



STATE OF CALIFORNIA
 GOVERNOR'S OFFICE of PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

August 22, 2007

Ralph G. Appy
 Los Angeles Harbor Department
 425 S. Palos Verdes Street
 San Pedro, CA 90731

Subject: Berth 136-147 (TraPac) Container Terminal Project
 SCH#: 2003104005



Dear Ralph G. Appy:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 20, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

SCH-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
 Director, State Clearinghouse

Enclosures
 cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003104005
Project Title Berth 136-147 (TraPac) Container Terminal Project
Lead Agency Los Angeles City Harbor Department

Type EIR Draft EIR

Description The proposed project consists of expanding the Berths 136-147 Terminal by 57 acres, from 176 to 233 acres, by 2015 (Phase I of the proposed project), and by an additional 10 acres, to 243 acres, by 2025 (Phase II), and constructing an intermodal rail facility in the terminal, and constructing a 30-acre buffer area at the northern boundary of the terminal. The proposed project also includes replacing existing cranes, dredging deeper berthing areas, filling to create 10 acres of new land, reconstructing existing wharves, and constructing 1,105 feet of new wharves.

Lead Agency Contact

Name Ralph G. Appy
Agency Los Angeles Harbor Department
Phone (310) 732-3675 **Fax**
email
Address 425 S. Palos Verdes Street
City San Pedro **State** CA **Zip** 90731

Project Location

County Los Angeles
City Los Angeles, City of
Region
Cross Streets Harry Bridges Boulevard and Figueroa Street, Berth 136-147 Port of Los Angeles
Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways 110
Airports
Railways
Waterways Port of Los Angeles
Schools
Land Use [Q]M3-1VL (Heavy Industrial Zone)

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Economics/Jobs; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Department of Fish and Game, Marine Region; Department of Fish and Game, Region 5; Department of Water Resources; California Coastal Commission; California Highway Patrol; Caltrans, District 7; Department of Boating and Waterways; Department of Toxic Substances Control; State Lands Commission

Date Received 07/02/2007 **Start of Review** 07/02/2007 **End of Review** 08/20/2007

State Clearinghouse, August 22, 2007

SCH-1. Your comment is appreciated and will be forwarded to the Board of Harbor Commissioners for consideration.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 MAIN STREET, MS # 16
 LOS ANGELES, CA 90012-3606
 PHONE: (213) 897-3747
 FAX: (213) 897-1337



*Flex your power!
 Be energy efficient!*

IGR/CEQA No. 070714AL, DEIR
 Berth 136-147 Container Terminal Project
 Vic. LA-110 / PM 2.77
 SCH #: 2003104005

August 16, 2007

Dr. Ralph G Appy
 Los Angeles Harbor Department
 425 South Palos Verdes Street
 San Pedro, CA 90731

clear
 8/20/07
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Dear Dr. Appy:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is to expand the Berths 136-147 Terminal by 57 acres by 2015 (Phase I), and by an additional 10 acres by 2025 (Phase II), and constructing an inter-modal rail facility in the terminal, and constructing a 30-acre buffer area at the northern boundary of the terminal.

CADOT-1

We concur that mitigation measure Trans #7 at Figueroa Street/C-Street and I-110 ramps be implemented to mitigated the significant impact. The project proposes to signalize this intersection, provide dual northbound left-turn lanes from northbound Figueroa Street to the I-110 northbound on-ramp, and re-stripe the eastbound shared left-through-right lane to an exclusive right turn only lane.

The proposed project site is about a block from State Route 110. The traffic study accompanying the proposal includes traffic impact analysis for local arteries. It does not address nearby freeway facilities. From Table 3.10-3, the project would generate 207/210 trips during AM/PM peak. Many of these trips would utilize the freeway facilities.

CADOT-2

We notice on Table 3.10-7 2038 Intersection Level of Service analysis that the LOS, Level of Service, at Harbor Blvd. and Swinford Street/SR-47 ramps is F. Caltrans recommends the applicant to mitigate this intersection and to pay equitable share responsibility traffic impact fees at the time of permit issuance. Please reference the Department's Traffic Impact Study Guide on the Internet at

CADOT-3

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

CADOT-3

You may apply the formula on page 2 of Appendix B (Methodology for Calculating Equitable Mitigation Measures) to set aside this Transportation Impact Fee for future State Highway improvement projects. The City may need to adjust its fee for this purpose.

CADOT-4

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water.

CADOT-5

Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. Thank you for the opportunity to have reviewed this project.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 070714AL.

Sincerely,



CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

CA Department of Transportation, August 16, 2007

CADOT-1. Thank you for your comment supporting Mitigation Measure TRANS-7.

CADOT-2. A Congestion Management Plan (CMP) analysis was prepared for the Project. Consistent with the CMP guidelines of the State of California and Los Angeles County. Based on CMP Traffic Impact Analysis Guidelines, an increase of 0.02 or more in the demand-to-capacity (D/C) ratio with a resulting LOS F at a CMP arterial monitoring station is considered a significant impact. This applies only if the project meets the minimum CMP threshold for analysis, 50 trips at a CMP intersection during either the AM or PM weekday peak hours and 150 or more trips on a freeway segment intersection during either the AM or PM weekday peak hours. The results of the CMP analysis indicated that the Project would not result in more than a 0.02 increase in the V/C at the CMP monitoring intersection of "O" street/Alameda Street. Therefore, there is no impact at this CMP location. Additionally, the Project would not result in adding 150 or more Project trips to either of the freeway monitoring locations (I-110 at "C" Street or I-710 at Willow Street). Therefore, no CMP system analysis is required at these locations and no related freeway significant impacts would occur. Impact analyses of the Project on all access ramps and interchanges were completed and the results of those analyses are provided in the Draft EIS/EIR.

CADOT-3. The Port of Los Angeles is aware that this location is forecast to operate at an adverse level of service (2038). The Port is currently reviewing improvements at this location at the concept level.

CADOT-4. Thank you for your comment. During construction of Project elements, and ongoing terminal operations, the Port would comply with local and state requirements to minimize and control storm water discharges from the Berths 136-147 Terminal.

CADOT-5. The project would comply with applicable State of California regulations requiring Caltrans permits for oversized vehicles. To the extent feasible, large size trucks would be limited to off-peak commute periods.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



July 20, 2007

Dr. Ralph G. Appy
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, CA 90731

Re: SCH#2003104005: NEPA/CEQA Draft Environment Impact Statement (EIS)/draft Environmental Impact Report (EIR) Environmental Assessment (EA) for Berth 136-147 Container Terminal Project, Los Angeles County, California

Dear Dr. Appy:

Thank you for the opportunity to comment on the above-referenced document. We write you as the lead agency for the above-referenced project. The Native American Heritage Commission helps facilitate Tribal Consultation with federal agencies under NEPA and under Section 106 of the National Historic Preservation Act as well as other federal laws and regulations and those of the State of California that focus on cultural resources issues. The processes in preparing and commenting on these documents provides this Commission and California Native American tribes (both federally-recognized and non federally-recognized) the opportunity to assess energy corridor routes, the 'areas of potential effect (APEs)' in order to determine their possible or potential impact on native American cultural resources.

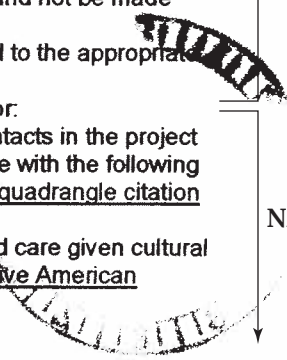
The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The National Environmental Policy Act (NEPA) has similar provisions as does Executive Order 13175 and the Archaeological Resources Protection Act. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the CHRIS system are available from the Office of Historic Preservation (Eric Allison, Coordinator: 916/653-7278). The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ Contact the Native American Heritage Commission (NAHC) directly or through a contractor for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American

NAHC-1

NAHC-2

NAHC-3

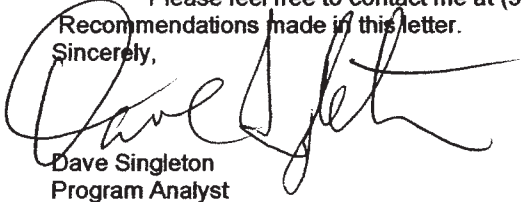


- NAHC-3 Contacts on a list that is appropriate to the location of the energy corridor proposed route or alternative route to get their input on potential project impact (APE).
- NAHC-4
 - √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- NAHC-5
 - √ Lead agencies should include provisions for discovery of Native American human remains or unmarked burial sites in their mitigation plans. We wish to point that many Native American burial sites are not listed as 'dedicated' cemeteries or included in the list of "Indian Cemeteries," published by the Bureau of Indian Affairs (BIA) or other public agencies. Many Native American burial grounds in California are unmarked and known only to family members or are the result of historic hostile action.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.
- NAHC-6
 - √ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- NAHC-7
 - √ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any comments about the concerns and

Recommendations made in this letter.

Sincerely,



Dave Singleton
Program Analyst

Native American Contacts
Los Angeles County
July 20, 2007

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th Street, Rm. 403
Los Angeles , CA 90020
(213) 351-5324
(213) 386-3995 FAX

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribes.net
(213) 489-5001 - Officer
(909) 262-9351 - cell
(213) 489-5002 Fax

Ti'At Society
Cindi Alvitre
6602 Zelzah Avenue
Reseda , CA 91335
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Indians of California Tribal Council
Mercedes Dorame, Tribal Administrator
20990 Las Flores Mesa Drive
Malibu , CA 90265
Pluto05@hotmail.com

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Administrator
4712 Admiralty Way, Suite 172
Marina Del Rey , CA 90292
310-570-6567

Gabrielino/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2003104005; NEPA/CEQA draft Environmental Impact Statement (EIS)/draft Environmental Impact Report (EIR) for Berth 136-147 Container Terminal Project; Los Angeles County, California.

Native American Heritage Commission, July 20, 2007

NAHC-1. Draft EIS/EIR Section 3.4.2.5.1.1 (page 3.4-6, lines 11-15), states, “A cultural resource site record and literature search of the proposed Project site was performed to identify the location of recorded sites and results of previous archaeological studies (SCCIA 2004). No recorded archaeological resources are located within the proposed Project area. Four previous studies have covered portions of the proposed Project site.” Lines 21-23 state, “any existing soils in the proposed Pier A rail yard relocation area are imported and do not have the potential to contain intact prehistoric archaeological resources, as Native Americans would not have occupied the slough environment.” Lines 39-42 state, “Neither the Northwest Slip nor the waters along Berths 144-147 are expected to contain significant marine cultural resources such as shipwrecks or isolated prehistoric artifacts that could have eroded down slope from the upland landform.” Draft EIS/EIR Section 3.4.2.5.1.2 (page 3.4-7, lines 1-8 state), “the Harry Bridges Buffer Area [and] Harry Bridges Boulevard [impact areas] ha[ve] been extensively modified since it was characterized in the 1993 “B” Street Realignment EIR (LAHD 1993a). Since then, most structures and buildings have been demolished and/or removed, and the underlying soils have been disturbed by grading or filling to a depth of several feet. Therefore, it is unlikely that any intact, potentially significant prehistoric or historic archaeological remains exist within the proposed Project area.” Therefore, the Draft EIS/EIR systematically discusses that the Project site was subject to a records search at the California Historical Resources Information System (CHRIS), that no recorded archaeological sites are recorded in the area, and that the archaeological sensitivity or likelihood of encountering intact, potential significant cultural resources is very low. Therefore, no revisions to the Final EIS/EIR are required.

A list of Native American individuals and /or organizations to contact regarding the proposed Project site has been requested from the Native American Heritage Commission. Once the list is received, these contacts will be made to determine if there is any other significant cultural or archeological information available about the site that has not been previously disclosed.

NAHC-2. No additional archaeological investigations were required to assess the presence/absence of unknown archaeological resources, as the Project site was subject to a records search at the CHRIS, that no recorded archaeological sites are recorded in the area, and that the archaeological sensitivity or likelihood of encountering intact, potential significant cultural resources is very low. Therefore, no revisions to the Final EIS/EIR are required.

NAHC-3. No archaeological resources are recorded in the Project site area. All proposed impact areas are industrial or modern urban land uses such that no Native American sacred land areas are reasonably expected. The proposed Project does not include any “energy corridor proposed route or alternative route” described in the comment. Therefore, no revisions to the Final EIS/EIR are required.

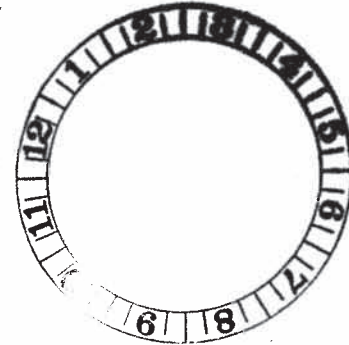
NAHC-4. Draft EIS/EIR Section 3.4.4.3.1.1 (page 3.4-20, lines 39-44 and page 3.4-21, lines 1-24) outline mitigation Mitigation Measure CR-1. This measure provides for a process for temporarily suspending construction in the event that a previously unknown archaeological resource is encountered, consistent with this comment. Therefore, no revisions to the Final EIS/EIR are required.

- NAHC-5.** Draft EIS/EIR Mitigation Measure CR-1 (Draft EIS/EIR page 3.4-21, lines 10-24) outlines the procedures specified in PRC Section 5097.98 in the unlikely event that human remains are encountered during construction. Therefore, no revisions to the Final EIS/EIR are required.
- NAHC-6.** Draft EIS/EIR Mitigation Measure CR-1 (Draft EIS/EIR page 3.4-21, lines 10-24) outlines the procedures specified in PRC Section 5097.98 in the unlikely event that human remains are encountered during construction.
- NAHC-7.** Please see response to comment NAHC-1. There is little potential for encountering potentially significant archaeological resources during Project construction. Therefore, there is no nexus for redesigning the proposed Project design. Draft EIS/EIR Mitigation Measure CR-1 would reduce any unlikely impacts on potentially significant archaeological resources encountered during construction to less than significant.



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

July 24, 2007

Dr. Ralph G. Appy
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS) / ENVIRONMENTAL
IMPACT REPORT (EIR) FOR BERTHS 136-147 CONTAINER TERMINAL PROJECT
(SCH# 2003104005)

Dear Dr. Appy:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of a Supplemental EIR for the above-mentioned project. The following project description is stated in your document: "The proposed Project is to expand and modernize the container terminal at Berths 136-147, upgrade existing wharf facilities, and install a landscaped buffer between the terminal and the community. The proposed Project includes a 30-year lease and would involve two phases of construction (Phase I and Phase II). Most of the proposed improvements would occur on 176 acres currently used as a container terminal operated by TraPac, but the proposed Project includes adding a total of 67 acres to the new terminal, 57 in Phase I and 10 in Phase II. The 57 acres added in Phase I is largely existing industrial zoned land within the proposed Project area. The 10 acres added in Phase II is currently open water."

Based on the review of the submitted document DTSC has the following comments:

- 1) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR.
- 2) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a

DTSC-1

DTSC-2

DTSC-2 ↑
Contaminated Property.” Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.

DTSC-3
3) The project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

DTSC-4

DTSC-5
4) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.

DTSC-6
5) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

If you have any questions regarding this letter, please contact Ms. Eileen Khachatourians, Project Manager, at (714) 484-5349 or email at EKhachat@dtsc.ca.gov.

Sincerely,



Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: See next page

Dr. Ralph G. Appy
July 24, 2007
Page 3

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814

CEQA# 1740

Department of Toxic Substances Control, July 24, 2007

- DTSC-1.** Draft EIS/EIR Mitigation Measure GW-1, requires LAHD to remediate all contaminated soils within proposed Project boundaries prior to or during demolition and grading activities. All remediation shall occur in compliance with local, state, and federal regulations, and as directed by the Los Angeles Fire Department, DTSC, and/or RWQCB. Therefore, no revisions to the Final EIS/EIR are required.
- DTSC-2.** Final EIS/EIR Mitigation Measure GW-1 has been revised consistent with this comment.
- DTSC-3.** Final EIS/EIR Mitigation Measure GW-1 has been revised consistent with this comment.
- DTSC-4.** Final EIS/EIR Mitigation Measure GW-1 has been revised consistent with this comment.
- DTSC-5.** Draft Mitigation Measure GW-2, requires implementation of a contingency plan to address previously unknown contamination during demolition, grading, and construction, as identified in the comment. Therefore, no revisions to the Final EIS/EIR are required.
- DTSC-6.** Final EIS/EIR Section 3.6.3 (Applicable Regulations) has been revised consistent with this comment.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200
 FAX (415) 904-5400



August 15, 2007

Commander, U.S. Army Corps of Engineers
 Los Angeles District
 ATTN: Dr. Spencer D. MacNeil
 P.O. Box
 532711
 Los Angeles, CA 90053-2325



Dr. Ralph Appy
 Director, Environmental Management Division
 Port of Los Angeles
 425 South Palos Verdes Street
 San Pedro, CA 90731

Subject: DEIS/R for Berths 136-147 Container Terminal Project, Port of Los Angeles

Dear Dr. MacNeil and Dr. Appy:

The Coastal Commission's Energy, Ocean Resources and Federal Consistency Division received the above-referenced document and submits the following comments. Should the Port of Los Angeles select a project alternative that includes disposal of dredged materials at either the EPA-approved LA-2 or LA-3 ocean disposal sites, the Port will need to prepare and submit to the Commission a federal consistency certification for that disposal activity. The certification should include sediment test results that document the suitability of the dredged materials for unconfined aquatic disposal, and should also document why beneficial reuse of the dredged materials targeted for ocean disposal is not a viable alternative.

CCC-1

Thank you for the opportunity to provide these comments. Please contact me at (415) 904-5288 should you have any questions regarding the federal consistency process for this project.

Sincerely,

Larry Simon

Larry Simon
 Federal Consistency Coordinator

cc: Al Padilla, CCC - South Coast District

ADP 030127-020 TRAPAC (Berths 136-147) Terminal Improvements
 LAHO (Berth 136-147)

California Coastal Commission, August 15, 2007

- CCC-1.** The Port would conduct testing of the sediments to be dredged to determine the suitability of the material for unconfined aquatic disposal. If dredged material is suitable and if the Port selects to dispose of the material at either the LA-2 or LA-3 ocean disposal sites, the Port would prepare and submit a federal consistency certification for that disposal activity to the California Coastal Commission. The certification would include the testing results and a description of why beneficial reuse of that material is not a viable alternative. Therefore, no revisions to the Final EIS/EIR are required.