

Section 3.4 Cultural Resources

SECTION SUMMARY

This section addresses potential impacts on cultural resources that could result from implementation of the proposed Project or one of the alternatives. Cultural resources customarily include archaeological resources, ethnographic resources, and those of the historic, built environment (architectural resources). Though not specifically a cultural resource, paleontological resources (fossils predating human occupation) are also considered here, as they are discussed in Appendix G of the State CEQA Guidelines (Environmental Checklist Form).

Section 3.4, Cultural Resources, provides the following:

- A description of the pre historic, ethnographic, historic, and paleontological setting of both the Port and the Project area;
- A description of existing local, state, and federal cultural resource regulations and policies;
- A discussion on the methodology used to determine whether the proposed Project or alternatives result in an impact on cultural resources;
- An impact analysis of both the proposed Project and alternatives; and,
- A description of any mitigation measures proposed to reduce any potential impacts, as applicable.

Key Points of Section 3.4

The proposed Project includes demolition and relocation of the Roadabilty Facility, as well as the expansion of the existing Power Shop Building. Both buildings were built in 1995 and are examples of common building types. In addition, the proposed Project includes removal and use of portions of the adjacent and vacant LAXT facility, which was constructed in the late 1990s. Neither building on the proposed Project site or the adjacent LAXT facility would be eligible for listing on the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR) (i.e., these buildings are under 50 years of age, not of “exceptional importance”, or a contributor to a potential historic district).The proposed Project site would continue as a container terminal, and its operations would be consistent with other container terminal and other uses in the Project area.

No archaeological, ethnographic, and paleontological resources are known to exist in the proposed Project area. There would be an extremely low potential for buried resources to be found during construction of the proposed Project or alternatives as most of the proposed Project site, including the 41-acre expansion area, is underlain with imported/modern fill (i.e., dredged material) and is paved or highly disturbed. Therefore:

- 1 ▪ The proposed Project and all alternatives would have a low potential to disturb, damage, or
2 degrade unknown archaeological and ethnographic resources.
- 3 ▪ The proposed Project and all alternatives would have a low potential to disturb paleontological
4 resources.

5 Although the construction of the proposed Project or Alternatives 3, 4, 5, or 6 is not expected to result in a
6 significant impact under CEQA nor NEPA, a standard condition of approval has been added to manage
7 unanticipated discoveries. No impacts would occur as a result of implementation of Alternative 1, 2, or 3
8 under CEQA or NEPA. With the standard condition of approval in force, potential late discovery impacts
9 would remain a less than significant impact. Specifically:

- 10 ▪ **SC CR-1: Stop Work in Area if Prehistoric and/or Archaeological Resources are**
11 **Encountered.** In the unlikely event that any artifact, or an unusual amount of bone, shell, or non-
12 native stone is encountered during construction, work shall be immediately stopped, the area
13 secured, and work relocated to another area until the found materials can be assessed by
14 individuals competent to assess their value. Examples of such cultural materials might include
15 concentrations of grinding stone tools such as mortars, bowls, pestles, and manos; chipped stone
16 tools such as projectile points or choppers; flakes of stone not consistent with the immediate
17 geology such as obsidian or fused shale; historical trash pits containing bottles and/or ceramics;
18 or structural remains. The contractor shall stop construction within 10 meters (30 feet) of the
19 exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the
20 find (see 36 CFR 800.11.1 and California Code of Regulations, Title 14, Section 15064.5(f)). If
21 the resources are found to be significant, they shall be avoided or shall be mitigated consistent
22 with Section 106 or State Historic Preservation Officer Guidelines. All construction equipment
23 operators shall attend a preconstruction meeting presented by a professional archaeologist
24 retained by the Port that shall review types of cultural resources and artifacts that would be
25 considered potentially significant, to ensure operator recognition of these materials during
26 construction.

27 Prior to beginning construction, the Port shall meet with applicable Native American Groups,
28 including the Gabrieliño/Tongva Tribal Council, to identify areas of concern. A trained
29 archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment
30 plan shall be developed in conjunction with the Native American Groups to establish the proper
31 way of extracting and handling all artifacts in the event of an archaeological discovery.

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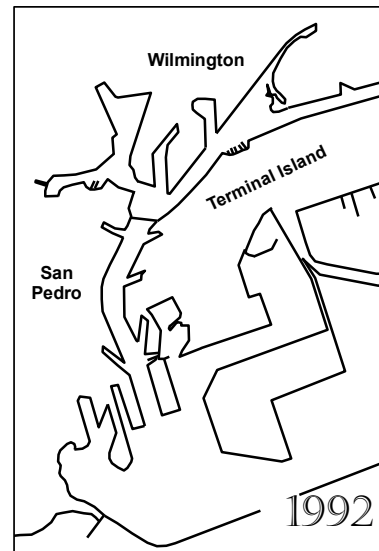
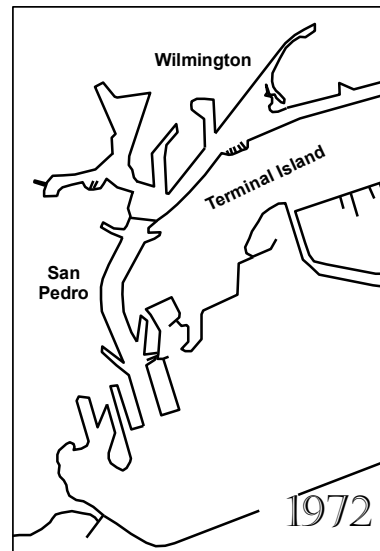
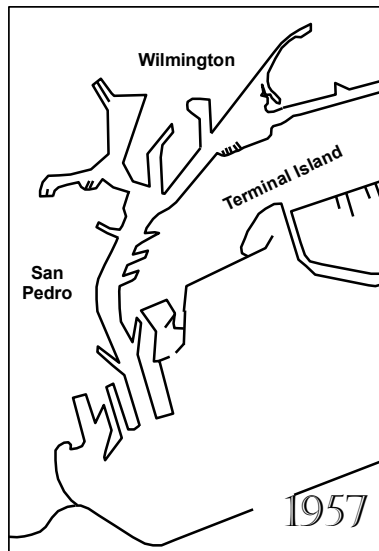
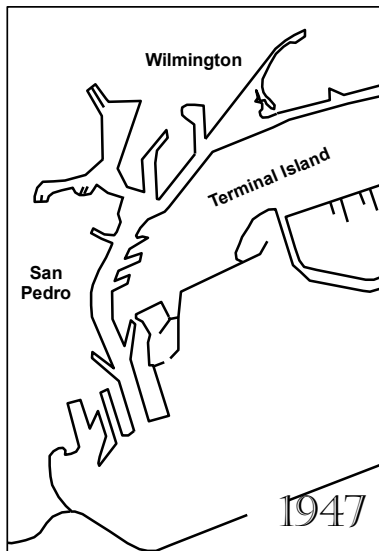
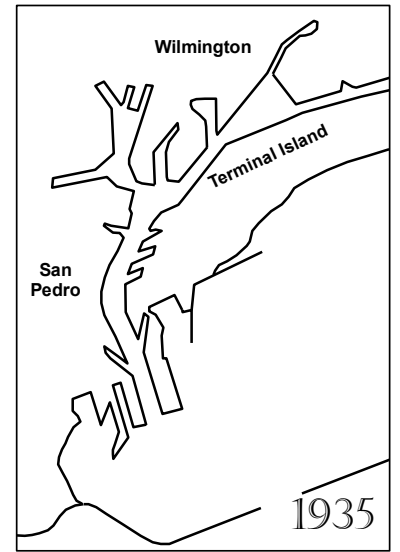
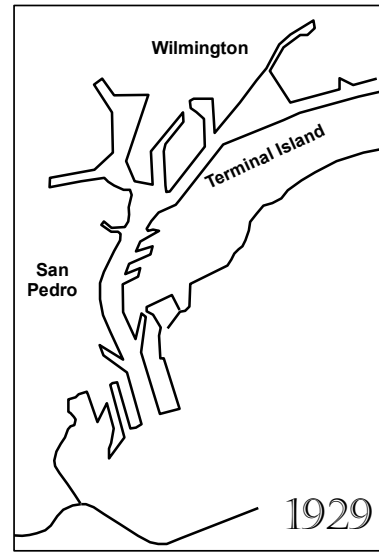
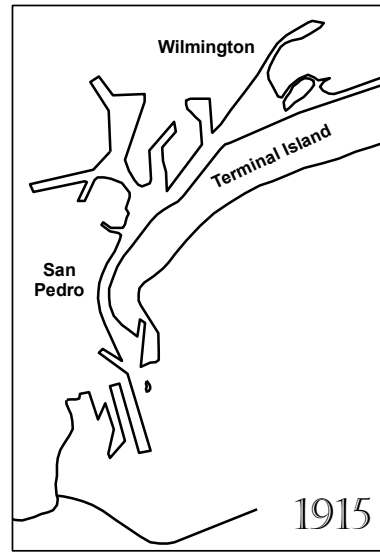
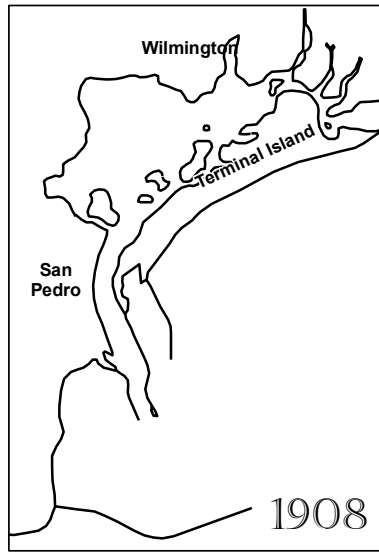
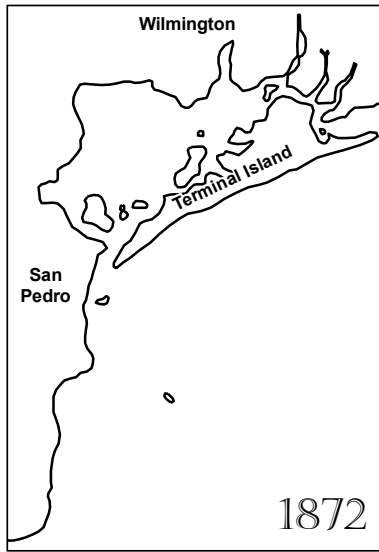
3.4.1 Introduction

This section addresses potential impacts on cultural resources that could result from implementation of the proposed Project or alternative. Cultural resources customarily include archaeological resources, ethnographic resources, and those of the historic, built environment (architectural resources). Though not specifically a cultural resource, paleontological resources (fossils predating human occupation) are also considered here, as they are discussed in Appendix G of the State CEQA Guidelines (Environmental Checklist Form) within the context of Section V, Cultural Resources.

The proposed Project includes demolition and relocation of the Roadability facility, as well as the expansion of the existing Power Shop Building. Both buildings were built in 1995 and are examples of common building types. In addition, the proposed Project includes removal and use of portions of the adjacent and vacant LAXT facility, which was constructed in the late 1990s. As neither building on the proposed Project site or adjacent LAXT facility would be eligible for listing on the National or California Registers (i.e., these buildings are under 50 years of age, not of “exceptional importance”, or a contributor to a potential historic district), this issue will not be discussed further in this Draft EIS/EIR. A memorandum documenting the proposed Project site building survey results can be found in Appendix G of this Draft EIS/EIR.

3.4.2 Environmental Setting

The proposed Project is located on Terminal Island, a primarily man-made area (made from imported/modern soils) developed in increments based on various demands since the Port was initially developed around the early 1900s (Figure 3.4-1). The proposed Project site is located in an industrial area of the Port known as the Fish Harbor region. The site is within the Port of Los Angeles Community Plan area in the City of Los Angeles, which is adjacent to the communities of San Pedro and Wilmington, and approximately 20 miles south of downtown Los Angeles (Figure 1-1). The site is generally bound on the north by Terminal Way, the Pier 300 Shallow Water Habitat on the east, Earle Street on the west, and the Pier 300 Channel on the south (refer to Figure 2-1). Land uses in the Project vicinity include the Terminal Island Water Reclamation Treatment Plant (TIWRP) and the vacant LAXT facility.



1 The geologic formation within the proposed Project area consists of imported/modern fill
2 material placed in the early 20th century. Specifically, the landform that makes up
3 Pier 300 (location of the current APL Terminal) was created in the early 1980s by
4 material dredged from the inner and outer Los Angeles harbors during the Los Angeles
5 Harbor Deepening Project (USACE and LAHD, 1980). Additional expansions to Pier
6 300 have occurred from harbor and channel deepening projects (see Section 3.4.2.5,
7 below). Therefore, the site was created using dredged material and would not be
8 expected to yield significant archaeological or paleontological resources or unique
9 geologic features. Any soil excavation would consist of artificial soils (i.e., dredged
10 material from the channel deepening) in a previously disturbed area, and therefore, would
11 not be expected to adversely impact archaeological or paleontological resources or
12 unique geologic features. Although the proposed Project or an alternative would not be
13 expected to cause potential substantial adverse change related to archaeological
14 resources, this issue is discussed in the following sections.

15 In addition to incorporation of the above referenced cultural resources memorandum
16 prepared for the NOI/NOP (see Appendix G of this Draft EIS/EIR), the Native American
17 Heritage Commission (NAHC) was contacted by letter on November 4, 2009, to request
18 information about traditional cultural properties such as cemeteries and sacred places that
19 might exist in the proposed Project area. The NAHC record search of the Sacred Lands
20 file failed to indicate the presence of Native American cultural resources in the
21 immediate Project area. A letter dated December 21, 2009, was received from the NAHC
22 containing a list of Native American tribes and individuals interested in consulting on
23 development projects. Letters were sent via U.S. mail to the nine Native American
24 contacts on December 16, 2009, requesting information regarding potential cultural
25 resources that may be located within the proposed Project vicinity. Three responses were
26 received. A follow-up attempt was made to contact each of these individuals/groups by
27 phone in January 2010. Of those contacted, none provided information about traditional
28 cultural properties in the proposed Project area.

29 **3.4.2.1 Prehistoric Setting: Southern California**

30 Evidence of human occupation in southern California extends to at least 10,000 years in
31 the past. A number of chronological schemes have been proposed for subdividing that
32 time span into developmental periods (King, 1981; Wallace, 1955; and Warren, 1968).
33 Cultural evolution has been consistently defined in four general periods: the Early Period
34 from 10,000 to 8,000 before present (BP); the Millingstone Period from 8,000 to
35 3,500 BP; the Intermediate Period from 3,500 to 800 BP; the Late Prehistoric Period from
36 800 BP to the Spanish missionization of California, in this case the founding of Mission
37 San Gabriel in 1771, and the Historic Period from 1782 to the present. Occasionally, the
38 period from AD 1542 (the date of initial European contact with California Native
39 Americans) to AD 1771 (the date of the founding of Mission San Gabriel) is designated
40 as Protohistoric in recognition of the profound effects presumed to have occurred as a
41 result of intermittent contact with European explorers.

42 The Early Period material culture is characterized by large, fluted projectile points that
43 imply heavy reliance on large game for subsistence that was most likely supplemented
44 with plants and small game. Sites dating to the Early Period appear primarily along the
45 eastern portions of southern California (China Lake, Lake Tulare, and Borax Lake);

1 however, the La Brea skeleton has been dated to approximately 9,000 years Before
2 Present.¹²

3 The Milling Stone Period material culture is characterized by portable milling stones and
4 manos for processing its primary subsistence base of wild seeds. Some terrestrial hunting
5 was practiced during this period, and there is some evidence of marine resources in
6 Milling Stone sites (Wallace, 1978). Sites attributed to this period have been dated as
7 early as 8,000 BP. In Los Angeles County, the Topanga Culture, defined by Treganza
8 and Malamud, is the most recognized complex from this period (Treganza and Malamud,
9 1950).

10 The subsistence base diversified during the Intermediate Period to include a wider variety
11 of plant foods, as evidenced by the appearance of mortars and pestles, and greater
12 reliance on marine resources within the small-animal protein dietary component
13 (Wallace, 1978). The 1,250 BP (AD 700) modal radiocarbon date falls toward the end of
14 this period. The Ballona Creek sites, CA-LAN-64 (1860 BP), CA-LAN-59 (620 to
15 1100 BP), CA-LAN-61 (1000 to 2900 BP), and CA-LAN-63 (1590 to 2120 BP) are
16 among the few recognized Intermediate Period deposits (Dillon, 1994).

17 By the Late Prehistoric Period, the southern coast of California was occupied by a
18 maritime-adapted people who lived in populous, semi-permanent coastal villages and
19 had a high reliance on animal proteins, both terrestrial and marine (Rogers, 1929). These
20 people used seagoing canoes that enabled them to deep sea fish, hunt for sea mammals,
21 and travel the coastal and channel island trade networks. Sites CA-LAN-47
22 (Marine del Rey) and CA-LAN-43 (Encino) are among the Late Prehistoric village sites
23 identified in Los Angeles County.

24 **3.4.2.2 Ethnographic Setting**

25 Ethnographic resources include sites, areas, and materials important to Native Americans
26 for religious, spiritual, or traditional uses. These can encompass the sacred character of
27 physical locations (mountain peaks, springs, and burial sites) or particular native plants,
28 animals, or minerals that are gathered for use in traditional ritual activities. All
29 prehistoric archaeological sites (including villages, burials, rock art, and rock features)
30 along with traditional hunting, gathering, or fishing sites are generally considered by
31 contemporary Native Californians as important elements of their heritage.

32 **Prehistoric Port of Los Angeles Region**

33 Native Americans who prehistorically inhabited the Port of Los Angeles region at the
34 time of Spanish contact were ultimately baptized at Mission San Gabriel. These Native
35 Californians are known as the Gabrieliños. These people occupied a vast area extending
36 through the watersheds of Los Angeles, San Gabriel, and Santa Ana rivers; several
37 streams in the Santa Monica and Santa Ana mountains; the entire Los Angeles basin,
38 along the Pacific Coast from Aliso Creek to Topanga Creek; and on San Clemente,
39 San Nicholas, and Santa Catalina islands (Bean and Smith, 1978). The population was

¹ Before Present years is a time scale used in archaeology, geology, and other scientific disciplines to specify when events in the past occurred. Source: http://en.wikipedia.org/wiki/Before_Present.

² The La Brea skeleton is a partial skeleton of a woman discovered at the La Brea Tar Pits in City of Los Angeles. Source: <http://www.trussel.com/prehist/news108.htm> and <http://www.trussel.com/prehist/news108.htm>.

1 distributed over diverse environmental habitats, and strategies for food collection,
2 including hunting, fishing, and plant gathering, varied.

3 Little is known about the Gabrieliños lifeways. It is probable that they, like the Luiseño,
4 lived in villages encompassing economically and politically autonomous patrilineal clans
5 who collectively owned specific territories that were actively protected against trespass.
6 Settlement patterns have been depicted as consisting primarily of permanently inhabited
7 village sites organized on the basis of clan groupings, augmented by outlying satellite
8 camps that were occupied on a temporary, perhaps seasonal, basis. These temporary
9 camps were used by small groups and were located in areas of increased localized
10 resource availability (Bean and Shipek, 1978).

11 The social organization of the Gabrieliño is believed to be based on a moiety system by
12 which clans were paired through reciprocal marriage and ceremonial obligations
13 (Strong, 1929; White, 1963). Villages typically were located in valley bottoms, along
14 streams or near coastal strands, in protected defensible locations, often near their
15 reciprocating villages. The primary positions of power for each village—the chief,
16 shaman, or other specialist—was based on heredity. Specific tangible and intangible
17 resources were owned by families or individuals. Typically, inland groups established
18 rights to fishing and gathering sites on the coast, in contrast to coastal groups that moved
19 inland for brief periods of time, usually during the fall to collect acorns and other
20 resources. Most traveled within a one-day distance of the largely sedentary villages to
21 gather food. The diverse environment afforded access to varied maritime and inland
22 resources, offering not only food but raw materials necessary for tools, clothing, housing
23 and ceremonial structures, items of personal adornment, and other goods. Predominant
24 food sources for inhabitants of the island valleys and foothills included acorns, sage,
25 yucca, and deer. Shellfish and marine species common to the estuaries, sandy beaches,
26 and offshore kelp beds were food sources for those who inhabited the coast (Bean and
27 Shipek, 1978). The Gabrieliños as a group were extremely wealthy and populous due to
28 their access to a variety of natural resources, such that their influence through trade
29 extended as far as the San Joaquin Valley, the Colorado River, and south into Baja
30 California. In particular, their use of shell inlay in asphaltum, rare minerals, stone
31 carvings, and rock paintings are considered of exceptional quality. Their steatite
32 (soapstone) carvings of animals, pipes, and other ritual ornaments are cultural
33 trademarks. The Gabrieliños maintained a sophisticated chiefdom level of social
34 organization, with an elite (including the chief and his family, and the very rich), middle
35 class family lineages, and a lower class involved in ordinary social activities (Bean and
36 Smith, 1978).

37 With the establishment of the mission system at Mission San Gabriel in 1771, the
38 Gabrieliño peoples were forcibly baptized and integrated into the economic sphere of the
39 Mission. Villages were abandoned, hunting and gathering activities were disrupted as
40 newly introduced agricultural practices altered the landscape, and large segments of the
41 native population were decimated by European diseases. By the time mission lands were
42 secularized in 1834, there were approximately 1,000 converts (neophytes) living at
43 Mission San Gabriel; however, the ancestral Gabrieliños lifestyle had been destroyed.

1 A succession of administrators subsequently liquidated Mission holdings. By the time
2 the United States annexed California in 1848, most of the Native American population
3 had fled. The smallpox epidemic of 1862-1863, other introduced diseases, starvation,
4 and violence devastated the remaining Native Californian population. By 1900, there
5 were only a few scattered Gabrieliños survivors (Bean and Smith, 1978).

6 **3.4.2.3 Historic Setting**

7 **3.4.2.3.1 Early History: Port of Los Angeles Region**

8 The Port of Los Angeles, at the southernmost point of Los Angeles County, occupies
9 portions of three former historic ranchos that Governor Pedro Fages conferred on
10 veterans of the 1769 Portolá expedition. They were Rancho San Pedro, Rancho Los
11 Palos Verdes, and Rancho Los Cerritos, with a combined total of 84,000 acres (Beck and
12 Haase, 1974; and Cowan, 1977). By 1830, San Pedro was the leading west coast center
13 of hide production, the primary export of the Missions and, later, the Ranchos (Queenan,
14 1983). Annexation by the United States in 1848 and the gold rush of 1849 brought
15 landless Americans to the San Pedro area, but ranching remained its primary enterprise.
16 Flint, Bixby & Company, one of the largest sheep ranchers, was headquartered in San
17 Pedro, but the Port area remained underused.

18 Ships generally anchored near the rocky shoreline along the western edge of the bay at
19 San Pedro; the harbor was not well protected or very deep. Eight major floods along the
20 Los Angeles River between 1815 and 1876 caused tons of silt to be deposited into the
21 river channel, also affecting San Pedro Bay.

22 Modification of the harbor area began when the USACE constructed two jetties in 1871
23 and deepened the channel leading to the Wilmington landing in 1880. The USACE
24 began construction on the breakwater in 1900.

25 **3.4.2.3.2 Initial Commercial Shipping, 1857 to 1897**

26 Phinneas Banning, one of the earliest residents of the area, recognized its potential as a
27 commercial shipping port. In 1857, he constructed new docks to capitalize on the
28 increasing trade coming in and out of Los Angeles along two of the primary routes to the
29 southwest goldfields, the Gila River Trail and the Old Spanish Trail. With his base
30 location at Wilmington, Banning shuttled materials on smaller boats to and from the
31 Rancho San Pedro waterfront.

32 Banning also understood the importance of rail transportation between his operation on
33 the bay and the growing City of Los Angeles. In 1869, Banning organized the Los
34 Angeles and San Pedro Railroad (LA&SP), the first reliable means of moving cargo from
35 the ships coming into San Pedro Harbor to the City of Los Angeles.

36 The first short rail line in southern California, the LA&SP, was acquired by the Southern
37 Pacific Railroad (SPRR) in 1872. In an attempt to break the stranglehold the SPRR had
38 on shipping in the area, Senator John P. Jones from Nevada started the Los Angeles and
39 Independence Railroad (LA&I) (Los Angeles to Santa Monica Pier) one year prior to the
40 acquisition of LA&SP by SPRR. However, in 1877 the LA&I was absorbed quickly into
41 the SPRR system (Queenan, 1986).

1 Improved transportation to and from the harbor facilitated the burgeoning growth of
2 Los Angeles. Between 1880 and 1890, the population of the city grew from 11,000 to
3 50,000, and by 1900, it had reached 102,000 (Matson, 1920). This boom fueled
4 increased demand for construction supplies and consumer goods, much of which arrived
5 on ships that docked at San Pedro.

6 **3.4.2.3.3 Founding of Port of Los Angeles, 1897 to 1913**

7 The growth of commerce in Los Angeles demanded formal establishment of a shipping
8 port. The federal government agreed to assist the city by establishing its official harbor
9 in the region. Following the recommendation of several studies of possible alternatives,
10 the San Pedro Harbor site won authorization from Congress in March 1897.

11 In preparation for the opening of the Panama Canal (which occurred in 1914), the City of
12 Los Angeles extended its boundaries to coastal tidewaters when it annexed a strip of
13 San Pedro in 1906. The Port of Los Angeles and the LAHD were officially created in
14 December 1907, and numerous harbor improvements followed. These improvements
15 included completion of the 2.22-mile breakwater, broadening and dredging of the main
16 channel, completion of the first major wharf by the SPRR, construction of the Angel's
17 Gate lighthouse, and construction of the first municipal pier and wholesale fish market.
18 By 1909, both Wilmington and San Pedro had been absorbed into the City of
19 Los Angeles. By 1913, the Port of Los Angeles was the largest lumber importer in the
20 world (Matson, 1920).

21 The opening of the Panama Canal in August 1914 significantly reduced the transshipment
22 time between eastern and western U.S. ports. The canal also promised to open up new
23 trade opportunities worldwide. In anticipation of increased trade, the City of
24 Los Angeles completed one of many large municipal terminals in the Harbor. With the
25 outbreak of World War I, the promise of increased trade and expansion possibilities was
26 put on hold (Queenan, 1986).

27 **3.4.2.3.4 Wartime Changes, 1914 to 1950**

28 World War I changed the principal uses of the Port considerably. Wishing to establish a
29 significant presence on the Pacific coast, the U.S. Navy took possession of a portion of
30 the harbor and used it as a training and submarine base.

31 During the war, the Port was one of the chief sources of employment for area residents.
32 Shipbuilding enterprises (including Southwestern Shipbuilding Company, Los Angeles
33 Shipbuilding and Drydock Corporation, and Ralph J. Chandler Shipbuilding) began
34 turning out vessels by the dozens for the war effort. The Port of Long Beach, established
35 only two years before the onset of the war, offered the only southern California shipping
36 and shipbuilding competition to the Port of Los Angeles. That competition continues to
37 the present day.

38 Improvements to transportation systems in the harbor area also facilitated the growth of
39 trade. By 1917, a vast railroad network existed around the harbor and the Los Angeles
40 region, allowing for the efficient transfer of goods across the country (San Buenaventura
41 Research Associates, 1992).

42 Following the end of World War I in 1918, the Port was increasingly used for the
43 importation of lumber and other types of raw materials. As in the pre-war period,

1 approximately 98 percent of the inbound cargo consisted of lumber needed to satisfy the
2 demand for housing and factories caused by the rapid growth of the Los Angeles area
3 (Matson, 1920). The dominant export in the postwar years was crude oil.

4 In 1923, the City of Los Angeles passed a harbor improvement bond measure for
5 construction of additional wharves to meet the demands of increased trade
6 (Queenan, 1986; San Buenaventura Research Associates, 1992). During the Depression
7 years, traffic within the Port slowed along with the rest of the American economy
8 (Queenan, 1986).

9 During World War II, San Pedro Harbor, as one of the closest major ports to the Pacific
10 Theatre of Operations, was fully involved in defense activities. Between 1941 and 1945,
11 ship and aircraft production facilities in the harbor area worked day and night to produce
12 more than 15 million tons of war equipment. Hundreds of thousands of military and
13 civilian personnel shipped out through San Pedro in support of the war effort and
14 returned through it when their tasks were done (Shettle, 2003).

15 Following the war, LAHD launched a broad restoration program. Many of the facilities
16 in the harbor required maintenance that had been delayed due to the war. Although the
17 adjacent Long Beach Harbor conducted its own improvements while battling subsidence
18 (the sinking of the land from the many years of oil extraction), LAHD improved a
19 number of its buildings and removed many temporary wartime buildings
20 (Queenan, 1986).

21 **3.4.2.3.5 Containerization, 1950 to Present**

22 Methods of shipping changed dramatically following World War II with the introduction
23 of containerization. As discussed in Section 1.2.2 in Chapter 1, Introduction,
24 containerization is an integrated system of transport in which goods are shipped in
25 standardized (20- or 40-ft-long), sealable metal boxes, designed for easy placement on
26 compatible truck beds, railcars, and ships. Advantages of containerization include
27 reduction of the labor force necessary to load shipments, decreased loading and
28 unloading time, and decreased loss via theft or damage. Additional efficiencies arise
29 from the integration of transport by truck, train, and ship. The primary disadvantage is
30 the large capital outlay necessary to produce the new ships, cranes, rail cars, truck
31 trailers, and port facilities designed to fit the containerization system.

32 International shipment through the Port increased during the latter half of the twentieth
33 century as ocean-going vessels grew too large to negotiate the Panama Canal. Using a
34 land-bridge system, shippers could transfer materials from Pacific region sources to
35 Atlantic region markets by unloading at the Port of Los Angeles and trans-shipping via
36 truck or train to vessels waiting at east coast ports (Queenan, 1986).

37 **3.4.2.4 Paleontological Resources Setting**

38 Any rock material that contains fossils has the potential to yield fossils that are unique or
39 significant to science. However, paleontologists consider geological formations having
40 the potential to contain *vertebrate* fossils more sensitive than those likely to contain only
41 invertebrate fossils. Invertebrate fossils found in marine alluvial sediments from the
42 Holocene Period are usually not considered by paleontologists to be significant resources
43 because they are often widespread, found in predictable locations, abundant, and well
44 preserved.

1 Vertebrate fossils are much rarer than invertebrate fossils and are often poorly preserved.
2 Therefore, vertebrate fossils are generally considered more likely to be a significant
3 resource than invertebrate fossils, and geologic formations having the potential to contain
4 vertebrate fossils are considered the most sensitive.

5 **3.4.2.5 Proposed Project Setting**

6 As described in Chapter 2, Section 2.2.1, the Port Master Plan identified development of
7 the area surrounding and including the proposed Project site (Area 9: Terminal
8 Island/Seaward Extension) as being “of critical importance to the planning and use of
9 virtually all other planning areas in the Harbor District,” and targeted this area for dry
10 bulk cargoes, rail loops, receiving, storage, and shipping facilities with deepwater berths.
11 Later planning efforts confirmed the necessity of developing the Pier 300 area to its
12 maximum potential. Much of the main landform that makes up Pier 300 (the location of
13 the current APL Terminal) was created by a 190-acre landfill (Master Planning
14 Amendment Area 9), which was constructed in the early 1980s with material dredged
15 from the inner and outer Los Angeles harbors during the Los Angeles Harbor Deepening
16 Project (USACE and LAHD, 1980). The existing APL Terminal is operating on
17 Pier 300, which includes this 190-acre portion.

18 Following the creation of the main 190-acre landform, a narrow 1.4-acre landfill was
19 approved in 1994 (Master Planning Amendment 13) as a turnaround area for truck
20 loading and unloading of containers from the fourth ship berth. This was also
21 constructed with materials dredged from the Deep Draft Navigation Project (USACE and
22 LAHD, 1992).

23 In 2005, the Pier 300 Expansion Site (Master Planning Amendment 21) created 40 acres
24 of fill adjacent to the existing APL Terminal (behind the 1.4-acre landfill and proposed
25 Berth 306) from approximately 1.6 million cy of dredge material from the Channel
26 Deepening Project approved in 2000 (USACE and LAHD, 2000). The approximate
27 41-acre site has remained undeveloped and unused since its creation.

28 **3.4.2.5.1 Archaeological Resources**

29 Pier 300 is a landform resulting from placement of modern fill within the ancestral
30 San Pedro Bay from dredged material resulting from various channel deepening projects.
31 Due to their modern origin, no prehistoric or historical archaeological resources are
32 recorded or would be expected within the proposed Project site.

33 **3.4.2.5.2 Ethnographic Resources**

34 A record search of the California Native American Heritage Commission (NAHC)
35 Sacred Lands File indicated that no Native American heritage resources exist within the
36 proposed Project area or immediate vicinity. Nine Native Americans groups have been
37 contacted to determine whether information exists about potential ethnographic resources
38 in the area. Consultation with the Native American contacts did not result in information
39 about traditional cultural properties in the Project area.

40 **3.4.2.5.3 Paleontological Resources Setting**

41 Invertebrate fossils found in marine alluvial sediments from the Holocene Period, such as
42 those under the imported/dredged fill within the proposed Project site, are usually not
43 considered by paleontologists to be significant resources because geological contexts in

1 which they are encountered are widespread and fairly predictable. Invertebrate fossil
2 species are usually abundant and well preserved, and thus they are not unique.

3 Vertebrate fossils are generally considered more likely to be significant resources, in
4 contrast to invertebrate fossils. Vertebrate fossils are rarer than invertebrate fossils and
5 are often poorly preserved. Therefore, geologic formations having the potential to
6 contain vertebrate fossils are considered the most sensitive. Vertebrate fossil sites are
7 usually found in non-marine, upland deposits.

8 Pier 300 and the related proposed Project areas are underlain primarily by fill material.
9 The fill material may have been excavated from Pleistocene sediments in which
10 vertebrate fossils can be found. However, once they have been removed from their
11 original depositional context, the significance of any fossil has been compromised.
12 Therefore, there is low potential for intact, significant vertebrate paleontological
13 resources to be present in near-surface fill soils within the proposed Project site.
14 Although potential paleontological resources could possibly exist in the underlying
15 alluvial and marine sediments, they would be buried by additional fill material and would
16 be located at depths well below potential excavations, such as for utilities. The potential
17 for discovery of paleontological resources within the proposed Project site is considered
18 low.

19 **3.4.3 Applicable Regulations**

20 **3.4.3.1 Federal Regulations**

21 **3.4.3.1.1 Archaeological Resources**

22 The federal significance of an archaeological site³ is determined by applying the
23 National Register of Historic Places (NRHP) eligibility criteria (36 CFR 800 and 36 CFR
24 Section 60.4). These criteria state that a resource must be at least 50 years old and meet
25 one or more of the following:

26 The quality of significance in American history, architecture, archaeology, engineering,
27 and culture is present in districts, sites, buildings, structures, and objects that possess
28 integrity of location, design, setting, materials, workmanship, feeling, and association
29 and:

- 30 A. Is associated with events that have made a significant contribution to the broad
31 patterns of history, or
- 32 B. Is associated with the lives of persons significant in the past, or
- 33 C. Embodies the distinctive characteristics of a type, periods, or method of
34 construction, represents the work of a master, possesses high artistic values, or
35 represents a significant and distinguishable entity whose components may lack
36 individual distinction, or

³ The eligibility criteria for the NRHP are also used to determine the federal significance of an architectural structure; however, a survey of the proposed Project site has determined that there are no structures at the proposed Project site that would be eligible for listing the National or California Registers (i.e., these buildings are under fifty years of age, not of "exceptional importance", or a contributor to a potential historic district). Therefore, this issue will not be discussed further in this Draft EIS/EIR.

1 D. Has yielded, or may be likely to yield, information important in prehistory or
2 history.

3 Federal undertakings (i.e., those projects with federal funding or that require a federal
4 permit) that may affect a resource listed or eligible for listing on the NRHP must comply
5 with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).
6 Thus, for a federally funded project or projects requiring a federal permit, the possible
7 impacts of a project on archaeological and historical resources must be reviewed. The
8 process of review is often referred to as the "Section 106" process and is described in
9 36 CFR Part 800, the implementing regulations of Section 106. The USACE Regulatory
10 Program process for considering cultural resources is described in Appendix C of the
11 Corps' NEPA implementing regulations at 33 CFR Part 325.

12 If an alternative other than the No Federal Action Alternative (or for this Draft EIS/EIR,
13 the No Project Alternative) is chosen, compliance with Section 106 of the NHPA is
14 required because a federal permit (i.e., USACE authorization pursuant to Section 10 of
15 the River and Harbor Act, Section 404 of the Clean Water Act, and/or Section 103 of the
16 Marine Protection, Research, and Sanctuaries Act) is necessary for the project. For
17 Section 106 review, cultural resources (that is, archaeological resources) must be
18 identified and then evaluated using NRHP eligibility criteria.

19 **3.4.3.1.2 Ethnographic Resources**

20 The proposed Project or alternative would not be on federal land; therefore, no federal
21 legislation applies.

22 **3.4.3.1.3 Paleontological Resources**

23 There is no federal legislation designed specifically for the management and protection of
24 paleontological resources on nonfederal lands.

25 **3.4.3.2 State Regulations**

26 **3.4.3.2.1 Archaeological Resources**

27 When an archaeological resource is listed in, or is eligible to be listed in, the California
28 Register of Historical Resources (CRHR), PRC Section 21084.1 requires that any
29 substantial adverse effect to that resource be considered a significant environmental
30 effect. PRC Sections 21083.2 and 21084.1 operate independently to ensure that potential
31 effects on archaeological resources are considered as part of the environmental analysis
32 for a project. Either of these benchmarks may indicate that a proposal may have a
33 potential adverse effect on archaeological resources.

34 PRC Section 21083.2 states that as part of conditions imposed for mitigation, a lead
35 agency may make provisions for archaeological sites accidentally discovered during
36 construction. These provisions may include an immediate evaluation of the find. If the
37 find is determined to be a unique archaeological resource, contingency funding and a
38 time allotment sufficient to allow recovering an archaeological sample or to employ one
39 of the avoidance measures may be required under the provisions set forth in this section.
40 Construction work may continue on other parts of the building site while archaeological
41 mitigation takes place. Other state-level requirements for cultural resources management
42 are written into the California PRC, Chapter 1.7, Section 5097.5 (Archaeological,
43 Paleontological, and Historical Sites).

1 CEQA Guidelines Section 15064.5 (revised July 27, 2007) indicate a project may have a
2 significant environmental effect if it causes “substantial adverse change” in the
3 significance of an “historical resource” or a “unique archaeological resource,” as defined
4 or referenced in CEQA Guidelines Section 15064.5 (b, c). Such changes include
5 “physical demolition, destruction, relocation, or alteration of the resource or its
6 immediate surroundings such that the significance of an historical resource would be
7 materially impaired” (CEQA Guidelines 1998 Section 15064.5 [b]).

8 CEQA Guidelines Sections 15064.5 and 15126.4 guide the evaluation of impacts to
9 prehistoric and historic archaeological resources. Section 15064.5(c) provides that, to the
10 extent an archaeological resource is also a historical resource, the provisions regarding
11 historical resources apply. These provisions endorse the first set of standardized
12 mitigation measures for historic resources by providing that projects following the
13 Secretary of the Interior’s Standards for Treatment of Historic Properties be considered as
14 mitigated to a less than significant level.

15 As stated in Section 3.4.1, the NOI/NOP determined that there would be no impacts to
16 historic architectural resources by the proposed Project; therefore, regulatory criteria
17 defining “historical resources” are not addressed in this document.

18 **3.4.3.2.2 Ethnographic Resources**

19 The disposition of Native American burials is governed by Section 7050.5 of the
20 California Health and Safety Code and Sections 5097.94 and 5097.98 of the Public
21 Resources Code and falls within the jurisdiction of the NAHC. Section 7052 of the
22 Health and Safety Code establishes a felony penalty for mutilating, disinterring, or
23 otherwise disturbing human remains, except by relatives.

24 Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying
25 objects of historical or archaeological interest located on public or private lands, but
26 specifically excludes the landowner. PRC Section 5097.5 defines as a misdemeanor the
27 unauthorized disturbance or removal of archaeological, or historical, resources located on
28 public lands.

29 **3.4.3.2.3 Paleontological Resources**

30 Section 5097.5 of the California PRC prohibits excavation or removal of any “vertebrate
31 paleontological site or historical feature, situated on public lands, except with the express
32 permission of the public agency having jurisdiction over such lands.” Section 30244
33 requires reasonable mitigation of adverse impacts to paleontological resources from
34 development on public land. Penal Code Section 623 spells out regulations for the
35 protection of caves, including their natural, cultural, and paleontological contents. It
36 specifies that no “material” (including all or any part of any paleontological item) will be
37 removed from any natural geologically formed cavity or cave.

38 **3.4.3.3 Local Regulations**

39 **3.4.3.3.1 Archaeological Resources**

40 City guidelines for the protection of archeological resources are set forth in Section 3 of
41 the City of Los Angeles General Plan Conservation Element, which, in addition to
42 compliance with CEQA, requires the identification and protection of archaeological sites
43 and artifacts as a part of local development permit processing.

1 Specifically, Los Angeles Municipal Code Section 91.106.4.5 states that the Building
2 Department “shall not issue a permit to demolish, alter or remove a building or structure
3 of historical, archaeological or architectural consequence if such building or structure has
4 been officially designated, or has been determined by state or federal action to be eligible
5 for designation, on the National Register of Historic Places, or has been included on the
6 City of Los Angeles list of historic cultural monuments, without the department having
7 first determined whether the demolition, alteration or removal may result in the loss of or
8 serious damage to a significant historical or cultural asset. If the department determines
9 that such loss or damage may occur, the applicant shall file an application and pay all
10 fees for the California Environmental Quality Act Initial Study and Check List, as
11 specified in Section 19.05 of the Los Angeles Municipal Code. If the Initial Study and
12 Check List identify the historical or cultural asset as significant, the permit shall not be
13 issued without the department first finding that specific economic, social or other
14 considerations make infeasible the preservation of the building or structure.”

15 **3.4.3.3.2 Ethnographic Resources**

16 Relative to ethnographic resources, the *L.A. CEQA Thresholds Guide* provides the
17 following guidance: “Consider compliance with guidelines and regulations such as the
18 California Public Resources Code” (City of Los Angeles, 2006). No specific local
19 regulations mandating the protection of ethnographic resources exist.

20 **3.4.3.3.3 Paleontological Resources**

21 City guidelines for the protection of paleontological resources are specified in Section 3
22 of the City of Los Angeles General Plan Conservation Element. The policy requires that
23 the paleontological resources of the City be protected for research and/or educational
24 purposes. It mandates the identification and protection of significant paleontological sites
25 and/or resources known to exist or that are identified during land development,
26 demolition, or property modification activities.

27 **3.4.4 Impacts and Mitigation Measures**

28 **3.4.4.1 Methodology**

29 Impacts on cultural resources from the proposed Project and alternatives were evaluated
30 by determining whether dredging, demolition, or ground disturbance activities, such as
31 construction of buildings or installation of infrastructure, would affect areas that contain
32 or could contain any archaeological sites listed in or eligible for listing in the NRHP, the
33 CRHR, or that are otherwise considered a unique or important archaeological resource, or
34 contain any significant paleontological sites and/or resources under CEQA (City of
35 Los Angeles, 2006).

36 No paleontological field survey of the proposed Project site was conducted because the
37 site is covered by extensive development and/or is underlain by non-fossiliferous
38 imported/modern fill. No buildings eligible for listing on the National or California
39 registers would be impacted by the proposed Project or alternatives and therefore,
40 construction impacts in terms of historical buildings are not being considered.

41 In addition, because the operation of the proposed Project is not likely to involve
42 subsurface disturbance, no impact on archaeological, ethnographic or paleontological

1 resources is anticipated. Therefore, only potential impacts during construction activities
2 are analyzed further in Section 3.4.4.3 below.

3 **3.4.4.1.1 CEQA Baseline**

4 Section 15125 of the CEQA Guidelines requires EIRs to include a description of the
5 physical environmental conditions in the vicinity of a project that exist at the time of the
6 NOP. These environmental conditions normally would constitute the baseline physical
7 conditions by which the CEQA lead agency determines if an impact is significant. For
8 purposes of this Draft EIS/EIR, the CEQA baseline for determining the significance of
9 potential Project impacts is the environmental set of conditions that prevailed at the time
10 the NOP was published for the proposed Project - July 2009. The CEQA baseline takes
11 into account the throughput for the 12-month period preceding July 2009 (July 2008
12 through the end of June 2009) in order to provide a representative characterization of
13 activity levels throughout the year. The CEQA baseline conditions are described in
14 Section 2.6.1. The CEQA baseline for this proposed Project includes approximately
15 1.13 million TEUs per year, 998,728 annual truck trips, and 247 annual ship calls that
16 occurred on the 291-acre APL Terminal in the year prior to and including June 2009.

17 The CEQA baseline represents the setting at a fixed point in time and differs from the No
18 Project Alternative (Alternative 1) in that the No Project Alternative addresses what is
19 likely to happen at the proposed Project site over time, starting from the existing
20 conditions. Therefore, the No Project Alternative allows for growth at the proposed
21 Project site that could be expected to occur without additional approvals, whereas the
22 CEQA baseline does not.

23 **3.4.4.1.2 NEPA Baseline**

24 For purposes of this Draft EIS/EIR, the evaluation of significance under NEPA is defined
25 by comparing the proposed Project or other alternative to the NEPA baseline. The NEPA
26 baseline conditions are described in Section 2.6.2. Briefly, the NEPA baseline condition
27 for determining significance of impacts includes the full range of construction and
28 operational activities the applicant could implement and is likely to implement absent a
29 federal action, in this case the issuance of a USACE permit. The NEPA baseline includes
30 minor terminal improvements in the upland area (i.e., conversion of a portion of the dry
31 container storage unit area to reefers and utility infrastructure), operation of the 291-acre
32 container terminal, and assumes that by 2027, the terminal (Berths 302 to 305) handles up
33 to approximately 2.15 million TEUs annually and accommodates 286 annual ships calls
34 and 2,336 on-way rail trips, without any federal action. Because the NEPA baseline is
35 dynamic, it includes different levels of terminal operations at each study year (2012,
36 2015, 2020, 2025, and 2027).

37 Unlike the CEQA baseline, which is defined by conditions at a point in time, the NEPA
38 baseline is not bound by statute to a “flat” or “no-growth” scenario. Therefore, the
39 USACE could project increases in operations over the life of a project to properly
40 describe the NEPA baseline condition. Normally, any federal permit decision would
41 focus on direct impacts of the proposed Project to the aquatic environment, as well as
42 indirect and cumulative impacts in the uplands determined to be within the scope of
43 federal control and responsibility. Significance of the proposed Project or alternative
44 under NEPA is defined by comparing the proposed Project or alternative to the NEPA
45 baseline (i.e., the increment).

1 The NEPA baseline, for purposes of this Draft EIS/EIR, is the same as the No Federal
2 Action Alternative. Under the No Federal Action Alternative, only minor terminal
3 improvements (utility infrastructure, and conversion of dry container storage to
4 refrigerated container storage) would occur, but no new cranes would be added, and the
5 terminal configuration would remain as it was configured in 2008 (291 acres, 12 A-frame
6 cranes, and a 4,000-ft wharf). However, forecasted increases in cargo throughput and
7 annual ship calls would still occur as container growth occurs.

8 **3.4.4.2 Thresholds of Significance**

9 The proposed Project includes demolition and relocation of the Roadabilty facility, as
10 well as the expansion of the existing Power Shop Building. Both buildings were built in
11 1995 and are examples of common building types. In addition, the proposed Project
12 includes removal and use of portions of the adjacent and vacant LAXT facility, which
13 was constructed in the late 1990s. As neither building on the proposed Project site or
14 adjacent LAXT facility would be eligible for listing on the NRHP or CRHR (i.e., these
15 buildings are under 50 years of age, not of “exceptional importance,” or a contributor to a
16 potential historic district), this issue will not be discussed further in this Draft EIS/EIR.
17 A memorandum documenting the proposed Project site building survey results can be
18 found in Appendix G of this Draft EIS/EIR.

19 Thresholds of significance for cultural resources are different for CEQA and NEPA. As
20 described below, the thresholds of significance are developed from both state (CEQA)
21 regulations and federal (Section 106 of the NHPA) regulations resulting in criteria for
22 each.

23 **3.4.4.2.1 CEQA Criteria**

24 The *L.A. CEQA Thresholds Guide* provides specific thresholds of significance to address
25 potential impacts on cultural resources resulting from implementation of a project (City
26 of Los Angeles, 2006). The proposed Project or an alternative would have a significant
27 impact on cultural resources as described below.

28 **CR-1** An impact on archaeological or ethnographic resources will be considered
29 significant if it would disturb, damage, or degrade an archaeological or
30 ethnographic resource or its setting that is found to be important under the
31 criteria of CEQA because it:

- 32 ▪ Is associated with an event or person of recognized importance in California
33 or American history or of recognized scientific importance in prehistory;
- 34 ▪ Can provide information which is both of demonstrable public interest and
35 useful in addressing scientifically consequential and reasonable
36 archaeological research questions;
- 37 ▪ Has a special or particular quality, such as the oldest, best, largest, or last
38 surviving example of its kind;
- 39 ▪ Is at least 100 years old and possesses substantial stratigraphic integrity; and,
- 40 ▪ Involves important research questions that historical research has shown can
41 be answered only with archaeological methods.

1 **CR-2** A project or alternative will have a significant impact on paleontological
2 resources if it results in the permanent loss of or loss of access to, a
3 paleontological resource of regional or statewide significance.

4 **3.4.4.2.2 NEPA Criteria**

5 **CR-3** An adverse effect on known or unknown prehistoric and/or historic
6 archaeological or ethnographic resources will be considered significant if it
7 would alter, directly or indirectly, any of the characteristics of an historic
8 property that qualify the property for inclusion in the NRHP.

9 **CR-4** A project or alternative will have a significant impact on paleontological
10 resources if it results in the permanent loss of or loss of access to, a significant
11 paleontological resource.⁴

12 **3.4.4.3 Impact Determination**

13 As stated above, there are different thresholds of significance for CEQA and NEPA.
14 Therefore, the following impact determinations are presented in a consistent manner with
15 CEQA CR-1 and CR-2 presented separately from NEPA CR-3 and CR-4. Accordingly,
16 the potential impacts on cultural resources are addressed in terms of the appropriate
17 thresholds of significance for CEQA and NEPA.

18 **3.4.4.3.1 Proposed Project**

19 **CEQA Impact Determination**

20 **Impact CR-1: The proposed Project would have a low potential to**
21 **disturb, damage, or degrade an archaeological and ethnographic**
22 **resource or its setting that is found to be important under the criteria**
23 **of CEQA.**

24 No archaeological and ethnographic resources are known to exist in the Project area and
25 little potential exists for their discovery during the dredging, filling, and demolition of
26 buildings and structures and ground surface disturbance activities associated with the
27 proposed Project's construction. The majority of the Project site is underlain with
28 imported/modern fill (i.e., dredged material) and is paved or highly disturbed; the amount
29 of surface disturbance would be limited within the site boundaries. As Pier 300 and the
30 41-acre expansion are the result of imported/modern fill (i.e., dredged material) placed
31 within the ancestral San Pedro Bay, no intact prehistoric or historical archaeological
32 resources would be expected to exist in soils at the proposed Project site. A Sacred
33 Lands File search was conducted by the NAHC. The NAHC responded that though the
34 search did not indicate the presence of ethnographic (i.e., Native American) resources in
35 the immediate Project area, various resources are located within the Port area. No
36 specific locations were provided. In addition, a letter was sent and follow-up telephone
37 calls were made to the nine Native American contacts provided in the NAHC's list, to
38 determine whether information exists about potential ethnographic resources in the area.
39 Consultation with the Native American contacts did not result in information about
40 traditional cultural properties in the Project area.
41

⁴ Although not a consideration under Section 106, the potential to impact paleontological resources is still analyzed under the NEPA analysis.

1 Due to previous dredging and other in-water construction activities, the waters along
2 Berths 302-306 are not likely to contain significant marine cultural resources. Therefore,
3 proposed in-water construction activities related to crane installation at Berths 302-306
4 and dredging at Berth 306, would have extremely low potential for encountering intact
5 prehistoric materials or significant marine cultural resources.

6 No prehistoric or archaeological resources eligible for listing in the NRHP or CRHR are
7 recorded within the proposed Project area. The proposed Project is located on
8 imported/modern fill (i.e., dredged material), such that the probability of encountering
9 intact, unknown archaeological and ethnographic resources is remote. Given the fact that
10 no archaeological resources have been identified within the proposed Project area during
11 previous archaeological investigations, and an NAHC search of their Sacred Lands File
12 search (and coordination with nine Native Americans contacts) did not indicate the
13 presence of ethnographic resources in the immediate proposed Project area, the potential
14 for impacting archaeological and ethnographic resources is considered to be extremely
15 low in areas requiring activities that may disturb surface soils, and significant impacts to
16 archaeological resources are not expected.

17 *Mitigation Measures*

18 No mitigation is required. Although the potential for impacts on unknown
19 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
20 standard condition of approval involving surface soil disturbing activities on the
21 proposed Project site.

22 **SC CR-1: Stop Work in Area if Prehistoric and/or Archaeological Resources**
23 **are Encountered.** In the unlikely event that any artifact, or an unusual
24 amount of bone, shell, or non-native stone is encountered during
25 construction, work shall be immediately stopped, the area secured, and
26 work relocated to another area until the found materials can be assessed
27 by individuals competent to assess their value. Examples of such cultural
28 materials might include concentrations of grinding stone tools such as
29 mortars, bowls, pestles, and manos; chipped stone tools such as projectile
30 points or choppers; flakes of stone not consistent with the immediate
31 geology such as obsidian or fused shale; historical trash pits containing
32 bottles and/or ceramics; or structural remains. The contractor shall stop
33 construction within 10 meters (30 feet) of the exposure of these finds until
34 a qualified archaeologist can be retained by the Port to evaluate the find
35 (see 36 CFR 800.11.1 and California Code of Regulations, Title 14,
36 Section 15064.5(f)). If the resources are found to be significant, they shall
37 be avoided or shall be mitigated consistent with Section 106 or State
38 Historic Preservation Officer Guidelines. All construction equipment
39 operators shall attend a preconstruction meeting presented by a
40 professional archaeologist retained by the Port that shall review types of
41 cultural resources and artifacts that would be considered potentially
42 significant, to ensure operator recognition of these materials during
43 construction.

44 Prior to beginning construction, the Port shall meet with applicable Native
45 American Groups, including the Gabrieliño/Tongva Tribal Council, to
46 identify areas of concern. A trained archaeologist shall monitor
47 construction at identified areas. In addition to monitoring, a treatment

1 plan shall be developed in conjunction with the Native American Groups
2 to establish the proper way of extracting and handling all artifacts in the
3 event of an archaeological discovery.

4 *Residual Impacts*

5 Impacts would be less than significant.

6 **Impact CR-2: The proposed Project would have a low potential to** 7 **result in a permanent loss of, or loss of access to, a paleontological** 8 **resource of regional or statewide significance.**

9 The geologic formation within the proposed Project area consists of imported/modern fill
10 material (i.e., dredged material) constructed in the early 20th century; therefore, the site
11 would not be expected to yield significant paleontological resources or unique geologic
12 features. Any soil excavation would consist of artificial soils in a previously disturbed
13 area, and therefore would not be expected to adversely impact unique paleontological
14 resources or geologic features.

15 Given the fact that no paleontological resources have been identified within the proposed
16 Project area during previous investigations, and the origin of the soils underlying the
17 proposed Project site, the potential for impacting paleontological resources is considered
18 to be extremely low in areas requiring trenching or other activities that may disturb intact
19 surface soils. In addition, the potential to encounter sensitive paleontological resources
20 when performing dredging in the ancestral San Pedro Bay is also extremely low. Based
21 on this analysis, there would be a less than significant impact on paleontological
22 resources under CEQA because the proposed Project would not result in the permanent
23 loss of, or access to, a paleontological resource.

24 *Mitigation Measures*

25 No mitigation is required.

26 *Residual Impacts*

27 Impacts would be less than significant.

28 **NEPA Impact Determination**

29 **Impact CR-3: The proposed Project would have a low potential to** 30 **have an adverse effect on known or unknown prehistoric and/or** 31 **historic archaeological or ethnographic resources included, or** 32 **qualified for inclusion, on the NRHP.**

33 No archaeological and ethnographic resources are known to exist in the proposed Project
34 area. There would be an extremely low potential for buried resources to be found during
35 the dredging, filling, and demolition of buildings and structures and during ground
36 surface disturbance activities associated with the proposed Project construction. The
37 majority of the Project site is underlain with imported/modern fill (i.e., dredged material)
38 and the surface is paved or highly disturbed; the amount of surface disturbance would be
39 limited within the site boundaries. As Pier 300 and the 41-acre expansion are the result
40 of imported/modern fill (i.e., dredged material) placed within the ancestral San Pedro
41 Bay, no intact prehistoric or historical archaeological resources would be expected within
42 soils at the proposed Project site. A Sacred Lands File search was conducted by the

1 NAHC. The NAHC responded that though the search did not indicate the presence of
2 ethnographic (i.e., Native American) resources in the immediate Project area, various
3 resources are located within the Port area. No specific locations were provided. In
4 addition, a letter was sent and follow-up telephone calls were made to the nine Native
5 American contacts provided in the NAHC's list, to determine whether information exists
6 about potential ethnographic resources in the area. Consultation with the Native
7 American contacts did not result in information about traditional cultural properties in the
8 Project area.

9 Due to previous dredging and other in-water construction activities, the waters along
10 Berths 302-306 are not likely to contain significant marine cultural resources. Therefore,
11 proposed water construction activities related to crane installation at Berths 302-306 and
12 dredging at Berth 306, would have an extremely low potential for encountering intact
13 prehistoric materials or significant marine cultural resources.

14 No prehistoric or archaeological resources eligible for listing in the NRHP or CRHR are
15 recorded within the proposed Project area. The proposed Project is located on
16 imported/modern fill (i.e., dredged material) and the probability of encountering intact,
17 unknown archaeological and ethnographic resources is remote. Given the fact that no
18 archaeological resources have been identified within the proposed Project area during
19 previous archaeological investigations, and that an NAHC search of their Sacred Lands
20 File, and search and coordination with nine Native Americans contacts did not indicate
21 the presence of ethnographic resources in the immediate proposed Project area, the
22 potential for impacting archaeological and ethnographic resources is considered to be
23 extremely low in areas requiring activities that may disturb surface soils. Based on this
24 analysis, proposed construction activities would result in less than significant impacts on
25 archaeological and ethnographic resources, and less than significant impact on in-water
26 cultural resources.

27 *Mitigation Measures*

28 No mitigation is required. Although the potential for impacts on unknown
29 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
30 standard condition of approval.

31 *Residual Impacts*

32 Impacts would be less than significant.

33 **Impact CR-4: The proposed Project would have a low potential result** 34 **in a permanent loss of, or loss of access to, a significant** 35 **paleontological resource.**

36 Although the proposed Project would involve more excavation than the NEPA baseline,
37 the geologic formation within the proposed Project area consists of imported/modern fill
38 material (i.e., dredged material) constructed in the early 20th century; therefore, the site
39 would not be expected to yield significant paleontological resources or unique geologic
40 features. Any soil excavation would occur within recently placed soils in a previously
41 disturbed area, and therefore, would not be expected to adversely impact unique
42 paleontological resources or geologic features.

1 Given the fact that no paleontological resources have been identified within the proposed
2 Project area during previous investigations, and the origin of the soils underlying the
3 proposed Project site, the potential for impacting paleontological resources is considered
4 to be extremely low in areas requiring trenching or other activities that may disturb intact
5 surface soils. In addition, the potential to encounter sensitive paleontological resources
6 when performing dredging in the ancestral San Pedro Bay is also extremely low. Based
7 on this analysis, there would be a less than significant impact on paleontological
8 resources under NEPA because the proposed Project would not result in the permanent
9 loss or access to a paleontological resource.

10 *Mitigation Measures*

11 No mitigation is required.

12 *Residual Impacts*

13 Impacts would be less than significant.

14 **3.4.4.3.2 Alternatives**

15 **3.4.4.3.2.1 Alternative 1 – No Project**

16 Under Alternative 1, no further Port action or federal action would occur. The Port
17 would not construct and develop additional backlands, wharves, or terminal
18 improvements. No new cranes would be added, no gate or backland improvements
19 would occur, and no infrastructure for AMP at Berth 306 or automation in the backland
20 area adjacent to Berth 306 would be provided. This alternative would not include any
21 dredging, new wharf construction, or new cranes. The No Project Alternative would not
22 include development of any additional backlands because the existing terminal is
23 berth-constrained and additional backlands would not improve its efficiency.

24 Under the No Project Alternative, the existing APL Terminal would continue to operate
25 as an approximately 291-acre container terminal. Based on the throughput projections,
26 terminal operations are expected to grow over time as throughput demands increase.
27 Under Alternative 1, the existing APL Terminal would handle approximately
28 2.15 million TEUs by 2027, which would result in 286 annual ship calls at
29 Berths 302-305. In addition, this alternative would result in up to 7,273 peak daily
30 one-way truck trips (1,922,497 annual), and up to 2,336 annual one-way rail trip
31 movements. Under Alternative 1, cargo ships that currently berth and load/unload at the
32 Berths 302-305 terminal would continue to do so.

33 The No Project Alternative would not preclude future improvements to the proposed site.
34 However, any future changes in use or new improvements with the potential to
35 significantly impact the environment would need to be analyzed in a separate
36 environmental document.

37 **CEQA Impact Determination**

38 **Impact CR-1: Alternative 1 would have a low potential to disturb,**
39 **damage, or degrade an archaeological and ethnographic resource or**
40 **its setting that is found to be important under the criteria of CEQA.**

41 No prehistoric or archaeological resources eligible for listing in the NRHP or CRHR are
42 recorded within the Project area. Alternative 1 would not develop or improve the
43 existing Project site, which would continue to operate as a container terminal until 2027.

1 Because this Alternative would not result in construction activities, it would not directly
2 affect any soils. As a consequence, Alternative 1 would result in no impact under CEQA.

3 *Mitigation Measures*

4 No mitigation is required.

5 *Residual Impacts*

6 There would be no impacts.

7 **Impact CR-2: Alternative 1 would have a low potential to result in a**
8 **permanent loss of, or loss of access to, a paleontological resource of**
9 **regional or statewide significance.**

10 No paleontological resources are known to exist in the Project area. Under Alternative 1,
11 the Project site would continue to operate as an approximately 291-acre container
12 terminal. Alternative 1 would not develop or improve the existing Project site; therefore,
13 no impacts on sensitive paleontological resources would occur under CEQA as a
14 consequence of implementing Alternative 1.

15 *Mitigation Measures*

16 No mitigation is required.

17 *Residual Impacts*

18 There would be no impacts.

19 **NEPA Impact Determination**

20 **Impact CR-3: Alternative 1 would have a low potential to have an**
21 **adverse effect on known or unknown prehistoric and/or historic**
22 **archaeological or ethnographic resources included, or qualified for**
23 **inclusion, on the NRHP.**

24 The impacts of the No Project Alternative are not required to be analyzed under NEPA.
25 NEPA requires the analysis of a No Federal Action Alternative (Alternative 2 in this
26 document).

27 *Mitigation Measures*

28 Mitigation measures are not applicable.

29 *Residual Impacts*

30 An impact determination is not applicable.

31 **Impact CR-4: Alternative 1 would have a low potential result in a**
32 **permanent loss of, or loss of access to, a significant paleontological**
33 **resource.**

34 The impacts of the No Project Alternative are not required to be analyzed under NEPA.
35 NEPA requires the analysis of a No Federal Action Alternative (Alternative 2 in this
36 document).

1 *Mitigation Measures*

2 Mitigation measures are not applicable.

3 *Residual Impacts*

4 An impact determination is not applicable.

5 **3.4.4.3.2.2 Alternative 2 – No Federal Action**

6 The No Federal Action Alternative would be the same as the NEPA baseline and would
7 include only the activities and impacts likely to occur absent further USACE federal
8 approval but could include improvements that require a local action. Under
9 Alternative 2, no federal action would occur; however, minor terminal improvements in
10 the upland area of the existing APL Terminal would be implemented. These minor
11 upland improvements would include conversion of a portion of the dry container storage
12 area to an additional 200 reefers, associated electrical lines, and installation of utility
13 infrastructure at locations in the existing backland areas. Beyond these minor upland
14 improvements, the Port would not construct and develop additional backlands or
15 wharves. No gate or additional backland improvements would occur, and no in-water
16 features such as dredging or a new berth, wharf extension, or over-water features such as
17 new cranes would occur under the No Federal Action Alternative.

18 Under the No Federal Action Alternative, the existing APL Terminal would continue to
19 operate as an approximately 291-acre container terminal, and up to approximately
20 2.15 million TEUs could be handled at the terminal by 2027. Based on the throughput
21 projections, the No Federal Action Alternative would result in 286 annual ship calls at
22 Berths 302-305. In addition, this alternative would result in up to 7,273 peak daily truck
23 trips (1,922,497 annual), and up to 2,336 annual one-way rail trip movements. Cargo
24 ships that currently berth and load/unload at the Berths 302-305 terminal would continue
25 to do so.

26 **CEQA Impact Determination**

27 **Impact CR-1: Alternative 2 would have a low potential to disturb,**
28 **damage, or degrade an archaeological and ethnographic resource or**
29 **its setting that is found to be important under the criteria of CEQA.**

30 No archaeological or ethnographic resources listed on or eligible for listing on the NRHP
31 or the CRHR are identified within the Alternative 2 Project site. The Project site is
32 underlain with fill material and is paved. Because the site has been extensively disturbed
33 from past and current development, and consideration of the minor terminal
34 improvements proposed under Alternative 2, disturbance, damage, or degradation of
35 potentially significant archaeological resources is unlikely. As the potential for damaging
36 unknown prehistoric remains is remote, potential impacts on ethnographic resources,
37 considered significant to contemporary Native Americans, are also not reasonably
38 expected. Therefore, Alternative 2 would result in no impacts on archaeological and
39 ethnographic resources under CEQA.

40

1 *Mitigation Measures*

2 No mitigation is required.

3 *Residual Impacts*

4 There would be no impacts.

5 **Impact CR-2: Alternative 2 would have a low potential to result in a**
6 **permanent loss of, or loss of access to, a paleontological resource of**
7 **regional or statewide significance.**

8 No paleontological resources are known to exist in the Project area. Alternative 2 would
9 have a low potential for encountering paleontological resources because the majority of
10 the Project site is underlain with fill material and is highly disturbed; the amount of
11 surface disturbance would be limited to minor terminal improvements. Construction
12 activity under Alternative 2 would not result in impacts related to the disturbance,
13 damage, or degradation of potential paleontological resources under CEQA.

14 *Mitigation Measures*

15 No mitigation is required.

16 *Residual Impacts*

17 There would be no impacts.

18 **NEPA Impact Determination**

19 **Impact CR-3: Alternative 2 would have a low potential to have an**
20 **adverse effect on known or unknown prehistoric and/or historic**
21 **archaeological or ethnographic resources included, or qualified for**
22 **inclusion, on the NRHP.**

23 The No Federal Action Alternative would have the same conditions as the NEPA
24 baseline, as explained in Section 2.6.2 in Chapter 2; therefore, there would be no
25 incremental difference between Alternative 2 and the NEPA baseline. As a consequence,
26 Alternative 2 would result in no impact under NEPA.

27 *Mitigation Measures*

28 No mitigation is required.

29 *Residual Impacts*

30 There would be no impacts.

31 **Impact CR-4: Alternative 2 would have a low potential result in a**
32 **permanent loss of, or loss of access to, a significant paleontological**
33 **resource.**

34 The No Federal Action Alternative would have the same conditions as the NEPA
35 baseline, as explained in Section 2.6.2 in Chapter 2; therefore, there would be no
36 incremental difference between Alternative 2 and the NEPA baseline. As a consequence,
37 Alternative 2 would result in no impact under NEPA.

1 *Mitigation Measures*

2 No mitigation is required.

3 *Residual Impacts*

4 There would be no impacts.

5 **3.4.4.3.2.3 Alternative 3 – Reduced Project: Four New Cranes**

6 Under Alternative 3, four new cranes would be added to the existing wharf along
7 Berths 302-305 and only minor improvements to the existing APL Terminal would be
8 made (utility infrastructure and conversion of dry container storage to reefers). No other
9 upland terminal improvements would be constructed. The existing terminal is berth-
10 constrained, and adding the additional four cranes would improve the terminal's
11 efficiency.

12 The total acreage of backlands under Alternative 3 would remain at approximately
13 291 acres, which would be less than the proposed Project. This alternative would not
14 include the extension of the existing wharf, construction of a new berth, dredging, or the
15 relocation and improvement of various gates and entrance lanes.

16 Based on the throughput projections, TEU throughput under Alternative 3 would be less
17 than the proposed Project, with an expected throughput of approximately 2.58 million
18 TEUs by 2027. This would translate into 338 annual ship calls at Berths 302-305. In
19 addition, this alternative would result in up to 8,725 peak daily truck trips
20 (2,306,460 annual), and up to 2,544 annual one-way rail trip movements. Configuration
21 of all other landside terminal components would be identical to the existing terminal.

22 **CEQA Impact Determination**

23 **Impact CR-1: Alternative 3 would have a low potential to disturb,**
24 **damage, or degrade an archaeological and ethnographic resource or**
25 **its setting that is found to be important under the criteria of CEQA.**

26 Under Alternative 3, no in-water and less upland construction would be undertaken
27 compared to the proposed Project. The Project site under Alternative 3 is located on
28 imported/modern fill (i.e., dredged material), such that the probability of encountering
29 intact, unknown archaeological and ethnographic resources is remote. Given this and the
30 fact that no archaeological resources eligible for listing in the NRHP or CRHR have been
31 identified within the Project area during previous archaeological investigations, and a
32 NAHC search of their Sacred Lands File (and coordination with Native American
33 contacts) did not indicate the presence of ethnographic resources in the immediate Project
34 area, the potential for impacting archaeological and ethnographic resources is considered
35 to be extremely low in areas requiring activities that may disturb intact surface soils.
36 Based on this analysis, proposed construction activities would result in less than
37 significant impacts on archaeological and ethnographic resources, and less than
38 significant impact on in-water cultural resources.

39

1 *Mitigation Measures*

2 No mitigation is required. Although the potential for impacts on unknown
3 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
4 standard condition of approval.

5 *Residual Impacts*

6 Impacts would be less than significant.

7 **Impact CR-2: Alternative 3 would have a low potential to result in a**
8 **permanent loss of, or loss of access to, a paleontological resource of**
9 **regional or statewide significance.**

10 The Project site under Alternative 3 is located on imported/modern fill soils (i.e., dredged
11 material), such that the probability of encountering intact, unknown paleontological
12 resources or unique geologic feature is remote. Given this and the fact that no
13 paleontological resources have been identified within the Project area during previous
14 investigations, the potential for impacting paleontological resources is considered to be
15 extremely low. Based on this analysis, there would be a less than significant impact on
16 paleontological resources under CEQA because Alternative 4 would not result in the
17 permanent loss of or access to a paleontological resource.

18 *Mitigation Measures*

19 No mitigation is required.

20 *Residual Impacts*

21 Impacts would be less than significant.

22 **NEPA Impact Determination**

23 **Impact CR-3: Alternative 3 would have a low potential to have an**
24 **adverse effect on known or unknown prehistoric and/or historic**
25 **archaeological or ethnographic resources included, or qualified for**
26 **inclusion, on the NRHP.**

27 Under Alternative 3, less in-water and upland construction would be undertaken
28 compared to the proposed Project, but this Alternative would include new cranes and
29 upland development that is not included in the NEPA baseline. The Project site under
30 Alternative 3 is located on imported/modern fill (i.e., dredged material), such that the
31 probability of encountering intact, unknown archaeological and ethnographic resources is
32 remote. Given this and the fact that no archaeological resources listed or eligible for
33 listing in the NRHP or CRHR have been identified within the Project area during
34 previous archaeological investigations, and a NAHC search of their Sacred Lands File,
35 and coordination with Native American contacts, did not indicate the presence of
36 ethnographic resources in the immediate Project area, the potential for impacting
37 archaeological and ethnographic resources is considered to be extremely low in areas
38 requiring activities that may disturb intact surface soils. Based on this analysis, proposed
39 construction activities would result in less than significant impacts on archaeological and
40 ethnographic resources, and less than significant impact on in-water cultural resources.

1 *Mitigation Measures*

2 No mitigation is required. Although the potential for impacts on unknown
3 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
4 standard condition of approval.

5 *Residual Impacts*

6 Impacts would be less than significant.

7 **Impact CR-4: Alternative 3 would have a low potential result in a**
8 **permanent loss of, or loss of access to, a significant paleontological**
9 **resource.**

10 Although Alternative 3 the addition of four cranes to the existing wharf and some minor
11 excavation for utilities, the Project under Alternative 3 site is located on imported/modern
12 fill soils (i.e., dredged material), such that the probability of encountering intact,
13 unknown paleontological resources or unique geologic feature is remote. Given this and
14 the fact that no paleontological resources have been identified within the Project area
15 during previous investigations, the potential for impacting paleontological resources is
16 considered to be low. Based on this analysis, proposed construction activities would
17 result in less than significant impacts on paleontological resources under NEPA.

18 *Mitigation Measures*

19 No mitigation is required.

20 *Residual Impacts*

21 Impacts would be less than significant.

22 **3.4.4.3.2.4 Alternative 4 – Reduced Project: No New Wharf**

23 Under Alternative 4, six cranes would be added to the existing terminal wharf at Berths
24 302-305, and the 41-acre fill area adjacent to the APL Terminal would be developed as
25 container yard backlands. EMS would relinquish the 30 acres of backlands under space
26 assignment. EMS would not add the nine acres of land behind Berth 301 or the two acres
27 at the main gate to its permit. Because no new wharf would be constructed at Berth 306,
28 the 41-acre backland would be operated using traditional methods and would not be
29 expected to transition to use of automated equipment. As the existing wharf would not be
30 extended to create Berth 306, no dredging would occur.

31 Under Alternative 4, the total terminal acreage would be 302 acres, which is less than the
32 proposed Project. Based on the throughput projections, TEU throughput would be less
33 than the proposed Project, with an expected throughput of approximately 2.78 million
34 TEUs by 2027. This would translate into 338 annual ship calls at Berths 302-305. In
35 addition, Alternative 4 would result in up to 9,401 peak daily truck trips
36 (2,485,050 annual), and up to 2,563 annual one-way rail trip movements. Configuration
37 of all other landside terminal components (i.e., Main Gate improvements) would be
38 identical to the proposed Project.

CEQA Impact Determination

Impact CR-1: Alternative 4 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.

Under Alternative 4, no in-water and less upland construction would be undertaken compared to the proposed Project. The Project site under Alternative 4 is located on imported/modern fill (i.e., dredged material), such that the probability of encountering intact, unknown archaeological and ethnographic resources is remote. Given this and the fact that no archaeological resources eligible for listing in the NRHP or CRHR have been identified within the Project area during previous archaeological investigations, and a NAHC search of their Sacred Lands File (and coordination with Native American contacts) did not indicate the presence of ethnographic resources in the immediate Project area, the potential for impacting archaeological and ethnographic resources is considered to be extremely low in areas requiring activities that may disturb intact surface soils. Based on this analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources, and less than significant impact on in-water cultural resources.

Mitigation Measures

No mitigation is required. Although the potential for impacts on unknown archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a standard condition of approval.

Residual Impacts

Impacts would be less than significant.

Impact CR-2: Alternative 4 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.

The Project site under Alternative 4 is located on imported/modern fill soils (i.e., dredged material), such that the probability of encountering intact, unknown paleontological resources or unique geologic feature is remote. Given this and the fact that no paleontological resources have been identified within the Project area during previous investigations, the potential for impacting paleontological resources is considered to be extremely low. Based on this analysis, there would be a less than significant impact on paleontological resources under CEQA because Alternative 4 would not result in the permanent loss of or access to a paleontological resource.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impact CR-3: Alternative 4 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.

Under Alternative 4, less in-water and upland construction would be undertaken compared to the proposed Project, but this Alternative would include new cranes and upland development that is not included in the NEPA baseline. The Project site under Alternative 4 is located on imported/modern fill (i.e., dredged material), such that the probability of encountering intact, unknown archaeological and ethnographic resources is remote. Given this and the fact that no archaeological resources listed or eligible for listing in the NRHP or CRHR have been identified within the Project area during previous archaeological investigations, and an NAHC search of their Sacred Lands File and coordination with Native American contacts did not indicate the presence of ethnographic resources in the immediate Project area, the potential for impacting archaeological and ethnographic resources is considered to be extremely low in areas requiring activities that may disturb intact surface soils. Based on this analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources, and less than significant impact on in-water cultural resources.

Mitigation Measures

No mitigation is required. Although the potential for impacts on unknown archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a standard condition of approval.

Residual Impacts

Impacts would be less than significant.

Impact CR-4: Alternative 4 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.

Although Alternative 4 would involve over-water and upland development not included in the NEPA baseline, the Project under Alternative 4 site is located on imported/modern fill soils (i.e., dredged material), such that the probability of encountering intact, unknown paleontological resources or unique geologic feature is remote. Given this and the fact that no paleontological resources have been identified within the Project area during previous investigations, the potential for impacting paleontological resources is considered to be low. Based on this analysis, proposed construction activities would result in less than significant impacts on paleontological resources under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

3.4.4.3.2.5 Alternative 5 – Reduced Project: No Space Assignment

Alternative 5 would improve the existing terminal, construct a new wharf (1,250 ft) creating Berth 306, add 12 new cranes to Berths 302-306, add 56 acres for backlands, wharfs, and gates improvements, construct electrification infrastructure in the backlands behind Berths 305-306, and relinquish the 30 acres currently on space assignment. This alternative would be the same as the proposed Project, except that EMS would relinquish the 30 acres of backlands under space assignment. As with the proposed Project, the 41-acre backlands and Berth 306 under Alternative 5 could utilize traditional container operations, electric automated operations, or a combination of the two over time. Dredging of the Pier 300 Channel along the new wharf at Berth 306 (approximately 20,000 cy) would occur, with the dredged material beneficially reused, and/or disposed of at an approved disposal site (such as the CDF at Berths 243-245 and/or Cabrillo shallow water habitat) or, if needed, disposed of at an ocean disposal site (i.e., LA-2).

Under Alternative 5, the total gross terminal acreage would be 317 acres, which is less than the proposed Project. TEU throughput would be the same as the proposed Project, with an expected throughput of approximately 3.2 million TEUs by 2027. This would translate into 390 annual ship calls at Berths 302-306. In addition, this alternative would result in up to 11,361 peak daily truck trips (3,003,157 annual) including drayage, and up to 2,953 annual one-way rail trip movements. Configuration of all other landside terminal components would be identical to the existing terminal.

CEQA Impact Determination

Impact CR-1: Alternative 5 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.

Under Alternative 5, the same amount of construction would be undertaken compared to the proposed Project. Alternative 5 is located on imported/modern fill (i.e., dredged material), such that the probability of encountering intact, unknown archaeological and ethnographic resources is remote. Given this and the fact that no archaeological resources listed or eligible for listing in the NRHP or CRHR have been identified within the Project area during previous archaeological investigations, and an NAHC search of their Sacred Lands File (and coordination with Native American contacts) did not indicate the presence of ethnographic resources in the immediate Project area, the potential for impacting archaeological and ethnographic resources is considered to be extremely low in areas requiring activities that may disturb intact surface soils. Based on this analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources, and less than significant impact on in-water cultural resources.

Mitigation Measures

No mitigation is required. Although the potential for impacts on unknown archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a standard condition of approval.

Residual Impacts

Impacts would be less than significant.

1 **Impact CR-2: Alternative 5 would have a low potential to result in a**
2 **permanent loss of, or loss of access to, a paleontological resource of**
3 **regional or statewide significance.**

4 Other aspects of Alternative 5 construction are not expected to encounter paleontological
5 resources based on the limited depth of excavation and the disturbed nature of the Project
6 site. Under Alternative 5, the same amount of construction would be undertaken
7 compared to the proposed Project. The Project site under Alternative 5 is located on
8 imported/modern fill soils (i.e., dredged material), such that the probability of
9 encountering intact, unknown paleontological resources or unique geologic feature is
10 remote. Given this and the fact that no paleontological resources have been identified
11 within the proposed Project area during previous investigations, the potential for
12 impacting paleontological resources is considered to be extremely low. In addition, the
13 potential to encounter sensitive paleontological resources when performing dredging in
14 the ancestral San Pedro Bay (along Berth 306) is also extremely low. Based on this
15 analysis, there would be a less than significant impact on paleontological resources under
16 CEQA because Alternative 5 would not result in the permanent loss of or access to, a
17 paleontological resource.

18 *Mitigation Measures*

19 No mitigation is required.

20 *Residual Impacts*

21 Impacts would be less than significant.

22 **NEPA Impact Determination**

23 **Impact CR-3: Alternative 5 would have a low potential to have an**
24 **adverse effect on known or unknown prehistoric and/or historic**
25 **archaeological or ethnographic resources included, or qualified for**
26 **inclusion, on the NRHP.**

27 Under Alternative 5, the same amount of construction would be undertaken compared to
28 the proposed Project. The Project site under Alternative 5 is located on imported/modern
29 fill (i.e., dredged material), such that the probability of encountering intact, unknown
30 archaeological and ethnographic resources is remote. Given this and the fact that no
31 archaeological resources listed or eligible for listing in the NRHP or CRHR have been
32 identified within the Project area during previous archaeological investigations, and a
33 NAHC search of their Sacred Lands File, and coordination with Native American
34 contacts, did not indicate the presence of ethnographic resources in the immediate Project
35 area, the potential for impacting archaeological and ethnographic resources is considered
36 to be extremely low in areas requiring activities that may disturb intact surface soils.
37 Based on this analysis, proposed construction activities would result in less than
38 significant impacts on archaeological and ethnographic resources, and less than
39 significant impact on in-water cultural resources.

40

1 *Mitigation Measures*

2 No mitigation is required. Although the potential for impacts on unknown
3 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
4 standard condition of approval.

5 *Residual Impacts*

6 Impacts would be less than significant.

7 **Impact CR-4: Alternative 5 would have a low potential result in a**
8 **permanent loss of, or loss of access to, a significant paleontological**
9 **resource.**

10 Under Alternative 5, the same amount of construction would be undertaken compared to
11 the proposed Project. Although Alternative 5 would involve in-water, over-water, and
12 upland development not included in the NEPA baseline, the Project site under
13 Alternative 5 is located on imported/modern fill soils (i.e., dredged material), such that
14 the probability of encountering intact, unknown paleontological resources or unique
15 geologic feature is remote. Given this and the fact that no paleontological resources have
16 been identified within the proposed Project area during previous investigations, the
17 potential for impacting paleontological resources is considered to be low. In addition, the
18 potential to encounter sensitive paleontological resources when performing dredging in
19 the ancestral San Pedro Bay (along Berth 306) is also extremely low. Based on this
20 analysis, proposed construction activities would result in less than significant impacts on
21 paleontological resources under NEPA.

22 *Mitigation Measures*

23 No mitigation is required.

24 *Residual Impacts*

25 Impacts would be less than significant.

26 **3.4.4.3.2.6 Alternative 6 – Proposed Project with Expanded On-dock Railyard**

27 Alternative 6 would be the same as the proposed Project; however, the existing on-dock
28 railyard on the terminal would be redeveloped and expanded. Under this alternative,
29 approximately 10 acres of backlands would be removed from container storage for the
30 railyard expansion. Alternative 6 would improve the existing terminal, develop the
31 existing 41-acre fill area as backlands, add 1,250 ft of new wharf creating Berth 306, and
32 dredge the Pier 300 Channel along Berth 306. Under this alternative, 12 new cranes
33 would be added to the wharves along Berths 302-306, for a total of 24 cranes. As with
34 the proposed Project, the 41-acre backlands and Berth 306 under Alternative 6 could
35 utilize traditional container operations, electric automated operations, or a combination of
36 the two over time. Dredging of the Pier 300 Channel along Berth 306 would occur
37 (removal of approximately 20,000 cy of material), with the dredged material
38 beneficially reused and/or disposed of at an approved disposal site (such as the CDF at
39 Berths 243-245 and/or Cabrillo shallow water habitat) or, if needed, disposed of at an
40 ocean disposal site (i.e., LA-2). Total terminal acreage (347) would be the same as the
41 proposed Project.

1 Based on the throughput projections, TEU throughput would be the same as the proposed
2 Project, with an expected throughput of approximately 3.2 million TEUs by 2027. This
3 would translate into 390 annual ship calls at Berths 302-306. In addition, Alternative 6
4 would result in up to 10,830 peak daily truck trips (2,862,760 annual), and up to
5 2,953 annual rail trip movements. Configuration of all other landside terminal
6 components would be identical to the existing terminal.

7 **Impact CR-1: Alternative 6 would have a low potential to disturb,**
8 **damage, or degrade an archaeological and ethnographic resource or**
9 **its setting that is found to be important under the criteria of CEQA.**

10 Under Alternative 6, the same amount of in-water construction would be undertaken
11 compared to the proposed Project, but the upland construction activity would be slightly
12 greater due to railyard improvements. The Project site under Alternative 6 is located on
13 imported/modern fill (i.e., dredged material), such that the probability of encountering
14 intact, unknown archaeological and ethnographic resources is remote. Given this and the
15 fact that no archaeological resources listed or eligible for listing in the NRHP or CRHR
16 have been identified within the Project area during previous archaeological
17 investigations, and a NAHC search of their Sacred Lands File (and coordination with
18 Native American contacts) did not indicate the presence of ethnographic resources in the
19 immediate Project area, the potential for impacting archaeological and ethnographic
20 resources is considered to be extremely low in areas requiring activities that may disturb
21 intact surface soils. Based on this analysis, proposed construction activities would result
22 in less than significant impacts on archaeological and ethnographic resources, and less
23 that significant impact on in-water cultural resources.

24 *Mitigation Measures*

25 No mitigation is required. Although the potential for impacts on unknown
26 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
27 standard condition of approval.

28 *Residual Impacts*

29 Impacts would be less than significant.

30 **Impact CR-2: Alternative 6 would have a low potential to result in a**
31 **permanent loss of, or loss of access to, a paleontological resource of**
32 **regional or statewide significance.**

33 Under Alternative 6, the same amount of in-water and upland construction would be
34 undertaken compared to the proposed Project. The Project site under Alternative 6 is
35 located on imported/modern fill soils (i.e., dredged material), such that the probability of
36 encountering intact, unknown paleontological resources or unique geologic feature is
37 remote. Given this and the fact that no paleontological resources have been identified
38 within the proposed Project area during previous investigations, the potential for
39 impacting paleontological resources is considered to be extremely low in areas requiring
40 trenching or other activities that may disturb intact surface soils. In addition, the
41 potential to encounter sensitive paleontological resources when performing dredging in
42 the ancestral San Pedro Bay (along Berth 306) is also extremely low. Based on this
43 analysis, there would be a less than significant impact on paleontological resources under

1 CEQA because Alternative 6 would not result in the permanent loss of, or access to, a
2 paleontological resource.

3 *Mitigation Measures*

4 No mitigation is required.

5 *Residual Impacts*

6 Impacts would be less than significant.

7 **NEPA Impact Determination**

8 **Impact CR-3: Alternative 6 would have a low potential to have an**
9 **adverse effect on known or unknown prehistoric and/or historic**
10 **archaeological or ethnographic resources included, or qualified for**
11 **inclusion, on the NRHP.**

12 Under Alternative 6, the same amount of in-water construction would be undertaken
13 compared to the proposed Project, but the upland construction would be greater.
14 Although Alternative 6 would involve over-water and upland development not included
15 in the NEPA baseline, the Project site under Alternative 6 is located on imported/modern
16 fill (i.e., dredged material), such that the probability of encountering intact, unknown
17 archaeological and ethnographic resources is remote. Given this and the fact that no
18 archaeological resources listed or eligible for listing in the NRHP or CRHR have been
19 identified within the Project area during previous archaeological investigations, and an
20 NAHC search of their Sacred Lands File (and coordination with Native American
21 contacts) did not indicate the presence of ethnographic resources in the immediate Project
22 area, the potential for impacting archaeological and ethnographic resources is considered
23 to be extremely low in areas requiring activities that may disturb intact surface soils.
24 Based on this analysis, proposed construction activities would result in less than
25 significant impacts on archaeological and ethnographic resources, and less than
26 significant impact on in-water cultural resources.

27 *Mitigation Measures*

28 No mitigation is required. Although the potential for impacts on unknown
29 archaeological and ethnographic resources is remote, **SC CR-1** would be applied as a
30 standard condition of approval.

31 *Residual Impacts*

32 Impacts would be less than significant.

33 **Impact CR-4: Alternative 6 would have a low potential result in a**
34 **permanent loss of, or loss of access to, a significant paleontological**
35 **resource.**

36 Under Alternative 6, the same amount of in-water construction would be undertaken
37 compared to the proposed Project. Although Alternative 6 would involve over-water and
38 upland development not included in the NEPA baseline, the Project site under Alternative
39 6 is located on imported/modern fill soils (i.e., dredged material), such that the
40 probability of encountering intact, unknown paleontological resources or unique geologic
41 feature is remote. Given this and the fact that no paleontological resources have been

1 identified within the proposed Project area during previous investigations, the potential
2 for impacting paleontological resources is considered to be low. In addition, the potential
3 to encounter sensitive paleontological resources when performing maintenance dredging
4 in the ancestral San Pedro Bay is also extremely low. Based on this analysis, proposed
5 construction activities would result in less than significant impacts on paleontological
6 resources under NEPA.

7 *Mitigation Measures*

8 No mitigation is required.

9 *Residual Impacts*

10 Impacts would be less than significant.

11 **3.4.4.5 Summary of Impact Determinations**

12 Table 3.4-1 summarizes the CEQA and NEPA impact determinations of the proposed
13 Project and alternatives related to Cultural Resources, as described in the detailed
14 discussion above. This table is meant to allow easy comparison between the potential
15 impacts of the proposed Project and alternatives with respect to this resource. Identified
16 potential impacts may be based on federal, state, or City of Los Angeles significance
17 criteria, Port criteria, and the scientific judgment of the report preparers.

18 For each impact threshold, the table describes the impact, notes the NEPA and CEQA
19 impact determinations, describes any applicable mitigation measures, and notes the
20 residual impacts (i.e., the impact remaining after mitigation). All impacts, whether
21 significant or not, are included in this table.

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Proposed Project	CR-1: The proposed Project would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact on known resources and less than significant impact on unknown resources.	Mitigation not required; however, SC CR-1: Stop work in area if prehistoric and/or archaeological resources are encountered would further reduce any potential impacts.	CEQA: Less than significant
	CR-2: The proposed Project would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: Less than significant	Mitigation not required.	CEQA: Less than significant
	CR-3: The proposed Project would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Less than significant	Mitigation not required; however, SC CR-1 would further reduce any potential impacts.	NEPA: Less than significant
	CR-4: The proposed Project would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Less than significant	Mitigation not required	NEPA: Less than significant
Alternative 1 – No Project	CR-1: Alternative 1 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact	Mitigation not required	CEQA: No impact
	CR-2: Alternative 1 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: No Impact	Mitigation not applicable	CEQA: No impact

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
	CR-3: Alternative 1 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable
	CR-4: Alternative 1 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Not applicable	Mitigation not applicable	NEPA: Not applicable
Alternative 2 – No Federal Action	CR-1: Alternative 2 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact	Mitigation not required	CEQA: No impact
	CR-2: Alternative 2 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: No Impact	Mitigation not required	CEQA: No Impact
	CR-3: Alternative 2 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: No impact	Mitigation not required	NEPA: No impact
	CR-4: Alternative 2 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: No impact	Mitigation not required	NEPA: No impact
Alternative 3 – Reduced Project: Four New Cranes	CR-1: Alternative 3 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact on known resources and less than significant impact on unknown resources.	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	CEQA: Less than significant
	CR-2: Alternative 3 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: Less than significant	Mitigation not required	CEQA: Less than significant

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
	CR-3: Alternative 3 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Less than significant	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	NEPA: Less than significant
	CR-4: Alternative 3 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Less than significant	Mitigation not required	NEPA: Less than significant
Alternative 4 – Reduced Project: No New Wharf	CR-1: Alternative 4 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact on known resources and less than significant impact on unknown resources.	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	CEQA: Less than significant
	CR-2: Alternative 4 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: Less than significant	Mitigation not required	CEQA: Less than significant
	CR-3: Alternative 4 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Less than significant	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	NEPA: Less than significant
	CR-4: Alternative 4 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Less than significant	Mitigation not required	NEPA: Less than significant
Alternative 5 – Reduced Project: No Space Assignment	CR-1: Alternative 5 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact on known resources and less than significant impact on unknown resources.	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	CEQA: Less than significant
	CR-2: Alternative 5 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: Less than significant	Mitigation not required	CEQA: Less than significant

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
	CR-3: Alternative 5 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Less than significant	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	NEPA: Less than significant
	CR-4: Alternative 5 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Less than significant	Mitigation not required	NEPA: Less than significant
Alternative 6 – Proposed Project with Expanded On-Dock Railyard	CR-1: Alternative 6 would have a low potential to disturb, damage, or degrade an archaeological and ethnographic resource or its setting that is found to be important under the criteria of CEQA.	CEQA: No impact on known resources and less than significant impact on unknown resources.	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	CEQA: Less than significant
	CR-2: Alternative 6 would have a low potential to result in a permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.	CEQA: Less than significant	Mitigation not required	CEQA: Less than significant
	CR-3: Alternative 6 would have a low potential to have an adverse effect on known or unknown prehistoric and/or historic archaeological or ethnographic resources included, or qualified for inclusion, on the NRHP.	NEPA: Less than significant	Mitigation not required; however, SC CR-1 would reduce any potential impacts.	NEPA: Less than significant
	CR-4: Alternative 6 would have a low potential result in a permanent loss of, or loss of access to, a significant paleontological resource.	NEPA: Less than significant	Mitigation not required	NEPA: Less than significant

3.4.4.6 Mitigation Monitoring

In the absence of significant impacts, mitigation measures are not required. However, the following standard condition of approval (discussed under Impact CR-1 and CR-3 in Section 3.4.4.3) has been added to the proposed Project and Alternatives 3, 4, 5, and 6.

SC CR-1: Stop Work in Area if Prehistoric and/or Archeological Resources are Encountered. In the unlikely event that any artifact, or an unusual amount of bone, shell, or non-native stone is encountered during construction, work shall be immediately stopped, the area secured, and work relocated to another area until the found materials can be assessed by individuals competent to assess their value. Examples of such cultural materials might include concentrations of grinding stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historical trash pits containing bottles and/or ceramics; or structural remains. The contractor shall stop construction within 10 meters (30 feet) of the exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the find (see 36 CFR 800.11.1 and California Code of Regulations, Title 14, Section 15064.5(f)). If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with Section 106 or State Historic Preservation Officer Guidelines. All construction equipment operators shall attend a preconstruction meeting presented by a professional archaeologist retained by the Port that shall review types of cultural resources and artifacts that would be considered potentially significant, to ensure operator recognition of these materials during construction.

Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrieliño/Tongva Tribal Council, to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.

3.4.5 Significant Unavoidable Impacts

No significant unavoidable impacts on archaeological, ethnographic, and paleontological resources would occur during construction or operation at the Project site under either the proposed Project or any alternative.

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