

Chapter 1 Introduction

1.1 Organization of the Final Revised Supplemental Environmental Impact Report

This chapter presents background and introductory information for the Revised Project, the continued operation of the China Shipping (CS) Container Terminal, located in the Port of Los Angeles (Port), under new or revised mitigation measures. This chapter also describes the Revised Project and its purpose under CEQA and presents the authorities of the Los Angeles Harbor Department (LAHD or Port), the Lead Agency preparing this Revised Supplemental Environmental Impact Report (RSEIR), the scope and content of the RSEIR in compliance with the Writ of Mandate (Writ) issued by San Diego County Superior Court on May 24, 2024, and the public outreach for the Revised Project. Chapter 2, “Response to Comments”, presents information regarding the distribution of and comments on the Draft SEIR and Recirculated Draft SEIR, and responses of the lead agency. Chapter 3 presents changes made to the Revised Draft SEIR.

1.2 CEQA Process

1.2.1 CEQA and the Purpose of an EIR

CEQA was enacted by the California Legislature in 1970 and requires public agency decision makers to consider the environmental effects of their actions. When a state or local agency determines that a proposed project has the potential for significantly adverse environmental effects after mitigation, an EIR is required to be prepared. The purpose of an EIR is to identify potentially significant adverse effects of a proposed project on the environment, to identify alternatives to the proposed project, and to indicate the manner in which those significant effects can be mitigated or avoided.

In accordance with CEQA Guidelines §15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” The Revised Project requires discretionary approval from the LAHD and, therefore, it is subject to the requirements of CEQA.

A Supplemental EIR, as its name implies, supplements an EIR that has already been certified for a project, to address project changes, changed circumstances, or new information that was not known, and could not have been known with the exercise of reasonable diligence at the time the prior document was certified. The purpose of a

1 Supplemental EIR is to provide the additional information necessary to make the
2 previously certified EIR adequate for the project as revised. Accordingly, the
3 Supplemental EIR need only contain the information necessary to respond to the project
4 changes, changed circumstances or new information that triggered the need for additional
5 environmental review (CEQA Guidelines, Section 15163). A Supplemental EIR does not
6 “re-open” a previously certified EIR or reanalyze the environmental impacts of a project
7 as a whole; the analysis is limited to whether the project changes result in new or
8 substantially more severe significant impacts.

9 Whether project changes will result in a new or substantially more severe significant
10 impact is often not known until the supplemental analysis is completed. Therefore, the
11 fact that a RSEIR is being prepared does not necessarily imply a conclusion that the
12 changed project components will result in new or more severe significant impacts. The
13 analysis for this RSEIR was conducted and is presented here for purposes of full
14 disclosure where the changes to the mitigation measures appeared to have the potential to
15 create new or more severe impacts.

16 **1.2.2 CS Container Terminal CEQA History**

17 The LAHD has prepared this RSEIR to supplement and update the Berths 97-109 [China
18 Shipping] Container Terminal Project Supplemental Environmental Impact Report
19 certified by the City of Los Angeles Board of Harbor Commissioners on October 8, 2019
20 (2019 SEIR). That document supplemented and updated the 2008 EIS/EIR certified by
21 the City of Los Angeles Board of Harbor Commissioners on December 18, 2008 (LAHD
22 and USACE 2008). The 2008 EIS/EIR evaluated the environmental impacts of the
23 construction and operation of the CS Container Terminal (the “Approved Project”) at
24 Berths 97-109. Construction of the Approved Project was completed in 2013. The 2008
25 EIS/EIR was challenged in court, and as a result of the ensuing litigation, the LAHD
26 revised the Approved Project to incorporate new operational parameters and cargo
27 forecasts and new and revised mitigation measures addressing air quality, greenhouse
28 gases, and transportation. The 2019 SEIR evaluated the continued operation of the CS
29 Container Terminal under the new and/or modified mitigation measures (2019 Revised
30 Project).

31 The certification of the 2019 SEIR was challenged in court, and after a period of
32 litigation, the California Court of Appeal ruled that certain portions of the 2019 SEIR did
33 not comply with CEQA. The San Diego County Superior Court issued a Peremptory Writ
34 of Mandate (Writ) ordering the LAHD to: 1) amend its permit with China Shipping to
35 incorporate the 2008 EIS/EIR’s mitigation and lease measures; 2) set aside certification
36 of the 2019 SEIR; 3) prepare circulate, and certify a revised SEIR (RSEIR) to address the
37 deficiencies identified by the Court of Appeal and Superior Court; and 4) ensure that
38 mitigation measures adopted in the RSEIR are fully enforceable.

39 This Final RSEIR has been prepared in accordance with the requirements of the
40 California Environmental Quality Act (CEQA) (Pub. Res. Code §21000 et seq.) and the
41 State CEQA Guidelines (Cal. Code of Regs. Tit. 14, §15000 et seq.) and to comply with
42 the Writ. This RSEIR will be used: to inform decision-makers and the public about the
43 environmental effects associated with operation of the Revised Project and to propose
44 mitigation measures that would avoid or reduce the significant adverse environmental
45 effects of the Revised Project.

1.2.3 RSEIR Notice of Preparation and Scope of Analysis

Notice of Preparation

The scope of this court-ordered RSEIR was established based on the requirements of the Writ and is informed by the comments received during the Notice of Preparation (NOP) review process. The NOP was posted on August 22, 2024, and the public review period was August 22 to September 20, 2024.

Scope of the Revised Supplemental EIR

This document is a court-ordered Draft RSEIR, limited to providing the additional information, analysis, and disclosure related to the portions of the 2019 SEIR identified by the Court of Appeal and Superior Court to be non-compliant with CEQA. On May 24, 2024, the Superior Court issued the Writ that, inter alia, required LAHD and China Shipping to enter into the Sixth Amendment to implement and make enforceable the Adopted Mitigation Measures and Lease Measures, specifically including all measures identified in the 2008 FEIS/FEIR Mitigation Monitoring and Reporting Program, as modified by the 2019 SEIR Mitigation Monitoring and Reporting Program, except for those measures that are fully completed and thus moot (e.g., completed construction) and the three measures identified below (which have been reinstated by the Court of Appeal or Superior Court):

- 2008 EIR MM AQ-9, Alternative Maritime Power.
- 2008 EIR MM AQ-10, Vessel Speed Reduction Program.
- 2008 EIR MM AQ-17, as it applies to a 1-year electric yard tractor pilot project only.

The Writ also directed LAHD to analyze the air quality and GHG impacts of continued operation of the CS Container Terminal under the Adopted Mitigation Measures and Lease Measures and to include in the RSEIR the following additional information, analyses, and/or disclosures:

- LM GHG-1, GHG Credit Fund: To determine if any mitigation measures are available, feasible, and enforceable.
- MM AQ-9, Alternative Maritime Power: To determine if any other mitigation measures for at-berth emissions (in addition to AMP) are available, feasible, and enforceable.
- The 2019 SEIR Emissions Impact Analysis: To update the analysis of the impacts of the continued operation of the CS Container Terminal starting from the time of the adoption of the Sixth Amendment and to disclose the impacts of the “partial implementation period” time period to 2024, when the Sixth Amendment was adopted.

The Writ did not require that the RSEIR re-evaluate the Adopted Mitigation Measures and Lease Measures, including whether new or additional mitigation should be adopted for those impacts, except as specifically identified in the Writ for LM GHG-1 and MM AQ-9 at-berth emissions. As a result, except for LM GHG-1 and MM AQ-9 at-berth emissions, the RSEIR does not analyze whether the Adopted Mitigation Measures and

1 Lease Measures should be replaced or updated with any new or additional mitigation
2 measures.

3 The Revised Project analyzed in this RSEIR involves the continued operation of the CS
4 Container Terminal under certain of the Adopted Mitigation Measures and Lease
5 Measures and the Proposed Mitigation Measures and Lease Measures that result from the
6 additional information, analyses, and/or disclosures of this Draft RSEIR (Table 1-1), as
7 directed by the Writ. Accordingly, the Revised Project consists of the 2019 Revised
8 Project with MM AQ-9 and MM AQ-10 replaced by MM AQ-9 and MM AQ-10 of the
9 2008 EIS/EIR, the pilot project component of MM AQ-17 re-instated, and a further
10 evaluation of mitigation related to at-berth emissions and greenhouse gas emissions.

11 The evaluation discloses impacts from the beginning of full implementation of the
12 Revised Project, assumed to be 2026, until the end of the lease period, assumed to be
13 2045. In these measures, the “effective date of a new lease amendment” in the 2019 SEIR
14 was 2019, whereas in this Draft RSEIR it is assumed to be July 2024, when LAHD and
15 China Shipping executed the Sixth Amendment to Permit No. 999, incorporating the
16 Adopted Mitigation Measures and Lease Measures. This Revised SEIR also analyzes
17 operation of the CS Terminal from 2018 to 2023 (called the Additional Period of Non-
18 Compliance” in this RSEIR) in order to disclose the impacts of the period during which
19 some of the 2008 EIS/EIR’s air quality mitigation measures were not being fully
20 implemented (the impacts from the period 2008 to 2018 were disclosed in the 2019
21 SEIR). This RSEIR also includes an analysis of the FEIR Mitigated Scenario, which
22 describes impacts that would have occurred had all of the mitigation measures included
23 in the 2008 EIS/EIR been fully implemented throughout project operation (i.e., through
24 2045).

25 The analyses in this RSEIR incorporate regulatory and methodological changes that have
26 occurred since the 2019 SEIR was prepared. The key regulatory changes include, but are
27 not limited to: 1) CARB’s at-berth regulation, which affects oceangoing vessels; 2)
28 EPA’s Clean Trucks Plan and CARB’s Clean Truck Check (heavy-duty vehicle
29 inspection and maintenance (HD I/M) and Advanced Clean Fleet and Advanced Clean
30 Truck regulations, which affect onroad mobile sources such as drayage trucks; and 3)
31 updated GHG emission standards for heavy-duty vehicles, which may affect cargo-
32 handling equipment and onroad mobile sources.

33 In addition to these regulations, calculations in this Revised SEIR use the latest
34 methodology presented in CARB’s EMFAC model, the latest Port of Los Angeles Air
35 Emissions Inventory, CARB’s latest CHE and CHC models, and San Pedro Bay Ports
36 Emission Inventory Methodology Report Version 4.

37 The scope of the document, methods of analyses, and conclusions represent the
38 independent judgment of the LAHD. Staff members from the LAHD and consultants who
39 helped prepare this EIR are identified in Chapter 6 of the Draft RSEIR (List of Preparers
40 and Contributors).

41 **1.2.4 Draft RSEIR Process**

42 LAHD released the Draft RSEIR for review by agencies and the public on June 26, 2025;
43 the review period ended on August 11, 2025. A public hearing was held on July 22, 2025.

44 Comments on the Draft RSEIR were received by letter from the California Air Resources
45 Board (joined by the California Attorney General), China Shipping North America
46 Holdings Company, Natural Resources Defense Council et al., and the South Coast Air

1 Quality Management District. One oral comment, by Joe Lyou, was received at the public
2 hearing. The comment letters and a transcript of the oral comment, as well as LAHD’s
3 responses to those comments, are included in Chapter 2 of this Final RSEIR.

4 **1.2.5 Final RSEIR and Certification**

5 This Final RSEIR has been provided to the public for review, comment, and participation
6 in the planning process. This Final RSEIR is being distributed to provide the basis for
7 decision making by the CEQA lead agency, as described in Section 1.8 of the Draft
8 SEIR, and other concerned agencies. Certification of the RSEIR for the Revised Project
9 must precede Project approval. After certification of the RSEIR and 2019 SEIR, as
10 revised by the RSEIR, approval of the Revised Project requires that the Board adopt
11 Findings of Fact on the significant environmental effects of the Revised Project and the
12 feasibility of mitigation measures; adopt a Statement of Overriding Considerations;
13 approve the Revised Project analyzed in the RSEIR by adopting project approval
14 documents; and adopt a Revised Supplemental Mitigation Monitoring and Reporting
15 Program (MMRP). As required by CEQA Guidelines Section 15126.4(a)(2), mitigation
16 measures must be “fully enforceable through permit conditions, agreements, or other
17 legally binding instruments,” typically through the project approval documents.

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2**Table 1-1. Mitigation Measures and Lease Measures Considered in this Draft RSEIR.**

Measure	Status
2008 EIR MM AQ-9. Alternative Maritime Power (AMP)	Included in this RSEIR but subject to additional analysis with respect to at-berth emissions (see below)
2008 SEIR MM AQ-10. Vessel Speed Reduction Program (VSRP)	Included in this RSEIR
2008 SEIR MM AQ-11: Low-Sulfur Fuel	Included in this RSEIR
2008 SEIR MM AQ-12: Slide Valve	Included in this RSEIR
2008 SEIR MM AQ-13: Reroute Cleaner Ships	Included in this RSEIR
2008 SEIR MM AQ-14: New Vessel Build	Included in this RSEIR
2019 SEIR MM AQ-15. Yard Tractors	Included in this RSEIR
2019 SEIR MM AQ-17. Cargo Handling Equipment (Replacement schedule and emissions standards for yard equipment)	Included in this RSEIR
2008 EIR MM AQ-17 (1-year electric yard tractor pilot project only)	Included in this RSEIR
2008 EIR MM AQ-19: Clean Truck Program	Included in this RSEIR
2008 EIR MM AQ-21: Truck Idling Reduction Measure	Included in this RSEIR
2019 SEIR LM AQ-1. Cleanest Available Cargo Handling Equipment.	Included in this RSEIR
2019 SEIR LM AQ-2. Priority Access for Drayage	Included in this RSEIR
2019 SEIR LM AQ-3. Demonstration of Zero-Emissions Equipment	Included in this RSEIR
2008 EIR LM AQ-22: Periodic Review of New Technology and Regulations	Included in this RSEIR
2008 EIR LM AQ-24: General Mitigation Measure	Included in this RSEIR
2019 SEIR MM GHG-1. LED Lighting	Included in this RSEIR
2019 SEIR LM GHG-1. GHG Credit Fund.	Included in this RSEIR but subject to revision/ replacement (see below)
2008 EIR MM AQ-26: Compact Fluorescent Light Bulbs	Included in this RSEIR
2008 EIR MM AQ-27: Energy Audit	Included in this RSEIR
2008 EIR MM AQ-29: Recycling	Included in this RSEIR
2025 RSEIR MM AQ-31 Additional At-Berth Emissions	Proposed new measure in this RSEIR
2025 RSEIR MM/LM GHG-2	Proposed new measure in this RSEIR

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1.3 Existing Environmental Setting

1.3.1 Regional Setting

The Port of Los Angeles (POLA) is the leading seaport in North America in terms of shipping container volume and cargo value, generating more than 1,000,00 regional jobs (this equates to 1 in 8 jobs in the five-county area) in 2024. Operating for more than a century, POLA has been a center for global trade, national cargo transportation and related industrial uses. Together with the Port of Long Beach, it handles up to 76% of all shipping on the West Coast, and about one-third of container shipping in the United States. In 2022, POLA handled almost 10 million TEUs (twenty-foot equivalent units, a standardized maritime industry measurement used when counting cargo containers of varying lengths) of cargo through its terminals.

LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Section 601) and the California Coastal Act (PRC Division 20, Section 30700 et seq.), which identify the Port and its facilities as a primary economic and coastal resource of the State of California and an essential element of the national maritime industry for the promotion of commerce, navigation, fisheries, and harbor operations. Activities should be water dependent, and LAHD must give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce. LAHD is chartered to develop and operate the Port to benefit maritime uses. It functions as a landlord by leasing Port properties to more than 300 tenants.

1.3.2 Overview of the CS Container Terminal

Among the LAHD's tenants is China Shipping, which leases premises at Berths 97-109 to operate a marine container terminal (the "CS Terminal"). The CS Terminal is operated by the West Basin Container Terminal Company under a lease agreement (Permit No. 999) originally entered between China Shipping (North America) Holding Co., Ltd. ("China Shipping") and LAHD. The premises assigned to China Shipping are located at 2050 John S. Gibson Boulevard, within an industrial area in the vicinity of the West Basin and Turning Basin in Los Angeles Harbor (Figure 1-1). The terminal occupies approximately 142 acres at Berths 97-109 under LAHD Permit No. 999, as amended.

The site is near the communities of San Pedro and Wilmington, approximately 20 miles south of downtown Los Angeles. The site is generally bounded on the north by the Berths 121-131 container terminal; on the east by the West Basin and the Main Channel; on the south by the passenger cruise terminal and State Route 47; and on the west by the I-110 Freeway and the community of San Pedro. Land uses in the vicinity support a variety of cargo handling operations; commercial fishing and seafood processing; a power plant (Harbor Generating Station); Port administration and maintenance facilities; maritime support uses; and recreational and residential uses.

The CS Container Terminal integrates several different physical components and operational processes to load and unload oceangoing vessels and to move the cargo through the terminal to and from trucks and trains as cost-effectively as possible. The physical components consist of marine container vessels, berths/wharves (docks), cranes, backland storage areas (container yard), entrance and exit gates, rail facilities (usually), and maintenance and administrative buildings. The operational processes include shipping, stevedoring (loading/unloading ships), container storage and management, in-

1 terminal drayage (hauling), on-dock rail operations, and trucking to offsite locations such
 2 as warehouses and rail yards.

3 The CS Terminal was constructed in several phases between 2001 and 2013 and began
 4 operation in 2004. The terminal consists of two berths, ten wharf cranes for ship loading,
 5 and a container yard. The terminal shares its gate complex and an on-dock intermodal
 6 railyard (the West Basin Intermodal Container Transfer Facility [WBICTF]) with the
 7 adjacent Berths 121-131 Terminal. For a fuller description of the existing terminal see
 8 Section 2.5.1 of the 2019 SEIR (LAHD 2019).

9 In 2023 the CS Terminal handled 943,335 TEUs of containerized cargo, or approximately
 10 524,000 containers. Most imported containers left the terminal by truck, whether to
 11 destinations in the region or to near-dock and off-dock railyards. The remainder were
 12 placed directly onto trains at the WBICTF for transport out of the southern California
 13 region. Export containers (those leaving the Terminal on ships) made the reverse moves
 14 in roughly the same proportions. In total, these activities involved approximately 446,460
 15 truck one-way trips, 333 train trips to and from the WBICTF, and 157 vessel calls.

16 **Figure 1-1. The Berths 97-109 (China Shipping) Container Terminal.**



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