



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: FEBRUARY 14, 2019**

**FROM: PLANNING AND STRATEGY**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ – ISSUANCE OF A LEVEL II NON-APPEALABLE COASTAL DEVELOPMENT PERMIT (NO. 18-20) TO THE PORT OF LOS ANGELES FOR THE WILMINGTON WATERFRONT PROMENADE PROJECT**

**SUMMARY:**

Staff requests that the Board of Harbor Commissioners (Board) approve a Level II non-appealable Coastal Development Permit (CDP) No. 18-20 to the City of Los Angeles Harbor Department (Harbor Department) for the proposed Wilmington Waterfront Promenade (Project). The Project will involve: the construction of a waterfront promenade near Banning's Landing; reconstruction of a portion of the seawall at Berth 185; street realignment and abandonment; site removals; demolition of buildings; removal of underground pipelines; and construction of public plazas, the Wilmington Youth Sailing Center, parking lots, landscape, hardscape, restrooms, open green spaces, walkways and visitor-serving amenities.

The Project, as outlined in the Application for Port Permit (APP) No. 160720-109, is the financial responsibility of Harbor Department. The total cost of the Project is estimated to be \$52,700,000.

**RECOMMENDATION:**

It is recommended that the Board:

1. Hold a public hearing for the proposed Coastal Development Permit No. 18-20, a Level II non-appealable permit;
2. Find that the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(i) of the City of Los Angeles CEQA Guidelines where the underlying project has been previously assessed;
3. Find that the Project conforms with the Port of Los Angeles certified Port Master Plan (PMP);
4. Upon closure of the public hearing, resolve to approve the issuance of CDP No. 18-20, consistent with the project description listed on APP No. 160720-109, and direct the Director of Planning and Strategy to execute and issue said permit on behalf of and as the designee of the Executive Director; and

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5. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Project Background/Context – The Project is part of The Wilmington Waterfront Development Project (WWDP) – a program originally broken down into different projects to allow for a phased implementation. The WWDP would construct approximately 21 acres of public areas, including plazas, parks, and open space.

In June 2009, the Board certified the Environmental Impact Report (EIR) for the WWDP. In November 2012, the Board certified the Final Mitigated Negative Declaration for the Wilmington Youth Sailing Center, which was located at Berth 204 within the East Basin Channel. The Wilmington Youth Sailing Center is now moving to the Wilmington Waterfront to alleviate a number of cost, environmental and safety concerns. This new location is consistent with the recreational designation for this planning area and includes all project components that were previously assessed in the Wilmington Waterfront EIR. These components include the following: public floating docks, marinas and associated uses such as launching ramps, youth camping and water-oriented facilities, dry boat storage, recreational vessels and sport fishing.

The Project is located at the southern terminus of Avalon Boulevard extending from Berth 183 to Berth 186 at the head of Slip 5, and between Fries Avenue and Avalon Boulevard adjacent to the existing Banning's Landing Community Center (Transmittal 1).

Project Description – The Project will include public improvements from the WWDP at the waterfront near Banning's Landing, including demolition of buildings and all associated underground utilities, removal of pipelines, demolition of abandoned waterside structures, site removals, reconstruction of the seawall at Berth 185, realigning Water Street between Fries Avenue and Avalon Boulevard and construction of open green space, public plaza, parking courts, landscaping, hardscaping, walkways, visitor serving amenities, restrooms, 1,200 feet of waterfront promenade, a new public landing and a public pier.

The Project is scheduled to begin December 2019 and is expected to be completed by December 2021.

Coastal Permit Requirements – The Project is a Level II non-appealable project in accordance with Section 6.4 of the PMP. A Level II permit is required for projects that involve significant resources; cause major changes in land and/or water use and in the density or intensity of the use; have the potential of creating significant environmental impacts that can or cannot be mitigated; or are appealable. The Project is a Level II CDP because the Project involves significant resources and causes major changes in land and/or water use as outlined in Section 6.4.3 of the PMP (Transmittal 2).

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Procedurally, a Level II non-appealable CDP requires a public hearing that is publicized at least fifteen calendar days prior to the scheduled date of the hearing. A public notice for the proposed development was published on February 6, 2019 (Transmittal 3).

The Director of Planning and Strategy has determined that the Project is consistent with the PMP and the Chapter 3 policies of the California Coastal Act (Coastal Act) of 1976, as amended, for the following reasons:

- 1) The Project is located in Planning Area 2 and is consistent with the allowable land uses identified in the Planning Area 2 map for the Project area;
- 2) The Project was certified by the Coastal Commission as a Proposed Project in Section 5.4.3 of the PMP;
- 3) The Project is consistent with Chapter 3 policies of the Coastal Act on public access and recreation; and
- 4) The Project is consistent with PMP Development Goal 4 (Section 3.2.4) to increase public access to the waterfront.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the issuance of a Level II, non-appealable Coastal Development Permit (CDP) No. 18-20 to the Harbor Department for the Project. This is an activity for which the underlying Project has been previously assessed in the Wilmington Waterfront Development Project Final EIR (SCH #2008031065) which was certified by the Board of Harbor Commissioners in June 2009. The Wilmington Youth Sailing Center's project components were also assessed within the June 2009 Final EIR as recreational, water-dependents uses consistent with the recreational planning designation for this region within the PMP. Therefore, the Director of Environmental Management has determined that the proposed action, including the incorporation of the Wilmington Youth Sailing Center, is administratively exempt from the requirements of CEQA under Article II, Section 2(i) of the City of Los Angeles CEQA Guidelines, an activity for which the underlying was previously assessed.

**FINANCIAL IMPACT:**

Approval of the CDP is a procedural requirement for the Project. This Board action neither authorizes expenditures related to the Project nor does it commit the Harbor Department to complete the Project as ultimately approved.

A total of \$52,700,000 is programmed within the Harbor Department's 10-year Capital Improvement Plan (actuals through September 2018) for the Project. As part of the FY 2019 budget adoption process, funding of \$2,114,048 was programmed within Work Order 2533000 to continue pre-construction efforts in FY 2019 related to the Project. The Harbor Department's financial obligations beyond FY 2019 are contingent upon the Board's appropriation of funds. Award of any capital construction contracts related to the Project would require Board approval under separate future actions.

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**CITY ATTORNEY:**

The City Attorney's office has reviewed this Board Report and determined that it raises no legal issues at this time.

**TRANSMITTALS:**

1. Site Location Map
2. CDP No. 18-20
3. Public Notice

FIS Approval: MB  
CA Approval: MB

  
MICHAEL KEENAN  
Director of Planning and Strategy

  
MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

  
EUGENE D. SEROKA  
Executive Director

Author: R. Payne

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