Plan (WHC CP), and the Port Master Plan," since the jurisdictional boundary adjustments are not technically required for the proposed project to proceed.

DCP-6 6. Page ES-13, Table ES-1: Elements of the Proposed Project, indicates that the Avalon Development District [Area A] is proposing the construction and operation of a maximum of 75,000 square feet of light industrial development (oriented toward green technology businesses) in Phase I (2009-2015). However, DCP is scheduled to begin the New Community Plan Program for Wilmington-Harbor City in late 2009, we have asked that language be modified to reflect the uncertainty of changes to land use patterns in Avalon Development District Area A, as a result of the comprehensive analysis from the new community plan process. To maintain consistency, Area A Phase I should have similar language to Area A Phase II, which says "Potentially construct and operate...," when referring to the 75,000 sf of light industrial development (oriented toward green technology businesses).

DCP-7 In prior discussions, DCP and the Port agreed to the language used in the Land Use section, page 3.8-38, lines 13-15, which says "The proposed project could include the development of this area north of Harry Bridges Boulevard (Area A) with up to 150,000 square feet of light industrial uses as currently zoned in Area A."

DCP-8 7. The Introduction, Project Description, and Land Use sections use the same language and tables for the above comments and should be clarified throughout the document.

Sincerely,

Betsy Weisman
Principal Planner, West Coastal Division
Department of City Planning

BW:jp:ma

Cc: Dave Mathewson: Jan Green Rebstock

City of Los Angeles Department of City Planning

DCP-1 Comment noted. On page ES-2, lines 7–13 the change has been made to separate the project elements that correspond to Area A or B. The Final EIR has been modified as follows:

> The proposed Project involves development of a variety of land uses within the three distinct areas of the proposed project site: (1) the Avalon Development District, which includes Area A within the Wilmington–Harbor City Community Plan area north of Harry Bridges Boulevard and Area B within the proposed Port Plan and Port Master Plan areas south of Harry Bridges Boulevard**,** (2) the Avalon Waterfront District, and (3) the Waterfront Red Car Line Extension and multi-modal CCT linkage area. The draft EIR describes the environmental resources that would be affected by the proposed Project.

The same change has also been made in the Introduction on page 1-4, lines 21–23.

DCP-2 Comment noted. On page ES-5, lines 1–27, the street vacation of Avalon Boulevard has now been included into the text. The Final EIR has been modified as follows:

> - Amend the City of Los Angeles General Plan to downgrade existing streets including Avalon Boulevard. This would include the downgrade of Avalon Boulevard from a collector street to a local street from Harry Bridges Boulevard south to its terminus at Water Street. It would also include the vacation of Avalon Boulevard from Harry Bridges Boulevard to Water Street.

The same change has been made in Chapter 1 on page 1-7, lines 39–42, and to Chapter 2, page 2-5, lines 29–32. This change has also been made to Table 3.8-4 in Section 3.8 as identified below:

Table 3.8-4. Proposed Project Land Use Actions

Land Use Plan	*Action to Land Use Plan*	*Proposed Project Action*
City of Los Angeles General Plan	Amendment	Downgrade Avalon Boulevard from a collector street to a local street from Harry Bridges Boulevard south to its terminus at Water Street. It would also include the vacation of Avalon Boulevard from Harry Bridges Boulevard to Water Street.

DCP-3 Comment noted. The text on page ES-8, lines 37–38, does not appear to be the same as identified in the comment letter. Therefore, page ES-10, lines 5–7 have been revised in the Final EIR as follows:

ES.3.4 Surrounding Uses

~~While the proposed project site lies partially within the Wilmington-Harbor City Community Plan~~Although most of the proposed Project is within the existing boundary of the Wilmington–Harbor City Community Plan, the majority of the Wilmington community lies north of the proposed Project.

The same change has been made to Chapter 2, on page 2-8, lines 19–21.

DCP-4 Comment noted. The text on page ES-10 of the Final EIR has been revised to read as follows:

However, the community land uses that surround the proposed project site are almost exclusively light industrial with a small pocket of heavy commercial. The nearest residential area is within ~~5~~ 1 mile~~s~~ of the proposed project site.

The same change has been made to Chapter 2, on page 2-8, lines 24–25.

DCP-5 Comment noted. The text on page ES-12, lines 22–24 has been revised to read as follows:

In each of these three areas sustainable design elements and features are proposed to help reduce energy and water requirements and to contribute to an improved project design. Jurisdictional boundary adjustments are ~~required~~ proposed for the Port Element of the City's General Plan, Wilmington Harbor-City Community Plan (WHC CP), and the Port Master Plan. The re-designation of land uses and rezoning within the proposed project area would also occur under the proposed Project within the three areas identified above.

The same changes have been made to Chapter 2, page 2-13, lines 13–15.

DCP-6 Comment noted. The text on page ES-13, Table ES-1: Elements of the Proposed Project, has been revised to read as follows:

Table ES-1. Elements of the Proposed Project

Elements	*Existing Conditions (CEQA Baseline)*	*Proposed Project Phase I (2009–2015)*	*Proposed Project Phase II (2015–2020)*
AVALON DEVELOPMENT DISTRICT			
Light Industrial Development	Police trailer at southeast corner of C Street and Marine Avenue, vacant industrial lots owned by ~~Port~~LAHD north of Harry Bridges Boulevard, Trade School located at corner of Lagoon and C Street; scattered private buildings	Could include the construction and operation of a maximum of 75,000 sf of light industrial development (oriented toward green technology businesses) around Avalon Boulevard, in the industrial area between Lagoon and Broad Avenues, north of Harry Bridges Boulevard and south of C Street as currently zoned in Area A; trade school and private buildings to remain unchanged	Potentially construct and operate an additional 75,000 sf of light industrial development (oriented toward green technology businesses).

The same changes have been made to Chapter 2, Table 2-1 on page 2-13.

DCP-7 The changes recommended in comments DCP-1 to DCP-6 above, and made in the Executive Summary, have also been made in Chapter 1, "Introduction," Chapter 2, "Project Description," and the Land Use sections where appropriate and as indicated in responses DCP-1 to DCP-6.

This Page Intentionally Left Blank

Department of Water and Power the City of Los Angeles

ANTONIO R. VILLARAIGOSA
Mayor

Commission
EDITH RAMIREZ, *Vice President*
LEE KANON ALPERT
WALLY KNOX
FORESCEE HOGAN-ROWLES
BARBARA E. MOSCHOS, *Secretary*

H. DAVID NAHAI,
Chief Executive Officer and General Manager

January 29, 2009

Dr. Ralph G. Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

Subject: Wilmington Waterfront Development Project (Project)
Comments on Draft Environmental Impact Report (DEIR) from the
Los Angeles Department of Water and Power (LADWP)

Thank you for the opportunity to comment on the Project. Chapter 3 of the DEIR, Section 3.2.4.3.2 "Operation Impacts", Subsection AQ-7, states that "...LADWP elected to perform a subsequent Health Risk Analysis to account for various design features of the proposed Project that were not well defined in the 2004 study. Results are expected from LADWP in late 2008 or early 2009."

LADWP-1

The updated Health Risk Assessment is attached. It quantifies the potential health risks to human receptors in the proposed park from emissions sources operating in the adjacent Harbor Generating Station. Please use it to update the health risk indices in Subsection AQ-7.

If you have any questions, please call me at (213) 367-0403.

Sincerely,

Mark J. Sedlacek

Mark J Sedlacek
Director of Environmental Services

BMM:sc
Enclosure
c/enc: Jan Green-Rebstock, Los Angeles Harbor Department
Bruce M. Moore, LADWP

111 North Hope Street, Los Angeles, California 90012-2607 *Mailing address:* Box 51111, Los Angeles 90051-5700
Telephone: (213) 367-4211 *Cable address:* DEWAPOLA

REVISED HEALTH RISK ASSESSMENT (2009 HRA)
HARBOR GENERATING STATION

Prepared for:

LOS ANGELES DEPARTMENT OF WATER AND POWER
LOS ANGELES, CALIFORNIA

January 2009

PREPARED BY:

ENVIRONMENTAL MANAGEMENT PROFESSIONALS, LLC
22811 MADRONA AVENUE, TORRANCE - CALIFORNIA 90505
Tel/Fax: (310) 539-0606; e-mail: krishnanand44@msn.com

E0034

REVISED HEALTH RISK ASSESSMENT (2009 HRA) HARBOR GENERATING STATION

1.0 INTRODUCTION

The Los Angeles Department of Water & Power (LADWP) operates the Harbor Generating Station (HGS) for the generation of electrical power. The HGS is located at 161 North Island Avenue, City of Los Angeles (Wilmington) adjacent to the Port of Los Angeles. The LADWP recently evaluated the construction of a park on an approximately 8 acre parcel of land directly adjacent to the HGS. As part of this evaluation, LADWP conducted a health risk assessment (HRA) in 2004 to estimate the potential health risks from exposure to toxic air contaminants (TACs) emitted by HGS for individuals that would visit the proposed park and to determine if the park could potentially restrict future operations at HGS. A total of 1,844 receptors were used in the dispersion modeling for HRA, including gridded receptors at 25 m spacing within the proposed park. The HRA was performed assuming that the gridded receptors within the proposed park will be at ground elevation. However, it is now learnt that many receptors inside the park will be at higher elevations (maximum elevation of 42 ft). As a result of this new information, Environmental Management Professionals (EMP) revised the HRA with the same source parameters as used in 2004 HRA but with park receptors at higher elevations. The LADWP also requested that revised HRA should be performed using the latest version of the Hot Spots Analysis and Reporting Program (HARP). The results of the revised HRA (2009 HRA) are provided below.

2.0 FACILITY DESCRIPTION

The primary operation of the HGS is generation of electrical power. The HGS is located at 161 North Island Avenue, City of Los Angeles (Wilmington). Land use in the area is primarily industrial. The location of the HGS is given in Figure 1.

The HGS occupies an irregularly shaped parcel of land bordered by Harry Bridges Boulevard (formerly B Street) to the north, Avalon Boulevard to the east, a container storage area which borders the Los Angeles Harbor to the south, and Neptune Avenue to the west. Fries Avenue separates the eastern and western portions of the HGS. The nearest residential area is located approximately one quarter mile to the north. The proposed park site is east of the HGS on land owned by LADWP. The proposed park parcel is currently leased to Valero Petroleum and contains three large storage tanks and a small building. The storage tanks and the building will be removed if the park is constructed.

The facility's emission sources include five natural gas-fired LM6000 simple-cycle combustion turbines, two MS7001 natural gas-fired combined-cycle combustion turbines, a black start (emergency) generator, five cooling towers for the LM6000 turbines, a small

diesel-fired power washer, an oil-water separator (OSW), and fugitive VOC emissions from a diesel-oil storage tank and piping system. While the combustion turbines burn natural gas, they are permitted to burn diesel oil in the event of an interruption in the supply of natural gas. Consequently, there are monthly readiness tests of the seven combustion turbines burning diesel oil plus periodic testing of the emergency generator.

3.0 EMISSION ESTIMATION

The 2004 HRA was performed for the emission rates computed for the HGS based on permitted operating levels for the emission sources at the facility. The emission sources modeled included seven combustion turbines, five cooling towers, diesel internal combustion exhaust emissions from one emergency generator and one power washer, and fugitive volatile organic compounds (VOC) emissions from an oil-water separator, a diesel fuel oil storage tank, and the piping system delivering diesel oil to the turbines.

The primary fuel for the simple-cycle (LM6000) and combined-cycle (MS7001) combustion turbines is natural gas. However, the units are permitted to burn distillate oil (Diesel No. 2) in the event of a natural gas curtailment and they are tested regularly on diesel fuel. The emissions of TACs from the combustion turbines using natural gas and diesel were estimated using emission factors obtained from the California Air Toxic Emission Factor (CATEF) database. Emission factors for the internal combustion engines (black start generator and power washer) using diesel fuel were estimated using Ventura County Air Pollution Control District (VCAPCD) emission factors. Additional details of the emission estimation are provided in the 2004 HRA. A copy of this report is provided in Appendix A.

4.0 RISK ASSESSMENT METHODOLOGY

The risk assessment methodology followed for the 2004 HRA and the revised HRA (2009 HRA) are described below.

2004 Health Risk Assessment Methodology

The 2004 HRA was performed using the HARP Version 1.0, released by the California Air Resources Board (CARB) in December 2003. This version of the HARP model included the latest (at the time of the release of the model) risk assessment and dispersion modeling methodology defined by the California Office of Environmental Health Hazard Assessment (OEHHA), released in October, 2003, as supplemented by the CARB interim guidance for residential inhalation exposure. Combined, the guidelines developed by OEHHA and CARB are referenced as the "HRA Guidelines" in this document. A Tier-1 point estimate HRA was performed for this Project.

The HRA was conducted in three steps. First, TAC emissions were estimated for current facility operations using permitted operating conditions for all sources as discussed

above. Second, exposure calculations were performed using the ISCST3 dispersion model that is an integral part of HARP. Third, results of the exposure calculations, along with the respective cancer potency factors and chronic and acute non-cancer reference exposure levels (RELs) for each toxic substance, were used in HARP to perform the risk characterization needed to quantify individual health risks associated with predicted exposure levels.

The risk assessment included a multi-pathway risk analysis for those TACs that have an ingestion, dermal or other non-inhalation exposure pathway. Although inhalation is the dominant potential pathways for public exposure to chemical substances released by the HGS, the multi-pathway analysis also conservatively evaluated exposure through soil ingestion, dermal absorption and mother's milk ingestion for those TACs that have non-inhalation exposure pathways. The modeling was performed using the SCAQMD 1981 meteorological data for Long Beach.

Revised Health Risk Assessment (2009 HRA) Methodology

The revised HRA methodology was the same as used for performing 2004 HRA. The only change was the use of latest version of the HARP (Version 1.4a), released by the CARB on July 24, 2008. A comparison of the TACs and their toxicities included in HARP Model Versions 1.0 and 1.4a indicated that ethyl benzene and naphthalene are now identified as carcinogenic substances. Thus, carcinogenic risk estimated for HGS is expected to be higher when risk assessment is performed using HARP Version 1.4a in comparison to using HARP Version 1.0.

5.0 MODELING SCENARIOS

For the 2004 HRA, eight modeling scenarios were developed and modeled in the HRA. Four scenarios each were modeled for the case with the park (With-Park) and the existing facility without the park (Without-Park). For the With-Park and Without-Park cases, there were four emission scenarios each modeled that consisted of one annual emission scenario and three short-term emission scenarios. The annual emission scenarios were used to determine potential cancer and non-cancer chronic risk. The three short-term scenarios for each case were used to assess non-cancer acute risk. The descriptions of the eight modeling scenarios are provided in 2004 HRA (see Appendix A for this report). As it turned out, there were no material differences in the results of the HRA estimated risks for the With-Park and Without-Park modeling cases.

For the 2009 HRA, only one short-term scenario was considered (Scenario 3), which had provided the highest non-cancer acute risk for 2004 HRA. This scenario included the following sources of emissions for dispersion modeling and exposure assessment: (1) LM6000 in normal operation (CT1, CT2, CT4, and CT5), (2) LM6000 readiness testing

(CT3), (3) MS7001 normal operation (CT1-CT2), (4) cooling towers normal operation (1-5), (5) normal operation of Tank 55002, and (6) fugitive emissions.

Modeling scenario for estimating the carcinogenic risk and chronic hazard index for both HRAs (2004 and 2009) included the following sources of emissions; (1) LM6000 in normal operation (CT1-CT5), (2) LM6000 readiness testing (CT1-CT5), (3) MS7001 normal operation (CT1-CT2), (4) black start generator (including the diesel exhaust particulate matter emissions), (5) cooling towers normal operation (1-5), (6) normal operation of Tank 55002, and (7) fugitive emissions.

6.0 RECEPTORS

Receptors for 2004 HRA

A total of 1,844 receptors were used in the modeling. The details of the receptors selected for dispersion modeling are presented below.

1. Boundary receptors spaced 20 m apart on the facility and proposed park site boundaries;
2. Gridded receptors at 1,000 m spacing out to 10 kilometers;
3. Gridded receptors at 100 and 1,000 m spacing used in the Rule 1401 HRA analysis for the Repowering Project;
4. Gridded receptors at 25 m spacing within the proposed park;
5. Receptors at 25 m spacing on Fries Avenue and A Avenue, representing potential short-term exposure locations on nearby public roads;
6. Residential receptors representing nearby residences;
7. Sensitive receptors, including schools, hospitals, and parks;
8. Receptors located at the centroids of census tracts within 2 km of the facility, i.e., the facility's zone of impact (ZOI). Cancer risks predicted at these receptors and associated population data are used to estimate the cancer burden. The zone of impact (ZOI) is defined as the area subjected to an excess cancer risk of one in a million (1.0E-6) or greater.

Figure 2 presents the close-in receptors to the facility, including receptors on the proposed park and on Fries Avenue and "A" Avenue.

Receptors for 2009 HRA

For the 2009 HRA, only boundary receptors spaced 20 m apart on the facility and proposed park site boundaries, and gridded receptors at 25 m spacing within the proposed park were selected.

7.0 RECEPTOR ELEVATIONS

A review of the elevations used for 2004 HRA indicated that elevations for all the park receptors were assumed to be 20 ft. Figure 3 shows the elevations of park receptors used for 2004 HRA.

Port of LA was contacted to obtain the design information relating to the elevation of park receptors for performing 2009 HRA. The following information was provided by the Port of LA Consultant (Mr. Chuck Coronis, Senior Associate, Sasaki, Tel: 617/923-7292):

- Elevation for all receptors at the north and south end of the proposed park will be 15 ft;
- Highest elevation of any park receptor will be 42 ft;
- Peak elevation receptor will be closer to the south end of the park (about 1/3rd distance from the south end of the park of the total distance between the north and south ends of the park).

The above information was used to assign elevations to the proposed park receptors for 2009 HRA (Step 2). Figure 4 shows the elevations of the proposed park receptors used for 2009 HRA. Figures 3 and 4 show that maximum difference in the receptor elevations between 2009 and 2004 HRAs is only 22 ft.

Port of LA (Jan Green Rebstock, Tel: 310/732-3949) also informed that the proposed park's western boundary, at the south end, will not extend to the HGS eastern fenceline. For the 2009 HRA it was therefore assumed that the western boundary of the proposed park, at the south end will be about 30 meters from the HGS eastern fenceline.

8.0 THRESHOLD SIGNIFICANCE LEVELS

The significance thresholds used for the 2004 HRA have also been used for the 2009 HRA. A description of the significance thresholds used for 2004 HRA is provided below.

"The significance thresholds used in the HRA are based on South Coast Air Quality Management District (SCAQMD) significance levels in Rule 1401 – New Source Review of Toxic Air Contaminants. Because the HRA is not required by Rule 1401 nor it is required under the AB-2588 Toxic Hot Spots program, the Rule 1401 and AB-2588 significance criteria are not explicitly applicable to this HRA. However, the significance criteria provide a reasonable baseline to evaluate risk at the site.

Based on Rule 1401, the assumed significance level for the Maximum Individual Cancer Risk (MICR) is ten in one-million. The cancer risk represents the probability that one person would contract cancer within his or her lifetime from exposure to the emitted carcinogenic TACs. Thus, a cancer risk of ten in one-million means that an individual would

have a ten in one-million chance of contracting cancer, or that there would be ten additional cancer cases in an exposed population of one million people.

For acute and chronic exposure to non-carcinogenic TACs, the assumed significance level is a Hazard Index (HI) of 1.0. The acute and chronic HIs are computed as the ratio of the estimated short and long-term levels of exposures to a TAC contaminant for a potential maximally exposed individual to the acute and chronic reference exposure levels (RELs) for that TAC. The REL is a level below which no adverse effects are expected to occur, and thus, an HI of less than 1.0 means that no adverse effects would occur. "

9.0 RISK CHARACTERIZATION

As mentioned above, the HARP model, released in the public domain by the CARB and OEHHA, was used in analyzing cancer and non-cancer health effects. It fully implements the methodologies and assumptions of the CARB and OEHHA guidelines. It can evaluate risks at many receptors, multiple emission sources and several pollutants (including multipathway). For carcinogens, the model computes the cancer excess risks and excess burden. For noncancer health effects, hazard indices are computed for acute and chronic exposure for all affected toxicological endpoints. The latest version of the HARP model, as of July 21, 2008, was used in this risk assessment. Copies of the ISCST3 and HARP model input and output are provided on the attached CD-ROM.

2004 HRA RESULTS

Cancer Risk

Cancer risk is the probability or chance of contracting cancer over a human life span (assumed to be 70 years). Carcinogens are assumed to have no threshold below which there would be no human health impact. In other words, any exposure to a carcinogen is assumed to have some probability of causing cancer; the lower the exposure, the lower the cancer risk (i.e., a linear, no-threshold model). The maximum off-site cancer risk from the HGS was estimated at 8.0 per million, computed as the high-point estimate for a 70-year (residential) exposure. The location of the peak cancer risk was identified to be on the boundary between the HGS and the proposed park (see Figure 2, MEI). However, this location is not a residential location and hence use of the assumed 70-year exposure assumption will cause the risk at this location to be overestimated.

To estimate the cancer risk posed to children that may visit the park, HARP was used to estimate the cancer risk posed to children over an exposure period of 9-years. Because of the assumed lower exposure duration, the 9-year child cancer risk at the location of the maximum exposed individual was estimated at 1.5 per million (see Figure 2, MEI).

No-Cancer Health Effects

Non-cancer health effects can be either chronic or acute. In determining potential non-cancer health risks (chronic and acute) from air toxics, it is assumed that there is a dose of the chemical of concern below which there would be no impact on human health. For this health risk assessment, hazard indices were computed separately for each target organ and summed. This method lead to a conservative (upper bound) assessment.

Chronic Hazard Index

Chronic toxicity is defined as adverse health effects from prolonged chemical exposure, caused by chemicals accumulating in the body. Because chemical accumulation to toxic levels typically occurs slowly, symptoms of chronic effects usually do not appear until long after exposure commences. The highest no-effect chronic exposure level for a non-carcinogenic air toxic is the chronic REL. Below this threshold, the body is capable of eliminating or detoxifying the chemical rapidly enough to prevent its accumulation. The chronic HI for emissions from the HGS facility was estimated at 0.03 at the cancer MEI location (see Figure 2, MEI). This chronic hazard index is well below the significance level of 1.0. A higher chronic HI value of 0.05 at a sensitive receptor outside the proposed park site was also reported in the 2004 HRA report. However, this receptor location chronic HI was termed as questionable due to distance (2,550 m) from the cancer MEI and also because it is generally in upwind direction.

Acute Hazard Index

Acute toxicity is defined as adverse health effects caused by a short-term chemical exposure of no more than 24 hours. For most chemicals, the multi-pathway exposure required to produce acute effects is higher than the levels required to produce chronic effects, because the duration of exposure is shorter. Because acute toxicity is predominantly manifested in the upper respiratory system at threshold exposures, all hazard indices are typically summed to calculate the total acute hazard index. Model-predicted one-hour average TAC concentrations are divided by the respective acute RELs and summed to obtain a hazard index for health effects caused by relatively high, short-term exposure to air toxics. The maximum modeled acute HI for the facility was conservatively estimated to be 0.74 and this occurred on the proposed park site (inside the park). This acute hazard index is 74 percent of the significance level of 1.0. Figure 2 shows the location of the highest acute hazard index.

The results of the 2004 HRA are provided in Table 1.

2009 HRA RESULTS

2009 HRA was performed in two steps. In Step 1, HRA was performed using all the 2004 input parameters including the park receptor elevations with HARP Model Version 1.4a. This analysis provided the changes in risk estimates due to the changes in HARP model. The results of this risk analysis are presented in Table 2. A comparison of the risk estimates presented in Tables 1 and 2 indicated that there were no changes in the highest acute hazard index estimated in 2004 (0.74) and 2009 (Step 1). However, the cancer risk changed from 8.0 in a million to 10.8 in a million at the boundary between the HGS and the proposed park (see Figure 2, MEI). This suggests that risks from HGS will keep on increasing as additional toxic air contaminants are included in the HARP model. Cancer risk will also increase as noncarcinogenic toxic air contaminants already included in the HARP model are reclassified as carcinogens.

In the 2004 HRA report, the cancer risk is reported for only the HGS fenceline receptor (boundary between the HGS and the proposed park). However, in Step 1 HRA, health risks were estimated and analyzed for receptors located at the boundary of the proposed park as well as inside the park, in addition to the receptors at the HGS fenceline. Furthermore, it was assumed that the western boundary of the park will be only about 5 meters from the HGS fenceline (same distance as specified in 2004 HRA). The results of this analysis indicated that highest carcinogenic risk will be 9.9 in a million at the 2004 defined park western boundary (at about 5 meters from the HGS fenceline). However, the cancer risk was predicted at 5.7 million at the newly defined western boundary of the park (at about 30 meters from the HGS fenceline).

The results for the non-cancer chronic hazard index analysis indicated that there will be a slight decrease in the chronic hazard index at the 2004 defined park western boundary when analysis was performed using the revised elevation because the revised elevation is slightly lower than the elevation used in 2004 HRA. The maximum chronic hazard index was estimated at about 0.029 at the park boundary. The maximum chronic hazard index at receptors inside the park was estimated at about 0.02.

Cancer health risks and chronic hazard indices estimated at various park receptors are shown in Figures 5 and 6, respectively. A summary of these results are presented in Table 2.

Step 2, 2009 HRA

In Step 2, HRA was performed using all the 2004 source input parameters but with revised elevations for park receptors. Acute and chronic hazard indices, and cancer health risks [70-yr exposure as well as 9-yr exposure (children)] estimated at various park receptors are shown in Figures 7, 8, 9 and 10, respectively. A summary of these results are presented in Table 3.

A comparison of the risk estimates presented in Tables 2 and 3 indicate that the maximum acute hazard index will increase from 0.74 to 0.89. This acute hazard index is about 90 percent of the significance level of 1.0.

There will be no changes in the cancer risks at the HGS fenceline (10.8 in a million), 2004 defined park western boundary (9.9 in a million), as well as at 2009 defined park western boundary (5.7 in a million).

A comparison of the chronic hazard indices presented in Tables 2 and 3 indicated that there will be almost no changes in the maximum chronic hazard indices at the 2004 defined park western boundary (0.029) and at the receptor inside the park (0.022). These chronic hazard indices are well below the significance level of 1.0.

9.0 CONCLUSION

The results of the 2009 HRA indicated that the maximum acute hazard index from HGS toxic air contaminant emissions will be 0.89 which is about 90 percent of the significance level.

The maximum cancer risk at the 2004 defined park western boundary location was estimated at 9.9 per million (assumed 70-year exposure). However, at the 2009 defined western boundary the maximum carcinogenic risk will be 5.7 in a million. The 9-year risks at these two receptors were estimated at 2.0 in a million and 1.2 in a million.

The maximum chronic hazard indices at the park western boundary and at receptors inside the park were estimated at 0.029 and 0.022, respectively. These hazard indices are well below the significance level of 1.0. Thus, no significant impact of TAC emissions from the HGS on the proposed park site is anticipated. However, the emissions from a new source could drive the acute hazard index above the significance threshold of 1.0, therefore limiting the LADWP's ability to expand generating capacity at the Harbor Generating Station.

The results of the HRAs also indicated that model predicted carcinogenic risks from HGS could increase even if there is no actual increase in emissions of toxic air contaminants from HGS. This will be due to the inclusion of additional toxic air contaminants in the future in the HARP model, which occurs when OEHHA annually reviews the TAC list. Model predicted cancer risks from HGS will also increase if the HGS emitted noncarcinogenic toxic air contaminants already included in the HARP model are reclassified as carcinogens.

Table 1
2004 Health Risk Assessment Results

Risk Index	Risk value	Receptor Type	Receptor Elevation, ft	Receptor Coordinates
Cancer Risk	8.0 per million	HGS Fenceline, MEI (70-yr)	9.8	383,096m UTME 3,736,971m UTMN
Cancer Risk	1.5 per million	HGS Fenceline, MEI (9-yr)	9.8	383,096m UTME 3,736,971m UTMN
Chronic Hazard Index	0.03	HGS Fenceline, MEI	9.8	383,096m UTME 3,736,971m UTMN
Acute Hazard Index	0.74	Inside Park Receptor	20	383,200m UTME 3,737,025m UTMN

Table 2
2009 Step 1 Health Risk Assessment Results (Elevations Same as 2004 HRA)

Risk Index	Risk value	Receptor Type	Receptor Elevation, ft	Receptor Coordinates
Cancer Risk	10.8 per million	HGS Fenceline, MEI (70-yr)	9.8	383,096m UTME 3,736,971m UTMN
Cancer Risk	9.9 per million	Park Receptor (western boundary; about 5 meters from HGS eastern boundary) (70-Yr)	20	383,100m UTME 3,736,975m UTMN
Cancer Risk	5.7 per million	Park Receptor (western boundary; about 30 meters from HGS eastern boundary) (70-Yr)	15	383,125m UTME 3,737,000m UTMN
Chronic Hazard Index	0.029	Park Receptor (western boundary; about 5 meters from HGS eastern boundary)	20	383,100m UTME 3,736,975m UTMN
Acute Hazard Index	0.74	Inside Park Receptor	20	383,200m UTME 3,737,025m UTMN

Table 3
2009 Step 2 Health Risk Assessment Results (Updated Elevations)

Risk Index	Risk Value	Receptor Type	Receptor Elevation, ft	Receptor Coordinates
Cancer Risk	9.9 per million	Park Receptor (western boundary; about 5 meters from HGS eastern boundary) (70-Yr)	15	383,100m UTME 3,736,975m UTMN
Cancer Risk	5.7 per million	Park Receptor (western boundary; about 30 meters from HGS eastern boundary) (70-Yr)	15	383,1250m UTME 3,737,000m UTMN
Cancer Risk	2.0 per million	Park Receptor (western boundary; about 5 meters from HGS eastern boundary) (9-Yr)	15	383,100m UTME 3,736,975m UTMN
Cancer Risk	1.2 per million	Park Receptor (western boundary; about 30 meters from HGS eastern boundary) (9-Yr)	15	383,1250m UTME 3,737,000m UTMN
Chronic Hazard Index	0.029	Park Receptor (western boundary; about 5 meters from HGS eastern boundary)	15	383,100m UTME 3,736,975m UTMN
Chronic Hazard Index	0.022	Inside Park Receptor	15	-
Acute Hazard Index	0.89	Inside Park Receptor	24	383,200m UTME 3,737,025m UTMN

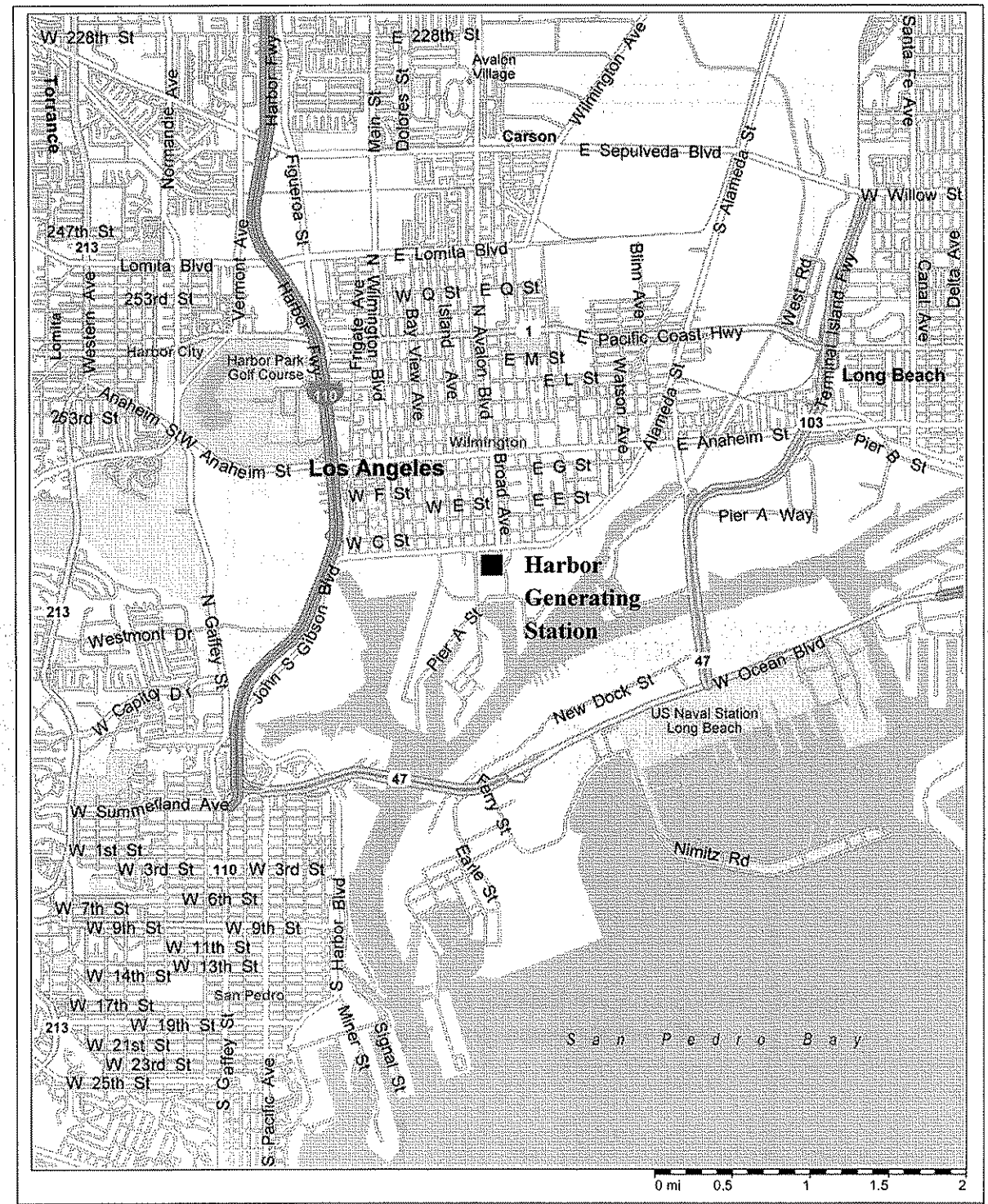


Figure 1 – Location of the Harbor Generating Station

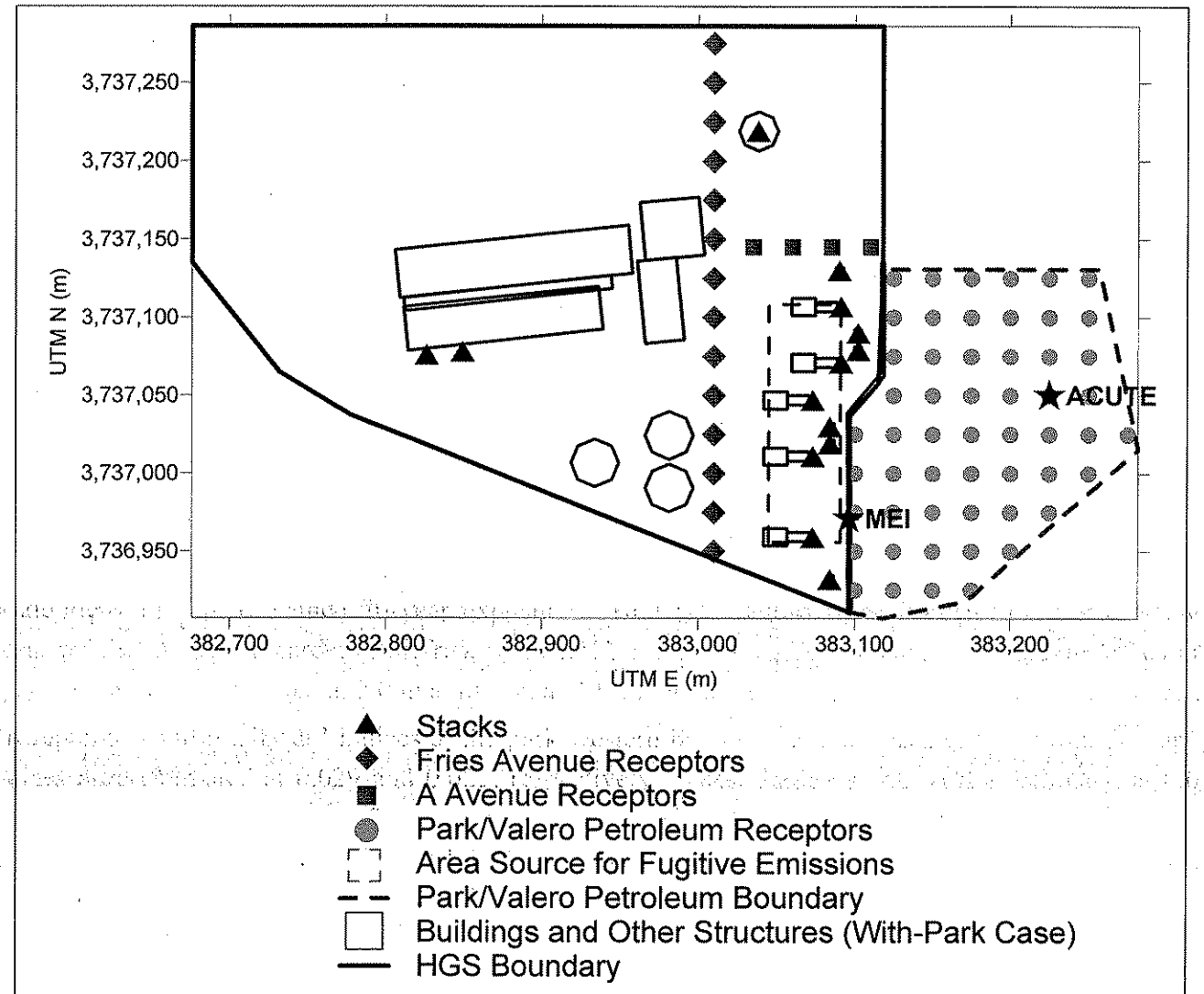


Figure 2 – HGS Source and Building Locations, Locations of Nearby Receptors, MEI and Maximum Acute Hazard Index Receptors

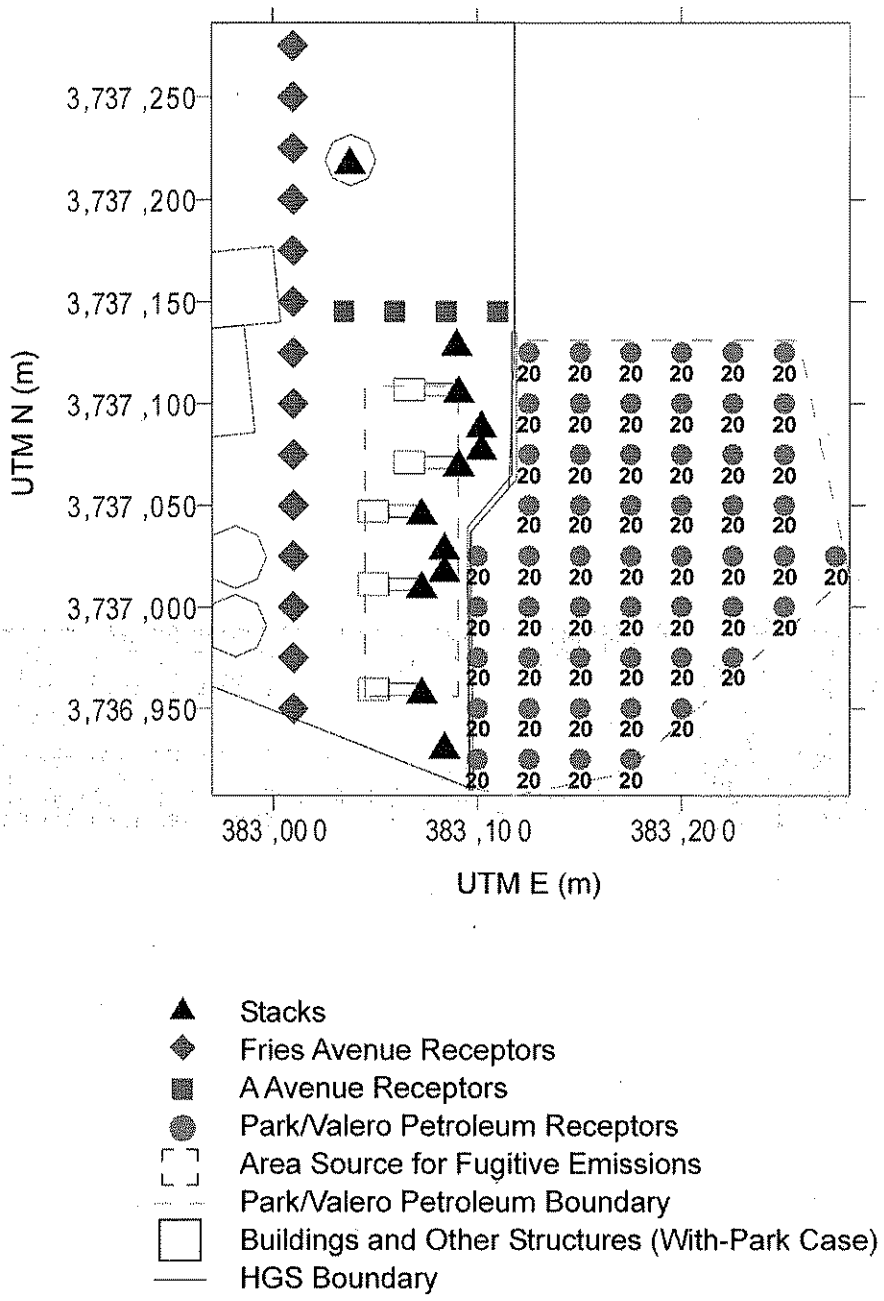


Figure 3 - Elevation of Park Receptors used for 2004 HRA and 2009 HRA, Step 1

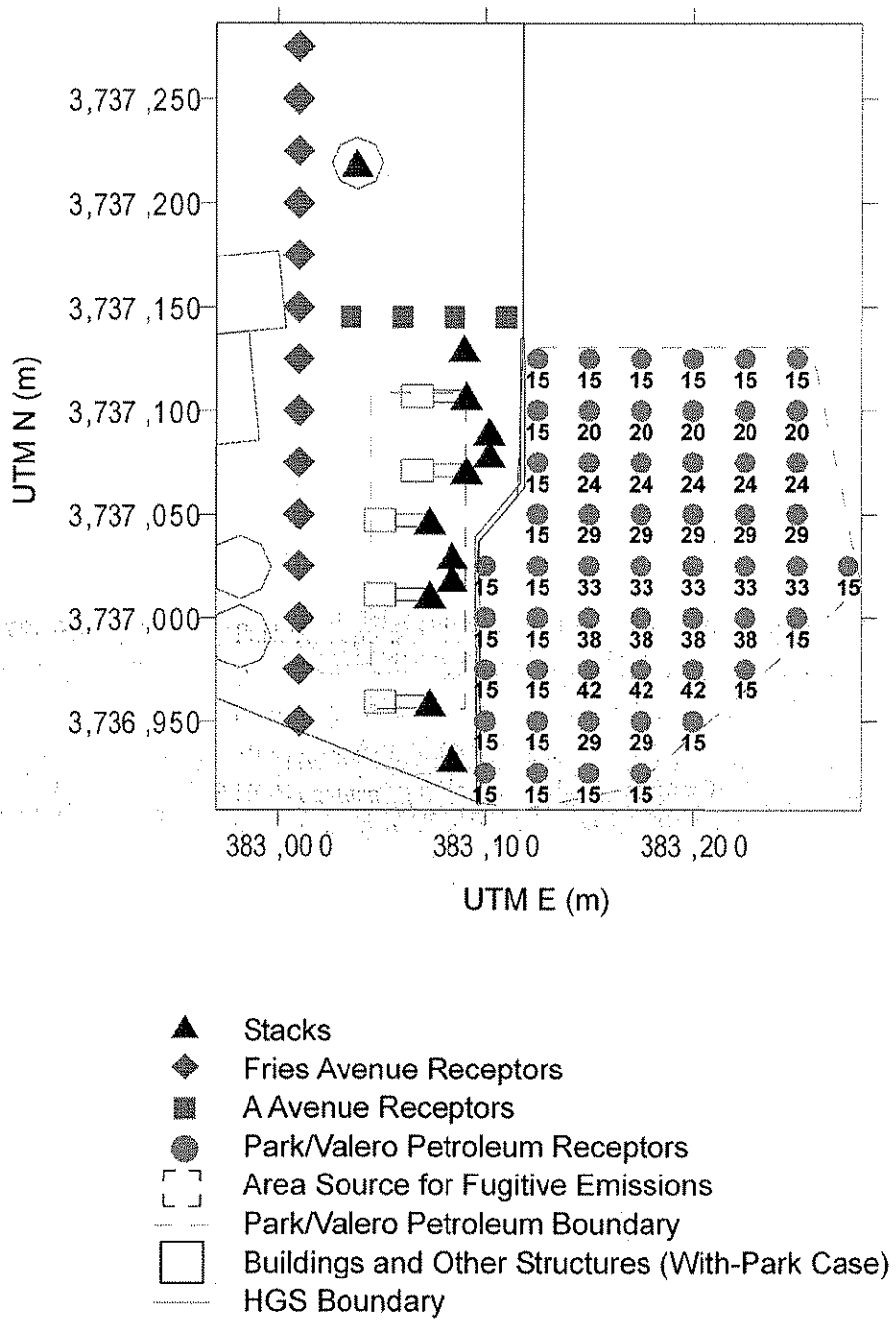


Figure 4 – Elevation of Park Receptors used for 2009 HRA, Step 2

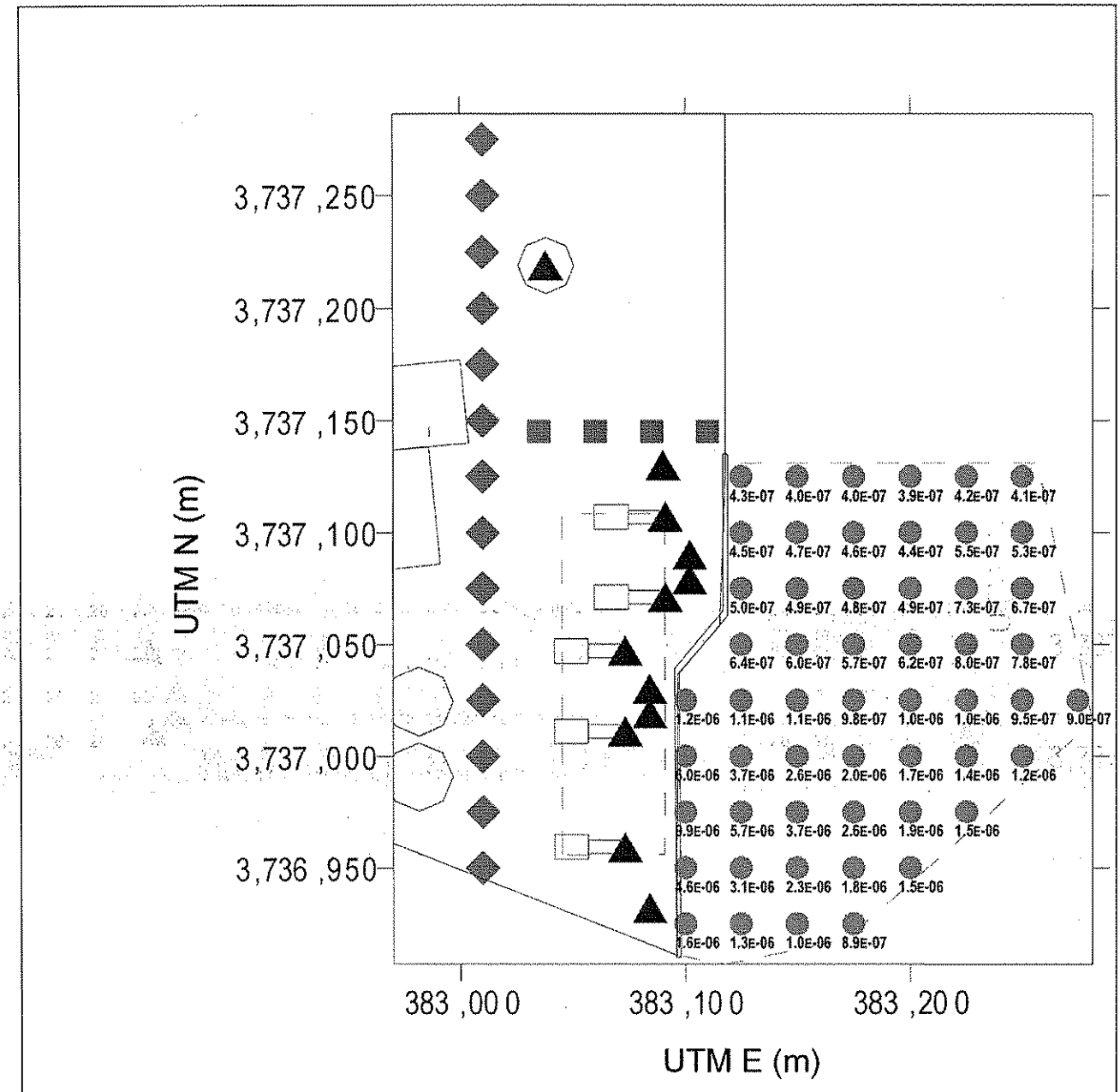


Figure 5 – Carcinogenic risk (70-yr risk) for the Scenario 2004 with New Model (Old Elevation), Step 1

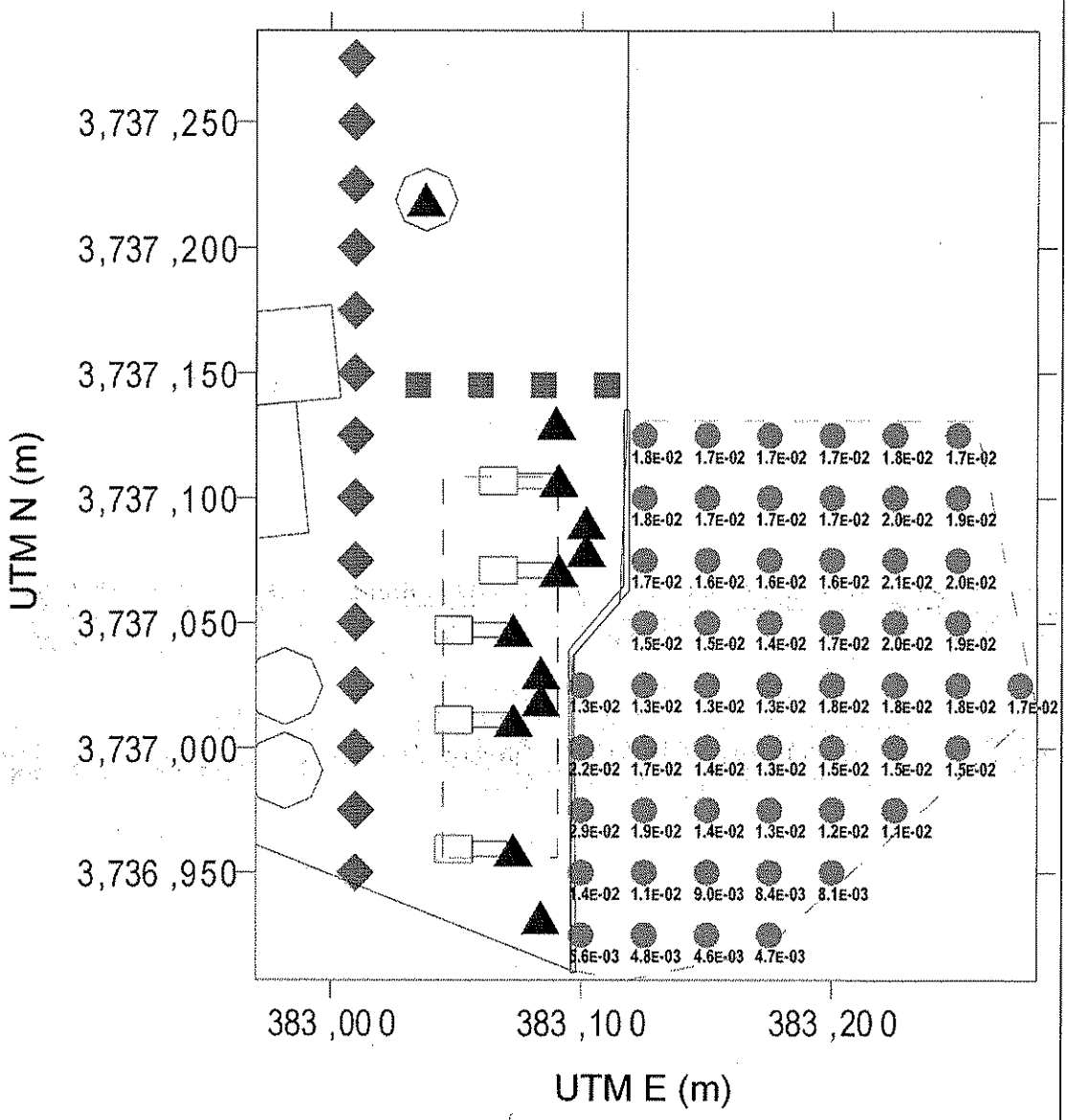


Figure 6 – Chronic Hazard Index for the Scenario 2004 with New Model (Old Elevation), Step 1

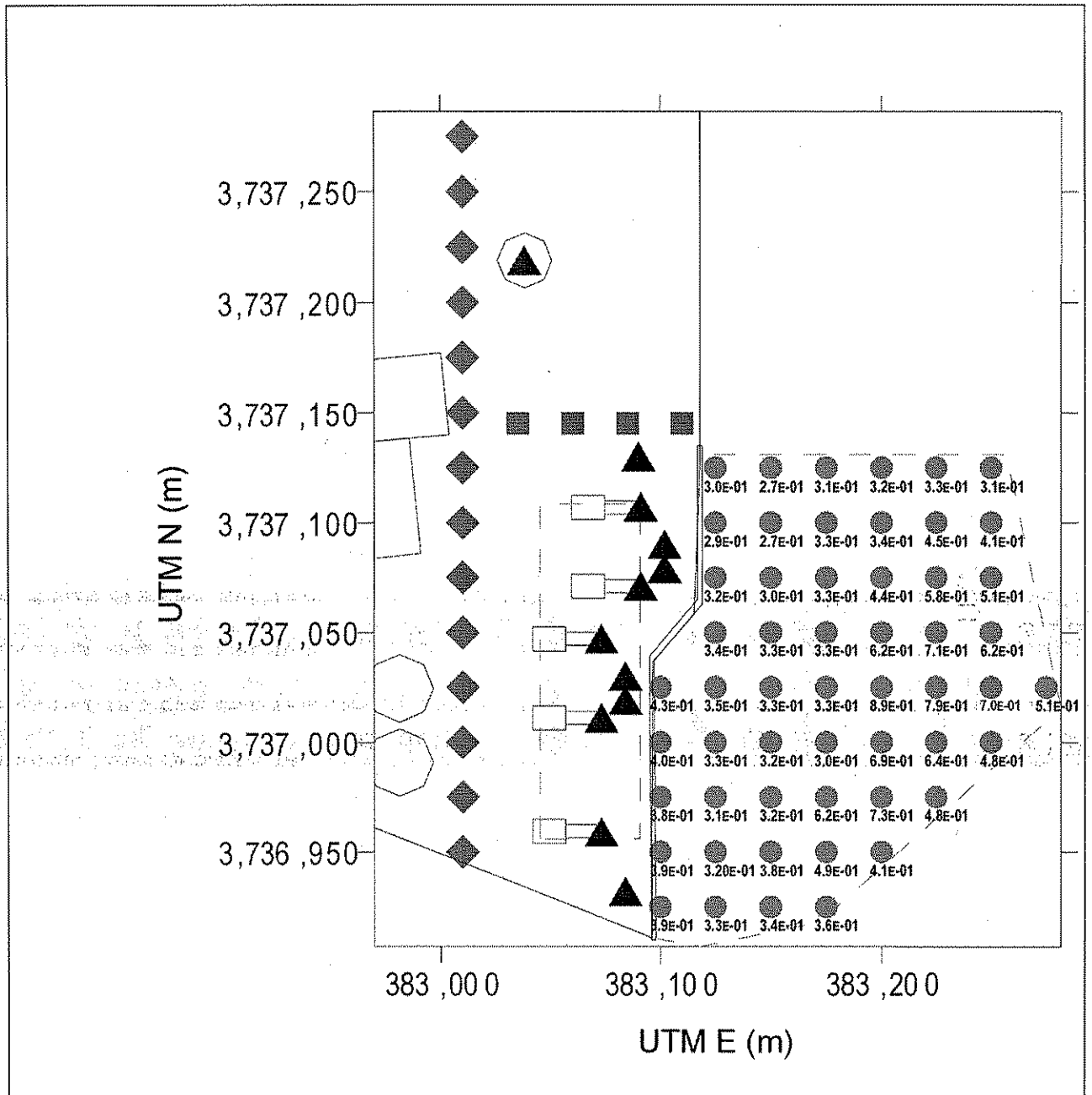


Figure 7 – Acute Hazard Index for the Scenario 2004 with New Model (New Elevation), Step 2

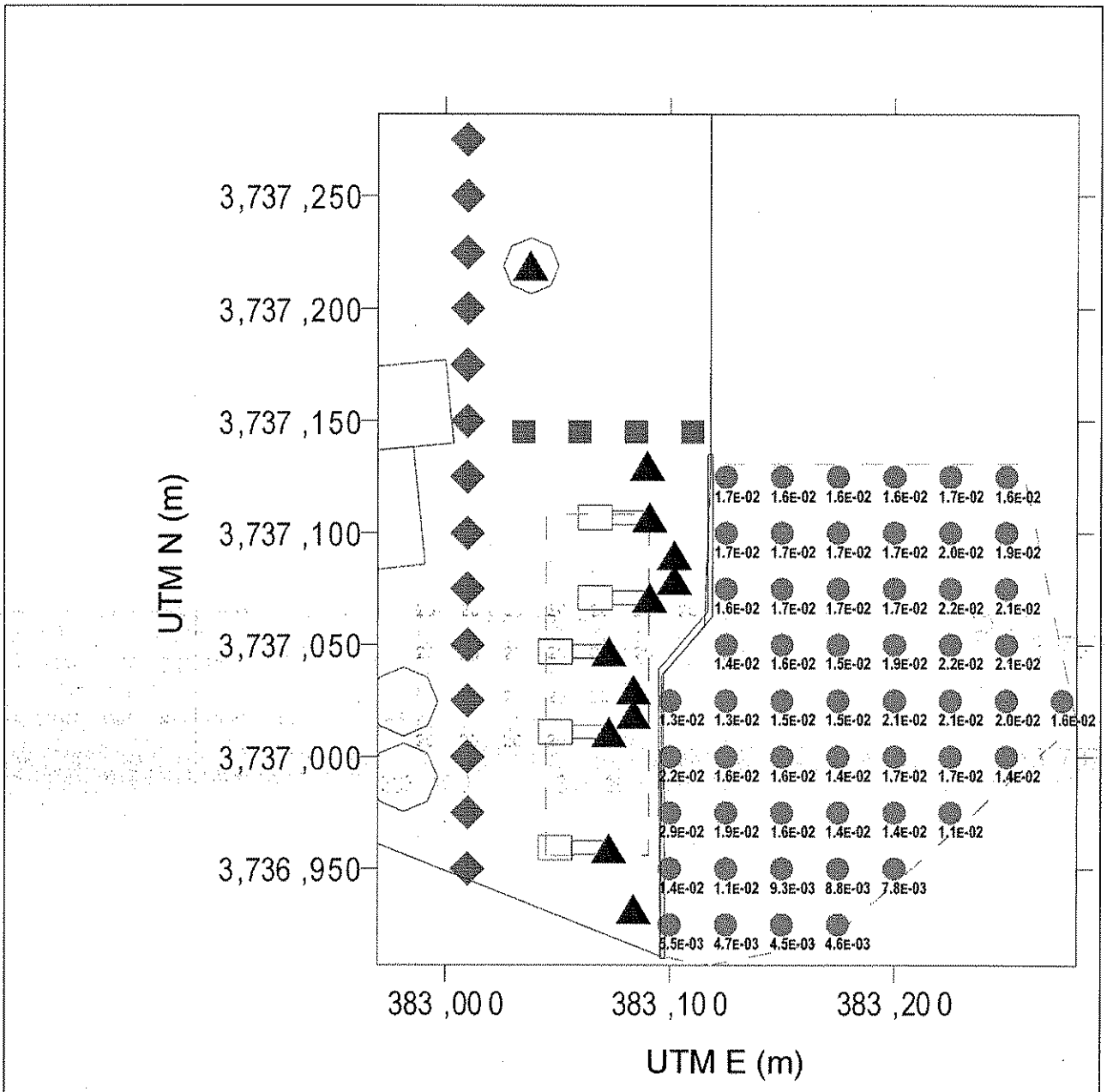


Figure 8 – Chronic Hazard Index for the Scenario 2004 with New Model, (New Elevation), Step 2

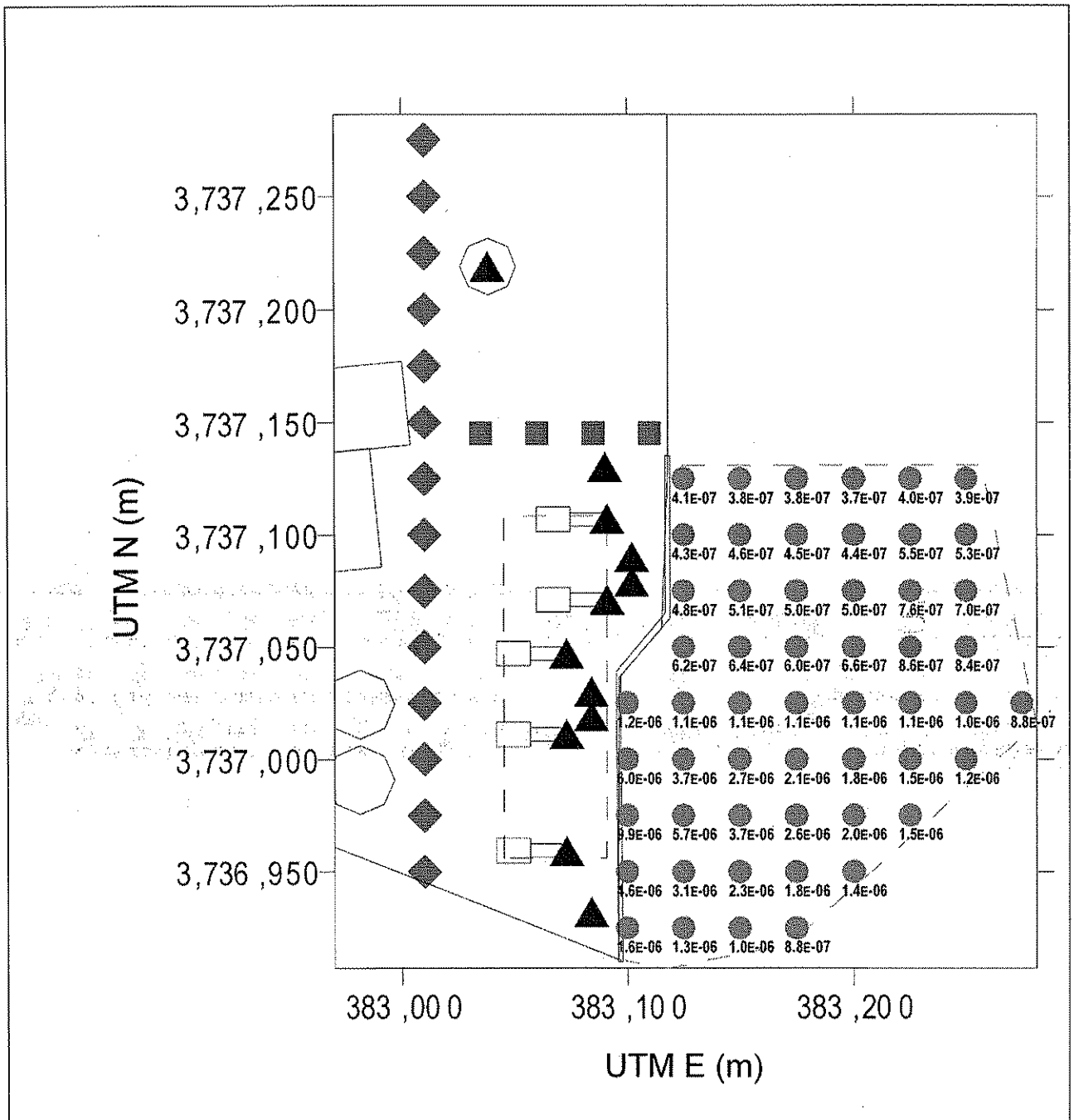


Figure 9 – Carcinogenic risk (70-yr risk) for the Scenario 2004 with New Model (New Elevation), Step 2

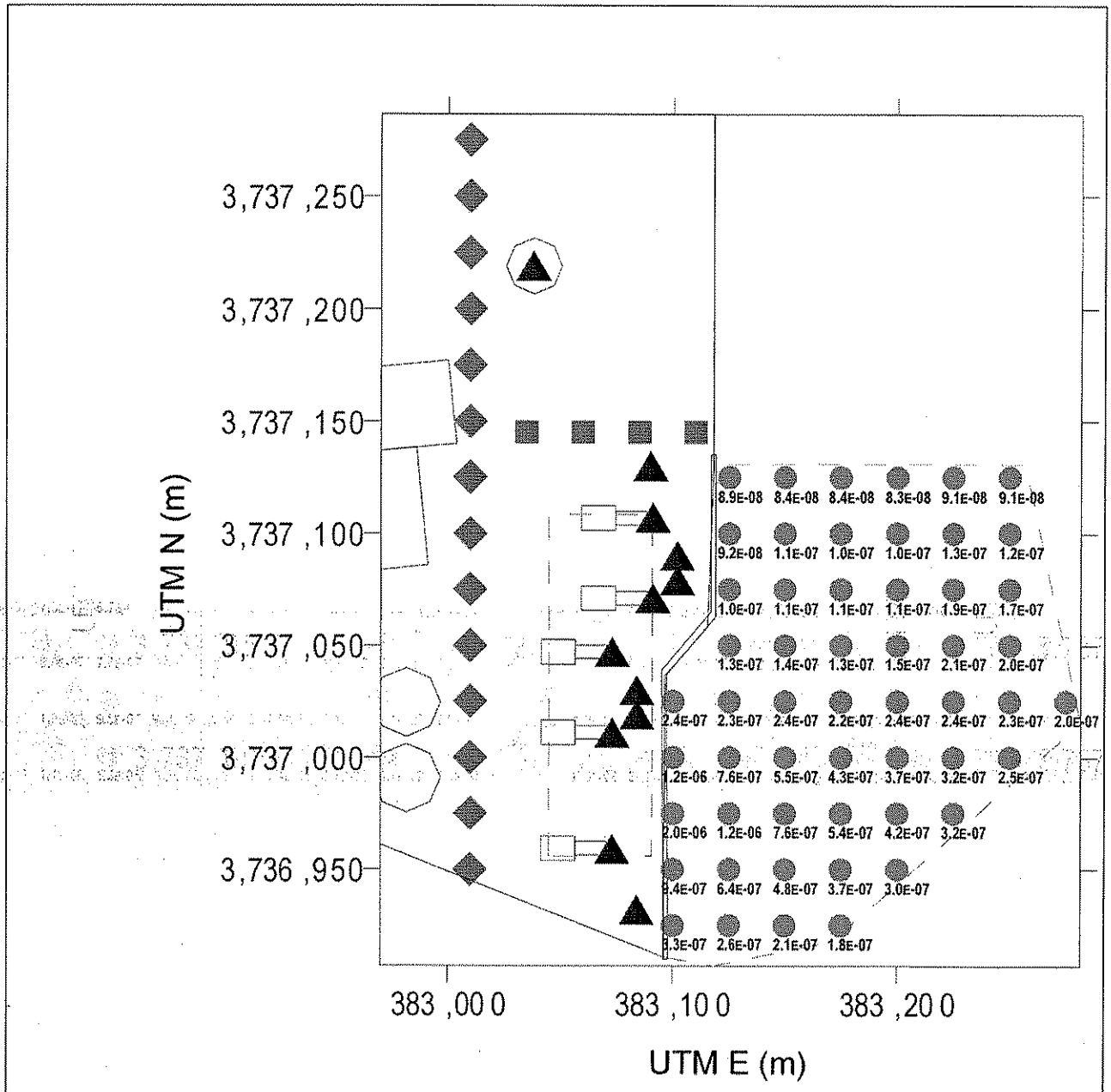


Figure 10 – Carcinogenic risk (9-yr risk) for the Scenario 2004 with New Model (New Elevation), Step 2

APPENDIX A

DRAFT HARBOR GENEARTING STATION HEALTH RISK ASSESSMENT

(Document No. 10081-003-001, ENSR, August 31, 2004)

Assignment

Environmental Services - Hazardous Substances

Priority B

A = Due < 1 month
B = Due < 3 months
C = Ongoing > 3 months
D = Inactive

Task Order No. 310 - McCullough Switching Station, One Tra

Due Date 12/1/2008

Request Date 7/25/2008

Assigned To Dave Geere

Name Asghar Mohajer

Facility McCullough Switching Station

Business Unit or Organization Bulk Power

Type of Request Waste Disposal

Phone # (213) 367-2394

Job: Task Order No. 310 - McCullough Switching Station, One Transformer and Two Reactors for Dismantling and Metals Recovery

Action Taken: Received three bids from Clean Harbors, Veolia, and Ocean Blue. Clean Harbors provided a total credit for $131,000. The work was awarded to Clean Harbors and started on 9/22/08. Work is completed. Received credit check from Clean Harbors.

Final Resolution Date

Time Spent 0 Hour(s)

WO Number

bc: James H. Caldwell Jr.
Mark J. Sedlacek
Dat Quach
Leila Barker
FileNET-ES0050

January 29, 2009

Dr. Ralph G. Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

Subject: Wilmington Waterfront Development Project (Project)
Comments on Draft Environmental Impact Report (DEIR) from the
Los Angeles Department of Water and Power (LADWP)

Thank you for the opportunity to comment on the Project. Chapter 3 of the DEIR, Section 3.2.4.3.2 "Operation Impacts", Subsection AQ-7, states that "...LADWP elected to perform a subsequent Health Risk Analysis to account for various design features of the proposed Project that were not well defined in the 2004 study. Results are expected from LADWP in late 2008 or early 2009."

The updated Health Risk Assessment is attached. It quantifies the potential health risks to human receptors in the proposed park from emissions sources operating in the adjacent Harbor Generating Station. Please use it to update the health risk indices in Subsection AQ-7.

If you have any questions, please call me at (213) 367-0403.

Sincerely,

Mark J Sedlacek
Director of Environmental Services

BMM:sc BMM
Enclosure
c/enc: Jan Green-Rebstock, Los Angeles Harbor Department
Bruce M. Moore, LADWP

Los Angeles Department of Water and Power

LADWP-1 Thank you for your comment and the revised Health Risk Assessment. The results of the LADWP revised Health Risk Assessment (HRA) have been incorporated into the Final EIR and can be found in Chapter 3, "Modifications to the Draft EIR." As detailed below, the new HRA shows results similar to or less than the original HRA. Based on the results of this new HRA, no changes to EIR findings or significance determinations are required.

The Final EIR has been modified as follows:

Impacts from the Harbor Generating Station

In 2004, LADWP conducted a health risk assessment of TAC emissions from the Harbor Generating Station (HGS), a power plant that operates adjacent to the proposed project site. The HRA was conducted in anticipation of the proposed Project to determine whether the HGS would expose park visitors to high health risks and therefore constrain the HGS from any future facility modifications (LADWP 2004). In January 2009, LADWP revised the HGS HRA to incorporate various design features of the proposed Project that were not well defined in the 2004 study, including the proposed project site boundary and elevation of the pedestrian bridge. The 2009 revision also used an updated version of the California Air Resources Board (CARB) risk assessment tool, Hot Spots Analysis and Reporting Program (HARP, Version 1.4a).

The emission sources assessed in the HRA included 7 combustion turbines, 5 cooling towers, a diesel emergency generator, a diesel power washer, and fugitive VOC emissions from an oil/water separator, storage tanks, and piping. The combustion turbines use natural gas as their primary fuel, although they are also permitted to burn diesel fuel (distillate oil No. 2) in the event of a natural gas curtailment and are regularly tested on diesel fuel.

The HRA evaluated individual lifetime cancer risk for proposed project site visitors from HGS emissions. Cancer risk is the probability or chance of contracting cancer over a human life span (assumed to be 70 years). For CEQA purposes, a project's incremental cancer risk is considered significant if it is equal to or greater than 10 chances per million. The HRA estimated the maximum cancer risk at the proposed project site to be ~~6.3~~ 5.7 per million when evaluated with 70-year residential exposure assumptions (i.e., 24-hour-per-day exposure, 350 days per year, for 70 years). To estimate the cancer risk posed to children that may visit the proposed project site, the HRA also estimated the cancer risk posed to children over an exposure period of 9 years. The 9-year child cancer risk at the location of the proposed project site is 1.2 per million.

The HRA also evaluated non-cancer impacts, which include the chronic hazard index and acute hazard index. Chronic toxicity is defined as adverse health effects from long-term chemical exposure. Acute toxicity is defined as adverse health effects caused by a short-term chemical exposure, typically 1 hour for most chemicals. A

chronic or acute hazard index equal to or greater than 1.0 indicates that adverse health effects could occur. The maximum chronic and acute hazard indices computed for emissions from the HGS are ~~0.3~~ 0.022 and ~~0.96~~ 0.89, respectively, on the park site (LADWP ~~2004~~ 2009).

~~In November 2008, LADWP elected to perform a subsequent HRA for the Harbor Generating Station to account for various design features of the proposed Project that were not well defined in the 2004 study. Results of the subsequent HRA are expected from LADWP in late 2008 or early 2009.~~

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy

Environmental Health
ANGELO J. BELLOMO, REHS, Director

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Environmental Hygiene Program
Cole Landowski, MS, CIH, REHS, Program Head
5050 Commerce Drive
Baldwin Park, CA 91706
TEL (626) 430-5540 FAX (626) 813-4839

www.lapublichealth.org

January 30, 2009

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

RE: **The Wilmington Waterfront Development Project**

Dear Dr. Appy:

LACOPH-1 This is to inform you that upon review of all documents forwarded to our program by you and upon visiting the proposed project site location at the above address, it appears that the proposed construction project will have a significant noise impact upon the surrounding community during the construction of the site. However, the surrounding community will have no significant noise impact on the above project. The following comments and recommendations are therefore presented:

LACOPH-2 1. Construction activities should be restricted between the hours of 8:00 A.M. and 5:00 P.M. in order to minimize construction and haul route activities that would increase noise disturbance on surrounding residential and commercial land.

LACOPH-3 2. All construction equipment, fixed and mobile, shall be in proper operating condition and fitted with standard silencing devices. Proper engineering noise controls should be implemented when necessary on fixed equipment. It is recommended that a monitoring program be implemented by the applicant to monitor mobile sources.

LACOPH-4

3. It is recommended that the occupants of the surrounding sensitive land use be informed of the anticipated duration of the project, noise impact and any other pertinent information where people can register questions and complaints.

LACOPH-5

4. The project applicant shall post a notice at the construction site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints.

LACOPH-6

5. Staging and delivery areas should be located as far as feasible from existing residences and should be schedule to take place from the mid-morning to mid-afternoon to take advantage of times when residential zones are less susceptible to annoyance from outside noise.

LACOPH-7

6. Maintaining equipment in an idling mode shall be minimized. This practice helps minimize the impact associated with noise engine, particulate matter and green gas emissions.

LACOPH-8

7. Any semi-stationary piece of equipment that operates under full power for more than sixty minutes per day shall have a temporary ¾ inch plywood screen if there is a direct line of sight to any residential bedroom window from the equipment to homes along the perimeter of the construction site.

Particle matter emissions (PM_{10} and $PM_{2.5}$) and Greenhouse Gases

LACOPH-9

The evaluation of particle emissions are now being routinely addressed in preliminary environmental impact reports. Recent research shows significant health risk to populations including children and people of advanced age when exposed to these pollutants. As a result environmental impact reports, including this report, should now address these issues.

The proposed project may result in exposure to these particle emissions to the surrounding community especially during the construction phase of the project, which may include people that belong to high risk populations.

LACOPH-10

a. Configure construction parking to minimize traffic interference.

b. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours as permitted.

c. Consolidate truck deliveries when possible.

LACOPH-10 CONT.

d. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.

e. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.

f. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

g. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if ready available at competitive prices.

h. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

If you have any questions, please contact Evenor Masis at (626)430-5435.

Cole Landowski, M.S., CIH
Head, Environmental Hygiene Program

This Page Intentionally Left Blank

County of Los Angeles Public Health

LACOPH-1 Comment noted. As discussed in Section 3.9 of the Draft EIR, the construction of the proposed Project will create an unavoidable significant noise impact on surrounding land uses that the Draft EIR has analyzed and properly disclosed. However, once the proposed Project is constructed, the proposed Project will not create objectionable noise or create noise above the thresholds. Please see responses to comments LACOPH-2 through LACOPH-10 below for a discussion of the mitigation measures that would be implemented to reduce construction noise impacts.

LACOPH-2 Thank you for your comment. Based upon the County of Los Angeles Public Health's concern over hours of construction, the window of time that construction may occur on weekdays has been shortened. Construction hours are now more restrictive than what is permitted under the City of Los Angeles Municipal Code. Mitigation measure MM NOI-1, which was based on the Los Angeles Municipal Code, has been modified in the Final EIR as follows:

b) **Construction Hours.** Construction will be limited to between 7:00 a.m. and ~~9~~6:00 p.m. on weekdays; between 8:00 a.m. and 6:00 p.m. on Saturdays; and there will be no construction equipment noise anytime on Sundays ~~as prescribed by the City of Los Angeles Municipal Code~~. If extended construction hours are needed during weekdays under special circumstances, LAHD and contractor will provide at least 72 hours notice to Banning's Landing Community Center. Under no circumstances will construction hours exceed the range prescribed by the City of Los Angeles Municipal Code.

LACOPH-3 Comment noted. The Draft EIR determined the proposed project construction would exceed existing ambient exterior noise levels by 10 dBA or more at a noise-sensitive use for 1 day or more; construction activities lasting more than 10 days in a 3-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise-sensitive use. Therefore, in order to reduce the level of construction noise the proposed Project will incorporate mitigation measure MM NOI-1 a through h as identified in Section 3.9, page 3.9-20. This mitigation measure includes several components relating to equipment and noise, such as:

d) **Construction Equipment.** All construction equipment powered by internal combustion engines will be properly muffled and maintained.

g) **Quiet Equipment Selection.** Quiet construction equipment will be utilized. Noise limits established in the City of Los Angeles Noise Ordinance will be fully complied with.

Therefore, LAHD has ensured all construction equipment fixed and mobile will be in proper operating condition and fitted with standard silencing devices where established by the City of Los Angeles Noise Ordinance. Enforcement of these measures will be assured with the adoption of the Mitigation Monitoring and Reporting Plan.

LACOPH-4 Comment noted. As discussed above in response LACOPH-3, the proposed Project will incorporate mitigation measures to reduce the level of construction noise. Mitigation Measure MM NOI-1 has been modified as shown below in response to your comment:

> **MM NOI-1:** The following procedures will help reduce noise impacts from construction activities:
>
> **a) Temporary Noise Barriers**. When construction occurs within 500 feet of a residence or park, temporary noise barriers (solid fences or curtains) will be located between noise-generating construction activities and sensitive receptors.
>
> **b) Construction Hours**. Construction will be limited to between 7:00 a.m. and ~~9~~6:00 p.m. on weekdays; between 8:00 a.m. and 6:00 p.m. on Saturdays; and there will be no construction equipment noise anytime on Sundays ~~as prescribed by the City of Los Angeles Municipal Code~~. If extended construction hours are needed during weekdays under special circumstances, LAHD and contractor will provide at least 72 hours notice to Banning's Landing Community Center. Under no circumstances will construction hours exceed the range prescribed by the City of Los Angeles Municipal Code.
>
> **c) Construction Days.** Noise generating construction activities will not occur on Sundays or holidays unless critical to a particular activity (e.g., concrete work).
>
> **d) Construction Equipment.** All construction equipment powered by internal combustion engines will be properly muffled and maintained.
>
> **e) Idling Prohibitions.** Unnecessary idling of internal combustion engines near noise-sensitive areas will be prohibited.
>
> **f) Equipment Location.** All stationary noise-generating construction equipment, such as air compressors and portable power generators, will be located as far as practical from existing noise sensitive land uses.
>
> **g) Quiet Equipment Selection.** Quiet construction equipment will be utilized. Noise limits established in the City of Los Angeles Noise Ordinance will be fully complied with.
>
> **h) Notification.** Sensitive receptors including residences within 2,000 feet of the proposed project site will be notified of the construction schedule in writing prior to the beginning of construction.
>
> **i) Reporting.** LAHD will clearly post the telephone number where complaints regarding construction-related disturbance can be reported.

Therefore, LAHD will notify sensitive receptors of the anticipated duration of the project construction, create a system for construction-related complaints, and inform the public how to use it.

LACOPH-5 Comment noted. Please see response to LACOPH-4**.**

LACOPH-6 Comment noted. As discussed above in response LACOPH-3, the proposed Project will incorporate mitigation measures to reduce the level of construction noise. This mitigation will include prohibitions related to staging and delivery areas identified below (mitigation measure MM NOI-1, Draft EIR, page 3.9-20).

e) **Idling Prohibitions.** Unnecessary idling of internal combustion engines near noise-sensitive areas will be prohibited.

f) **Equipment Location.** All stationary noise-generating construction equipment, such as air compressors and portable power generators, will be located as far as practical from existing noise-sensitive land uses.

Therefore, the LAHD will locate staging and equipment away from sensitive land uses. Idling delivery trucks and other delivery equipment will be prohibited.

In addition, please see response to Caltrans-3. As discussed in Section 3.11, the proposed Project includes mitigation measure MM TC-1 which requires a Traffic Control Plan to be developed for the construction phases to minimize potential impacts on local roadways. This plan will be approved by City and County engineers before construction.

LACOPH-7 Comment noted. As discussed above in response LACOPH-3, the proposed Project will incorporate mitigation measures to reduce the level of construction noise. This mitigation will include idling prohibitions identified below.

e) **Idling Prohibitions.** Unnecessary idling of internal combustion engines near noise-sensitive areas will be prohibited.

Therefore, LAHD will minimize idling equipment and minimize the impact associated with noise engine, particulate matter, and green gas emissions (mitigation measure MM NOI-1, Draft EIR, page 3.9-20).

LACOPH-8 Comment noted. As discussed above in response LACOPH-3, the proposed Project will incorporate mitigation measures to reduce the level of construction noise. This mitigation will include temporary noise barriers as described below.

a) **Temporary Noise Barriers.** When construction occurs within 500 feet of a residence or park, temporary noise barriers (solid fences or curtains) will be located between noise-generating construction activities and sensitive receptors.

Therefore, LAHD will be screening all sensitive receptors from any semi-stationary piece of equipment that operates under full power for more than 60 minutes per day if there is a direct line of sight to any residential bedroom window from the equipment to homes along the perimeter of the construction site (mitigation measure MM NOI-1, Draft EIR, page 3.9-20).

LACOPH-9 Comment noted. Please see response to SCQAMD-1. The analysis and evaluation of the particle matter (PM) emissions is included in Section 3.2.4, pages 3.2-26 to 3.2-79. The Draft EIR includes an analysis and evaluation of PM_{10}, $PM_{2.5}$, Diesel Particulate Matter (DPM), and ultrafine particles. The analysis identifies that the mitigated proposed project peak daily construction emissions for PM_{10} is below SCAQMD thresholds and the

unmitigated proposed Project peak daily construction emissions for $PM_{2.5}$ is below SCAQMD thresholds. The unmitigated proposed Project operations would result in PM_{10} and $PM_{2.5}$ emissions below the SCAQMD thresholds. There are certain years where proposed project construction would overlap with proposed project operation (2011 and 2015). For those two years, the mitigated proposed Project results in PM_{10} emissions less than the SCAQMD thresholds, and the unmitigated proposed Project results in $PM_{2.5}$ emissions less than the thresholds.

Please refer to Section 3.2 (specifically Section 3.2.4.3) of the Draft EIR for a more detailed discussion on Health Risk. A qualitative assessment of how toxic air contaminant (TAC) emissions would result in a significant health risk to sensitive receptors was conducted for the proposed Project and was presented in Section 3.2 of the Draft EIR. The significant impact noted in Impact AQ-2 is an indirect impact associated with emissions from emission sources outside the control of the proposed Project, and no additional mitigation measures are proposed. In the short term, the recreational health risk impact on proposed project visitors would remain significant. In the long term, levels of pollution from both Port facilities and all Port-related trucks traveling along Harry Bridges Boulevard will substantially diminish in accordance with the CAAP.

Specifically, DPM from trucks is anticipated to diminish by 80% over the next 5 years under the Port's Clean Trucks Program. The Ports of Los Angeles and Long Beach have instituted voluntary programs to reduce DPM emissions from Port operations including installation of diesel oxidation catalysts on yard equipment, funding the incremental costs of cleaner fuels, cold-ironing of ocean-going vessels, and providing monetary support to the Gateway Cities truck fleet modernization program. In addition, all major LAHD development projects will include a health risk assessment to further quantify TAC emissions and target mitigation to reduce the impact on public health. Other current regulations and future rules adopted by CARB and EPA will further reduce air emissions and associated cumulative impacts in the proposed project region. The health risks associated with the proposed Project and its alternatives have been adequately analyzed and fully disclosed within the Draft EIR allowing the reader, and subsequently the Board (the decision makers), to compare and contrast the benefits and costs of the project.

Please refer to Section 3.2 (specifically Section 3.2.2.5) of the Draft EIR for a more detailed discussion on Ultrafine Particles (UFPs). New research is being done on UFPs, particles classified as less than 0.1 micron in diameter. UFPs are formed usually by a combustion cycle, independent of fuel type. UFPs are emitted directly from the tailpipe as solid particles (soot—elemental carbon and metal oxides) and semivolatile particles (sulfates and hydrocarbons) that coagulate to form particles. The research regarding UFPs is at its infancy but suggests the UFPs might be more dangerous to human health than the larger PM_{10} and $PM_{2.5}$ particles (termed fine particles) due to size and shape. Because of the smaller size, UFPs are able to travel more deeply into the lung (specifically the area of the lungs known as the alveoli) and are deposited in the deep lung regions more efficiently than fine particles. UFPs are inert (meaning they do not react with other substances); therefore, normal bodily defense does not recognize them. UFPs might have the ability to travel across cell layers and enter into the bloodstream and/or into individual cells. With a large surface area–to–volume ratio, other entities might attach to the particle and travel into the cell as a kind of "hitchhiker." Current UFP

research primarily involves roadway exposure. Preliminary studies suggest that over 50% of an individual's daily exposure is from driving on highways. Levels appear to drop off rapidly as one moves away from major roadways. CARB is currently measuring and studying UFPs at the San Pedro Bay Ports. Work is being done on filter technology, including filters for ships, which appears promising. LAHD began collecting UFP data at its four air quality monitoring stations in late 2007 and early 2008. LAHD actively participates in CARB testing at the Port and will comply with all future regulations regarding UFPs

LACOPH-10 Comment noted. Please see response to Caltrans-3, and LACOPH-6 and -9.

The construction of the proposed Project will require an approved construction traffic plan by LADOT per mitigation measure MM TC-1 in Section 3.11. The construction traffic plan will identify the location of all construction parking and will seek to minimize construction parking with traffic interference. The construction traffic plan will seek to reduce the impact of construction traffic on the arterial system.

The proposed Project includes air quality mitigation measures to reduce emissions during construction. In addition, please see response to SCAQMD-8. Mitigation measure MM AQ-6 has been amended as suggested as shown below:

MM AQ-6: Best Management Practices.

The following types of measures ~~are required on~~for construction equipment (including onroad trucks) will be used where applicable and feasible:

1. Use diesel oxidation catalysts and catalyzed diesel particulate traps
2. Maintain equipment according to manufacturers' specifications
3. Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use
4. Install high-pressure fuel injectors on construction equipment vehicles
5. Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors
6. Improve traffic flow by signal synchronization
7. Enforce truck parking restrictions
8. Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc.
9. Re-route construction trucks away from congested streets or sensitive receptor areas
10. Use electric power in favor of diesel power where available
11. Provide temporary traffic controls such as flag person, during all phases of construction to maintain smooth traffic flow

12. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours, to the extent possible in compliance with construction noise restrictions
13. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off- site
14. Configure construction parking to minimize traffic interference.

Therefore, LAHD will maintain equipment and vehicle engines in good condition and proper tune. LAHD does not suspend use of construction equipment operations during second stage smog alerts. However, operations will be minimized to the extent possible. It should be noted that the South Coast Air Basin has not had a Stage 2 smog alert since 1988 (SCAQMD).

In addition to the mitigation measures identified above, LAHD follows sustainable construction guidelines. The intent of LAHD Construction Guidelines is to facilitate the integration of sustainable concepts and practices into all capital projects at the Port, and to phase in the implementation of these procedures in a practical yet aggressive manner. Significant features of LAHD Construction Guidelines include, but are not limited to, the following:

1. All ships & barges used primarily to deliver construction related materials for LAHD construction contracts shall comply with the Vessel Speed Reduction Program and use low-sulfur fuel within 40 nautical miles of Point Fermin.
2. Harbor craft shall meet U.S. EPA Tier 2 engine emission standards and this requirement will increase to U.S. EPA Tier 3 engine emission standards by January 1, 2011.
3. All dredging equipment shall be electric.
4. Onroad heavy-duty trucks shall comply with EPA 2004 onroad emission standards for PM_{10} and NO_X and shall be equipped with a CARB verified Level 3 device. Emission standards will increase to EPA 2007 onroad emission standards for PM_{10} and NO_X by January 1, 2012.
5. Construction equipment (excluding onroad trucks, derrick barges, and harbor craft) shall meet U.S. EPA Tier-2 nonroad standards. The requirement will increase to Tier 3 by January 1, 2012, and Tier 4 by January 1, 2015. In addition, construction equipment shall be retrofitted with a California Air Resources Board (CARB) certified Level 3 diesel emissions control device.
6. Comply with SCAQMD Rule 403 regarding Fugitive Dust and other fugitive dust control measures.
7. Additional Best Management Practices, based largely on Best Available Control Technology (BACT), will be required on construction equipment (including onroad trucks) to further reduce air emissions.

In addition, LAHD incorporates mitigation measure MM AQ-7: General Mitigation Measure, which encompasses all Air Quality mitigation measures so that if a CARB-certified technology becomes available and is shown to be as good as or better in terms of

emissions performance than the existing measure, the technology could replace the existing measure pending approval by LAHD. Therefore, LAHD will use methanol or natural gas–powered mobile equipment and pile drivers, and propane- or butane–powered onsite mobile equipment, if ready and available at competitive prices.

This Page Intentionally Left Blank

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Wilmington Waterfront Project
DOT Case No. HRB 08-006

Date: January 30, 2009

To: Dr. Ralph G. Appy, Director of Environmental Management
Port of Los Angeles

From: Edward Guerrero Jr., Transportation Engineer
Department of Transportation

Subject: **DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE PROPOSED WILMINGTON WATERFRONT PROJECT - LADOT TRAFFIC IMPACT ASSESSMENT**

The Department of Transportation (DOT) has completed its review of the traffic impact analysis prepared by Fehr & Peers Transportation Consultants, dated September 2008, and the subsequent release of the Draft Environmental Impact Report (DEIR) in December 2008, for the proposed Wilmington Waterfront Project (WWP). After careful review of the pertinent data, DOT has determined that the traffic study adequately describes the project related impacts of the proposed development.

PROJECT DESCRIPTION

The project includes the development of approximately 58 acres of land located in the northern portion of the Port of Los Angeles, directly adjacent to the community of Wilmington and is generally bounded by Lagoon Avenue to the west, Broad Avenue to the east, C Street to the north, and Water Street (Bannings Landing) to the south. Construction of the proposed project would be completed across two phases.

Phase One would include the development of approximately 58,000 square feet of retail space, 75,000 square feet of light industrial land-use and 9.75 acres of open (park) space. Phase Two of the project would include the development of 12,000 square feet of restaurant space, an additional 75,000 square feet of light industrial land-use, and an additional 5.7 acres of open (park) space. A copy of the project site plan is attached (Attachment A).

The expected completion date for Phase One of the project is the year 2015. The expected completion date for Phase Two of the project is the year 2020.

DISCUSSION AND FINDINGS

Significant Traffic Impacts

The traffic impact analysis for this project included the review of 14 intersections and 6 street segments. Per DOT Traffic Study Policies and Procedures, Revised March 2002, a significant impact for intersections is identified as an increase in the Critical Movement Analysis (CMA) Vehicle-to-Capacity (V/C) ratio due to project related traffic, under the thresholds given in Attachment B. Similarly, a significant impact for neighborhood street segments is identified as an increase in the average daily traffic (ADT), due to project related traffic, under the thresholds also given in Attachment B.

LADOT-1

Based on DOT's current traffic impact criteria, the proposed project **will** create a significant traffic impact at the intersection of Anaheim Street and Avalon Boulevard under the full 2020 build-out of the project.

A summary description of the volume to capacity ratios and levels of service (LOS) at the study intersections is presented in Attachment C. A summary description of the street segment impact analysis is presented in Attachment D.

RECOMMENDATIONS

Planned Street Improvements

The WWP has identified the following key roadway improvement projects as part of the traffic impact analysis:

- I-110 / C Street and Harry Bridges Boulevard Interchange Improvement
- Lagoon Avenue Grade Separation

LADOT-2

Therefore, in order to maintain the integrity of the traffic impact analysis, it is DOT's recommendation that the implementation of these improvements be completed in concurrence with the completion of Phase One of the development. If there is any delay in the completion of these improvements, then a similar time extension should be considered to the planned Phase One implementation schedule as well.

Anaheim Street & Avalon Boulevard

In response to the traffic impact projected at this location, the WWP has proposed a mitigation package that will reconfigure the southbound approach of the intersection to provide for the addition of an exclusive right turn lane. However, in order to insure that the proposed mitigation is the best possible solution to this impact, it is DOT's recommendation that additional consideration be provided to exploring other possible mitigation. Inasmuch as the traffic impact identified at this location is not expected to occur until the full build-out of the project (Phase Two), it is DOT's recommendation that POLA reconvene with DOT after the completion of Phase One, prior to finalizing the mitigation for this impact.

LADOT-3

Construction Impacts

LADOT-4 POLA should coordinate all worksite traffic control issues with DOT's Southern District Office. Issues to address include any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.

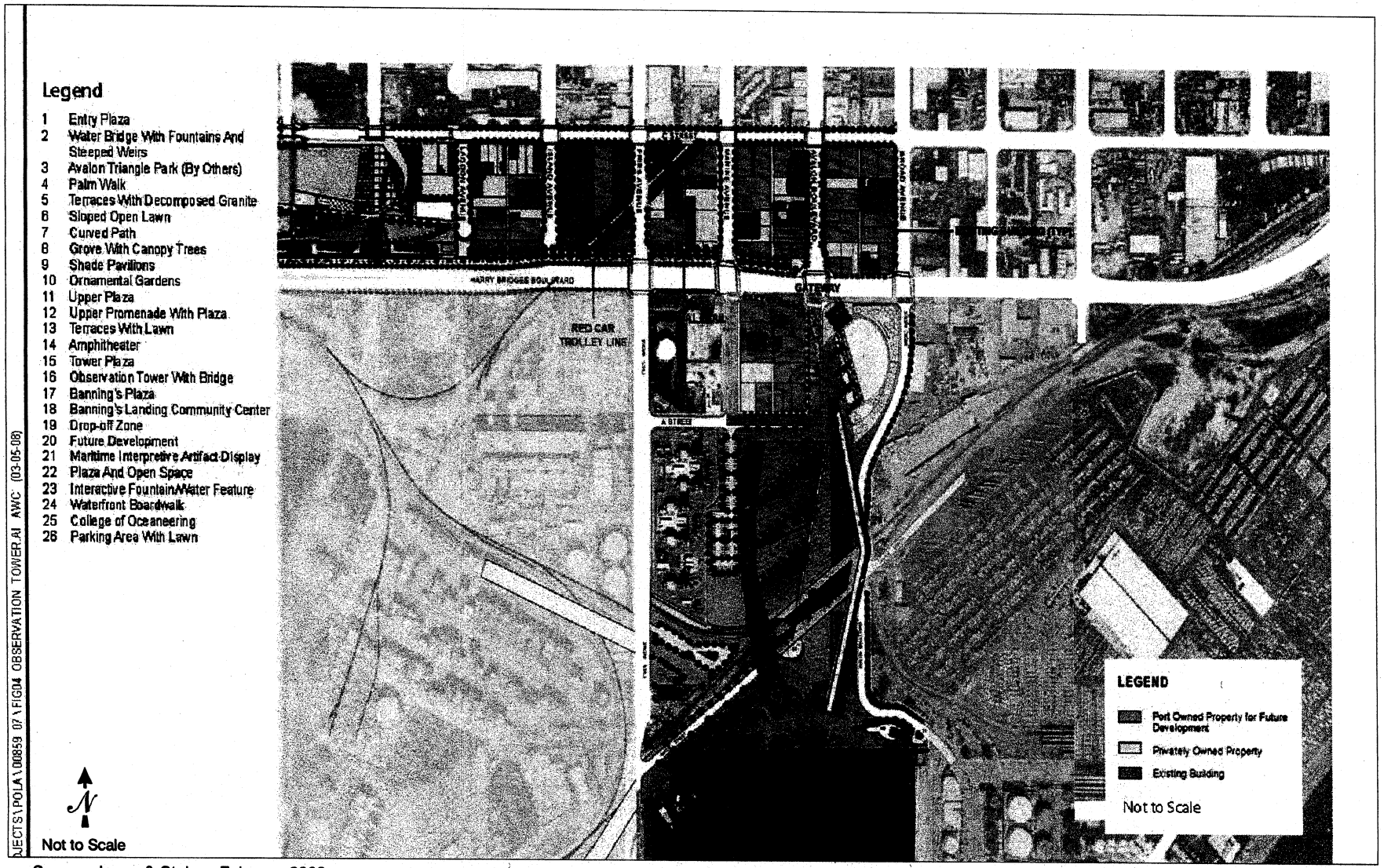
Site Access and Internal Circulation

LADOT-5 The review of the project traffic study does not constitute approval of the project's driveway access and circulation scheme. Those require separate approval and should be coordinated through DOT's Citywide Planning Coordination Section (201 North Figueroa Street, 4th Floor Station 3, 213-482-7024).

If you have any questions, please feel free to contact me at (213) 485-1062.

EGJr.:hs
wwp_response2deir_jan09_v3.doc

cc: Fifteenth Council District
Sean Haeri, Roy Kim, DOT
Anjum Badwa, Fehr & Peers Transportation



Source: Jones & Stokes, February 2008

FEHR & PEERS
TRANSPORTATION CONSULTANTS

Jul 16, 2008 FPA
\\fpla1\data\Jobs\Active\2200s\2242 - Wilmington Waterfront TS\Graphics\2242_Base.dwg

PROJECT SITE PLAN
FIGURE 2

1. A transportation impact on an intersection shall be deemed "significant" in accordance with the following table except as otherwise specified in a TSP, ICO or CMP:

SIGNIFICANT TRANSPORTATION IMPACT

Level of Service	Final V/C Ratio	Project-Related Increase In V/C
C	> 0.700 - 0.800	equal to or greater than 0.040
D	> 0.800 - 0.900	equal to or greater than 0.020
E, F	> 0.900	equal to or greater than 0.010

For purposes of this calculation, the "Final V/C Ratio" shall mean the future V/C ratio at an intersection considering impacts with project, ambient and related project growth but without proposed traffic mitigation. "Project-Related Increase in V/C" shall mean the change in V/C between the future V/C ratio with project, ambient and related project growth but without proposed traffic mitigation and the future V/C ratio with ambient and related project growth but without project and proposed traffic mitigation.

2. A local residential street shall be deemed significantly impacted[2] based on an increase in the projected average daily traffic (ADT) volumes:

Projected Average Daily Traffic with Project (Final ADT)	Project-Related Increase In ADT
0 to 999	16 percent or more of final ADT*
1,000 or more	12 percent or more of final ADT
2,000 or more	10 percent or more of final ADT
3,000 or more	8 percent or more of final ADT

* For projects in West Los Angeles Transportation Improvement and Mitigation Specific Plan area, use 120 or more trips

[2]Source: Traffic Infusion on Residential Environment (TIRE) Index developed by D.K. Goodrich and modified by LADOT for Los Angeles City conditions.

TABLE 7
FUTURE (2015) INTERSECTION LEVEL OF SERVICE ANALYSIS

Intersection	Peak Hour	Cumulative Base (Year 2015) V/C or Delay	LOS	Cumulative plus Project (Year 2015) V/C or Delay	LOS	Project Increase in V/C	Significant Project Impact
1 Figueroa St/John S. Gibson Bl	AM	0.403	A	0.409	A	0.006	NO
I-110/Harry Bridges Boulevard** [a]	PM	0.342	A	0.358	A	0.016	NO
2 Figueroa St	AM	Intersection will not exist in the future.		Intersection will not exist in the future.		Intersection will not exist in the future.	
Harry Bridges Bl [a]	PM						
3 N. Fries Av	AM	0.492	A	0.510	A	0.018	NO
Anaheim St**		0.494	A	0.534	A	0.040	NO
4 Fries Av	AM	0.268	A	0.282	A	0.014	NO
C St [c]	PM	0.184	A	0.223	A	0.039	NO
5 Fries Av	AM	0.355	A	0.406	A	0.051	NO
Harry Bridges Bl**	PM	0.469	A	0.524	A	0.055	NO
6 Marine Av	AM	0.205	A	0.216	A	0.011	NO
C St [b]	PM	0.151	A	0.168	A	0.017	NO
7 Marine Av	AM	0.486	A	0.500	A	0.014	NO
Harry Bridges Bl [b]	PM	0.677	B	0.705	C	0.028	NO
8 Avalon Bl	AM	0.664	B	0.671	B	0.007	NO
Anaheim St**	PM	0.878	D	0.894	D	0.016	NO
9 Avalon Bl	AM	0.198	A	0.208	A	0.010	NO
C St [c]	PM	0.301	A	0.314	A	0.013	NO
10 Avalon Bl	AM	0.393	A	0.395	A	0.002	NO
Harry Bridges Bl**	PM	0.649	B	0.643	B	-0.006	NO
11 Broad Av	AM	0.238	A	0.246	A	0.008	NO
C St [c]	PM	0.327	A	0.343	A	0.016	NO
12 Broad Av	AM	0.339	A	0.374	A	0.035	NO
Harry Bridges Bl**	PM	0.482	A	0.545	A	0.063	NO
13 Alameda St	AM	0.515	A	0.518	A	0.003	NO
Anaheim St**	PM	0.631	B	0.643	B	0.012	NO
14 John S. Gibson Bl	AM	0.612	B	0.616	B	0.004	NO
Channel St**	PM	0.689	B	0.696	B	0.007	NO

Notes:

** Intersection is assumed to be operating under ATSAC and ATCS systems in the future. Per LADOT guidelines a 10% capacity credit has been taken at intersections operating with both systems.

[a] Intersections to be reconfigured and combined as per the proposed conceptual plan for Harry Bridges Boulevard realignment.

[b] Intersection is a two-way stop-controlled intersection. Level of service analysis assumes 1,200 vehicles per lane per hour.

[c] Intersection is a four-way stop-controlled intersection. Level of service analysis assumes 1,200 vehicles per lane per hour.

TABLE 8
FUTURE (2020) INTERSECTION LEVEL OF SERVICE ANALYSIS

Intersection	Peak Hour	Cumulative Base (Year 2020) V/C or Delay	LOS	Cumulative plus Project (Year 2020) V/C or Delay	LOS	Project Increase in V/C	Significant Project Impact	Cumulative Plus Project (w/Mitigation) V/C or Delay	LOS	Project Increase in V/C	Significant Project Impact
1 Figueroa St/John S. Gibson Bl	AM	0.415	A	0.434	A	0.019	NO				
I-110/Harry Bridges Boulevard** [a]	PM	0.354	A	0.382	A	0.028	NO				
2 Figueroa St	AM	Intersection will not		Intersection will not		Intersection will not exist					
Harry Bridges Bl [a]	PM	exist in the future.		exist in the future.		in the future.					
3 N. Fries Av	AM	0.511	A	0.535	A	0.024	NO				
Anaheim St**		0.511	A	0.556	A	0.045	NO				
4 Fries Av	AM	0.274	A	0.304	A	0.030	NO				
C St [c]	PM	0.188	A	0.247	A	0.059	NO				
5 Fries Av	AM	0.372	A	0.483	A	0.111	NO				
Harry Bridges Bl**	PM	0.481	A	0.582	A	0.101	NO				
6 Marine Av	AM	0.210	A	0.233	A	0.023	NO				
C St [b]	PM	0.155	A	0.183	A	0.028	NO				
7 Marine Av	AM	0.497	A	0.521	A	0.024	NO				
Harry Bridges Bl [b]	PM	0.691	B	0.728	C	0.037	NO				
8 Avalon Bl	AM	0.686	B	0.701	C	0.015	NO	0.656	B	-0.045	NO
Anaheim St**	PM	0.905	E	0.929	E	0.024	YES	0.880	D	-0.049	NO
9 Avalon Bl	AM	0.203	A	0.226	A	0.023	NO				
C St [c]	PM	0.308	A	0.332	A	0.024	NO				
10 Avalon Bl	AM	0.407	A	0.421	A	0.014	NO				
Harry Bridges Bl**	PM	0.664	B	0.663	B	-0.001	NO				
11 Broad Av	AM	0.244	A	0.263	A	0.019	NO				
C St [c]	PM	0.334	A	0.361	A	0.027	NO				
12 Broad Av	AM	0.348	A	0.409	A	0.061	NO				
Harry Bridges Bl**	PM	0.495	A	0.589	A	0.094	NO				
13 Alameda St	AM	0.532	A	0.541	A	0.009	NO				
Anaheim St**	PM	0.650	B	0.673	B	0.023	NO				
14 John S. Gibson Bl	AM	0.631	B	0.638	B	0.007	NO				
Channel St**	PM	0.711	C	0.720	C	0.009	NO				

Notes:
** Intersection is assumed to be operating under ATSAC and ATCS systems in the future. Per LADOT guidelines a 10% capacity credit has been taken at intersections operating with both systems.
[a] Intersections to be reconfigured and combined as per the proposed conceptual plan for Harry Bridges Boulevard realignment.
[b] Intersection is a two-way stop-controlled intersection. Level of service analysis assumes 1,200 vehicles per lane per hour.
[c] Intersection is a four-way stop-controlled intersection. Level of service analysis assumes 1,200 vehicles per lane per hour.

TABLE 9
STREET SEGMENT IMPACT ANALYSIS: WILMINGTON WATERFRONT

Street Segments	Weekday Two-Way Daily Volumes					Impact Analysis		
	Existing (2008)	Ambient Growth	Future No Project (2015) [1]	Project Only [2]	Future with Project (2015)	% of Final ADT	Physical Mitigation Criteria	Impacts
1. Mar Vista Ave n/o C St	322	4.6%	215	13	228	5.7%	16.0%	NO
2. Hawaiian Ave n/o C St	512	4.6%	323	13	336	3.9%	16.0%	NO
3. Gulf Ave n/o C St	299	4.6%	255	13	268	4.9%	16.0%	NO
4. McDonald Ave n/o C St	227	4.6%	180	13	193	6.7%	16.0%	NO
5. Bay View Ave n/o C St	487	4.6%	392	13	405	3.2%	16.0%	NO
6. C St e/o Gulf Ave	1,103	4.6%	1,365	50	1,415	3.5%	12.0%	NO

Street Segments	Weekday Two-Way Daily Volumes					Impact Analysis		
	Existing (2008)	Ambient Growth	Future No Project (2020) [1]	Project Only [2]	Future with Project (2020)	% of Final ADT	Physical Mitigation Criteria	Impacts
1. Mar Vista Ave n/o C St	322	7.8%	225	21	246	8.5%	16.0%	NO
2. Hawaiian Ave n/o C St	512	7.8%	340	21	361	5.8%	16.0%	NO
3. Gulf Ave n/o C St	299	7.8%	264	21	285	7.4%	16.0%	NO
4. McDonald Ave n/o C St	227	7.8%	188	21	209	10.0%	16.0%	NO
5. Bay View Ave n/o C St	487	7.8%	408	12	420	2.9%	16.0%	NO
6. C St e/o Gulf Ave	1,103	7.8%	1,401	81	1,482	5.5%	12.0%	NO

City of Los Angeles Department of Transportation

LADOT-1 Please see response to LADOT-3 below. As discussed in Section 3.11, prior to mitigation there will be a significant impact as a result of the proposed Project on the Anaheim Street and Avalon Boulevard Intersection. However, inclusion of mitigation measure MM TC-2, which would reconfigure the southbound approach of Avalon Boulevard at the intersection of Avalon Boulevard and Anaheim, would reduce level of service (LOS) volumes to less-than-significant levels.

LADOT-2 Comment noted. The completion dates of the transportation improvement have been updated. The off-ramps are scheduled to be completed prior to Phase I completion of the proposed Project (Phase I to be constructed from 2009 to 2015). Please note that Caltrans is the lead agency for the I-110/C Street and Harry Bridges Boulevard Interchange Improvement and Lagoon Avenue Grade Separation and has been working with LAHD to coordinate permitting and construction schedules. Caltrans is working with LAHD on developing the "C" Street and John S. Gibson projects to alleviate traffic congestion in the area (Caltrans is the lead agency for the off-ramp projects in question and is coordinating permitting and construction schedules with LAHD). These two transportation improvement projects are scheduled to complete design in 2011 and to complete construction in June 2013.

LADOT-3 Comment noted. Mitigation measure MM TC-2 has been modified as follows:

> **MM TC-2: Reconfigure the southbound approach of Avalon Boulevard at the intersection of Avalon Boulevard and Anaheim Street**. Prior to the initiation of Phase II construction, LAHD will ~~add~~ consult with LADOT. The consultation will review the details of adding a right-turn lane in the southbound direction or an alternative measure that achieves the same results and would not create a new impact. Currently the southbound approach consists of one through/left-turn lane and one through/right-turn lane. The mitigation will result in one right-turn lane, one through lane, and one through/left-turn lane. This proposed mitigation will require the removal of two metered parking spaces along Avalon Boulevard to allow for the right-turn lane and the restriping of the northbound approach to properly align with the reconfigured southbound approach. A conceptual drawing illustrating the feasibility of this mitigation is provided in Figure 12 of the traffic report prepared for this project (Appendix I).
>
> Table 3.11-14 shows the projected LOS at this location with the proposed mitigation in place. The table shows that this improvement would fully mitigate the identified impact at Avalon Boulevard and Anaheim Street, reducing the projected LOS to less than Without Project levels. With mitigation in place, the intersection is projected to operate at LOS B (V/C = 0.656) during the AM peak hour, and at LOS D (V/C = 0.880) during the PM peak hour.

LADOT-4 Comment noted. Please see response to Caltrans-3. LAHD will coordinate all worksite traffic control issues with LADOT's Southern District Office and will submit a

construction traffic control plan for review and approval per Mitigation measure MM TC-1 in Section 3.11, on page 3.11-39.

LADOT-5 Comment noted. LAHD will submit driveway and circulation scheme plans for LADOT's approval and coordinate with LADOT's Citywide Planning Coordination Section, and this information has been added to the Final EIR. See revisions to Impact TC-1a in Chapter 3 of this Final EIR.

CRA/LA
Building communities with jobs and housing

Community Redevelopment Agency
of the CITY OF LOS ANGELES

354 South Spring Street / Suite 800
Los Angeles / California 90013-1258

T 213 977 1600 / F 213 977 1665
www.crala.org

JAN 30 2009

DATE /

FILE CODE /

Dr. Spencer D. MacNeil
U.S. Army Corps of Engineers, Los Angeles District, Regulatory Brach (USACE)
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Dr. Ralph Appy
Los Angeles Harbor Department (LAHD)
425 South Palos Verdes Street
San Pedro, CA 90731

Sent via email: ceqacomments@portla.org

Subject: Comments to the Draft Environmental Impact Report
Proposed Wilmington Waterfront Development Project

Dear Dr. MacNeil and Dr. Appy:

On behalf of the Community Redevelopment Agency of the City of Los Angeles (CRA/LA), I am pleased to submit our comments regarding the Draft Environmental Impact Report (DEIR) for the proposed Wilmington Waterfront Development Project (Project). The Project has the potential to be a catalytic development for the entire Wilmington community by achieving the Port of Los Angeles' objective of "enhancing the livability and economic viability of the Los Angeles Harbor", an objective that is closely aligned with the CRA/LA Los Angeles Harbor Industrial Center Redevelopment Plan. Below you will find our comments to the DEIR, which are meant to further our mutual revitalization efforts in the Wilmington Community.

Project Description:

CRA-1

- The Project Site and Surrounding Uses Sections in the DEIR do not fully describe the physical and social surroundings of the project, such as the proximity of the Project to residential neighborhoods and the Avalon commercial corridor, which is downtown Wilmington's "Main Street". Although the location of the Wilmington Industrial Park on the northeast corner of the Project is called out, there is no mention that this is a CRA/LA Project Area. These sections should be revised to include a better contextual analysis in order to fully assess potential impacts to residents, businesses, and the CRA/LA Project Area.

Impacts to Aesthetics:

CRA-2

- Renderings of the Observation Tower have continued to evolve through the Port of Los Angeles' (POLA) efforts to engage the community in the design process. Because of this, the renderings are at a conceptual stage. Since the construction of a 200 foot high observation tower at the waterfront could have an aesthetic impact to our adjacent Project Area, the CRA/LA recommends that POLA also involve CRA/LA Staff and our Wilmington Industrial Park Advisory Committee on the final design of the Observation Tower.

CRA-3

- It is unclear whether the Project includes street improvements on both sides of C Street along Avalon Development District A. One-sided improvements along C Street from Lagoon to Broad Avenue would create an unfinished appearance that could have an aesthetic impact to our adjacent Project Area. Therefore, CRA/LA recommends that landscape and streetscape improvements be included on both sides of C Street and undertaken in such a manner to minimize potential construction impacts to our Project Area.

Impacts to Traffic:

CRA-4

- The realignment of Broad Avenue in conjunction with the proposed street vacation of Avalon Boulevard, south of A Street, could have traffic and circulation impacts to our adjacent Project Area. There are few project details regarding the proposed realignment of Broad Avenue, but in the Executive Summary this element is determined to have been analyzed at a Project-level. Therefore, CRA/LA recommends that these Project elements, particularly the realignment of Broad Avenue, be changed to Programmatic-level analysis in the DEIR, requiring additional site-specific environmental review at the time of implementation. In addition, POLA should closely work with CRA/LA staff to ensure that these Project elements have minimal impact on our adjacent Project Area especially during construction.

CRA-5

- The realignment of Broad Avenue could also impact pedestrian circulation and safety from our Project Area to the proposed Wilmington Waterfront Development Project. Consequently, CRA/LA recommends that additional environmental review of the realignment of Broad Avenue is conducted and mitigation measures that reduce vehicular/pedestrian conflicts at the corners of Broad Avenue and Harry Bridges Boulevard and Broad and C Street are incorporated.

Impacts to Land Use:

CRA-6

- It is our understanding that the Department of City Planning plans to begin the New Community Plan Program for Wilmington-Harbor City, which would include the area listed as Avalon Development District A in the DEIR. This Community Plan process could result in land use changes that would impact the proposed use of this area for green technology business. Therefore, language changes in the DEIR should be incorporated that indicate the possible use of this area for green technology businesses.

CRA-7 Thank you for the opportunity to review the DEIR for the Wilmington Waterfront Development Project and the CRA/LA looks forward to our continued partnership in the redevelopment and revitalization of the Wilmington community. Please provide the CRA/LA staff with five (5) copies of the Final EIR/EIS, once it has been completed. Should you have any questions related to the CRA/LA and its redevelopment activities, you may contact me at 213-977-1744.

Sincerely,

Susan Z. Totaro for

Barron McCoy
Regional Administrator (Harbor Region)

cc: Pauline Lewicki, Principal Planner
Susan Totaro, Project Manager
Megan Hunter, City Planner
File
Records

This Page Intentionally Left Blank

Community Redevelopment Agency (CRA) of the City of Los Angeles

CRA-1 Chapter 7 provides a discussion of the existing Los Angeles Harbor Industrial Center Redevelopment Project (see Section 7.2.2.3.2). It states that the CRA has established a redevelopment area called the Los Angeles Harbor Industrial Center Redevelopment Project and describes the physical and social surroundings. The redevelopment area is also included in the proposed project analysis performed in Chapter 7, Section 7.3. Additionally, the Los Angeles Harbor Industrial Center Redevelopment Project is identified and discussed in Section 3.8 (see Section 3.8.2.1.3 "Redevelopment Areas in the Project Vicinity").

CRA-2 Comment noted. LAHD will update CRA staff on progress of final design of the tower. As the (sole) Lead Agency (please note the document is an EIR, not an EIR/EIS joint document as your letter indicates), LAHD did not find that the tower will create a negative aesthetic impact on the surrounding area in the Draft EIR (Section 3.1.4.3, Impact AES-1). In fact, the Observation Tower is expected to have a positive impact on the aesthetics of the environment and create views of the harbor in the process.

CRA-3 LAHD will only be conducting street improvements on one side of C Street, from Lagoon Avenue to Avalon Boulevard due to cost and Tidelands Trust restrictions. Though LAHD encourages other City agencies (Public Works, CRA, etc.) to add a streetscape on the opposite side of C Street, enhancements along one side of C Street from Lagoon Avenue to Avalon Boulevard will not create an adverse aesthetic impact. The Draft EIR analyzed the aesthetic impacts of the proposed Project and concluded that the neither construction nor operation of the proposed Project would degrade the existing visual character or quality of the site or its surroundings, and that the impacts on the visual quality of character of the proposed project area would be less than significant (Draft EIR, pages 3.1-24 through 3.1-26). In addition, a traffic control plan would be implemented during construction of the proposed Project, which would mitigate impacts on transportation and traffic in the proposed project area to less-than-significant levels (Draft EIR, pages 3.11-36 through 3.11-38). Therefore, construction and operation of the proposed enhancements to C Street in the Avalon Development District would not adversely impact the CRA/LA Los Angeles Harbor Industrial Center Redevelopment Plan area.

CRA-4 Comment noted. LAHD adequately analyzed the impacts of vacating Avalon Boulevard and realigning Broad Avenue in Draft EIR Section 3.11.4.3. The Draft EIR concludes that, after the implementation of mitigation measures, impacts on intersections within the proposed project vicinity would be less than significant. The Draft EIR also concludes that operation of the proposed Project would not have a significant impact on traffic volumes on neighborhood streets within the proposed project vicinity. The realignment of Broad Avenue will be south of Harry Bridges Boulevard and will not include Broad Avenue north of Harry Bridges Boulevard where it borders the Los Angeles Harbor Industrial Center Redevelopment project. The traffic analysis was developed in consultation with the LADOT and included the intersections of Broad Avenue/C Street

and Broad Avenue/Harry Bridges Boulevard. Furthermore, the traffic analysis included the cumulative effects of specific development projects expected to be built in the vicinity of the proposed project site prior to the proposed Project's interim year 2015 and the full buildout year 2020. The list of these specific development projects was based on data from LADOT and CRA/LA, and it included the Los Angeles Harbor Industrial Center Redevelopment project. The traffic analysis determined there would be less-than-significant impacts on these intersections, and the intersections would remain at LOS A for 2015 and 2020 conditions.

CRA-5 The Draft EIR adequately analyzes the impacts of vacating Avalon Boulevard and realigning Broad Avenue, and concludes that impacts on the CRA project area would be less than significant (see Draft EIR Section 3.11.4.3). The realignment of Broad Avenue will be south of Harry Bridges Boulevard and will not include Broad Avenue north of Harry Bridges Boulevard where it borders the Los Angeles Harbor Industrial Center Redevelopment project. There will be signalized intersections and crosswalks at the intersection of Broad Avenue and Harry Bridges Boulevard to facilitate safe pedestrian circulation. LAHD is working with LADOT to stripe crosswalks at the intersection of Broad Avenue and C Street. Therefore, impacts on pedestrian circulation at the corners of Broad Avenue and Harry Bridges Boulevard and Broad Avenue and C Street would be less than significant.

CRA-6 Comment noted. The Los Angeles Department of City Planning has commented on the Draft EIR; responses to those comments are labeled DCP-1 to DCP-7, and can be found on pages 2-57 through 2-59 above. Specifically, please see response DCP-6, in which LAHD states that it has altered the language in the Executive Summary to identify the possible future use of the Avalon Development District as a site for development of green tech businesses.

CRA-7 Comment noted. CRA will receive five copies of the Final EIR once it is completed.

JG

PACIFIC HARBOR LINE

Andrew C. Fox
President

January 21, 2009

Dr. Ralph Appy
Director of Environmental Management
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

Pacific Harbor Line (PHL) is hereby submitting its comments on the Wilmington Waterfront Development Project Draft EIR.

The penultimate sentence of the last paragraph of Page 10 (Traffic Improvements) of the draft report states: "Additionally with the vacation of Avalon Boulevard south of A Street, Broad Street would replace Avalon Boulevard as the main access street for automobile traffic on the east side of the proposed project site and continue through to the waterfront, providing access to the waterfront promenade and Bannings Landing Community Center."

PHL-1 This description fails to mention that the primary access to this location will not be via Broad Ave. but via the new Lagoon Ave. grade separation which will carry all traffic over the railroad tracks without a grade level crossing. As you know the Berth 200 rail yard project will move the current Pier A switching yard to the Berth 200 site. The design of that yard is such that all switch moves will take place to the west, crossing the proposed Broad Ave. grade crossing. That means that this crossing will be occupied with trains many, many more times per day and for longer periods than is the current Avalon grade crossing.

PHL-2 With the Lagoon Ave. grade separation, there is simply no need for a Broad Ave. crossing. Drivers will soon learn to take Lagoon if they want to avoid delay. Further, construction of the crossing and the increased rail traffic will result in several times the current amount of train horn sounding per day than are currently sounded at Avalon Street. Imagine the effect this will have on the public drawn to the waterfront. Whereas elimination of this crossing, as well as the Fries Ave crossing, made possible by the Lagoon Ave. grade separation, will create a virtual quiet zone for trains moving on the mainline all the way from Henry Ford to Figueroa.

PHL-3 Construction of the Broad Ave. crossing together with the associated frustration of motorists trying to get across will make that crossing extremely hazardous. The current Avalon Blvd. crossing is but a single track. The proposed Broad Ave. crossing will consist of no less than four tracks. It is widely recognized amongst traffic engineers that multiple track crossings are much more hazardous as impatient motorists often run around the gates as soon as one train passes just to collide with a different train entering the crossing on a different track. Combine this with near total the lack of visibility to the west that will be created by the Land Bridge/Pedestrian Water Bridge and this is a recipe for disaster.

PHL-4 The purpose of grade separations is to enhance safety, improve traffic circulation and secondarily to eliminate noise. To build a multimillion dollar separation and then construct a totally redundant grade crossing is antithetical. PHL submits that if an automobile crossing is really wanted in that vicinity, then the Land Bridge be widened just enough to accommodate two traffic lanes to carry this traffic over the tracks.

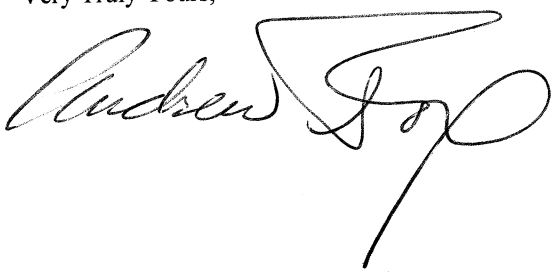
PHL-5 The plan also shows extending the Waterfront Red Car Line to Wilmington. While this aspect of the plan is vague on details suffice it to say that temporal separation with rail freight operations, which exists today in on the San

340 Water Street • Wilmington, CA 90744
Telephone (310) 834-4594 • Fax (310) 834-1342

PHL-5 CONT.

Pedro waterfront is not an option if the Red Car line extends north across Harbor Blvd in San Pedro. It will require an entirely separate track. There are standards for the degree of separation that must be maintained between heavy and light rail operations on parallel tracks and these will need to be observed. PHL will need sufficient room adjacent to its (freight) track to be able to conduct normal maintenance operations using off track machinery without interference from light rail operations. Also the light rail track would have to cross at grade both the North Gaffey Street spur track and the Conoco Phillips spur track. The FRA and CPUC are generally opposed to such crossings and at a minimum these will require full interlocking signalization to protect both light rail and freight train movements.

Very Truly Yours,



340 Water Street • Wilmington, CA 90744
Telephone (310) 834-4594 • Fax (310) 834-1342

Pacific Harbor Lines

PHL-1 Access to the Wilmington Waterfront proposed project area will be provided primarily by the Lagoon Avenue grade separation (a related, but separate project under CEQA), with secondary access provided by Fries and Broad Avenues. Because the primary access for the Wilmington Waterfront area will be Lagoon Avenue, the majority of automobile traffic in the area will use Lagoon and not Broad Avenue. Thus, with other alternatives, the crossing at Broad Avenue will not create a significant hardship for automobile traffic or adversely affect train traffic. Approximately 50 train movements per day occur at the existing Pier A Rail Yard and are assumed to cross Broad Avenue; once the Pier A Rail Yard is relocated, the number of train moves generated from the Yard is anticipated to remain the same or potentially decrease due to the new Yard being located approximately 1,500 feet further away from the Broad Avenue, resulting in no impact on LOS at the Broad Avenue grade crossing. LAHD will submit an application to the CPUC for an at-grade crossing at Broad Avenue in September 2009 to support the design of the Berth 200 Rail Yard project. All safety standards will be observed in designing the rail crossing.

PHL-2 Comment noted. The Lagoon Avenue grade separation will provide unimpeded access to the Wilmington Waterfront proposed project area. However, it is important to continue the connection of Avalon Boulevard, Wilmington's Main Street, through the realigned Broad Avenue, to the water's edge. Please refer to Section 3.9 of the Draft EIR, Impact NOI-5, for a discussion of the impacts of noise from rail horn blasts on park users.

PHL-3 As stated in response to PHL-1, LAHD will submit an application to the CPUC for an at-grade crossing at Broad Avenue in September 2009 to support the design of the Berth 200 Rail Yard project. All safety standards will be observed in designing the rail crossing.

PHL-4 Comment noted. The project design would not support adding a grade separation to the land bridge along Broad Avenue, as the land bridge is dedicated to providing waterfront pedestrian access and open space. LAHD has studied adding a Broad Avenue grade separation, but this would require additional land outside of the proposed project area. As noted in PHL-2, Broad Avenue would replace Avalon Boulevard as the street connection to the water's edge.

PHL-5 Thank you for your comment. Project design for the extension of the Waterfront Red Car Line to Wilmington assumes a separate track for the passenger rail is needed. The proposed Project does include an extension of the Waterfront Red Car Line from San Pedro to Wilmington, effectively joining the two communities. As the exact engineering details of the alignment and operation are not known at the time of preparing this EIR, this proposed project element was analyzed programmatically. A program-level analysis generally analyzes the broad environmental effects of the action with the understanding that additional site-specific environmental review may be required in the future. The potential environmental impacts of the Waterfront Red Car Line extension will be analyzed, if necessary, in a project-level review once sufficient engineering details are known.

1

2 This Page Intentionally Left Blank

Post Office Box 90 Wilmington, California 90748

Wilmington
Chamber of Commerce

January 30, 2009

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Appy:

The Wilmington Chamber of Commerce would like to express our support for the Wilmington Waterfront Development Project. We find that this project exemplifies the foundation of our Mission Statement

> "The Wilmington Chamber of Commerce promotes, supports and enhances a positive business environment and improves the quality of life in the community."

We are particularly pleased with how this project will link the community to the waterfront as well as linking San Pedro with Wilmington through the extension of the Red Car Line and the California Coastal Trail. The commercial development that is incorporated into this project will attract local residents and visitors to the area, most of whom will spend money in support of local businesses.

We are also pleased with the thought that has gone into the environmental and economic sustainability of the project. The consideration for green technology business opportunities within the project area will bring high paying jobs and prestige to our community. These are critical components that will prevent the project area from deteriorating over time.

We are also appreciative of the mitigation that has been identified particularly regarding traffic and air quality, issues so important to our community.

WCC-1 The only concern we have is for funding. We realize that we are in uncertain economic times and all discretionary spending should be carefully evaluated before assuming financial obligations, particularly for projects that are not primarily revenue generators. While this

WCC-2 project is important for the community of Wilmington, as a driver of such great economic

(310) 834-8586 • Fax (310) 834-8887

WCC-2
CONT.

impact, the financial viability of the Port of Los Angeles should take precedence, and if it is unfeasible to proceed with the project within the identified timeline, it would be better to delay the project than to impose unhealthy spending requirements on the Port.

The Wilmington Chamber of Commerce looks forward to participating with the assisting the Port in facilitating the advancement of the Wilmington Waterfront Development Project.

Regards,

Patrick Wilson
President

Wilmington Chamber of Commerce

WCC-1 Thank you for your comment. The purpose of CEQA is to evaluate the physical environmental impacts of the proposed Project. The Draft EIR analyzes and evaluates the impact of the proposed Project on various environmental resources pursuant to CEQA. CEQA does not require an analysis or evaluation of funding or financial circumstances of the proposed Project. However, the Board of Harbor Commissioners will be presented with project financing information, as well as the environmental analysis, when considering project approval.

WCC-2 Comment noted. As discussed above in WCC-1, while CEQA does not require an analysis of funding or financial circumstances of the proposed Project, the Board of Harbor Commissions will take this information into consideration when deliberating approval of the project.

This Page Intentionally Left Blank

THE PORT OF LOS ANGELES

Wilmington Waterfront Development Project
Draft Environmental Impact Report (DEIR)

Comments

The public review process is intended to allow agencies and the public to provide feedback to the Port on the project, alternatives, mitigation measures, and any other information that may help us prepare a comprehensive Final Environmental Impact Report for the Wilmington Waterfront Development Project. Public comments from community, civic and industry stakeholders are encouraged. Please submit your comments by letter or on this Comment form and drop in to Comment Box at the January 15, 2009 Public Meeting, 6 pm at Banning's Landing or mail to the address below.

Comments can also be submitted by email at **ceqacomments@portla.org. Emails must reference "Wilmington Waterfront Development Project" in their subject line and must include a valid mailing address from the person(s) submitting the comment. Your name and a mailing address must also be listed below in order for your comment to be accepted into the public record.**

Name Sue Castillo **Telephone/Fax** 310.489.3026

Organization/Company

Address 809 S. Grand Avenue

City/State/Zip Code San Pedro CA 90731

E-Mail Sue_castillo@longbeach.gov

Please mail your comments no later than January 30, 2009 to the following address:

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

COMMENTS: (Please use the reverse side if necessary.)

CAS-1

extend the red car from San Pedro to Wilmington now! Joining these two communities with a fun, attractive form of public transportation would have great positive impacts on the area. (then, bring it on east to Long Beach!)

This Page Intentionally Left Blank

Sue Castillo

CAS-1 Thank you for your comment. The proposed Project does include an extension of the Waterfront Red Car Line from San Pedro to Wilmington, effectively joining the two communities. As the exact engineering details of the alignment and operation are not known at the time of preparing this EIR, this proposed project element was analyzed programmatically. A program-level analysis generally analyzes the broad environmental effects of the action with the understanding that additional site-specific environmental review may be required in the future. The potential environmental impacts of the Waterfront Red Car Line extension will be analyzed, if necessary, in a project-level review once sufficient engineering details are known.

This Page Intentionally Left Blank

THE PORT OF LOS ANGELES

Wilmington Waterfront Development Project
Draft Environmental Impact Report (DEIR)

Comments

The public review process is intended to allow agencies and the public to provide feedback to the Port on the project, alternatives, mitigation measures, and any other information that may help us prepare a comprehensive Final Environmental Impact Report for the Wilmington Waterfront Development Project. Public comments from community, civic and industry stakeholders are encouraged. Please submit your comments by letter or on this Comment form and drop in to Comment Box at the January 15, 2009 Public Meeting, 6 pm at Banning's Landing or mail to the address below.

Comments can also be submitted by email at **ceqacomments@portla.org. Emails must reference "Wilmington Waterfront Development Project" in their subject line and must include a valid mailing address from the person(s) submitting the comment. Your name and a mailing address must also be listed below in order for your comment to be accepted into the public record.**

Name FRANK HERRERA **Telephone/Fax** 3108351192

Organization/Company Pres. Wilmington Lions Club

Address 700 W. G ST

City/State/Zip Code Wilmington CA 90744

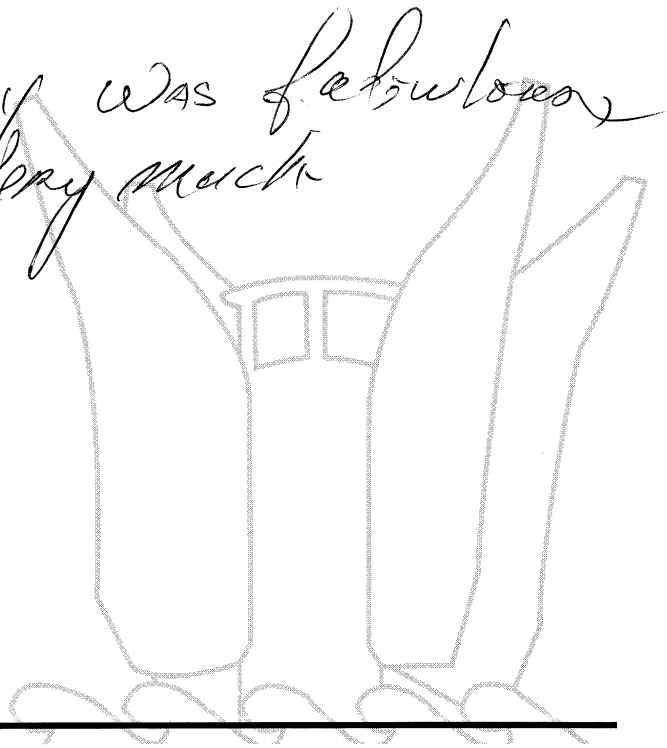
E-Mail _____

Please mail your comments no later than January 30, 2009 to the following address:

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

COMMENTS: (Please use the reverse side if necessary.)

HERR-1 The overall Display was fabulous
So, Real. I like it very much



This Page Intentionally Left Blank

Frank Herrera

HER-1 Thank you for your comment and support of the project.

This Page Intentionally Left Blank

THE PORT OF LOS ANGELES

Wilmington Waterfront Development Project
Draft Environmental Impact Report (DEIR)

Comments

The public review process is intended to allow agencies and the public to provide feedback to the Port on the project, alternatives, mitigation measures, and any other information that may help us prepare a comprehensive Final Environmental Impact Report for the Wilmington Waterfront Development Project. Public comments from community, civic and industry stakeholders are encouraged. Please submit your comments by letter or on this Comment form and drop in to Comment Box at the January 15, 2009 Public Meeting, 6 pm at Banning's Landing or mail to the address below.

Comments can also be submitted by email at **ceqacomments@portla.org. Emails must reference "Wilmington Waterfront Development Project" in their subject line and must include a valid mailing address from the person(s) submitting the comment. Your name and a mailing address must also be listed below in order for your comment to be accepted into the public record.**

Name JEANNETTE LITTLEBURY **Telephone/Fax** (310) 328-2166

Organization/Company NATIONAL POLYTECHNIC COLLEGE OF SCIENCE

Address 272 S. FRIES AVE.

City/State/Zip Code WILMINGTON, CA 90744

E-Mail JLITTLEBURY@NATPOLY.EDU

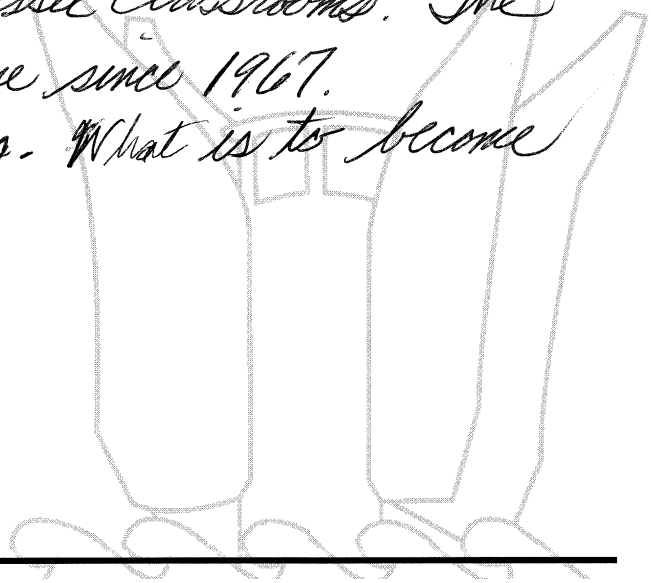
Please mail your comments no later than January 30, 2009 to the following address:

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

COMMENTS: (Please use the reverse side if necessary.)

LIT-1 What is to become of our College and most importantly our new floating Vessel Classrooms. The "DISCOVERY"?? We have been here since 1967.

We teach Commercial Diving. What is to become of our location.



This Page Intentionally Left Blank

Jeannette Littlebury

LIT-1 The National Polytechnic College is an integral part of the Wilmington Waterfront community. The College will continue to have access to the waterfront for diving instruction; and the vessel Discovery, with its floating classrooms, may be relocated but will remain along the Wilmington waterfront promenade.

This Page Intentionally Left Blank

THE PORT OF LOS ANGELES

Wilmington Waterfront Development Project
Draft Environmental Impact Report (DEIR)

Comments

The public review process is intended to allow agencies and the public to provide feedback to the Port on the project, alternatives, mitigation measures, and any other information that may help us prepare a comprehensive Final Environmental Impact Report for the Wilmington Waterfront Development Project. Public comments from community, civic and industry stakeholders are encouraged. Please submit your comments by letter or on this Comment form and drop in to Comment Box at the January 15, 2009 Public Meeting, 6 pm at Banning's Landing or mail to the address below.

Comments can also be submitted by email at **ceqacomments@portla.org. Emails must reference "Wilmington Waterfront Development Project" in their subject line and must include a valid mailing address from the person(s) submitting the comment. Your name and a mailing address must also be listed below in order for your comment to be accepted into the public record.**

Name PAT ROME **Telephone/Fax** (310) 952-0533

Organization/Company RESIDENT

Address 25327 PINE CREEK LANE

City/State/Zip Code WILMINGTON, CA 90744

E-Mail pjwrome@yahoo.com

Please mail your comments no later than January 30, 2009 to the following address:

Dr. Ralph Appy
Director of Environmental Management
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

COMMENTS: (Please use the reverse side if necessary.)

ROME-1 THIS PROJECT IS WONDERFUL!!! NEEDS TO HAVE MORE FOCUS ON GREEN TECHNOLOGY = (SOLAR/WIND/WAVE.) MAKE THIS PROJECT "CUTTING EDGE." TOWER SHOULD BE SOLAR. ALL PLANTS AND TREES MUST BE NATIVE +/OR DROUGHT RESISTANT. GET A GOOD RESTAURANT IN HERE / PARKING SHOULD BE DOUBLE DECKER = GET A GOOD RESTAURANT IN HERE

ROME-2 I'M VERY GLAD THAT YOU ARE DOING THIS PROJECT IN PHASES.

ROME-3 HOW MANY RED CAR MUSEUMS ARE BEING PLANNED?

ROME-4 GOOD SIGNAGE ALL OVER - A MERCADO WOULD BE GREAT - LETS GET LOTS OF CONCERTS, EVENTS - THINGS TO MAKE WILMINGTON A REAL DESTINATION (NOT A JOKE!!)

This Page Intentionally Left Blank

Pat Rome

ROME-1 Thank you for your comment. The Wilmington Waterfront Project is intended to showcase LAHD's commitment to sustainability. The proposed Project would incorporate a number of sustainable design elements in concert with LAHD's effort to create a green port. The design elements are analyzed as part of the proposed Project within this Draft EIR. Some include the use of recycled water for all landscaping, water features, and flushing toilets and urinals in new buildings; use of drought-tolerant plants, natives, and shade trees; and offsetting at least 12.5% of the proposed Project's energy needs through solar power. Please refer to Section ES.1.2.4 on page ES-3 of the Draft EIR for a discussion of the sustainable design features.

The proposed project planning and design team evaluated the use of solar panels on the Observation Tower, but found mounting the solar panels to shade structures to be more efficient and effective.

The proposed Project also provides incentives for businesses promoting green technology to locate within the 150,000 square feet of proposed light industrial development within the Avalon Development District. Please refer to Table 2-1 on page 2-12, as well as page 2-18 of the Draft EIR for further discussion.

ROME-2 Thank you for your comment.

ROME-3 The proposed Project includes construction of a Red Car Museum in the existing Bekins Building. Alternative locations for the Red Car Museum in San Pedro are analyzed as part of the San Pedro Waterfront Project EIS/EIR. Wayfinding and coastal trail signage are included in the Wilmington Waterfront Project. A Mercado is being considered as a potential use of the commercial parcel south of Harry Bridges, near Avalon Triangle Park.

ROME-4 The proposed Project includes a 10-acre elevated open space park and a 7-acre plaza, adjacent to the waterfront promenade, which is designed as a gathering and event space. It is anticipated that the Observation Tower will serve as a regional attraction, and that the community and LAHD will use the waterfront for special events throughout the year.

This Page Intentionally Left Blank

Electric Vehicle and
Electro-Hydraulic Controls
www.rosstron.com

Rosstron Inc.

January 23, 2009

Dr. Ralph G . Appy
Port of Los Angeles
425 South Palos Verdes Street
San Pedro CA 90731

RE: Wilmington Waterfront Project

Dear Dr. Appy,

As a longtime area resident and small business owner , may I first say Thank you to the Port of Los Angeles & it's staff for all of the planning and work that has gone into the Wilmington Waterfront Draft EIR – the Project will become a great asset for our area of Southern California.

I attended the Jan 15 public meeting and was pleased to see that there was widespread community support for the project.

I heard Coach Tim Humphrey speak at that meeting about his vision for a youth rowing program at POLA. I understand that the close-by USC Rowing Program and Boathouse has very kindly offered to host a youth rowing program once negotiations with the POLA for an extended lease are completed.

BEL-1 Since the USC Rowing program is located so close to the core of the Wilmington Waterfront Project and its youth missions are also in accordance with the broader community outreach goals of the Wilmington Waterfront Master Plan , I congratulate the Port of Los Angeles and USC for their vision in moving this process forward.

I and many others in the area look forward to our student athletes achieving success in their rowing and college careers with the help of the Port of Los Angeles and the Wilmington Waterfront Project.

Best regards

Hamish R. Bell

1521 W. 259th Street, Harbor City, CA 90710 U.S.A. Tel: (310) 539-6293 Fax: (310) 539-4078 E-Mail: sales@rosstron.com

This Page Intentionally Left Blank

Hamish R. Bell

BEL-1 Thank you for your comment. LAHD welcomes the opportunity to engage with community youth through the possible use of the proposed Project by the USC Rowing Program.

This Page Intentionally Left Blank

Wilmington Waterfront DEIR Comments

Fri 1/23/2009 2:33 PM

From: Robert Standart [robert@xrttrucking.com]
To: Ceqacomments

Port Of Los Angeles,

STA-1 Regarding the Wilmington Waterfront. Since the State of California's economy is in trouble why would spending money that no one has be OK? They are laying off

STA-2 teachers left and right, doubling classrooms all over Los Angeles and Long Beach. Why is this Project OK? You have people in the City of Wilmington in Dire straits. Putting a park by the waterfront would just mean more homeless or Transients to relocate over there from elsewhere.

STA-3 This is an Industrial area, not made for pedestrians. The money that you have for this project should be used for better things. Or at least till the Economic state that we are in today is better.

Robert Standart
PO Box 159
Wilmington,ca 90748

This Page Intentionally Left Blank

Robert Standart

STA-1 Comment noted. CEQA does not require the analysis of the proposed Project's fiscal impact(s) on the State of California, but rather requires the analysis of the proposed Project's physical environmental impacts. The economic and social impacts of a project need only be considered in an EIR if they would result in a direct physical impact on the environment (CEQA Guidelines section 15064 (e)). However, the Board of Harbor Commissioners will be presented with and asked to consider financing, as well as the environmental analysis, in consideration of project approval. In addition, the Draft EIR includes a section discussing socioeconomics issues (see Chapter 7).

STA-2 Comment noted. Please see response to comment STA-1. CEQA does not require the analysis of the proposed Project's ability or inability to relocate homeless populations in Wilmington, but rather requires the analysis of the proposed Project's physical environmental impacts.

STA-3 Comment noted. The proposed Project includes amendments to the Los Angeles General Plan, the Port Plan, the Wilmington–Harbor City Community Plan, and the Port Master Plan to provide better land use compatibility and reduce the heavy industrial nature of the area. In addition, the Wilmington–Harbor City Community Plan has allowed and provided for the development and connection of the Wilmington Community to the waterfront. The planning effort for creating a pedestrian connection to the Wilmington waterfront started in the 1980s. Please refer to Section ES 7.1 on page ES-95 for further discussion. Regarding project financing, please refer to the response to comment STA-1 above.

This Page Intentionally Left Blank

Fri 1/23/2009 12:16 AM

Wilmington Waterfront DEIR Comments

From: Thelma Standart [xrtthelma@aol.com]

To: Ceqacomments

We have had our business in the port area since 1989. Have experienced a great deal in 20 years in the Wilmington area. This area has in some many words become our home away from home since the majority of our time as owner operators of our own business has been spent in this area.

Our business moved to the Wilmington Industrial Park, of which we have seen take a life of port transportation logistics throughout the last decade and may port supporting trucking companies have found a home in the park. Our concern is that Harry Bridges and Alameda are our major industrial/commercial routes to the freeways and LA port terminals. We are sensitive to the community needs and we feel that the safety and integrity of the industry will meet challenging times, adding additional hard time to our industry. The issue is anticipated to start evolving as an increase of commuter traffic in an industrial area grows, especially foot traffic as many local residents travel by foot or bicycles in the area.

STAN-1

STAN-2

The design presented in the paper does not include a traffic circulation plan or even suggest address the issue. How are both commuters and industry work together within the proposed project area? How does this plan keep the industrial access roads free of congestion as to keep the cargo moving and provide safety? Bridges? Pathways?, etc...

STAN-3

We are in logistic transportation...and it is critical to make such considerations essential in your plans as not to produce an impact in the core economy of the area and impose safety hazards for the local residents and visitors to the area.

Thank you,

Thelma Y. Standart
Vice President

XRT Express Reefer Transport, Inc.
PO Box 159
Wilmington, California 90748
Office: 310-834-8288

This Page Intentionally Left Blank

Thelma Standart

STAN-1 Comment noted. There are several traffic improvements occurring along Harry Bridges Boulevard and the Harry Bridges Boulevard interchange with the I-110. These improvements are adequately analyzed in conjunction with the traffic impacts resulting from the proposed Project in Section 3.11 of the Draft EIR. Caltrans is working with LAHD on developing the "C" Street and John S. Gibson projects to alleviate traffic congestion in the area (Caltrans is the lead agency for the off-ramp projects in question and is coordinating permitting and construction schedules with LAHD). These two transportation improvement projects are scheduled to complete design in 2011 and to complete construction in June 2013, prior to the completion of construction of Phase I of the proposed Project (in 2015). The analysis in the Draft EIR and the traffic report (Appendix I) included the I-110 and C Street Interchange Improvements as being in place for the baseline (without Project) analysis. The traffic shifts were estimated based on the future configuration of this intersection. The analysis includes these improvements as the baseline and concludes that with the proposed Project there would be no cumulative impact on these intersections.

In addition, an improvement to connect Harry Bridges Boulevard near Lagoon Avenue to Pier A Street would be built during construction of the proposed Project. This improvement, known as the South Wilmington Grade Separation, is a separate project and has been previously assessed under CEQA. It would consist of an elevated road extending from Harry Bridges Boulevard, passing over the existing railroad tracks, and connecting to Pier A Street and Fries Avenue. Once complete, it would allow better access to the proposed project area and nearby industrial sites, and would also reroute some of the truck traffic currently using Harry Bridges Boulevard.

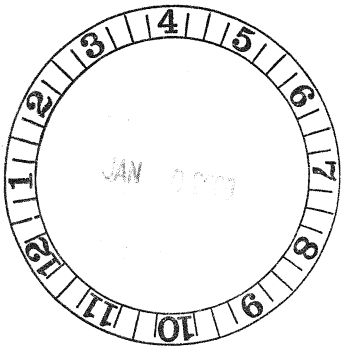
The combination of the Caltrans coordinated improvements to C Street and John S. Gibson projects and the South Wilmington Grade Separation would work to improve heavy industrial truck traffic circulation and alleviate conflicts between the proposed Project's visitor and public automobile and pedestrian traffic and LAHD industrial traffic.

STAN-2 Comment noted. The proposed Project visitor and community serving amenities such as the waterfront promenade, land bridge, and commercial uses (restaurant and Mercado) will typically be used during the weekends, when commuter and industrial traffic is low. Impacts to traffic were analyzed in Chapter 3.11 of the Draft EIR and were found to be less-than-significant with the implementation of mitigation measures. Please see response to comment STAN-3 for further discussion of this issue.

STAN-3 Comment noted. The proposed Project's traffic impacts were analyzed in a traffic study, the results of which were discussed in Section 3.11 and Appendix I of the Draft EIR. The traffic study follows LADOT guidelines during weekday traffic to determine whether impacts on intersections within the general vicinity of the proposed Project would occur. The results of the analysis concluded no significant traffic impacts would occur. The pedestrians would safely access the waterfront through improved streetscapes in the Avalon Development District (see Figure 2-6 in the Draft EIR); signalized crosswalks along Harry Bridges Boulevard at Fries Street, Marine Avenue, and Avalon Boulevard,

and then by use of the land bridge, extending from the intersection of Harry Bridges Boulevard and Avalon Boulevard south, over the railroad tracks to the waterfront. Water Street and Broad Street will be realigned to improve circulation and minimize interference with the public. The land bridge will also act to separate the public from automobile and rail traffic and pedestrian traffic.

JGR



Patricia Winkel Rome
2527 Pine Creek Lane
Wilmington,Ca 90744
Phone (310)952-0533

January 28, 2009

Dr Ralph Appy
Director of Environmental Management
425 South Palos Verdes St
San Pedro, Ca 90731

Dear Dr. Appy,

ROM-1 The proposed plan for the Wilmington waterfront is very exciting. It seems you have total community support. If the city of Santa Monica can run its entire city fleet on solar electric why can't this whole project be sustainable? Could the green technology park have an open house 2 or 3 times a year? How about tours, labs, workshops for students and teachers? A demonstration garden and nursery could show how to landscape to protect the environment. Please use this unique opportunity to build something to benefit all of the residents of Wilmington.

Sincerely,

Patricia Winkel Rome

This Page Intentionally Left Blank

Patricia Rome

ROM-1 Thank you for your comment. Many sustainable design elements are incorporated into the proposed Project. Please see response to ROME-1 for additional discussion.

This Page Intentionally Left Blank

January 30, 2009

Dr. Ralph G. Appy
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

RE: Wilmington Waterfront Project

Dear Dr. Appy,

Having been around the waterfronts my entire life, both along the New Jersey Shore and now in the Long Beach/Los Angeles area, my wife and I read with excitement the Port's plan for development of the Wilmington Waterfront.

BAT-1

Of particular interest would be the benefits offered to the youth of the area. Having been a competitive rower for over 30 years and having rowed/raced on the waters of the Port, the development of this area which could easily include a youth rowing program, would offer many benefits to junior high and high school aged community members such as increased health awareness and exposure to college programs (USC and others).

BAT-2

We also understand that the USC Rowing Program has offered to provide housing for a Community youth rowing program, my question to you is why stop there. Rowing is a sport that adults can be introduced to and once proficient can do for many years. The waters of the Port offer an ideal location for such an endeavor.

Therefore, we congratulate the POLA and USC Rowing for their future thinking and vision to utilize this area for the benefit of the community. My wife and I await further development and information on this project and are excited about the prospect of seeing a community rowing program using the many miles of calm water.

Best Regards,

Bill and Cindy Bater

This Page Intentionally Left Blank

Bill and Cindy Bater

BAT-1 Thank you for your comment. LAHD welcomes the opportunity to engage with community youth through the possible use of the proposed Project by the USC Rowing Program.

BAT-2 Thank you for your comment. Your suggestions are appreciated. The public floating docks will allow for many types of recreation within the Wilmington Waterfront.

This Page Intentionally Left Blank

Wilmington Property Owners.
1348 Hyatt Ave.
Wilm. Ca. 90744
President Arthur Hernandez

To The port of L.A.

To The Water Front

HER-1 In the Master Plan for Wilmington there must be a lift for boats or Ramp, The people of

HER-2 Wilmington should have the right to water and access to the pacific Ocean, The access should be in writing.

In Wilm We want a light Rail System that works not a toy Train.

The Development of a light Rail System to

(1) Green Line

HER-3 ~~XXX~~ (2) Banning short-Line - Wilm Devel.

(3) Long Beach Blue. Line

(4) Am TRAX. Development.

(5) Development should be parallel.

(6) Economic consideration should parallel.

(7) ~~Municipal~~ municipal municipal. (W.N.C.)

Not 15th District

Sincerly Yours

Arthur Hernandez

This Page Intentionally Left Blank

Arthur Hernandez

HER-1 Thank you for your comment. A boat lift or ramp is currently not part of the proposed project design.

HER-2 Comment noted. The State of California granted the tidelands comprising the Port in trust to the City of Los Angeles in 1929 by statute commonly referred to as the "Los Angeles Tidelands Trust Grant" (Chapter 651, Statutes of 1929, as amended). As trustee of the Port, LAHD operates it in accordance with the Los Angeles City Charter, the Los Angeles Tidelands Trust Grant, the Public Trust Doctrine, and the California Coastal Act. These legal mandates require that LAHD use the Port for the purposes of promoting and accommodating waterborne commerce, navigation, fishery, and related purposes.

The overall purposes of the proposed Project are to increase public access to the waterfront; improve pedestrian connectivity from Wilmington to the waterfront; allow additional visitor-serving commercial and recreational development at the Waterfront District; improve the local economy and economic sustainability of the community by improving the industrial corridor along Harry Bridges and Avalon Boulevards; and finally to enhance automobile, truck, and rail transportation within and around the immediate area of the Port. As part of the proposed Project, there are a number of amendments to planning documents, including a rezone under the City of Los Angeles zoning ordinance to allow for parks consistent with the Tidelands Trust in Planning Area 5 (at the waterfront). Through the Tidelands Trust Grant, the purpose and objectives of the proposed Project, and the amendments to the planning documents under the proposed Project, access for the Wilmington Community to the waterfront is and will be in writing.

HER-3 Comment noted. A light rail system is not within the scope of the proposed Project. However, LAHD is continuing discussions with LA County Metro regarding regional transit connections to the Harbor area.

This Page Intentionally Left Blank

WILMINGTON WATERFRONT DEVELOPMENT PROJECT
SCOPING MEETING

Scoping meeting taken at Banning's Landing, California, commencing at 6:00 p.m., Thursday, January 15, 2009, before Katherine Jones, CSR No. 10097.

PAGES 1 - 31

APPEARANCES:

KATHERINE MC DERMOTT, POLA Deputy Executive Director of Development
CHRIS BROWN, POLA Engineering Division
JAN GREEN REBSTOCK, POLA Environmental Management Division

COMMENTS BY:
KEN MELENDEZ
DON COMPTON
ARTHUR HERNANDEZ
DAN HOFFMAN
GARY KERN
DONALD KNIGHT
DONNA ETHINGTON
JESSIE MARQUEZ
TIM HUMPHREY
SUSAN PRICHARD

Thursday, January 15, 2009; 6:00 p.m.
Wilmington, California

-oOo-

SPEAKER1: Good evening. I'm Katherine McDermott, Deputy Executive Director of the Port of Los Angeles, and we're really pleased to see people coming tonight. I was afraid we'd be talking to ourselves. Thank you for coming.

Before we get started, we have Spanish translation services available. Thelma or Kathy. Can you raise your hand?

Thank you. See Kathy or Thelma if you need Spanish translation services.

Tonight is really a milestone in something we're especially proud of as an organization because I think this has been a process that we've been proud of, that the community's been proud of, and I think this is a project that we all feel really good about. So we really feel this is the culmination of a long process, and we're glad to be here tonight for the public meeting.

The scale model of the project is available for viewing in the lobby. If you have any questions or would like to see that, you can step

3

out to the lobby to see it. The process tonight is that we're going to give a short presentation to review the project elements, and then we'll discuss the environmental review process and the findings of the environmental analysis.

After that presentation, then there will be an opportunity for public comment on the project and the analysis. And the allotted speaking time for each participant is three minutes. So if you're interested in speaking, we would ask you to please complete a speaker's card and turn it in to Kathy or Thelma.

I'd like to introduce staff this year to support the process: Chris Brown works for the Port of Los Angeles. I think most of you know that he's the project engineer for the Wilmington Waterfront Development Program.

Jan Green Rebstock, also for the Port of L.A., she's the environmental project manager for the Port's waterfront projects.

Charles Richmond, in the front here is with Jones & Stokes. He assisted in the environmental analysis for the project.

Q And those members of the Wilmington Waterfront Subcommittee, it would be nice if you

4

could stand, and we'd like to thank you for your participation and also acknowledge you. Could those members stand that are here.

(Members standing.)

Thank you. So I'm going to turn it over to Chris Brown now to provide the overview of the proposed Wilmington Waterfront Development Project. Thank you.

CHRIS BROWN: Thank you, very much, Katherine.

It's been a long time getting here. I know some of you have been with us all three years, and longer than that. Let's step through where we started on this.

This is a basic layout of the limits of the project. The main portion of it is centered here on the Banning's Landing buildings, the waterfront atop Slip 5, and Avalon Boulevard to

Harry Bridges Boulevard with a commercial district here between C Street and Harry Bridges. We looked at a bike path and pedestrian and future Red Car down to San Pedro.

The objectives of this project are what we have here: Improve the connectivity of the Wilmington Community to the Waterfront. You've got

5

waterfront community that's landlocked, and want to change that. Enhance livability to public open space and recreation. Enhance economic viability through sustainable economic developments.

Again, three years ago, 2006, we started official outreach for this project. In this very room, we had the first public meeting where we talked about general ideas for what people wanted to see in the project era. We broke up into groups and bring ideas forward and speak to the entire group.

We came back in July with several concepts for the project for the master plan and asked people to select one and then tell us what they liked about them and submit some of the other ones.

From there we came back in October with a draft proposed master plan and asked people what they thought of that. And then finally, in December, we presented the complete master plan with a model, with all the renderings and with a lot of snow out there on Bayview Field. That was a great day.

This is the master plan that we came up with. As I discussed earlier, it concentrates on waterfronts, bringing public access all the way a across the strip here, not just Banning's Landing. Without obstacles get to the waterfront, pedestrians

6

could come down and we can provide some green space -- a continuing green space down to the water.

We came up with an observation tower. We have incorporated water features throughout the project. There's triangle park which we're building; we haven't forgotten about that. We have tied into the commercial district in here linking the Wilmington Community with the waterfront, finally.

Since we adopted this master plan, we have moved into the design phase a bit. We refined the plan a bit, and what you see here is the interim phase of the plan, it incorporates the waterfront. We've gotten a little more specific in what that is going to be. We're incorporating the railroad tracks. What it doesn't incorporate is the DWP company here, water and power oil tanks here. We're working on acquiring that property and being able to build the whole project.

In the interest of not waiting until that was done, we came up with interim project to build as much as we could. And looking at the industrial green technologies throughout this area, and development area, with the plans to work with Clean Air Project and cleaning up the area. The idea was,

7

why spend that money and spend somewhere else? Let's keep the money in this area and taxes and jobs.

We also incorporated the California coastal trail portion here, the link from the west to the waterfront, leaving a right of way for the red car and incorporate another small kind of pocket park along the old red car right of way here to facility. The linkage would provide additional green space.

The full build-out when we get the properties, will allow us to have that green land bridge on the other side of the railroad tracks and provide a lot of open space, lawn, shady areas, and terrace plaza space along there, as well as, an additional large parking lot for the area.

Focusing more on waterfront in this slide we did provide for retail development down at the waterfront, hoping to get another thing to attract people down here. There's parking on this side. There's also parking over here which will serve Banning's Landing.

There will be piers that project out over the water to allow people to interface with the water. We've got transitory docks to allow boaters

8

to come up and tie up, and hopefully, go to a restaurant or spend time here in the area. That observation tower remained here and became quite a significant structure, as we'll see in a little bit.

Reiterating what we have, we have a parking lot over here, parking lot here that will be built in the first phase, and parking lot built when the DWP properties become available. It also shows a pedestrian bridge linking up to the Avalon Triangle area that will be built in the first phase to provide the linkage in the meantime.

This is a rendering of the kind of a bird's eye view of the water, what we're expecting this to look like. Here you see the observing tower, as well the pedestrian bridge leading down into this area. The lawn slopes down to provide a performance space, if that comes about, for events like that, and also just a place for people to look at, sit and look at the theater of the ports. We provided a space for the restaurants there. We will look for a developer to come do linkage, bringing people out to the waterfront with Banning's Landing.

Another view southwest of the area. Looking down from, basically, the top of the land bridge looking down that slope at the water. And

9

then this detail shows a little bit how that land bridge works. Underneath, it will be the railroad tracks. The existing ones and new ones.

Instead of having Water Street right here where it currently is on the waterfront, we're going to realign it along the railroad tracks to provide more space and put it underneath the tunnel to improve access to the area here. This is the final look, and some of the affects that we can get at

night with the illuminations on that.
So with that, that's a brief summary of the project. Let met turn it over to Jan.
JAN GREEN-REBSTOCK: Before I go through the environmental review, I'd like to make a short security announcement. There's a black Jetta blocking the access to the building. Could you please pull your car forward. Thank you.
So just a quick review of how we got here. We sent out the NOP or Notice of Preparation for beginning the environmental review back in March 2008. We had a scoping meeting here, and with all the input that we received, compiled the draft EIR which we released in early December. We've had a 45 days public review period, and there's a copy of the draft EIR on the table outside if you'd like

10

to take a look. We also did sent electronic copies to everyone, along with the reader's guide, if you didn't have time to read all 1,500 pages.
We are here tonight at the public meeting. We will take your input on the analysis and the draft EIR. The comment period closes at the end of the month, January 30. Then we hope to compile all of that and bring a final version of the EIR to the Board in the spring. We hope to have a certification hearing.
So this is a laundry list of the environmental issues that were addressed in the document. Wide range of issues: Aesthetics to utilities, we touched on hazards, cultural resources, land use issues. We are making some changes to the community plan boundary and Port master plan boundary in this document.
So touching on there, some noise issues related to the rail and harbor generating station nearby. But we were successful in applying mitigation measures, resulting in just three significant impacts which remain significant, even with the mitigation applied where possible -- where the Board will have to do overwriting considerations relating to air quality, geology, and noise.

11

And I'll go into a little detail in a minute what the details are with those. But we were successful in reducing everything to less than significant with mitigation. Here, and some impacts that were already less than significant.
Regarding the air quality, we do know that NOx emissions will exceed the threshold in the year 2011, and this is where construction emissions and operation emissions occur at the same time. We still have issues related to recreational health risks, and there's a discussion in there regarding the Mates III Study and the harbor generating station hazards. The ultra fine particles are an issue and we're trying to still deal with greenhouse gas emissions. Because we have a zero baseline, any emissions over that are going to be significant.
With geology, it's a fact of life we do have to deal with seismic hazards. There is nothing

that could mitigate that; that's a significant impact. There's construction noise due to pile driving. I do want you to know we were applying mitigation measures everywhere we could. The Port did recently, actually, I think this was last year, already approved sustainable construction guidelines to apply to all of our construction equipment, so

12

we're mitigating our air emissions and noise to the greatest extent possible.

So tonight is your chance, after you've had a chance to review the EIR, to provide us comments during this meeting, and I'll give you that moment in a second. You can fill out a comment card and leave it with us, or send us a letter by the end of the month. You can also send an E-mail, and so the contact information is up there.

With that, I'm going to go ahead and conclude this part of the meeting and then throw it open for public comment. And anyone who would like to speak will have three minutes. Please fill out a comment card, and I do have a stack of them here. What I'm going to do is call your name and then maybe the two people behind you, and maybe if you could cue up, and we can get through this in an orderly fashion.

And the first person to speak will be Ken Melendez, followed by Don Compton and Arthur Hernandez.

KEN MELENDEZ: My name a Ken Melendez, Waterfront Development Subcommittee. I've been in the Wilmington community since 1974 as a business owner for 25 years I'm retired from, property owner

13

for over 20 years, lived in Wilmington for 20 years. I now live in Harbor City. Ten years ago retired from my business got involved in doing volunteer work on the Wilmington Waterfront Development Subcommittee.

I support this 100 percent. I like every aspect of it. I like the idea of the jobs and bringing jobs to Wilmington community. I love the tower, I love the continuation of opening the rest of this up, the green areas, the red car, I mean, I like the whole part of it. WWFPC-1

I want to thank all the Wilmington Waterfront community people here. I want to name them, there's, basically, eight who have held together for almost seven years. They don't have to stand. Charlie Rico. Frank Herrera, right there. Cecelia Roman. Gary Kerns. Jessie Marquez is here. I'm here. Anyway -- Arthur Hernandez right there. There's been -- Don is back there -- he is over there hiding. I'm sorry. I'm getting old, my eyes are going bad. And my three minutes are running up.

I want to thank all them and we held together through all this, and a number of these people on this committee were working on this waterfront for Banning's Landing, like, 20 years

14

ago. So this has come a long way.
We need to move this thing forward and get this thing built. I want to thank Paul for writing an article ahead of time; he's here to write something. I appreciate that. He's from San Pedro, but doesn't matter, we're all one. I want to call attention to Jan and Chris and Dave Mathewson and Katherine McDermott. These are all Port staff and these are all the people that are making this happen too. It's a tremendous thing.
We all know Wilmington is difficult. There's a lot of things to overcome with the tanks and trains. This thing can really allow the Port to operate and bring something to the community. Of course, something's going to connect up with the buffer, they're going to build a 30-acre incredible park down there instead of -- I get a yellow light now -- they're going to build a 30-acre incredible park down there that wee worked on, call it the L. And that is a huge accomplishment from the TraPac (phonetic) expanding to now being a buffer between the community and the Port.
I urge everyone to get behind that project. Let's make it happen for Wilmington. Thank you, very much for coming. Thank you.

WWFPC-1
Continued

15

DON COMPTON: Ladies and Gentlemen, I've been one of the fiercest critics of the project, and there's an ongoing problem that Dr. John Froines and his wife and I and several others are still looking seriously and the issues related to ultrafines.
But let me concentrate you folks on this accomplishment. And Chris Brown mentioned that, roughly, May or April of '06, they started the public outreach on this. Well, on May 10, '06, the education caucus, of which I was Chair, and Arthur Hernandez, Vice Chair, met right here in this building with Roderick Hamilton.

WWFPC-2

Now, the point of this discussion is to show that this project is something that can save Site F, Wilmington, the market, the bank, by moving that school plan down across from this buffer. Because on May 10 of '06, Roderick Hamilton, who is the Chief real estate promoter for LAUSD, came down here and listened to Chris Brown and his presentation with the graphs and models.
Mr. Hamilton was so impressed with that data, that he told the group. And I'm not one who not only chaired the meeting, but took the minutes. He said this would be a wonderful spot, not at the buffer, but, say, across the street for a middle

16

school one day. Wilmington is in desperate need of a second middle school. The day has arrived. This project has now been approved and funded, despite the economic downturn, so there's no better time for all of you who wish to get a second middle school here in south Wilmington where this belongs.
To get behind this project, to talk to the mayor's deputy Ricardo Hong, to urge the mayor to take the focus off of Site F despite the homes being

done. That Northgate Market and parking area can be two-thirds and can be designed so we can focus on bringing the middle school component of the plan right down here.

Finally, we will have a middle school where it belongs, one in the south and one in the northwest. It's up to you folks. If you start lobbying hard and making telephone calls to Ricardo Hong, Janice Hahn, to your elected representatives -- because the WNC is all in favor of no school on site F. Leave it alone; we are in an economic decline. And the only source of the revenue and jobs of any matter is right there on that site. They take that off for a school, it may be built, but it won't be staffed. They're going to layoff 1500 teachers very soon, they have no money to replace them. So now's the time to stop that project and come down here if they want to build something. Let them put in the middle school component, at least.

WWFPC-2 Continued

ARTHUR HERNANDEZ: My name is Arthur Hernandez, I'm a board member of the Wilmington Waterfront Development Committee.

All through the years, we have gone forward to meetings and tried to have some sort of margin of success. I was a critic, I was a mentor, and was an advocate in development of the buffer, like so many other people in Wilmington, and not to see any success. But now this is the finale, I cannot believe how much development is going forward.

WWFPC-3

I'd like to take this time to thank everybody that worked on the committee, the Port, the people that made it all happen. It's wonderful to see something that's on the scale of development, it just grade great. I made a note of some of the things in the master plan for Wilmington. I mentioned a few things: There must be a lift for boats around ramps, which I think they already have a ramp easement right here at the Banning's Landing, or if they don't wish to use that, they can either have an overhead ramp -- a lift -- lift boats in there. Because it's so important for Wilmington to have access to water.

Some of the other ports up and down California don't have access to water, they don't have a Port of Los Angeles, they just have a little beach, and that's it. And they are regressing instead of progressing. Wilmington if we get access to water, we can progress and good forward. One time it was available, we had a fishing fleet in the Wilmington, one of my relatives, Ralph Page, he had a boat and was in charge of the Wilmington bus line that went over the hill and he was very active in Wilmington, that was 40, 50, 60 years ago.

WWFPC-4

Also, the access to the Pacific Ocean is wonderful, and that access should be in writing for Wilmington, never to be taken away. Because so many times we've brought -- we went forward and it was

mentioned and it was, like, taken away or deleted. It's very important for the residents, the people, the indigenous people of Wilmington to have that right to the water. 29 percent of the world only have access to water. So that's where we're at.

Also, Wilmington, we'd like to go forward with a light rail system, tunnel and rail lines

WWFPC-4 Continued

going through there. That's great. Also in Wilmington, we don't want a toy train, we'd prefer to have a light rail system that would go to possibly the Green Line, the 110, even the Banning Short Line for Wilmington Development, or connect to the Long Beach Blue Line. Or Amtrak, that would come in and come to Wilmington and connect to the cruise line in San Pedro. That might be something that would be better and would expedite the people in the cruise line, bring them around, take them to LAX, whichever comes first. That would be great.

WWFPC-5

Also the development should be parallel -- parallel to development of San Pedro. The economic consideration should be parallel. Because whenever you have rail lines, there's always one rail line that's trying to be dominant. Because of that, there's always been many problems in the development of rail lines. Angel's Flight, every time they take it, bring it out, they bill the City Council for $300,000. Somebody gets the money. And there shouldn't be any dispute and if that becomes successful, the money should be parallel and equal.

WWFPC-6

Also, the money should go to the municipal of Wilmington and go to the Wilmington neighborhood council there so that can be turned over to the

organization that can handle that money. And the money should not go to the 15th District because there was money allocated years ago, and I think it was about a year ago, and it went to the gap, about $300,000, then I think the lady of the 15th District, they had money for transportation, she gave it away to the Wilshire corridor. Thank you.

JAN GREEN-REBSTOCK: Dan Hoffman.

DAN HOFFMAN: Dan Hoffman, director of the Chamber of Commerce. Thank you for giving us the opportunity. It's embarrassing, but I went to most of the meetings and until recently, we didn't understand that this is separate from what was the buffer. But at our meeting last Thursday with the Board of Directors, we had a chance to review, I'm happy to report the Wilmington Chamber of Commerce Board of Directors approved the draft EIR and would like to see you move forward with it.

WWFPC-7

I would also like to thank you -- we talked to business members who are in the area that we're discussing, and the Port has worked collaboratively and cooperatively with those businesses, and we appreciate that and hope it continues. And on a personal note, I would like to thank Wilmington Waterfront subcommittee, who has

worked so hard and so long. Chris, and all the staff at the Port.

I've been a resident for 30 years, this is, certainly, one of the nicest things -- the nicest thing that I've seen come to Wilmington in that time. Thank you, very much.

JAN GREEN-REBSTOCK: Thank you. Following Gary will be Donald Knight and then Donna Ethington.

GARY KERN: Gary Kern, I'm the effective direct for the Wilmington AC Foundation. I was born and raised here. I've seen a lot of changes come from this community. About 20 years ago, a group of people came together trying to get this building built. After about a ten years' struggle to get the building built, we saw that there could be a good working relationship between the community and the Port. And with the coming together of PCAC community and formating the Waterfront Committee out of that, we decided -- a group of people in Wilmington decided that now was the time to draw a line in the sand and say to the Harbor Department, "You've come as far north as you're going to go."

After a lot of discussion, a lot of meetings, a lot of community input, a lot of consensus, which was very uncommon for the people in

WWFPC-7
Continued

WWFPC-8

Wilmington, we find we were able to bring all of our warring factors together and create one united voice. That voice is the culmination of that project today. It's a wonderful project. I think that in coming here, the community is going to see a lot of positive benefits. And I am one proud citizen of Wilmington. Thank you.

JAN GREEN-REBSTOCK: Donald Knight.

DONALD KNIGHT: I'm Donald Knight, president of United States Merchant Marines of World War II. We're the owners and operators of the Lane Victory; I hope you all know about the ship. You may think this is out of the plan, but this is mainly for the Harbor Department, it's going to take two minutes. The ship, although, it's not located in Wilmington, it does have a lot of ties here.

The current plans for the San Pedro Waterfront Project is to relocate us to the north Harbor water cut. We have several concerns regarding this. The slip appears to be very narrow, we need more room for tug boats. We need two tugs to dock us or put us into a slip.

Number 2, for our six Catalina cruises, we take aboard about 700 or 900 people. These passengers require 4 to 500 parking places, and I

WWFPC-9

don't see that parking places close to the ship where they have it located.

The space is required for loading caterers, goods, supplies, ticketing. I don't see the space for that. The has in location for movies, television series and commercials. Many of these require significant space for the company's equipment, large trucks, et cetera. Probably an acre or more. This is vital revenue to us.

We serve as the training platform for police departments, fire departments, Coast Guard, boat training for merchant seamen, Boy Scouts, Sea Cadets. Being confined to a slip will have significant problems for some of these activities. The alternate plan calls sustainable working group where they have us on a regular dock, as opposed to a slip. It would work far better for us. We ask that this be given more consideration. If we are to remain a viable operating ship in this harbor, these concerns must be addressed. So we respectfully request a meeting with your designers and engineers to make sure some of these issues are resolved.

Thank you for the opportunity to speak here tonight.

JAN GREEN-REBSTOCK: Donna Ethington

WWFPC-9
Continued

followed by Jessie Marquez.

DONNA ETHINGTON: I thought this day would never come. It's our lifetime. That's probably the most exciting thing. It's a huge thing for Wilmington to re develop that whole area. Remember, talking to the residents on C Street talking about all the trucks.

Now with this whole buffer area, I mean all those people along C Street will be protected and, you know, hold a brand new place for the kids to play. I couldn't be happier. And I gotta hand it to Ken and Cecilia and Gary and all those that really pushed this thing along.

WWFPC-10

The only thing we're missing, though, and I'm glad to see the right people here from the Port, is we gotta lick this now. We gotta put a Wilmington Youth Sailing to -- the kids need to ride their bikes from Banning's Landing to over there. The whole redevelopment over the, Wilmington Marina, so we complete the waterfront project, whatever it takes, to get all this going. I'm excited and I'm excited for the community. It's a great day.

Thank you, Port of L.A.

JESSIE MARQUEZ: My name is Jessie Marquez. I was also born and raised here in

Wilmington. I'm proud and honored to be here to see in beautiful project come to pass. I want to be able to thank of the Port staff and Port management for them undertaking such a concept, because what we've done here was never in their plans, never in their thoughts, and it took a lot to be able to understand what the relationship means between business and the community.

WWFPC-11

I want to thank the Wilmington Waterfront Committee, Wilmington residents, and other residents that have come from other areas for their participation to be able to understand what it does take to be a visionary? What does it take to be able to comprehend people's dreams? Many people in Wilmington have thought about developing the waterfront, many people thought, why couldn't this happen? Why couldn't that happen? But we've been able to come together and prove that we can realize

these dreams, we can make the impossible, possible. And that's what we've done. So I'm proud to be able to say that we support the project.

I will be submitting some written comments. There are a few things that we feel that still need to be addressed. They're all minor, things we'd like to see because the project area will be expensive. They need to have some emergency call boxes distributed so in case someone falls down, someone can immediately go to a call box inn case there's a robbery or something that might occur, there's a call box to go to. We do need these disbursed throughout the area, and I'm sure the public would like to have that.

WWFPC-11 Continued

WWFPC-12

Regarding our tower, I love the design of the sail, but one thing I did recommend before is that the actual stairway and elevator not be square, that it also have a curvature to it because you have a beautiful swept sail design and not too good looking rectangular, so add curvature to it.

WWFPC-13

Another detail, because we don't have the detail of what the tower is going to be, many people, like myself, you've seen, take photographs an movies. In many cases, they have screens or plexiglass. Well, you need to cutout sections so photographers can get their cameras in there to take photos. There are things that are minor, but we feel would be significant. And we do want this as a tourist destination point. Tourists need to take photos without a scratched plexiglass or screen in front of the lens.

JAN GREEN-REBSTOCK: Last two speakers of the evening are going to be Tim Humphrey and Susan Prichard.

TIM HUMPHREY: I'm a resident of the Long Beach, and I'm here to advocate the inclusion of water activities in this project. For about 16 years now, I've been involved with the sport of rowing, the last seven years as a coach. I recently stepped down from the Long Beach Association, my involvement there, and looking to start a new program.

WWFPC-14

Obviously, the space in Alamitos Bay is limited. I started looking around with the group and saw that there's a wonderful opportunity to find protective flat water in the Port of L.A. in Long Beach. So we've started contacting USC regarding possibly starting a community rowing club there. I'm here tonight at this meeting and discovered that this proposed site and improvement for the community would also be a spectacular site to include water access for recreational activity, especially one with such low environmental impact.

So it is my hope that high school rowing will be started, as well as community rowing. My personal dream is to provide athletic opportunities for kids from Banning High School, Cabrillo, Port of

L.A. High School that's opening up soon, even as far up as Poly, Compton, Jordan, and really give students that would ordinarily not be able to make the commute over to Alamitos Bay or up to Marina del Rey, which is the other nearest rowing program for the public, to give them an opportunity to come down and experience the sport of rowing.

Because I believe it has truly life changing principles and opportunities within it, and it would definitely go along with the aesthetic of this project trying to bring vitalization to an industrial area. So, you know, often times you see rowing in movies, a picturesque background, but along the same time, it definitely provides young athletes and adults who want to start something new, gives them a great opportunity in both physical and mental activity. WWFPC-14 Continued

JAN GREEN-REBSTOCK: Susan Prichard.

SUSAN PRICHARD: My name is Susan Prichard, resident of Wilmington. And I love everything in this whole thing. But there is one little point: I've attended a few musical programs here in the summertime. It's extremely hot outside here because of the white top, and if there's anything you can do for shading from this building WWFPC-15

to the water or -- the trees in your pictures look very straight. I don't know if you can make the trees kind of like -- what's the word I'm looking for -- they'll span out so that he make shade. It will be a lot better because of the water reflection on white can increase -- really adds to the heat in the summertime. Thank you.

JAN GREEN-REBSTOCK: Thank you. Before we conclude the meeting, I was going to give Chris Brown a chance to give you a little briefing on the shade structures that we incorporated into the project, because I know that's a concern of everybody's.

CHRIS BROWN: Let me get the right picture here. It is an excellent point, because it does get warm here. There's shade structures along the water, this here. Structures on top in this area, and we are looking at shade trees, not just palm tree type things. We understand; we hear that concern.

JAN GREEN-REBSTOCK: With that, this concludes our meeting. Thank you, very much, for coming. Please make sure you take a glance at the model on your way out. Have a good night.

(Proceedings concluded.)

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

I, KATHERINE JONES, Certified Shorthand Reporter No. 10097 in the State of California, duly empowered to administer oaths, certify:

That said public meeting was taken before me at

the time and place therein set forth and was taken down by me in shorthand and thereafter transcribed under my direction and supervision, and I hereby certify that the foregoing deposition is a full, true, and correct transcript of my shorthand notes so taken.

I further certify that I am neither counsel for, nor related to any party to said action, nor in anywise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 23rd day of January 2009.

_____

KATHERINE JONES, CSR No. 10097

Waterfront Hearing Transcript (WWFPC) Responses to Comments

WWFPC-1 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-2 Thank you for your comment. The proposed Project does not incorporate the building of schools. Furthermore, Site F, the market, the bank, and the moving of schools to across the buffer are out of the scope of the proposed Project.

WWFPC-3 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-4 The proposed Project includes a waterfront promenade and public floating docks for recreational boats and a possible water taxi. The proposed Project does not include a boat ramp or lift as there is not adequate space for long-term boat trailer parking.

WWFPC-5 The proposed Project includes the extension of the Red Car Line from the San Pedro Waterfront at Swinford Street and Harbor Boulevard to the Wilmington Waterfront at Avalon and Harry Bridges Boulevards. The proposed Project does not include a connection to the Green Line, a connection to the Long Beach Blue Line, or the construction and operation of an Amtrak line, as these are all out of the scope of the proposed Project. However, LAHD is coordinating with the MTA and looking for opportunities for more regional transit connections to the proposed project area and harbor area in general.

WWFPC-6 Thank you for your comment. The development of the proposed Project would generally occur parallel to the waterfront development of San Pedro. The Red Car Line in San Pedro and the Red Car Line in Wilmington are all part of the same system throughout the LA Waterfront. As engineering details for the Wilmington extension of the Red Car Line system still need to be worked out, it is anticipated that some portions of the San Pedro line may be constructed first.

WWFPC-7 Thank you for your comment. The support of the Wilmington Chamber of Commerce for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-8 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-9 Thank you for your comment. The Lane Victory is located in San Pedro. Any relocation or change to the Lane Victory would be part of the San Pedro Waterfront Project and not the Wilmington Waterfront Development Project. The concerns noted in the public comment regarding the Lane Victory will be addressed in the Final EIS/EIR for the San Pedro Waterfront Project.

WWFPC-10 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-11 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners.

WWFPC-12 Thank you for your comment. LAHD will consider incorporating emergency call boxes throughout the proposed Project.

WWFPC-13 Thank you for your comment. The final design of the proposed Observation Tower is not complete. LAHD will continue to consider public comments on the Observation Tower, including cutout areas from the viewing platform from which to take photographs.

WWFPC-14 Thank you for your comment. Programmed activities not been fully developed for the proposed Project; However, LAHD will consider accommodating youth and adult rowing activities within the proposed Project once it is built.

WWFPC-15 Thank you for your comment. Your support for the proposed Project will be forwarded to the Board of Harbor Commissioners. The proposed Project would incorporate a number of shade pavilions along the water and shade trees, not just palm trees, to protect visitors from the sun.