

JGP

PUBLIC UTILITIES COMMISSION

320 West 4th Street, Suite 500
Los Angeles, CA 90013



January 18, 2007

File Number: San Pedro Waterfront MND

Dr. Ralph G. Appy
Los Angeles Harbor Department Environmental Mngt Div.
425 South Palos Verdes St.
San Pedro, CA 90731

RECEIVED
JAN 24 2007
Env. Mgmt. Div.
Harbor Dept.
City of L.A.

RE: Comments on San Pedro Waterfront Notice of Preparation

The California Public utilities Commission (Commission) has jurisdiction over the safety of highway-rail 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.

I recently reviewed the Notice of Preparation (NOP) for the San Pedro Waterfront Project on behalf of staff of the California Public Utilities Commission - Rail Crossings Engineering Section (RCES). After looking through the plans for the project, RCES staff has concerns over the added pedestrian and vehicular traffic that will result from the project. To reach the promenade and joint bike path /pedestrian walkway greenbelt new access points are proposed to be created. These access points will be from the nearby neighborhood and new parking structures. Importantly, these access points will require crossing of the existing railroad tracks.

The Commission has adopted the Federal Railroad Administrations policy on reducing the number of at-grade crossings, and accordingly does not approve the construction of new at-grade crossings unless the applicant can provide substantial evidence that a grade separation is not practicable.

Looking at the proposed plans, in order to provide access to the Waterfront, new at-grade crossings will be created to get pedestrians and vehicles from parking lots and surrounding areas to your Waterfront. The project proposes to create four new at-grade crossings of 13th Street, 7th Street, 3rd Street, and Swinford Street respectively. Further, in the proposed plan to widen and modify the geometry of Sampson Way additional vehicular crossings will be created. The project will result in a total of six existing and proposed crossings within one mile of each other. In these cases, RCES recommends modification of your design or closure of existing crossings to reduce the total number of crossings in such a close proximity. Our records indicate that existing train movements over the existing crossing locations and in the general vicinity consist of The Red Car operating at approximately 15 MPH and freight trains operating at approximately 10 MPH.

LAND, 04/122-208. BRIDGE TO BROWN WATER BLR

RCES Comments on San Pedro's NOP
January 18, 2007

In the Transportation/Traffic Environmental Impact assessment on section XV of your NOP, increase in traffic and level of service due to the project were identified as potentially significant impacts. The impact the increase in traffic volume and change in level of service will have to the existing and proposed crossings needs to be addressed. Also, in your NOP you fail to discuss the design of proposed pedestrian and/or vehicular crossings that would be created as result of the project. The Port of Los Angeles should arrange additional meetings with the Commission's Rail Crossings Engineering Section to discuss relevant safety issues and to conduct a diagnostic review at the proposed crossing locations.

If you have any questions, you can contact me at 213-576-7076 or ldi@cpuc.ca.gov.

Sincerely,



Laurence Michael
Utilities Engineer
Rail Crossings Engineering Section

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SACRAMENTO, CA 95814
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FAX (916) 327-9113

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California State Senate

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ALAN LOWENTHAL
TWENTY-SEVENTH SENATE DISTRICT



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February 27, 2007

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

RECEIVED
FEB 28 2007
Env. Mgmt. Div.
Harbor Dept.
City of L.A.

Re: San Pedro Waterfront Project NOP/NOI Public Comment

Dear Dr. Appy:

I am writing in strong opposition to the current Port of Los Angeles San Pedro Waterfront project as laid forth in the December 2006 document entitled "Notice of Preparation/Notice of Intent San Pedro Waterfront Project". I am dismayed that the current project lacks most of the suggestions of the local community and fails to encompass any vision other than one of expediency and convenience for the Port.

While I no longer represent the San Pedro area in the state Senate, I played an integral role in launching this project as a member of the State Assembly. In fact I have detailed notes of meetings held on this very subject as far back as March of 2002.

At that time the "Bridge to Breakwater" concept was an exciting concept that created improved linkages between the community and the waterfront, expanded residential areas in downtown San Pedro, improved commercial opportunity and accessible recreational areas near the water. Now, nearly 5 years later, the community has been presented with a plan that ignores most of that vision.

It is very disappointing to see that the hard work of the community and indeed, port staff, should result in a plan that seems more a give away to the cruise industry than a thoughtful use of public tidelands.

I strongly suggest that the Port revisit the original plan that garnered much more consensus and excitement from the local community. As Councilwoman Janice Hahn correctly stated, this is our one opportunity to build a world-class promenade.

Thank you for taking the time to read my objections to the project.

Sincerely,

ALAN LOWENTHAL
Senator, 27th District

cc: Harbor Commissioners
Geraldine Knatz, PH.D

REPRESENTING THE CITIES OF THE 27TH SENATE DISTRICT
ARTESIA, AVALON, BELLFLOWER, CERRITOS, DOWNEY, HAWAIIAN GARDENS, LAKEWOOD, LONG BEACH,
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LONG BEACH, CA 90807
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Assembly
California Legislature



BETTY KARNETTE
ASSEMBLYMEMBER, FIFTY-FOURTH DISTRICT

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SPORTS, TOURISM,
AND INTERNET MEDIA
INSURANCE
RULES
TRANSPORTATION

February 27, 2007

Dr. Geraldine Knatz
Executive Director
Port of Los Angeles
425 S. Palos Verdes Street
San Pedro, CA 90731

Dear Dr. Knatz:

The Port of Los Angeles is a vital economic engine for San Pedro, the State of California and the nation at large. Your stewardship and vision in taking the helm of this asset is to be commended. The San Pedro Waterfront Project will one day be a local jewel which will serve to create the much sought after linkage between the Port and the community. I am proud to have both San Pedro and the Port of Los Angeles in the 54th Assembly District.

As such, I am writing to request that the Port evaluate the "2007 Community Growth Alternative" in the San Pedro Waterfront Environmental Impact Report. I understand that the San Pedro Peninsula Chamber of Commerce and other local organizations have helped prepare this plan and I am very supportive of their efforts to work cooperatively with the Port on a consensus waterfront plan.

Since 2001, the Port has spent many work hours and millions of tidelands trust funds on waterfront development plans devised through a lengthy public workshop process. The "2007 Community Growth Alternative" is based on the consensus public input and professional design work already completed over the past 6 years. Incorporating the views and concerns of local stakeholders would certainly help move this project forward.

The San Pedro Waterfront Project is a priority for the 54th District and will have local, regional and statewide benefit. I am available to assist the Port in any way necessary to ensure continued progress on this important project.

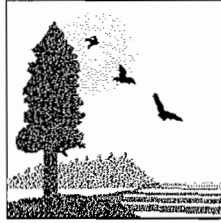
Sincerely,

A handwritten signature in cursive script that reads "Betty Karnette".

BETTY KARNETTE
Assemblymember, 54th District

cc: Honorable Antonio Villaraigosa, Mayor, City of Los Angeles
Honorale Janice Hahn, Councilwoman, 15th District, City of Los Angeles
Mr. David Freeman, President, Port of Los Angeles Board of Harbor Commissioners
State Lands Commission:
Honorale John Garamendi, Lt. Governor
Honorale John Chiang, State Controller
Mr. Michael C. Genst, Director of Finance
Mr. Paul Thayer, Executive Director, State Lands Commission

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



PAUL D. THAYER, Executive Officer
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Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1814
Contact FAX: (916) 574-1885

February 15, 2007

File Ref: SCH# 2005061041

Ralph G. Appy
Los Angeles City Harbor Department
425 S. Palos Verdes Street
PO Box 151
San Pedro, CA 90731-0151

Subject: The San Pedro Waterfront Project – Red Car Expansion Project

Dear Mr. Appy:

Staff of the California State Lands Commission (CSLC) has reviewed the revised Notice of Preparation (NOP) for the San Pedro Waterfront Project – Red Car Expansion.

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

The project area involves sovereign lands which were initially legislatively granted to the City of Los Angeles pursuant to Chapter 656, Statutes of 1911. The grant has been amended a number of times, most recently by Chapter 1130, Statutes of 2002. The Port, as a Trustee of these sovereign lands, must ensure that the specific uses proposed in the plan are consistent with the provisions of the relevant granting statutes and the Public Trust. Furthermore, project proposals for use of public trust resources must serve a statewide or at least regional benefit and caution must be taken so as to not confuse purely local or municipal benefits with public trust benefits.

As the vintage trolley line connecting the World Cruise Center with various attractions along the San Pedro waterfront, CSLC staff believes that the construction of

a Red Car Museum and maintenance facility for current Red Car use is generally consistent with the applicable granting statutes and the public trust doctrine. The revised NOP states that there is a new project element concerning the potential extension of the Red Car line to Cabrillo Beach, the Outer Harbor Cruise Terminal, and Warehouse No. 1. The new project element includes the construction of additional stations and the project area will be expanded to include the 22nd Street Landing Area, Crescent Avenue, Shoshosean Way, and Cabrillo Beach.

Staff considers the expenditure of trust monies for a feasibility study on the Red Car expansion to be generally consistent with the applicable granting statutes and the public trust doctrine. However, if the feasibility study concludes that expansion of the Red Car line into areas outside the Port's jurisdiction and onto non-trust lands is feasible and will be undertaken, it is staff's position that the local municipal transportation authority would participate in the funding of such an expansion, including any maintenance costs associated with the expansion.

We appreciate the opportunity to comment. If you have any questions concerning the CSLC's jurisdiction, please do not hesitate to contact Grace Kato at 916-574-1227. Thank you.

Sincerely,



Marina R. Brand, Assistant Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

Grace Kato, CSLC

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net



January 30, 2007



Mr. Ralph G. Appy

Los Angeles City Harbor Department

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

Re: SCH# 2005061041; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for San Pedro Waterfront Project; Los Angeles County

Dear Mr. Appy:

Thank you for the opportunity to comment on the above-referenced document. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS). The record search will determine:
 - If a part or the entire (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.
 - Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact.
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

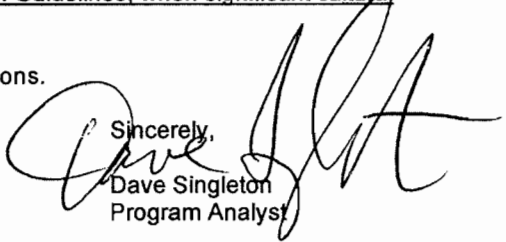
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this

Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse
Attachment: List of Native American Contacts

**Native American Contacts
Los Angeles County
January 30, 2007**

LA City/County Native American Indian Comm

Ron Andrade, Director

3175 West 6th Street, Rm. 403

Los Angeles, CA 90020

(213) 351-5324

(213) 386-3995 FAX

Ti'At Society

Cindi Alvitre

6602 Zelzah Avenue

Reseda, CA 91335

pimugirl@aol.com

(714) 504-2468 Cell

Gabrielino

Tongva Ancestral Territorial Tribal Nation

John Tommy Rosas, Tribal Administrator

4712 Admiralty Way, Suite 172

Marina Del Rey, CA 90292

310-570-6567

Gabrielino Tongva PO Box 693

Gabrieleno/Tongva Tribal Council

Anthony Morales, Chairperson

San Gabriel, CA 91778

ChiefRBwife@aol.

(626) 286-1632

(626) 286-1758 - Home

(626) 286-1262 Fax

Gabrielino Tongva

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Sec. 7050.5 of the Health & Safety Code, Sec. 5097.94 of the Public Resources Code and Sec. 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2005061041; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for San Pedro Waterfront Project; Los Angeles County, California.

**Native American Contacts
Los Angeles County
January 30, 2007**

Gabrielino/Tongva Council / Gabrielino Tongva Nation

Sam Dunlap, Tribal Secretary

761 Terminal Street; Bldg 1, 2nd Floor

Los Angeles, CA 90021

(909) 262-9351-Cell

(213) 489-5001-Office

(213) 489-5002 Fax

Gabrielino Band of Mission Indians of CA

Ms. Susan Frank

PO Box 3021

Beaumont, CA 92223

valhouston@verizon.

(951) 897-2536

Phone/Fax

Gabrielino

Gabrielino Tongva Indians of California Tribal Council

Robert Dorame, Tribal Chair/Cultural Resources

5450 Slauson, Ave. Suite 151 PMB

Culver City, CA 90230

gtongva@verizon.net

562-761-6417 - voice

562-920-9449 - fax

Gabrielino Tongva Indians of California Tribal Council

Mercedes Dorame, Tribal Administrator

20990 Las Flores Mesa Drive

Malibu, CA 90265

Gabrielino Tongva

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Sec. 7050.5 of the Health & Safety Code, Sec. 5097.94 of the Public Resources Code and Sec. 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2005061041; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for San Pedro Waterfront Project; Los Angeles County, California.

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MAYOR

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(213) 978-1270

www.lacity.org/PLN

February 27, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Spencer Macneil and Dr. Ralph G. Appy
915 Wilshire
Los Angeles, CA 90017-3401

NOP/NOI SAN PEDRO WATERFRONT PROJECT – COMMENTS FROM DEPARTMENT OF CITY PLANNING

The San Pedro Community Plan provides clear objectives and policies that guide local Plan Area development in coordination with Port development. The Plan recommends multi-agency coordination in achieving a livable community in San Pedro. In addition to supporting the Port's goals of promoting "commerce, recreation and fisheries", the Community Plan aims to mitigate any Port-related negative environmental impacts, as well as provide harbor recreational opportunities for local residents. Explicit in the Plan are directives that planning efforts provide adequate buffers and transitional uses between the harbor and the rest of the Community. The Plan also asserts that the Port should provide public amenities that will benefit community members. Other specific objectives address the development of San Pedro's Central Business District and Beacon Street Redevelopment in coordination with Port administration and future Port development.

The Port of Los Angeles' (POLA) objectives to establish enhanced connections between the Port and upland community are consistent with Department of City Planning (DCP) and other city agencies such as the Community Redevelopment Agency objectives to revitalize Downtown San Pedro. A notable improvement from POLA's past proposals is the dispersal of smaller parking structures throughout the project area, which will serve a range of Port and community needs. New pedestrian and vehicular access at key intersections along Harbor Blvd. will also be integral to advancing community objectives. In addition, POLA's decision to concentrate a limited amount of commercial and institutional uses on the Waterfront, creating a destination and tourist attraction that does not compete with, but rather complements the Downtown retail and entertainment objectives will also be consistent with Community Plan objectives. Additional connections that could be considered include upland improvements such as pedestrian and landscaping enhancements, complementary wayfinding signage, greening of rooftop structures, and streetscape tree planting.

The City of Los Angeles Department of City Planning (DCP) has completed its review of the Notice of Preparation/Notice of Intent (NOP/NOI) for the proposed San Pedro Waterfront Project. We have several comments on the project as it is currently proposed:



AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER



- The project site as presented in the NOI/NOP should clearly identify proposed improvements that are located within the San Pedro Community Plan area for analysis in the EIS/EIR. The Project Overview and Project Location should be updated to reflect proposed improvements within the San Pedro Community Plan area including:
 - the parking structures at Beacon and O'Farrell Streets and Knoll and Front Streets,
 - downgrading of Harbor Blvd south of 7th Street,
 - vehicular access at Harbor and 1st Street, and
 - pedestrian access at 13th Street.

- The Los Angeles Harbor Department should also consider the following recommendations for inclusion in the Project Elements and CEQA analysis:
 - Street tree planting in the upland area, including but not limited to the Downtown Waterfront Planning Area (an area bound approximately by Harbor Blvd., Swinford Street, 8th Street and Pacific Ave.). Tree planting could serve as mitigation to improve air quality in the residential and commercial areas directly adjacent to the Port of Los Angeles and also improve the aesthetic quality of those areas.
 - Special consideration for the Harbor Blvd. and Swinford Street intersection within both the Harbor and Community Plan Areas should be planned to reinforce the connection between the two planning areas and accentuate the gateway to both districts.
 - POLA should clarify the intent of parking structures within the Port and Community Planning areas to provide parking for cruise passengers AND residents wishing to access the promenade and waterfront. POLA representatives have indicated homeland security constraints exist for access to cruise terminals; however, security should remain a priority while also planning for waterfront access for residents and other visitors in addition to cruise passengers.
 - Greening of all roof top parking structures should be included to improve aesthetic impacts of new construction.

The Department of City Planning looks forward to continuing collaboration with the Port of Los Angeles' planners to identify project components that are mutually beneficial to San Pedro and the Los Angeles Harbor. If you have any questions regarding this matter, do not hesitate to contact Conni Pallini-Tipton at (213) 978-1196.

Sincerely,

S. GAIL GOLDBERG, AICP
Director of Planning



BETSY WEISMAN
Principal City Planner

SGG/BW:cpt

cc: Geraldine Knatz, Executive Director, Port of Los Angeles
Conni Pallini-Tipton, San Pedro Community Planner

**COASTAL
SAN PEDRO
NEIGHBORHOOD COUNCIL**

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An official
neighborhood
council of the
City of Los Angeles

Certified December 11, 2001

February 27, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Boulevard
Los Angeles, CA 90017-3401

Subject: Comments Submittal Regarding San Pedro Waterfront NOP/NOI

Gentlemen:

The Coastal San Pedro Neighborhood Council (CSPNC) has standing as elected public officials representing 28,000 residents of San Pedro. CSPNC notes that a substantial part, perhaps most of this project, is within the boundaries of the CSPNC, and all of it would have substantial impact on our residents.

Please see, below and attached, the comments filed by CSPNC applicable to the San Pedro Waterfront Notice of Intent/Notice of Preparation. We anticipate resolution of the listed issues prior to release of the Draft EIR/EIS for the Subject Project.

The CSPNC wants to move forward with waterfront improvements but has substantial concerns about the impacts of this project, segmentation of the EIR process, as well as the adequacy of the notice documents and the process used to create the NOP/NOI. Despite repeated promises of an open process and five years of public participation in developing a waterfront plan, Port officials created this proposal with no public input and no involvement of the Port Community Advisory Committee (PCAC) or the PCAC Coordinated Plan Subcommittee. The CSPNC, as well, was never asked for its input in creating the NOI/NOP.

The CSPNC is concerned by the timing of the release of the plan and its revisions. The plan was made public during the busy New Year/Christmas holiday period, albeit with an extended 60-day comment period. Then revisions were circulated late in January with no further extension of the comment period. Many remain unaware of the revisions and even the broader plan. We suggest, that to honor the original intention of giving the community 60 days to comment, the comment period be extended to 60 days from issuance of the revisions.

Thank you.

Douglas Epperhart
President, Coastal San Pedro Neighborhood Council

A. General Comments on NOI/NOP

1. CSPNC objects to the process by which the draft NOP/NOI was drafted
 - a. no involvement of PCAC's Coordinated Plan Subcommittee as agreed to previously
 - b. public involvement in a 5 year planning process was ignored
 - c. the document was released during the busy holiday period
 - d. the general public is not aware of revisions
2. CSPNC cannot support the main project or the alternative project as described in the NOI/NOP document because:
 - a. the project appears to be the first part of a long-term plan for large-scale commercial development – CEQA prohibits segmentation of a project to minimize reported impacts. This NOI/NOP does not include impacts of other Port plans for new development, including Cabrillo Marina Phase II and the Waterfront Enhancement Project. They are not analyzed here. In addition, Port officials have publicly discussed this project as part of a Master Plan that has never been released.
 - b. we oppose construction of new cruise ship berths in the outer harbor because it:
 - i. causes more pollution and traffic
 - ii. has the same impact on views as construction of large buildings
 - iii. disrupts recreational uses of the beach and marinas
 - iv. creates substantial Homeland Security-mandated security zones that will severely limit public access to significant portions of the San Pedro Waterfront
 - v. harms downtown businesses by attracting visitor-serving development away from downtown, while expansion and improvement of cruise facilities at the current location, berth 93-95, could have a positive effect
 - vi. consumes too much ocean-view property with parking lots and structures
 - c. CSPNC recommends that any waterfront project include significantly more parks and public open space (a landscaped median is not adequate).
 - d. the plan does not adequately separate industrial facilities and hazardous material storage from public, recreational or commercial spaces

B. Specific Comments on Environmental Impacts

1. Aesthetics
 - a. In evaluating the impacts on views, consider viewpoints immediately adjacent to the project area (Cabrillo Beach and Crescent Ave. Park) rather than the viewpoints identified in the NOP/NOI
 - b. In order to properly evaluate the impact of project elements on views, construct three-dimensional models or other representations that accurately show the full scale, including height
 - c. Evaluate the visual, noise and other impacts of cruise ships docked at the outer harbor berths, including an evaluation of nighttime glare
 - d. Evaluate the view impacts of the proposed parking structures
 - e. Consider the view degradation caused by large parking lots
2. Air Quality
 - a. Any expansion of the cruise industry will result in increased air pollution, even if mitigation measures such as AMP, speed reduction and low-sulfur fuel are employed, because new emissions sources are being introduced. This includes cruise ship transit and maneuvering, trucks, cars, buses, and cargo handling equipment. Mitigation measures mandated by law and joint initiatives with California Air Resources Board (CARB) or South Coast Air Quality Management District (SCAQMD) that utilize public funds cannot be considered as offsets for these emissions increases, because such mitigation measures would be implemented anyway in order to meet federal emissions standards.
 - b. CSPNC requests that the health risks to dock workers and residents resulting from the project be evaluated, and that the costs of increased health risks be calculated.

3. Recreation

- a. Security zones for cruise ships in the outer harbor would inhibit sportfishing, recreational boating and other marine recreational uses— no mitigation is possible for this impact. Recreational land uses would also be precluded.
- b. The presence of gigantic vessels in San Pedro Bay could affect the wind patterns that make this area ideally suited to sailing, windsurfing and kite-boarding. The effects should be evaluated.

4. Traffic

- a. CSPNC requests that the evaluation include a realistic model of traffic counts.
- b. The NOI/NOP misrepresents cumulative traffic impacts because the Port development plan includes additional visitor-serving commercial developments that are not analyzed here.

5. Noise

- a. Evaluate the industrial, commercial, entertainment and recreational noise attendant to and other impacts of cruise ships docked at the outer harbor berths.

6. Water Quality

- a. Evaluate the impacts of cruise ships docked at the outer harbor berths on water quality of inner beach and Salinas de San Pedro.

C. Recommendations

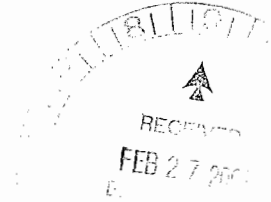
1. Coordinate all planning with the city planning department and incorporate land uses that are deemed appropriate elements of the new San Pedro Community Plan
2. Move forward with the Waterfront Development EIR/EIS process, but include an alternative that incorporates elements of the alternative project as developed through the open public process that has been ongoing for five years. The alternative should include:
 - development of a public park on the entire 22nd Street site
 - expansion of Salinas de San Pedro
 - development of public open space with marina/ocean viewpoints in the outer harbor
 - relocation of Jankovich tank farm and development of Fisherman's Park
 - relocation of Westway terminal
 - development of a new cruise terminal at the current location
 - no cruise berths in the outer harbor, as depicted in this plan
 - elimination (or reduction) of the north water cut to accommodate continued use of existing cruise berth
 - reduce the size of waterfront parking lots and avoid parking structures within scenic views
 - development of structured parking at the north end of the project and in the downtown area for joint use by downtown and waterfront developments
 - study the use of low-emission shuttle service from parking to waterfront and downtown destinations
3. Move forward with construction of a continuous Waterfront Promenade along the waterfront
4. Move forward with improvements to Ports 'O Call Village.



THE CENTRAL SAN PEDRO NEIGHBORHOOD COUNCIL

February 21, 2007

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



Subject: Central San Pedro Neighborhood Council response to the San Pedro Waterfront Project Notice of Preparation

On February 13, 2007, the Central San Pedro Neighborhood Council approved the following response to your project proposal:

The Central San Pedro Neighborhood Council urges the Port of Los Angeles to make a firm commitment to improving our downtown waterfront in the near future and to commence work on proposed new water cuts, and new waterfront promenades and open spaces (including a town square, a 7th Street Pier, and a Ports O'Call promenade) within the next 2 years. Linkages between the waterfront and downtown should be emphasized. Parking structures for the cruise terminal and other port land uses should be joint use facilities, providing significant numbers of additional parking spaces for our downtown. The Red Car line should be enhanced, possibly with spur lines west of Harbor Boulevard, to provide more connection between the waterfront and our downtown. More alternatives need to be developed for waterfront improvements outside of the downtown area (south of the San Pedro Slip), as there is little community consensus on the current Port proposals.

Sincerely,

Sue Castillo
Central San Pedro Neighborhood Council
Communication Officer and Land Use Planning Committee Chairperson
outreach@sanpedrocity.org

cc: Mayor Villaraigosa, Councilmember Janice Hahn, and Harbor Commissioners Freeman, Mendoza, Kim, Krause and Radesich

Central San Pedro Neighborhood Council
c/o Sue Castillo, Communication Officer
809 S. Grand Avenue, San Pedro, Ca 90731



February 27, 2008

Dr. Spencer D. MacNeil
United States Army Corp of Engineers
Los Angeles District
915 Wilshire Boulevard
Los Angeles, California 90017-3401

Dr. Ralph Appy
Port of Los Angeles
425 S. Palos Verdes Street
San Pedro, California 90733

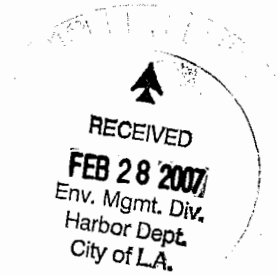
Subject: Notice of Preparation/Notice of Intent
San Pedro Waterfront Project

Dr. MacNeil and Dr. Appy:

The Northwest San Pedro Neighborhood Council (NWSPNC)-has consistently supported the redevelopment and improvement of the San Pedro Waterfront area. We have provided comments to the Corp of Engineers and Port of Los Angeles on the Bridge to Breakwater project, participated in the development of the project scope through PCAC for the San Pedro Waterfront, and consistently commented on the main themes related to the development of the waterfront. We are disappointed that more of the themes discussed by this Neighborhood Council and other community groups are not reflected in the San Pedro Waterfront Project Description. Additionally, the NOP should have outlined the entire waterfront project of which this is only one phase.

Our general and specific comments related to the San Pedro Waterfront Project as outlined in the December 2006 Notice of Preparation/Notice of Intent (NOP/NOI) and the January 17, 2007 NOP revision are provided below.

- Waterfront Development should enhance linkages to downtown San Pedro
- Public access via walkways to and along the waterfront should be improved and extended to create a promenade from the Vincent Thomas Bridge to the Federal Breakwater
- The scale of any development should not significantly alter the existing community fabric of San Pedro
- The Port of Los Angeles' "No Net Increase" policy should be applied.



Diana Nave
President

Dan Dixon
Vice President

Sanni Wehbe
Treasurer

Mary Hamlin
Secretary

It is in this context that we provide the following comments.

1. The creation of Outer Harbor Park with limited commercial amenities in the Outer Harbor Cruise Terminal should be evaluated as a projective alternative.
2. Impacts from the proposed Cabrillo Marina Phase II development should be discussed as part of the EIR/EIS.
3. The EIR/EIS should evaluate alternative berthing locations to accommodate the existing and projected growth of the cruise ship industry.
4. The EIR/EIS should include a detailed evaluation of the risk to cruise ship passengers, employees, and visitors if a catastrophic upset were to occur at the Westways Terminal located at Berths 69 – 72.
5. The Draft EIR/EIS should evaluate potential cruise ship calls at the proposed Outer Harbor Terminal. This evaluation should include an option of occasional use and the expected maximum.
6. All Cruise Ships calling at the port should be required to utilize Alternative Marine Power (AMP). Should equivalents to AMP be considered, any difference between emission reductions from AMP the proposed alternatives should be mitigated through emission reductions elsewhere in the Port.
7. A project alternative based on the removal of Westways terminal and associated rail should be evaluated and compared to the proposed project and other project alternatives.
8. The EIR/EIS should evaluate the feasibility of removing the rail tracks south of the junction of Harbor Boulevard and Sampson Way. The removal of unneeded tracks will remove the storage of rail tank cars with hazardous materials in this area.
9. The project should evaluate and consider parking in the area west of Ports Of Call if all rail lines are removed except for a single rail line to serve Westways and a single rail line to serve the Red Car.
10. The EIR/EIS should evaluate parking structures with roof tops near Sampson Way that are green with vegetation (plants and grass) and can provide activity space, viewing and access from Harbor Boulevard to the Ports of Call area.

11. The proposed projects should evaluate the cumulative impacts resulting from creating opportunity sites on the Port owned land east of Harbor Boulevard and West of Sampson Way between 7th and 13th Streets.
12. The EIR/EIS should consider how to link cruise ship passengers and guests to other San Pedro amenities and downtown. For example, passengers and guests using the surface and structured parking areas could be given vouchers for local restaurants and attractions as part of the parking fee.
13. Transportation of passengers and guests to and from the proposed and existing cruise ship terminals should be consistent with improvements proposed with the Port Transportation Master Plan.
14. The removal of subsurface pipelines and any petroleum impacted soil should be included as part of the widening of Sampson Way.
15. The EIR/EIS should evaluate and include recommendations for storm water management and water conservation in accordance with the recently adopted Integrated Resources Plan and City of Los Angeles Storm Water Program.
16. The EIR/EIS should evaluate the construction of buildings following the City of Los Angeles Sustainable Building Initiative.
17. A discussion of greenhouse gas emissions and potential mitigations should be included as part of the air quality impact section.
18. For the surface and structured parking lots, wet and dry weather storm water runoff could be mitigated through the use of green space within the parking lot area.
19. An evaluation as the collection of storm water for later usage at Bloch Field and for other space should be evaluated as part EIR/EIS
20. To reduce storm water impacts (wet and dry) from trash and other debris the EIR/EIS should include as a mitigation, requirements that the latest technology to catch solid debris be included with any storm drain catchment basins designs.
21. Linkages between Peck Park, Welcome Park and the Promenade should be discussed as part of EIR/EIS.

February 27, 2007

22. The EIR/EIS should include a discussion of the Red Car elements as they relate to linking cruise ship passengers and guests to downtown and Cabrillo Beach and the Cabrillo Marine Aquarium.
23. As part of the EIR/EIS we request that the Port evaluate connecting the Bloch Field restrooms to the sanitary sewer.
24. As part of the EIR/EIS study we request that the Port evaluate remediation of soil and groundwater at Crescent and 22nd to allow for possible commercial/retail usage.

Your consideration of these comments is appreciated. Please feel free to contact me at 310-831-1975 if you have any questions.

Sincerely,

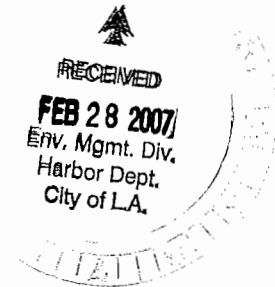


Diana Nave, President
Northwest San Pedro Neighborhood Council

SAN PEDRO & PENINSULA HOMEOWNER'S COALITION

Averill Park Homeowner's – Barton Hill Assn. – La Rambla Neighborhood Group – Leland Park Homeowner's – Rolling Hills Riviera Homeowner's – San Pedro Peninsula Homeowner's United Inc. – Palos Verdes Shores – South Shores Homeowner's Association – The Palisades Homeowner's – Point Fermin Homeowner's Assn. –

P.O. Box 1106
SAN PEDRO, CA 90733



February 27, 2007

Dr. Spencer D. MacNeil
US Army Corp of Engineers
Los Angeles District
915 Wilshire Boulevard
Los Angeles, CA 90017-3401

Dr. Ralph Appy
Port of Los Angeles
425 S. Palos Verdes St.
San Pedro, CA 90733

Subject: Notice of Preparation/Notice of Intent
San Pedro Waterfront Project

Dear Dr. MacNeil and Dr. Appy:

The San Pedro & Peninsula Homeowner's Coalition wishes to submit the following as it's recommendations for the San Pedro Waterfront.

1. The Community in general seems to be clearly disappointed in the plan that the Port has put forth. One of the most flagrant omissions is the lack of a vision for development in it's entirety. Although the Port's plan has been described as a "sort term" plan, there is no general plan that identifies the goal of its long-term use. This illustrates segmentation.
2. The 1979 Port Master Plan identifies that the west channel shall be used for "public recreation". Yet, the Port inappropriately negotiated an industrial lease renewal with GATX in 1996, waiving their soils remediation costs and allowing the sale and transfer of title to Westway Chemical. This action robs the public of the recreational use of this land that was specifically identified in the PMP. The existing safety risks, and it's contamination of soils and channel waters, preempts the public from using it now and potentially for decades. The Waterfront Project needs to include a plan for retrieval, remediation and restoration of this property to the public. The methodology for restoration should be evaluated and identified in the EIR/EIS.
3. It is critical to the economics of San Pedro to integrate a plan that creates a strong link to the adjacent historic Downtown San Pedro business district. The City of Los Angeles has spent many thousands of public dollars in the active pursuit of economic revitalization for this district for many years. The only way to realize success, is to build on the synergy of the Waterfront. Therefore, the clear integration and tie in to this Downtown area is vital to our Community

4. The development of the Cruise Ship Terminal, for the expansion of that industry, should only be considered after removal and clean up of all the hazardous conditions at the Westway Chemical Storage facility, It should also only be considered after realizing attainment of air quality in the South Coast Region.
5. The Draft EIR/EIS should include a visual process by which the public can envision the addition of the Cruise Terminal. We suggest in the absence of City of Los Angeles building codes applicable to the Port (that were developed to address blockage of scenic views of residences off of "Port Lands") that a silhouette planning process be implemented as used in other municipalities such as the City of Rancho Palos Verdes. This process will, very visually and publicly, identify the magnitude of the size of the projected Cruise Terminal and its visiting ships. Only then can the affected public understand the true impacts of the proposed development, its aesthetic detriments/benefits, and any intrusion upon its view shed.
6. The EIR/EIS should include a discussion of the Red Car elements as they relate to linkages with existing and any future Cruise ship passengers and guests to Downtown, Cabrillo Beach and the Cabrillo Marine Aquarium.
7. As a part of the air quality impact section a discussion of greenhouse gas emissions and potential mitigations should be included.
8. The removal of subsurface pipelines and remediation of any petroleum impacted soil should be included as part of the widening of Sampson Way.
9. Any and all future Cruise Ships calling at the Port must utilize Alternative Marine Power (AMP). Should equivalents to AMP be considered, any difference between emission reductions from AMP and the proposed alternatives must be mitigated through emission reductions elsewhere in the Port.
10. The EIR/EIS needs to include the development of a comprehensive evacuation plan to service any future Cruise Terminal business and/or any additional population created by the introduction of public use to the area.

We hope that you will carefully consider our comments and place significant importance on these issues that are so critical to our community.

Sincerely,



Andrew Mardesich

President

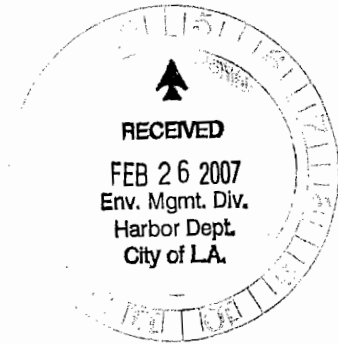


Los Angeles Maritime Museum Foundation

Preserving Local Maritime History

Berth 84 • Foot of Sixth Street • San Pedro, CA 90731
(310) 548-7618 • Fax (310) 832-6537 • www.lamaritimemuseum.org

JGR



February 23, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Spencer MacNeil and Dr. Ralph G. Appy
915 Wilshire Boulevard
Los Angeles, CA 90017-3401

SUBJECT: San Pedro Waterfront

Gentlemen:

After reviewing the plan described in the Notice of Preparation/Notice of Intent for the San Pedro Waterfront Project (NOP/NOI), the Los Angeles Maritime Museum Foundation herewith expresses its concerns of the effects on the Maritime Museum of three elements of the project. The elements of major concern are the Downtown Harbor Cut, the 7th Street Harbor Cut, and the Town Square, all of which, taken together and independently, would have extremely adverse effects on the operations and structural integrity of the Maritime Museum.

The Maritime Museum is located at Berth 84, foot of Sixth Street, in the refurbished Ferry Building, which is designated Los Angeles City Historic-Cultural Landmark No. 146. The building is also on the National Register of Historic Places and is an outstanding example of adaptation of an historic structure for another purpose—the Maritime Museum.

As we understand the plan, the Downtown Harbor Cut would demolish the parking lot on Sampson Way and the trailer complex that serves as the home of the Los Angeles Maritime Institute. Also demolished would be the waterside walkway designated Bill Olesen Waterfront Walk, in dedication to the memory of much-loved Harbor Historian William L. Olesen. Not only would the cut be a desecration of a valued memorial, by destroying the parking facility it also would very negatively affect the operation of the Maritime Museum, one of Bill Olesen's great achievements as a museum founder. In recognition of his contributions as Harbor Historian, the Los Angeles City Council designated the Bill Olesen Waterfront Walk.

The parking lot serves as a staging area for the many tour groups of school children, seniors, and disabled that regularly visit the museum. The parking lot is critical if the museum is to serve the 8,000-plus visitors who come monthly to its door and nearby memorials. In addition to museum visitors, hundreds of disadvantaged inner-city children and volunteers at the Los Angeles Maritime Institute rely on this parking lot. Currently, there is no charge for parking. Should the Downtown Harbor Cut be constructed, museum visitors would have to park at some newly constructed remote facility and be forced to pay parking fees, though that facility would not be at all convenient to the museum or the institute. At the February 15th focus group meeting on the San Pedro Community Plan, Captain Jim Gladson, president of the Los Angeles Maritime Institute stated that he would rather give up his right arm than lose the existing parking.

Even now, the existing parking facility is inadequate to serve attendees on peak visitor days when exhibit openings and special programs are featured and community events take place. This same inadequate parking lot also serves groups that arrive for cruises on the Harbor Department's cruise boat *Angelina*, berthed at Berth 84, and vehicles of the Port Police, whose headquarters are in the Maritime Museum building and whose boats are tied at the same berth. To reiterate, any new parking facility would not be convenient to the needs of Berth 84.

In the Environmental Checklist Form of NOP/NOI, under Section XV. Transportation and Traffic is the reply to question f: Would the project result in inadequate parking capacity? The reply (p. 61) states that there would be a Potentially Significant Impact. For museum attendance, the impact would be *immediately devastating*. In the discussion of this question of inadequate parking capacity, the plan authors write: "Project improvements would . . . increase the number of visitors [and] would require that additional parking be provided." The only future additional parking closest to the museum indicated in the plan appears on Figure 7, well to the north of the proposed North Harbor Cut, not at all convenient for museum visitors, and even that parking proposal is only conjectured. Additionally, that conjectured parking facility is located better to serve the cruise terminal than the Maritime Museum. Further, the conjectured parking facility disappears entirely in Project Alternative No. 1, as shown in Figure 6.

Obviously, little or no thought has been given to mothers and fathers who will take their children to the museum and will be forced to trek the long distance from the poorly located conjectured parking facility, even if it ever becomes a reality. The best the plan says about parking is: "[I]t is currently unknown whether the planned parking areas and alternative transportation measures would be adequate to serve the public." Perhaps the project planners are considering the Red Car Line as "alternative transportation"; this line has limited facilities, does not operate daily, and is totally inadequate to handle large numbers of visitors on high-volume days. Certainly, it is imprudent to demolish an existing, well-located parking facility on the vague promise of another that would not properly serve the requirements of four users: the increasingly busy Maritime Museum, the Maritime Institute, the Harbor Department's own Port Police and Port Police vessels, and the Harbor Department's own motor vessel *Angelina*. The plan virtually dismisses the critical necessity of adequate, well-planned parking with the cavalier attitude of "We'll worry about that later."

While the proposed Downtown Harbor Cut attacks the Maritime Museum on the north side, the proposed 7th Street Harbor Cut attacks it on the south. The whole of modern improvements on the shore within the project area is built on an apron of concrete and asphalt laid over fill of assorted materials. Although much of this fill has been in place for over a century and is well packed, much of it on the shore immediately adjacent to the water has been there for a considerably shorter time. The Maritime Museum building stands on piles driven in 1940-41. The fill around it was placed in the period of less environmental consciousness than guides us today. So in addition to the adverse cultural impact, the proposed cuts provide two more impacts—hazardous from a materials standpoint and geological.

Relative to the geological aspect, the demolition and removal of existing piles, rocks, and bulkheads will greatly disturb the channel bottom and undermine the museum building's foundation. The proposed Downtown and 7th Street cuts appear to actually touch and possibly intrude Berth 84 on both sides.

The instability of the ground on which the Maritime Museum sits is recognized in the NOP/NOI, Environmental Checklist, Section VI. Geologic and Soils. In the response to question c: Is the project located on a geologic unit or soil that is unstable . . . , the plan authors state,

"Potentially Significant Impact. The project is located within an area where historic occurrence of liquefaction or local geologic, geotechnical, and groundwater conditions indicate a potential for permanent ground displacements. . . . Liquefaction could lead to ground settlement and lateral spreading resulting in ground movement into the channel areas."

The response claims that "the proposed facilities would be built in compliance with the most up-to-date building codes which would minimize potential impacts to the greatest degree feasible." This response does not directly address the impact on Maritime Museum of ground displacement and settlement that would be caused by the demolition, excavation, pile-driving, and dredging activities integral to the construction of the cuts. The "most up-to-date building codes" do not address potential damage to existing structures such as the Maritime Museum resulting from these demolition-construction activities. The codes apply only to the construction and erection of new buildings and facilities.

The "most up-to-date building codes" were not sufficient to prevent the sudden development of a huge sinkhole on Hollywood Boulevard near Vermont Avenue during excavation of Red Line subway tunnel in Los Angeles. Nor were they sufficient to prevent the subsidence of the ground beneath the buildings on each side of Hollywood Boulevard during cut-and-fill operations for the same subway tunnel through the heart of Hollywood. And that excavation work was being done in *stable* soil. Fortunately, there was time to sufficiently reinforce the sides of the cut to prevent damage to the buildings. On the other hand, the sinkhole was a sudden collapse of earth that left no time for preventive action; immediate evacuation of area prevented the loss of life.

Because of the unstable soil on which it stands, the Maritime Museum is vulnerable to this kind of event—being swallowed up by a huge sinkhole. Or, perhaps, the building would only collapse from the undermining of its foundations. There would barely be time to evacuate the staff and visitors but no time to save the thousands of objects, artifacts, and memorabilia, and uncounted pages of archival documents and historic artwork. The museum building and all its contents would be irretrievably lost. Lost along with the building would be the cultural treasures standing on the grounds immediately adjacent to the Maritime Museum building: Anchors, ship's bell; forepeak, 3-inch gun mount, and ship's bell of the heavy cruiser U.S.S. *Los Angeles*; World War II torpedo; propeller of the *Queen Mary*. Possibly lost but certainly displaced would be the American Merchant Marine Veterans Memorial, mast of the U.S.S. *Los Angeles*, Fishing Industry Memorial, and ILWU Memorial, not to mention the Red Car Station and the Harbor Department's own trackage.

A lesser threat is the seismological disturbances caused by the construction for the proposed Harbor Cuts. Tremors radiating from these disturbances would cause damage such as cracks in the building or foundation, and even dislocation of the foundation, if the tremors are severe enough. Because the structure of the Maritime Museum is well constructed and sound, such damage may not be life threatening; however, damage of any kind must not be caused to a National Register building.

What the project planners must require is an independent, in-depth, plan-specific geotechnical study of the ground under and around the Maritime Museum building, and an analysis of the effects upon the soil of demolition and construction activities adjacent to the structure. This must be followed by an analysis by competent structural engineers of those effects on the structural integrity of the building. Such a plan-specific study is nowhere mentioned in the NOP/NOI document. The concluding statement of the response to question 'c' that the "geologic impacts . . . will be assessed in greater detail in the EIS/EIR" is just so much pap and does not adequately answer the question. To be accepted by authorizing agencies, an Environmental Impact Statement/ Environmental Impact Report requires no more than such innocuous statements as

Los Angeles Maritime Museum Foundation

Corps of Engineers/L.A. Harbor Department 4
San Pedro Waterfront

February 24, 2007

document. The concluding statement of the response to question 'c' that the "geologic impacts . . . will be assessed in greater detail in the EIS/EIR" is just so much pap and does not adequately answer the question. To be accepted by authorizing agencies, an Environmental Impact Statement/ Environmental Impact Report requires no more than such innocuous statements as appear in the response, with the pious assurance that the project would be completed in a manner "which would minimize potential impacts to the greatest degree feasible." Feasible according to whom? This pious assurance does not replace the need for plan-specific studies by a competent, independent group specializing in geological studies and civil-structural engineering that will not be beholden to the Harbor Department for its recompense.

Relative to Environmental Issue VII, Hazards and Hazardous Materials, there is testimony from long-time residents of San Pedro that a number of abandoned fuel pipelines dating from the period of World War II exist under the ground of the proposed Downtown and 7th Street Harbor Cuts. The NOP/NOI document does not address the possible existence of such abandoned pipelines anywhere in the project area. The question remains: What variety of hazardous materials might be dredged up during construction of the proposed Harbor Cuts?

Also missing from the plan are provisions for restrooms and drinking water fountain in the areas designated for Town Squares and Harbor Cuts. Nor are there any such facilities presently in existence at the Red Car Line stations. Currently, there are no accommodations for basic human needs, and this deficiency is carried over to the San Pedro Waterfront Project. Do the planners expect that the inadequate restroom facilities of the Maritime Museum will accommodate the thousands of visitors this project is expected to attract?

The Los Angeles Maritime Museum Foundation strongly recommends that the Harbor Cut elements of the San Pedro Waterfront Project be removed from the plan.

Yours truly,

LOS ANGELES MARITIME MUSEUM FOUNDATION



Henry Silka
Acting Secretary

cc: Los Angeles Board of Harbor Commissioners
Geraldine Knatz, Ph.D., General Manager, Los Angeles Harbor Department
Jan Green Rebstock, Port of Los Angeles Project Manager

**Port of Los Angeles Community Advisory Committee
EIR/Aesthetic Mitigation Subcommittee**

February 22, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Dr. Spencer D. MacNeil
915 Wilshire Boulevard
Los Angeles, California 90017-3401

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

Subject: San Pedro Waterfront Project

These comments on the Notice of Preparation/ Intent of an Environmental Impact Statement/Report (EIS/EIR) for the San Pedro Waterfront Project are submitted on behalf of the EIR and Aesthetic Mitigation Subcommittee of the Port of Los Angeles Community Advisory Committee (PCAC). The subcommittee is a part of PCAC which is an official standing committee of the Board of Harbor Commissioners. The subcommittee was designed to have a central role in the development of these documents throughout the process.

As directed by the Harbor Commission, the PCAC's mission includes:

..review all past, present and future environmental documents in an open public process to ensure that all laws—particularly those related to environmental protection—have been obeyed, all city procedures followed, and all adverse impacts upon the communities mitigated.

Based on this directive, the Department and the PCAC have been working to establish an "EIR Template" that provides a standardized approach to environmental review of projects. We request that all aspects of the template be utilized in preparation of the EIS/EIR.

It is essential that the subcommittee be a full partner in the following tasks:

- Establishment of the baseline for key variables such as traffic, air quality, and aesthetics.
- Establishment of the inventory of present and reasonably anticipated future projects contributing to cumulative impacts.
- Evaluation of key elements of project characteristics assumed for analysis purposes, including operational variables such as passenger loads.
- Evaluation of key assumptions to be utilized in analyzing impacts

- Alternatives to the proposed project to be examined in the EIS/EIR
- Evaluation of negative impacts off of port lands, if any, and recommendation of appropriate offsets

It is our understanding that the project will include expanded cruise ship facilities, waterfront improvements, an additional 37,500 square feet of commercial uses, parking, circulation improvements, and open space uses. The project will consist of several elements, as presented in numerous tables in the NOI/NOP. We request that a similar table summarizing development for the entire project be included in the EIS/EIR.

The EIS/EIR must also identify at what point and for what projects additional environmental documentation will be provided. We request that impacts be presented for each project element as well as for the project as a whole. This will enable decision makers and the public in general to evaluate whether individual elements should ultimately be implemented, while also indicating the full scope of project impacts.

A mitigated negative declaration (MND) was previously prepared for the San Pedro Waterfront Enhancement Project. (San Pedro Waterfront Enhancements Projects Mitigated Negative Declaration June 2005) which includes enhancements to pedestrian and vehicular circulation, parking, demolition and construction of several small structures, signage and expansion of the existing park at Ports O' Call. We request this MND and any public comments submitted thereon be included by reference in our comments. We also request that a POLA/City of Los Angeles document known as "San Pedro Waterfront and Promenade, From Bridge to Breakwater, Executive Summary Number 1. Through March 31, 2005, (Financials through Feb 28, 2005)" be included by reference in these comments. This document was also dated "March 31, 2004" in another version. We also request that the EIR/Aesthetic Mitigation Subcommittee Report to the Port of Los Angeles Community Advisory Committee dated August 16, 2005 be included as part of our comments. This Report details some of our concerns.

We also request that all comments made by any member of the public at the January 23, 2007 public scoping meeting for this project be incorporated by reference in our comments. The Subcommittee shares the disappointment in the proposed project expressed by many members of the public at that meeting.

Need for Comprehensive Planning

We are concerned about the lack of an updated Port Master Plan/Local Coastal Program and updated Port of Los Angeles Plan/Community Plan addressing Port development in a comprehensive manner. The Port of Los Angeles Plan, intended to fulfill state mandated general plan requirements has not been updated in many years and fails to provide the types of basic information as to future uses and intensities provided in community plans for other portions of the City of Los Angeles and required under state law.

Private developers utilizing private property must comply with comprehensive planning programs and regulations established by the City of Los Angeles. These programs define such issues as future uses, building height and building intensity. This not only provides a framework

for future developers, it enables other agencies such as Caltrans, the South Coast Air Quality Management District, and the Department of Water and Power to develop comprehensive plans and long range strategies to address future growth.

By contrast, development on the publicly owned Port property is subject to no such planning framework or limitations on growth. Not only is this unfair to local residents contemplating their future place in community or elsewhere and unfair to owners of local commercial property faced with greater planning constraints than developers of Port land, it renders it impossible for other public agencies to plan for the future.

Without the required Port Master Plan/Local Coastal Program and updated Port of Los Angeles/Community Plan, we ask:

1. How can Cal Trans plan for future traffic needs?
2. How can SCAQMD create meaningful plans to clean the air, especially in light of the fact that Port related activities are the single largest contributor to the pollution they are mandated to reduce?
3. How can DWP plan for future needs?

The NOI/NOP indicates that the project would provide "enhanced visitor-serving commercial opportunities within Ports O' Call, complementary to those found in downtown San Pedro", though with the competitive advantage mentioned earlier. The NOI/NOP also indicates that "Future development of the waterfront that responds to market forces is speculative and will be addressed under subsequent environmental review if required", essentially setting forth a piecemeal approach to future development, forcing other public agencies to develop after-the-fact responses to willy-nilly growth at the Port. It is no wonder that local and regional transportation infrastructure is strained to the limit.

Environmental Baseline

We request that the EIS/EIR not only examine project impacts compared to existing conditions, but also compared to impacts assumed for previous EIS/EIRs, EIRs, and other environmental documents, if any, prepared for existing projects in the improvement area, particularly cruise operations. In the subcommittee's review of previously prepared environmental documents we have found that operations at various facilities have evolved from those assumed at the time environmental documents were prepared. In many cases, operations in the form of cargo throughput or passenger loads, for example, have increased. Because later projects use an "existing condition" baseline, impacts due to project evolution to volumes much larger than anticipated remain unanalyzed and unmitigated.

We respectfully request that the document entitled "Review of Previous Environmental Documents" dated August 2004 prepared for the Past EIRs Subcommittee of the POLA Community Advisory Committee be made a part of the public record on this matter and be considered as part of these comments. The document is on file at the Port of Los Angeles.

It is imperative that POLA break the cycle whereby activities at various berths gradually exceed activity levels anticipated in previous environmental studies, creating impacts not anticipated or mitigated followed by the increased, unmitigated activity levels then being used as a baseline for

future environmental investigations for new operations which themselves exceed estimates in environmental analyses, creating *more* unanticipated and unmitigated impacts which are *then* used for an even further increased baseline. The subcommittee notes that this ongoing death spiral of unanticipated, unmitigated growth and increasing baselines has contributed to the significant backlog of unmitigated environmental impacts sustained by communities around the Port.

Selection of an inflated baseline established by including activities not previously subject to CEQA review seems to the Subcommittee to repeat one of the major flaws of previous environmental documents. Use of an inflated baseline causes potential project impacts to be understated, inconsistent with the directive established by the Harbor Commission that all projects be evaluated according to the requirements of environmental law and that all adverse impacts upon the communities of San Pedro and Wilmington be mitigated.

Project Operations

It is also essential that the EIS/EIR address future evolution of project operations. This is of great concern regarding the cruise terminals, where passenger loads may increase over time absent any discretionary action which would trigger additional environmental review. The Subcommittee has spent considerable time reviewing and discussing cruise operations and has found that previous environmental documents did not appear to anticipate changing conditions. It is essential that cruise passenger loads be addressed in terms of ultimate capacity, not just anticipated use for the first year or two after construction. In order to address changing conditions and passenger loads, requirements for additional environmental review as passenger loads increase or automatic imposition of additional mitigation measures must be incorporated into any project approval.

The Subcommittee also has the following concerns which must be addressed:

Project Objective and Need

The NOI/NOP indicates that one project objective is to respond to increasing and forecast demands for cruise facilities. In support of project need, future growth projections must be provided in the EIS/EIR.

Project Description

1. The project description must identify any general plan amendments, zoning amendments, master plan amendments or other discretionary approvals that will be required and identify the responsible agency for each action.
2. In order that all impacts to a project may be fully analyzed, it is essential that the project description be as complete and accurate as possible. This must include project operations in addition to project construction, including but not limited to:
 - hours of operation
 - anticipated passenger load
 - number of ship calls

- size of ships
 - capacity of ships
 - staffing of ships
 - ship provisioning
 - helicopter operations (number of flights, time of day, route, etc.)
3. The project description must identify maximum capacity of any and all facilities, not just anticipated use at one point in time. Worst case impacts for operations at full capacity must be quantified and presented in the EIS/EIR, as it is entirely possible that worst case will be achieved.
 4. The EIS/EIR must examine whether the proposed project will allow larger cruise ships to be accommodated and identify impacts of serving the largest ships.
 5. Page 11 of the NOI/NOP indicates that:

Parking facilities would be provided primarily for relocated and expanded cruise ship operations and the Catalina Terminal. Under the proposed project, the existing surface parking area for the Berths 91-93 cruise ship terminal operation would provide the required 2,200 spaces.

However, the project also includes significant new parking facilities potentially accommodating thousands of additional cars. What uses are these thousands of additional parking spaces intended to serve? If these new parking areas are intended to serve cruise ships, what would become of land currently devoted to surface parking for Berths 91-93?

The EIS/EIR must quantify parking requirements for each use and identify where and how parking requirements would be met. The EIS/EIR must be candid about future users of new parking to be developed.

6. The EIS/EIR must identify future use of Berth 96 after the Catalina Express moves and any impacts of the new use.
7. Any marina re-location must be identified and all impacts examined in the EIS/EIR
8. The project description must identify any construction staging areas, including staging areas for circulation improvements.
9. The EIS/EIR must identify the upland areas to be used for disposal of dredge spoils along with impacts on the surrounding area.
10. Any project related activities on off-port lands must be identified and impacts fully identified and mitigated. This would include construction activities, such as haul routes for construction/demolition materials, and ongoing use, such as upland parking.
11. The EIS/EIR must identify which tanks are to be removed and address any necessary remediation.
12. Graphics in the EIS/EIR must clearly differentiate between existing and proposed uses.

Aesthetics

1. Massive "mega-ships" and proposed structures have the potential to obstruct views of the water and the Vincent Thomas Bridge, a regional landmark known as "the gateway to Los Angeles". Rendered photos showing proposed development, with and without the

- largest cruise ships present in port must be provided, showing alteration of views from viewpoints the surrounding community and the Vincent Thomas Bridge.
2. The analysis of visual impacts must address the cumulative effect of Port activities on views over time. This must include visual access to the water as well as impacts on views of Vincent Thomas Bridge.
 3. Impacts of light and glare must also be examined in the light of a “no port/no night lighting” condition. This must include a discussion of impacts of lighting on night-time views of the Vincent Thomas Bridge.
 4. Shade/shadow impacts of multi-story structures must be addressed.
 5. Potential mitigation must be identified and windows to the water must be provided wherever possible.
 6. The EIS/EIR must examine the potential for proposed parking structures and other construction to wall off the waterfront from the community. What is the Aesthetic impact of this? Does this conflict with the overall project purpose?
 7. Realignment of Harbor Blvd./Sampson Way cuts down the amount of open space that would formerly have been available to the North of 22nd St. for a park and public playing fields. A reasonable approach would be to delay the realignment of Harbor/Sampson until such time as the land is actually needed for other uses; the open flat land to the North of 22nd St that would be lost due to the realignment could be used as “temporary” playing fields for youth such as soccer or baseball fields. Nearby Bloch Field sets a precedent for “temporary” playing fields on POLA property.

Air Quality

1. The Harbor Commission has made a commitment to “no increase in overall Port pollution due to new projects”. Thus, any emissions associated with the proposed project must be balanced with corresponding reductions elsewhere within the port.
2. In light of the above commitment, the baseline for examination of cumulative impacts on air quality must be no greater than emissions in 2001.
3. Air quality analyses must address not only project construction but operation, including cruise ship visits and servicing of the cruise ships. This must include cumulative impacts of all parts of the entire project combined with other projects in the area.
4. The EIS/EIR must address conformance with the adopted Air Quality Managements Plan in the light of the total emissions anticipated from Port activities upon completion of the proposed project, including any increases in passenger load facilitated by the project, versus total emissions anticipated for POLA under the AQMP and any other air quality planning programs.
5. Odors from exhaust emissions, odors from tank removal activities, and odors escaping in any pump out operations must be examined. The EIS/EIR must also address any odors from dredged materials. Such odors can carry some distance, not necessarily stopping at Port boundaries.
6. Investigations into air quality must address both existing air quality standards and those that are adopted and slated to go into effect within the time frame for this project, particularly for very fine particulate matter, i.e. PM 2.5.

7. Localized micro climates must be included in air quality analyses and local air quality hot spots must be identified and mitigated. Effects on children and other sensitive individuals are of special concern.
8. Local air pollution must be examined in the light of the numerous sources of pollution in the subregion, including POLA, Port of Long Beach, oil refineries, Los Angeles International Airport, power plants, and other pollution sources.
9. Air pollution monitoring stations must be established in both Wilmington and San Pedro with data readily available to the public.
10. The effects of air pollution must be examined in the light of effects on human health as outlined in the attached document (and in the references cited) titled "Health Effects of Diesel Exhaust Air Pollution" August 28, 2003" prepared by the Environmental Subcommittee/Air Quality Group of the Port of Los Angeles Community Advisory Committee. (Attachment B). This has been previously submitted to the PCAC, BOHC and POLA. The discussion must not be limited solely to cancer deaths anticipated over seventy years' exposure. Effects of air pollution on sensitive receptors, such as children, are immediate and serious. Prenatal effects have also been documented and must be discussed in the EIS/EIR.
11. Given that modern cruise ships function as small floating cities of up to 5000 persons (passengers and crew) that get all their power from diesel generators when not at the dock, the impacts on persons particularly prone to adverse health effects from diesel exhaust (sensitive receptors) must be evaluated. The proposal calls for placing one, two or possibly even three at a time of these small cities in a location that is potentially upwind of facilities in which these persons live. These would include but would not be limited to the assisted living facilities for the elderly on 8th St below Pacific Ave the children's day care center on 8th Ave and the nearby Glen Anderson Senior Citizens Center. The EIR should provide a complete listing of all such facilities that will potentially be downwind of the proposed cruise ship terminal.
12. Realistic trip lengths must be utilized in calculating vehicle emissions.
13. Emissions from out-of-state vehicles must be included when calculating mobile emissions.
14. Air quality analyses must include increased emissions due to increased traffic congestion
15. As spelled out in the previously submitted, "Memorandum Re: Cruise Ships as Disproportionately Large Contributors to Air Pollution versus Container Ships" Feb 14, 2005, cruise ships are a significant source of air pollution. It was noted from data in the Portwide Baseline Air Emissions Inventory that while Cruise Ship calls account for only 12% of all ship calls, they generate roughly 19% of all ship generated PM10 air pollution. Total per ship call pollution generated by cruise ships exceeds that generated by containerships by factors of 1.4 to 1.67 times as much depending on the pollutant studied. Plugging of cruise ships into shore power, or Alternative Marine Power or AMP for "hotelling" must be included as a mitigation measure within the proposed project as well as elsewhere in the port.
16. Emissions due to generation of electricity from the grid to be consumed within the proposed project must be addressed.
17. All mitigation measures must be practical and verifiable. For example, the MND for the San Pedro Waterfront Enhancements maintained that emissions would be kept

within acceptable levels by meticulous scheduling of equipment to be used. This appeared to be of dubious practicality and extremely difficult to monitor and enforce. Speculative, difficult to monitor measures such as this must not be included in calculations of measures utilized to reduce impacts to a level of insignificance.

18. A finance program to retire old, high-polluting vehicles with newer, cleaner vehicles must be included as a mitigation measure to help mitigate air quality impacts.
19. Additional, off-of-port-lands measures to reduce air pollutant emissions, such as provision of cleaner, alternate fuel school buses throughout the South Coast Air Basin, must be considered as a means of providing air quality mitigation.
20. The EIS/EIR must quantify how many tons of carbon dioxide (CO₂), the major greenhouse gas, will be generated during project construction and for each year of operation.
21. The EIS/EIR must identify and quantify additional greenhouse gases which would be generated as a result of the proposed project and discuss such gases in the light of global warming.

Biological Resources

1. The EIS/EIR must address the effect of additional night lighting on marine organisms and avifauna.
2. The EIS/EIR must examine any potential impacts to the wetland area presently existing at the intersection of 22nd St. and the bluffs below Crescent Avenue and provide full mitigation of any impacts.

Cultural Resources

Will the proposed water cuts beside the Maritime Museum endanger the structural integrity of the Museum building? The EIR must address how the structural integrity of this historic building is to be maintained and what remedies will be available if the building is damaged. The EIR must address how parking for the museum that will be lost if the water cuts are created will be replaced. Plans that assert transport by the Red Car Line from remote locations as a solution will not be acceptable.

Geology and Soils

1. Geologic studies must address geologic hazards affecting future uses on constructed fill, including the Palos Verdes Fault and potential liquefaction.
2. The potential for ground subsidence in the area due to dewatering must be addressed.

Hazards

1. The EIS/EIR must address possible hazards due to toxic materials potentially present in material to be dredged.
2. The EIS/EIR must examine potential release of toxic materials during tank removal and replacement at the Jankovich site.
3. The EIS/EIR must examine how any residual toxins found in the soil at the Jankovich site will be removed.

4. The EIS/EIR must examine the effect of the proposed project and other continued Port growth on increased traffic and evacuation routes, particularly at times when thousands of passengers may be arriving in port.
5. The EIS/EIR must address the ability to quickly evacuate thousands of individuals from a cruise ship. This must include evacuation of ships arriving from a foreign port. How will the need to screen arriving passengers under Homeland Security protocols be met while removing said passengers from a hazardous situation?
6. The EIS/EIR must examine the effect of the proposed project and other continued Port growth on increased traffic and emergency response.
7. The EIS/EIR must examine the effect of the proposed project and other continued Port growth on emergency medical services including paramedics and local emergency rooms. The discussion must address the addition of thousands more people to the area operating in a "party mode", as well as the ability to respond to other health threats due to mass food poisoning, terrorists attack, or other cruise related problems.
8. Mitigation measures must include full evacuation plans for the surrounding community, including identification of routes and measures to facilitate evacuation.
9. The EIS/EIR must address effects of increased numbers of larger, deeper vessels carrying thousands of passengers and hundreds of crew members on Homeland Security.
10. The EIS/EIR must examine the effect of radio waves on cruise passengers, including an assessment of exposure.
11. The EIS/EIR must examine how cruise ships may affect and be affected by hazardous materials footprints in the Port.
12. The EIS/EIR must examine how ships at Kaiser Point may affect winds in Hurricane Gulch and the effect on small craft safety. The EIS/EIR must also examine how winds will affect the cruise ships.
The project proposes to establish Cruise ship berths in an area know locally as Hurricane Gulch due to the very high wind velocities, especially in the afternoon, encountered at that location. These very high wind velocities are known to be due to the Venturi effect operating on winds as they flow in off the ocean around the Palos Verdes Peninsula. For example, afternoon winds out in the Catalina Channel can be 10-12 knots but 22-24 knots plus in Hurricane Gulch. Unfortunately cruise ships use very tall superstructures, thus having very high "windage" (that is, they present a very large surface for the wind to act upon). They will be berthed beam to the wind in this project. What is the potential for a docking disaster, especially if the ship were to loose power?

13. How will the necessary Security Exclusion Zone on the waterside of the cruise ships affect small craft traffic that will have to pass by to to get to berths at the nearby marinas? Will this block small craft from being to go to and from the nearby marinas.?

14. The EIS/EIR must address the potential for helicopter crashes and potential establishment of a no fly zone.

Water Quality

1. The EIS/EIR must examine impacts on water quality due to removal of dredged materials and other construction activities. Quality of materials at each location must be tested prior to dredging.

2. The EIS/EIR must examine how reconfigured harbor areas and channels may affect localized currents.
3. The NOI/NOP indicates that no groundwater will be pumped to serve the project. Where will cruise ships obtain their water supplies? Any analysis must consider the largest ships which are about the size of small cities, accommodating over 5,000 people in combined passengers and crew, and must address a worst case condition with all cruise ship berths occupied.
4. The EIS/EIR must address how the project will comply with Resolution R-00-02 of the Los Angeles RWQCB which requires new development to control discharge of stormwater pollutants. Necessary facilities must be identified and their impacts examined in the EIS/EIR. Any drainage improvements must be addressed in the EIS/EIR.

Land Use and Planning

1. The EIS/EIR must examine whether the project conforms to various local and regional plans. This must include both type of use and intensity of use defined in adopted plans.
2. The NOI/NOP appears to indicate that the project may be inconsistent with the Port Master Plan, Community Plan/General Plan and zoning. The need for any amendments should be identified as part of the proposed project. Amendments to these programs will require approval of the Coastal Commission and the City of Los Angeles, respectively. These amendments must not be treated as administrative afterthoughts, but as the very essence of Port planning. Any specific projects must be altered to conform to adopted comprehensive planning programs, not vice versa.
3. The EIS/EIR must examine how the proposed project may lead to increases in more "industrial" port uses directed to the Wilmington area as the San Pedro waterfront becomes more focused on commercial and recreational uses. Associated impacts on the Wilmington community must be addressed.

Noise

1. The EIS/EIR must address the affect of construction noise on recreational boaters.
2. The EIS/EIR must address vibration as well as noise from pile driving.
3. The EIS/EIR must address increased vehicle noise resulting from increased traffic generated or facilitated by the proposed project.
4. The EIS/EIR must address noise from parties, live and/or amplified music and other activities emanating from cruise ships
5. Noise analyses must address specific frequencies that may carry or resonate to a greater degree, such as certain helicopter noise.
6. All mitigation measures must be practical and verifiable. Speculative or difficult to monitor measures must not be utilized to justify any finding of no significant impact.

Population and Housing

1. The EIS/EIR must address demand for housing by employees working in the proposed development. This must include anticipated income profile of workers, including service workers, and available housing supply at various economic levels.

2. Housing supply and demand must be addressed in the light of the Housing Element of the Los Angeles General Plan and other relevant plans.

Recreation

1. The EIS/EIR must examine impacts on recreational marinas and small craft, including both the ships themselves and any affect on winds.
2. The EIS/EIR must examine how the ships and any security perimeter would affect small craft and windsurfers.
3. The EIS/EIR must examine impacts on air quality and noise which could affect recreational boaters.
4. The EIS/EIR must examine potential conflicts between recreational craft, construction/dredge equipment, and cruise ships.
5. The EIS/EIR must examine the effect of construction activities on existing parks and open space.
6. The EIS/EIR must examine the effect of thousands of cruise passengers on use of existing and proposed parks and open space.
7. How will the previously mentioned very strong afternoon winds affect the passengers on the ship? When the afternoon "hurricane" blows it is wet cold and uncomfortable to be out in it. Will that adversely affect their experience?

8.

Traffic

1. The EIS/EIR must examine potential for increased traffic generated by proposed uses including commercial development and cruise ships.
2. The EIS/EIR must examine impacts on access to the water, including recreational access during construction.
3. The EIS/EIR must examine how access to coastal resources would be affected by increased congestion generated by traffic drawn to new commercial development which is not coastal dependent and marginally, if at all, coastal related.
4. Any need for new surface transportation infrastructure must be examined and responsibility for implementation of improvements assigned.
5. Infrastructure improvements must be phased with development so that improvements do not lag behind impacts sustained by the community.
6. Mitigation measures must include means of reducing traffic and must be practical and verifiable.
7. The EIS/EIR must not assume trip reductions due to use of the Red Car, which would likely provide more of a tourist/recreation function than actual traffic relief.
8. The EIS/EIR must examined volumes of cruise passengers and other project visitors who would be anticipated to use air travel to access the region and identify any increase in demand for air travel.
9. Traffic impacts must be examined in the light of the Congestion Management Plan and other adopted transportation plans.
10. Analyses must not be limited to only the largest intersections listed in the Congestion Management Plan, but must include other intersections in the vicinity that operate or are

anticipated to operate at unacceptable levels. These include, but are not limited to, numerous intersections on Gaffey Street.

Utilities and Services

As noted above, some of the new cruise ships are the size of small cities. Analyses of service systems, including but not limited to water, sewer, electricity, and waste disposal must be examined for cruise ships as well as fixed uses. Local and regional infrastructure systems must be addressed, including health care and emergency response infrastructure as noted above.

Energy

Energy consumption and opportunities for energy conservation must be explored. These include reduced lighting, green construction techniques, and use of energy efficient equipment.

Community Blight/Environmental Justice

It is hoped that the proposed improvements will have a positive impact on the socioeconomic health of the adjacent community, leading to upgrades elsewhere. In that light, we request that any claimed benefits from the proposed project be fully documented. For example, what proportion of cruise passengers will actually book hotels or shop in the nearby area? What proportion will merely see the nearby community of San Pedro as just a bus terminal and parking lot at the point of embarkation?

This project should not be approved unless it can be demonstrated and documented on the public record that benefits will exceed costs, including social and environmental costs. The Port's various environmental impacts, including aesthetic impacts, traffic, noise, and air pollution, create undesirable conditions that may reduce property values and produce blight. As the environment degrades, property owners have less incentive to maintain their properties, and landlords have trouble finding tenants, thereby reducing income available for property maintenance. Eventually, a downward spiral is created with adverse environmental conditions leading to reduced property values, poorer property maintenance, disinvestment, and less regard for community values by decision makers. The result is greater and greater deterioration in widening circles of blight. We are thus extremely disappointed that the currently proposed project fails fulfill earlier commitments to remove heavy industry from the Bridge to Breakwater area.

Evaluation of "blight" must include such issues as land use, aesthetics, cultural resources, public health and safety. The surrounding community has a rich ethnic/cultural traditional with many families established in the community for generations. Blight will affect both the residential community and ethnic retailers/wholesalers and other services providing a focal point for ethnic communities.

Mitigation measures in off-port lands that address blighted conditions arising from port operations must be identified. It is essential that decision makers for the proposed project weigh potential economic activity generated by Port activities against the negative economic and

environmental impacts sustained by the surrounding community. To the extent feasible, new development should open up the waterfront to the adjacent community, not block it off with multi-story commercial buildings and parking garages.

We are also concerned that the proposed project may lead to increases in more "industrial" port uses in the Wilmington area as the San Pedro waterfront becomes more focused on commercial and recreational uses. Wilmington would thus be subject to increased traffic, air pollution, noise and other blighting impacts. All impacts on the Wilmington community must be examined in terms of environmental justice and fully mitigated. While the Subcommittee desires to see aesthetic and recreational opportunities improved in San Pedro, Wilmington should not be permitted to degrade further. The discussion of environmental justice must identify which populations and land owners will sustain impacts versus who, if anyone, will benefit.

Cumulative Impacts

All impacts must be examined in the light of other planned and reasonably foreseeable growth in the area, both on and off of port lands. Of particular concern would be the cumulative impact of this project combined with impacts of improvements at Cabrillo previously examined in the Cabrillo Phase II EIR.

As noted above, the examination of cumulative impacts must not be limited only to projects that have been identified to have significant impacts on their own, but include other projects which may create individually insignificant but greater than minimal impacts. Individual and cumulative impacts must be fully mitigated. This must be presented in a manner that makes clear the impacts to be created by the proposed project alone; the impacts to be created by all past, present and future segments of the project and impacts to be created, or that have been created in the past, by other projects in the area.

Alternatives to the Proposed Project

Alternatives to the proposed project offering greater open space and recreational opportunities must be included. This should include additional space for recreational marinas and removal of all industry, including Westways, from the Bridge to Breakwater waterfront. An alternate location for the cruise terminal, such as the inner harbor, must be considered. The alternative presented by the San Pedro Coordinated Plan Subcommittee at the PCAC meeting of July 19, 2005 must be considered. The EIS/EIR must also examine the "green alternative".

Acceptable alternatives must fulfill the following:

1. More green open space.
2. No additional traffic, especially not in the southerly portion of San Pedro.
3. No blockage of water views from San Pedro.
4. No overdevelopment of downtown.
5. Preservation of community character.

Overriding Considerations

We have long hoped that the Board of Harbor Commissioners would refrain from approving *any* project which would result in unmitigated impacts thereby requiring the preparation of a statement of overriding considerations (SOC). Should that hope continue to be in vain, we request at least that any SOC be based on a quantitative project specific study demonstrating concrete benefits.

Any supposed economic benefits must be documented in a study including basic economic data for the proposed project and must also address the costs of health problems and excess deaths caused by increased pollution created by the proposed project and other Port development, the costs of wear and tear on vehicles and time lost due to increased traffic congestion created by the proposed project and other Port development, and loss in property value due to blight created by the proposed project and other Port development. We note that many of the anticipated vessels and their parent corporations operate under a foreign flag thereby reducing Federal and State tax revenues as well as providing exemption from U.S. labor laws and other regulations, as detailed in *Devils On The Deep Blue Sea* by Kristoffer Garin, which we also incorporate by reference.

We request that any SOC, Findings of Fact and supporting materials be made available to the public well in advance (a minimum of fifteen days) of any decision on the proposed project.

We are concerned to note that the proposed project appears to benefit only one industry, the cruise ship industry, at the expense of the surrounding community. Indeed persistent rumors in the community suggest that one single corporation, the Disney Company, will be the beneficiary of all this public largess in the form of a new cruise terminal. Will all cruise lines presently calling at POLA be able to use the new terminal? Or will it be exclusively used by one company?

The cruise industry has been compared to professional sports teams, they come to a community, then leave. Could the cruise terminal become like an sports stadium after the team it was built for leaves town....paid for with public money but empty?

Conclusion

We are disappointed that POLA has chosen to move forward with projects in the San Pedro area prior to completion and adoption of a comprehensive plan, but remain hopeful that the full impact of all San Pedro waterfront projects will be presented in the discussion of cumulative impacts.

We are also concerned that decisions regarding waterfront development be made only after all environmental documents have been completed and subject to public review. This concern is raised by statements such as those in the previously circulated San Pedro Waterfront Enhancements MND assuring that the project was consistent with the then in progress Bridge to Breakwater Plan and referencing consistency with a "current vision" and "informal policies". It is essential that all future decisions be made under full public scrutiny and with full public participation.

Finally, we have the deep concern that the proposed project is in no way congruent with the principles of the Bridge to Breakwater concept that have been repeatedly espoused and reaffirmed by the community.

Please keep us informed as this project progresses. We look forward to reviewing the Draft EIS/EIR when it becomes available.

Yours truly,


John G. Miller, M.D.

Chairman, EIR and Aesthetic Mitigation Subcommittee

To: Environmental Management Division, Port of Los Angeles
The U. S. Army Corps of Engineers, Los Angeles District
From: June Burlingame Smith, Chair San Pedro Coordinated Plan Subcommittee of the
Port Community Advisory Committee
Re: Notice of Preparation for the San Pedro Waterfront Project EIS/EIR
Date: January 23, 2007

Five years ago this month, the Port Community Advisory Committee (PCAC) was established as a standing committee of the Board of Harbor Commissioners (BOHC). In order to effectively serve both the community and the Port, subcommittees were established; one of those was a waterfront planning committee that soon was expanded to two: one serving San Pedro and one serving Wilmington. I was elected chair of that original committee and have served as the chair of the San Pedro Coordinated Plan Subcommittee since its inception.

During these five years, the committee has held numerous meetings, worked with its own planning consultant to form a framework master plan for Bridge to the Breakwater, and submitted nine recommendations vetted through a vigorous community process to the Board. As of January 4, 2007, all nine had been acted upon by the Board; only one (POLA no. 54) has been rejected, and that was because the staff declared it moot after deciding not to include the lower density alternative (POLA #44) in the recently released Bridge to Breakwater EIR/EIS. The alternative in the current EIR/EIS is not the prior lower density plan nor does it replace it. For the record, the Port's plan has not gone through the PCAC process, so there is no recommendation from PCAC on the current EIR/EIS.

However, in the past discussions and motions, the community raised serious questions about the vision, the scope, the process, and benefits to both the community and to the Port. Some of those concerns are very relevant to the newly proposed Bridge to Breakwater Project. These items include:

- the number of cruise berths, if any, at Kaiser Point;
- building a cruise terminal at Kaiser Point
- extension of the Yankovich fuel docks/tanks at Ports O' Call and elimination of a full Fisherman's Park on that point
- elimination of parking at the Maritime Museum because of the Downtown water cut
- elimination of the third cruise ship berth because of the North Harbor water cut
- narrowing of Harbor Boulevard (in the alternative) to one lane
- elimination of a parking nexus with downtown San Pedro
- basic infrastructure for a thirty year build-out (in the original plan) without designated uses so environmental impacts cannot be studied
- parking structures and traffic flows designed only for Port business uses but not local casual or business needs
- parking nexus with downtown San Pedro
- Westways Terminal removal
- ~~Pier One~~ ^{Wilmington Peninsula} uses
- Cruise berth and terminal on the Pier One Peninsula, not Kaiser Point

- Relocation of the boat ramp from Cabrillo Beach
- Proposed Cabrillo Marina Phase II project now requiring a supplemental EIR

- *Co-equal analysis of the lower density alternative (PORT #44)*

These questions bring up a very serious issue: is the Port piece-mealing the EIR/EIS approach to planning and building its San Pedro Bridge to Breakwater plan?

Four years ago, SMWM, the planning consultant to the Coordinated Plan Subcommittee, said that we had a choice to make: either treat the project space as open space and park first and add the commercial and business aspects or reverse the process and treat the area as commercial first with parks and open space incidental appendices to those sites. Clearly, the Port is operating on the second model of planning, but the Port's plan will not create a great public space that draws visitors to its waterfront to relax and enjoy. It runs counter to the original intent of building a great promenade along the waterfront that will attract visitors, and it does not adequately address or build a synergistic relationship with downtown San Pedro businesses.

To the contrary, the current plan is a "drive by" plan: drive by the waterfront; drive by downtown San Pedro; drive by the museums, monuments, restaurants and shops, to get to a cruise ship where dreams of happiness will be found in far away foreign playgrounds. The vision here does not achieve the very purpose Bridge to Breakwater was initiated.

San Pedro is an artistic, historic community that has enormous business and family potential, but this drive by plan leaves us high and dry on our own shores, creeping along choking arteries, hoping some cruise passengers will drive in and not by, leaving us all trying to find a parking space so that we can enjoy a stroll along the waterfront and keep our businesses alive. It is a cookie cutter version of other close-by ports and marinas, but it does not enhance nor take advantage of what San Pedro uniquely has to offer: its heritage, character, and creativity.

This is the Port's preferred plan, not the community's. No mitigation measures the EIR/EIS can conceivably override the aesthetic, business and health problems for the citizens who live and work here. And no mitigation measures will provide tourists the incentives to come, relax, and enjoy all the amenities of San Pedro as well as the Los Angeles waterfront.

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27 February 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
% Spencer Macneil and Dr. Ralph G. Appy
915 Wilshire Blvd.
Los Angeles, CA 90017-3401

**SUBJECT: Comments on the Notice of Intent/Notice of Preparation (NOI/NOP)
for a Draft EIS/EIR for the San Pedro Waterfront Project**

Dear Mr. Macneil and Dr. Appy:

The following are the City of Rancho Palos Verdes' comments on the scope of the Draft EIS/EIR for the above-mentioned project.

1. The discussion of Aesthetics (pp. 22-25) in the Environmental Checklist Form (hereinafter, "the Checklist") focuses upon impacts upon identified sites within the City of Los Angeles. However, many Rancho Palos Verdes neighborhoods on the east side of the City enjoy views of the Vincent Thomas Bridge and Main Channel of the harbor. The Rancho Palos Verdes neighborhoods most affected by the visual aspects of the project are primarily located west of Western Avenue along Miraleste Drive, Palos Verdes Drive East and Crest Road. The aesthetic and light/glare impacts of the proposed project upon these areas of the City of Rancho Palos Verdes should also be addressed in the Draft EIS/EIR.
2. The discussion of Air Quality (pp. 28-30) in the Checklist acknowledges the air quality impacts of the project that will be studied in greater detail in the Draft EIS/EIR. We note that Section 6 of the Supplemental Information (pp. 14-16) in the NOI/NOP suggests a number of mitigation measures to achieve compliance with the San Pedro Bay Clean Air Action Plan (CAAP), including the imposition of restrictions on cruise ships to reduce their emissions. Although the City appreciates that these mitigation measures will be offered to address the air quality impacts of the project—especially the new Outer Harbor cruise ship terminal—what legal authority does the Port, the Army Corps or any other local, State or Federal agency have over the operations of foreign-flagged cruise ships in U.S. waters? Can we reasonably expect that these mitigation measures will actually be implemented and enforced? If so, by whom? Also, we respectfully

suggest that the air quality analysis should include monitoring in the residential neighborhoods on the east side of Rancho Palos Verdes.

3. The discussion of Hazards and Hazardous Materials (pp. 41-44) in the Checklist acknowledges that “the proposed project area contains areas that have recognized environmental conditions...[including] but...not limited to the Berth 78 area and the S.P. Slip that is operated by Jankovich and Son, Inc.” We understand that the project proposes to extend the Jankovich lease for up to twenty (20) more years. How is it in the public’s interest for the Port of Los Angeles to do so if there are “recognized environmental conditions” at the existing tank farm? How does retaining this industrial use in such close proximity of the visitor-serving Ports-o’-Call Village “increase public access to the waterfront, allow additional visitor-serving commercial development within the Port, respond to increased demand in the cruise industry, and enhance transportation within and around the Port?” The City respectfully suggests that a thorough environmental assessment of the tank farm site is necessary before the Port considers extending its lease. Also, the potential release of hazardous materials from the additional cruise ships (i.e., wastewater from ballast and holding tanks, etc.) does not appear to be addressed in the Checklist. Should it be addressed here or in the discussion of Hydrology and Water Quality (pp. 45-49)?
4. The discussion of Noise (pp. 53-54) in the Checklist acknowledges that the project may result in a substantial permanent increase in ambient noise levels, and notes that a noise analysis will be included in Draft EIS/EIR. Many Rancho Palos Verdes residents find that sounds from the harbor area are amplified as they move uphill to the west. With the ports of Los Angeles and Long Beach moving increasingly to 24-hour operations, we believe that the long-term operational noise impacts upon our residents may be significant. We respectfully suggest that the noise analysis should include monitoring at higher elevations in the residential neighborhoods on the east side of Rancho Palos Verdes.
5. The discussion of Public Services (pp. 56-57) in the Checklist does not mention the increased demand for fire and law enforcement services as the result of increased exposure of the Port to possible terrorist attack. If the project fulfills its stated objectives, the result would be increased public use and access to the waterfront area. Since September 11, 2001, there have been instances where the Port and the Vincent Thomas Bridge were identified as potential terrorist targets. As such, the successful implementation of the project has the potential to expose the public to greater risk of physical harm—and to increase these sensitive sites to greater public access—than currently exists. The City of

Rancho Palos Verdes respectfully suggests that these factors should be considered in determining the significance of the project's impacts upon police services and public safety in the Port area.

6. The discussion of Transportation/Traffic (pp. 59-61) in the Checklist acknowledges that the proposed project will lead to increased traffic on existing streets since no new collector streets are proposed. The analysis of cumulative traffic impacts should include all pending and/or likely projects in the San Pedro area—of which there are a great many—as well as projects in Rancho Palos Verdes and the other cities on the Palos Verdes Peninsula. Also, we note that the impacts of the project upon emergency access are expected to be less than significant. As mentioned above in our comments on Public Services, we respectfully suggest that the adequacy of emergency access and evacuation plans should factor in the increased risk of exposure to terrorist attack.

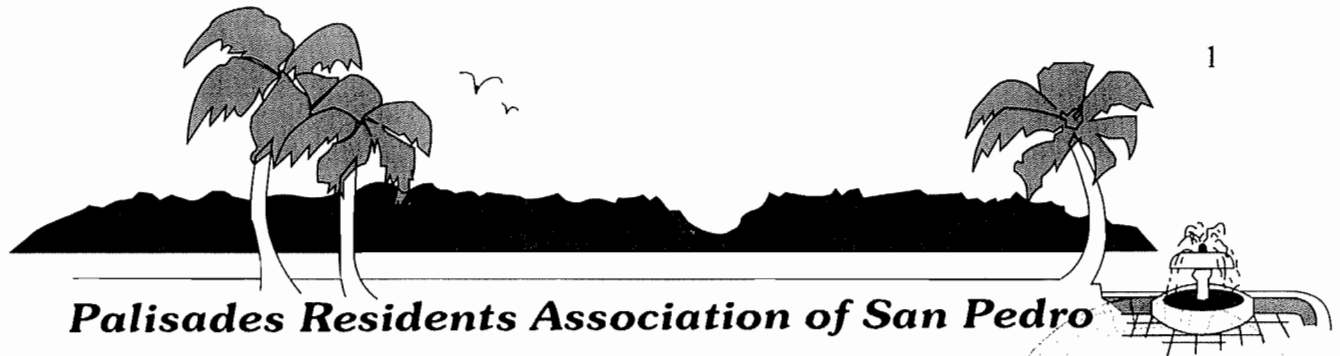
Finally, in the past the City of Rancho Palos Verdes has frequently been “left out of the loop” with respect to the review of projects in the Port. In order to provide our residents with an opportunity to express their concerns about this project, the City of Rancho Palos Verdes asks that the Port and the Army Corps host a public meeting to accept comments on the Draft EIS/EIR at a convenient location in the City during the public comment period.

Thank you for the opportunity to comment on 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 Long and City Council
Paul Bussey, Interim City Manager
Joel Rojas, Director of Planning, Building and Code Enforcement



Palisades Residents Association of San Pedro

February 24, 2007

U.S. Army Corps of Engineers, Los Angeles District Regulatory Branch
and the Los Angeles Harbor Department
c/o Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Blvd.
Los Angeles, California 90017-3401

Re: San Pedro Waterfront Project

Dear Mr. MacNeil and Dr. Appy,

The *Palisades Residents Association of San Pedro* (PRA) represents the residents of the area bounded by 25th Street, Gaffey Street, Western Avenue and the Pacific Ocean, plus the Pacific Heights section of U.S. Air Force housing. We are a dedicated, community-oriented group of local citizen volunteers who try to improve the quality of life in the Palisades section of San Pedro.

This letter is to advise that the PRA has serious concerns and reservations regarding the Notice of Intent/Notice of Preparation that was released in December 2006. As the San Pedro Waterfront Project (aka: LA Waterfront) will impact our area and all of San Pedro for decades, ~~we are hopeful that this process and project will take into account the~~ comments and concerns that long established groups such as ours outline. Specifically, the PRA requests that the following comments, concerns, and reservations are addressed in the EIS/EIR, as well as throughout the project's ongoing process:

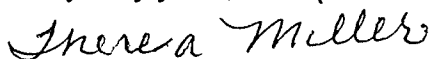
- The new plan is unacceptably aimed at enhancing the cruise ship industry at the expense of the local community. As was pointed out at Public Scoping Meeting held on January 23, 2007, this plan is clearly the Port's preferred plan, not the community's. It is reasonable to assume that this plan to enhance the cruise ship industry would result in more air pollution, more noise, more traffic, obstruction of water views, with minimal benefit to local businesses. We are thus opposed to the planned new cruise ship berth located at Berths 49-50 (at the end of the East Channel), and the planned relocated Inner Harbor Cruise berth at Berths 45-47 (near Cabrillo Beach) for environmental, economic, and aesthetic reasons.
- We are against the renewal of the Jankovich & Sons lease.

- The new plan unacceptably assaults the cultural resources located in the Downtown Harbor area by eliminating nearby parking and by threatening the structural integrity of the Maritime Museum building and the Historic Monuments due to the water cuts. We are thus opposed to the water cuts near this area.

As the local community has borne the ill-effects of the Port's phenomenal growth, the San Pedro Waterfront Project should focus on community needs such as the creation of more open green space, no blockage of water views, no overdevelopment, with no additional traffic and no further deterioration of San Pedro's already poor air quality. Overall, the plan should concentrate on the creation of a secure, environmentally and family friendly project that respects San Pedro's unique community character and maritime heritage -- a project that can be enjoyed by all.

The *Palisades Residents Association* respectfully requests that you consider seriously and incorporate these concerns and comments into the EIS/EIR and San Pedro Waterfront Project.

Very truly yours,



Theresa Miller
President, Palisades Residents Association

Cc;
Honorable Governor Arnold Schwarzenegger
Honorable Mayor Antonio Villaraigosa
Honorable Councilwoman Janice Hahn
Geraldine Knatz, POLA Executive Director

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February 28, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
c/o Dr. Joshua Burnham
915 Wilshire Boulevard
Los Angeles, California 90017-3401

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

Via email: ceqacomment@portla.org

**RE: Comments to the San Pedro Waterfront Project NOI/NOP
(augmenting the Scoping Comments letter dated October 27, 2005 re: the Bridge to
Breakwater Project previously submitted by Angel Law on behalf of the Sierra Club
Harbor Vision Task Force)**

Dear Sirs,

The following comments on the Notice of Preparation/ Intent of an Environmental Impact Statement/Report (EIR/EIS) for the San Pedro Waterfront Project ("SPWP") are submitted on behalf of the Sierra Club - Harbor Vision Task Force. These serve to augment the previously submitted comments dated October 27, 2005 which set forth with specificity the legal necessity for the EIR/EIS to:

- (1) maintain land use and planning consistency;
- (2) evaluate the indirect environmental impacts;
- (3) undertake a objective project alternatives analysis which shall not be too narrowly defined;
- (4) define with clarity and precision the project's objectives;
- (5) analyze how the project will affect the natural coastal ecological habitat in the

project area and the surrounding area;

(6) analyze the ways in which the project will implement the Coastal Act's goal of providing low-cost visitor and recreation facilities;

(7) address how the project will fully integrate the existing San Pedro community and avoid cutting the community off with physical barriers; and

(8) evaluate the environmental effects of all parts of the project as a whole (including the Waterfront Enhancements Project).

For your convenience, a copy of the Sierra Club Harbor Vision's previous comments on the Scoping Comments are attached as Exhibit A.

Additional concerns of the Sierra Club Harbor Vision Task Force are as follows:

1. EVALUATION OF ADDITIONAL PROJECT ALTERNATIVES

The NOI/NOP notes that the SPWP has been scaled down significantly and focuses on three project alternatives, though the alternative that is being proffered as preferred is Project Alternative No. 1. Although the Port Authority asserts that Project Alternative 1 represents a scaled down development, the Sierra Club does not agree and advocates that Project Alternative 1 does not fully address significant issues and provides the groundwork for far greater development down the line. Sierra Club further takes the position that more alternatives should be under review to comply not only with applicable environmental and land use laws, but also the Port of Los Angeles Strategic Plan 2006-2011 (Final Version; February 21, 2007) ("Strategic Plan").

Site Appropriate Alternatives

It is crucial that the project alternatives be ones that are most suitable for the site. In each situation, the specific development element must be examined with this in mind. For example, the harbor area should be preserved for those uses that strongly benefit from access to the water. Supporting offices need not be in close proximity to the water but are better suited to adjacent locations (in the downtown area or elsewhere).

Waterfront Area; Linkages & Public Access Consideration of a Pedestrian/Public Transportation Oriented Design

The EIR/EIS for the SPWP should provide the analysis of a more pedestrian oriented alternative for the waterfront area.. The roadway traffic and parking lot space should be located outside of the main port area with environmentally friendly public transportation linkages between the waterfront and the downtown area. Such green transportation alternatives are in line with the Port's Strategic Plan objectives. Further, the reduction in vehicle usage (and lowering of emissions in the waterfront area) ties into the Clean Air Action Plan referenced in the Strategic Plan.

Low Cost Visitor Alternatives; Environmental Justice

Coastal Act section 30213 provides:

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational facilities are preferred.”

Project Alternative 1 is still heavily weighted towards outside visitor and commercial uses and has the tendency to discriminate against low cost alternatives which would at the same time have less environmental impacts (e.g., parks, wetland/tideland appropriate activities).

2. PROJECT CONSISTENCY; AVOIDANCE OF PIECEMEAL PLANNING

The Sierra Club Harbor Vision Task Force remains concerned that Project Alternative 1 lays down infrastructure with capacity well beyond the projected use. Most important, the massive scope of this project is at odds with the minimization of environmental impacts enumerated in Section 5 of the NOI/NOP and the Strategic Plan in general -- and will also require significant amendments to the many other local and regional plans cited (as well as the other EIRs in progress) in our originally submitted Scoping Comments. In essence, the laying of the groundwork for future development makes it impossible to ascertain which of the current options represent a practical project of least environmental impact for the complete SPWP and will result in a flawed or severely inadequate EIR/EIS.

3. COASTAL ACT PROTECTIONS

Wetlands/Tidelands Area:

In accordance with the Coastal Act¹ sections discussed in Exhibit A, the wetlands/tidelands areas should be reserved for site appropriate recreational activities. Hospitality services (including hotels), restaurants/fast foods, office space and other support services should be sited outside of the tidelands/wetlands and greater waterfront area. Not only does the Coastal Act mandate the protection of these areas, but appropriate recreational activities will have the benefit of mitigating some of the other development which is planned as part of the SPWP.

Further, restoration of some of the areas near the base of 22nd street must be considered as part of the SPWE. This is not related to the already mandated preservation of the small, fresh-water wetland area below Crescent near 22nd.

¹ See October 2005 Scoping Comment Letter from Angel Law.

4. CEQA COMPLIANCE

Removal of Westways & Jankovic Hazardous Materials/Marine Fuels Sites; Addition of the Cleanup of the 1972 GATX explosion/fire site as part of the Project Scope

THE NOI/NOP states that the EIR/EIS will address the “hazards and hazardous materials impacts related to existing and former activities that have contaminated soil and groundwater in the Port, that pose hazardous risks related to ongoing operations, or that could contribute to a risk of upset due to terrorism...”.

In connection with the foregoing hazardous waste concern, the cleanup of each of the Westways, Jankovic and 1972 GATX site must be part of the scope of the SPWP (and the EIR/EIS process). The clean up of these tainted areas likewise map to the objectives which have been set out in the Port’s Strategic Plan.

Traffic Impacts/Neighborhood Division/Density Concerns

The plan describes widening Sampson Way (east of Harbor Blvd., near Ports O’Call) instead of Harbor Blvd. The port has offered widening Sampson instead of Harbor as a solution for the complaints about widening Harbor. However, regardless of which street is widened, it will have a comparable negative impact in separating residential and downtown neighborhoods from the waterfront.

The Task Force is also concerned about the route proposed for Sampson Way — which seems to support prior high-density master plan options. The positioning of Sampson, for example, would support high-rise residential units just west of Sampson (between Sampson and Harbor). The layout would support other high-density commercial development plans once offered for areas near 22nd Street. Since it is not clear what the long-term purpose for the expansion of Sampson Way is, we can only speculate that it is to support the sort of higher-density planning previously presented. This must be clarified so that the EIR/EIS can properly address the current plans as well as potential for future development.

Necessity to Recognize Residential Status of Harbor Area

While the Port Master Plan identifies the waterfront "project area" as recreational, and the NOI/NOP too narrowly and somewhat erroneously describes it as " industrial," in reality, there are thousands of people living in residences adjacent to the port. The impacts of the SPWP on these many residents must be fully analyzed and project alternatives considered that take that population into account.

Harbor Freeway Impacts & Transit Alternatives

The Harbor Department should further work with appropriate transportation agencies to

improve public transit alternatives to the waterfront to reduce the need to drive to the location. Any major project development which is to be served by the Harbor Freeway must consider strategies that increase public transit riders relative to car users. The Harbor Freeway is near, at or over capacity most of the time. Portions of the freeway are already double-decked and have a 14 lane total capacity. The expansion of this roadway to support additional cars or trucks is not likely to be feasible and should not be pursued given it is at odds with strategic goal to minimize environmental impacts.

As part of developing a pedestrian-oriented and less “auto-centric” project alternative, the Harbor Department should consider interagency, cooperative strategies to significantly reduce vehicle trips as a percentage of the total number of site visitors.

Analysis of Climate Change Issues and Green Energy Options

The environmental review must consider the impact of the project on climate-change emissions, heat islands and energy use. The Strategic Plan already notes the need to “grow green” and to implement green energy methods. The State of California² is undertaking new initiatives to address global warming, and the EIR/EIS must analyze how the SPWP will be in line with climate change policies and legislation.

Impacts to be studied should include vehicle access to the area — based on average number of miles driven per visitor to the site. It should include energy use of buildings (primarily for heating and cooling) and heat islands created by structures or pavement.

Mitigating measures include the use of shade trees³ to reduce heat islands and the need for air conditioning (and to sequester carbon emissions). It should include the use of public transit over cars for access to the area, and pedestrian-oriented rather than auto-centric designs. It should include the use of light-colored roofs to reduce heat absorptions or the use of solar collection, building insulation, or other criteria found in LEED certification.

Cabrillo Bay or the Outer Harbor

Cabrillo Bay (aka the “Outer Harbor”) should be kept free and open for recreational use only. This area should not be impacted significantly by large-scale commercial or industrial development. This is the last open water in San Pedro Bay that can support swimmers, kayakers, windsurfers, boaters and other similar recreational activities.

Cruise Ship Terminal

The Sierra Club Harbor Vision Task Force is also concerned about the placement of a cruise terminal in or too close to Cabrillo Bay. The security zone which is currently required around cruise ships (or which may reasonably be required in the future) would

² <http://www.climatechange.ca.gov/>

³ The choice of shade trees should be environmentally appropriate to the area, as well.

severely restrict access to and use of the Bay. This type of restriction is inconsistent with its recreational use and potential visitor draw that such recreational use could create.

Any cruise terminal development should be sufficiently far from Cabrillo Bay to ensure that (1) there are no security concerns that restrict access to the Bay when cruise ships are calling, (2) are sufficiently far from the Bay so that the size of cruise ships doesn't dominate the views from around the Bay or within it, and (3) so that reasonable sound levels on the ships don't intrude on recreational experience in using the Bay.

It seems more prudent in terms of optimal use of the tidelands/wetlands area, to keep the cruise terminals near each other and nearest the Harbor Freeway and Vincent Thomas Bridge. Such an alternative would not require anywhere near as much transit support as would building a cruise terminal toward Kaiser Point. This could be one of the strategies used in reducing car access to the area.

Cruise Ship Issues; Noise; Pollution; Viewshed Impacts

The EIR/EIS must analyze the impact of sound and pollution generated by the cruise ships. All cruise ships must operate so that they cannot be heard indoors in nearby residences. Horns should only be used in association with navigation of the ship and to address safety concerns.

The total amount of all pollution generated by cruise ships should not be permitted to increase with the introduction of new ships. If new ships are not zero-pollution vehicles, it means that there must at least be corresponding reductions in the pollution generated by existing cruise ships before additional cruise ships are permitted to call on the port.

This is especially true for air pollution. The air quality in San Pedro Bay is amongst the most toxic air in the nation. In light of this acknowledged problem and the Clean Area Action Plan, there can be no finding of overriding considerations to support cruise ship operations. These ships do not provide an essential passenger service that cannot be met by less environmentally damaging means. Rather, they provide a recreational or luxury service that is less than vital to its importance to the region — especially compared to the importance of public health.

The expansion of cruise operations should require that all ships use AMP (Alternative Marine Power) and switch to low-sulfur marine fuels (2000 ppm sulfur or less). Over time, cruise ships will need to phase in still cleaner fuels, if they are to be part of air quality attainment.

As a condition of calling on the Port of Los Angeles (or Long Beach), cruise operations should consent to monitoring of their operations in port and at sea to ensure all waste products are disposed in accordance with environmental regulations and laws.

Further the cruise ships should be required to be located in areas that are not meant for recreational use. For example, suitable locations may include the location of cruise ship


developments adjacent to existing ones, near the downtown area.

The current vogue in cruise ships is the megaship which will impact the viewshed and well as adjacent resources. These megaships are similar to floating cities. Each time such a megaship docks it is as though a city has descended into the harbor -- and don't forget that it too has commercial venues competing with the local businesses.

The foregoing comments along with the attached Scoping Comments are submitted on behalf of the Sierra Club Harbor Vision Task Force to ensure that the EIR/EIR adequately addresses the many impacts and provides adequate Project Alternatives. The EIR/EIS must provide the map for a well thought out project with fully fleshed out environmental analysis. The ultimate project must likewise comport with the Los Angeles Harbor's Strategic Plan and all applicable laws. The common goal is a successful and viable project that will stand the test of time.

Respectfully submitted,

ANGEL LAW



Meredith Lobel-Angel

Meredith Lobel-Angel

EXHIBIT A

LAW OFFICES OF FRANK P. ANGEL

3250 OCEAN PARK BLVD. SUITE #300
SANTA MONICA, CALIFORNIA 90405
TEL.: (310) 314-6433 • FAX: (310) 314-6434

October 27, 2005

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
c/o Dr. Joshua Burnham
915 Wilshire
Los Angeles, California 90017-3401

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

Re: Scoping Comments on the Bridge to Breakwater Project and Waterfront
Enhancement Project Segmentation

Dear Sirs,

The following comments on the Bridge to Breakwater project (B2B) are submitted on behalf of the Sierra Club - Harbor Vision Task Force.

The Sierra Club appreciates the opportunity to take part in the scoping process for the combined Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed B2B project and looks forward to commenting on the draft document for the project.

LAND USE AND PLANNING CONSISTENCY:

The plan does not fit into (or it is not shown how it fits into) integrated, subregional and regional master planning for the area, including not only the port, but also the bay and adjacent neighborhoods. As such, the plan seems to pull some of its objectives out of a hat. What is the basis for a 50-50 split between open space and development? What master planning element or standard suggests that ratio? The B2B project must be consistent with the planning for the surrounding area. Inconsistencies must be disclosed and evaluated.

The EIR/EIS must analyze the project's consistency with all relevant community, city, and port planning. This includes the San Pedro Community Plan, the Wilmington Community Plan, Los Angeles Port Master Plan and all other applicable plans. The

EIR/EIS must analyze how the project will conform to the Objectives and Policies of all the relevant plans.

San Pedro Community Plan

The San Pedro Community Plan emphasizes the importance of coordinating development with the Port of Los Angeles. Goal 19 of the Community Plan includes “*minimizing* adverse environmental impacts to neighboring communities from port-related activities.” (emphasis added.)

Furthermore, Objective 19-2 of the Community Plan is to “Coordinate the future development of the Port with the San Pedro Community Plan, the Beacon Street Redevelopment Project, and development of the Central Business District of San Pedro.”

The EIR/EIS should analyze how the B2B project will comport with the goals set out in the San Pedro Community Plan. Specifically, the San Pedro Community Plan requires future development to address the inadequate transition between residential and commercial uses. See San Pedro Community Plan I-4. The EIR/EIS must analyze how the project will address this issue.

Neighborhood Integration: The San Pedro Community Plan also calls for a better-integrated relationship between San Pedro and the Port of Los Angeles. San Pedro Community Plan I-4. The realignment of Harbor Boulevard has the potential to segregate the San Pedro community from the recreational and commercial aspects of the B2B project. A six-lane highway will create a physical as well as psychological barrier between the residential areas of San Pedro and the recreational and commercial facilities of the project. The EIR/EIS must address how the project will fully integrate the existing San Pedro community and avoid cutting the community off with physical barriers.

Transportation: The B2B EIR/EIS must analyze the project’s consistency with the San Pedro Community Plan’s Goal 11 of developing a public transit system that improves mobility with convenient alternatives to automobile travel. The current master plan fails to adequately consider transportation options that might fall outside of the immediate plan area, so more environmentally sustainable options may be shut out. The EIR/EIS should also analyze how the B2B project will comport with the broad transportation objectives of the San Pedro Community Plan.

The EIR/EIS should consider consistency with other San Pedro Community Plan policies including, but not limited to: providing adequate landscaping and buffering in industrial areas, and providing more safe, public recreational water access.

Port Master Plan

The EIR/EIS should address which aspects of the project will be inconsistent with the Port Master Plan (PMP) and thus will require consideration of amendments to the PMP. The EIR/EIS should discuss several alternatives to proposed amendments to the PMP.

INDIRECT ENVIRONMENTAL EFFECTS:

The EIR/EIS should evaluate the indirect environmental effects of social and economic changes caused by the project. CEQA Guidelines section 15064 states:

“In evaluating the significance of the environmental effect of a project, the lead agency shall consider ... reasonably foreseeable indirect physical changes in the environment which may be caused by the project.”

Furthermore, CEQA Guidelines section 15131 states:

“An EIR may trace a cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes.”

See also *Citizens Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 171 (concluding that an EIR should consider physical deterioration of downtown area to the extent such possibility is demonstrated to be an indirect environmental effect of the proposed project).

The B2B project has the potential to substantially affect the existing residential and commercial uses in San Pedro and thus affect the physical environment of San Pedro. For example, the project's new commercial facilities may draw patrons from existing San Pedro businesses causing an economic downturn in the area. Such a downturn may result in increased urban blight, a significant environmental effect on the aesthetics of San Pedro. The EIR/EIS should analyze such environmental effects caused by economic changes brought on by the project.

NARROW PROJECT OBJECTIVES:

Instead of providing broad planning goals, the B2B Plan sets forth very narrow project objectives. This approach to planning will likely prejudice the CEQA/NEPA process of analyzing alternatives to the project. For example, the development of two new cruise vessel berths is stated as part of the project's purpose of utilizing deep water in the port. However, by defining a project purpose as a particular type of development, the plan effectively forecloses any kind of meaningful alternatives analysis. This approach to project planning was rejected by the Seventh Circuit in *Simmons v. U.S. Army Corps of Engineers* (7th Cir. 1997) 120 F.3d 664, at page 666:

“One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing ‘reasonable alternatives’ out of consideration (and even out of existence).”

The court in *Simmons* went on to say:

“An agency cannot restrict its analysis to those ‘alternative means by which a particular applicant can reach his goals.’[Citation]”

120 F.3d at 669. In addition to the cruise vessel berth objective, the objective of developing a single, continuous highway likewise confuses development components with project objectives.

The B2B EIR/EIS should avoid these planning mistakes and set the project’s purposes from broader public master planning perspectives so that responsible agencies and the public may consider a meaningful range of genuine project alternatives.

Cruise Terminal Serving Development

The plan seems designed to set up commercial amenities that are desired by the cruise industry, but fails to state this goal explicitly. These narrow commercial objectives are another example of the plan putting the cart before the horse. Instead of deferring to industry-specific growth targets, the EIR/EIS should analyze the possibilities of commercial development from a broad, public policy perspective.

VAGUE PROJECT OBJECTIVES:

Some of the plan objectives are poorly stated or vague. For example, the plan states that one of its CEQA objectives is to “develop the project area in an environmentally responsible and sustainable manner.” It is unclear from the plan what this objective means as applied to the project. What do the terms “environmentally responsible” and “sustainable” mean practically? Do they mean high-efficiency, green buildings, public transit-oriented development and habitat restoration?

The EIR/EIS should offer concrete options for environmentally responsible and sustainable development. The EIR/EIS should elaborate on how the project will be developed in a responsible and sustainable manner. The EIR/EIS should analyze the options of imposing energy standards on certain elements of the project such and requiring certain levels of public transit service.

California Coastal Trail: Furthermore, the plan’s treatment of the California Coastal Trail is inadequate. The plan states that the trail coincides with the Promenade. However, the Promenade is not continuous through the area, and does not have good connections to Coastal Trail routes shown as it enters and leaves the project area. The plan should spell out two routes for the trail, a coastline route and a direct route. It should state objectives features needed to make that trail viable, just as it has stated objectives features to make cruise terminal development viable.

As stated in CEQA Guidelines section 15125, an EIR “shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” The imprecision of several of the B2B plan’s objectives may make it more difficult for responsible agencies and the public to consider the project’s consistency with applicable local planning. The EIR/EIS should clarify these vague objectives as much as possible so that the environmental review process is transparent and effective.

HABITAT

The EIR/EIS must analyze how the B2B project will affect the natural coastal ecological habitat in the project area and the surrounding area. The natural habitats of the port have been severely damaged over the years. The B2B project has the distinct potential to exacerbate this problem. However, applicable local plans as well as the Coastal Act mandate that natural ecological habitats be preserved and restored.

Several Coastal Act provisions mandate conservation and restoration of the natural ecological and scenic quality of the coastal zone.

Coastal Act section 30230: “Marine resources shall be maintained, enhanced, and, where feasible, restored.”

Coastal Act section 30231: “The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment ...”

Coastal Act section 30251: “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas ... and, where feasible, to restore and enhance visual quality in visually degraded areas.”

Coastal Act section 30232: “Protection against the spillage of crude oil, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials.”

Continued negative impacts to natural habitat include damage to the Pacific Flyway, marine life, lost recreational opportunities, and the blighting of the viewshed through industrialization. In accordance with the above provisions of the Coastal Act, the EIR/EIS should analyze how the project will restore these damaged resources and preserve them for the benefit of wildlife and enjoyment by the public.

LOW-COST VISITOR AND RECREATION FACILITIES

The EIR/EIS should analyze the ways in which the project will implement the Coastal Act's goal of providing low-cost visitor and recreation facilities. Coastal Act section 30213 provides:

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational facilities are preferred.”

The project maps seem to outline many high-cost objectives such as high-rise hotels. We question the propriety of such developments in light of the mandate of Coastal Act section 30213. The EIR/EIS should analyze how such high-cost developments will serve the purposes of 30213 and how they may influence other parts of the project in the same context.

Environmental Justice

It is a matter of concern that communities that are adjacent to commercial ports, such as East San Pedro, South Wilmington, and West Long Beach, rely on ports' harbor commissions to regulate and protect the nearby coastal areas. Whereas communities that are far from commercial ports, such as Malibu, Santa Monica, and Santa Barbara, enjoy the protection of the Coastal Commission for their coastal areas.

The respective institutional mandates of the harbor commission and the Coastal Commission result in great disparity between the protection afforded to the different sets of communities. Residential property values along almost all of the California coast are firm, except near commercial container ports. There, real estate prices drop quickly as the port (or its more industrial area) is approached. The neighborhoods nearest the ports tend to be low-income, minority neighborhoods, often with lower concentrations of English speakers.

It appears that the current regulatory regime offers better protection to individuals living further from the ports than to those living closer to them. The EIR/EIS should address how the project and the harbor commission will deal with this disparity in environmental justice and how the project will afford equal protection to the neighbors of the project as is afforded to residents in other coastal communities. In this connection, the EIR/EIS drafters should keep in mind that the greater the existing environmental problems and degradation are, the lower the threshold should be for treating a project's contribution to cumulative impacts as significant. (See *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 118-120; see also *Kirkorowicz v. California Coastal Comm.* (2000) 83 Cal.App.4th 980, 995 (the level of degradation of wetlands is not a reason to downplay a project's adverse, wetlands impacts; failure to protect wetlands on the grounds that they are “already” degraded “would encourage developers to find threats and hazards to all wetlands located in economically inconvenient locations.”).)

COMMUNITY DIVISION

The B2B NOP states that the project will have a “less than significant impact” with respect to division of an established community. However, this is based on the erroneous premise that the existing waterfront is not part of the San Pedro Community. The San Pedro community consists of all its parks, bluffs, beaches, and waterfront.

The realignment of Harbor Boulevard will create a significant physical and psychological barrier between the residential areas of San Pedro and the waterfront facilities. The San Pedro Community Plan calls for a better-integrated relationship between San Pedro and the Port of Los Angeles. San Pedro Community Plan I-4. The realignment of Harbor Blvd. has the potential to segregate the San Pedro community from the recreational and commercial aspects of the B2B project.

The EIR/EIS must address how the project will fully integrate the existing San Pedro community and avoid cutting the community off with physical barriers.

PROJECT SEGMENTATION

Cumulative Effects

Should the Waterfront Enhancement Project (WEP) not be evaluated in concert with the B2B project? Presently, the WEP is being evaluated on the basis of a mitigated negative declaration. However, it appears that the WEP is actually just a component of the larger B2B project and the characterization of the WEP as a separate undertaking seems improper project segmentation.

CEQA requires that agencies evaluate the *whole* of a project so that “environmental considerations do not become submerged by chopping a large project into many little ones--each with a minimal potential impact on the environment--which cumulatively may have disastrous consequences.” (*Bozung v. Local Agency Formation Com.*, *supra*, 13 Cal.3d at pp. 283-284.)

It is imperative that the EIR/EIS evaluate the environmental effects of the WEP in concert with the effects of the B2B. The WEP may alter the nature of the baseline from which the B2B is evaluated so as to obfuscate the true impact of the two projects on the environment.

Foreclosing of Project Alternatives

Furthermore, it appears that certain elements of the WEP will create prejudicial momentum in favor of certain aspects of the B2B project. Specifically, the parking lot/open space structure at the south end of 22nd Street in San Pedro is of concern. The WEP MND shows green space here, and a very wide pedestrian path and parking lots. The footprint of these features corresponds uncannily to other development features in the B2B plan. The pedestrian path follows the subsequent realignment of Harbor Boulevard (which would eliminate the bottom of 22nd Street).

It appears that the structure at the end of 22nd Street is a mere place-holder for future development under the B2B plan. Such methods of piecemeal planning foreclose the opportunity for meaningful alternatives consideration. The proposed shape in the WEP for the 22nd street structure seems to anticipate the proposed open space and commercial development in the B2B plan. Consequently, development of the B2B will be predisposed to follow the pattern set out by the WEP, and thus the WEP actually creates a more significant impact than if it is considered in isolation. The kind of piecemeal environmental evaluation that will result from this situation was rejected in *City of Antioch v. City Council of the City of Pittsburg* (1986) 187 Cal.App.3d 1325, where the development of a segment of highway was determined to influence and facilitate future development:

“ ‘Construction of the roadway will have a cumulative impact of opening the way for future development.’ The location and design of the road and appurtenant sewage and water distribution facilities will strongly influence the type of development possible.”

187 Cal.App.3d 1325, 1335. The court declined to consider the highway segment “in isolation from the development it presage[d],” (at 1336) and ordered the city to consider the cumulative effects of the road segment and the future development which it would facilitate.

For these reasons, we request that the MND for the WEP project be withdrawn, and that the B2B-related development in the WEP be evaluated in the B2B EIR/EIS.

Thank you very much for your consideration and attention to our concerns.

Sincerely,

LAW OFFICES OF FRANK P. ANGEL

/S/

Matthew Heerde



825 Gravenstein Highway North, #8
Sebastopol, CA 95472
www.coastwalk.org

February 19, 2007

Stanley R. Bluhm
P.O. Box 176
June Lake, CA 93529

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Boulevard
Los Angeles, California 90017-3401

Subject: San Pedro Waterfront

Dear Sirs;

As a representative of Coastwalk, I offer the following comments with regard to the proposed San Pedro Waterfront Project. This is indeed a worthy project that deserves support and encouragement. The stated objective of "enhancing public access to the waterfront" represents an important benefit to residents, visitors, and business owners of the area. We are pleased to note the inclusion of the California Coastal Trail (CCT) in this plan.

Coastwalk is a California non-profit organization dedicated to completion of the California Coastal Trail (CCT), a continuous trail that will ultimately extend from Oregon to Mexico along California's spectacular coastline. In 2001, Senate Bill SB 908 authorized a study to evaluate the CCT and directed state agencies to work towards its completion. The resulting report, Completing the California Coastal Trail, published in 2003 by the State Coastal Conservancy summarizes the present state of the CCT, and identifies segments that are missing or need improvement. One of the recommendations for action is to "Assist the cities of Los Angeles and Long Beach in providing a continuous pedestrian and bicycle trail around the western and northern edge of the harbor area from Cabrillo Beach to the Los Angeles River Trail." This proposed San Pedro Waterfront Project can be a significant step forward in realizing this goal.

Specific comments to the project documentation are as follows:

Paragraph 2 Project Elements Requiring Review Under NEPA

Para 2.1 Purpose and Need

Should add another bullet

- Improve public access to the waterfront and provide opportunities for recreational activities.

Paragraph 3.3 Proposed Project

On page 11, Parking Facilities

In the second and third paragraphs, mention of a parking lot or structure in the vicinity of Knoll and Front Streets should not preclude the possible future construction of a park on Knoll Hill. Such a park has been proposed as part of the Wilmington Waterfront Project.

Paragraph 4. Project Alternatives

In the paragraph describing Project Alternative No. 1, mention of a parking structure in the vicinity of Knoll and Front Streets should not preclude the possible future construction of a park on Knoll Hill.

The proposed greenbelt along Harbor Drive could indeed provide an alternate scenic route for the California Coastal Trail. Such a route, however, should not replace, but rather be in addition to the waterfront route. The primary CCT route should be along the waterfront.

In the Proposed Project section, we would also recommend inclusion of provisions for water taxi service linking various harbor locations. The WaterBus ferry service in Marina del Rey could serve as an example. Such a system should include links to Long Beach Harbor, perhaps connecting with the Long Beach Aqualink system.

General comments concerning the CCT:

The California Coastal Trail must be an important element in this plan. Connectivity is an important element of the trail. The CCT already exists along the southern shore of the Palos Verdes Peninsula to Cabrillo Beach, and in Long Beach at the Queensway pedestrian walk from the LA River eastward. Between these segments lies the LA/LB port area that needs much improvement to provide a safe, accessible pedestrian and bicycle route.

There should be connections to trails and walkways that lead inland from the waterfront. To the greatest extent possible, the CCT should be located adjacent to the waterfront, *i.e.*, on the water side of any commercial development. The CCT must provide separation from vehicular traffic so as to provide a safe experience for all users. Separate paths should be provided for pedestrians and bicyclists wherever possible.

Thank you for this opportunity to participate in the planning process.

Stanley R. Bluhm
Coastwalk
CCT Project Coordinator



San Pedro Peninsula Chamber of Commerce

February 26, 2007

U.S. Army Corps of Engineers,
L.A. District Regulatory Branch and the City of L.A. Harbor Department
c/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Blvd.
Los Angeles, CA 90017-3401

Dear Dr. Spencer and Dr. Appy:

Thank you for your work on the San Pedro Waterfront as well as the numerous other environmental, business and community initiatives underway at the Port of Los Angeles.

The San Pedro Peninsula Chamber's mission is to promote and attract new business to the area while "actively working to develop a vital and sustainable local economy that enhances the social and environmental resources of the community." The San Pedro Waterfront Project is a key element in achieving that mission and we strongly support moving that forward.

The originally envisioned "Grand Promenade from the Bridge to Breakwater" is viewed as the backbone of a new San Pedro. Linking this backbone to the community with pedestrian and public transportation bridges would act as the catalyst for a revitalized downtown, attracting new jobs and new private investment. It is pivotal in developing a sustainable and economically viable community.

The Port's plans presented in December 2006 can serve as a starting point to arrive at a final consensus plan through the EIR process. However, the Chamber recommends consideration of a "2007 Community Growth Alternative". This Alternative is based on the original vision of the Bridge to Breakwater promenade which gained widespread community support during the promenade planning and outreach process. This alternative will demonstrate the Port's commitment to green growth and showcase the Los Angeles Waterfront statewide.

Key elements of this Alternative are provided in Attachment A. The first three bullets recommend public infrastructure design and planning improvements. The last three points outline an approach for future phased development involving commercial and maritime related uses and augmenting and reinforcing the cruise ship business within the North Harbor at Berths 91 and 92. (Please see Community Growth Plan Attachment B for a summary of New Development in the Growth Plan)

The Chamber appreciates the Port's continued commitment to moving forward on the San Pedro Waterfront, and we look forward to working with you as we make progress on this exciting and vital project.

Very Truly,

Camilla Townsend
President/CEO



Attachment A

**San Pedro Waterfront Project
2007 Community Growth Alternative
Key Elements**

- Continuous grand waterfront promenade connecting a series of parks, commercial venues and public open spaces from the bridge to the breakwater
- Seamless interface connection between the waterfront and the adjacent business district and residential neighborhoods, achieved through pedestrian and public transportation linkages such as the Red Car into downtown San Pedro and joint downtown/waterfront parking facilities.
- Architecturally distinctive, world class design reflecting San Pedro's heritage and its continued future as a working port; include connections to Wilmington and the Los Angeles River as part of the overall California Coastal Trail.
- A waterfront land use and development plan with approximately 1,000,000 square feet of new construction – phased in over time - focused on selected development sites; retail, commercial and educational / cultural uses determined by market analysis. Emphasis should be on placed on creating new, environmentally responsible, well-paid job opportunities and on new maritime-related education resources.

New uses to be considered should include a maritime science center as proposed by the Port's Executive Director, service businesses in environmental and clean energy sectors, engineering and other knowledge-based 21st century businesses.

- Phased de-industrialization of the San Pedro waterfront and relocating of hazardous liquid bulk starting with the Westways site, as new development is introduced and alternative sites are available; Jankovich should remain for now within existing footprint.
- Modification of the North Harbor watercut to allow continued berthing of two cruise ships at this location for a total of three berths at the north end of the San Pedro waterfront; retaining all parking and baggage check at Berth 91-92; retaining one temporary / occasional berth at Kaiser Pier for the new larger cruise ships in service and on the drawing boards, but delaying the proposed new Cruise Terminal and its associated parking at this site; construction of a new terminal at the Westways site after relocation of East Channel; no reconfiguration of Harbor Boulevard.

//

Attachment B

Summary of New Development in Community Growth Plan

Proposed New Development	Est. Sq. Ft.	(Phase)
Cruise Line Business		
New Terminal Berths 91-92 (North)	200,000	(1)
Opportunity Sites with Use TBD		
Piers District	26,250	(2)
Downtown Harbor	37,500	(1)
Maritime Related Development		
Maritime Science/Research and Higher Education Center	200,000	(1)
Catalina Terminal	31,600	(1)
Tug Boat Operations	12,500	(2)
Maritime Expo/Trade Center and Related Business Services Building	125,000	(1)
Ralph J Scott Building	10,000	(1)
New Retail/Restaurant @ Ports O' Call	50,000	(1)
Conference Center @ Ports O Call	75,000	(1)
Fishing Heritage Venue	25,000	(2)
Youth Boating Facility	23,500	(1)
Aquatics Center	30,000	(2)



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February 19, 2007

Stanley R. Bluhm
P.O. Box 176
June Lake, CA 93529

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Boulevard
Los Angeles, California 90017-3401

Subject: San Pedro Waterfront

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Specific comments to the project documentation are as follows:

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In the Proposed Project section, we would also recommend inclusion of provisions for water taxi service linking various harbor locations. The WaterBus ferry service in Marina del Rey could serve as an example. Such a system should include links to Long Beach Harbor, perhaps connecting with the Long Beach Aqualink system.

General comments concerning the CCT:

The California Coastal Trail must be an important element in this plan. Connectivity is an important element of the trail. The CCT already exists along the southern shore of the Palos Verdes Peninsula to Cabrillo Beach, and in Long Beach at the Queensway pedestrian walk from the LA River eastward. Between these segments lies the LA/LB port area that needs much improvement to provide a safe, accessible pedestrian and bicycle route.

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Thank you for this opportunity to participate in the planning process.

Stanley R. Bluhm
Coastwalk
CCT Project Coordinator

I am writing to express my concerns about the environmental effects of the San Pedro Waterfront Project in the Port of Los Angeles. Of particular concern to me are the following:

- 1) The expansion of cruise terminal facilities to the outer harbor, increasing air pollution from both the greater volume of traffic to the area as well as from the cruise ships themselves. These facilities should remain in the area of the Vincent Thomas Bridge, obviating the need for thousands of daily additional passenger car trips through the length of San Pedro.
- 2) It is essential that the environmental effects of port expansion be considered in conjunction with all other developments being proposed in the immediate area, such as the Ponte Vista development on Western Avenue.
- 3) The aesthetic effect of the proposed passenger ships berths and terminal/parking construction below the bluffs around 22nd St. must also be considered as environmental impacts, blighting as they would the sight lines from the core city, as well as the general sense of openness.
- 4) The downtown plaza should be designed to improve access and parking for the Maritime Museum and nearby monuments. Instead, the current plan impedes such access by creating large slots of water around the museum. These seems no real reason for these 'cuts' other than to justify moving the passenger berths to the outer harbor, where, as I state above, they should not be.
- 5) The proposed continued use of the hazardous chemical storage facilities on the San Pedro side of the harbor should also be excised from the plan, as they are a perpetual danger to public health and safety.

In conclusion, I wish to emphasize that the port is already an immense source of pollution for San Pedro, Wilmington and their environs. The underlying purpose of the Bridge to Breakwater project should be to mitigate, rather than exacerbate, this condition, including parks instead of parking lots in the outer harbor.

Sincerely,

Robert Reddick
3712 Almeria St.
San Pedro, CA 90731



CRA/LA

Building communities with jobs & housing

Community Redevelopment Agency
of the CITY OF LOS ANGELES

February 27, 2007

DATE /

FILE CODE /

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

T 213 977 1600 / F 213 977 1665
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U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
C/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
915 Wilshire Boulevard
Los Angeles, California 90017-3401

Sent Via E-mail: ceqacomment@portla.org & Spencer.d.macneil@usace.army.mil

**Subject: San Pedro Waterfront
Notice of Preparation/Notice of Intent**

Dear Mr. MacNeil and Dr. Appy:

The following CRA staff comments are in response to the above referenced San Pedro Waterfront EIR Notice of Preparation Report. Attached also is a CRA staff report prepared for the project at the request of the Pacific Corridor Community Advisory Committee (CAC). The CRA staff review is confined to analysis of the EIR Project Alternative Descriptions within the context of the Pacific Corridor Redevelopment Project Goals and Objectives.

Among key issues to be addressed under the Waterfront EIR should be an analysis of the impact of proposed waterfront development on the Agency's revitalization efforts of Downtown San Pedro, based on the Pacific Corridor Redevelopment Plan's 2002 EIR build out estimate. Over a ten-year time frame (from 2002-2012), the Pacific Corridor Project's build out, is estimated to be 1,650,000 sq ft., comprised of the following uses: housing (1000 Housing units estimated at 1,000,000 s.f.), industrial (150,000 s.f.) and commercial (500,000 s.f.).

As part of the traffic mitigation measures, an integrated public transportation system should be studied. Part of the integrated public transit system should consider (1) integrated public parking with mixed-use development; and (2) remote long-term parking, including the area north of the Vincent Thomas Bridge.

For reinforcing and facilitating linkages between Downtown San Pedro and its Waterfront, areas for proposed land assembly consideration as joint development opportunity sites along the Harbor Boulevard should be studied that will accomplish:

1. Physical links, e.g. connecting streets and complementary urban design
2. Economic links, e.g. compatible and complementary land uses and common facilities like public parking and
3. Providing community access to the waterfront.



CRA/LA

Building communities with jobs & housing

The Port of Los Angeles, City Department of Planning and Agency staff have established a good working relationship. We look forward in continuing and strengthening this working relationship.

Sincerely,

Rafique A. Khan

Rafique A. Khan
Community Development Planner

cc: Gordon Teuber, Councilwoman Janice Hahn's Office
Jayme Wilson, Pacific Corridor CAC
Geraldine Knatz, Michael Cham, Port of Los Angeles
Jay Virata, Steve Valenzuela, Susan Totaro, CRA

Attachment

CRA STAFF REPORT:

**Port of Los Angeles Proposed San Pedro Waterfront Project – December 2006
Notice of Preparation (NOP)/ Notice of Intent (NOI) of the Preparation of a
Draft Environmental Impact Statement (EIS)/Environmental Impact Report
(EIR).**

PURPOSE:

Review the proposed San Pedro Waterfront project description prepared by the U.S. Army Corps of Engineers, Los Angeles District (Corps) and the Harbor Department (Port) within the context of Pacific Corridor Redevelopment Plan, CAC Mission Statement, previous CAC positions and how it may impact the Pacific Corridor Redevelopment Project.

The review responds to an invitation for comments, concerns, mitigation measures, and suggestions for project alternatives to enable the Corps and Port to prepare a comprehensive and meaningful EIS/EIR for the proposed San Pedro Waterfront.

The EIS/EIR is a joint effort by the Corps and Port. The dredging and discharge activities require a Corps permit pursuant to the Clean Water Act, the Rivers and Harbors Act. Pursuant to CEQA, PORT will serve as Lead Agency for the preparation of an EIR.

PROJECT BACKGROUND:

The currently proposed EIS/EIR project scope is revised and is a significantly reduced version from the September 2005 project scope for the "From Bridge to Breakwater: Master Development Plan for the San Pedro Waterfront and Promenade". The stated focus of the present project is on:

1. infrastructure improvements
2. cruise program expansion and
3. enhancing public access to the waterfront.

The amount of commercial development is significantly less than what was proposed in the 2005 previous project. The Port's proposed construction time frame for the improvements is within 5-years, as opposed to a 30-year build out in the September 2005 Project EIS/EIR.

**CRA STAFF REVIEW OF THE CORPS/PORT EIS/EIR NOTICE REPORT IS
IN THREE PARTS:**

Part I lists (*in Italics*) suggested project alternatives and mitigation measures, based on staff analysis of the proposed project description(s) in the EIS/EIR Notice Report, for achieving the CAC stated objective of "a seamless" integration of the San Pedro

Waterfront and its Downtown.

Part II of the staff report identifies and provides analysis of the identified issues for project in the EIR/EIS Report that require federal review by the L.A. District U.S. Army Corps of Engineers (Corps) under NEPA (National Environmental Policy Act),

Part III reviews the project elements pursuant to CEQA (California Environmental Quality act) as in part 11.

PART I: CRA STAFF SUGGESTED PROEJCT ALTERNATIVES AND MITIGATION MEASURES

The Proposed Waterfront Project Report description(s) should include the following alternatives and mitigation measures for study as part of the EIS/EIR process.

- (1) *Include as a project alternative to the proposed North Harbor Cut, for improving the berthing capacity of vessels, improvement and enlarging the existing SP Slip adjacent to Sampson Way.*
- (2) *Include the following as mitigation measures for the water cut alternative:*
 - (a) *Replace six acres of water cut as parkland on Port property.*
 - (b) *Increase natural habitat along the San Pedro Waterfront*
 - (c) *Create a tree-planting (forestation) zone on the San Pedro Peninsula.*
- (3) *To ensure synergy and A seamless connection to downtown San Pedro, create a redevelopment parcel of land along Harbor Boulevard adjacent to the proposed water cuts for activities and parking that will attract people to the waterfront.*
- (4) *Extend selected east-west streets to cross Harbor Boulevard and connect with the proposed promenade to San Pedro.*
- (5) *Under all proposed alternatives for parking develop a traffic circulation plan including a local mass transit component for needs of the waterfront and the downtown San Pedro area. Include as part of one or more parking alternatives the feasibility of extending the existing Red Car line to Downtown.*
 - (a) *The preferred alternative for parking should be at location(s) north or near the Vincent Thomas Bridge accompanied by a local mass transit system serving the waterfront and downtown San Pedro.*
 - (b) *Caltrans parking (Harbor/Beacon) site should include an alternative for a mixed-use development including housing.*

(6) *Parking east of Harbor Boulevard between Swinford and 22nd Street area should be surface only, or as part of a multi-use project. Building stand-alone multi-level structured in this area should not be considered as an option.*

(7) *Include, in addition to the proposed pedestrian crossings on Harbor (at Swinford, 1st, 3rd, 7th and 13th Streets) alternatives to:*

- a) *Extend selected historic streets connections between the waterfront and San Pedro that at present is disconnected.*
- b) *Make street improvements including street widths proposed for the waterfront area to be compatible with the Los Angeles City Street grid and street right-of-way classifications.*
- c) *Delete proposed alterations to the Harbor Boulevard right of way (green belt from 7th to 22nd street). Instead, propose pedestrian paths and landscape links in conformance to the designated California Coastal Trail Plan.*

(8) *Under all project alternatives change the present Waterfront land uses designation from industrial land use to recreation-commercial land use designation. Identify potential non-conforming land uses, including the Jankavich Tank Farm, and propose relocation plans for identified non-conforming uses.*

(9) *Include plans to upgrade existing vacant land and parking lots as part of all project alternatives to ensure improvement and long term maintenance of these properties and parking lots that are not earmarked for development.*

PART II: PROJECT REQUIRING REVIEW UNDER NEPA

To obtain a Federal Permit for dredging the Harbor Channel the Corps requires the proposed project establish a reasonable range of alternatives. The project described is to modify the existing west side of the Port's Main Channel by increasing the open water area approximately 5 net acres. The increased area is to provide berthing for vessels and port-related uses, without impeding the public's right to free navigation; and to utilize the deep water in the Outer Harbor and Main Channel to accommodate existing and projected growth in the cruise ship industry.

PROPOSED PROJECT

The project proposes three water cuts at the following locations: North Harbor, Downtown Harbor, and 7th Street Harbor.

- North Harbor is an 8.7-acre water cut on east side of Harbor Boulevard across 1st and 3rd Streets, approximately 50 feet east of Harbor Boulevard.
- Downtown Harbor is 1.56-acre water cut north of the Maritime Museum and near 5th Street.

- 7th Street Harbor is a 0.36-acre water cut on the south side of Maritime Museum and across from San Pedro City Hall near 7th Street.

CRA STAFF OBSERVATIONS AND ISSUES:

(1) No Project alternative is proposed for the water cuts. Alternative 3 is described, as "This alternative is the proposed project without any activity requiring a Corps permit This alternative represents the Corps' environmental baseline."

The proposed water cuts provide berthing for about 50 vessels (counted on the map). Increased capacity to provide berthing vessels without impeding navigation and to accommodate existing and projected growth in the cruise ship industry are essential objectives. However, other than the proposed water cuts no alternative is proposed to increase the vessel berthing capacity.

An example an alternative for improving, even enlarging, the existing s. P. Slip at Sampson Way may be an option to increase the vessel berthing capacity. This alternative would also, in addition, improve and update an existing area that needs improving. A cost benefit analysis and associated impact on the environment of creating the new water cut at the North Harbor verses rehabilitating the existing Sampson water cut may be in order.

(2) Creating the new water cuts would eliminate nearly six acres of existing land area and increased navigation would impact waterfront air quality. To mitigate impacts by increased navigation including emissions following three mitigation measures are suggested for evaluation:

- Replace six acres as parkland on Port land along the waterfront.
- Increase natural habitat along the San Pedro Waterfront.
- Create a tree-planting (forestation) zone on the San Pedro Peninsula.

(3) Creating a seamless connection between downtown San Pedro and the Water's edge for revitalization of the downtown business district is a stated objective of the POLA plan. For revitalization to happen, the water cuts and public improvements must be coupled with measures that will bring people to the area. In the absence of appropriate development adjacent to the proposed water cuts and convenient parking that would generate activity to attract people (at present designated for industrial use; see page 24 EIS/EIR report) the "seamless connection" between the downtown and water may not be assured.

To ensure synergy and a seamless connection between the downtown San Pedro and the proposed Waterfront following project alternatives are recommended:

(a) North Harbor Water cut: Adjacent to the water cut designate land area for development compatible with the Waterfront. Extend streets to the water's edge. Proposed street connections: continue the proposed easterly extension of 1st Street as a loop along the edge of the proposed promenade to surround a new land development parcel (8- 10 acre). The public street would include extension of 1st Street east along the proposed promenade continue north along the promenade for a distance of 300 to 500 feet and then connect with Santa Cruz or O'Farrell Street. The parcel would include public parking.

(b) Downtown Harbor Water cut: Create a new development parcel bounded by Harbor Boulevard on the west and the proposed promenade on the north, east and south sides. Extend 5th and 3rd Street across Harbor Boulevard to the water's edge.

(c) 7th Street Harbor Cut: Extend 7th Street in easterly direction, as a boardwalk, to the water edge and delineate a development land parcel bounded by Harbor Channel, 7th Street, Harbor Boulevard and 8th Street.

PART III: PROJECT REQUIRING REVIEW UNDER CEQA

Under the CEQA part of the project eight (8) objectives are stated to increase public access to the waterfront, allow additional visitor-serving commercial development within the Port, respond to increased demand in the cruise industry, and enhance transportation within and around the Port. The objectives are:

1. Enhance key linkages between downtown San Pedro and the waterfront, including the creation of a downtown harbor and promenade, which will become the focal point for vessel activity and draw visitors to downtown San Pedro
2. Provide public access to the waterfront and new open space, including parks and other landscape amenities linked to the promenade.
3. Create a grand promenade to link the network of public open spaces and the neighboring community.
4. Create and expand the waterfront promenade as part of the California Coastal Trail to connect the community to the waterfront
5. Provide for a variety of waterfront uses, including berthing for visiting vessels, harbor service craft, tugboats, and other recreational, commercial, and port-related waterfront uses.
6. Provide for enhanced visitor-serving commercial opportunities within Ports O' Call, complementary to those found in downtown San Pedro.
7. Expand the cruise ship facilities and related parking to respond to increasing existing and forecasted demands.
8. Create a permanent berth for Catalina Express and Island Express and relocate the S.S. Lane Victory. (See page 7)

PROPOSED PROJECT:

The following 17 project components are proposed for CEQA evaluation (see illustration 7):

1. North Harbor Promenade: 30 - feet wide promenade along the edge of the new North Harbor
2. Downtown Harbor Promenade: A two level (an upper and lower) promenade
3. Downtown Water Feature: A 12,000 square foot interactive water component.
4. John S. Gibson Park improved landscaping of the existing 1.61-acre park.
5. Town Square: The new 0.79-acre Town Square at 6th Street in front of the Ferry Building and short-term surface parking.
6. 7th Street Pier: A public city dock for short-term docking of visiting vessels.
7. Ports O'Call Promenade: Ports O'Call Promenade, a 30-foot wide boardwalk.
8. California Coastal Trail: Provide signage and linking open spaces and points of interest.

9. Linkages and public access projects:

- A pedestrian crossing at Harbor Boulevard and Swinford Street
- A new pedestrian bridge at 13th Street at the bluff as a bridge to Ports O'Call Village.
- Pedestrian crossings and access to the waterfront at 1st, 3rd, and 7th Streets.
- Vehicular access to the waterfront at 1st Street would also be studied.
- Extension of the Red Car line. (Separate study).

10. Visitor-Serving Commercial Development

Within the Ports O'Call Village, approximately 40,000 square feet of existing development is to be demolished. Expand commercial development up to 25 percent of the existing square footage, for a net increase of 37,500 square feet. (Figure 8, following page 10, illustrates the expansion plans for the Ports of Call Village).

11. Outer Harbor Cruise Terminal at Berths 45-50

A cruise ship berth in the Outer Harbor to replace the cruise ship berth displaced by construction of the North Harbor water cut. A berth for a second cruise ship in the Outer Harbor to accommodate a 1,250-foot length vessel. A new 2-story cruise ship terminal, up to 200,000 square feet.

12. S.S. Lane Victory, Catalina Express and Island Express Terminal

Lane Victory is to be moved from Berth 95 to the proposed North Harbor. Catalina Express Terminal and Island Express are to be relocated from Berth 96. A new above ground fuel dock with 8,500 gallons capacity.

13. Transportation Improvements

The proposed project include:

- Improvements to intersection at Sampson Way.
- Sampson Way to extend as a two lanes in each direction to meet 22nd Street.

14. Parking Facilities

Proposed parking facilities are primarily for relocated and expanded cruise ship operations and the Catalina Terminal. Many alternatives and options are proposed.

- The existing surface parking area for (Berth 91-93) cruise ship terminal operation to provide the 2,200 (required) spaces.
- Parking for Catalina Terminal (1,000 spaces) provided near Vincent Thomas Bridge.
- Additional 300 parking spaces to be relocated as part of China Shipping Terminal Expansion proposed as surface or structured parking on Caltrans site (at Beacon and O'Farrell Streets)
- For the Outer Harbor area 1,600 spaces near Sampson Way, with 1,000 spaces provided in a two-story parking structure is the preferred option.
- Other options include construction of a 1,675 space parking structure (up to 3-stories) near Bloch Field and Sampson Way.
- Surface parking near the Outer Harbor cruise terminal provided in all scenarios. Shuttle service from the offsite parking areas to the new cruise facilities would be provided.

15. Ralph J. Scott Historic Fireboat Display

19,000 square feet, 50 feet high structure to house the historic Fireboat south of Fire Station No. 112.

16. Jankovich Tank Farm Lease Renewal (Berth 74)

The existing tank farm is to remain in place for another 20 years (lease expires 2007)

17. Red Car Museum and Maintenance Facility

Red Car Museum and Maintenance yard south of 7th Street. The museum 6,700 square feet, plus approximately 20,000-square-foot service yard.

PROJECT ALTERNATIVES:

The Draft EIS/EIR will include a coequal analysis of the project alternatives.

Project Alternative No. 1. Relocation of cruise berth at Berths 87-90 to Outer Harbor with reduced parking. Parking options include a parking structure at Knoll and Front Streets with shuttle service to the Outer Harbor cruise terminal, or landscaped surface parking at Sampson Way, Miner Street, and 22nd Street.

This alternative has Sampson Way as two lanes in each direction and reduces Harbor Boulevard to one lane in each direction, with the remaining right-of-way on Harbor

Boulevard to be used to create a pedestrian and bike path greenbelt.

Two additional options for the location of the proposed Red Car Museum and maintenance facility are considered under this alternative, including locating the facility in either Warehouse No. 1 or at Sampson Way near the??? WHAT

Project Alternative No. 2 - No Project/No Action. This alternative would not implement any of the elements presented in the project description or Project Alternative No. 1. The existing conditions within the project area would remain the same with no alterations.

OBSERVATION AND ISSUES:

The seventeen projects differ in scope and detail. In most cases there are no alternatives. The seventeen projects can be grouped in the following seven categories:

- a) Public Improvements (promenade) along waterfront: #1 North Harbor Promenade, # 2 Downtown Harbor Promenade, # 6 Seventh Street Pier, and # 7 Ports O Call Promenade.
- b) Public Improvements (parks and plaza): # 3 Down Town Water Feature, # 4 Gibson Park Improvements and # 5 Town Square at Harbor and 6th Street.
- c) Public Improvements (street linkages): Pedestrian Crossing at Harbor and Swinford, Pedestrian Bridge at 13th Street, Pedestrian Crossing at 1st, 3rd and 7th Streets and Vehicular access at 1st Street (to be studied)
- d) Development: #10 Visitor Serving Commercial at Ports O Call 40,000 square feet, (25% increase), # 12 SS Lane Victory Relocation, #15 Historic Fire Boat Building and # 17 Red Car Museum
- e) Transportation related Improvements: #13 Sampson Way Street from 7th to 22nd Street, Harbor Boulevard (landscape)
- f) Parking: #14 Parking Facilities 2200 + 1600
- g) Others: # 8 California Trail (no description) # 7 Vehicular Access to 1st Street (to be studied), Extension of Red Car #11 Outer Cruise Terminal #16 Jankavich Tank Farm

I. Many of the proposed projects, in particular public improvements (a) and (c) proposed redevelopment within the Ports of Call (d) and the proposed Downtown Harbor Water Cut would enhance the physical image of part of the waterfront area. However, in order to create a seamless interface with the San Pedro Downtown the proposed projects need to be part of an overall framework consisting of the following:

- (a) Land Use and Development Controls: The waterfront is at present designated for industrial use. As noted above to attract people to the area the proposed public

improvements must be coupled with appropriate land use and development projects to "become the focal point".

- (b) Parking and Traffic: Expansion of Sampson Way and other street improvement proposals need to be part of a citywide traffic plan for the San Pedro Peninsula (to include Gaffey Street, 22nd Street, Capitol Drive and the Waterfront). And, the streets and parking structures should be coordinated with a local mass-transit circulation pattern.
- (c) Development /Design Framework: The 17 proposed projects spread over a large area, when completed would give the waterfront a "patchy" appearance. The projects scope should include a base line improvement program to upgrade the area, in particular parking lots and existing vacant land.

II. Parking: The proposed parking "is a combination of surface parking lots and structures located throughout the project area." As noted above the proposed alternative needs to be considered as part of an overall traffic circulation including local transit system for the downtown and the waterfront area.

- (a) The preferred alternative for Cruise Terminal parking should be a location north of the Vincent Thomas Bridge and accompanying local mass transit serving the Waterfront and downtown area.
- (b) Building stand-alone multi-level parking structures east of Harbor Boulevard, between Swinford and 22nd Street should not be considered as an option. Parking in this area should be surface only or as part of a multi-use project.
- (c) CALTRANS park and ride lot (at Harbor and Beacon) should include an alternative for a mixed-use development including housing.

III. Street Pattern: As proposed, the historic street connections between the waterfront and San Pedro continue to be disconnected.

- (a) The east west streets need to be restored, as recommended in this report.
- (b) Streets improvements proposed for the waterfront need to be compatible with the Los Angeles City Street grid and street classifications.

IV. Landscaping/ Maintenance

The project should include alternatives to ensure upgrade and long-term maintenance for the vacant land and parking lots that are not earmarked for development.

RECOMMENDED PROJECT SCOPE ALTERNATIVES:

- (1) For the NEPA project, include as a project alternative to the North Harbor Cut, providing a water cut along Sampson Way by improving or enlarging Fish Harbor as an

alternative for increasing the vessel berthing capacity within the Harbor Channel.

Include the following as mitigation measures for the water cut alternative:

- (d) Replace six acres of water cut as parkland on Port land.
- (e) Increase natural habitat along the San Pedro Waterfront
- (f) Create a forestation zone on the San Pedro Peninsula.

(2) To ensure synergy and seamless connection between the downtown San Pedro include the following three projects as part of the preferred project scope

- a) North Harbor Water Cut: Create a redevelopment parcel of land adjacent to the water cut for activities and parking that will attract people to the waterfront. The development parcel to include extension of 1st Street east along the proposed promenade continue north along the promenade for an approximate distance of 300 - 500 feet and then connect with Santa Cruz or O'Farrell Street. The parcel would include public parking.
- b) Downtown Harbor Water cut: Create a similar new development parcel bounded by Harbor Boulevard on the west and the proposed promenade on north, east and south sides. Extend 5th and 3rd Street across Harbor Boulevard to the water's edge.
- c) 7th Street Harbor Cut: Extend 7th Street in easterly direction, as a boardwalk, to the water edge and delineate a new development land parcel bounded by Harbor Channel, 7th Street, Harbor Boulevard and 8th Street. The proposed water cut and related improvements at this location must assume the primacy of the Los Angeles Maritime Building and ensure continued structural integrity of this historic structure. In addition proposed improvements should facilitate and enhance the Maritime Museum operation.

(3) Parking. Include parking as part of street and traffic circulation plan including a local mass transit component for needs of the waterfront and the downtown San Pedro area.

- a) The preferred alternative for parking should be location(s) north or near the Vincent Thomas Bridge accompanied by a local mass transit system serving the waterfront and downtown San Pedro.
- b) Building stand-alone multi-level structured parking east of Harbor Boulevard, between Swinford and 22nd Street, should not be considered as an option. Parking in this area should be surface only or as part of a multi-use project.
- c) Caltrans parking (Harbor/Beacon) site should include an alternative for a mixed-use development including housing.

(4) Street Pattern: In addition to the proposed pedestrian crossings on Harbor (at Swinford, 1st, 3rd, 7th and 13th Streets):

- d) Include extension of the historic streets connections between the waterfront and San Pedro that remain disconnected.
- e) Streets improvements proposed for the waterfront should be compatible with the Los Angeles City Street grid and street classifications.

(b) Landscaping: Include upgrade of all existing vacant land and parking lots as part of all project alternatives to ensure upgrade and long term maintenance of these properties and parking lots that are not earmarked for development.

REVISED 2/15/2007; 2/26/2007

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION PLANNING, MS-32

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 653-0808

FAX (916) 653-4570

*Flex your power!
Be energy efficient!*

February 27, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch and the Los Angeles Harbor Department
c/o Dr. Spencer D. MacNeil and Dr. Ralph G. Appy
ATTN: Corps File Number 2005-01271-SDM
PO Box 532711
Los Angeles, CA 90053-2325

**Subject: PN 200501271, Application For a Corps Permit, Notice of Intent for a Draft EIS/EIR,
and a Scoping Meeting**

Dear Drs. MacNeil and Appy:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review for the San Pedro Waterfront Project.

We have been in contact with Jan Green Rebstock, Port Project Manager, regarding potential impacts to the State Highway System (SHS) bridges, specifically, the Vincent Thomas Bridge and its approach bridges. The Port will be sharing the applicable engineering data with us, and we appreciate the cooperation and assistance.

Our evaluation of the information received also indicates that this project will need a Caltrans encroachment permit for the SHS State Route 47 (SR-47) Right of Way. We recommend that the applicant submit six (6) complete sets of plans and two (2) sets of drainage plans to our District 7 Permits Office at the earliest convenience. Please contact Zoe Yue, Chief, Office of Permits, at (213) 897-0498, or via E-mail: zoe_yue@dot.ca.gov if you have questions about the permit process. Additional information about encroachment permits can be accessed at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

As a Responsible Agency, pursuant to the California Environmental Quality Act, we recommend that the traffic study address the proposed project's potential significant adverse impacts to SR-47 and Interstate 110 (I-110) and their circulating network (access ramps, streets, crossroads and controlling intersections). The study should include:

1. Traffic counts to include anticipated AM and PM peak-hour volumes;
2. Level of service (LOS) before and after project development;
3. Future conditions, which include both project and project plus cumulative traffic generated up to the completion year; and
4. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts, including project share of mitigation measures cost.

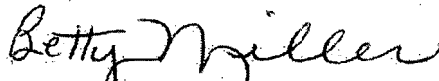
U.S. Army Corps of Engineers, Los Angeles District,
Regulatory Branch and the Los Angeles Harbor Department
February 27, 2007
Page 2

Storm water run off is a sensitive issue for Los Angeles and Ventura Counties. Please contact Shirley Pak at telephone (213) 897-0428, or via E-mail: shirley_pak@dot.ca.gov if you need information about applicable National Pollutant Discharge Elimination System (NPDES) requirements as they pertain to the SHS Right of Way.

Lastly, the following web link, to the Caltrans Transportation Permits Homepage, is provided for your information should the proposed project require transportation of heavy construction equipment or materials using oversized-transport vehicles on the SHS:
<http://www.dot.ca.gov/hq/traffops/permits/index.htm>

If you have questions about our comments, please contact Cheryl J. Powell, Intergovernmental Review Program Manager, via telephone at (213) 897-3747, or E-mail: Cheryl_j_powell@dot.ca.gov; or you can contact me via telephone at (916) 653-0808, or E-mail: betty_l_miller@dot.ca.gov.

Sincerely,

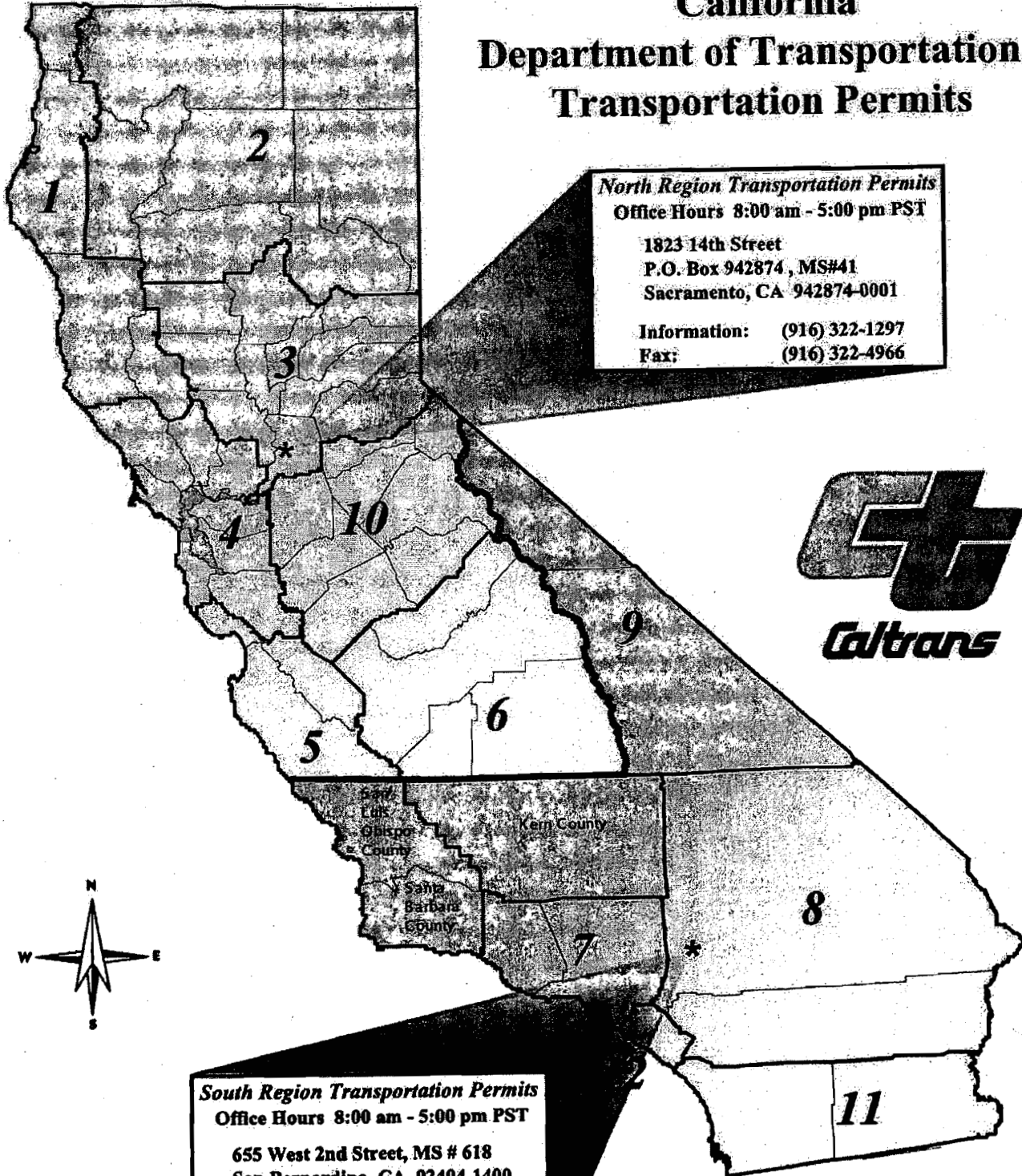


Betty Miller
Statewide Local Development-Intergovernmental Review Coordinator
Office of Community Planning

Attachment

- c: H. Behrooj, Sr. Bridge Engineer, Div. of Maintenance & Investigations, SM&I HQ
- C. Powell, IGR Program Manager, District 7
- Z. Yue, Chief, Office of Permits, District 7
- S. Pak, Sr. Transportation Engineer, Stormwater Coordinator, District 7
- J. Green Rebstock, Project Manager, Port of Los Angeles

California Department of Transportation Transportation Permits



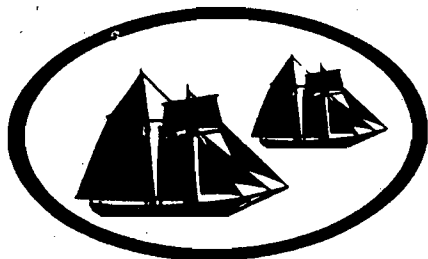
North Region Transportation Permits
Office Hours 8:00 am - 5:00 pm PST
1823 14th Street
P.O. Box 942874, MS#41
Sacramento, CA 942874-0001
Information: (916) 322-1297
Fax: (916) 322-4966



South Region Transportation Permits
Office Hours 8:00 am - 5:00 pm PST
655 West 2nd Street, MS # 618
San Bernardino, CA 92404-1400
Information: (909) 383-4637
Permit Status: (909) 388-7062
Fax: (909) 388-7001

Atch

JGR



Los Angeles Maritime Institute Home of the TopSail Youth Program

Berth 84, Foot of Sixth Street, San Pedro, CA 90731
310-833-6055 Fax 310-548-2055
www.lamitopsail.org



Dr. Ralph Appy
Hand-delivered to Los Angeles Harbor Department
February 28, 2007

Dear Dr. Appy,

Thank you for the opportunity to comment on the waterfront project.

We are eager to work in partnership as the project moves forward!
Please consider our enclosed comments (hard-copy of email sent
earlier today.)

We welcome your questions.

Best regards,

Nancy H. Richardson

Nancy H. Richardson, Vice-President
for
Captain James Gladson, President
Los Angeles Maritime Institute
Berth 84, Foot of 6th St.
San Pedro, CA 90731
Office: 310-833-6055
Mobile: 310-429-3277

Los Angeles Maritime Institute TopSail Youth Program
Berthing and Facilities Questions and Comments

Building on the strength of our partnership with the Port, we are eager to be part of the planning considerations as the San Pedro Waterfront Project goes forward! Our concerns are looking ahead to the berthing of our three ships and facilities for classroom/meetings, offices, and workshop-storage space. Our comments (in bold) are in relation to the points quoted from the NOP Supplemental Information below.

To quote the NOP Supplemental Information:

1.1 Project Overview, mentions that "For recreational activities, the Port provides 5,000 slips for pleasure craft, sport fishing boats, and charter vessels. Community facilities include a waterfront youth center, a boat launch ramp, and a public swimming beach. Educational facilities include the Cabrillo Aquarium and the Maritime Museum." ...and LA Maritime Institute?

2.1 Purpose and Need

Bullet points mention "berthing for visiting tall ships and other vessels..."...POLA and LAMI have built a wonderful reputation as a friendly port for visiting tall ships!

3.3 Proposed Project,

New Harbors and Water Cuts

- North Harbor: ... "and accommodates tugboats and larger visiting historic and naval vessels" **with the next Festival of Sail-LA with Tall Ships® coming in Aug. 2008!**
- Downtown Harbor: "to accommodate the Los Angeles Maritime Institute's TopSail program vessels, Port vessels, and other visiting ships...Demolition of the existing temporary facility for TopSail, surface parking, and landscaping would be a requirement of the proposed new harbor dredging."

What considerations are being included in planning new berthing LA Maritime Institute's sail training vessels *Irving Johnson*, *Exy Johnson*, and *Swift of Ipswich* as well as for replacing classroom/workshop/office facilities for the LAMI TopSail Youth Program?

With the LAMI tall ships shown berthed in the new "Downtown Harbor" and our TopSail facility and parking to be demolished, further plans should include facilities adjacent to vessels, considering:

- **Safe and easy access for school groups to board (up to 60 students/teachers) for day sails and overnight voyages**
- **Loading of gear, food and supplies for groups**
- **Secure parking for school buses, vehicles for sailing groups-group leaders, volunteers, crew, and service-repair people (including some overnight parking)**
- **Secure storage of vessel equipment, supplies, small boats/kayaks**
- **Safe access for public tours, tall ship visits, and Festival of Sail events**
- **Close, convenient access to classrooms, offices and workshops**
- **Vessel security**
- **Dockside pump-out stations for holding tanks**
- **Dockside fire hoses and hydrants**
- **Shore power**

Berthing for sail training vessels/tall ships requires special consideration and further study.
Each of the projected new harbor elements presents different circumstances, whether LAMI vessels or visiting tall ships are in the new North Harbor, Downtown Harbor or by the Ports O' Call Promenade, along the main channel.

The SPWP diagrams and drawings of the Downtown Harbor show ships berthed alongside the pier, perpendicular to the channel/current and/or inside a basin with limited maneuvering space.

Unlike the tugs and the fireboat, the LAMI sailing ships are deep-keeled, single screw and low-powered, with lofty spars and significant windage even without sails. As you know, vessels with these characteristics, used with youth education programs, require floating docks with heavy cleats like we have now.

At this time at Berth 78 with the dock parallel to the main channel, our captains are often able to sail off and onto the dock, maneuvering with the current and a prevailing cross wind. The Downtown Harbor presents different circumstances: maneuvering into the prevailing wind and with cross-currents; other considerations include having to deal with backing situations, different angles of approach, underwater effects from large cruise/commercial ships and other boat traffic restrictions.

Here are our LAMI Vessel specs:

Square topsail schooner *Swift of Ipswich* , built 1938, Ipswich, MA
(Berth 84, behind the LA Maritime Museum...currently in restoration)

Sparred length: 90'

Length Water Line: 62'

Draft: 10'

Beam: 18'

Displacement: 65 LT

Rig Height: 74'

Hull: Wood

Power: Single-screw, Diesel

Twin Brigantines *Irving Johnson* and *Exy Johnson*, built 2002, San Pedro, CA
(Currently 'temporarily' at Berth 78)

Sparred length: 111'

Length Water Line: 72'6"

Draft: 11'

Beam: 21' 9"

Displacement: 130 LT

Rig Height: 87'8"

Hull: Wood

Power: Single-screw, 315HP Diesel

The following page details our needs for classroom, office, workshop facilities.

Thank you for your consideration! We look forward to working together on the plans!

Contact: Jim Gladson topsail@sbcglobal.net,

and/or Nancy Richardson nrichardson@lamitopsail.org

LA Maritime Institute, Berth 84, Foot of 6th St., San Pedro, CA 90731 phone: 310-833-6055

Los Angeles Maritime Institute TopSail Center Facility Needs

TopSail Youth Center

Estimated Square Footage

Meeting rooms:	Total footage =	1500
Classroom for 60 w/ bookshelves and media capabilities		
Boardroom and small group meeting area for 15+		
Offices :	Total footage =	2000
President / Director		
Executive Director		
Program Administrator		
Clerk/Reception/Phones		
Volunteers and Crew Coordinator		
Volunteers and Crew Preparation Room		
Captains and Mates / Instructional Ship's Business		
Captains and Mates / Operational Ship's Business		
Fund Development		
Boatswain (maintenance coordinator)		
Projects		
Food areas:	Total footage =	425
Kitchen		
Dining area		
Maintenance area:	Total footage =	1950
Workshop with band saw, table saw, jointer, drill press, etc.		
Tool room plus materials and supplies		
Maintenance work areas with space for:		
Small boat construction and repair		
Spar and rigging loft		
Facilities:	Total footage =	300
Men's restroom with showers		
Women's restroom with showers		
Laundry room with washer and dryer		
Storage rooms:	Total footage =	1455
Vessel shore-side storage, seasonal equipment etc.		
Instructional materials and archives		
Merchandise		
Lockers for volunteers, interns and crew personal items		
Active files and safe		
Classroom closet		
Custodial and water heater		
Electrical and phone panels		
Total building floor space and enclosed outdoor work yard =		7630
Parking: Typical use (Varies with season and day of week.)		
70 spaces (includes staff, overnight crew, school groups-leaders, meetings, classes and volunteers)		

**Public Comments for the
San Pedro Waterfront Project
NOP/NOI
February 28, 2007**

**From the Sierra Club
Harbor Vision Task Force**

February 28, 2007

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
c/o Dr. Joshua Burnham
915 Wilshire Boulevard
Los Angeles, California 90017-3401

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

Via email: ceqacomment@portla.org

RE: Comments to the San Pedro Waterfront Project NOI/NOP

Dear Sirs,

These comments provide additional background material and insights on viewpoints taken by the Sierra Club — via the Harbor Vision Task Force which concerns itself with issues in and near San Pedro Bay and along the goods movement corridors connected to San Pedro Bay. They delineate with additional specificity actions we hope to see taken or considerations made in completing the SPWP EIR/EIS.

The Sierra Club is very interested in seeing a successful waterfront project completed in the San Pedro waterfront area. Success, of course, means different things to different parties for this area.

It means one thing to an environmental group focusing on habitat, another to a chamber or merchants group, another to a cruise terminal operator, another to an educator, another to a family with children, another to a retiree, something different for a fisherman, something else to a small boat owner and something still different to a kayaker or a windsurfer.

With groups like chamber, resident and environmental groups — success also means different things. For example, an environmental group focusing on traditional habitat restoration has somewhat different objectives than one focusing on environmental concerns.

The process of building community is to synthesize a greater whole from these diverse elements. It is clear in reading the initial responses from a number of other groups that the current waterfront NOI/NOP falls short of generating that synthesis — but it is our belief that it is possible. It is not clear where the responsibility for encouraging the necessary synthesis lies — but it is clear that some groups have been disappointed with not being able to work more closely with the Harbor Department in providing their viewpoints before the waterfront NOI/NOP was released.

High hopes to go beyond the mediocre

The San Pedro community (residents and businesses), cruise terminal operators and environmental groups have been looking for waterfront projects since before 2000.

Some of the elements sought in this plan — such as the removal of hazardous materials and the restoration of some wetlands — go back to the early 1970s. The GATX fire and explosion in 1972 first spurred community and environmental interest in relocating hazard material and fuel storage away from the waterfront area. The development of the Coastal Act in the 1970s also led to the anticipation that some of the 4:1 mitigation for wetlands would be done at the base of 22nd Street. The initial success of Ports O'Call led many businesses to hope for modernization of the facilities as it began to falter. Cruise operators have expressed their disappointment in the waterfront since at least Riordan was mayor..

It took almost a dozen years (from 1972 to 1983) before the GATX facility was closed. In the mean time, the crude oil tanker Sansinena exploded on a waterfront area in 1976 — breaking and cracking windows through much of San Pedro. Per promises, a Union Oil tank farm immediately below residences on Crescent Avenue was removed. However, the Jankovic and Westway facilities have remained in place, despite long-term promises that they would be relocated to possible locations like “Energy Island” the original designation for Pier 400.

John Papadakis has been championing the development of a grand promenade and world-class waterfront for half a dozen years. The California Coastal Trail was adopted by the State of California while Antonio Villaraigosa was still in the state legislature and was designated a National Millennium Trail while Clinton was still president. Organizations like Coastwalk, the California Coastal Conservancy, the National Park Service and the Sierra Club have sought an adequate completion of the Trail around San Pedro Bay almost since its inception.

These all represent high hopes and aspirations for the waterfront, in ways that will serve national, state, regional and local interests. Completion of the California Coastal Trail with appropriate adjacent venues is clearly of interest both to the State of California and the federal government. The plans we make for this area, whether for habitat, recreation or commercial development, can all help enhance this asset.

The environmental and planning documents which will be used to develop the waterfront must meet certain minimum standards as established by law and administrative practices.

However, it is our hope that these documents and the plan itself will go well beyond the minimum requirements and produce something which transcends mediocrity. That it will blend various interests skillfully into a facility that more than lives up to its environmental responsibilities but which champions good stewardship and makes it an integral part of what brings people to this area over and over again, so that they can enjoy California's coastline for all the potential it has to offer.

It is to further this process that we have offered our comments.

Appropriateness of use for the tidelands area

Considering all the possible uses our waterfront and tidelands area may be put to, there is clearly not enough of this land and water to go around. Even if uses that are not supported by tidelands law are eliminated, there is still more call for this land than there is land available.

Moreover, tidelands law has changed over the years in response to various political pressures, whether for better or worse is a matter of a point of view. Each of our ports is governed by a its own tidelands trust agreement — and each of these agreements is subject to some latitude of interpretation.

We can maximize the benefits of the tidelands area to the state, the region, the City of Los Angeles and the local community by upholding five criteria:

1. Is a proposed use or project element something which can only be carried out in the tidelands — to which the tidelands are essential or to which they play a very important role?
2. Does the area or element contribute to an adequate balance of appropriate tidelands use when viewed from the perspective of the whole of San Pedro Bay?
3. Are there any elements (such as offices or parking) which are needed to support an appropriate use but which can be reasonably moved out of the tidelands or waterfront area to a nearby location so as to free up more land for waterfront and tidelands-dependent activities?
4. Are there ways to overlay uses, such as combining habitat restoration with recreation or education, to get multiple uses out of a single area?
5. Does the collection of uses for an area comprise a whole that is complete and greater than its individual parts?

A set of principles such as these (listed above) should be used for developing the San Pedro Waterfront and incorporated into the environmental review process. They should guide development of the area, the general sort of projects that will be undertaken and help select specific projects from among competing alternatives.

It is important to apply these criteria in terms of evaluating the environmental impact and appropriateness of the entire project and its individual elements not just within the project area, but as part of the San Pedro community and as part of San Pedro Bay.

Master planning

As part of a master planning process for San Pedro Bay and the adjacent communities, the environmental reports for this project should demonstrate:

1. How the project meshes with development plans for downtown, is supported by downtown planning and how it supports it.
2. How recreational use of waterfront land integrates with recreational use of waters in Cabrillo Bay (Outer Harbor).
3. How the waterfront plan integrates with the completion of the California Coastal Trail as it approaches and winds around San Pedro Bay. This reasonably includes both waterfront tracks as well as inland tracks for the trail.
4. How the waterfront plan integrates with Wilmington's plans — and how it distinguishes itself from them. How it secures itself as distinct from Long Beach's waterfront development. (We don't need to duplicate the uses in Long Beach, since there are appropriate uses not address in Long Beach and since Los Angeles has a different municipal and neighborhood character than Long Beach) with its own set of priorities.
5. How the waterfront plan fits in with "cool cities" planning by planting shade trees to reduce urban heat and sequester carbon, by using environmentally-advanced construction methods (like LEED), by providing for solar collection.
6. How the waterfront plan fits into local and regional transit plans and how it takes measures to reduce automobile trips generated to visit the waterfront, travel to Catalina or to take a cruise.
7. How the project is consistent with pollution reduction in this area of the Bay — how the additional pollution which will be generated by new cruise ships will be more than offset by reduction of pollution from existing cruise ships. Since particulate pollution doesn't travel very far, it is important that pollution reductions are created in the vicinity of where new pollution will be brought in.
8. How the development of the waterfront carries out its share of wetlands restoration — with a San Pedro Bay wide objective of restoring 300 to 350 acres (roughly 10%) of original wetlands in this area. It is understood that such restorations are difficult and that they are not expected to produce lands or waters which were as productive as before they were fully degraded.

9. Just what support services, such as parking and office space, can reasonably be moved out of the waterfront and/or tidelands area and what nearby planning is needed to pick up the relocation.
10. How the waterfront plan will balance need for various categories of uses and what strategies it will use to gain multiple uses out of each distinct area.
11. How the project will impact the environment using a baseline before the Cruises Ship Promenade was begun. Ultimately, these are all part of a logical larger project, to develop San Pedro's waterfront from SR-47 to Cabrillo Beach.
12. Specifically what sort of comprehensive development objectives are foreseen as the reasonable limit to what proposed infrastructure will support or may be augmented to support.

With respect to these points, it is inadequate for the EIS/EIR to leave future development to "market forces" (as stated in the NOP/NOI). This is an open invitation to obfuscate the potential impact of the work done today — by building for future capacity and by not considering that capacity in the analysis done now.

Further, leaving so much about the planning process to future market forces means that we cannot make an informed decision today about what is the best, viable option to minimize environmental impacts over the long run. How do we know we need the roadway and parking lots described in the current project? If we don't know, for what future capacity we are building? How do we know we need the roadway and parking lots to be built in the places where indicated? How can we evaluate the viability of remote, satellite or downtown parking if we don't know if the car trips are for short-term or long-term use?

Project alternatives

Among the alternatives the EIS/EIR evaluates, there should be an alternative which seeks to accomplish appropriate development which helps establish land-use balance in the whole of San Pedro Bay by:

emphasizing a pedestrian-oriented and transit-oriented design and de-emphasizing the use of automobiles, roadways and parking lots.

This approach should:

1. Reduce car trips generated per visitor by improving local and regional transit links and promoting transit ridership. Methods to apply to this are described later.
2. Move all but the most essential parking from the waterfront. All long-term (most of a day or longer) should be removed with few exceptions.
3. Provide for downtown parking lots in the San Pedro area that are jointly run by the Port and City.

4. Provide for freeway-adjacent parking lots that reduce auto traffic in the area.
5. Provide for shuttle buses and pedestrian corridors that link parking to the waterfront area.
6. Provide for simple concession stands near Cabrillo Beach in exchange for reducing parking in that area as a means of reducing the need to drive to the location.
7. Favor multi-story parking lots to reduce the footprint needed for parking in any location parking lots are put up. Height limits should be observed so parking structures don't block views or visually trap open space. For most of the waterfront, a two-story limit may be optimal.
8. Charge for all parking — charging higher rates based on convenience or waterfront location.
9. Provide for the highest-quality pedestrian walkways with ample summer-time shade especially at afternoon hours. More on this below.
10. Provide for multi-track use, for urban walkers, joggers, skaters, bicyclists. Ensure that a primary pedestrian and a primary bicycling route are continuous and uninterrupted.
11. Provide for other amenities that make the area attractive to visitors who will come to get out of their cars and walk, bike or skate.
12. Consistent with protecting views and other environmental considerations, build tall instead of wide, using multi-story buildings to reduce the structural footprint. This can help increase density in a developed area and reduce walking distances to reach points of interest.

The reduction of car-trips per visitor should be used in comparing this alternative with others. This should be specifically evaluated with respect to traffic loading on:

1. Local streets in the San Pedro & Wilmington area.
2. Interstate freeways and other roads (such as SR-47 and the 110 Freeway) which are used as part of regional auto-travel to reach the destination.

These measurements should include start-of-trip modeling based on zip code surveys of waterfront users, at the Beach, hotel, 22nd Street Landing area, Ports O'Call, museums and aquaria, cruise terminals and for special events. The survey should capture use variations based on day of week and time of year — paying particular attention to regional use patterns that may change on hot days when people may travel longer distances to get to the waterfront.

Benefits of pedestrian-oriented design

By adopting these approaches, a pedestrian-oriented alternative can:

1. Make more land available for habitat restoration, recreational or commercial use in ways that are most consistent with waterfront and tidelands purposes.
2. Help reduce traffic and noise impacts on neighborhoods.
3. Reduce global warming directly by reducing car trips.
4. Reduce global warming indirectly by encouraging the development of walkable urban areas.
5. Improve the service of the Harbor Freeway and other regional highways into the area by consolidating demand in higher occupancy vehicles.

The plan should examine potential strategies that could be used to improve the successfulness of a pedestrian- and transit-oriented design. These sort of strategies are as important to this type of design as are highway planning to a auto-centric design. These could include:

1. Providing for validations or vouchers for public transit use instead of for parking. Possibly supporting a weekend pass or weekend family pass system for transit users.
2. Specifying a destination-based marking approach which is tied to arrival by public transit. "Come, have a car-free day."
3. Ensuring that public transit service is adequate, reliable (with prompt replacement of failed buses) and runs for an adequate number of hours.
4. Ensuring that public transit information is easy to obtain, and that there is coordinated information on using public transit by different transit authorities to reach this common destination.
5. Making sure that primary walking routes have good locations and are attractive. Walking routes should be setback from roadways and separated from bicycle routes as much as possible.
6. Making sure that waking routes are shaded by trees and nicely landscaped and have adequate amenities: benches for rest stops, clean and safe bathrooms, drinking fountains, shaded picnic areas, easy & protected crossings across streets.
7. Keeping noisy, unsightly or otherwise unpleasant facilities, buildings or features away from walking courses.
8. Providing for walking courses with different character and features: hard-pack surfaces for joggers or hikers; smooth, paved surfaces for urban walkers; separate surfaces for faster, safer bicycle travel; special areas for skaters or skateboarders.
9. Visual design elements, such as approaches and entrances to aggregate destinations like Ports O'Call should be designed to be visually attractive to pedestrians — suggesting pedestrian (or bicycle) routes as the primary access method for which the destinations are designed.

10. Consistent with a pedestrian and transit-oriented design, there should be adequate police enforcement with officers on foot or on bicycle rather than only in patrol cars.

Development Density

The Sierra Club broadly supports development of as much public open space along the waterfront and tidelands areas, with an eye to maximizing unfettered public access to the coastline and providing habitat and recreational areas.

The objective of establishing open space that support habitat and recreation in this area is that it:

1. Helps establish balance for the whole of San Pedro Bay which has thousands of acres of industrial use with very little area set aside for recreation and even less set aside to restore a reasonable percentage of historic wetlands areas.
2. Helps serve regional recreational needs in an area that is short of regional-serving facilities in a location that is rich in recreational opportunities that cannot be provided so readily elsewhere.
3. Helps restore some of California's natural heritage and tidelands legacy that has been lost through industrial sprawl and urban incursion and provides some geographic diversity by doing so in an location where wetlands almost been entirely destroyed.
4. Can help beautify the area and provide points of interest to area visitors.
5. Can service as a complementary development for the nearby downtown area and residential neighborhoods by providing for the sort of open space that cannot be provided away from the tidelands.

That said, from the perspective of the whole of San Pedro Bay, it makes sense that some of the lands and waters around San Pedro Bay are used for appropriate dining, cultural, public and retail activities and venues which are either dependent on the waterfront or can make full use of a waterfront setting in a way that enhances both the venue and the waterfront.

It makes sense for such development to be located near existing downtown areas — because this decreases transit burdens, promotes walking and can enhance the synergistic relationship with the existing downtown by helping to create a larger single destination. Likewise, it makes sense for lower density habitat and recreational opportunities to be located further away from the downtowns and closer to the open ocean.

Though the current arrangement of the San Pedro waterfront is not perfect in this regard, it does come closer to this sort of arrangement than not. Ports O'Call, which is the largest commercial draw, is located reasonably close to downtown. Improved pedestrian corridors could make this distance seem a lot shorter. Cabrillo Beach, the marina, and Cabrillo Bay (Outer Harbor) are located further from the downtown area. The existing cruise facilities could hardly be closer to both existing bus and automobile transit corridors.

The development we carry out in our waterfront area should play up to this arrangement and improve it to the extent it can.

The Chamber of Commerce has proposed that an additional 1,000,000 square foot of development is done in the waterfront area. For the Sierra Club, it is not so much the number of square feet that are developed that is important but the way new structures are developed and the appropriateness of the development and use for a waterfront and tidelands location. Without knowing more about the way the development will be conducted, we cannot surmise where 1,000,000 square feet is excessive or within reason.

For example, offices as an entirely inappropriate use for the waterfront area, no matter how desirable the businesses in them may be. Until phones, computers and fax machines need saltwater to operate, offices should be built in the existing downtown area, away from the tidelands and larger waterfront area. Even significant office space used to support waterfront venues should itself be moved out of the waterfront area if possible.

A marine educational facility is inappropriate in the tidelands area if all it is doing is putting up conventional classrooms. However, if it builds labs that need saltwater access, establishes research aquaria and habitat such as mud flats, needs access to boat launch facilities, diving facilities, etc., much of the facility will benefit from a waterfront or tidelands location.

Likewise, a restaurant that consists of four mostly windowless outside walls that doesn't have a building architecture that takes intimate design advantage of its location is entirely inappropriate for the area.

Again, consistent with view and environmental considerations, the total footprint of the waterfront development can be reduced by building more stories rather than sprawling out — with typically no more than two stories on the waterfront.

It is the ability of the design to fit on a concise footprint and to work efficiently without additional sprawling roadways and parking lots that will determine how much is appropriate to build. This will depend on the effectiveness of a pedestrian and transit-oriented design. Such a design will leave more than adequate space for recreation and habitat.

How much of planned capacity is ultimately built may depend on market forces — but regardless of whether all of the capacity is built or only part of it — the initial planning must be for all the capacity that the infrastructure may potentially support. Further, we should not put up infrastructure for development that is not likely to be built, since unneeded and excessive infrastructure does not comprise the least environmental impact needed to fulfill the project that is built.

Moreover, if the waterfront projects that are built over time prove to have more impact than expected — construction should stop when the levels of impacts indicated in the EIS/EIR are reached, even if additional construction was in principle supported by the plan.

We cannot just wave our hands for the size and scope of this project by submitting to "future market forces." We need to establish where we want to go, make the plan to get there, evaluate its impact, and then get about the business of getting there.

Sampson & Harbor

Widening of Sampson Way instead of Harbor doesn't remove our concerns about separating the waterfront from the community. A mostly unused four-lane highway may not have much impact, but a heavily used four-lane route with traffic lights and crossings timed and designed to favor cars rather than pedestrians can have a strong negative impact. A pattern of missing crosswalks (with restricted pedestrian crossing) along Harbor Boulevard, from Swimford to Sixth Street present concerns with respect to how development will be done — and the impact any roadway widening project may have on separating the community from its waterfront. These concerns are compounded by the lackadaisical attitude port engineering seems to have to correct a missing crosswalk at Swimford & Harbor.

We remain concerned about the potential, undisclosed future development that the widening of Sampson way may support, and concerns have been raised with respect to the way this widening may support older high-density development plans when they are overlaid with the Sampson footprint.

Climate change

The environmental review must consider the impact of the project on climate-change emissions, heat islands and energy use. Almost everyday, there is new scientific evidence as to the depth and dangers posed by anthropogenic, global climate change. The State of California is undertaking new initiatives to address global warming. Many of the State's cities have adopted "cool city" campaigns to reduce global warming.

Given the increasing concern and emphasis on climate change, this environmental review should go above and beyond any regulatory requirements and seek ways to minimize its impact on climate change.

Impacts to be studied should include vehicle access to the area — based on average number of miles driven per visitor to the site. It should include energy use of buildings (primarily for heating and cooling) and heat islands created by structures or pavement.

Mitigating measures include the use of shade trees to reduce heat islands and the need for air conditioning (and to sequester carbon emissions). It should include the use of public transit over cars for access to the area, and pedestrian-oriented rather than auto-centric designs. It should include the use of light-colored roofs to reduce heat absorptions or the use of solar collection, building insulation, or other criteria found in LEED certification.

Carbrillo bay or the outer harbor

Cabrillo Bay (aka the Outer Harbor) should be kept free and open for recreational use only. This area should not be impacted significantly by large-scale commercial or industrial development. This is the last open water in San Pedro Bay that can support swimmers, kayakers, windsurfers, boaters and other similar recreational activities.

We are concerned about the placement of a cruise terminal in Cabrillo Bay or too near it. The security zone which are currently required around cruise ships (or which may reasonably be required in the future) would severely restrict access to and use of the Bay. This type of restriction is inconsistent with its recreational use and potential visitor draw that such recreational use could create.

Any cruise terminal development should be sufficiently far from Cabrillo Bay to ensure that (1) there are no security concerns that restrict access to the Bay when cruise ships are calling, (2) are sufficiently far from the Bay so that the size of cruise ships doesn't dominate the views from around the Bay or within it and (3) so that reasonable sound levels on the ships don't intrude on recreational experience in using the Bay.

It seems more prudent in terms of optimal use of the tidelands area, to keep the cruise terminals near each other and nearest the Harbor Freeway and Vincent Thomas Bridge. Such an alternative would not require anywhere near as much transit support as would building a cruise terminal toward Kaiser Point. This could be one of the strategies used in reducing car access to the area.

Cabrillo Beach

We are interested in seeing a master-planning process for Cabrillo Beach move forward and to be well-integrated with the waterfront plan. These plans may include a modest expansion of Salenas de San Pedro, extension of the Red Car to the beach as a tourist facility, additional public transit support for access to the beach, relocation of the boat launch, a dramatic reduction of parking at the beach (supported by better transit or shuttle access), possible provision of a concession stand for beach necessities and food, more shaded picnic grounds. These changes are sufficient to call for a new master plan for the beach before any construction is carried out there that may impact or alter the prospects for sound planning after-the-fact.

Cruise ships as good neighbors

There have been some problems in the past with the volume of announcements or music from cruise ships. There have also been some problems with the use of the ships horns for entertainment rather than navigational purposes. All cruise ships must operate so that they cannot be heard indoors in nearby residences. Absolute sound limits should be placed on the ships to ensure this (except, of course, for horn bursts needed strictly for navigational purposes).

The total amount of all pollution generated by cruise ships should not be permitted to increase with the introduction of new ships. If new ships are not zero-pollution vehicles, it means that there must at least be corresponding reductions in the pollution generated by existing cruise ships before additional cruise ships are permitted to call on the port.

This is especially true for air pollution. The air quality in San Pedro Bay is far out of attainment and is among the most toxic air in the nation. There should be no finding of overriding

considerations to support cruise ship operations. These ships do not provide an essential passenger service that cannot be met by less environmentally damaging means. Rather, they provide a recreational or luxury service that is less than vital to its importance to the region — especially compared to the importance of public health.

The expansion of cruise operations should require that all ships use AMP (Alternative Marine Power) and switch to low-sulfur marine fuels (2000 ppm sulfur or less). Over time, cruise ships will need to phase in still cleaner fuels, if they are to be part of air quality attainment.

As a condition of calling on the Port of Los Angeles (or Long Beach), cruise operations should consent to monitoring of their operations in port and at sea to ensure all waste products are disposed in accordance with environmental regulations and laws.

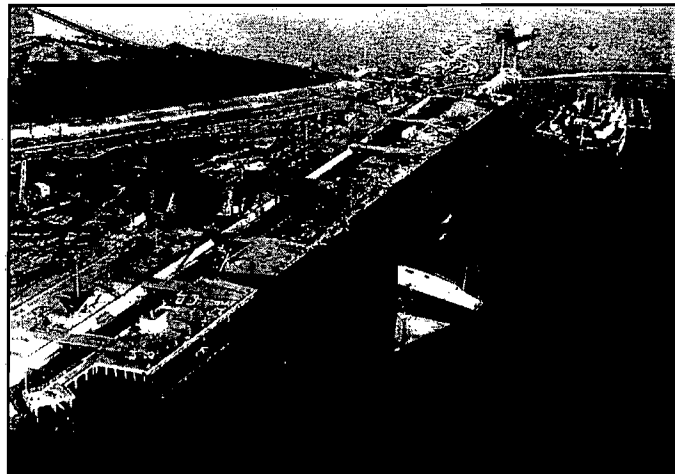
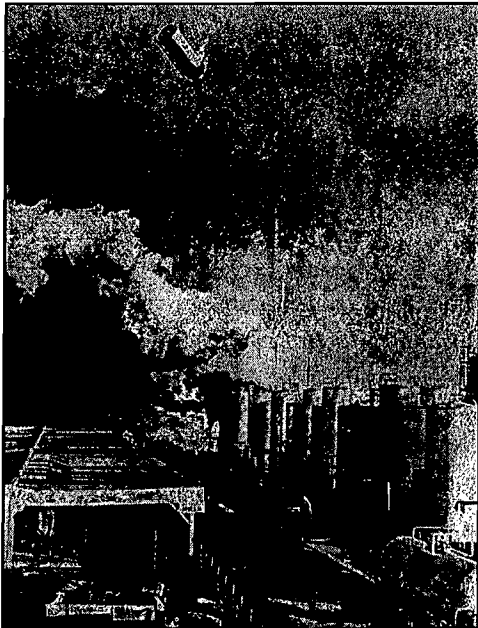
Hazardous materials

All hazardous materials must be removed from the San Pedro waterfront area as soon as possible.

In particular, the lease for Jankovic should not be extended for another long-term period. Extension of the lease on a year-by-year basis for a period not exceeding three years may be acceptable as part of a relocation strategy to move the facility to another location on Terminal Island and away from the waterfront area.

Similarly, the Westway facility should be closed as soon as possible.

Both of these sites should be fully decontaminated immediately upon closure.



Left, GATX explosion and fire (1972) which injured 50 LAFD firefighters (photo Xavier Hermasillo, News Pilot). Above, Sansina explosion (1976). Photos from web sources.

The removal of these facilities will complete promises made by the port to remove such facilities from this area that were first made with the GATX and Sansinena explosions and fires in 1972 and 1976. The GATX fire injured more than 50 firefighters and was the most injurious in Los Angeles Fire Department history.

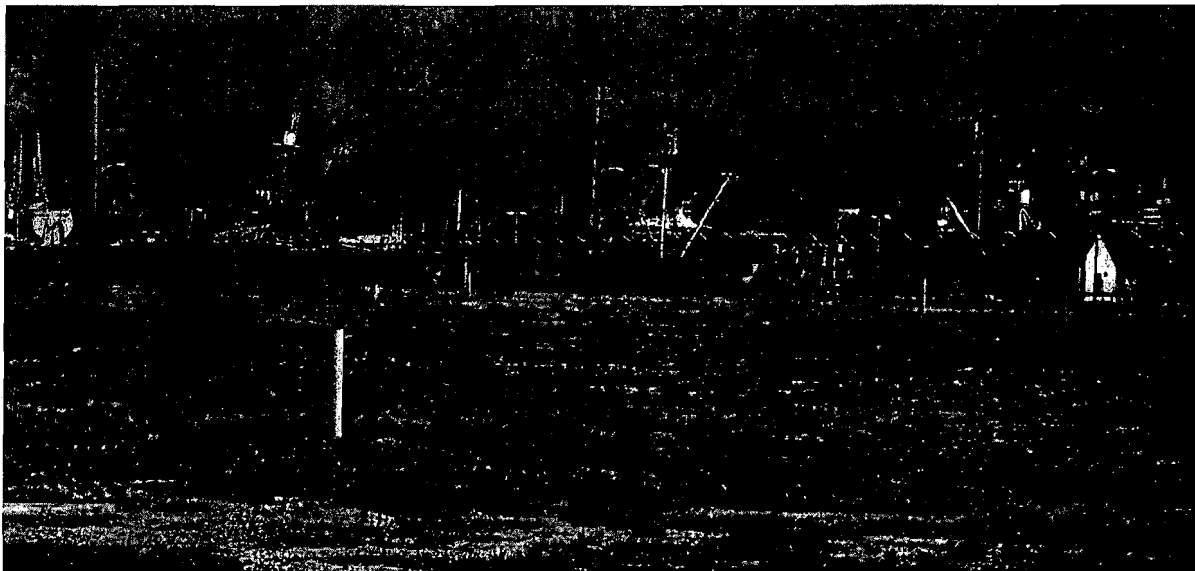
Besides presenting a public hazard, the existence of these sort of facilities in this area will take away from creating a visitor draw which will diminish success of the project.

GATX site cleanup

The Harbor Department seems to hope that it will never need to spend the \$250 million or so needed to clean up the former GATX site properly. Eventually, the hazardous material plume generated by this site will reach the waters in San Pedro Bay. The longer we wait, the larger the area of contaminated land becomes.

Any significant redevelopment of the San Pedro waterfront area needs to clean up this area. We cannot be oblivious to our obligation to clean up this site. The clean up needs to be sufficient to remove access restrictions and security requirements, to enable public access to the site and to be sufficient to permit the possible restoration of wetlands or waterways on or near the site.

At the minimum, all plans for areas near the former GATX site or which may be exposed to any toxic plumes from the site should consider and include DTSC's reviews of the site and reasonable projection of any expansion of toxic materials located in the site.



The former GATX site should be remediated as fully as possible as part of undertaking any major waterfront project.

Knoll Hill

Any development around or near Knoll Hill should not take one square foot of the hill or its base for development — and should leave an adequate, if small, perimeter around the hill to permit it a natural and open setting rather than one of being confined or trapped.

Habitat restoration

Hoped for plans for some wetlands restoration at the base of 22nd Street and the expansion of wetlands at Cabrillo are not included in this plan. We hope that a pedestrian and transit-oriented plan can demonstrate how wise design can help keep land for this sort of restoration available.

Small business

The large industrial port in San Pedro Bay provides for a relatively small number of jobs per acre. It also mostly provides location-based facilities for large, multi-national companies.

As a matter of balance, commercial development in the waterfront area should favor smaller, locally-run businesses. Locally-run business recirculate more of the retail dollars spent in them in the local area than nationally-run or chain businesses do (generally, from three to four times as much).

As part of the Sierra Club's Livable Cities programs, we are exploring the importance of smaller, locally-run businesses in helping revitalize aged downtown areas and to promote stability and urban infill development rather than sprawl.

The number of square feet in a unit can be a determining factor whether a unit is large enough for a national chain or small enough for a local business person. In the waterfront area, where acreage is limited, smaller business sizes also permit a greater diversity than larger sizes do — which can lead to a more diverse experience to visitors.

Sincerely,

Tom Politeo
Co-chair
Sierra Club Harbor Vision Task Force
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**FIVE-YEAR REVIEW COMPLETION
GATX ANNEX TERMINAL, SAN PEDRO SITE
208 22nd Street, San Pedro, California**

The Department of Toxic Substances Control (DTSC) announces completion of a Five-Year Review for the GATX Annex Terminal, San Pedro site (Site). The 5.2-acre site, located in the Port of Los Angeles, is northeast of the intersection of Miner Street and 22nd Street. The Site is currently a vacant field, enclosed by wire fencing to prevent public access. The Five-Year Review that has been conducted is an environmental evaluation of the cleanup remedy to ensure it continues to work effectively and protect people and the environment. This is the second Five-Year Review that has been conducted for this Site. The first Five-Year Review was completed in 2000.

The Site formerly operated as a facility, from 1968 to 1983, which stored bulk liquid chemicals (e.g., solvents, plasticizers, adhesives, etc.) in aboveground storage tanks and transferred chemicals to railroad tank cars. In 1972, a fire destroyed 17 of 59 on-site storage tanks. After decommissioning activities of the facility began in 1983, investigations revealed chemicals present in soil and groundwater included various volatile and semi-volatile organic compounds. To address the contamination, a cleanup remedy was selected, presented for public comment, and approved in April 1991. The approved cleanup remedy utilized thermal treatment of on-site soils, a soil cover placed above the treated soils, land use restrictions, site security, and continued groundwater monitoring. DTSC certified completion of all approved cleanup actions in 2002. Groundwater monitoring, conducted since 1993, is currently scheduled to be conducted annually.

This second Five-Year Review evaluated the effectiveness of the cleanup remedy, which included: 1) thermal treatment of on-site soils; 2) soil cover above the treated soils; 3) land use restriction; 4) site security; 5) and continued groundwater monitoring. The effectiveness of the remedy was evaluated through a review of historical documents and data, interviews with multiple parties, and a site inspection.

Based on findings of this Five-Year Review, the remedy implemented at the Site continues to be effective in protecting public health and the environment. Groundwater monitoring shows that concentrations of chemicals of concern are at acceptable levels. Institutional controls in place at the Site are effective. No new pathways, contaminant sources, or human or environmental receptors have been identified since inception of the remedy. The next Five-Year Review scheduled for the Site is to be conducted in 2009.

The Five-Year Review Report is available for public review at the Los Angeles Public Library, San Pedro Regional Branch, located at 931 South Gaffey Street, San Pedro, California. If you have any questions or comments, you may contact Ms. Christine Chlu, DTSC Project Manager, at (714) 484-5470, or Ms. Stacey Lear, DTSC Public Participation Specialist, at (714) 484-5354. For more information about DTSC, please visit our website, www.dtsc.ca.gov.

NOTICE TO HEARING IMPAIRED INDIVIDUALS: TDD users can use the California Relay Service (1-888-877-5378) to reach Ms. Stacey Lear, DTSC's Public Participation Specialist.

DTSC public notice placed on former GATX site for occasion of recent Five-Year Review.