

## **Chapter 2.0, Response to Comments**

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**Volume 3**

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**Port of Los Angeles Master Plan Update  
Draft Program Environmental Impact Report (PEIR)  
Comment Form**

Date: 3-16-13

Comments on the Draft PEIR must be postmarked or received by **April 8, 2013**. Comments may be submitted at the public hearing, via email to [ceqacomment@portla.org](mailto:ceqacomment@portla.org) or by U.S. Postal Service to the address below.

- 1. EIR FAILS TO INCLUDE ALL PORT ACTIVITIES ON TIDE LANDS AND OFF TIDE LANDS PORT OWNED PROPERTIES. CFASE2-1
- 2. EIR FAILS TO ASSESS ALL PORT AND TENANT ENVIRONMENTAL IMPACTS. CFASE2-2
- 3. EIR FAILS TO MITIGATE ALL PORT AND TENANT ENVIRONMENTAL IMPACTS. CFASE2-3
- 4. EIR USES AN OUTDATED HEALTH RISK ASSESSMENT AS THE BASIS FOR IT DECISION MAKING, WHEN IN FACT HEALTH IMPACT ASSESSMENT AND PUBLIC HEALTH SURVEYS PROVIDE EXTREMELY ACCURATE PUBLIC HEALTH IMPACTS INFORMATION AND ALLOW APPROPRIATE MITIGATION. CFASE2-4
- 5. EIR FAILS TO INCLUDE PUBLIC REQUESTS THE LANDS AND NON-TIDE LANDS USES. CFASE2-5

\*\*\*Please Print\*\*\*

- 1. Name: JESSE N. MARQUEZ
- 2. Organization/Affiliation (if applicable): COALITION FOR A SAFE ENVIRONMENT
- 3. Address: 1601 N. WILMINGTON BLVD, STE B  
WILMINGTON, CA 90744  
JNM4EV@yahoo.com

Please give this form to one of the Port of Los Angeles representatives, place in the comment box or mail by **April 8, 2013**, to:

Christopher Cannon, Director  
City of Los Angeles Harbor Department  
Environmental Management Division  
425 S. Palos Verdes St.  
San Pedro, CA 90731

Comments may also be emailed to [ceqacomment@portla.org](mailto:ceqacomment@portla.org)

CFSSE2-6

6. THE EIR CLAIMS OF REQUIRING ALTERNATIVE GREEN AND ZERO EMISSIONS TECHNOLOGIES IN PORT TENANT LEASE AGREEMENTS IS MISLEADING. THE WORKING DOES NOT MANDATE THE USE OF NEW CLEAN TECHNOLOGIES WHEN THEY ARE APPROVED, CERTIFIED OR ACKNOWLEDGED BY REGULATORY AGENCIES OR WHOSE TECHNOLOGY HAS BEEN VALIDATED BY THIRD PARTY ENGINEERING COMPANIES AND/OR LABORATORIES OR EXPERTS

CFSSE2-7

7. THE EIR FAILS TO INCLUDE PUBLIC REQUESTS FOR THE EXPANSION AND DEVELOPMENT OF WETLANDS RESTORATION, A WETLANDS AND CULTURAL HERITAGE CENTER. CHASE IDENTIFIED CONSOLIDATED SLIP AS AN AREA WHERE WETLANDS COULD BE INCREASED SIGNIFICANTLY BUT COULD THE MINIMUM DEVELOPED NATIVE AMERICANS OCCUPIED SAN PEDRO BAY BUT THERE IS NO HISTORICAL ACKNOWLEDGEMENT OR PLANS TO ESTABLISH A NATIVE AMERICAN + WETLANDS CENTER.

CFSSE2-8

8. EIR FAILS TO ASSESS, QUANTIFY AND REMOVE CONTAMINATED LAND ABOVE WATER LEVEL AND BELOW WATER LEVEL SUCH AS CONSOLIDATED SLIP.



## 1 **Comment Form CFASE2: Coalition For A Safe Environment**

### 2 **Response to Comment CFASE2-1:**

3 The commenter does not provide any specifics regarding the Draft PEIR's suggested  
4 failure "to include all port activities on tidelands and off tidelands port owned  
5 properties" (sic). The Draft PEIR does describe all Port activities and plans relevant  
6 to the master planning process, and the comment does not provide any information to  
7 the contrary. Accordingly, no further response is required under CEQA  
8 (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). Please note that  
9 LAHD-owned lands outside the coastal zone are not included in the PMPU except as  
10 that information might support activities within the coastal zone. The CCA stipulates  
11 that ports prepare and adopt master plans (PMPs) for the land and water areas within  
12 their boundaries that lie within the coastal zone.

### 13 **Response to Comment CFASE2-2:**

14 The commenter does not provide any specifics regarding the Draft PEIR's suggested  
15 failure "to assess all port and tenant environmental impacts." The Draft PEIR does  
16 describe all impacts relevant to the master planning process, and the comment does  
17 not provide any information to the contrary. Accordingly, no further response is  
18 required under CEQA (PRC Section 21091(d); CEQA Guidelines Section 15204(a)).

### 19 **Response to Comment CFASE2-3:**

20 The commenter does not provide any specifics regarding the Draft PEIR's suggested  
21 failure "to mitigate all port and tenant environmental impacts." The Draft PEIR does  
22 provide mitigation for all significant impacts, as required by CEQA, and the  
23 comment does not provide any information to the contrary. Accordingly, no further  
24 response is s required under CEQA (PRC Section 21091(d); CEQA Guidelines  
25 Section 15204(a)).

### 26 **Response to Comment CFASE2-4:**

27 The Draft PEIR includes an appropriately thorough evaluation of potential health  
28 risks that is consistent with CEQA. The Draft PEIR also contains a comprehensive  
29 assessment of other health-related impacts of the proposed Program in various other  
30 resource chapters that collectively with the health risk evaluation is appropriate for a  
31 programmatic document under CEQA. There is no requirement under CEQA that a  
32 lead agency include a Health Impact Assessment (HIA) or conduct every study  
33 requested by commenters. The LAHD has established, funded, and participated in an  
34 extensive amount of community programs, financial assistance trust funds, and  
35 outreach of the type often sought by commenters or the literature as part of the  
36 process or outcomes of HIAs.

### 37 **Response to Comment CFASE2-5:**

38 The commenter does not provide any specifics regarding the Draft PEIR's suggested  
39 failure "to include public requested tidelands and non-tidelands uses." Without  
40 knowing which uses the commenter is referring to, it is not possible to provide  
41 further response. Notwithstanding, the comment is noted and is hereby part of the

1 Final PEIR, and is therefore before the decision-makers for their consideration prior  
2 to taking any action on the PMPU.

3 **Response to Comment CFASE2-6:**

4 CEQA provides that environmental analysis should emphasize feasible mitigation  
5 measures (PRC Section 21003(c). An agency may, however, reject mitigation  
6 measures or project alternatives if it finds them to be “infeasible” (PRC Section (a)(3);  
7 CEQA Guidelines Section 15091(c)(3)). A “feasible” action is one defined as capable  
8 of being accomplished in a successful manner within a reasonable period of time,  
9 taking into account economic, environmental, social, and technological factors (PRC  
10 Section 21061.1; CEQA Guidelines Section 15364). Consideration of feasibility of  
11 mitigation measures may also be based on practicality (*No Slo Transit, Inc. v. City of*  
12 *Long Beach* (1987) 197 Cal.App.3d 241, 257).

13 The commenter appears to be referring to **MM AQ-17 and MM AQ-18**, both of  
14 which focus on the adoption and implementation of new alternative technologies as  
15 they become commercially available and are determined by the LAHD to be feasible.  
16 The commenter is correct that the mitigation measures do not contain absolute  
17 requirements to implement every new technology that is approved by a regulatory  
18 agency or “validated by third party engineering companies and/or laboratories or  
19 experts.” However, the mitigation measures in the Draft PEIR are appropriate under  
20 CEQA because they reflect the considerations of reasonable time, economic and  
21 technological factors, and practicality described above. Based on the variety of  
22 activities and land uses in the Port, a rigid requirement to adopt every new  
23 technology would be inappropriate because it would not take into account the fact  
24 that different technologies are appropriate for different applications. Instead, the  
25 mitigation measures represent a commitment by the LAHD to incorporate new  
26 technologies into Port operations when and where they are determined to be feasible.  
27 Furthermore, a PEIR is not the appropriate forum for such specificity; instead,  
28 project-specific mitigation measures would require the application of technologies  
29 appropriate to each project.

30 The commenter’s suggestion that tenants and the LAHD be required to implement  
31 technologies that are “acknowledged” by regulatory agencies or “validated” by  
32 (unspecified) third parties is inappropriate because it does not take into account the  
33 fact that acknowledgement by an agency or validation by an engineering company  
34 does not constitute proof of feasibility in the circumstances of Port operations.

35 **Response to Comment CFASE2-7:**

36 The commenter appears to be addressing two different issues: development of  
37 additional wetlands inside the Port; and establishment of some type of cultural center  
38 related to past habitation of San Pedro Bay by Native Americans. With regard to the  
39 first issue, the LAHD is not aware of any proposals to establish wetlands on the site  
40 of the Consolidated Slip. That body of water is currently a navigational waterway  
41 devoted to cargo, maritime support activities, recreational boating, and stormwater  
42 conveyance, and would continue to support such uses in the future under the PMPU.  
43 However, the open space designation proposed areas in the vicinity of the  
44 Consolidated Slip under the PMPU would be consistent with any future proposal for

1 wetlands enhancement. Thus, the PMPU designations would not preclude the concept  
2 of wetlands.

3 Although no wetlands are planned for the Consolidated Slip, please note that the  
4 proposed PMPU includes possible wetlands expansion nearby, in the Anchorage  
5 Road/Wilmington Marinas areas. The PMPU (Section 5.3.2) and PEIR  
6 (Section 2.5.3.3, Planning Area 2) specifically cite the Anchorage Road Soil Storage  
7 Site (ARSSS) Concept Plan as part of the planning framework for Planning Area 2.  
8 This plan as set forth in the *Wilmington Marinas/ARSSS Preferred Conceptual Plan*  
9 (LAHD 2011) was developed through a process of public participation and included  
10 several wetlands expansion alternatives. Note also that the proposed PMPU  
11 designates the Anchorage Road site as open space, which would allow a wetlands  
12 project to be implemented. Accordingly, the commenter is incorrect in stating that the  
13 PEIR “fails to include public requests for the expansion and development of wetlands  
14 restorations.”

15 With regard to a Native American cultural center, the LAHD is unaware of any  
16 proposal to that effect, and the commenter does not provide any justification for  
17 locating such a facility within the Port. Furthermore, the presence or absence of a  
18 cultural center in the PMPU is not a CEQA issue, and no further response is required  
19 under CEQA (PRC Section 21091(d); CEQA Guidelines Section 15204(a)).

#### 20 **Response to Comment CFASE2-8:**

21 Remediation of contaminated soils and sediments in and around the Consolidated  
22 Slip is not an appropriate topic for the PEIR (or the PMPU) because such an activity  
23 is not a proposed appealable/fill project, and thus its consideration would be  
24 speculative. A PEIR does not need to resolve existing environmental problems that  
25 would not be made worse by the project. (*Watsonville Pilots Ass’n v. City of*  
26 *Watsonville* (2010) 183 Cal.App.4th 1059, 1094 [“The FEIR was not required to  
27 resolve [the existing] overdraft problem, a feat that was far beyond its scope”]). “A  
28 change which is speculative or unlikely to occur is not reasonably foreseeable”  
29 (CEQA Guidelines Section 15064(d)(3)). “There is no requirement that an EIR  
30 analyze speculative impacts.” (*Friends of Eel River v. Sonoma County Water*  
31 *Agency* (2003) 108 Cal.App.4th 859, 876.) “An EIR should not discuss impacts  
32 which do not result in part from the project evaluated in the EIR” (CEQA Guidelines  
33 Section 15130(a)(1)).

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**Port of Los Angeles Master Plan Update  
Draft Program Environmental Impact Report (PEIR)  
Comment Form**

Date: March 13, 2013

Comments on the Draft PEIR must be postmarked or received by **April 8, 2013**. Comments may be submitted at the public hearing, via email to [ceqacomment@portla.org](mailto:ceqacomment@portla.org) or by U.S. Postal Service to the address below.

ExxonMobil Pipeline Company. requests that the Port Master Plan Update and Program Environmental Impact Report designate Southwest Terminal Area 2 as dual usage, Container and Liquid Bulk. The re-zoning of the area north of the Terminal Island Water Reclamation Plant from liquid bulk to container will result in an unnecessary environmental impacts due to the deconstruction of fully functional liquid bulk tanks and reconstruction of new tanks less than a mile away. The environmental impact of demolishing and remediating the existing site, producing new tanks, reconstructing the tanks at a new site, and extending infrastructure to the new site should be included in the EIR. The port should also consider the financial loss associated with liquid bulk tenants if relocations were forced upon them. This could significantly impact the Port's ability to diversify revenue and import liquid bulk commodities necessary to meet California's projected energy demand.

EXXON2-1  
EXXON2-2  
EXXON2-3  
EXXON2-4

1. Name: Thomas Saiget  
 2. Organization/Affiliation (if applicable): ExxonMobil Pipeline Co.  
 3. Address: 800 Bell Street, Houston, TX 77002

Please give this form to one of the Port of Los Angeles representatives, place in the comment box or mail by **April 8, 2013**, to:

Christopher Cannon, Director  
 City of Los Angeles Harbor Department  
 Environmental Management Division  
 425 S. Palos Verdes St.  
 San Pedro, CA 90731

Comments may also be emailed to [ceqacomment@portla.org](mailto:ceqacomment@portla.org)

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1 **Comment Form EXXON2: ExxonMobil Pipeline Company**

2 **Response to Comment EXXON2-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5 information provided in response to this comment.

6 **Response to Comment EXXON2-2:**

7 This comment notes that rezoning the area north of the TIWRP from liquid bulk to  
8 container would result in unnecessary environmental impacts due to deconstruction  
9 of existing liquid bulk tanks and construction of new liquid bulk tanks. Please see  
10 Response to Comment EXXON1-2.

11 **Response to Comment EXXON2-3:**

12 Please see Response to Comment EXXON1-2.

13 **Response to Comment EXXON2-4:**

14 This comment addresses the PMPU and does not raise issues that require a response  
15 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
16 information provided in response to this comment.

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Port of Los Angeles Master Plan Update  
Draft Program Environmental Impact Report (PEIR)  
Comment Form

Date: 3-13-13

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HELP US LOCATE TEMPORARY LAND ON PARKING LOT FOR OUR PROJECT STREET LEGAL pilot program - HARBOR AREA

Thanks!  
Angel Nieves  
organizer

PSL2-1

\*\*\*Please Print\*\*\*

- 1. Name: ANGEL NIEVES
- 2. Organization/Affiliation (if applicable): PROJECT STREET LEGAL - HARBOR AREA
- 3. Address: 11003 TOWNLEY DRIVE  
WHITTIER CA 90606

Please give this form to one of the Port of Los Angeles representatives, place in the comment box or mail by **April 8, 2013**, to:

Christopher Cannon, Director  
City of Los Angeles Harbor Department  
Environmental Management Division  
425 S. Palos Verdes St.  
San Pedro, CA 90731

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1 **Comment Form PSL2: Project Street Legal**

2 **Response to Comment PSL2-1:**

3                           This comment addresses the PMPU and does not raise issues that require a response  
4                           under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5                           information provided in response to this comment.

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PORT MASTER PLAN UPDATE  
DRAFT PROGRAM EIR  
PUBLIC HEARING

REPORTER'S TRANSCRIPT OF COMMENTS

Wednesday, March 13, 2013

6:00 p.m. to 7:30 p.m.

Banning's Landing Community Center  
100 East Water Street  
Wilmington, California 90744

REPORTER BY: LINDA M. STANTON, CSR 7769



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1 PROCEEDINGS

2

3 MR. CANNON: We've got a small group here, so I won't  
4 give a big formal talk. I will just welcome everybody. And  
5 we're going to have the project manager for the environmental  
6 impact report give an overview of the project and of what  
7 we've done with the PEIR and what it includes. I am  
8 Christopher Cannon, I'm the Director of the Environmental  
9 Division of the Port.

10 All I ask is that you recognize -- I want to  
11 tell you about what the process is. This is a scoping  
12 meeting. The purpose of the scoping meeting is for us to  
13 listen to you. Realize that we're not going to be in a  
14 position to answer questions. A lot of people come to  
15 scoping meetings hoping to have a dialogue. I don't have a  
16 problem with having a dialogue with you, either before or  
17 afterwards. We can certainly chat about what's going on, but  
18 in the process of the scoping meeting, the purpose is for us  
19 to listen. So we're going to do that.

20 We have a three-minute rule, but I think since  
21 there's really two people that are going to speak, we'll  
22 probably be a little loose with that, but don't take  
23 advantage of that looseness. And you know, I think that's  
24 about all.

25 Turn it over to James -- where are you, James?

3

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1 This is James Bahng. He's my favorite staff member, because  
2 he has a name that is pretty impressive sounding, B-a-h-n-g,  
3 but you can't tell that when you say that. Bahng, James  
4 Bahng.

5 MR. BAHNG: Thank you, Chris. I just want to go  
6 through a couple of housekeeping issues. For our Spanish  
7 speaking audience, we do have a translator who has headsets.  
8 Our translator, could you raise your hand. If you need a  
9 Spanish translator headset, you can go speak with her, she  
10 will help you out with that.

11 We do have a couple of different mediums for  
12 you to provide comments. Towards the back, we have a comment  
13 table and a comment box. So if during the meeting  
14 presentation you feel inclined to make a comment, feel free  
15 to do so. We also have speaker cards, so if you plan on  
16 providing oral comment, please fill those out and hand that  
17 to one of our meeting coordinators and we'll provide  
18 additional instructions on how to comment later on with the  
19 presentation.

20 So before we get started, I would like to  
21 clarify and make a distinction about the draft EIR and the  
22 PMPU, Port Master Plan Update. The purpose of the  
23 Environmental Impact Report is to evaluate the potential  
24 environmental effects of the PMPU. There's a PMPU document  
25 prepared by the planning division. So I just wanted to be



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1 clear we are here to talk about the Environmental Impact  
2 Report and give you an overview of what the PMPU entails, the  
3 PMPU draft EIR released to the public on February 21, 2013.

4           The most important purpose of this public  
5 hearing is to provide an outlet to the public to provide  
6 comments. So we would appreciate your comments tonight  
7 either verbally, orally, or written.

8           These are the objectives in CEQA to discuss  
9 the potential environmental effects, identify how to avoid or  
10 review impacts, prevent environmental damage through  
11 mitigation or alternatives, foster interagency coordination  
12 during review of projects, and enhance public -- like I said  
13 earlier, enhance public participation.

14           This provides an overview of the environmental  
15 review process. Last July we issued the notice of  
16 preparation to the public, and shortly thereafter, we held a  
17 scoping meeting. Like I said earlier, on February 21, we  
18 released the draft EIR, and tonight we're holding the public  
19 hearing to provide the community an opportunity to comment on  
20 the project and the Environmental Impact Report, although we  
21 have a couple of additional steps that we're going to follow  
22 for the EIR. Later on I'll go over the additional steps that  
23 are going to be taken.

24           These are the program EIR requirements. A  
25 program EIR is used to address a series of actions that can

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1 be considered as larger projects and are related. I'd like  
2 to rephrase that, the PEIR, Program Environmental Impact  
3 Report, is the first tier environmental assessment. And as  
4 such, evaluates impact at a higher level, future  
5 environmental documents will be prepared for projects and the  
6 environment occurring under the PMPU. I'd like to repeat  
7 that. Future environmental documents will be prepared for  
8 other projects in the development occurring under the PMPU.  
9           Before going into the Port Master Plan Update,  
10 I would like to give you a brief overview of what the current  
11 PMPU or current Port Master Plan contains. The Master Plan  
12 was originally approved by the board and certified by the  
13 California Coastal Commission in 1980. And since then has  
14 been amended several times.  
15           A comprehensive review and updated PMPU has  
16 not been completed since it's original certification. The  
17 PMP Update would combine the PMP -- existing Port Master Plan  
18 and its subsequent amendments into a comprehensive document.  
19 It would also incorporate recent land use plans, such as the  
20 Terminal Island planning. Let me emphasize, the Port Master  
21 Plan is a requirement of the California Coastal Commission,  
22 and as such it covers Port property within the coastal zone.  
23 So certain Port properties, such as the near dock yards are  
24 not considered in the Port Master Plan.  
25           I'd like to explain to you what the PMPU

6

1 environmental process entailed. The Harbor Department  
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2 received input from the various stake holders, tenants,  
3 customers, agencies, and the community. Two workshops were  
4 held by our planning division, on July 19 and October 25 of  
5 last year. During the workshops, the Harbor Department  
6 received comments on a variety of issues, including land use  
7 designations, preservation of resources, implementation of  
8 environmental conservation efforts, increase cargo diversity,  
9 and public access from San Pedro and Wilmington.

10           The Port Master Plan covers five different  
11 planning areas. I would like to give you an overview of  
12 what the PMPU entails. The PMPU consolidates areas  
13 characterized by predominate land use pattern, thereby  
14 reducing the number of planning areas and would allocate a  
15 single allowable land use to most sites. Certain areas may  
16 be land use that would result in intensification of  
17 activities with the potential for impact on physical  
18 environment.

19           The PMPU also defines anticipated proposal  
20 projects. These projects are further classified as  
21 appealable. And the appealable projects are those which can  
22 be appealed to the Coastal Commission by the public.

23           The appealable projects include, but are not  
24 limited to, oil refineries, commercial fishing facilities,  
25 and recreation marina facilities. These proposed appealable

7

1 projects are expected to occur within the next five years.

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2 The PMPU mentioned other projects which

3 include those that have already undergone environmental  
4 analysis through CEQA. And those which are in the conceptual  
5 planning stage, the PEIR does not analyze impacts of the  
6 other projects, because they have been already evaluated  
7 through CEQA or not insufficient details about the conceptual  
8 projects are known.

9 So Planning Areas 1 and 5 for -- Planning  
10 Areas 1 and 5 have minimal environmental analysis. Planning  
11 Area 1 consists of some other projects and those are already  
12 analyzed by CEQA. So there was not a need to analyze those  
13 under this EIR. Planning Area 5 consists of water areas of  
14 the Port, including the main channel, outer harbor, and other  
15 navigable waters within the Port Master Plan area. There  
16 would not be any environmental impact within Planning Area 5  
17 under the PMPU.

18 I would like to go back and make a note about  
19 Planning Area 1. Overall, what the PMPU would do for  
20 Planning Area 1 is it would result in the deindustrialization  
21 of the San Pedro area. Projects under the PMPU -- other  
22 projects under this include increased accesses to the water  
23 front, visitor center, commercial development, and expanded  
24 activities.

25 Planning Area 2 consists of the west basin and

8

1 wilMington areas. The west basin consists of container  
2 terminals in wilMington consisting of a variety of liquid  
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3 bulk, dry bulk, recreational boating, and open space. We  
4 have a couple projects proposed and projects for the Planning  
5 Area 2. First off, this is the Yang Ming terminal  
6 redevelopment project. That would be roughly in this area.  
7 It would include approximately three acres of cut, which  
8 would result in extra water or additional water area and six  
9 acres of fill.

10                   We have the China Shipping project, which is  
11 roughly in this area, and that would create 16 acres of  
12 landfill at Berth 1 and 2, increase the back lands of  
13 existing the China Shipping container terminal.

14                   The Vopak liquid bulk relocation terminal.  
15 Currently Vopak is around the west space of this area. It  
16 would be moved to the east space. The west space would be  
17 replaced with open space and institutional land uses.

18                   Planning Area 3 covers Terminal Island. It's  
19 the largest planning area. And it consists of all Terminal  
20 Island with the exception of Fish Harbor. The Terminal  
21 Island land use plan completed in January 2012 the framework  
22 for land uses located in this area. For plan optimization,  
23 cargo hauling operations on Terminal Island has containers,  
24 but would restrict non-cargo, non-water dependent uses. This  
25 planning area includes proposed fill projects under which it

9

1 would create 18 acres of fill for container purposes. This  
2 is the general area of where that fill will be developed.

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3 This cross-hatched area represents another

4 project which would be the Pier 500 project. And at present,  
5 we do not have enough details about that project to even  
6 analyze it at a programmatic level.

7 Planning Area 4 covers Fish Harbor. It  
8 focuses on commercial fishing and maritime supported uses.  
9 Commercial fishing will remain focused on the northern and  
10 eastern portions of Fish Harbor, while maritime support and  
11 other institutional uses are located along the western  
12 portion of Fish Harbor. Break bulk is anticipated at Berths  
13 240 and 241 and the back land area. Proposed projects in  
14 this planning area, first we have the Tri Marine expansion  
15 project, which would expand the operations of the current and  
16 existing Tri Marine facility. And it's roughly in this area  
17 here. We would also have the 338 Cannery Street adaptive  
18 reuse project would redevelop the nine acre site at Berth  
19 265, readaptive reuse of existing historical buildings. And  
20 that's in this same general area.

21 Also includes the Al Larson Marina project,  
22 which would remove approximately 125 recreational boating  
23 slips. These existing boating slips are in this general  
24 area.

25 Planning Area 4 also includes another project

10

1 already analyzed by CEQA, and that's the Jankovich Marine  
2 fueling station, analyzed through San Pedro Waterfront  
3 Project Environmental Impact Report.  
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4                   As required by CEQA, we analyzed a number of  
5 program alternatives. The first one was no program  
6 alternative required by CEQA. We also analyzed and  
7 considered a no fill alternative, and that happened to be the  
8 environmentally superior alternative obvious reasons. It  
9 wouldn't create fill. We also evaluated or considered the  
10 liquid bulk relocation. This alternative would have involved  
11 relocating liquid bulk facilities to Terminal Island.

12                   However, this alternative was dismissed for a  
13 couple of important reasons. First off, this alternative  
14 would not substantially reduce environmental impacts.  
15 Existing liquid bulk facilities are in accordance with the  
16 Port's risk management plan. Liquid bulk facilities in the  
17 present form are not incompatible with surrounding land uses.

18                   Additionally, financially unfeasible to  
19 relocate liquid bulk terminals onto Terminal Island, because  
20 of the cost associated with redevelopment on Terminal Island  
21 and restoration of the existing lands.

22                   Lastly, there's insufficient berth and berth  
23 capacity at Terminal Island for liquid bulk facilities.

24                   So next we'll talk about the findings of our  
25 Environmental Impact Report. This slide shows the

11

1 significant and unavoidable impacts. Air quality impacts  
2 would be associated with the construction of new facilities  
3 under the PMPU. And also may be associated with operations

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4 resulting from the increased cargo. Noise impacts would be  
5 attributable to construction activities. There would not be  
6 any noise impacts associated with operation. As a result of  
7 the increased cargo handling, there would be additional truck  
8 traffic and congestion along the I-710 Freeway.

9                   These are the resource areas that had less  
10 than significant impacts with mitigation. Includes  
11 biological resources, cultural resources, geology hazards,  
12 and hazardous materials and public services. Biological,  
13 cultural, geology.

14                   These are the resource areas where we found  
15 less than significant impact to aesthetics, ground water and  
16 soils, land use recreation, utilities, water quality  
17 sediments and oceanography.

18                   Under this Environmental Impact Report, we had  
19 a number of mitigation measures. I am just going to go over  
20 the mitigations that we thought were key mitigation matters  
21 that would be of most interest to the public.

22                   Mitigation measure AQ-1 through 8 are based on  
23 the Port's sustainable construction guidelines may raise  
24 emissions during construction activities.

25                   AQ-9 to 16 would include, but are not limited

12

1 to, alternatives for vessel emission reduction, clean cargo  
2 handling equipment, and to help reduce emissions from trucks.  
3 These measures would mitigate or attempt to mitigate the  
4 impact of operation at the Port.

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5 Mitigation measure AQ-17 and 18 would ensure  
6 that new technology and regulations are considered by the  
7 Port tenants and efforts to further reduce operational  
8 emissions.

9 Mitigation measure BIO-1 through BIO-4 ensure  
10 marine mammals, seals, sensitive bird life so they are not  
11 adversely affected during future construction under the PMPU.  
12 These mitigation measures include but are not limited to  
13 preconstruction surveys to identify birds. And other  
14 measures having biological monitors during pile driving  
15 activities.

16 Mitigation measure BIO-5 addresses the loss of  
17 marine habitat as a result of the fill projects under the  
18 PMPU.

19 Mitigation measure CR-1 to CR-5 relates to the  
20 impact of the cultural resources as a result of the  
21 development under the PMPU. This completes requirements to  
22 redevelopment services, identify cultural resources, and  
23 procedures for dealing with unanticipated discovery of such  
24 resources, such as fossils and bones.

25 Mitigation Measures NOI1 to 11 reduces impacts

13

1 of noise resulting from construction occurring under the  
2 PMPU. They include measures such as restricting the days and  
3 hours of construction work. And they also include notifying  
4 the public of pending construction.

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5 Mitigation Measure TRANS-1 would require the

6 Port to support the Caltrans I-710 corridor project to  
7 address congestion as a result of increased truck activity  
8 occurring under the PMPU.

9           These are the next steps for the EIR. We  
10 still need to prepare the Final PEIR, and there would be  
11 revisions to the EIR based on public comment. Obviously,  
12 we're going to respond to public comments and we would be  
13 required to prepare a mitigation monitoring under the Port  
14 program. Board certification of the Final EIR is expected  
15 this summer.

16           I would like to give you an overview of what  
17 the Port Master Plan Update process is. And again this is  
18 being handled by our planning division. Like the  
19 Environmental Impact Report, the draft document for the PMPU  
20 was released to the public February 21, and also has a 45-day  
21 review period. The planning division will be holding a  
22 meeting -- public hearing for the board Master Plan on April  
23 4. And like the Environmental Impact Report, the Port action  
24 will occur this summer. Additional steps required for plan  
25 approval by the Coastal Commission will occur some time later

14

1 this year and needs to occur within 90 days of the board and  
2 Harbor Commission's action.

3           So the format of this meeting is we're  
4 soliciting public input. We will not be answering questions  
5 or delving more into the Environmental Impact Report. So

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6 we're solely here to solicit public input. Like I mentioned  
7 earlier, we have a couple avenues for you guys to provide  
8 comment. Towards the back of the room we have a comment  
9 table where you can fill out a comment card and place it in  
10 the box. You can also provide comment via e-mail. If you do  
11 so, please include the project title and subject line, attach  
12 to the e-mail a letter and include the valid e-mail address  
13 in that e-mail. And the e-mail comment will go to  
14 CEQAcomments@portla.org.

15                   Also tonight we're going to be accepting oral  
16 comments. Please make sure that you completed a speaker card  
17 and that you presented it to one of our meeting coordinators.  
18 We're going to have our elected officials speak first so they  
19 can resume official business. otherwise our audience will be  
20 asked to speak in the order that the speaker cards are  
21 presented.

22                   Like Chris mentioned, we have a relatively  
23 small audience, so typically we restrict our audience to  
24 speaking to three minutes, but we'll provide some flexibility  
25 on that tonight. we'll just try to keep it under control so

15

1 that we're not here too long.

2                   If you do come up to the front to speak, we  
3 ask that you spell your name, and if you're affiliated with  
4 an agency, please make a note of that. And I forgot to  
5 mention the 45 -- we have a 45-day comment period on the EIR.

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6 So the comment period started on February 21 and will end on  
7 April 8, 2013. So if you plan to send in written comments or  
8 e-mail comments, that must be done by April 8.

9 VOICE: For the Final EIR, what is the anticipated  
10 public comment period of time? This is the Draft. When you  
11 release the Final, what is your anticipated public comment  
12 period of time?

13 PORT REPRESENTATIVE: There's no public comment  
14 period. We have to notify the public agency within 10 days  
15 prior to the certification of the EIR.

16 MR. BAHNG: With that we'll go ahead and begin  
17 accepting oral comments. We don't have an elected official  
18 present, so we're just going to call up speakers in the order  
19 that they presented comment cards.

20 First we have Donald Galaz, and he's with  
21 Project Street Legal.

PTI-1

22 MR. GALAZ: Donald Galaz, Donald Galaz. And I am  
23 with an organization -- I'm with Project Street Legal.  
24 Project Street Legal was organized two years ago. And what  
25 our organization does, along with Teamwork Motor Sports, is

1 we're ridding our city streets of illegal street racing,  
2 which is a big public safety issue that occurs in the Harbor  
3 area, throughout Los Angeles, and the South Bay. Currently,  
4 we have been attending most of these meetings, and we are  
5 aware of the Port property that would be suitable for this  
6 particular pilot program that we would be able to run



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7 temporarily on Port property.

↑ PT1-1

8                   Currently, we have neighborhood counsel

PT1-2

9 support from Harbor City and San Pedro, and we are working

10 with Harbor Gateway. We are also working with the Watts

11 territory. And we have union backing by the International

12 Longshoreman's Warehouse Union, and Pile Drivers Local 2375

13 out of Wilmington. And we are also working with the welders

14 union out of Gardena, California, also.

15                   The public safety issue that is right before

PT1-3

16 our hand is something that puts a public at risk, and it's

17 definitely occurring throughout our area. In January of this

18 year, we had a death to a 29-year-old out of Long Beach,

19 California, that was illegally street racing in the public

20 streets of Long Beach, and he ejected four passengers from

21 his vehicle that was racing. And one of them was killed.

22                   About two weeks ago we had a young, little boy

23 out of the Inglewood area killed due to suspected illegal

24 street racing that occurred on public streets also. During

25 around that same time, about three days later, over in the

1 willowbrook area there was illegal street racing activity

2 that occurred and a 23-year-old drove his Honda Civic

3 underneath a semi-tractor pulling out of an industrial area

4 over in the willowbrook area.

5                   A lot of these illegal street racers, they

6 are -- some of them are good kids. Okay. A lot of them are

PT1-3 ↑ PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
7 in schools and vocational classes. And unfortunately, they  
8 are not facilitated right now, at this time, for them to have  
9 a place to go and legally race, with safety crews and  
10 technical inspectors there to visually check everything on  
11 their vehicles.

12 We have noticed a bunch of potential sites  
13 here in the port, and they would suit us for a pilot program  
14 so we can evaluate the pros and cons. And also funds  
15 generated from this legal raceway would go directly back into  
16 the neighborhood communities.

17 One of my major goals and focuses is to bring  
18 funds to vocational programs which have been drawn way within  
19 local high schools. And as you know, different occupational  
20 centers that are shutting down welding classes and stuff like  
21 that.

22 Another thing that I'm trying to do is  
23 physically just get -- use the car as a gimmick and to draw  
24 their attention. We're not trying to make a racer out of  
25 everybody. What we are trying to promote is hands-on,

18

1 out-of-the-book training and physically putting a wrench in  
2 these young individuals' hands and possibly turning them into  
3 something that could go to a whole other different avenue,  
4 other than, you know, working on vehicles.

PT1-4 ↓ 5 Currently, our project has been speaking with  
6 Mayoral Candidate Wendy Gruel and Eric Garcetti, and they  
7 have both informed us that it is a public safety issue and  
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8 that they would like to help us in any way they can. We are  
9 501 nonprofit. Teamwork Motor Supports is active in that  
10 point, and we have a board of different individuals that  
11 are -- that are knowledgeable about the ins and outs of  
12 organizing such a raceway, if we were to get the opportunity  
13 to bring this worthwhile project to the Port of Los Angeles  
14 and to the Harbor area.

PT1-4

15 I'm a local resident of 40 years in San Pedro.  
16 I have family throughout Wilmington, San Pedro, Torrance. I  
17 am also a Central San Pedro neighborhood council member and  
18 this has been something that I have been pursuing for  
19 approximately two years. Like I said, and it's a lot bigger  
20 than just being a legal raceway to the Port. It has to do  
21 with impacting local auto parts stores, local tire shops,  
22 local restaurants and businesses, and those other types of  
23 things that exist here in the Harbor area. I have a lot of  
24 support from different people throughout the area, and we're  
25 going to continue to move forward with this project. And I'm

PT1-5

1 hoping that by showing up here tonight that the Port would  
2 consider, you know, possibly sitting down with us and talking  
3 about something we could do as a community project that would  
4 be a great, great success for the community and for the Port  
5 of Los Angeles also. So thank you.

6 MR. BAHNG: Thank you. Next we have Jesse Marquez  
7 with the Coalition for a Safe Environment.

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PT1-6 8 MR. MARQUEZ: Thank you very much for the opportunity  
9 to speak, and for the extra time, because oftentimes it's  
10 difficult to reduce our notes down to a few minutes. My name  
11 is Jesse Marquez, J-e-s-s-e M-a-r-q-u-e-z. I am the founder  
12 and executive director of the Coalition for a Safe  
13 Environment. It is headquartered in wilmington and is over  
14 12 years old now. I am also speaking as a resident of the  
15 City of carson who lives by and near to a proposed -- a  
16 project -- project concern about that and I have a comment I  
17 would like to make. I will be sending written comments.  
18 That is one of the big concerns we have is the  
19 Port's lack of acknowledgement of the fact that they only  
20 have prepared the Program EIR -- only prepared the Port  
21 Master Plan based on tide lands properties. We believe  
22 that's an incorrect assumption. The Port has gone beyond its  
23 responsibility in just managing tide lands by purchasing  
24 hundred of acres of property off tide lands in wilmington. I  
25 estimate it to be about 5-, 600 acres, could be more in San

20

1 Pedro. How many acres are in the City of Carson, Long Beach?  
2 we don't know that fact.

3 The fact of the matter is, that the Port is  
4 expanding off its tide lands property, and we believe that if  
5 you continue to do that, then you are obligated to include it  
6 in your Master Plan. You are obligated to also include it in  
7 your Program Environmental Impact Report. So that is a  
8 request from us.

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9                   Also assess all the port and tenant  
10 environmental impacts. Typically, what the Port does in an  
11 EIR, say, for example in truck destinations, they include a  
12 round trip as if the route was only from the Port to the  
13 location and back, which is not true. We have thousands of  
14 trucks leaving various city locations, East L.A., San  
15 Fernando Valley, Orange County. The truck is in that  
16 community, therefore it has to go to a local gas station,  
17 then has to travel anywhere from a few miles to as many as 20  
18 or 30 miles to get to the Port.

PT1-7

19                   But then it is not just to get to the Port.  
20 In many cases it has to pick up a chassis in order to pick up  
21 a container. Well, there are off-Port container storage  
22 yards in Wilmington, in Carson, and in Long Beach. That  
23 truck must, therefore, get off that freight route and onto a  
24 local street or highway to pick up a chassis. Then it has to  
25 go to the Port terminal. And even when it picks up a

21

1 container, for example, it is not necessarily going straight  
2 to its destination. It might have to go through an  
3 inspection. So it would be a different Port site inspection  
4 facility or off-Port property, tide lands property, for the  
5 inspection facility. Some containers also have to go through  
6 fumigation. So it can be at the Port at a different  
7 location, also be off tide lands, for a different  
8 destination.

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PT1-7 ↑ PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
9 Also there are times when accidents occur,  
10 like on the bridges, and they have to be rerouted. In that  
11 case what happens now in Wilmington is instead of rerouting  
12 trucks from the Harbor Freeway to come down the logical truck  
13 route, which is Harry Bridges Road, all the signs tell them  
14 to go through the Pacific Coast Highway, which is right  
15 through the middle of the community.  
16 So in this case, we feel that those  
17 designations are not properly included. When you do your  
18 traffic congestion studies, it's an area where I am very  
19 unfamiliar with, but I did learn a little detail not too long  
20 ago. They calculate the traffic congestion at an  
21 intersection, which means, then, for example, if the green  
22 light is three minutes, they basically count how many  
23 vehicles go through. Well, depending on what time of the day  
24 you go through, we're talking with resident cars, vehicles  
25 going back and forth versus truck count of going back and

1 forth. We're talking about not only just your container  
2 trucks, but then we have construction going on at the Port.  
3 So then you have construction equipment type trucks going  
4 back and forth. But then if you count three minutes, within  
5 of those numbers, then you get the maximum amount that can go  
6 through. What is not included is the fact that it could be  
7 backed up three, four blocks. So even though you counted  
8 traffic during that one-hour counting period, it could have  
9 been three hours for the actual traffic flow to go through.

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10 So we feel that, you know, we're not getting -- the accurate  
11 amount of traffic and congestion is not accurately being  
12 counted or estimated. And therefore the appropriate  
13 mitigation is not being performed. And so we would like to  
14 see that taken care of.

PT1-7

15 Now, because traffic destinations are not  
16 being properly estimated or ideally during congestion at  
17 intersections, the emissions are not properly being counted.  
18 So whatever the Port counts as their estimated emissions, it  
19 is underestimated. And if they are underestimated, then  
20 therefore, your mitigation is also underestimated.

21 The Port uses a health risk assessment as a  
22 basis for decision-making in terms of environmental public  
23 health impacts, which believe that it is an outdated method.  
24 Yes, it is approved by the State agencies, that's not a  
25 problem, but the fact of the matter is, in the last 10 years

PT1-8

1 the most accurate assessment tool that exists in the United  
2 States and throughout the world and throughout the planet, is  
3 a health impact assessment.

4 So therefore, to continue using an assessment  
5 tool that's outdated, we still believe you need to include a  
6 health impact assessment. I want to give you some examples.  
7 A health risk assessment does not tell you how many residents  
8 in Lomita and San Pedro, or anywhere have asthma. Doesn't  
9 tell you how long they have had asthma. Doesn't tell you how

PT1-8 ↑ PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
10 severe the asthma rate is and how much it costs them, the

11 socioeconomic impact to that family.

12                   There's also the socioeconomic impact to the  
13 State of California. The California Air Board did a study on  
14 the public health impacts the State of California Port's  
15 movement was causing about approximately 2 billion in annual  
16 public healthcare costs the Port is not mitigating. Well,  
17 because you're not doing those health impact assessments,  
18 because you're not doing a public health survey, you don't  
19 know how many people are sick, how long they have been sick,  
20 and what that socioeconomic impact has been.

21                   A health impact assessment with the public  
22 health survey can do that. And could bring reality to life.  
23 Today, now, approximately three weeks ago Mrs. Villante, a  
24 Wilmington resident, died of COPD. So your PEIR proposed  
25 clean air initiatives either to clean the area or fix the

24

1 truck plan did not save her life. A week or two before that,  
2 Mrs. Melendez, a lady longshoreman who had the best health  
3 plan on the planet, died of an acute asthma attack. So those  
4 are examples whereby health assessment does not identify  
5 that. So you don't know that your proposed mitigation is  
6 accurate, because you have no established public health  
7 baseline.

8                   So even though clean air has been getting  
9 cleaner here at the Port based on the emissions assessments,  
10 we don't know year to year to year, over a longer period of  
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↓

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11 time, has it actually improved public health?  
12 I'll just stand by this last point, in that  
13 our organization does support alternative land uses at the  
14 Port of L.A. You just heard Mr. Galaz talk about a land use  
15 they would like to have. So there are both Port tide land  
16 property and off-Port tide land property that the Port owned  
17 the public has a right to use.

↑ PT1-8  
PT1-9

18 We have seen the Port of L.A. deprive the  
19 public of uses of the oceans off San Pedro Bay. Boat owners  
20 are restricted and unable to use their boat and sailing  
21 yachts in the area now that the Port continues to increase  
22 its container imports. Then more ships come in, which again  
23 further restricts public land uses. So we feel that the EIR  
24 and Port Master Plan should include and assess alternative  
25 uses.

PT1-10

25

1 Saying that the Pier 500 cannot be properly  
2 assessed at this time is not actually a true statement.  
3 Because you have container terminals, you have dry bulk,  
4 liquid bulk, and we believe Pier 500 can have those type of  
5 uses. And one of these to be used is the BNSF SCIG project,  
6 which would be a land use designated for that use, and with  
7 no credit available today. We need to plan for it. Thank  
8 you.

PT1-11

9 MR. BAHNG: Thank you. Next we have Rick Whearty  
10 with American Shipyard Group.

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PTI-12 11 MR. WHEARTY: Hi. Rick Whearty, w-h-e-a-r-t-y,  
12 representing American Shipyard Group, Wilmington Boater  
13 Association. Currently involved with a group trying to  
14 reopen San Pedro boat works, which on most of the drawings  
15 here is showing up as another cruise terminal. Currently,  
16 there are no boat yards or marine maintenance facilities left  
17 in the Port. Colonial has been closed. Wilmington Marine  
18 Services closed. And San Pedro Boat Service was closed in  
19 early 2000. So there are no facilities whatsoever to  
20 maintain the nearly 5,000 boats that are in this harbor,  
21 pleasure boats and yachts.  
22 So even on the basic number, that's 13 boats a  
23 day that have to be service, hauled out every year, if they  
24 are hauled on a yearly basis. Half that amount on a biannual  
25 basis.

26

PTI-13 1 There's also no emergency service. Should a  
2 boat of any consequence start to sink, there's no place to  
3 haul it out. I can't just take it 15 miles to Long Beach or  
4 15, 18 miles to Marina del Rey if there's an emergency.  
5 There is a much needed facility here and the group I'm  
6 working with is looking at putting in a new state of the art  
7 boat yard that's clean, meets all emission standards, and  
8 does measures and controls. And we have actually presented a  
9 letter of intent to the Port of Los Angeles, and I have a  
10 letter of commitment from Chase Bank for a multimillion  
11 dollar amount that can pull off the construction and  
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12 acquisition of the property and the yard. We would also  
13 provide hundreds of jobs on the front line of the services,  
14 and then the ancillary support of sales and other businesses  
15 in the Port area would also benefit from all the activities  
16 that could go on in the marine maintenance facility.  
17                   We're actually looking at putting in a  
18 complete service center that covers all sales, welding,  
19 woodwork, paint work, and all the services necessary to  
20 support the marine maritime community in this harbor.  
21                   The tradition of boat work is rich and long in  
22 the Port of Los Angeles. Also up among that is all the local  
23 Wilmington, San Pedro city communities in support of this  
24 project. And so we really would like the Port to take a  
25 deeper look at this.

PT1-13

1                   I just recently had a meeting with somebody  
2 from the mayor's office yesterday. And there seems to be a  
3 lot of push about it not being aesthetically pleasing, about  
4 it not might be current -- somehow there's this vision of it  
5 being dirty. And that is absolutely the furthest thing from  
6 the truth that will happen here.  
7                   Currently, there are a lot of yards,  
8 especially in San Diego, San Francisco, and Newport Beach  
9 that are directed -- in direct proximity to restaurants and  
10 residential and other businesses that meet every type of  
11 qualification to be an adjacent business to another business

PT1-14

PTI-14 ↑ PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
 12 or residence. It is not a business that will be a detriment  
 13 to the port. It will be an enhancement to the Port, yacht  
 14 clubs, recreational boating community in this area.

PTI-15 15                   You know, there's -- I currently have a yard  
 16 bill here from one boat that I just took to Newport Beach.  
 17 Three days, it was \$19,000. So you know the economic impact  
 18 that this could have in generating jobs and the tax basis for  
 19 the area is considerable. That's not including the mega  
 20 yachts that are bypassing this area because there's no place  
 21 to service them and no place to tie them up. Mega yachts  
 22 come through at a hundred foot plus, with crew, visiting  
 23 guests would come into join them. And it's a huge economic  
 24 impact on this area and being completely overlooked.

PTI-16 25                   You know, currently the cruise ship terminal,

1 as I see it down here all the time, I don't see it fully -- I  
 2 don't see it overflowing with cruise ships waiting to berth.  
 3 I have heard that the AMP system they put in cost \$10,000 a  
 4 day to keep it idle, barely getting the money back. A lot of  
 5 money wasted a year here.

6                   Also residents of San Pedro do not want the  
 7 cruise ship terminal out there, not only for the aesthetic  
 8 look out their houses to see cruise ships there, but also  
 9 don't want the ancillary traffic up and down Harbor  
 10 Boulevard, to further support vessels and all the passenger  
 11 loading and unloading that goes along with that situation.

PTI-17 ↓ 12                   So you know, to not look at this as an ideal  
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13 situation with the multimillion dollar improvement that has  
14 been in the Cabrillo marinas, and as a tie and anchor tenant  
15 taking this into the future is a little bit shortsighted in  
16 our opinion.

PT1-17

17 I mean, to really look at this, we have the  
18 funding, we have the viability. We want to meet every  
19 environmental standard up to date as possible and really  
20 create an amazing destination that people from other harbors  
21 will come to, because they want something new. They don't  
22 want to go to Long Beach that's got 40-year-old technology.

23 So I doubt the current cruise terminal is  
24 operating, maybe, in the black. I don't know if it's in the  
25 green. I kind of think it might be in the red. But we look

PT1-18

29

1 forward to having another conversations with the Port and I  
2 hope that in the public comment period we can make something  
3 happen and make this a reality. Thank you very much.

4 MR. BAHNG: Thank you.

5 PORT REPRESENTATIVE: I want to ask you to make sure  
6 you come to the board meeting when the Master Plan is  
7 actually presented, your comments are very good, not really  
8 EIR comments, just about policy and we appreciate them.

PT1-19

9 MR. WHEARTLY: Dealing with the environmental issue,  
10 they don't deal with me because CEQA is all environmental.  
11 And you know, I see those other projects, when the Port wants  
12 to get them done, they breeze right through them. The EIR

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PTI-19 13 PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
gets done.

14 PORT REPRESENTATIVE: Please come. These are  
15 actually good things that we ought to be thinking about.  
16 Please come.

17 MR. BAHNG: Next we have Adrian Scott with the Los  
18 Angeles Conservancy.

PTI-20 19 MR. FINE: Good evening. Adrian Scott Fine, F-i-n-e,  
20 Director of Advocacy for the Los Angeles Conservancy. Want  
21 to thank the Port for doing this meeting. The Conservancy  
22 has been involved at the Port, really, for the past six,  
23 seven years. Certainly our focus is on the cultural  
24 resources side of things, and some of the concerns we have in  
25 terms of the potential reuse recognition, of course,

30

1 identification and evaluation of historic resources, and  
2 cultural resources at the Port. Much of our focus has been  
3 on Terminal Island most recently. And what we're looking for  
4 and what I wanted to comment on a little bit here tonight is  
5 providing a path forward for preservation that this Master  
6 Plan, this Program EIR process can, one, identify that as a  
7 legitimate goal, but also identify some creative ways to  
8 address that issue.

9 We appreciate the cultural resources that have  
10 been identified, but still have some pretty strong concerns  
11 that the Master Plan, as it is currently envisioned, doesn't  
12 provide that path.

PTI-21 13 So we'll provide certainly more comments in  
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14 written form. I also want to identify a few things,  
15 certainly, in this forum. One of those is the issue of  
16 goals. While it's great that in the five goals that are  
17 identified within the Master Plan, that cultural resources  
18 and the preservation of historic buildings and places on the  
19 Port were identified, that we really appreciate that's  
20 included. However, of the five the goals, cultural resources  
21 is treated quite differently than the other four. The other  
22 four are identified in the context of the Port will or the  
23 Port should.

PT1-21

24                   When you get to cultural resources and the  
25 Port will, it doesn't say "will," it just says "where

31

1 feasible." We would like to be brought up to the "should"  
2 category. And also to give meaning to that goal -- if it is  
3 a goal, give meaning to it and also identify whether our  
4 conflicts and goals and what does that mean in terms of what  
5 prevails.

6                   Another issue is the issue of cultural  
7 resources itself, in terms of identification and evaluation  
8 of those. We would encourage and we certainly pushed for,  
9 early in this process, that there would be a comprehensive  
10 inventory of cultural resources so that the Port could plan  
11 and develop a Master Plan that had that in mind. That hasn't  
12 occurred to date, there has not been a comprehensive list.  
13 And in some cases, the Master Plan omits identified cultural

PT1-22

Page 31

PT1-22 14 PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
resources that were previously identified. So that needs to  
15 be corrected as well.

PT1-23 16 Another point, and I think a big point that we  
17 have, is that the Master Plan needs to acknowledge the  
18 impacts, as well as the potential limitations, of land use  
19 classifications, and what does that mean for the cultural  
20 resources that exist there.

21 A couple of examples, Fish Harbor is  
22 identified for commercial fishing. It -- also in the plan it  
23 identifies or acknowledges that commercial fishing may not be  
24 viable in the future or it's diminishing industry. So if  
25 that's the case, why are you limiting yourself to that very

32

1 specific land use classification in that case. It doesn't  
2 bode well for the potential of what you can do within that  
3 classification zone, specifically what you can do with the  
4 resources. The Cannery Building, for instance, how can you  
5 even use those in the future with that very limited  
6 classification? Another example is the Southwest Marine, you  
7 actually have two land use classifications, bulk as well as  
8 maritime support. However in some cases -- in all cases,  
9 there are two land use classifications that actually straddle  
10 and go over existing buildings. So existing buildings could  
11 have both classifications. Not sure how you can do that,  
12 ultimately, to reuse those building. Again, it doesn't bode  
13 well in terms of a path forward for preservation or adaptive  
14 reuse.

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15 I think the last point I would like to end PT1-24  
 16 on -- I certainly have other issues with the Master Plan --  
 17 is the documentation to date, at least not here, there  
 18 ultimately doesn't include the context of the Port or its  
 19 cultural resources that existed in terms of not just the Port  
 20 history, but what happened there before the Port or the  
 21 development of the entire site.  
 22 Terminal Island, for instance, doesn't talk  
 23 anything about the tuna industry, doesn't talk much about the  
 24 ship building industry, and completely omits the  
 25 Japanese-American contribution and the village that existed

33

1 there. Thank you.

2 MR. BAHNG: Thank you. Next we have Brian Turner  
3 with The National Trust.

4 MR. TURNER: Good evening. My name is Brian Turner. PT1-25  
 5 I'm an attorney with The National Trust for Historic  
 6 Preservation.

7 Last June The National Trust listed the  
 8 historic buildings at Terminal Island among the nation's most  
 9 endangered historic places. The National Trust is a  
 10 nationwide, nonprofit advocacy organization chartered in 1949  
 11 to help protect America's historic resources. I want to make  
 12 a few comments on the plan, as well as the analysis in the  
 13 Program Environmental Impact Report. Also be following up  
 14 with some written comments.

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↑ PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
PTI-25 15 We're very pleased that the Port included one  
16 of its principal goals to preserve historic resources at the  
17 Port. I want to provide some context for why I think that's  
18 a benefit to the public as a whole. Not only are these  
19 tangible reminders of the contributions that the Port has  
20 made to American history, both with a history of the tuna  
21 canning industry, the ship building industry, as well as the  
22 Japanese-American community, and world war II history there.  
23 The buildings offer -- also offer very important spaces for  
24 promoting new entrepreneurship, creative uses, maritime uses  
25 at the Port. There are irreplaceable historic resources

1 there.

PTI-26 2 And when we first approached this issue, our  
3 concern was principally based on the fact that many of the  
4 resources, particularly those concentrated around Fish Harbor  
5 are vacant. And they are in need of environmental  
6 remediation, in need of tenants, because adding tenants to  
7 occupy historic buildings is the best way to preserve them  
8 for the future generations. So we think that the plan could  
9 go much further in terms of making the goal of preservation a  
10 reality.

PTI-27 11 First, to echo the Conservancy's, it's  
12 important to know what we're preserving and there some  
13 existing controversy out there we would like to see resolved  
14 before the documents are finalized. One is with the Cannery  
15 Steam Plant, which we believe, the city believes, and the

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16 L.A. Conservancy believes is eligible for the California  
17 Register. A couple other resources we noticed missing from  
18 the evaluation is related to the Japanese-American history at  
19 Terminal Island, the potential for archeological historic  
20 resources there, in what is now open space. Also two store  
21 fronts on Tuna Street.

PT1-27

22 I think is unfortunate that the boundary  
23 between Zone 3 or 4 cut right in between that historic  
24 community. So we would be very concerned with the  
25 implications of developing container terminals in an area

PT1-28

35

1 that on the historic Japanese-American community area. We  
2 would ask that zoning for Planning Area 4 be expanded  
3 westward to include those resources.

4 To echo a Conservancy point as well, we would  
5 be very much interested in working with the Port on expanding  
6 the permissible uses within the Fish Harbor area, to make  
7 sure that viable tenants can be found. I think that the  
8 Public Trust Act is very important requirement that the Port  
9 needs to comply with. And I would just note that expansive  
10 uses have been acknowledged by the Port in terms of promoting  
11 ecological conservation with the tern habitat. And there's  
12 no reason why public policy shouldn't preclude the  
13 conservation of historic resources, which is in the public  
14 benefit, as well.

PT1-29

PT1-30

PT1-31

15 Finally, I would argue that I think the

PT1-32

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PTI-32 16 mitigation measures in the cultural resources connection in  
17 the EIR could be substantially boosted by providing for  
18 additional interpretation, education, funding, and incentives  
19 for tenants who are interested in locating in historic  
20 buildings, and the processes and procedures for RFPs and  
21 engaging stakeholders in the preservation early, prior to the  
22 time that projects are proposed. Thank you, very much.  
23 MR. BAHNG: Thank you. Next we have Rachel Bruhnke  
24 with Harbor Farms.  
PTI-33 25 MS. BRUHNKE: Hello. Rachel Bruhnke with Harbor

36

1 Farms. In this organization I would promote urban farming in  
2 the Harbor area from Watts to San Pedro. And it's  
3 interesting also, as a high school teacher at the Port of Los  
4 Angeles High School, I want to commend all the comments I  
5 have heard so far. It's just interesting to me, because I  
6 think the big picture is that these are all voices from the  
7 community who live here, who work here, who play here, who  
8 want diverse use of this land. And we're up against  
9 something that has kind of captured all this land for  
10 purposes that are to promote consumption. There's big debate  
11 coming up on this -- about all this. But this Port promotes  
12 massive consumption.

13 And I don't think that my comments today are  
14 going to change anything really, but I want to get them on  
15 the record, because I am here to advocate that if that is  
16 true, that you also work -- if we're going to create a mind  
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17 set of consumption, we can also work to create a mind set of  
18 trying to have some type of environmental and historical and  
19 cultural preservation and promotion also, and mitigate the  
20 fact that the very reason of this Port here is to promote  
21 consumption.

↑ PTI-33

22                   We read in the paper every day about climate  
23 change. I don't know if there's been a study with all the  
24 development that's going on here -- going to happen. We are  
25 about to see the level rise and what's that going to do to

PTI-34

1 the potential developments around here? I was sitting at  
2 Ports-O-Call Restaurant the other day and for the first time  
3 I thought about it. I'm five feet above the ocean here, and  
4 I don't know how long this is going to be here.

5                   But the fact is that the more quote/unquote  
6 development that happens that's carbon based and carbon heavy  
7 and more of the same old same old, we're not going to get  
8 different results in terms of the climate.

9                   So because that's not going to stop any time  
10 soon, until the climate, I believe, kind of alters our way, I  
11 would just ask that this Los Angeles Port really, really  
12 consider being the gold standard. Kind of like making up for  
13 knowing what we've got to do to the climate, let's really  
14 work hard to make this Port the gold standard in terms of  
15 community and in terms of environment about how we develop.

16                   One of the -- so including public voices like



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PT1-34 17 this, the most innovative technologies -- as mentioned  
18 before, the more that innovative technologies and  
19 methodologies are employed here at the development of this  
20 Port, the more it sparks innovative ideas and solutions.

PT1-35 21 I said that I'm from the organization Harbor  
22 Farms, and we have a letter out to the Port of Los Angeles  
23 with one small request, that we would love to see -- knowing  
24 that even a foothold in the old way of doing business can  
25 create a lot of new ideas, that the development happening on

38

1 Front Street, the green belt, not just the grass and the  
2 useless trees -- although every tree sequesters 200 pounds of  
3 carbon a year, and so that's a good thing -- but we have a  
4 grove of fruit trees also, because I believe that gone also  
5 are the days when we have passive parks that are absolutely  
6 passive. People need to be growing food. The rules that  
7 were made however many decades ago about fruit dropping --  
8 and these are gone -- there's an interest in this area --

PT1-36 9 As I said, I am a high school teacher. I  
10 teach a class at Port of Los Angeles High School on  
11 environmental engineering studies. And these kids are  
12 farming with me. They are building soil, they are turned  
13 onto this. And I'm a good teacher. It's a good class. But  
14 it's about -- I'm tapping into something that's a human need.  
15 And I don't see a lot of young people's voices. And I always  
16 tell them --

17 It's not like I feel patronizing to say young  
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18 people are the future. I bet there's young people that die  
19 of asthma, too, a lot of my kids have asthma, a lot have  
20 diabetes from unhealthy communities. And it's unsafe to go  
21 out, and so their parents don't let them out.

22                   So one of the things we do at Harbor Farms is  
23 we advocate for alternative use of open space, where the  
24 safest thing for a community is to have, frankly, mom's and  
25 daughters, mom's and kids -- I have a daughter -- and

39

1 families out on the streets cleaning that, claiming that  
2 space again. One way is use of -- mixed use of public space.  
3                   And so that's pretty much my comments. And  
4 thank you very much.

5           MR. BAHNG: Thank you. Next we have Daniel Neri with  
6 the USC School of Architecture.

7           MR. NERI: Good evening, everyone. My name is Daniel  
8 Neri, last name N-e-r-i.

9                   I'm a grad student at the USC school of  
10 Architecture, and I'm currently working on my thesis, which  
11 is a design thesis. And the area of focus that I chose to  
12 look at is Fish Harbor. I have chosen Fish Harbor because of  
13 my interest in not only landscape architecture, but also in  
14 cultural resources and heritage conservation.

15                   I wanted to first echo the statements that  
16 were made before about the layout of Planning Areas 3 and 4,  
17 with Planning Area 3 being Terminal Island, 4 being Fish

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PTI-36

PTI-37

PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
PTI-37 18 Harbor. And the way that they are separated splits right  
19 between the historic core of where the historic Japanese  
20 village was. And it's my understanding there are  
21 fish-related fishing industry and related businesses that  
22 occur, I believe it's north of Cannery Street, between  
23 Cannery and Terminal Way. And so I would request that that  
24 be reevaluated and that Planning Area 4 be expanded.

PTI-38 25 As I mentioned before, I have a concern for

40

1 the cultural resources. I'm pleased to know about the  
2 adaptive reuse plan for Chicken of the Sea site. However,  
3 there's also the Starkist site. And having gone to the site  
4 and actually conducted interviews with the fishermen down  
5 there, they are in need of services. Many of them live on  
6 the boats and they are in need of a place to shower, to  
7 change, to conduct business. While I was there, there was  
8 someone who had arrived to purchase lobster, and they were  
9 just buying it off a truck -- buying it from the boat and  
10 loading it onto their truck. So I really believe the  
11 Starkist site can be utilized as a place to do direct sales  
12 for these fishermen, used as a place where they have the  
13 meetings, change.

14 I have a concern for Pan-Pacific fisheries, as  
15 well as the Cannery Steam Plant. It's my understanding from  
16 the previous iteration of this draft plan that there was also  
17 a need to provide support to the trucking industry, and  
18 particularly with the trucks that line up on Terminal way

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19 before 6 o'clock, I believe. I think that there's a great  
20 opportunity that shouldn't be missed with adaptive reuse of  
21 the Cannery Steam Plant that can support the truckers.

PT1-38

22 My other concern is 198 Cannery Street that  
23 will be developed. And the permeability of that site right  
24 now is allowing some infiltration. There is overgrowth and  
25 vegetation on that site, but soon it will be developed. And

PT1-39

41

1 my concern is that there will no longer be permeable spaces  
2 permeable pavement -- an area for water infiltration. And I  
3 believe it's important that we take into consideration how  
4 storm water is treated to keep it from going directly into  
5 Fish Harbor and further contaminating it.

6 It's my hope that the 198 Cannery Street can  
7 also support Tuna Street in giving it some semblance of it  
8 having been an important district for the Japanese community  
9 that lived there.

10 And so I think that's just about it. Thank  
11 you.

12 MR. BAHNG: Thank you. Last we have Carol Scoville. PT1-40

13 MS. SCOVILLE: Good evening. My name is Carol  
14 Scoville, a San Pedro resident. I'm a member of a number of  
15 --

16 MR. BAHNG: Spell your last name, please.

17 MS. SCOVILLE: S-c-o-v-i-l-l-e.

18 And I'm a member of a number of organizations,

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PT1-40 19 but I'm here today to speak on behalf of myself. Do you have  
20 maps that you can show or -- I'd like to speak about Terminal  
21 Island. I think that's Plan 3. I want to speak about  
22 Terminal Island.  
23                   There were some work groups done on Terminal  
24 Island recently conducted with tenants of Terminal Island  
25 about what they would like to see Terminal Island become.

42

1 They were conducted during the day at Terminal Island with  
2 tenants, and so the general public was not present or didn't  
3 really have access or input available to have input into  
4 these plans. And the outcome is much what you see in this  
5 plan right here.

PT1-41 6                   I want to talk about public access to Terminal  
7 Island. Right now it's planned to be mainly container  
8 facilities, which would leave the public out.

9                   PORT REPRESENTATIVE: Just a second. When you say  
10 "here" and "there," it's hard for her to know -- to show in a  
11 transcript what you're talking about. So please just  
12 describe it. If you have a particular area in 3 that you're  
13 pointing to or something, try to do that, so that we get it  
14 all.

15                   MS. SCOVILLE: Thanks.

16                   And so what we have here is a plan that has  
17 very limited public access sites on it. It's mainly  
18 industrial. And it's also -- I'm sure Homeland Security  
19 restricted. I think there's opportunity for more sites for  
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20 public access on this area -- in this planning area.

PT1-41

21                   For instance, from Navy Way out to Pier 400 is  
22 a long road for trucks. You understand what I'm talking  
23 about? From Navy Way out to Pier 400 is a long road where it  
24 is just truck use and the train. There is no terminal there  
25 on the long narrow stretch. That is a site that can be used

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1 for public access to the water. Set off a lane for people to  
2 park and -- maybe park there and watch the ships come.

3                   If you go there, it's a great site for  
4 watching the ships come and go. You can go there on a  
5 Sunday, for instance, any Sunday at 2 o'clock and see the  
6 ships come. This to Pier 300 or 400. It's a great vista  
7 point. But there's no place to park, because it's all a  
8 truck thoroughfare. It will be nice if there were parking  
9 spaces allowed and maybe grass or somewhere you could have a  
10 picnic, giving the public access on that area. It's not a  
11 container terminal, it's a public road.

12                   Also in Long Beach, opposite Pier J, I  
13 believe, between the Queen Mary and around the exterior, they  
14 have areas where people -- have special lanes where people  
15 can park and get out and go fishing. And they do. It's full  
16 all the time. Maybe there's places on Terminal Island where  
17 people can get out and go fishing. Say, at the end of the  
18 proposed area that doesn't have coastal permitting yet,  
19 towards the break water -- somewhere towards the break water.

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PT1-41 20 PMPU Draft PEIR Public Hearing Transcript - 2013-03-13-corrected.txt  
The area that's green at the end of Pier 500,  
21 that is, I believe, primarily for least terns, so it's not  
22 public access. Although it's green, it's not for the public.  
23 Maybe there's an area somewhere along there where the public  
24 can have access to go fishing or, you know, where the red  
25 area -- where Pier 400 is, the oil terminal just pulled out

44

1 anyway, and they are not going to develop it. Maybe that's  
2 an area where the public can have access, and that would be  
3 fresh water coming in from the break water. That's where the  
4 break water opens, so the fish would be coming right there.  
5 It's not the back inner harbor, it is actually the outer  
6 harbor.

7 There could be picnic area there. Could be  
8 areas only accessible by water taxi. They don't necessarily  
9 have to have roads to get there. I also want to say that in

PT1-42 10 Long Beach they are building the -- rebuilding the Gerald  
11 Desmond Bridge and going to have bicycle lanes. It is going  
12 to bring bikes on Terminal Island. We need to plan for that  
13 in our area and have bicycle lanes, appropriate lanes in  
14 Planning Area 3 and places for bikes to go to rest -- for  
15 people on bikes. Not everything is going to be trucks, not  
16 everything is going to be private automobiles. There are  
17 different ways to get around. Even if you can't take a bike  
18 across the Vincent Thomas bridge, maybe we can set up a water  
19 taxi system so people can go somewhere and just have a  
20 picnic. And that's it for Terminal Island.

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21 I would like to talk just a brief moment about PT1-43  
22 the West Basin. I live in San Pedro. Until very recently, I  
23 lived on Black Hill across the street from the Port, just  
24 below the hill, which is just above the China Shipping  
25 terminal. I was there for 12 years. I saw the land go from

45

1 a slip -- an open water slip, public access waterways to now  
2 it's filled in and it's restricted because it's a private  
3 terminal. Well, the Port land put restricted access.

4 I want to say that from -- on the West Basin PT1-44  
5 you have the China and Yang Ming and the TraPac terminal.  
6 These are all container terminals, and they are all adjacent  
7 to residential communities. I don't think that was a very  
8 wise plan when that was developed and when that was put  
9 through, because container terminals are extremely invasive  
10 on the surrounding neighborhoods. Container terminals are  
11 not just contained within the parcel. They have thousands of  
12 trucks. The trucks spill out and there's nothing you can do  
13 about it. I feel if we are going to have container  
14 terminals, they need to be confined parcels like Terminal  
15 Island. Somewhere that is accessible to rail, like the  
16 Alameda Corridor, like Terminal Island is. And have it --  
17 that's much a more appropriate planning use. Thank you.

18 MR. BAHNG: Thank you. That is all of the speaker  
19 cards that were received. Are there any other members of the  
20 public that would like to speak.

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21 So we thank you for your comments. And again,  
22 I'd like to reiterate that we do have -- if you chose to  
23 provide written comments, we do have a 45-day comment period  
24 which will end on April 8. So please provide comments by  
25 then. And we appreciate your time. Thank you.

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1 (The public hearing was adjourned at 7:20 p.m.)

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REPORTERS CERTIFICATE

7

8 STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES)

9

10 I, Linda M. Stanton, a Certified Shorthand  
11 Reporter within and for the County of Los Angeles, State of  
12 California, do hereby certify:

13

14

15 That the foregoing proceedings were taken  
16 down by me in stenotype to the best of my ability at the time  
17 and place herein stated and thereafter reduced to print by  
18 Computer-Aided Transcription under my direction.

18

19

Dated this \_\_\_\_ day of \_\_\_\_\_, 2013.

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LINDA M. STANTON, CSR. 7769

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## 1 **Draft PEIR Public Hearing Transcripts**

### 2 **Response to Comment PT1-1:**

3 This comment addresses the PMPU and does not raise issues that require a response  
4 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
5 information provided in response to this comment.

### 6 **Response to Comment PT1-2:**

7 This comment addresses the PMPU and does not raise issues that require a response  
8 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
9 information provided in response to this comment.

### 10 **Response to Comment PT1-3:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
13 information provided in response to this comment.

### 14 **Response to Comment PT1-4:**

15 This comment addresses the PMPU and does not raise issues that require a response  
16 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
17 information provided in response to this comment.

### 18 **Response to Comment PT1-5:**

19 This comment addresses the PMPU and does not raise issues that require a response  
20 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
21 information provided in response to this comment.

### 22 **Response to Comment PT1-6:**

23 This comment states that the PEIR is deficient because it only addresses tide land  
24 properties. Article 3 of Chapter 8 of the CCA stipulates that ports shall prepare and  
25 adopt master plans (PMPs) for the land and water areas within their boundaries that  
26 lie within the coastal zone. The PMPU focuses on that portion of the Port that is  
27 within the coastal zone (i.e., the Port's coastal zone boundary), as required under the  
28 CCA. Port land outside the coastal zone is not subject to CDPs and, therefore, is not  
29 evaluated in the PEIR. The Draft PEIR does describe all Port activities and plans  
30 relevant to the master planning process, and the comment does not provide any  
31 information to the contrary. Accordingly, no further response is required under  
32 CEQA (PRC Section 21091(d); CEQA Guidelines Section 15204(a)).

### 33 **Response to Comment PT1-7:**

34 This comment states that the PEIR does not evaluate all environmental impacts  
35 associated with the proposed Program; specifically, traffic congestion and air  
36 emissions are underestimated.

1 In contrast to the comment, the LAHD contends that the Draft PEIR does describe all  
2 impacts relevant to the master planning process. In particular, as part of the analysis  
3 and consistent with City of Los Angeles Department of Transportation guidelines, a  
4 queuing analysis (where the length of the queue of vehicles at an intersection is  
5 analyzed) is not included. This is because the CEQA analysis is conducted at a  
6 planning-level and is intended to indicate locations with potentially significant  
7 impacts based on inadequate capacity. If an impact is identified, a more specific  
8 design-level analysis would occur as part of assessments of mitigation measures that  
9 would evaluate the queuing and other design issues at the location. Notwithstanding,  
10 overall intersection delay (which includes the time stopped at an intersection) is  
11 included in the analysis, although significance is not determined by delay.

12 For the capacity analysis, which is a basis for determining significance of traffic  
13 impacts, a PCE is used to account for the larger size, slower acceleration, and slower  
14 turning speed of trucks, so that the number of vehicles in the analysis is shown as  
15 PCEs, not the number of trucks or autos. The comment is incorrect that all  
16 subsequent analyses (such as the air quality analysis) are inaccurate given that the  
17 truck volumes and speeds are included in the analysis and accounts for the numbers  
18 of trucks and speed reductions due to overall congestion. Furthermore, the air quality  
19 hot-spot analysis considers the intersections with the highest level of delay and  
20 represents the most conservative scenario for the PMPU area. Therefore, the PEIR  
21 does provide an accurate and thorough assessment of potential impacts associated  
22 with the proposed Program.

#### 23 **Response to Comment PT1-8:**

24 This comment states that the PEIR uses an outdated health risk assessment (HRA)  
25 approach in lieu of a health impact assessment approach to evaluate public health  
26 impacts.

27 The Draft PEIR does not present either a HRA or a HIA to evaluate public health  
28 risks from the proposed Program. However, pursuant with CEQA requirements, the  
29 PEIR appropriately analyzes the health impacts of the proposed Program by  
30 considering those changes to the physical environment that would result from  
31 implementation of the Program. Therefore, the requested additional analysis of an  
32 HIA is not required. Furthermore, there is no requirement under CEQA that a lead  
33 agency include a HIA or conduct every study requested by commenters.

#### 34 **Response to Comment PT1-9:**

35 This comment addresses the PMPU and supports alternative land uses at the Port.  
36 The comment is noted and is hereby part of the Final PEIR, and is therefore before  
37 the decision-makers for their consideration prior to taking any action on the PMPU.  
38 The comment is general and does not reference any specific section of the Draft  
39 PEIR; therefore, no further response is required under CEQA (PRC Section 21091(d);  
40 CEQA Guidelines Section 15204(a)).

#### 41 **Response to Comment PT1-10:**

42 This comment recommends that the PMPU and PEIR assess alternative land uses.

1 The PMPU addresses the proposed Program purpose and objectives, identified in  
2 Section 2.4 of the Draft PEIR, and incorporates all elements required under CCA  
3 Chapter 8, Article 3 (Section 30711[a] and [b]), including permitted uses, design and  
4 location of land use areas, estimates of development effects on environmental  
5 resources, and anticipated projects listed as appealable. Two of the proposed Program  
6 objectives are to: promote the orderly, long-term development and growth of the Port  
7 by establishing functional areas for Port facilities and operations; and allow the Port to  
8 adapt to changing technology, cargo trends, regulations, and competition from other  
9 U.S. and foreign ports. Regardless, the PMPU also includes a number of land uses  
10 (Table 2.5-3 in the Draft PEIR), such as visitor-serving commercial, open space,  
11 recreational boating, and institutional, that support diverse uses of Port property and  
12 resources.

13 CEQA Guidelines Section 15126.6 requires that an EIR describe a range of  
14 reasonable alternatives to a proposed project, or to the location of the project, that  
15 could feasibly attain most of the basic objectives of the proposed project while  
16 avoiding or substantially decreasing any significant environmental impacts. A PEIR  
17 need not consider every conceivable alternative to the proposed Program. Rather, it  
18 must consider a reasonable range of potentially feasible alternatives that will foster  
19 informed decision making and public participation. The Draft PEIR presents a  
20 reasonable range of alternatives, pursuant to CEQA, that are consistent with LAHD's  
21 legal mandates under the Port of Los Angeles Tidelands Trust (Los Angeles City  
22 Charter, Article VI, Section 601), its leasing policy (LAHD 2006), and the CCA  
23 (20 PRC 30700 *et seq.*). The selection, development, and evaluation of alternatives  
24 analyzed in the Draft PEIR are in accordance with CCA policies that identify the  
25 coastal zone as a distinct and valuable natural resource. The Port is one of only five  
26 locations in the state identified in the CCA for the purposes of international maritime  
27 commerce (PRC Sections 30700 and 30701). LAHD's mandates identify the Port and  
28 its facilities as a primary economic/coastal resource of the state and an essential  
29 element of the national maritime industry for promotion of commerce, navigation,  
30 fisheries, environmental preservation, and public recreation.

31 **Response to Comment PT1-11:**

32 This comment asserts that statements in the PEIR noting the Pier 500 Landfill Project  
33 is not included because sufficient project information is unavailable are inaccurate.  
34 The LAHD disagrees with this assertion. At this time, the LAHD does not anticipate  
35 that a Pier 500 Project would be initiated within the next 5 years. A project-specific  
36 CEQA document would be prepared for a Pier 500 Project when sufficient project  
37 details become available. The comment is noted and is hereby part of the Final PEIR,  
38 and is therefore before the decision-makers for their consideration prior to taking any  
39 action on the PMPU.

40 **Response to Comment PT1-12:**

41 This comment addresses the PMPU and does not raise issues that require a response  
42 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
43 information provided in response to this comment.

**1 Response to Comment PT1-13:**

2 This comment addresses the PMPU and does not raise issues that require a response  
3 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
4 information provided in response to this comment.

**5 Response to Comment PT1-14:**

6 This comment addresses the PMPU and does not raise issues **that** require a response  
7 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
8 information provided in response to this comment.

**9 Response to Comment PT1-15:**

10 This comment addresses the PMPU and does not raise issues that require a response  
11 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
12 information provided in response to this comment.

**13 Response to Comment PT1-16:**

14 This comment addresses the PMPU and does not raise issues that require a response  
15 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
16 information provided in response to this comment.

**17 Response to Comment PT1-17:**

18 This comment addresses the PMPU and does not raise issues that require a response  
19 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
20 information provided in response to this comment.

**21 Response to Comment PT1-18:**

22 This comment addresses the PMPU and does not raise issues that require a response  
23 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
24 information provided in response to this comment.

**25 Response to Comment PT1-19:**

26 This comment addresses the PMPU and does not raise issues that require a response  
27 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
28 information provided in response to this comment.

**29 Response to Comment PT1-20:**

30 Please see Response to Comment LAC-1.

**31 Response to Comment PT1-21:**

32 This comment addresses the PMPU and does not raise issues that require a response  
33 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
34 information provided in response to this comment.



**1 Response to Comment PT1-22:**

2 Please see Response to Comment LAC-3.

**3 Response to Comment PT1-23:**

4 Please see responses to Comments LAC-8 and LAC-12.

**5 Response to Comment PT1-24:**

6 Please see Response to Comment LAC-5.

**7 Response to Comment PT1-25:**

8 Please see Response to Comment NTHP-2.

**9 Response to Comment PT1-26:**

10 Please see responses to Comments LAC-1 through LAC-3.

**11 Response to Comment PT1-27:**

12 Please see Response to Comment LAC-6.

**13 Response to Comment PT1-28:**

14 Please see Response to Comment NTHP-6.

**15 Response to Comment PT1-29:**

16 This comment addresses the PMPU and does not raise issues that require a response  
17 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
18 information provided in response to this comment.

**19 Response to Comment PT1-30:**

20 This comment addresses the PMPU and does not raise issues that require a response  
21 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
22 information provided in response to this comment.

**23 Response to Comment PT1-31:**

24 As noted in responses to Comments LAC-1, the LAHD's recently adopted *Built*  
25 *Environment Historic, Architectural, and Cultural Resource Policy* describes the  
26 Port's commitment to protect and preserve historical resources.

**27 Response to Comment PT1-32:**

28 The commenter's recommendation regarding mitigation measures that provide for  
29 "...additional interpretation, education, funding, and incentives for tenants who are  
30 interested in locating in historic buildings..." is noted and hereby part of the Final

1 PEIR, and is therefore before the decision-makers for their consideration prior to  
2 taking any action on the PMPU.

3 **Response to Comment PT1-33:**

4 This comment addresses the PMPU and does not raise issues that require a response  
5 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
6 information provided in response to this comment.

7 **Response to Comment PT1-34:**

8 This comment addresses the PMPU and does not raise issues that require a response  
9 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
10 information provided in response to this comment.

11 **Response to Comment PT1-35:**

12 This comment addresses the PMPU and does not raise issues that require a response  
13 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
14 information provided in response to this comment.

15 **Response to Comment PT1-36:**

16 This comment addresses the PMPU and does not raise issues that require a response  
17 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
18 information provided in response to this comment.

19 **Response to Comment PT1-37:**

20 Please see Response to Comment NTHP-6.

21 **Response to Comment PT1-38:**

22 This comment addresses the PMPU and does not raise issues that require a response  
23 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
24 information provided in response to this comment.

25 **Response to Comment PT1-39:**

26 This comment addresses the PEIR and expresses concerns that development on  
27 Cannery Street would reduce infiltration of rainfall and impact water quality in Fish  
28 Harbor. Impacts from construction and operation of the proposed appealable/fill  
29 projects and land uses on water quality in the Port are addressed in Draft PEIR  
30 Section 3.14, Water Quality, Sediments, and Oceanography. In general, stormwater  
31 runoff from construction sites is governed by a construction stormwater pollution  
32 prevention plan (SWPPP), and runoff from developed sites are governed by a  
33 discharge permit issued by the Regional Water Quality Control Board. In most areas  
34 of the Port, housekeeping best management practices (BMPs) are the principal means  
35 of preventing or minimizing discharges of contaminated stormwater. Contained and  
36 covered storage, regular sweeping, appropriate waste management, storage, and  
37 handling procedures (e.g., spill and drip prevention, oily rag and solvent storage, use

1 of containment structures for toxic chemicals, lubricants and solvents, fertilizers, and  
2 paint and cleaning wastes), and personnel training are key measures for preventing  
3 contaminated runoff. Implementing appropriate BMPs and compliance with the  
4 requirements of the National Pollutant Discharge Elimination System (NPDES)  
5 Stormwater Program, City of Los Angeles Municipal Code, and all other applicable  
6 federal, state, and local regulations prior to project approval would be required for all  
7 new appealable/fill projects. Compliance with applicable plans and permits would  
8 result in less than significant impacts from stormwater runoff to water quality.

9 In general, groundwater in the harbor area is impacted by saltwater intrusion  
10 (salinity) and is, therefore, unsuitable for use as drinking water, as discussed in Draft  
11 PEIR Section 3.6, Groundwater and Soils. Surface recharge of groundwater likely is  
12 negligible and does not support beneficial uses of groundwater. Operations of the  
13 proposed appealable/fill projects are not expected to extract groundwater and,  
14 therefore, would have no effect on existing groundwater supplies. Consequently, the  
15 proposed appealable/fill projects would not substantially deplete groundwater  
16 supplies or interfere substantially with groundwater recharge. As discussed in Draft  
17 PEIR Section 3.3, Biological Resources, upland areas of the Port are highly disturbed  
18 and represent poor habitat for native vegetation. Therefore, impacts from altering the  
19 permeability of sites are generally considered less than significant. Nevertheless,  
20 impacts to water quality, surface water infiltration, and vegetation habitat from  
21 individual projects would be evaluated in project-specific CEQA documents when  
22 appropriate levels of detail regarding the projects become available.

23 This comment also addresses the PMPU and supports preservation of historic  
24 resources related to the Japanese community that lived on Terminal Island. The  
25 comment is general and does not reference a specific section of the Draft PEIR or  
26 raise issues under CEQA requiring a response; therefore no further response is  
27 required (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). The comment  
28 is noted and is hereby part of the Final PEIR, and is therefore before the decision-  
29 makers for their consideration prior to taking any action on the PMPU.

30 **Response to Comment PT1-40:**

31 This comment addresses the PMPU and does not raise issues that require a response  
32 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
33 information provided in response to this comment.

34 **Response to Comment PT1-41:**

35 This comment addresses the PMPU and does not raise issues that require a response  
36 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
37 information provided in response to this comment.

38 **Response to Comment PT1-42:**

39 This comment addresses the PMPU and does not raise issues that require a response  
40 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
41 information provided in response to this comment.

**Response to Comment PT1-43:**

This comment addresses the PMPU and restrictions of public access to the West Basin in association with the China Shipping Container Terminal Project. Impacts from the China Shipping Container Terminal Project on land uses were evaluated in the Berths 97-109 (China Shipping) Container Terminal Project Final EIS/EIR (LAHD and USACE 2008). The China Shipping Container Terminal Project EIR/EIS concluded that the proposed project would be consistent with the site zoning, PMP, community plans, and other land use plans, and would not affect the existing land uses or divide or isolate existing communities. The China Shipping Container Terminal Project EIR/EIS also concluded that the proposed project would not result in significant impacts resulting from substantial losses of recreational, educational, or visitor-oriented resources. The recent Port San Pedro Waterfront, Wilmington Waterfront, and City Dock/Marine Research Center projects have improved public access to waterfront areas of the Port that do not conflict with industrial activities of commercial terminal operations.

The comment is general and does not reference a specific section of the Draft PEIR or raise issues that require a response under CEQA; therefore no further response is required (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). The comment is noted and is hereby part of the Final PEIR, and is therefore before the decision-makers for their consideration prior to taking any action on the PMPU.

**Response to Comment PT1-44:**

This comment addresses the PMPU and the relationship between the China Shipping, Yang Ming, and TraPac terminals and the adjacent residential communities. Similar to the Response to Comment PT-43, impacts from the China Shipping, Yang Ming, and TraPac terminal projects on existing land uses have been evaluated in the respective project-specific CEQA documents. Cumulative impacts from other present and reasonably foreseeable future projects on residential communities, related to traffic, noise, air quality, and other project elements, are also evaluated in these CEQA documents.

The comment is general and does not reference a specific section of the Draft PEIR or raise issues that require a response under CEQA; therefore no further response is required (PRC Section 21091(d); CEQA Guidelines Section 15204(a)). The comment is noted and is hereby part of the Final PEIR, and is therefore before the decision-makers for their consideration prior to taking any action on the PMPU.

**Note: Prior text from the transcript is not included since it does not pertain to the PMPU Board Hearing.**

1 issues. We are not talking about the union now. I'm  
2 not talking about us.

3 Are we going after this guy because he spoke  
4 out, or what is going on? And I just want to make sure  
5 that that's not happening, okay.

6 So I would like that investigated. I want to  
7 find out if a complaint was filed against him, why. And  
8 it better be justified.

9 LADY VOICE: Thank you. Well, I don't know  
10 that we want to have that discussion in public because  
11 it does deal with personnel, but I think it does bear  
12 investigating and at least reporting back by memo or  
13 conveying that information to the commissioner and the  
14 other commissioners as well.

15 Thank you. And we look forward to what Molly  
16 indicated, that in the next 30 days or so get a report  
17 back on the implementation on some of the changes that  
18 are recommended on this. And thank you for that.

19 I believe that now takes us to Item G.

20 LADY VOICE: A public hearing to receive  
21 comments pursuant to California Coastal Act of 1976 for  
22 the draft port master plan.

23 Okay.

24 LADY VOICE: Okay. We also have a number of  
25 cards on this one. So why don't you just -- why don't

PT2-1



1	we have our public comments first, and then we'll have	↑ PT2-1
2	the presentation. Let me start. I'll be calling a	
3	number of people in order.	
4	Pat Knave, Adrian Fine, Jeff Ferraro or	
5	Ferrano. I can't see if that's an F or an N.	
6	Are those folks still here?	
7	Pat, I don't see. Adrian Fine and Jeff	
8	Ferrano.	
9	ADRIAN FINE: Good morning, Commissioners.	PT2-2
10	Adrian Scott Fine, director of advocacy for the Los	
11	Angeles Conservancy. And I'm representing our nearly	
12	7,000 members across Los Angeles County.	
13	In our years' long efforts to work with the	PT2-3
14	port to recognize and protect historic and cultural	
15	resources, notably at Terminal Island, we have been	
16	working closer with staff in the last year, especially	
17	talking about the master plan update. And we greatly	
18	appreciate that opportunity and want to acknowledge that	
19	as part of the process.	
20	However, our concerns remain as the master	PT2-3
21	plan update does not provide, in our opinion, a path	
22	forward for preservation and adaptive re-use of historic	
23	structures, specifically in terms of offering	
24	flexibility and expanded uses, which you heard earlier	
25	in regards to the Pan Pacific Canneries building.	

1	So there are a number of outstanding issues	PT2-4
2	that we would like to raise. The biggest of these are	
3	the direct impacts associated with, one, leaving off and	
4	omitting some historic and cultural resources from the	
5	plan; and, two, not acknowledging or studying the	
6	impacts to historic and cultural resources that come	
7	with changing land use classifications and designations.	
8	These actions severely and unduly limit the	
9	ability to allow for preservation to occur in the	
10	future, which would, in our opinion, require movements	
11	and a process going through the Coastal Commission.	
12	Because this is not acknowledged as a	
13	significant impact and preservation alternatives are not	
14	provided -- in this case, looking at alternative land	
15	uses, overlay zones or hatching that you have	
16	elsewhere -- we have consulted with our attorney. And	
17	we do believe that this is an inadequate and flawed EIR	
18	process.	
19	What we have been and are asking for and are	PT2-5
20	asking for today is a level playing field. Recognizing	
21	the historic cultural resource, as it currently exists	
22	at the location within the port, throughout the port and	
23	on Terminal Island and providing land use designations	
24	that allow for some level of flexibility and expanded	
25	uses.	

1	We have raised these issues with staff.	PT2-6
2	However, we have not really seen it yet in the plan as	
3	it exists today.	
4	We don't want to oppose this initiative, and	
5	we would like to work together, and I think we have made	
6	headway towards that. So we would like to continue	
7	that.	
8	We believe there's still time to work through	
9	these issues in terms of making amendments to the plan	
10	as it exists so that we can address these issues.	
11	So I think with that, we're asking the	
12	commissioners today to help us find a way to work	
13	together to reach that conclusion.	
14	I think we have made some progress. And we	PT2-7
15	fully acknowledge where the port has done well by	
16	preservation. That's commendable.	
17	And what we're really looking here is at	PT2-8
18	Terminal Island resources and some other aspects port	
19	wide. And I think we -- one of the issues that has been	
20	suggested is a draft historic preservation policy. And	
21	I think that's working its way through the system, which	
22	is another good stride in the process.	
23	But it's really these issues, I think, that we	
24	have brought up. And we'll certainly add more in a	
25	comment letter that's due on April 8.	↓



1                   But these are the thing I think we need to  
2 work through.

↑ PT2-8

3                   Thank you.

4                   LADY VOICE: Thank you. Jeff Ferrano and then  
5 Brian Turner.

PT2-9

6                   JEFF FERRANO: Good morning. Thank you for  
7 this opportunity to speak. My name is Jeff Ferrano, and  
8 I'm with SA Recycling. We did turn in a written letter  
9 a couple days ago. But I just want to take a few  
10 minutes to summarize our points in that letter.

11                   Though SA Recycling, in general, supports the  
12 creation of a mixed-use designation of the 102 acres, in  
13 the latest drafts of the port master plan update, we do  
14 object to the condition, which states on Page 35 of the  
15 master plan as follows:

16                   "This project would relocate the existing  
17 26-acre dry bulk facility currently located at Berth  
18 2010 and 2011 eastward to a similar sized facility at  
19 Berth 206 and 207. This relocation would only occur if  
20 container operations at the adjacent containers  
21 terminals of Berths 212 and 226 were consolidated with  
22 Berth 210 and 211. If Berth 212 and 216 contain a  
23 facility does not expand, SA Recycling could remain at  
24 Berths 210 and 212. We ask the port to remove this  
25 condition and recognize the need for SA's Recycling

↓

1 remaining operations at its existing facility. In fact,  
2 we suggest that the port consider providing SAR -- SA  
3 Recycling -- the future with the use of additional and  
4 adjacent wharf. At the same time, we also recognize  
5 that some changes in SA Recycling's circumstances may be  
6 warranted given the port's goal of marketing the  
7 surrounding area as a viable container facility."  
8           For this reason, we have met with the port  
9 staff over the past several months and offered the  
10 port's consideration and engineering solutions that  
11 would provide for a feasible, physical connection  
12 between the two terminal areas, Berth 212 to 226 and  
13 Berths 206 to 209 that are separated by SA's lease hold.  
14           The alternative project would be an elevated  
15 roadway, which would connect the two terminal areas  
16 without having to relocate the bulk wrap operations.  
17           By constructing such a connection, the port  
18 would provide an operational link between the adjoining  
19 container terminals, while allowing SA to remain at its  
20 current location.  
21           We also believe that such an option would be  
22 measurably less costly than a prohibitive cost  
23 associated with attempting the relocation of SA, which  
24 most likely would result in a likely shutdown of the  
25 scrap processing operations and the loss of hundreds of

↑ PT2-9  
PT2-10

PT2-11

PT2-12



1	jobs.	↑ PT2-12
2	Clearly, SA's prospective -- the relocation	PT2-13
3	site has serious deficiencies, to plain update, envision	
4	the possibility of placing the two water-dependent uses	
5	in close proximity to one another, but does not address	
6	the various potential conflicts that would inevitably	
7	arise when two such incompatible uses, one industrial	
8	and the other a marine recreational, are located next to	
9	next to each other.	
10	Coupling that with the enormity of the costs	
11	of moving SA's operation and the uncertainty --	
12	LADY VOICE: Three minutes.	
13	MALE VOICE: I have got just 30 seconds --	PT2-14
14	uncertainty of permitting process, the numerous	
15	complications would seriously jeopardize the company's	
16	ability to move to a new site.	
17	In summary, SA is in support of the draft port	
18	master plan update as long as it allows for the	
19	continued bulk operations as well as the expansion of	
20	such operation into adjoining area and the construction	
21	of an elevated connective roadway between the two	
22	terminals.	
23	But SA has serious reservations about any	
24	plans that would relocate this dry bulk operations to an	
25	ill-advised, uneconomic location.	↓

1 Thank you for your consideration.

PT2-14

2 LADY VOICE: Thank you.

3 MALE VOICE: Can I discuss the question of  
4 staff? If we get to this master plan and we vote on  
5 it -- but there's a caveat at least from my point of  
6 view that in this particular situation, if SA can't be  
7 re -- can't be moved somewhere else, it doesn't make  
8 sense financially, how does that fit into us voting on a  
9 master plan?

PT2-15

10 I mean, I don't want to see these guys close  
11 down based on, you know, a decision that we make here,  
12 that here is the future of the waterfront, and it  
13 doesn't include SA Recycle.

14 LADY VOICE: Yeah, the master plan -- there's  
15 no specific project in the master plan to move SA  
16 Recycling.

17 In the plan for that area, it provided an  
18 option for SA to stay where they are or to move.

19 MALE VOICE: Okay.

20 LADY VOICE: Flip over in the other spot. So  
21 that would be an option to consider in the future if it  
22 was economically viable to do that.

PT2-16

23 LADY VOICE: And I also think that generally,  
24 what you are saying is if this -- this would come to  
25 pass at some future date if we had a viable different

1 user -- i.e., a terminal operator who was going to use  
2 this land and adjoining land. And that would only  
3 be -- that would be presented to a board of  
4 commissioners.

5 And at that time, SA would say well, we don't  
6 think it's viable or economic, or look at this option of  
7 letting us stay where we are and provide this  
8 overcrossing or whatever.

9 And it would be in the hands of the  
10 then-commissioners to decide what they do with it with a  
11 full public hearing.

12 So this master plan does not pre-conclude a  
13 decision there. It's going to definitely be a project  
14 decision sometime in the future if it comes to pass.

15 LADY VOICE: Exactly.

16 LADY VOICE: Okay. We have Brian Turner,  
17 Larry Pearson and Keith Nikata.

18 BRIAN TURNER: Good morning, commissioners and  
19 port staff.

20 My name is Brian Turner. I work as an  
21 attorney for the National Trust for Historic  
22 Preservation.

23 I'm grateful to have the opportunity to speak  
24 to you and offer our perspective on how the draft master  
25 plan can be improved to meet the requirements of the

PT2-16

PT2-17

1	California Environmental Quality Act.	<p>PT2-17</p> <p>↑</p> <p>↓</p> <p>PT2-18</p>
2	Without question, this plan will have a major	
3	role in determining the future of the historic assets	
4	under the port's jurisdiction.	
5	And these places are just that, assets. As	
6	time passes, the stories they tell and the sense of	
7	place they provide can only increase to the public.	
8	An historic place -- is that the port can	
9	contribute to, not detract from its continued economic	
10	viability.	
11	Precious few places remain that tell the	
12	port's history so vividly as the historic area around	
13	the Fish Harbor area. Those industrial facilities are	
14	built reminders of the industry that was responsible for	
15	the growth and success of Los Angeles and provide a	
16	record of the evolution of industrial design during the	
17	20th century.	
18	They are tangible reminders of the era that	
19	vaulted the port into international prominence.	
20	We are pleased that the port's master plan has	
21	a stated goal to preserve stated resources. However, we	
22	also believe that it suffers from some oversights, which	
23	we fear will prohibit the fulfillment of that goal.	
24	Specifically, new restrictions on uses for	
25	historic buildings and ill-conceived planning district	

1	boundaries are a step backwards from the existing master	↑ PT2-18
2	plan.	
3	Land use designations for historic resources	PT2-19
4	are proposed to become more rigid and inflexible. The	
5	draft program EIR does not provide an analysis of the	
6	potential impacts or evaluate alternative models as is	
7	required under CEQA for increased zoning limitations.	
8	This failure to consider impacts subject the	
9	port to needless litigation risks and run contrary to	
10	best practices in land use planning.	
11	In addition, several key resources are missing	PT2-20
12	from its inventory of historic resources, including the	
13	Canners Steam Plant and the historic Japanese/American	
14	commercial village, both of which are inappropriately	
15	designated for container storage.	
16	We believe the conclusion of the draft EIR	PT2-21
17	that suggests that impacts can be mitigated to a	
18	less-than-significant level is improper at this time.	
19	The comment letter we submit Monday will	
20	outline these concerns more specifically. And I	
21	encourage you all to take our concerns seriously.	
22	Thank you.	
23	LADY VOICE: Thank you.	
24	Larry Pearson.	
25	LARRY PEARSON: Good morning, everyone. My	↓ PT2-22

1	name is Larry Pearson. I'm a location manager with the	PT2-22
2	Teamsters Local 399. I have been doing this job for	
3	about 28 years. And I started my job at the Port of	
4	L.A.	
5	This has been a major backlot for us for	
6	filming. It would be a shame to see some of the areas	
7	moved. I have watched over the 28 years -- I have	
8	watched buildings disappear, the old Spruce Goose	
9	hanger, a lot of areas that we have used constantly for	
10	filming.	
11	What this means to us is ultimately our	PT2-23
12	filming has to go elsewhere, which means job loss for	
13	Los Angeles, job loss for California because if we're	
14	not able to film in the harbors -- the containers yards	
15	are wonderful. We wish we could film there, but we're	
16	not allowed to because of maybe homeland concerns, maybe	
17	too busy, whatever it is. But we don't have these	
18	facilities to use anymore.	
19	To lose some of the others would be -- would	
20	be devastating to us. Warehouse No. 1, we have used for	
21	I don't know how many films. I started off -- I did my	
22	first six feature films with Charles Bronson. Every one	
23	of them were down here between the harbors, the boats,	
24	whatever. We used this property.	
25	I work in television primarily now. I have	PT2-24



1 probably done at least 50, maybe 70 episodes of  
2 television in this area. Movie of the Week, I have done  
3 probably 10, maybe 12 Movie of the Weeks.  
4 So this is just me. I think the industry --  
5 we have done thousands of locations at Southwest Marine,  
6 Al Larson Boats, the canneries, Starkist. I have filmed  
7 inside the canneries while they were in operation. It's  
8 just an absolute shame for us to lose some of these  
9 buildings.  
10 That's about all I have to say at this point.  
11 Thank you.  
12 LADY VOICE: Thank you.  
13 We'll have Keith Nikata. And the final  
14 speaker will be Christine Espraben.  
15 KEITH NIKATA: Hi. Good morning,  
16 commissioners. My name is Keith Nikata, and I'm also a  
17 film industry location manager and a member of Teamsters  
18 Local 399.  
19 Thanks for the opportunity to speak to you  
20 today concerning the draft EIR for the port master plan  
21 update. I have attended the two workshops, workshop  
22 sessions on this matter.  
23 And as a location scout and manager for the  
24 last 25 years in the film industry, I have been working  
25 in port on many different projects from commercials to

↑ PT2-24

PT2-25

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1 feature films over the years. I would like to add that PT2-25  
2 San Pedro and Wilmington are also important locations  
3 for our industry.  
4           There are many great and irreplaceable  
5 locations that directors love here and have returned to  
6 film over and over many times.  
7           Southwest Marine has more screen credits than  
8 more SAG actors. We, as a major industry in  
9 Los Angeles, have seen our jobs leave the state and  
10 country at an alarming rate.  
11           There are -- there are, of course, many  
12 reasons for this. But one has to be the loss and  
13 difficulty in finding diverse filmable locations.  
14           The Teamsters Local 399 represent location  
15 managers, casting directors and drivers with well-paid  
16 union jobs. They have submitted a letter to the planner  
17 during the workshop period, which I have brought copies  
18 with me today for you to review.  
19           We encourage the goals of 3.2.5 of the plan PT2-26  
20 concerning historic preservation. As part of the goal,  
21 we strongly recommend a comprehensive historic plan be  
22 part of the master plan update, instead of just the  
23 mention of the need to develop one.  
24           Historic buildings on Terminal Island are the PT2-27  
25 last record of World War I and II, shipbuilding, tuna

1	canning and the Japanese/American community that existed	PT2-27
2	there and should be preserved and, when possible, be	
3	adaptively re-used and appropriately maintained.	
4	These resources tell the story of the port and	
5	should be considered invaluable and irreplaceable. The	
6	plan, as currently presented, does not accomplish this.	
7	Only one property is even addressed for re-use.	
8	If the plan is followed as presented today, it	PT2-28
9	would actually lead to the destruction of historic	
10	resources and not the preservation and a possible	
11	adaptive re-use.	
12	The alignment of Seaside Avenue through	PT2-29
13	Southwest Marine could jeopardize it and lead to its	
14	demise.	
15	I'm not sure how a planning document can be	PT2-30
16	drawn up without the historical preservation plan being	
17	completed first.	
18	How can you plan to save buildings and	PT2-31
19	resources without identifying which are most valuable?	
20	LADY VOICE: Three minutes --	PT2-32
21	KEITH NIKATA: May I finish?	
22	LADY VOICE: Conclude, yes.	
23	MALE VOICE: Okay. I believe that successful	
24	adaptive re-use of similar type resources have been	
25	accomplished at the Brooklyn Naval Yard and Hunters	

1 Point in San Francisco and can coexist with improved  
2 cargo processing and other goals of the master plan.

3 The port can be a powerful economic engine for  
4 the Southland if it takes a broader look at the economic  
5 possibilities instead of narrowing opportunities and  
6 providing a wider palate of choices.

7 I believe that in the past, this commission  
8 has requested of the planning staff a more comprehensive  
9 plan of historic preservation, and it should be part of  
10 the master plan and a road map for planning in the  
11 future.

12 Thank you.

13 LADY VOICE: Thank you.

14 And the last speaker is Christine Espraben, if  
15 she is still here. If not, then that will conclude the  
16 public hearing on this matter.

17 And let me ask staff to give us an update as  
18 to where we go from here.

19 MALE VOICE: Good morning, commissioners. My  
20 name is Michael Chan. I'm the project manager for the  
21 port master plan update. I just wanted to quickly  
22 review the schedule moving forward from today.

23 As you know, today is the public hearing that  
24 you have scheduled when you released the draft port  
25 master plan on February 21.

↑  
PT2-32

PT2-33

## Draft PMPU Public Hearing Transcripts

### Response to Comment PT2-1:

This comment addresses introductory material and does not raise issues that require a response under CEQA. Responses to specific CEQA issues raised by subsequent comments are provided below.

### Response to Comment PT2-2:

This comment addresses introductory material and does not raise issues that require a response under CEQA. Responses to specific CEQA issues raised by subsequent comments are provided below.

### Response to Comment PT2-3:

This comment addresses the PMPU and does not raise issues that require a response under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for information provided in response to this comment.

### Response to Comment PT2-4:

The LAHD disagrees with the comment that the PEIR omits historical or cultural resources and does not evaluate the impacts of land use classifications identified in the PMPU. The Draft PEIR identifies listed cultural and archaeological resources, based on a cultural resource site record and literature search performed on July 27, 2012 (Morlet et al. 2012). The records search was conducted at the SCCIC at California State University, Fullerton, which maintains the CHRIS database for Orange, Los Angeles, and Ventura counties and keeps a record of all reported cultural resource studies and findings. Please see Response to Comment LAC-6 for additional information regarding historical and cultural resources within the PMPU area.

The PEIR acknowledges the current state of knowledge regarding cultural resources in the Port by imposing mitigation measures that require cultural resources evaluations when proposed appealable/fill projects are initiated (**MM CR-1**), and sets forth procedures for protecting previously unknown resources discovered during construction (**MM CR-2**). The PEIR acknowledges that future projects under the PMPU could encounter currently unrecorded or unsurveyed historic resources, and finds that such an occurrence would represent a potentially significant impact (refer to Draft PEIR Section 3.4.4.3, Impacts and Mitigation [Impact CR-2]). Once a proposed project site is identified, the LAHD will not approve any development until the site has been surveyed pursuant to the *Built Environment Historic, Architectural, and Cultural Resource Policy*, and any historical resources identified during the survey will be subject to the provisions of this policy. Furthermore, in accordance with **MM CR-3**, if a historic resource is present, the LAHD will determine the need to implement measures, including but not limited to: 1) preconstruction and construction monitoring activities by a preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards; 2) HABS/HAER documentation; 3) establishing an environmentally sensitive area with barriers to ensure the protection of specific built resources; and/or 4) implementation of

1 additional protective measures (e.g., in-situ preservation, adaptive reuse, and  
2 relocation). Therefore, implementation of **MM CR-3** would ensure potential impacts  
3 on previously unevaluated historical resources associated with future construction of  
4 proposed appealable/fill projects and land use changes would be less than significant.  
5 Further, the land use designations in the PMPU do not conflict with the goal of  
6 protecting historic resources, and the PEIR correctly concludes that, at the  
7 programmatic level appropriate for this analysis, the proposed PMPU would not have  
8 significant adverse impacts on such resources. Accordingly, the PEIR's evaluation of  
9 potential impacts of implementing the PMPU is accurate and complies with CEQA.

10 **Response to Comment PT2-5:**

11 This comment addresses the PMPU and does not raise issues that require a response  
12 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
13 information provided in response to this comment.

14 **Response to Comment PT2-6:**

15 This comment addresses the PMPU and does not raise issues that require a response  
16 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
17 information provided in response to this comment.

18 **Response to Comment PT2-7:**

19 This comment addresses the PMPU and does not raise issues that require a response  
20 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
21 information provided in response to this comment.

22 **Response to Comment PT2-8:**

23 This comment addresses the PMPU and does not raise issues that require a response  
24 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
25 information provided in response to this comment.

26 **Response to Comment PT2-9:**

27 This comment addresses the PMPU and does not raise issues that require a response  
28 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
29 information provided in response to this comment.

30 **Response to Comment PT2-10:**

31 This comment addresses the PMPU and does not raise issues that require a response  
32 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
33 information provided in response to this comment.

34 **Response to Comment PT2-11:**

35 This comment addresses the PMPU and does not raise issues that require a response  
36 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
37 information provided in response to this comment.

**1 Response to Comment PT2-12:**

2 This comment addresses the PMPU and does not raise issues that require a response  
3 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
4 information provided in response to this comment.

**5 Response to Comment PT2-13:**

6 This comment addresses the PMPU and does not raise issues that require a response  
7 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
8 information provided in response to this comment. The existing SA Recycling  
9 facility is proximal to the East Basin marinas, where recreational vessels are berthed.  
10 Relocating SA Recycling to an adjacent berth would not be expected to alter existing  
11 conditions with respect to the potential for interferences with recreational boating in  
12 the vicinity of the East Basin marinas.

**13 Response to Comment PT2-14:**

14 This comment addresses the PMPU and does not raise issues that require a response  
15 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
16 information provided in response to this comment.

**17 Response to Comment PT2-15:**

18 This comment addresses the PMPU and does not raise issues that require a response  
19 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
20 information provided in response to this comment.

**21 Response to Comment PT2-16:**

22 This comment addresses the PMPU and does not raise issues that require a response  
23 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
24 information provided in response to this comment.

**25 Response to Comment PT2-17:**

26 This comment provides background and introductory material. Please see responses  
27 to Comments PT2-19, PT2-20, and PT2-21.

**28 Response to Comment PT2-18:**

29 This comment addresses the PMPU and does not raise issues that require a response  
30 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
31 information provided in response to this comment.

**32 Response to Comment PT2-19:**

33 The LAHD disagrees with the comment that the land use designations in the PMPU  
34 would make it harder to protect historical and cultural resources. The PMPU fully  
35 allows, and does not limit the ability of the LAHD to identify and protect, as  
36 appropriate, the historic resources within its jurisdiction. One of the PMPU's goals is

1 the protection of historic resources (PMPU Section 3.2.5, Goals), and the PEIR  
2 describes the measures the LAHD will undertake to achieve that goal, including  
3 cultural resource surveys, construction safeguards, and an array of preservation  
4 measures to be applied on a project-specific basis (Draft PEIR Section 3.4.4.3,  
5 Impacts and Mitigation).

6 Furthermore, the PEIR acknowledges that future projects under the PMPU could  
7 encounter currently unrecorded or unsurveyed historic resources, and finds that such  
8 an occurrence would represent a potentially significant impact (refer to Draft PEIR  
9 Section 3.4.4.3, Impacts and Mitigation [Impact CR-2]). Once a proposed project site  
10 is identified, the LAHD will not approve any development until the site has been  
11 surveyed pursuant to the recently adopted *Built Environment Historic, Architectural,  
12 and Cultural Resource Policy*, and any historical resources identified during the  
13 survey will be subject to the provisions of this policy. Furthermore, in accordance  
14 with **MM CR-3**, if a historic resource is present, the LAHD will determine the need  
15 to implement measures , including but not limited to: 1) preconstruction and  
16 construction monitoring activities by a preservation architect meeting the Secretary  
17 of the Interior’s Professional Qualifications Standards; 2) HABS/HAER  
18 documentation; 3) establishing an environmentally sensitive area with barriers to  
19 ensure the protection of specific built resources; and/or, 4) implementation of  
20 additional protective measures (e.g., in-situ preservation, adaptive reuse, and  
21 relocation). Therefore, implementation of **MM CR-3** would ensure potential impacts  
22 on previously unevaluated historical resources associated with future construction of  
23 proposed appealable/fill projects and land use changes would be less than significant.  
24 Furthermore, the recently-adopted *Built Environment Historic, Architectural, and  
25 Cultural Resource Policy* provides an additional measure of protection to historic  
26 resources. Thus, the PMPU and associated policies contain the necessary procedures  
27 and guidelines to allow the LAHD to manage historic resources and to mitigate  
28 impacts to such resources in full compliance with CEQA and other applicable laws.

29 **Response to Comment PT2-20:**

30 Please see Response to Comment LAC-6.

31 **Response to Comment PT2-21:**

32 For reasons discussed in the Response to Comment PT2-4, the LAHD disagrees with  
33 this comment and believes that at the programmatic level appropriate for this analysis,  
34 the proposed PMPU would not have significant adverse impacts on such resources, as  
35 concluded by the PEIR.

36 **Response to Comment PT2-22:**

37 This comment addresses the PMPU and does not raise issues that require a response  
38 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
39 information provided in response to this comment.



**1 Response to Comment PT2-23:**

2 This comment addresses the PMPU and does not raise issues that require a response  
3 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
4 information provided in response to this comment.

**5 Response to Comment PT2-24:**

6 This comment addresses the PMPU and does not raise issues that require a response  
7 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
8 information provided in response to this comment.

**9 Response to Comment PT2-25:**

10 This comment addresses the PMPU and does not raise issues that require a response  
11 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
12 information provided in response to this comment.

**13 Response to Comment PT2-26:**

14 This comment addresses the PMPU and does not raise issues that require a response  
15 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
16 information provided in response to this comment.

**17 Response to Comment PT2-27:**

18 This comment addresses the PMPU and does not raise issues that require a response  
19 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
20 information provided in response to this comment.

**21 Response to Comment PT2-28:**

22 This comment addresses the PMPU and does not raise issues that require a response  
23 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
24 information provided in response to this comment.

**25 Response to Comment PT2-29:**

26 This comment addresses the PMPU and does not raise issues that require a response  
27 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
28 information provided in response to this comment.

**29 Response to Comment PT2-30:**

30 This comment addresses the PMPU and does not raise issues that require a response  
31 under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for  
32 information provided in response to this comment.

**Response to Comment PT2-31:**

This comment addresses the PMPU and does not raise issues that require a response under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for information provided in response to this comment.

**Response to Comment PT2-32:**

This comment addresses the PMPU and does not raise issues that require a response under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for information provided in response to this comment.

**Response to Comment PT2-33:**

This comment addresses the PMPU and does not raise issues that require a response under CEQA. Please refer to Final PEIR Appendix A, Port Master Plan, for information provided in response to this comment.

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