

Appendix D

Port Community Advisory Committee Project Involvement

Port Community Advisory Committee (PCAC)

C.1 Introduction, PCAC Purpose and Goals

The Port Community Advisory Committee (PCAC) was established in 2001 as a standing committee of the Port of Los Angeles Board of Harbor Commissioners (Board). In accordance with the direction provided by Mayor Hahn (Attachment A), the purposes of the PCAC are to:

- Assess the impacts of Port developments on the harbor area communities and recommend suitable mitigation measures to the Board for such impacts.
- Review past, present, and future environmental documents in an open public process and make recommendations to the Board to ensure that impacts to the communities are appropriately mitigated in accordance with federal and California law.
- Provide a public forum and make recommendations to the Board to assist the Port in taking a leadership role in creating balanced communities in Wilmington, Harbor City, and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port.

The Port of Los Angeles Community Advisory Committee provides a public forum to discuss Port-related quality of life issues through a series of subcommittees. These subcommittees provide guidance on environmental issues, review of Environmental Impact Reports (EIRs), master planning, and Port redevelopment. The specific purpose of this Appendix to the Berth 97-109 Container Terminal Project is to document the involvement of the PCAC in the preparation and review in this Draft EIR (DEIR).

C.2 Overview of PCAC Involvement

This Appendix documents PCAC members' involvement in the review of the Berth 97-109 Container Terminal Project. Using the Cabrillo Way Marina Phase II EIR as a model and working with the China Shipping subcommittee (now called the Past EIR subcommittee), a generalized approach was identified for PCAC involvement in

preparation of EIRs and a template (Attachment B) was developed to document this involvement.

Port staff met with members of PCAC, through the Past EIR subcommittee, on June 22, 2006 to discuss general mitigation measures. Because the NOI/NOP for this project predates the PCAC template, a meeting was not held with PCAC prior to NOI/NOP's release. The table below documents PCAC's involvement in the EIR process and writing this DEIR.

Table C-1: Summary of PCAC Participation in EIR process*

Event	Date	PCAC Participation
NOP	Released 6/26/03	Copy sent to all voting members of PCAC
Scoping Meeting	7/10/2003	Public Meeting
Mitigation Measures Approach	6/22/06	PCAC-Small Group (past EIR subcommittee)

*Because the NOI/NOP for this project predates the PCAC template, a meeting was not held with PCAC prior to NOI/NOP's release

C.3 Notice of Preparation

The NOP was completed and released for public review on June 26, 2003. Two public scoping meetings were held simultaneously on July 10, 2003 at the Banning's Landing Community Center and the Wilmington Senior's Center both in Wilmington. Over 40 public comments were received during the NOI/NOP scoping period. The PCAC also submitted a comment letter (a summary is contained in Attachment C).

C.4 Draft EIR Preparation

In addition to the Settlement Agreement, the comment letter received during the NOP public review period helped the LAHD identify potential impacts and mitigations for this project. PCAC requested the following issues, presented as an overview of Attachment C, be explored in the DEIR:

- **Project Description:** The DEIR must contain detailed plans of the proposed facility and infrastructure improvements. Site operations must be described in full detail to facilitate review of project impacts.

- **Aesthetics:** Analysis should include light and glare in regards to no Port/on night lighting, information on cargo stacking, and cumulative effects of Port activities over time including visual access to the water. Analysis should examine low profile cranes. Project should include on and off-Port beautification
- **Air Quality:** Project must include a discussion of the following issues:
 - Cumulative impacts from other sources of pollution in the surrounding area.
 - Localized air quality impacts
 - Address current and anticipated air quality standards
 - Address human health impacts
 - Include out-of-state vehicles in air quality analysis
 - Establish air pollutant monitoring stations in Wilmington and San Pedro
- **Traffic:** The DEIR must include a discussion of the following issues:
 - Both project specific and cumulative impacts on local and regional transportation systems
 - The potential for increased traffic on local streets
 - Impacts on access to water
 - Include truck trips to deposit or dispose of any empty containers
 - Conflicts between street and rail traffic including average delays at railroad crossings
 - Infrastructure improvements and timing of improvements
 - Detours due to any site specific construction.
- **Community Blight:** The geographic area for this analysis must include the “Pacific Corridor” and “Beacon Street” redevelopment areas of San Pedro and all of Wilmington especially the area south of Anaheim Street on down to the Harbor district. The project analysis should recognize the cumulative effect of the Port in creating “blight” in both Wilmington and San Pedro. Evaluation of blight must include an analysis of property values, land use, aesthetics, cultural resources, and public health and safety. The analysis should also examine
- **Cumulative Impacts:** All impacts must be examined in light of other planned and reasonably foreseeable growth both on and off Port property.
- **Alternatives:** Project must include smaller development alternatives.

Along with the above issues, PCAC also developed a number of project mitigation measures and community aesthetics projects. These measures can be found in Appendix C.

C.5 Draft EIR Preparation

Once the Draft EIR is released, Port staff will meet with the Past EIR Subcommittee to review the contents of the Draft EIR in accordance with the process identified in Attachment B.



CITY HALL
LOS ANGELES, CALIFORNIA 90012

August 9, 2001

Board of Harbor Commissioners
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Commissioners-Designee:

As a resident of San Pedro, I have long been aware of the impacts that the Port of Los Angeles has on the harbor area communities.

While the Port is a significant economic engine for the City of Los Angeles and the entire Southern California region, the residents who are its immediate neighbors must not suffer the negative environmental effects that can result from the activities at the Port.

I have met with many residents from Wilmington, Harbor City and San Pedro over the recent months. They have many concerns and lots of good ideas. We need to listen to them. I am urging the new Harbor Commission and the Port staff to implement the following recommendations immediately so that we can begin to improve communications between the Port and the community and improve the quality of life for harbor area residents:

- Establish a Community Advisory Committee to assess the impacts of Port developments on the harbor area communities. This committee will work closely with the soon-to-be-formed local neighborhood councils and existing community groups to enhance communication and improve our neighborhoods.
- In conjunction with the Community Advisory Committee, review all past, present, and future environmental documents in an open public process to ensure that all laws - particularly those related to environmental protection -

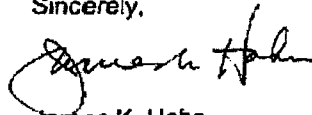
Board of Harbor Commissioners
August 9, 2001
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have been obeyed, all City procedures followed, and all adverse impacts upon the communities mitigated.

- In conjunction with the Community Advisory Committee, take a leadership role in creating balanced communities in Wilmington, Harbor City and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port. For example, immediately evaluate how the Port can develop the proposed Promenade project and how it can participate in the proposed international business charter high school.

Enhancing the quality of life for all residents of the City of Los Angeles is a priority for me, and I look forward to working with the Commission and the Port staff to make sure that the Port of Los Angeles is not only successful, but is a good neighbor as well.

Sincerely,



James K. Hahn
Mayor

JKH:tf

cc: Councilwoman Janice Hahn
Larry Keller



CITY HALL
LOS ANGELES, CALIFORNIA 90012

October 17, 2003

The Honorable Camilla Townsend-Kocol
Los Angeles Board of Harbor Commissioners
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Commissioner Townsend-Kocol:


I have received your letter requesting clarification regarding the role of the Port Community Advisory Committee. First, I want to thank you for your unwavering leadership as Co-Chair of the PCAC. Your commitment to improving the relationship between the Port and the Harbor communities is admirable.

I agree that a meeting with the Commission President, PCAC representatives, City Attorney's Office, and my staff to further delineate the structures and procedures of this advisory committee would be valuable. I remain determined to improve the Port's working relationship with the Harbor communities.

When directing the Board of Harbor Commission to establish PCAC in August of 2001, I envisioned an *advisory* body that could give voice to the concerns of the Harbor community stakeholders. While the public process can be time consuming, PCAC's role in assessing the developmental and environmental impacts of Port structures is significant, necessary and beneficial. My intent for PCAC to review past environmental impact reports is to learn valuable lessons from past projects and assessments as we progress together into a new era of cooperation. As part of the public, PCAC's comments about current and future environmental impact reports must continue to adhere to state and federal guidelines under CEQA. PCAC should continue to work in good faith with diligent Port staff in this process.

As you well know, the Port of Los Angeles is the third largest port complex in the world. Our presence on the international and domestic market is unparalleled. As Port development projects continue to move forward, let us not forget the benefits derived from this economic engine. I want to thank you, your fellow harbor commissioners, and Port staff for their tireless efforts at incorporating public input into development projects.

Very truly yours,



JAMES K. HAHN
Mayor

JKH:ww

Attachment B
Review of Past, Present, and Future EIRs

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Nicholas G. Tonsich, President

Elwood Lui, Vice President

James E. Acevedo

Camilla T. Kocai

Thomas H. Warren

Larry A. Keller
Executive Director

DATE: September 24, 2003

TO: Nicolas G. Tonsich, President
Board of Harbor Commissioners

FROM: Ralph G. Appy, Ph.D. *RGA*
Director of Environmental Management

SUBJECT: REVIEW OF PAST, PRESENT AND FUTURE EIRs

Introduction / Background

Harbor Department staff presently has a large number of EIRs scheduled for preparation. These EIRs are generated both from applications filed by current and potential port tenants and by public improvement projects such as the waterfront promenade.

At the same time, PCAC is trying to determine a way to follow the Mayor's directive to review past, present and future EIRs.

It is apparent that the level of PCAC involvement on all future EIRs, such as is occurring on the China Shipping EIS/EIR will be difficult and that comprehensive review of all past EIRs is equally daunting. Staff has reviewed the interim report of the PCAC Working Group and is aware of the review the working group has conducted on the Pier 400 environmental documents. The following are staff recommendations regarding procedures for review of Harbor Department EIRs.

Review of Past EIRs

Staff will provide CEQA consultant services to assist PCAC in their review of past EIRs. This review will be based on a defined scope of work related to the obligations of CEQA. Port staff will review all directions given to consultant by the Working Group to ensure that tasks are within the scope specified in the contract between the consultant and the Port and that invoices conform to audit requirements established by the City.

As discussed at the September 3, 2003 meeting, we believe time would be better spent improving future EIRs, by identifying potential mitigation measures for example, than by extensive review of past EIRs which were prepared in a different era under a different administration.

Staff believes that a further review of a representative sample of past EIRs does have value, as focused analysis may suggest additional improvements that could be made in future EIRs.

Staff recommends that the appropriate PCAC subcommittees responsible for the environmental studies set forth by the Board and the Mayor (air, water, traffic and lighting/aesthetics/noise) work with staff and assigned consultants to develop feasible mitigation measures for consideration by the Board.

As the subcommittees have developed a base of knowledge and experience with their respective issues, they are the appropriate venue for identifying specific mitigation measures. As stated above, staff believes our focus should be on implementing feasible, effective mitigation measures that will providing lasting, measurable benefit to the community.

Review of Present and Future EIRs

The PCAC plays an important role in advising the Board and staff fully supports this advisory role for PCAC with respect to future EIRs.

For legal reasons, as described below, staff cannot share intermediate (draft) work product associated with preparation of EIRs. Staff understands, however, the interest among PCAC representatives to participate and assist in the environmental analysis of proposed projects. Fortunately, staff believes effective means exist to satisfy both the clear statutory requirements of CEQA and the important advisory role of PCAC as established by the Harbor Commission.

The Department is obligated to prepare an environmental document that can be certified by the Board as having been prepared in accordance with CEQA and that allows the Board to make an informed decision on a proposed project.

Further, in preparing environmental documents, staff must protect the Department and the City by remaining cognizant of potential legal challenges whether from environmental advocacy and community groups or from customers, trade associations, unions or other parties.

At the same time, staff recognizes that PCAC's founding charter includes a role for analysis of environmental impacts in furtherance of its advisory role to the Board of Harbor Commissioners.

Staff therefore recommends an approach that provides a standardized "template" applicable to all EIRs, combined with a clearly defined role for active, meaningful and documented participation by PCAC in individual EIRs. This approach should effectively balance the potentially competing objectives of the inclusion sought by PCAC and the independence required by CEQA.

The approach staff recommends addresses issues raised by the Working Group in its analysis of past EIRs. It includes a clear data baseline to evaluate projects and, most importantly, provides for implementation of meaningful mitigation for the communities affected by Port operations.

Staff recommends the following specific steps for forthcoming EIRs:

1. Each EIR will contain a "standard" list of projects that would be included in cumulative impact analysis. This list can be established for the China Shipping EIR, although the projects will change as time progresses.
2. Harbor Department staff will formalize its current outreach procedures, as provided in the attached Table, to insure the widest possible participation in the environmental review process.
3. Through the various PCAC subcommittees, PCAC and staff will jointly develop a menu of mitigation measures. As they become available, these measures will be listed in each EIR with a discussion of the applicability/feasibility of each measure. Applicable/feasible measures will be recommended to the Board in the Final EIR. Agencies and non-PCAC stakeholders will be requested to provide potential mitigation measures as appropriate. Staff will maintain a list of mitigation measures as they are implemented and also develop a comprehensive set of "model terminal" operations procedures. A narrative discussion and budget analysis of these mitigation measures will be detailed as part of an annual report.
4. Staff will apply the City's standard thresholds of significance in preparing all EIRs.
5. In addition to a narrative discussion in the EIR text, each EIR Project Description will contain a Data Table that contains the existing condition and the project parameters being assessed. This Table will be modified depending on the type of terminal or other project under consideration. The Data Table will include the following items:
 - a. Terminal acreage
 - b. TEUs per acre or other appropriate measure of throughput
 - c. Number of projected ship calls
 - d. Number of truck movements
 - e. Number of rail movements
 - f. Number of container cranes (or other major equipment)
 - g. Employee estimate and employee vehicles
6. For container terminals, the throughput calculation and associated truck calls and train movements will be in accordance with the methodology utilized for the China Shipping EIS/EIR and approved during development of the port-wide inventories.

7. Out-year calculations of cargo throughput and associated activities (ship/truck/rail) will be done for the build-out year, 2010, and 2025 (or the appropriate forecast year for the Regional Transportation Plan [RTP] or commodity).
8. The Port will utilize project assumptions for air and traffic issues that are consistent with the environmental studies directed by the Mayor and the Board.
9. To provide for specific PCAC participation in preparation of EIRs, each EIR will contain an appendix documenting PCAC input including their comments on the NOP, Draft and Final EIRs, minutes of meetings with Port staff and any other relevant communications.
10. Each EIR will contain a discussion of the Mayor's goal of "no net increase" indicating how this will be achieved.
11. Staff will include in all Final EIRs a section that identifies any unresolved issues on the EIR between staff and PCAC. PCAC may elect to submit comments through motion to the Board at the time of EIR certification (see item 8 below). These documents will further the ability of the public to fully comprehend the issues associated with each project and give the Board as much information as practicable as the Board considers whether to approve, modify or disapprove a project.

Staff believes the foregoing approach creates both an objective data baseline and a standardized process that addresses concerns raised by the Past EIR Working Group Interim Report.

In addition to the measures listed above, staff recommends that the Board establish provisions for PCAC engagement at the detail level for individual EIRs. Within the statutory requirement of CEQA, these steps should provide for meaningful PCAC input as environmental documents are prepared.

While the opportunity for PCAC input is most crucial at NOP and Draft EIR stage (as this is the stage at which all interested regulatory agencies find sufficient to provide comment on proposed projects) staff recommends the following process specifically for PCAC input:

1. Before publication of an NOP, staff will meet with the appropriate PCAC subcommittee at a single meeting to describe the project and invite input into the NOP. Staff will fully consider PCAC comments, but with the understanding that complete concurrence may not be possible on all NOP checklist items.
2. The appropriate PCAC subcommittee will document outstanding issues not included in the NOP and provide this documentation to staff.

3. In preparing the Draft EIR, staff will meet with PCAC, if requested by PCAC, to review the project parameters identified in #1 (Past, Present and Future Project List) and #5 above (Project Data Table), obtain input and consider mitigation measures and alternatives for consideration in the EIR.
4. Staff will prepare the EIR, including the components as described here-in. Once the EIR is released, staff and their technical consultants will meet with PCAC, at PCAC request, to review the Draft EIR and obtain PCAC input on the document. Staff and PCAC will use their best efforts to resolve all issues but may elect to disagree on some issues. Based on this review, staff will prepare a summary table identifying PCAC issues and whether they were resolved.
5. PCAC will document any outstanding issues during the public review period for the Draft EIR.
6. Staff will prepare the Final EIR, including the elements described herein and including documentation of PCAC involvement. The Final EIR and staff report accompanying the Final EIR will document unresolved issues.
7. During the certification/hearing process, PCAC may advise the Board as to the comprehensive inclusion of issues addressed by PCAC, the accuracy of the EIR and Staff Report and make recommendations to the Board as provided for in #8 below.
8. Staff will schedule release of the final EIR so that the PCAC Board will have time for its regularly scheduled meeting to consider the final EIR and make any recommendations to the Board. Should PCAC not consider the Final EIR at its first regularly scheduled meeting after the EIR is released, the EIR may be brought to the Board without PCAC consideration.

Staff notes that some EIRs may not be of significant interest to the PCAC. The approach detailed above provides PCAC the discretion of whether it wishes to spend significant effort on EIRs on a case-by-case basis.

Staff believes the foregoing provides for extensive, meaningful participation by PCAC in preparation of EIRs. The intent of these recommendations is to insure that EIRs are useful information documents for PCAC, the public, government agencies and the Board of Commissioners.

In accordance with the Board's and the Mayor's directives and the requirements of CEQA, the procedures recommended above are designed to provide mitigation measures of lasting benefit to the environment and to the communities affected by port operations.

RGJ:yo

Attachment

Attachment C: Summary of PCAC Issues as Submitted on July 28, 2003

Comment Summary

Biological Resource Impacts: interference with bird movement.

Potential to divide an existing community from increased traffic and realignment of Harbor Boulevard.

Traffic Safety Hazards from design and increased traffic.

Impacts to Schools, Residences, and other Sensitive Uses.

Environmental Justice Impacts, including housing values.

Project Parking for queuing trucks.

Provide a complete project description, including bridges and container storage.

Questions project goal and/or methods of meeting that goal.

Identify Project Phasing.

Identify Construction Staging Areas, including staging for circulation improvements.

Large canes have the potential to obstruct views of the Vincent Thomas Bridge.

Address cumulative aesthetic impacts.

Assess light and glare impacts in light of no Port/no night light conditions.

Use mobile harbor cranes to mitigate visual impacts.

Use low-profile cranes to mitigate visual impacts.

Reduce night lighting for nonoperating facilities.

Provide on- and off-Port beautification and aesthetic enhancements. Or construct a replica of the Vincent Thomas Bridge at a high-profile location.

Balance Project emissions with corresponding emissions elsewhere in the Port.

Address current and anticipated air quality standards (i.e., PM_{2.5}).

Address localized air quality impacts.

Examine air quality impacts in light of other sources.

Establish air pollutant monitoring stations in Wilmington and San Pedro.

Assess human health effects of air pollutants.

Use realistic trip lengths in the air quality evaluation.

Include out-of-state vehicles in the air quality evaluation.

Assess air emissions from increased congestion.

Use alternative fuels as mitigation.

Comment Summary

Use electric power for equipment as mitigation.

Use shoreside power for hoteling ships as mitigation.

Establish a program to retire older more polluting trucks.

Implement off-Port measures to reduce Port emissions.

Address the Palos Verdes fault

Address mapped underwater landslide areas in the Bay and off Palos Verdes.

Evaluate increased traffic on evacuation routes.

Evaluate rail delays on emergency response and ingress/egress at the Harbor Division Police Station.

Mitigate impacts to emergency response times.

Potential hazards can occur from container near or under the Vincent Thomas Bridge (hazardous materials).

Full risks of hazards from blast zones.

Include full community evacuation plans as mitigation.

Evaluate impacts on evacuation routes.

Exclude trucks and container within 300 feet of the north side of the Vincent Thomas Bridge.

Establish as 300-foot exclusion zone around container facilities.

Address hazards from tsunamis.

Provide alternate phasing for Harbor Boulevard improvements as mitigation.

Use Front Street and old Todd Shipyard to direct China Shipping traffic off Front Street.

Use Front Street and Todd Shipyard areas for truck storage.

Examine potential neighborhood traffic impacts.

impacts related to access to water.

Include truck trips to dispose empty containers in the traffic analysis.

Evaluate conflicts between street and rail traffic.

Assess impacts related to rail spur crossing of Henry Ford Avenue.

Include all rail lines and spurs on circulation system mapping.

Assess need for new infrastructure and assess implementation responsibility.

Phase infrastructure to project development.

Include means to reduce truck trips as mitigation.

Include energy efficient equipment.

Comment Summary

Evaluate project and cumulative impacts of Port industrial operations in creating community blight. Include Pacific Corridor and Beacon Street redevelopment areas.

Evaluate project and cumulative impacts of Port industrial operations in creating blight off-Port. Include economic status of various census tracts in relation to air quality.

Assess blight impacts as it relates to land use, aesthetics, cultural resources, public health and safety.

Include an evaluation of property values and the effect of port activities on the property values and compare these to other areas in similar proximity to water.

Identify mitigation measure to address blight from Port industrial activities.

Evaluate and mitigate individual and cumulative impacts.

Identify financial and administrative responsibilities for mitigation.

Implement mitigation as requested by the Coalition of a Safe Environment.

The No Project Alternative to include additional shipping to the east coast through the Panama Canal.

Alternative smaller capacity facility.

Alternative Port-related uses such as a shipyard or maritime activity.

Alternative use for community or regional needs such as private marinas.

Alternative locations where private marinas now exist.

Alternative to increase Port efficiency such as improved technology and alternative work shifts.
