PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS **BUILDING STRONG®**
LOS ANGELES DISTRICT

APPLICATION FOR PERMIT

NOTICE OF AVAILABILITY (NOA)
DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)

DRAFT GENERAL CONFORMITY DETERMINATION

PUBLIC HEARING

Public Notice/Application No.: SPL-2013-00756-TS
Project: Berths 226-236 Everport Container Terminal Improvements Project
Comment Period: April 21, 2017 through June 5, 2017 (45 days)
Project Manager: Theresa Stevens, Ph.D.; 805-585-2146; theresa.stevens@usace.army.mil

Applicant
David M. Walsh, P.E.
Chief Harbor Engineer
Los Angeles Harbor Department
425 S. Palos Verdes Street, P.O. Box 151
San Pedro, CA 90733-0151

Contact
Tara Tisopulos
c/o Environmental Management Division
Los Angeles Harbor Department
425 S. Palos Verdes Street, P.O. Box 151
San Pedro, CA 90733-0151

Location
The project is located on Terminal Island at Berths 226-236 in the Port of Los Angeles, Los Angeles Harbor, in the City and County of Los Angeles, California (33° 44' 35" latitude, -118° 16' 25" longitude). Specifically, the Everport Container Terminal (also known as Evergreen) is located on the west side of Terminal Island along the Main Channel and near the Main Channel Turning Basin. The LA-2 offshore disposal site is located in San Pedro Bay at 33° 37' 06" latitude / -118° 17' 24" longitude.

Activity
For more information see pages 2-10 of this notice and attached exhibits.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawings. We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that support the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. The proposed project is being evaluated under Section 10 of the Rivers and Harbors Act (33 U.S.C. 403), Section 103 of the Marine Protection, Research

and Sanctuaries Act (33 U.S.C. 1413) and the Corps implementing regulations (33 CFR parts 320-332).

Written comments to the Corps will be received until **June 5, 2017**, and should be mailed to the addresses below:

U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
Ventura Field Office
Attn: SPL-2013-00756-TS
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Alternatively, comments can be sent electronically to: **theresa.stevens@usace.army.mil**

Parties interested in being added to the Corps' electronic mail notification list can register at: www.spl.usace.army.mil/regulatory/register.html. This list will be used in the future to notify the public about availability of future public notices for this action.

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible, and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state, and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Federal Action:
Interested parties are hereby notified that an application has been received for a Department of the Army (DA) permit for the activity described herein. The Corps is considering an application submitted by the Los Angeles Harbor Department (LAHD) for a permit, in accordance with Section 10 of the Rivers and Harbors Act (RHA) to conduct work and erect structures to upgrade an existing container terminal, and Section 103 of the Marine Protection, Research and Sanctuaries Act to transport dredged material for the purpose of ocean disposal at LA-2. The project would increase the depth at

the project site as a result of dredging, construct wharf improvements, modify up to five existing cranes with larger cranes, and add five new cranes. In addition, the LAHD is proposing to dispose of unsuitable dredged material at an approved upland disposal facility and dispose of suitable material offshore at LA-2, or dispose of all material in an approved upland location.

The primary federal action is the proposed issuance of a DA permit authorizing work (dredging and wharf improvements) and structures (wharf improvements including pile driving, and cranes) in, over or under navigable waters of the United States (U.S.) and disposal of dredged material at the LA-2 ocean disposal site. For the Corps, approval of a permit under Section 10 of the RHA and Section 103 of the MPRSA for activities associated with the proposed Project or project alternatives is an action that might result in significant effects on the environment. This environmental impact statement (EIS) would be used by the Corps as part of their decision-making and permit approval process. The Corps and the LAHD independently determined under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), respectively, potentially significant environmental impacts associated with the proposed action and an EIS under NEPA and an environmental impact report (EIR) under CEQA are required.

The Corps may ultimately make a determination to permit or deny the proposed project, or permit a modified version of the proposed Project. On October 24, 2014, the Corps published a Notice of Intent to Prepare an EIS (NOI) in the Federal Register. On April 21, 2017, the Corps through the U.S. Environmental Protection Agency (EPA) published a Notice of Availability (NOA) of the Draft EIS for the proposed project in the Federal Register. Interested parties are invited to provide their views on the Draft EIS to the Corps. Public comments on the Corps' EIS and this public notice will be received until **June 5, 2017.**

Public Hearing

The U.S. Army Corps of Engineers and the LAHD will jointly hold a public hearing to receive public comments and to assess pubic concerns regarding the Draft EIS/EIR and project on **May 10, 2017**, starting at 6:00 PM (doors open at 5:30 PM) in the Board Room of the Harbor Administration Building, located at 425 South Palos Verdes Street, San Pedro, CA 90733.

State Action:

The LAHD is proposing terminal improvements at the Everport Container Terminal at Berths 226-236. The primary purpose of the Draft EIR is to identify the significant environmental effects of the proposed Project so the decision-makers can consider them as part of the proposed project approval process. Also, the LAHD would use the EIR to support permit applications and other actions required to implement the selected Berths 226-236 project or a project alternative.

Pursuant to CEQA, the LAHD will serve as Lead Agency for the preparation of an EIR for its consideration and development approvals within its jurisdiction. The Port prepared a Notice of Completion, in accordance with the City of Los Angeles Guidelines for the Implementation of the CEQA (1970, Article 1), State CEQA Guidelines (Title 14, California Code of Regulations), and the California Public Resources Code (Section 21000, et seq.). Interested parties are invited to provide their views on the Draft EIR to the LAHD. Public comments on the draft EIR will be received until **June 5, 2017.**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably

foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would transport dredged material for the purpose of ocean disposal, the evaluation of the activity will include application of the U.S. EPA Guidelines (40 CFR part 230) as required by Section 103 of the Marine Protection, Research and Sanctuaries Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an EIS is required for the proposed action. Digital copies of the Draft EIS/EIR are available upon request, and are available to download at the LAHD/Port of Los Angeles web site (http://www.portoflosangeles.org/). Print and additional digital copies of the Draft EIS/EIR are also available at the following locations:

- Port of Los Angeles, Environmental Management Division, 222 West 6th Street, Suite 900, San Pedro, CA 90731
- Los Angeles City Library, San Pedro Branch, 921 Gaffey Street, San Pedro, CA 90731
- Los Angeles City Library, Wilmington Branch, 1300 N. Avalon, Wilmington, CA 90744
- Los Angeles Public Library, Central Branch, 630 W. 5th Street, Los Angeles, CA 90071

Water Quality- The applicant is required to obtain water quality certification under section 401 of the Clean Water Act, from the California Regional Water Quality Control Board for the proposed dredging activities and wharf improvements (i.e., king piles, sheet piles). The Corps requires that any applicant for a Corps permit provide proof of water quality certification to the U.S. Army Corps of Engineers prior to permit issuance.

Coastal Zone Management- The applicant is required to certify the proposed activity would comply with and would be conducted in a manner that is consistent with the approved State Coastal Zone Management Program. For those projects in or affecting the coastal zone, the Federal Coastal Zone Management Act requires that prior to issuing the Corps authorization for the project, the applicant must obtain concurrence from the California Coastal Commission that the project is consistent with the State's Coastal Zone Management Plan.

Essential Fish Habitat- Several elements of the proposed project would take place in the marine environment which is defined as Essential Fish Habitat (EFH) pursuant to the Magnuson-Stevens Fisheries Conservation and Management Act. Specifically, the proposed project would take place in an area designated as EFH for species managed pursuant to the Coastal Pelagics Fishery Management Plan (FMP) and Pacific Groundfish Fishery Plan. The proposed Project activities are not included in the list of activities for which the National Marine Fisheries Service (NMFS) and U.S. Army Corps of Engineers Los Angeles District have determined would have minimal individual and cumulative impacts on EFH, and therefore, consultation with NMFS is required. With this public notice, the Corps hereby requests the NMFS initiate EFH consultation pursuant to the Magnuson-Stevens Fishery Conservation and Management Act.

The proposed project would permanently and temporarily impact areas designated as EFH through dredging, wharf improvements (king pile/sheet pile installation), and transport and disposal of dredged material offshore at the LA-2 ocean disposal site. Temporary impacts would take place over the approximately 24-month-long construction period and may involve substantial noise, disturbance associated with greater activity at the site, potential discharges of debris or construction materials, as well as turbidity and benthic disturbances associated with the proposed dredging to create additional depth for deep draft vessels. An EFH assessment is included in the appendices to the Draft EIS/EIR.

Cultural Resources- For the purpose of the Corps evaluation under NEPA, the permit area as defined at 33 CFR 325 Appendix C is the same as the Area of Potential Effect (APE) as defined at 36 CFR 800.16.d. The APE is the in-water, over-water, and under-water areas and backlands that would be affected by activities that require a DA permit. The APE includes approximately 18.2 acres of waters of the United States and approximately 7.3 acres of backland. The Undertaking is issuance of a Department of the Army (DA) permit to conduct work (dredging), underwater structural wharf improvements (king pile and sheet pile installation), and disposal of dredged material in waters of the United States; and the raising up to five existing cranes and installation of five new cranes on the wharf.

The latest version of the National Register of Historic Places (NRHP) has been consulted and there are no federally-listed or eligible historic properties in the APE. Coordination with the Native American Heritage Commission (NAHC) and Native American tribal representatives indicated no sacred sites or other federally-listed or eligible historic properties or sites of concern to the Native American community in the APE. Site specific investigations conducted for the Draft EIS/EIR did not identify any federally-listed or eligible historic properties or sites in the Corps permit area or APE. However, outside the APE, historic period artifacts associated with a Japanese fishing village were found in the backlands, as described in the Draft EIS. Terminal backlands that would be developed or upgraded as proposed, are not located in the APE and could be developed or removed in the absence of a DA permit (i.e., under the No Federal Action Alternative). As such, the Corps has determined the proposed Undertaking (issuance of a permit to conduct work (dredging), install structures (piles, cranes), install infrastructure in the 100-foot buffer/backland area, and dispose of dredged material would have no effect on federally-listed or eligible historic properties. The State Historic Preservation Officer (SHPO) concurred with the Corps' determination (letter dated July 13, 2016). This review constitutes the extent of historic properties investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- California least tern (*Sterna antillarum browni*), a federally-listed endangered migratory bird species, is known to nest on an existing 15-acre area on Pier 400 in the Outer Harbor. California least terns are also known to forage throughout shallow water areas of the Port, including the shallow water habitat area in the Inner Cabrillo bay area, Pier 300 Shallow Water Habitat Area/Seaplane Lagoon. No designated critical habitat for California least terns or any other

federally listed endangered or threatened species occurs within Los Angeles Harbor/Port of Los Angeles. California least terns may be affected by increased noise and activity, and turbidity associated with the proposed project because construction in waters of the United States may occur during the California least tern nesting season. Based on detailed biological information in the Draft EIS/EIR, preliminary determinations indicate the proposed activity may affect but would not adversely affect the California least tern. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Project Description:

The following proposed activities require authorization from the U.S. Army Corps of Engineers Regulatory Division.

1. Dredging of approximately 38,000 cubic yards(cy) of sediment from Berths 226-232.
2. Disposal of 38,000 cy of dredged material at the U.S. EPA-approved LA-2 ocean disposal site. The U.S. EPA must approve of ocean disposal at LA-2 in addition to Corps approval. A DA permit is not required for disposal of dredged material in a landfill.
3. Structural wharf improvements.
4. Crane raising and installation.
5. Construction activities and equipment staging from the wharf edge to a distance 100 feet inland which may be needed to complete regulated activities in, over and under jurisdictional waters of the United States.

Berths 226-229

Dredge approximately 30,000 cy of sediment to increase design depth from -45 feet mean lower low water (MLLW) to -53 feet MLLW plus two feet of overdepth tolerance for a total depth of -55 feet MLLW to accommodate the largest ships in the fleet; install king piles and approximately 1,400 linear feet of sheet piles to stabilize the wharf.

Berths 230-232

Dredge approximately 8,000 cy of sediment to increase design depth from -45 feet MLLW to -47 feet MLLW, plus two feet of overdepth tolerance for a total depth of -49 feet MLLW; install approximately 1,400 linear feet of sheet piles to stabilize the wharf.

Berths 233-236

No regulated activities would take place at these berths.

Dredged Material Disposal

Dispose of approximately 38,000 cy of dredged material at the LA-2 ocean disposal site, at an approved upland facility, at a beneficial reuse site (e.g., the 23.5-acre backland expansion areas), or a combination of the above. The Draft EIS/EIR includes detailed information on sediment testing (Appendix F1) and the dredged material disposal analysis required by the section 103 implementing regulations (Appendix F2).

Cranes

Up to five of the existing cranes would be raised at the site in order to accommodate larger vessels. Installation of five new 100-foot gauge A-frame over-water gantry (wharf) cranes manufactured by Shanghai Zhenhua Heavy Industry Co., Ltd. (ZPMC), or equivalent. These additional cranes would be installed upon existing crane rails at Berths 226-228 to accommodate larger ships at the proposed deeper berths. The new cranes would require infrastructure improvements (such as cable and electrical upgrades) to support the three additional cranes. These infrastructure improvements would take place

in the 100-foot backland area and are evaluated in the Draft EIS/EIR because the 100-foot backland area is included in the Corps scope of analysis.

Vessel Servicing Infrastructure
Construction of five alternative maritime power (AMP) vaults (throughout wharf area adjacent to Berths 226 to 232) and associated infrastructure. The AMP systems provide ship to shore electrical power while the vessels are at berth. Without AMP infrastructure, ships rely on diesel generators or diesel engines. Similar AMP vaults have been installed in the past at the Everport Container Terminal without a DA permit because their construction does not involve a discharge of dredged or fill material nor work in navigable waters of the United States. These infrastructure improvements would take place in the 100-foot backland area and are evaluated in the Draft EIS/EIR because the 100-foot backland area is included in the Corps scope of analysis.[1]

Backland Development
Development of approximately 1.5 acres of vacant land as new backlands; these backlands are not in jurisdictional waters of the United States nor subject to the Corps federal control and responsibility, and could be developed without a DA permit.

Development of approximately 22 acres as new backlands, and potentially, a modified inbound and outbound gate complex. The development of the 22-acre backland area would require closure (vacation) of streets within the Project site (see below) and demolition of existing structures (with the exception of the existing electrical substation). These backlands are not in jurisdictional waters of the United States nor subject to the Corps federal control and responsibility, and could be developed without a DA permit.

The following changes to streets and traffic routes is considered an operational activity and would occur outside the Corps federal control and responsibility, and these changes could be implemented without a DA permit. Closure of portions of Terminal Way, Barracuda Street, Tuna Street, and Ways Street within the Project site and rerouting of Terminal Way traffic to Cannery Street;

- Improvements to Cannery Street, including: street realignment, pavement improvements, street widening, striping, traffic lighting and signals, drainage, and sidewalk improvements;

- Infrastructure to support 23.5 acres (1.5 + 22 acres) of new backlands (such as lighting, paving, and drainage improvements);

- Amendment of the lease to add approximately 48.5 acres of terminal backlands comprised of approximately 25 acres of existing developed terminal backlands currently under space assignment, and the 23.5 acres (1.5 plus 22) of new backland area, for a total terminal acreage of approximately 229 acres; and

- Extension of the facility lease by 10 years for continued operations from the current end date of 2028 to 2038.

Construction

[1] Subsequent to release of the Notice of Intent/Notice of Preparation/Initial Study (included as Appendix A of the Draft EIS/EIR), refinements to the proposed Project have been made to extend the -53 feet MLLW dredging to include Berth 229, and construct three additional AMP vaults (for a total of five new vaults, instead of two). The refinements are minor modifications that do not represent a material change to the proposed Project that was described in the Notice of Intent/Notice of Preparation/Initial Study and do not change any of the conclusions in the Initial Study.

The proposed project would be constructed over approximately 24 months, beginning in 2018. During construction, the terminal would remain in operation with a single berth in use. The Draft EIS/EIR includes a draft General Conformity Determination (GCD) because construction impacts associated with the Corps' federal action (i.e., issuance of a permit to conduct work and install structures in navigable waters of the United States and transport dredged material for the purpose of ocean disposal) would exceed *de minimis* thresholds of NOx as described at 40 CFR 93.153(b)(1).

Operations
Terminal operations are not regulated by the Corps. However, operations may be modified as a result of the Corps federal action. Under the proposed Project and at optimal throughput capacity, the improved Everport Container Terminal could handle approximately 2,379,525 twenty-foot-equivalent-units (TEU) and 208 ship calls per year by 2038. Everport may operate the terminal at lower TEU volumes than those described; however, an estimate of throughput based on optimal terminal capacity ensures a conservative analysis in that all reasonably foreseeable proposed project operations, direct, indirect and cumulative impacts are disclosed and evaluated as required by NEPA.

The Draft EIR/EIS describes alternatives not carried forward for evaluation and also evaluates the environmental impact associated with five alternatives to the proposed project including:

- Alternative 1 – No Federal Action (NEPA Baseline)
- Alternative 2 – No Project
- Alternative 3 – Reduced Project: Reduced Wharf Improvements
- Alternative 4 – Reduced Project: Reduced Backland Improvements
- Alternative 5 – Expanded On-Dock Railyard: Wharf and Backland Improvements with an Expanded Terminal Island Container Transfer Facility (TICTF)

The Draft EIS/EIR evaluates proposed increases in throughput capacity, ship calls, and truck and rail trips for each alternative for the various analysis years. For example, proposed project improvements would increase the physical and operational capacity of the Everport Container Terminal when compared to the No Federal Action Alternative in year 2038; however, actual throughput capacity would depend on economic conditions and market demand over the life of the project. By analyzing the physical and operational capacity, the Draft EIS/EIR assumes a realistic annual and peak day scenario to ensure all potential environmental impacts are disclosed.

Additional Project Information:
The regulated activities that would take place in jurisdictional waters of the United States are being evaluated under Section 10 of the Rivers and Harbors Act and Section 103 of the Marine Protection, Research and Sanctuaries Act. The proposed Project does not include discharges of fill material in waters of the U.S., therefore a Section 404 permit is not required. Disposal of dredged material at the LA-2 offshore disposal site is being evaluated in the Draft EIS/EIR and will require approval by the U.S. EPA. Sediment to be dredged was sampled and tested in accordance with the U.S. EPA and Corps' Ocean Disposal Manual (1991) and Inland Testing Manual (1998); the test results are utilized by the U.S. EPA and Corps, as well as other state and federal agencies to make factual determinations on the suitability of dredged material for ocean disposal. Sediment test results indicated the dredged material is suitable for ocean disposal at LA-2; this was confirmed by the Southern California Dredged Material Management Team/Contaminated Sediments Task Force (DMMT/CSTF) on September 23, 2015; and in July 2016 in response to a revised dredging plan. Alternatives to the proposed Project, including alternative dredged material disposal sites are being evaluated in the Draft EIS as required by NEPA (40 CFR 1500 et seq.), 40 CFR 227, 33 CFR 320.4,

and 33 CFR 325 Appendix B, specifically, the sediment sampling and analysis report Appendix F1 of the EIS/EIR and the dredged material disposal analysis is Appendix F2 of the EIS/EIR.

NEPA and CEQA require preparation of an EIS or EIR, respectively, for actions that could significantly affect the environment. Actions subject to NEPA and CEQA requirements include projects sponsored by a governmental agency and the approval of projects over which the governmental agency has discretionary authority.

The purpose of the proposed Project described in the Draft EIS/EIR is to optimize container handling efficiency at the Everport Container Terminal. The purpose of the Draft EIS/EIR is to identify the significant impacts of the proposed Project and project alternatives, to inform decision makers and the public of reasonable alternatives to the proposed project (that would avoid or minimize significant impacts or enhance the quality of the human environment), and to indicate the manner in which significant effects can be avoided or mitigated.

Due to the potential exceedance of NOx air emissions thresholds (10 tons per year) with mitigation resulting from construction activities associated with the Corps federal action (i.e., issuance of a Department of the Army permit), a Draft General Conformity Determination is included in the Draft EIS/EIR as Appendix B4.

Existing Site Development and Infrastructure:
The Everport Container Terminal consists of a cargo ship unloading (wharf) and storage (backlands) areas, a large container and chassis parking/storage yard, and appurtenant container terminal buildings and areas. In addition, the Everport Container Terminal shares an on-dock rail facility (the TICTF) with the YTI Container Terminal. Most of the terminal yard is paved with asphalt, but some areas around buildings and on equipment runways are paved with concrete. There is an approximately 23.5-acre area of the backlands (portions which are paved and unpaved) and under consideration for development as described in the Draft EIS/EIR.

The Everport Container Terminal extends from Berth 226 through Berth 236. Currently the terminal can service up to three smaller vessels along the two operating berths. However, the occasions when three ships are berthed simultaneously are rare; the terminal mostly handles one to two vessels at a time. No regulated activities are proposed for Berths 233-236.

Proposed Mitigation – At this time, no compensatory mitigation for impacts to waters of the U.S. resulting from dredging or pile driving has been proposed. However, the Draft EIS/EIR includes mitigation measures and best management practices (BMPs) for specific resource impacts. If a DA permit is approved, mitigation measures described in the Draft EIS/EIR may be required by the Corps, and the Corps' special conditions may be modified as a result of comments received in response to this public notice and the Draft EIS, the applicant's response to those comments, resource agency consultations, and/or the Corps' public interest review pursuant to 33 CFR 320.4.

Avoidance: No discharges of fill material in waters of the U.S. are proposed; therefore, no permanent loss of waters of the U.S. or aquatic functions or services would occur. Dredging, ocean disposal of dredged material, wharf improvements, and crane raising and new crane installation would occur and would affect the condition and capacity of navigable waters of the U.S. except under Alternative 1 (No Federal Action).

Minimization: Short-term impacts would be minimized by implementing BMPs during construction. Long-term impacts would be mitigated by implementing measures described in the Draft EIS/EIR (e.g., "soft-start" methods during pile driving to reduce noise impacts on aquatic species, turbidity

control during dredging [if feasible], implement spill control response plans to protect water quality). Alternative 3 would minimize impacts to waters of the U.S. because only one berth would be developed.

Compensation: Impacts associated with completion of the in-water elements of the project may require compensatory mitigation as a result of consultation with NMFS and the FWS associated with impacts to EFH and/or California least tern. In addition, the Los Angeles Regional Water Quality Control Board section 401 water quality certification may include measures to offset project impacts on water quality during dredging and other in-water construction activities.

Proposed Special Conditions

The Corps will include standard special conditions related to navigational impacts, work (dredging), disposal of dredged material, and structural development in, over and under navigable waters of the U.S., as well as standard cultural resources, mitigation monitoring, and BMPs. Additional permit conditions and mitigation requirements will be developed in response to this public notice and EIS comments, the Corps' public interest review findings, and as required by resource agency consultations.

For additional information please contact Theresa Stevens, Ph.D. of my staff at 805-585-2146 or via e-mail at theresa.stevens@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

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VENTURA, CA 93001
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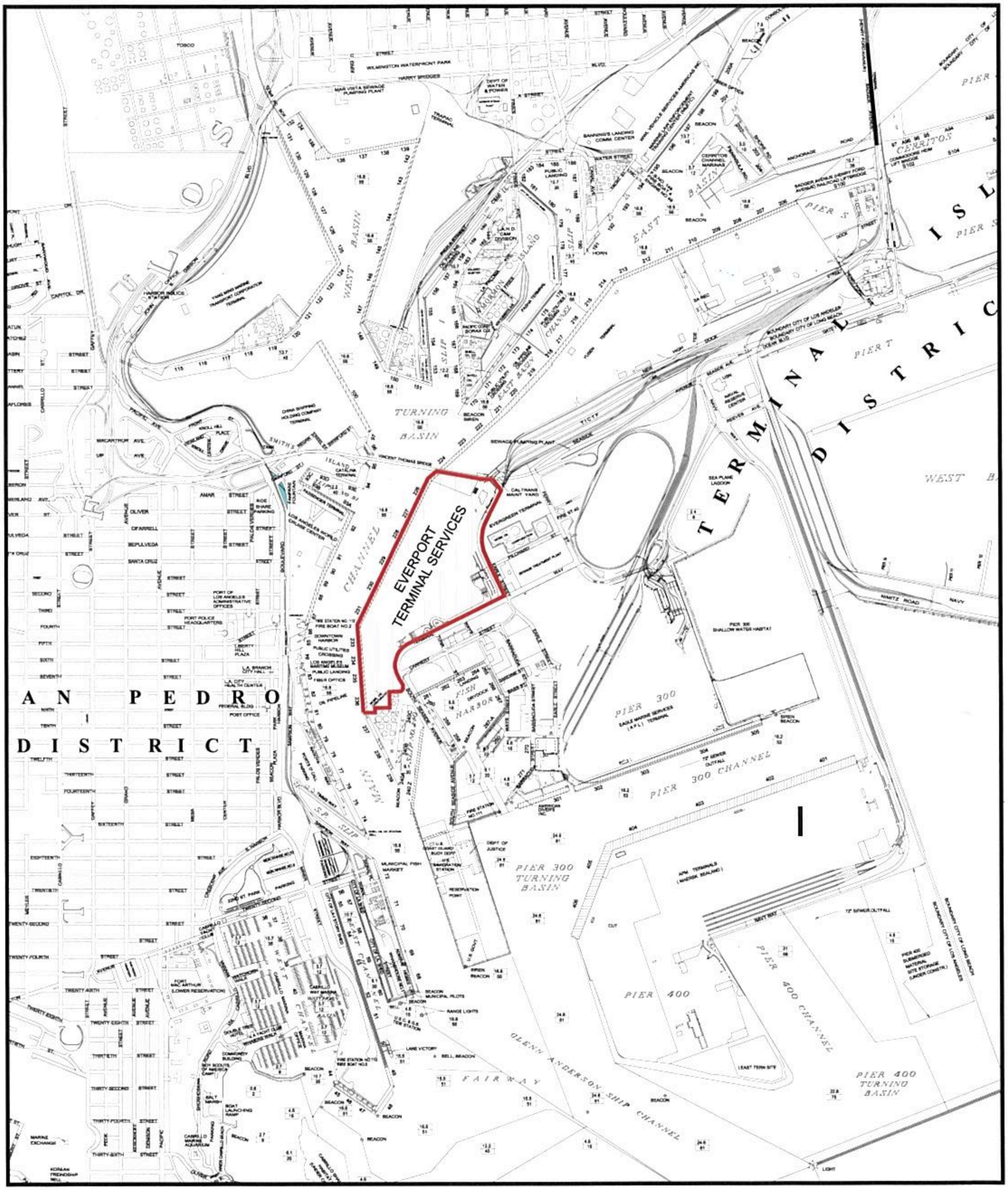
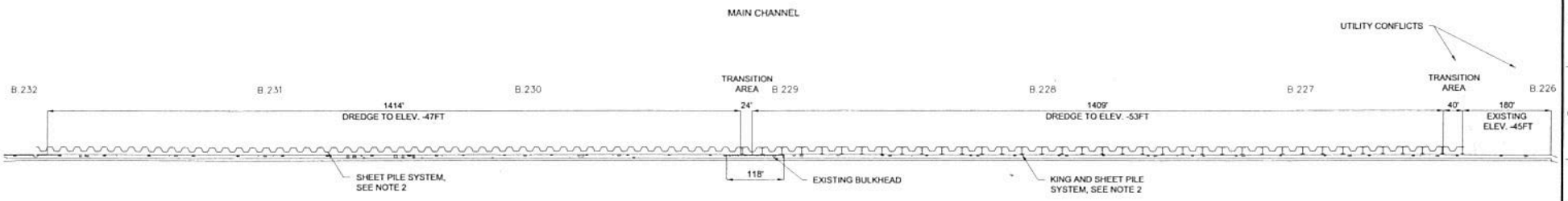
ALLEN
CESPL-RGN

MANGIONE
CESPL-RGN

STEVENS
CESPL-RGN

LOS ANGELES HARBOR
AND VICINITY





GENERAL NOTES:

1. REFER TO THE "SAMPLING AND ANALYSIS REPORT FOR BERTHS 226-232 IN SUPPORT OF THE EVERPORT CONTAINER TERMINAL IMPROVEMENTS PROJECT" BY RAMBOLL ENVIRON US CORPORATION FOR THE CORE LOGS AND SOIL CLASSIFICATION.
2. SUBMARINE STRUCTURE HAS BEEN ENLARGED FOR CLARIFICATION.

1SK-01 / SK-01 PROPOSED DREDGING PLAN
SCALE: 1"=100'

N

DREDGE QUANTITIES	
2 FT. OVERDREDGE QUANTITIES	
BERTHS 226-229	30,000 CY
BERTHS 229-232	8,000 CY
TOTAL:	38,000 CY

NO.	DATE	DRAWN	REVISIONS	CHK'D	APP'D

CONCEPTUAL

SCALE: AS SHOWN	
DRAWN: T. CAMAL	
CHECKED: B. CORREA	
DESIGNED: F. CAMAL	
ENGINEER / ARCHITECT	
CHIEF OF DESIGN	
ASSISTANT CHIEF HARBOR ENGINEER	
CHIEF HARBOR ENGINEER	

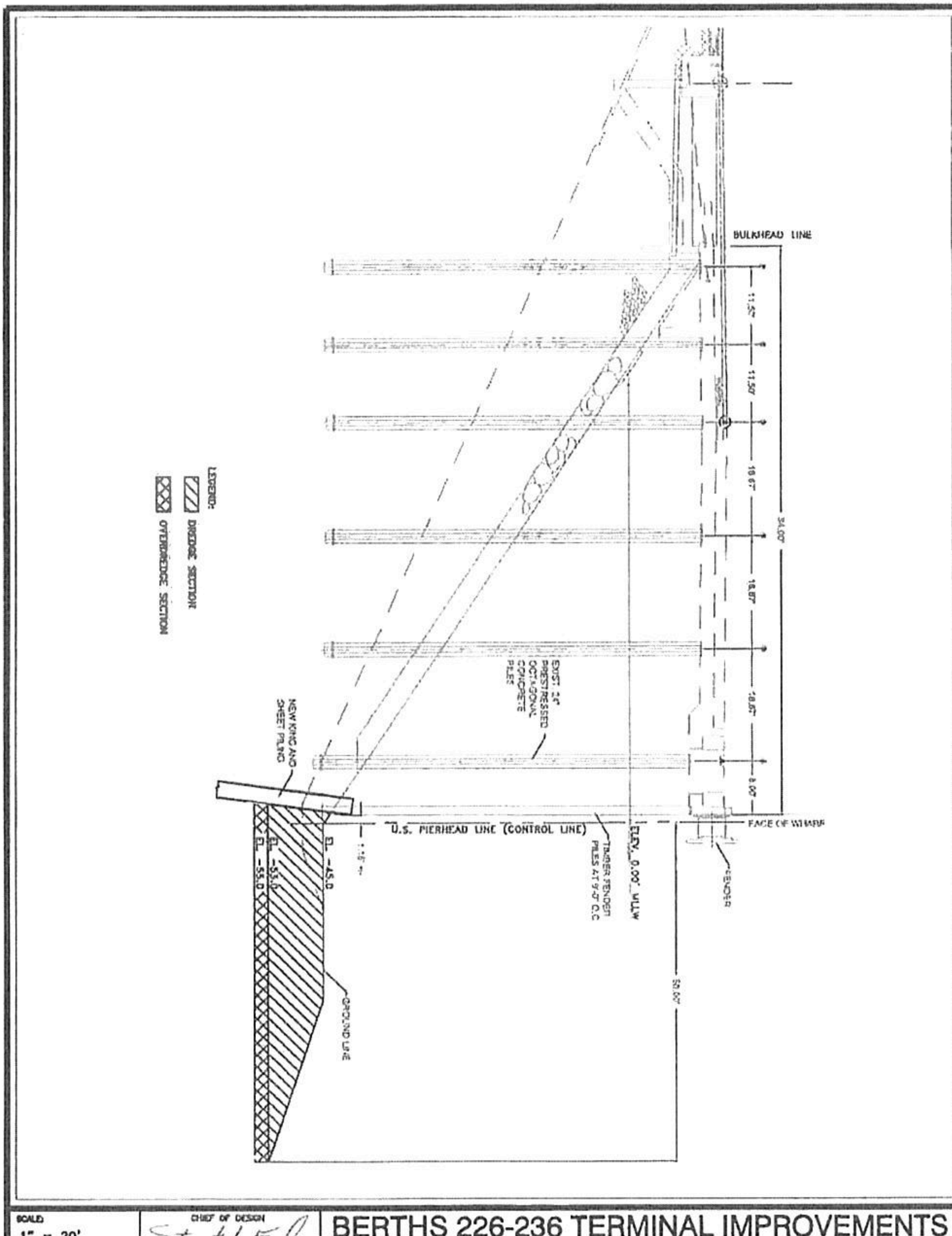
BERTHS 226-236 WHARF AND BACKLAND TERMINAL IMPROVEMENTS

PROPOSED DREDGING PLAN

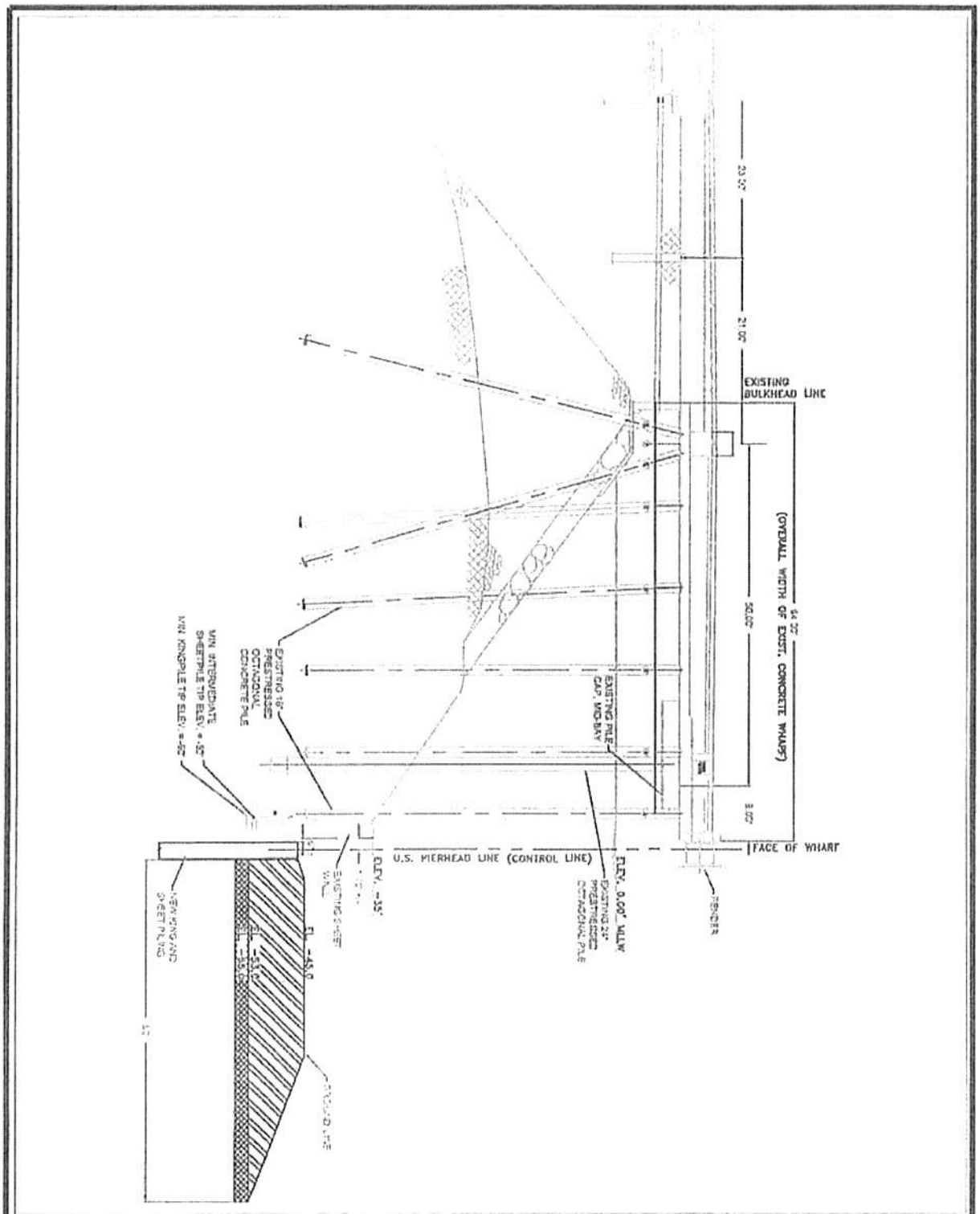
THE PORT OF LOS ANGELES
ENGINEERING DIVISION
425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309

DRAWING NUMBER:

SHEET NUMBER: SK-01

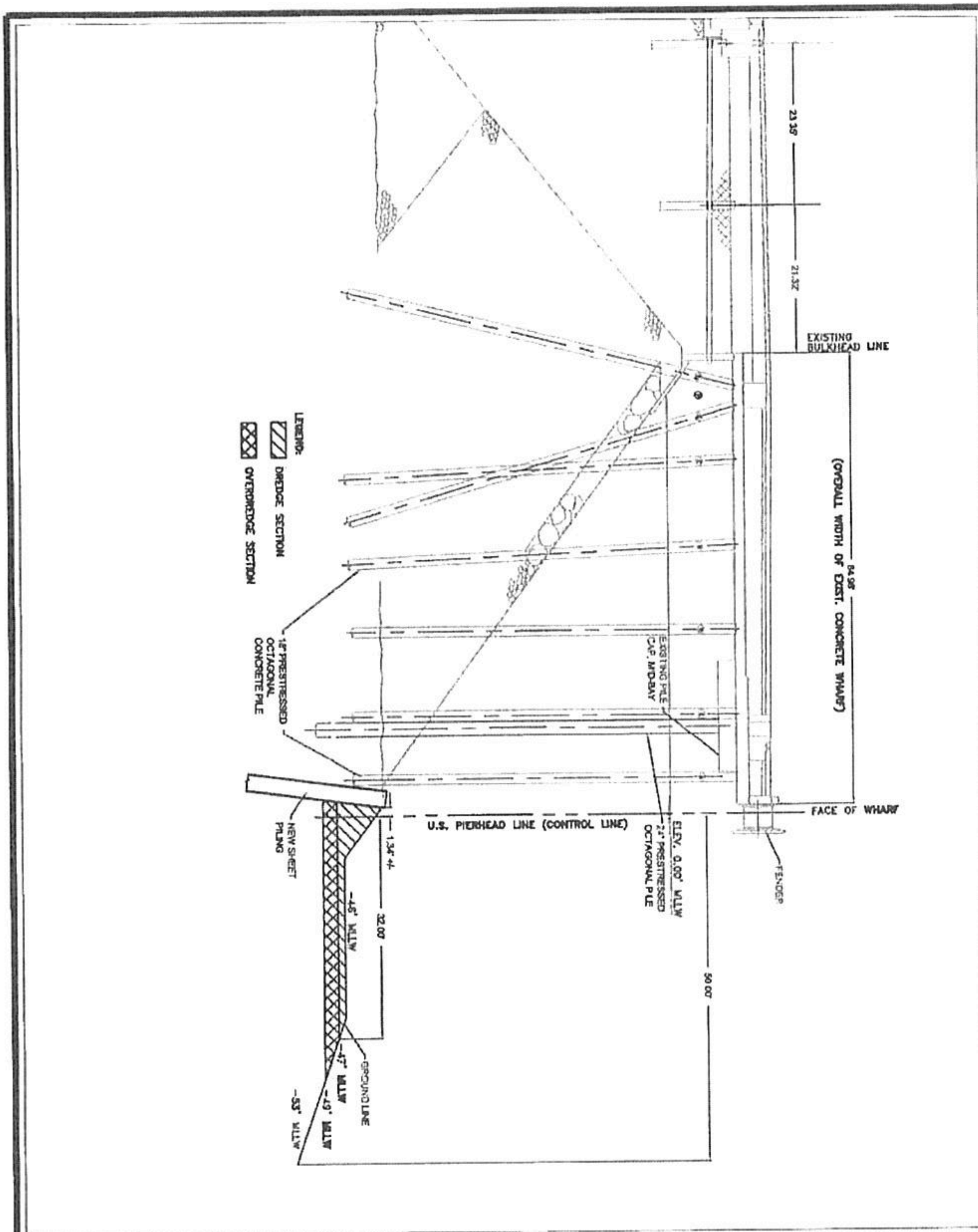


SCALE: 1" = 20'	CHIEF OF DESIGN	BERTHS 226-236 TERMINAL IMPROVEMENTS
DRAWN: B. CORREA	ASSISTANT CHIEF OF HARBOR ENGINEER	BERTHS 226-229 TYPICAL SECTION
CHECKED: H. CISNEROS		
DESIGNED: B. CORREA		THE PORT OF LOS ANGELES ENGINEERING DIVISION 425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309
ENGR/ARCH	11.22.17	DRAWING NUMBER 5-7312-1
	CHIEF HARBOR ENGINEER — DATE	



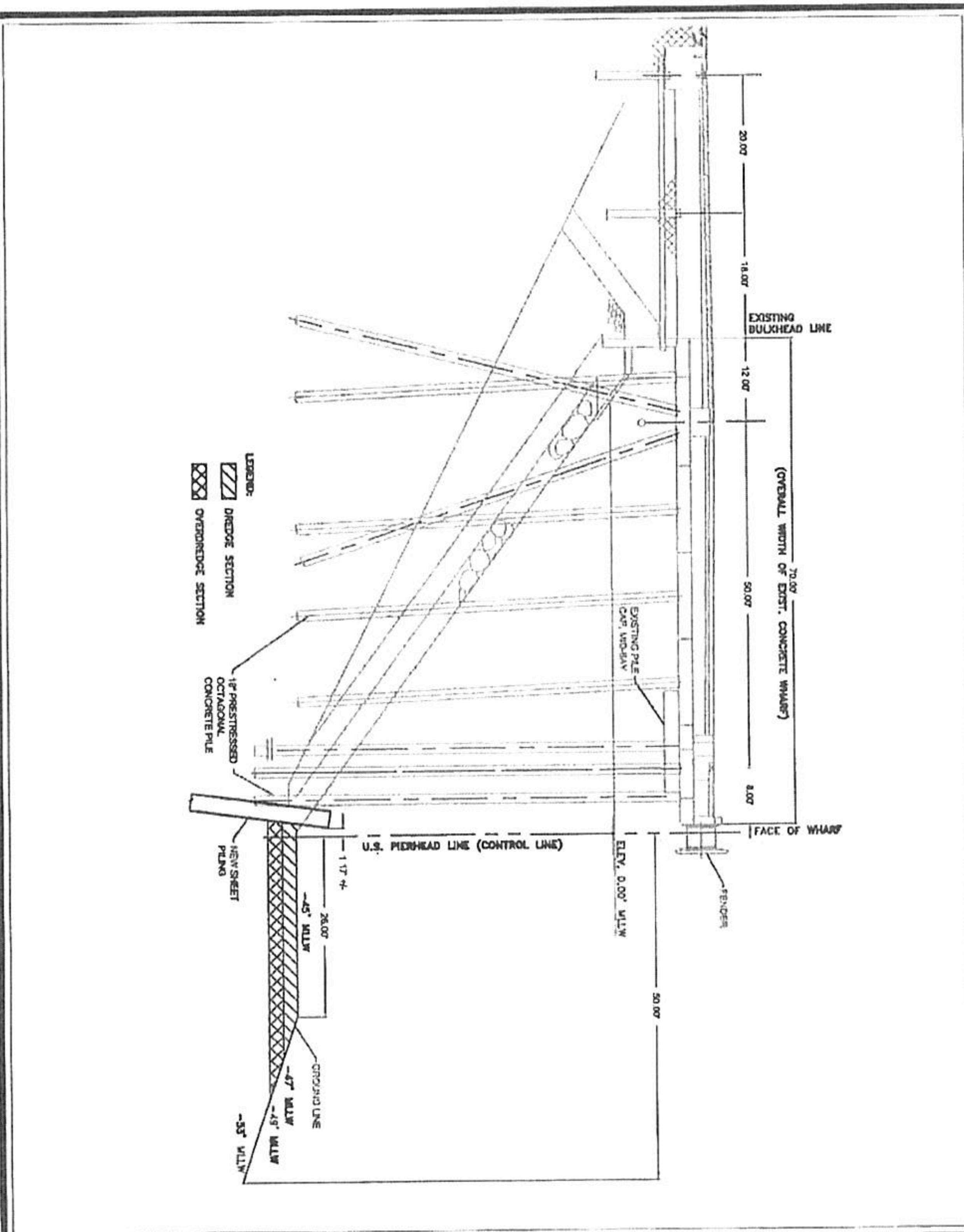
SCALE: 1" = 20'	CHIEF OF DESIGN Stuart L. Fricke	BERTHS 226-236 TERMINAL IMPROVEMENTS
DRAWN: B. CORREA	ASSISTANT CHIEF OF HARBOR ENGINEER	BERTH 229 TYPICAL SECTION
CHECKED: H. CISNEROS		
DESIGNED: B. CORREA		
ENGR/ARCH	CHIEF HARBOR ENGINEER 11/22/13 DATE	THE PORT OF LOS ANGELES ENGINEERING DIVISION 425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309
		DRAWING NUMBER 5-7312-2

POLAPROS_VER 1_12/98



SCALE: 1" = 20'	CHIEF OF DESIGN	BERTHS 226-236 TERMINAL IMPROVEMENTS
DRAWN: B. CORREA	ASSISTANT CHIEF OF HARBOR ENGINEER	BERTH 230 TYPICAL CROSS SECTION
CHECKED: H. CISNEROS		
DESIGNED: B. CORREA		DRAWING NUMBER
ENGR/ARCH	CHIEF HARBOR ENGINEER — DATE 11.22.13	THE PORT OF LOS ANGELES ENGINEERING DIVISION 425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309 — 5-7312-3

DATE: Nov 15, 2013 11:24am
POLAPROG_VER.1_12/06



SCALE: 1" = 20'	CHIEF OF DESIGN [signature]	BERTHS 226-236 TERMINAL IMPROVEMENTS
DRAWN: B. CORREA	ASSISTANT CHIEF OF HARBOR ENGINEER [signature]	BERTHS 231-232 TYPICAL SECTION
CHECKED: H. CISNEROS		
DESIGNED: B. CORREA		DRAWING NUMBER
ENGR/ARCH	CHIEF HARBOR ENGINEER [signature] 11.22.13 DATE	THE PORT OF LOS ANGELES ENGINEERING DIVISION 425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309 — 5-7312-4

POLARIS_VER.1_12/98