



**THE PORT  
OF LOS ANGELES**

Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: NOVEMBER 30, 2011**

**FROM: PLANNING & ECONOMIC DEVELOPMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ – TIME EXTENSION OF COASTAL DEVELOPMENT PERMIT NO. 09-05 FOR PHASE III OF THE CHINA SHIPPING CONTAINER TERMINAL PROJECT**

**SUMMARY:**

The City of Los Angeles Harbor Department (Harbor Department) is requesting a one-year extension to Coastal Development Permit (CDP) No. 09-05, a Level III, non-appealable permit, for Phase III of the China Shipping Container Terminal Project (China Shipping Project). CDP No. 09-05 allows for the construction of a 1.2-acre fill behind the southern wharf extension of Berth 100, the development of container backland at the 1.2-acre fill, and the development of container backland for 8 acres of existing land located at the northernmost edge of Berths 97-109. CDP No. 09-05 will expire prior to the initiation of construction due to a delay in the relocation of Catalina Express to Berth 94, which is necessary for the Berth 100 wharf extension.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Approve a one-year extension for Coastal Development Permit No. 09-05, subject to the standard conditions set forth in the permit and direct the Director of Planning and Economic Development to issue said permit; and
2. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background – On November 19, 2009, the Board of Harbor Commissioners (Board) approved the issuance of CDP No. 09-05 to the Harbor Department for Phase III of the China Shipping Project. The permit allowed for the construction of a 1.2-acre fill behind the southern wharf extension of Berth 100, the development of container backland at the 1.2-acre fill, and the development of container backland for 8 acres of existing land located at the northernmost edge of Berths 97-109 (Transmittal 1). The backland construction included grading, paving, fencing, and lighting. Previous phases of the China Shipping Project were approved by the Board in October 2001 (CDP No. 00-26), June 2002 (CDP No. 02-26), and April 2009 (CDP No. 09-02).

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Under the Guidelines for Implementation of the Port of Los Angeles Certified Port Master Plan (Guidelines) construction authorized through a coastal development permit must begin within two years of issuance. If necessary, an applicant may seek a one-year extension. Extensions requested prior to the expiration date automatically extend the expiration date of the permit until the Board can act on the extension request. Consistent with the Guidelines, the Harbor Department applied for a one-year extension for CDP 09-05 on November 7, 2011, prior to its November 19, 2011 expiration date. If approved by the Board, the CDP would be extended to November 18, 2012.

The Harbor Department is requesting a one-year extension due to a delay in the relocation of Catalina Express to Berth 94. The construction of the final phase of the China Shipping Project requires the demolition of the existing Catalina Express terminal building in order to construct the new wharf extension of Berth 100. Construction for the final phase of the China Shipping Project is now scheduled to begin in June 2012, but will not occur prior to the expiration of CDP No. 09-05.

Proposed Action – Staff is recommending that the Board approve a one-year extension of CDP No. 09-05 (Transmittal 2), a Level III, non-appealable permit as set forth in the Guidelines. A Level III permit is one of the three levels of permits that the Board can issue. Level III permits are required for developments that involve large capital expenditures, have a risk of substantial adverse environmental impacts that can be mitigated, involve the potential for unavoidable adverse impacts that cannot be mitigated, or result in major changes in land and/or water uses.

The proposed project is consistent with Chapter 8 policies of the California Coastal Act of 1976, as amended. Specifically, Sections 30705 states that water areas may be filled for new or expanded facilities or waterfront land for port-related facilities. Section 30708 states that the location, design, and construction of port-related developments give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and facilities. Completion of the China Shipping Project will integrate the Berth 100 wharf extension, provide terminal backland, and improve circulation within the terminal.

#### **ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of a one-year extension to CDP No. 09-05 for the completion of the China Shipping Project. The Final Environmental Impact Report/Environmental Impact Statement (FEIR/FEIS) for the China Shipping Project was certified in December 2008. As an activity for which the underlying project has been previously evaluated for environmental significance and processed according to the requirements of the California Environmental Quality Act (CEQA), the Director of Environmental Management has determined that the proposed action is exempt from CEQA under Article II, Section 2 (i) of the Los Angeles City CEQA Guidelines.

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**ECONOMIC BENEFITS:**

Approval of the time extension of CDP No. 09-05 will have no employment impact.

The construction associated with CDP No. 09-05 are elements of the China Shipping Container Terminal Project. The Draft Environmental Impact Report for the China Shipping Container Terminal Project states that at project completion, employment impacts of terminal operations under the project have been estimated to result in 8,435 jobs (direct, indirect, and induced) for the five-county region.

**FINANCIAL IMPACT:**

Extension of CDP No. 09-05 will allow for the construction of the proposed improvements identified in this Board item as an element of the China Shipping Project at an estimate cost to the Harbor Department of \$100 million.

**CITY ATTORNEY:**

This resolution raises no legal issues at this time.

**TRANSMITTALS:**


1. Site Location Map
2. Coastal Development Permit No. 09-05

FIS Approval: ef (initials)  
CA Approval: RL (initials)

  
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APPROVED:

  
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