



January 8, 2009

Submitted via email

President David S. Freeman
Members of the Los Angeles Board of Harbor Commissioners
Attn: Michael Cham, Harbor Planner & Economic Analyst
Port of Los Angeles
P.O. Box 151
San Pedro, California 90733
via email: mcham@portla.org

Re: Draft Port Master Plan Amendment for Main Channel Deepening Project

Dear President Freeman and Harbor Commissioners:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Port Master Plan Amendment for the Main Channel Deepening Project. The Conservancy is the countywide historic preservation organization for the Los Angeles area and is the largest local historic preservation organization in the United States, with over 7,000 members. We have previously submitted comments on the proposed Southwest Marine Buildings Demolition Project, located directly adjacent to Berths 243-245 and deemed eligible for the National Register of Historic Places. As the port is currently reevaluating future disposition of the Southwest Marine buildings, we are concerned that the historic significance of Berths 243-245 has yet to be considered as part of the original shipyard complex, further demonstrating an unlawful "pattern and practice" of segmenting critical project components under CEQA. Accordingly, we urge the Harbor Commission to direct the port to hire a consultant to evaluate the potential significance of Berths 243-245, and their inclusion in the district already determined eligible for the National Register, before taking any action on the Main Channel Deepening Project.

The Southwest Marine Shipyard, including the slipways proposed to be filled with contaminated dredge spoils, is the last remaining link to Terminal Island's significant role in the World War II emergency shipbuilding program. As one of only 15 private and Navy shipyards building destroyers during the war, the former Bethlehem Steel Shipyard launched 26 destroyers from Berth 240 (renamed Berths 243-245 in the proposed project). The original shipyard infrastructure is remarkably intact today, with 13 of the 16 buildings deemed eligible for the National Register, including everything from the original hospital building and warehouses to a transformer shed and various machine shops used during WWII emergency shipbuilding operations. There are also six pre-1945 gantry cranes that contribute to the significance of the historic district.

Although integral to the shipyard's historic maritime uses, Berths 243-245 were apparently not evaluated for possible inclusion within the boundaries of the historic district – neither in the EIR for the Southwest Marine Buildings Demolition Project nor the Draft SEIS/SEIR for the Port of Los Angeles Channel Deepening Project.¹ Despite being modified in 1959 as part of Bethlehem Steel's Cold War improvement program, the slipways occupy the same wartime footprint and remain essential to maintaining the site's historic uses as a ship building and repair facility.² As a result, the potential impact of filling the slipways on the historic district as a whole has not been considered as part of the proposed Main Channel Deepening Project.

A comparable collection of shipyard buildings and waterside features can be found at Bethlehem Steel's sister facility at Pier 70 in San Francisco, which is currently slated for reuse and redevelopment by the Port of San Francisco.³ The State Office of Historic Preservation has determined that the site's approximately 30 historic buildings, structures, and waterside features are eligible for the National Register collectively as contributors to a Pier 70 historic district. It is particularly noteworthy that the Pier 70 historic district includes altered and filled-in slipways within its boundaries, albeit as non-contributing elements. The inclusion of the Pier 70 slipways and other waterside features within district boundaries, despite major alterations after the period of significance, recognizes their integral role in the site's overall historic context: "Pier 70's unique qualities go beyond the diverse architectural character of the individual buildings. The relationship of buildings and spaces to the Bay and the pattern of slipways, dry docks and piers underline the maritime significance of the complex."⁴

The Los Angeles Conservancy would like to continue to actively participate in the review process for the above-referenced project, as a "consulting party" under Section 106 of the National Historic Preservation Act (NHPA), pursuant to 36 C.F.R. § 800.2(c)(6). Over the past two years, the Conservancy has submitted numerous comment letters on projects affecting historic resources at the port, including the proposed Southwest Marine Buildings Demolition Project and the Pan-Pacific Fisheries Cannery Buildings Demolition Project. With regard to the Main Channel Deepening Project, we are disappointed that Section 106 consultation has yet to be initiated at this late stage in the environmental review process, with the Final SEIS/SEIR currently scheduled for certification by the

¹ Although the DEIS/DEIR acknowledges that Berths 243-245 would be demolished as part of the proposed project, it does not analyze their potential significance as part of the Southwest Marine historic district. Port of Los Angeles Channel Deepening Project Draft SEIS/SEIR (July 2008) at p.3.4-2.

² The Secretary of the Interior's Standards for Preservation, Standard 1, provides: "A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken."

³ See www.sfgov.org/site/port_page.asp?id=34925.

⁴ Informational briefing on the status of the Pier 70 Master Planning Process to San Francisco Port Commission, August 7, 2008.

Harbor Commission next month.⁵ Certainly, the State Office of Historic Preservation could have provided valuable guidance as to whether Berths 243-245 should be included within the boundaries of Southwest Marine National Register-eligible historic district.

Thank you for the opportunity to comment on the Draft Port Master Plan Amendment for the Main Channel Deepening Project. We ask that these comments be included in the administrative record for the SEIS/SEIR currently being prepared under NEPA and CEQA for the proposed project, incorporating by reference our previously submitted comments on the Southwest Marine Buildings Demolition Project. Please feel free to contact me at (213) 430-4203 or mbuhler@laconservancy.org should you have any questions.

Sincerely,



Michael Buhler, Esq.

Director of Advocacy

cc: Stephen Dibble, Senior Archeologist, Army Corps of Engineers
Ralph Appy, Ph.D., Director of Environmental Management, Los Angeles Harbor
Department
Steve Mikesell, Deputy State Historic Preservation Officer

⁵ The identification, evaluation and initial effect determination under Section 106 should be coordinated with the Environmental Assessment and Draft EIS/EIR preparation under NEPA and CEQA, with consultation to resolve adverse effects taking place as needed before the EIR/EIS is finalized. Thomas King, *Cultural Resource Laws & Practice: an introductory guide* (AltaMira Press, 1998), 135.

