

China Shipping Container Terminal at Berth 97-109 Re-circulated Draft EIS/EIR

-Summary-

Introduction

This Reader's Guide was prepared to provide a summary of the important information on the Berth 97-109 [China Shipping] Container Terminal Re-circulated Draft EIS/EIR. This guide is not an official part of the Re-circulated Draft EIS/EIR, but is a user friendly supplement to the document due to its large size. The Port continues to work on making our environmental documents more "reader-friendly" and this guide represents a first step in the process. References to the Re-circulated Draft EIS/EIR for more information on topics discussed in the Reader's Guide can be found in italics throughout the guide.

What is CEQA and how are Impacts Determined?

The California Environmental Quality Act (CEQA) was enacted by the California Legislature in 1970 and requires public agency decision makers to consider the environmental effects of their actions. CEQA applies to projects proposed to be undertaken or requiring approval by State and local government agencies, in this case the Port of Los Angeles (Port). Proposed projects undergo an environmental review process to determine whether there may be any environmental impacts. If a proposed project has the potential to significantly affect the environment, an Environmental Impact Report (EIR) is prepared.

For this Project, the Port determined that there was the potential for significant environmental impacts and therefore an EIR is being prepared. An EIR includes three public documents:

- A **Notice of Preparation (NOP)**, which announces the preparation of an EIR and presents a brief project overview and likely environmental impacts to the public for feedback
- A **Draft EIR (DEIR)**, which fully analyzes the proposed Project, project alternatives, and environmental impacts for public review; and,
- A **Final EIR (FEIR)**, which responds to comments on the Draft EIR and is presented to the Board of Harbor Commissioners (Port decision makers) for their decision on whether or not to approve the proposed Project

We are here



An EIR is both a disclosure document and a decision-making tool and the purpose of an EIR is to:

- Identify impacts of a proposed project on the environment,
- Identify potential alternatives to the project, and
- Indicate ways to avoid or mitigate, if possible, significant impacts.

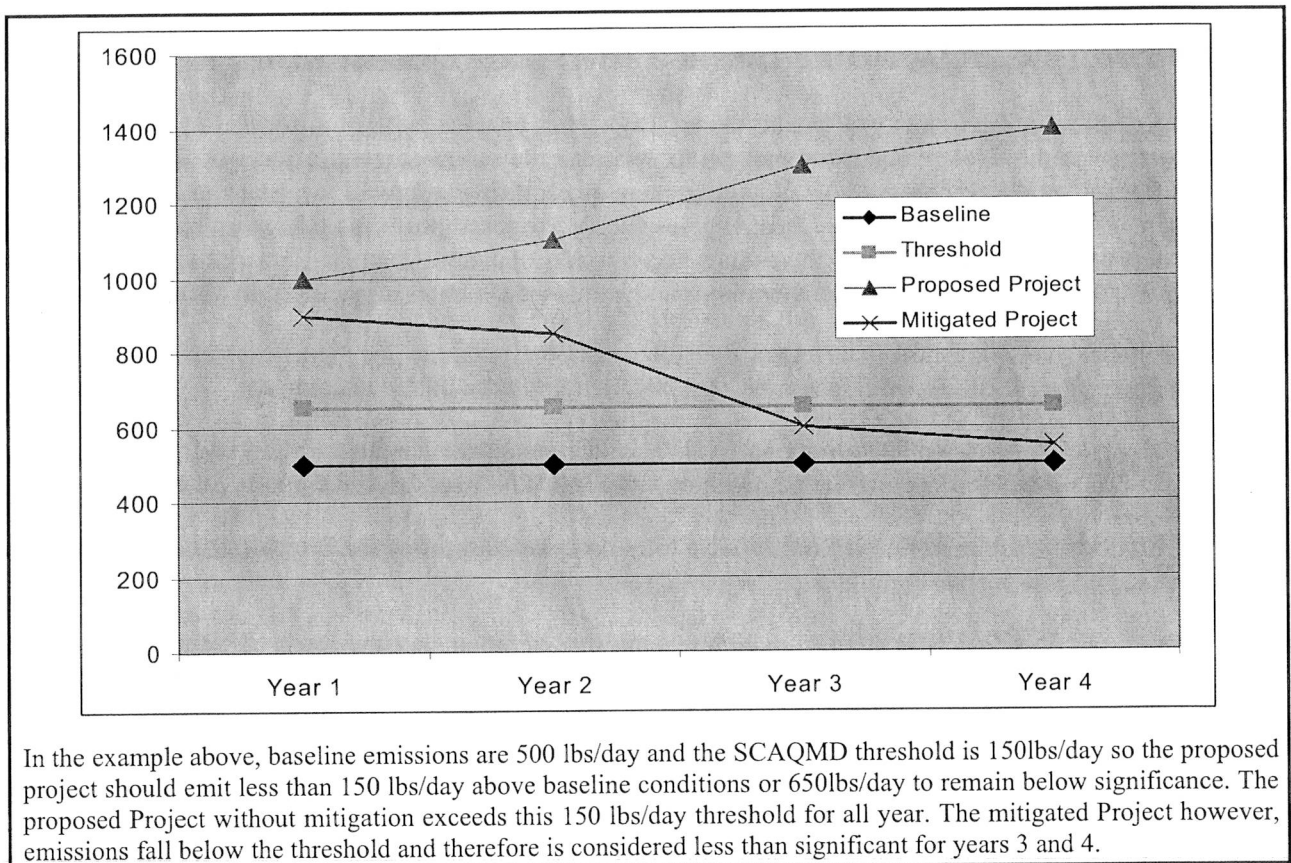
In instances where significant impacts cannot be avoided or mitigated, the project could be still be approved by the Board if there are economic, legal, social, technological, or other benefits that outweigh the unavoidable significant environmental effects (referred to as overriding considerations).

Environmental Impacts

In EIRs, environmental impacts are determined in step-wise process:

1. Analyze the environmental conditions when the analysis began (called baseline conditions). Normally, baseline conditions are the conditions at the time the NOP is provided to the public.
2. Analyze the environmental conditions over the life of the proposed Project
3. Compare baseline and project conditions. The difference between baseline and Project conditions (the delta) is compared to thresholds. At the Port, we use a threshold guideline established by the City of Los Angeles (the City of Los Angeles CEQA guidelines includes the South Coast Air Quality Management District's (SCAQMD) air emissions thresholds).
4. If the delta exceeds the threshold, the impact is considered **significant**. If the delta does not exceed the threshold, the impact is considered **less than significant**.

If the analysis finds that there are significant impacts, feasible mitigation measures, if available, are applied to reduce the impacts. If mitigation is not able to reduce impacts below the threshold, impacts remain **significant and unavoidable**. The below figure illustrates this concept for Nitrogen Oxides (NO_x) emissions at a fictitious project.



In the example above, baseline emissions are 500 lbs/day and the SCAQMD threshold is 150lbs/day so the proposed project should emit less than 150 lbs/day above baseline conditions or 650lbs/day to remain below significance. The proposed Project without mitigation exceeds this 150 lbs/day threshold for all year. The mitigated Project however, emissions fall below the threshold and therefore is considered less than significant for years 3 and 4.

The proposed Project's environmental impacts can be found in the Executive Summary and Chapter 3 in the Re-circulated Draft EIR/EIS.

What is NEPA?

The National Environmental Protection Act (NEPA) was enacted by Congress in 1969 and requires federal agency decision-makers to document and consider the environmental implications of their actions or decisions, with the intent of helping public officials to make decisions that are based on an understanding of environmental consequences and to take actions that protect, restore, and enhance the environment. When a federal agency determines that a proposed project could result in significant environmental effects, an Environmental Impact Statement (EIS) is prepared, which must provide full and fair discussion of anticipated significant environmental impacts. The EIS informs decision-makers and the public of the reasonable alternatives that would avoid or minimize significant impacts or enhance the quality of the human environment. Like an EIR, an EIS is not only a disclosure document but also a decision-making aid that is used by federal officials in conjunction with other relevant material to plan actions and make decisions. Port projects often require preparation of an EIS because construction activities in the harbor waters require the approval of the US Army Corps of Engineers, which is a federal agency. In such cases, the Port and Corps often prepare a combined document (an EIS/EIR). The EIS analysis is limited to the scope of the federal project (i.e. the parts of the project that could not be built without a federal permit). For this project, the Port and Corps have prepared a joint EIS/EIR. However, this summary will primarily discuss CEQA impacts and mitigation as the CEQA analysis includes the entire project and all mitigation measures.

Why is this Document a Re-Circulated Draft EIS/EIR?

The Port and Corps originally released the Berth 97-109 [China Shipping] Container Terminal Project Draft EIS/EIR in August 2006. Based on comments received on the Draft EIS/EIR, a decision was made to re-circulate the document. The April 2008 Draft EIS/EIR is a full re-circulation of the original Draft EIS/EIR and addresses comments received on the August 2006 document.

Proposed Project Overview

Since 1970, containerized shipping through U.S. West Coast ports has increased twentyfold, largely due to the enormous increase in the U.S. trade with Pacific Rim nations. As a result, major West Coast ports, particularly the ports of Los Angeles, Long Beach, Oakland, Seattle, and Tacoma, have constantly needed to optimize and expand their facilities to accommodate those increases and amount of cargo are expected to continue to grow. A priority of the Port is to accommodate this maritime cargo in a manner that does not harm the environmental or human health. The proposed Project is the development and construction of new container terminal for the China Shipping Lines to help accommodate anticipated growth in cargo.

Project History

The proposed Project involves development of a marine container terminal at Berths 97-109. In March 2001, the Port issued a permit to construct the Berth 97-109 Container Terminal and entered into a lease for the China Shipping Line Company to occupy the terminal. In June 2001, opponents of the China Shipping Terminal project filed lawsuit in alleging that the Port did not properly comply with CEQA in approving a permit and lease. On October 30, 2002, the State of California Second District Court of Appeals ordered a partial halt to ongoing construction and operation and ordered the preparation of a new EIR for the Project, including elements that already had been built and were in operation. Since 2002, the Project site has been partially developed as a container terminal and is operated by China Shipping, as allowed under a court-approved agreement with the project opponents. Operations officially began on

June 21, 2004. In 2006, the Berth 97-109 Container Terminal site occupied 72 acres and handled 520,248 twenty-foot equivalent units (TEUs) and 88 annual ship calls. Because of the court order on this project, this document includes a re-analysis of existing construction and operations (described below).

A more detailed project history can be found in Chapter 1 of the Draft EIS/EIR. A description of the proposed Project presented in Chapter 2 of the Draft EIS/EIR.

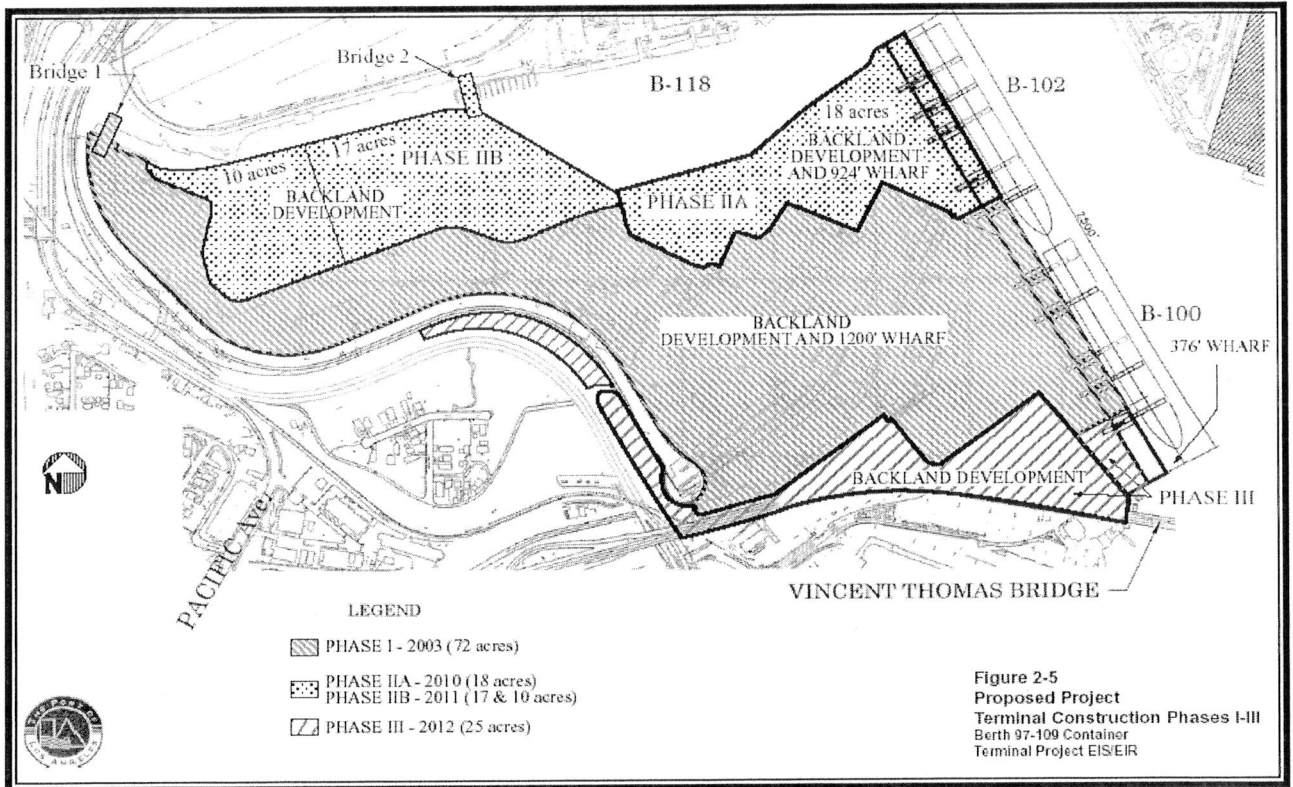
Project Description

The proposed Project includes the expansion, redevelopment, and construction of marine container terminal facilities on 142 acres of backlands. The terminal would be developed by LAHD in three phases of construction, Phase I (completed in 2003 with operations starting in 2004), Phase II, and Phase III, with estimated completion dates of 2011, and 2012, respectively. The terminal would operate over a 40-year lease (2005 to 2045). China Shipping is operating under an existing lease being reanalyzed as part of the proposed Project. Phase I elements and existing operation (2004 to 2007) are being reanalyzed in conjunction with future construction and operation (2008 to 2045) as part of this environmental analysis. The proposed Project would operate at full capacity by 2030. Development of the proposed Project includes construction of wharves to accommodate large container vessels, development of onsite container backlands, and installation of A-frame cranes and accessory buildings. Major elements of the proposed Project evaluated in this EIS/EIR include:

- Dredging to deepen the berth and disposal of that material at the Anchorage Road Disposal Site, new wharf construction at Berths 100 and 102, and backland creation, including terminal buildings, on 142 acres
- Installation of 10 new container cranes at Berths 100 and 102 (four were installed in Phase I, 6 additional cranes will be installed in Phases II and III)
- Modification of the existing terminal entrance (shared by the Berth 97-109 terminal and the Berth 121-131 terminal)
- Two new bridge structures connecting Berth 97-109 terminal and Berth 121-131 terminal across the Southwest Slip (1 bridge was constructed in Phase I)
- Relocating the Catalina Express Terminal to south of the Vincent Thomas Bridge at Berth 95
- A 40-year lease (2005 to 2045) to China Shipping Lines to operate the Berth 97-109 Container Terminal

More information on the Project Description can be found in Chapter 2 of the Draft EIS/EIR.

The following figure shows the proposed Project at full buildout.



Based on the above project elements, the following future project assumptions are analyzed in the Draft EIS/EIR:

Berths 97-109	CEQA Baseline	Proposed Project	
	2001	2015	2045*
Gross Acres	11**	142	142
Annual Ship Calls	0	182	234
Annual TEUs	45,135	1,164,400	1,551,000
Number of Cranes	0 [#]	10	10
Annual Truck Trips	0	1,192,185	1,508,004
Annual Rail Trips	0	648	817
Dredging (cubic yards)	0	41,000	41,000

More information on throughput can be found in Chapter 1 and Appendix I of the Draft EIS/EIR.

CEQA Baseline

The CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of the proposed Project that exists at the time the NOP is provided to the public. However, as required by the court-order the CEQA baseline used in this analysis for determining the significance of

potential impacts of the proposed Project is the physical conditions at the terminal prior to March 2001. Prior to March 2001, Yang Ming used portions of the Berth 97-109 backland, approximately 11 acres, to store and handle approximately 45,135 twenty-foot equivalent units (TEUs).

More information on the CEQA Baseline, can be found in Section 2.6.1 of the DEIS/EIR.

Environmental Impacts (Proposed Project Only)

Unavoidable Significant Impacts

- Air Quality and Meteorology (Construction Emissions, GHG Emissions, Criteria Pollutants, 2004 HRA)
- Aesthetics and Visual Resources (Cranes)
- Biological Resources (Possible accidental spills)
- Geology (Seismic Activity)
- Noise (During Construction)
- Water Quality (Potential unavoidable Illegal Discharges)
- Transportation (Potential delays at rail crossings)

Impacts that are Less than Significant after Mitigation

- Groundwater and Soils
- Utilities and Public Services

Less than Significant Impacts

- Cultural Resources
- Land Use
- Hazards and Hazardous Materials
- Recreation
- Marine Vessel Transportation

A detailed analysis of environmental impacts, organized by resource area, can be found in Chapter 3 of the Draft EIS/EIR.

Mitigation

The following mitigation measures will be applied to the proposed Project to reduce environmental impacts. The mitigation measures include aesthetics improvements (including beautification projects along Port and area roadways and the Plaza Park improvements Project), full compliance with the Port's Sustainable Construction Guidelines, meeting or exceeding the San Pedro Bay Ports' Clean Air Action Plan (CAAP) goals (including AMP, low sulfur fuel, alternative-fueled yard tractors, electric RTGs and truck measures) and Greenhouse Gas (GHG) reduction measures (including solar power), and transportation improvements in the Port area.

- **Aesthetics**
 - **MM AES-1:** Landscape along Front Street and implement Northwest Harbor Beautification
 - **MM AES-2:** Color studies for cranes
 - **MM AES-3:** Implement beautification measures.
 - **MM AES-4:** Plaza park improvements
 - **MM AES-5:** Provide Harbor viewing areas within the Regional Center
- **Air Quality: Construction**
 - **MM AQ-1:** Clean Harborcraft Used During Construction
 - **MM AQ-2:** VSRP for Cargo Ships
 - **MM AQ-3:** Fleet Modernization for On-Road Trucks
 - **MM AQ-4:** Fleet Modernization for Construction Equipment
 - **MM AQ-5:** Best Management Practices
 - **MM AQ-6:** Additional Fugitive Dust Controls
 - **MM AQ-7:** General Mitigation Measure
 - **MM AQ-8:** Special Precautions near Sensitive Sites.
- **Air Quality Operation**
 - **MM AQ-9:** Alternative Maritime Power
 - **MM AQ-10:** Vessel Speed Reduction Program
 - **MM AQ-11:** Low-Sulfur Fuel Ship Auxiliary Engine, Main Engine and Boiler Fuel Improvement Program (0.2%)
 - **MM AQ-12:** Slide Valves
 - **MM AQ-13:** Reroute Cleaner Ships
 - **MM AQ-14:** New Vessel Builds
 - **MM AQ-15:** Yard Tractors at Berth 97-109 Terminal (Alt fueled, low NOx and PM)
 - **MM AQ-16:** Yard Equipment at Berth 121-131 Rail Yard (Alt fueled, low NOx and PM)
 - **MM AQ-17:** Other Yard Equipment at Berth 97-109 Terminal (electric and low NOx, PM)
 - **MM AQ-18:** Yard Locomotives at Berth 121-131 Rail Yard
 - **MM AQ-19:** Clean Diesel Truck Program
 - **MM AQ-20:** LNG Trucks
 - **MM AQ-21:** Truck Idling Reduction Measure
 - **MM AQ-22:** Periodic Review of New Technology and Regulations
 - **MM AQ-23:** Throughput Tracking
 - **MM AQ-24:** General Mitigation Measure.
 - **MM AQ-25:** LEED Certification
 - **MM AQ-26:** Compact Fluorescent Light Bulbs
 - **MM AQ-27:** Energy Audit
 - **MM AQ-28:** Solar Panels
 - **MM AQ-29:** Recycling
 - **MM AQ-30:** Tree Planting
- **Biology**
 - **MM BIO-1:** LAHD shall apply 1.27 credits (= 2.54 Inner Harbor acres) available in the Bolsa Chica or Outer Harbor mitigation banks to compensate for loss of fish and wildlife habitat due to construction of fill in the West Basin
 - **MM BIO-2:** All ships calling at Berths 97-109 shall comply with the expanded VSRP of 12 knots between 40 nm from Point Fermin and the Precautionary Area starting 2009
- **Cultural Resources**
 - **MM CR-1:** In the unlikely event that any artifact, or culturally deposited bone, shell or non-native stone is encountered during construction, work shall be immediately stopped and relocated to another area.
- **Geology**
 - **MM GEO-1:** Emergency Response Planning
- **Transportation**
 - **MM TRANS-1:** Additional turn lanes at Avalon Boulevard and Harry Bridges Boulevard.
 - **MM TRANS-2:** Additional through lane at Alameda and Anaheim Streets
 - **MM TRANS-3:** Additional lanes and reconfiguration at John S. Gibson and I-110 Ramps
 - **MM TRANS-4:** Additional lanes at Fries Avenue and Harry Bridges Boulevard.
 - **MM TRANS-5:** Additional lanes at Broad Avenue and Harry Bridges Boulevard.
 - **MM TRANS-6:** Additional lanes at Seaside and Navy Way.
- **Noise**
 - **NOI-1:** Construction Limitations
 - **NOI-2:** Installation of noise walls at the Project site or affected receiver
- **Public Services and Utilities**
 - **MM PS-1:** Recycling of construction materials
 - **MM PS-2:** Using materials with recycling content
 - **MM PS-3:** Would ensure long-term adequate solid waste management starting from 2025

Alternatives to the Project

Eighteen alternatives (including the proposed Project) were considered during preparation of this Draft EIS/EIR Eight alternatives (including the proposed Project) were analyzed:

1. Proposed Project
2. No Project Alternative
3. No Federal Action Alternative
4. Reduced Fill: No New Wharf Construction at Berth 102
5. Reduced Fill: No South Wharf Extension at Berth 100
6. Reduced Construction: Phase I Only
7. Omni Cargo Terminal
8. Non-shipping Use (as per Settlement Agreement)

Of the alternatives considered, six were considered but eliminated from further consideration as follows.

9. Use of West Coast Ports Outside Southern California
10. Expansion of Terminals in Southern California but Outside the Los Angeles Harbor District
11. Lightering
12. Shallower Dredge Depth
13. Liquefied Natural Gas Terminal Facility
14. Offsite Backlands Alternatives
15. Development of New Landfills and Terminals Outside the Berth 97-109 Terminal Area and the Adjoining West Basin Area
16. Other Sites in the Los Angeles Harbor District
17. Narrower Wharves
18. Development and Operation of Small Container Terminal

Summary of Proposed Project and Alternatives at Full Buildout (2045[†]) *

	Terminal Acres	Annual Ship Calls	Annual TEUs	Cranes	Total Fill (acres)	New Wharves (linear feet)
Proposed Project	142	234	1,550,000	10	2.54	2,500
Alternative 1, No Project	72	0	460,000	0	0	0
Alternative 2, No Federal Action	117	0	630,000	0	0	0
Alternative 3, Reduced Fill: No New Wharf at Berth 102	142	130	940,000	5	2.54	1,576
Alternative 4, Reduced Fill: No South Wharf Extension at Berth 100	130	208	1,390,000	9	1.3	2,124
Alternative 5, Phase I Terminal Only	72	104	630,000	4	1.3	1,200
Alternative 6, Omni Cargo Terminal**	142	364	510,000/20,000/ 5,160,000	5	2.54	2,500
Alternative 7, Nonshipping Use	117	0	0	0	0	0

*This table summarizes the major features of the proposed Project and alternatives.

† Maximized in 2030

These TEUs would occur anyway at the Yang Ming terminal but are reallocated to the project site to improve efficiency of the Yang Ming container terminal operations.

Availability of the Re-circulated Draft EIS/EIR

Public Comment Period Begins: April 30, 2008

Close of Public Comment Period: June 30, 2008

Due to the size and complexity of this Draft EIS/EIR, the 45-day comment period has been extended to 60 days. During the 60-day public review period, the Recirculated Draft EIS/EIR is available for general public review at the following locations:

LAHD

Environmental Management Division
425 South Palos Verdes Street
San Pedro, California 90731

Los Angeles Public Library

Wilmington Branch

1300 North Avalon Boulevard
Wilmington, California 90744

**Los Angeles Public Library
Central Branch**

630 West 5th Street
Los Angeles, California 90071

**Long Beach Public Library
Main Branch**

101 Pacific Avenue
Long Beach, California 90822

**Los Angeles Public Library
San Pedro Branch**

921 South Gaffey Street
San Pedro, California 90731

Members of the public can request a CD copy of the Re-circulated Draft EIS/EIR free of charge and the EIS/EIR is available in its entirety on the Port Web site at: www.portoflosangeles.org

Public Comments:

Interested parties may provide written comments on the Recirculated Draft EIS/EIR, which must be postmarked by **June 30, 2008**. Please address comments to:

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and

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