Chapter 2
Project Description

CHAPTER SUMMARY

The proposed Project would optimize marine shipping and commerce at the Everport Container Terminal located at Berths 226–236 on Terminal Island within the Port of Los Angeles (Port). Chapter 2 describes the proposed Project analyzed in this Draft EIS/EIR, as well as alternatives to the proposed Project.

This chapter includes the following details:

- background information regarding the Project site;
- a discussion of the proposed Project's purpose and need and proposed Project objectives under NEPA and CEQA, respectively;
- a description of the proposed Project, including the proposed improvements, the construction phasing, and the changes to operations anticipated as a result of the proposed Project (based on throughput projections);
- a discussion of the baseline conditions under NEPA and CEQA; and
- a description and discussion of the proposed Project alternatives, including those that were identified and eliminated from further evaluation and the reason for their elimination.

Key Points of Chapter 2:

The proposed Project would improve the container-handling efficiency and capacity of the existing Everport Container Terminal at the Port to accommodate the projected fleet mix of larger container vessels (up to 16,000 twenty-foot equivalent units [TEUs]) that are anticipated to call at the Everport Container Terminal through 2038. The proposed Project includes the following:

- Dredging (including installation of king piles and approximately 1,400 linear feet of sheet piling to stabilize the wharf) at Berths 226-229 to a design depth of -53 feet mean lower low water (MLLW) plus two feet of overdepth tolerance (for a total depth of -55 feet MLLW) to accommodate larger ships (the existing design depth is -45 feet MLLW);
- Dredging (including installation of approximately 1,400 linear feet of sheet piling to stabilize the wharf) at Berths 230-232 to a design depth of -47 feet MLLW plus two feet of overdepth tolerance (for a total depth of -49 feet MLLW) to accommodate larger ships (the existing design depth is -45 feet MLLW);
- Disposal of approximately 38,000 cubic yards of dredged materials (30,000 cubic yards from Berths 226-229 and 8,000 cubic yards from Berths 230-232) at an ocean disposal site (i.e., LA-2), an approved upland disposal facility, or a combination of the above;

- Addition 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 226-229 to accommodate larger ships at the proposed deeper berths. Addition of the new cranes would require infrastructure improvements (such as cable and electrical upgrades);

- The raising of up to five of the existing operating cranes at the site in order to accommodate larger vessels (see Table 2-2 for existing crane heights);

- Addition of five alternative maritime power (AMP) vaults (throughout wharf area adjacent to Berths 226 to 232) and associated infrastructure (e.g., electrical conduit and wires);

- Installation of spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles;

- Development of approximately 1.5 acres of vacant land as new backlands;

- Development of approximately 22 acres as new backlands and modified inbound and outbound gates associated with the relocation of the main gate. The development of the 22 acres would require closure (vacation) of streets within this backlands expansion area (see next bullet) and demolition of existing structures (with the exception of the existing electrical substation, see Figure 2-5);

- 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 acres) 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.

In 2013, the Everport Container Terminal handled 1,240,773 TEUs, and accommodated 166 vessel calls. Throughput projections estimate that the capacity of the existing terminal (1,818,000 TEUs) is expected to be reached by 2033 and be maintained through 2038. The proposed Project would increase the throughput capacity of the Everport Container Terminal to 2,379,525 TEUs annually, an increase of approximately 1.14 million TEUs over 2013 existing conditions. The proposed Project would also result in 208 annual vessel calls, which is 42 more than the vessel calls in 2013.

Actual throughput levels realized under the proposed Project may be lower than the projected throughput analyzed in this EIS/EIR due to market conditions. Analysis of the impacts of the proposed Project and alternatives in this EIS/EIR nevertheless assumes the maximum terminal capacity, thus ensuring that all of the reasonably foreseeable and potentially significant adverse environmental impacts are identified and

mitigated to the extent feasible. This EIS/EIR analyzes the proposed Project at capacity through 2038 (end year for the lease amendment) with the throughput ramping up in interim years. Table 2-1 below shows the conditions under the NEPA baseline and CEQA baseline (additional description of the CEQA baseline and NEPA baseline are contained below in Sections 2.7.1 and 2.7.2, respectively), the proposed Project throughput at capacity through 2038 and in interim years.

This Draft EIS/EIR considers several alternatives to the proposed Project for co-equal evaluation, including:

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

Table 2-1: Existing and Projected Berths 226-236 [Everport] Container Terminal Throughput

	NEPA Baseline (2038)/No Federal Action (2038)/ CEQA No Project (2038)	CEQA Baseline (January–December 2013)	Proposed Project					
			2017	2018	2019	2026	2033	2038
Annual Throughput (TEUs)	1,818,000	1,240,773	1,211,500	1,211,500	1,297,656	1,843,297	2,379,525	2,379,525
Annual Ship Calls	208	166	1482	1482	156	156	208	208
Peak Day Ship Calls (24-hour period)	2	2	2	1	2	2	2	2
Peak Day Number of Vessel Transits	4 (2 inbound & 2 outbound)	4 (2 inbound & 2 outbound)	4 (2 inbound & 2 outbound)	2 (1 inbound & 1 outbound)	3 (1 inbound & 2 outbound)	3 (1 inbound & 2 outbound)	4 (2 inbound & 2 outbound)	4 (2 inbound & 2 outbound)
Average Daily Truck Trips (peak month)	4,815	4,505	4,030	4,079	5,064	6,271	7,028	7,028
Number of Cranes (Total)	8	8	8	8	13	13	13	13
Number of Cranes (Operating)	8	8	8	8	13	13	13	13
Berths Operating	2	2	2	2	2	2	2	2

Note: [1] Peel-off yards serve as off-site backlands to the terminal. Peel-off yard throughput is included in the total annual throughput for the proposed Project. Under the NEPA baseline, terminal throughput handling is limited by berth capacity (berth-constrained), and available peel-off yard capacity would not increase the terminal's capacity.

[2] 2017 and 2018 estimated by CDM Smith from TEU radioed based on the 2019 No Project TEU throughput.

NA = Not Applicable

2.1 Introduction

This section provides background information related to existing conditions, proposed Project elements and related construction and terminal operations. This section also provides a discussion of the NEPA baseline (Section 2.7.2) and the CEQA baseline (Section 2.7.1) that form the basis of the environmental analyses in Chapter 3 Environmental Analysis, the Federal Scope of Analysis, a description of a reasonable range of Project alternatives considered in this Draft EIS/EIR, and consistency of the proposed Project and analysis in relation to existing statutes, plans, policies and other requirements. Chapter 1, Introduction, contains a list of approvals and permits that could be required by other agencies or jurisdictions for the proposed Project or alternative (see Table 1-3).

2.2 Background and Project Overview

2.2.1 Port Planning

As described in Section 1.2.1 of Chapter 1 Introduction, the Los Angeles Harbor Department (LAHD) operates the Port under legal mandates that identify the Port and its facilities as a primary coastal economic resource of the state and an essential element of the national maritime strategy for promotion of commerce, navigation, fisheries, and harbor operations. According to such mandates, Port-related activities should be for the establishment, improvement, and operation of a harbor. Improvements and operations at the Port should be necessary or convenient for the following purposes: promotion and accommodation of commerce, navigation, fishery, commercial and industrial purposes, airports, highways, streets, bridges, belt line railroads, parking facilities, transportation and utility facilities, public buildings, convention centers, public parks, public recreation facilities, small boat harbors and marinas, snack bars, cafes, cocktail lounges, restaurants, motels, hotels, protection of wildlife habitat, open space areas, areas for recreational use with open access to the public, and other water-dependent uses of statewide interest and benefit.

2.2.1.1 Cargo Demand Forecasts

In the last 40 years, containerized shipping through U.S. West Coast ports has increased twentyfold, driven by increasing U.S. trade with Asian economies. In 2011, the value of waterborne trade through West Coast ports reached a value of $566.3 billion, a 730 percent increase from 1980. Major West Coast ports, particularly the Port of Los Angeles, Port of Long Beach, and Port of Oakland, have continued to invest billions of dollars optimizing facilities to accommodate increases in containerized shipping. These ports have deepened their harbors to accommodate large, deep-draft container ships, demolished existing facilities and built new container terminals, and created new land to provide space for additional container terminal backlands. Some marine terminal operators have purchased high-speed cranes, and modernized transportation equipment to move containers more rapidly between ships and trucks or trains. These and other improvements represent an ongoing effort to accommodate the anticipated growth in cargo.

The 2009 forecast predicted a 2030 market demand at the Ports of Los Angeles and Long Beach of 34,600,000 TEUs (see Section 1.2.3.1 in Chapter 1 of this Draft EIS/EIR). The Ports of Los Angeles and Long Beach (referred to as the Ports, Port Complex or the San

Pedro Bay Ports) extended this market forecast to the year 2035 for use in port long-range planning, design, and construction. The volumes forecasted would now reach an annual throughput of 37,367,000 TEUs in the Port Complex by 2035 (see Section 1.2.3.1). Therefore, modeling indicates that 2035 is the last year in which the capacity of the Port Complex will accommodate the actual throughput demand.

The 2009 forecast, available at the time of this analysis, is updated on a project-by-project basis as in-depth information about specific terminals is acquired through the environmental review process. A terminal-specific throughput forecast update for the Everport Container Terminal was conducted through coordination with terminal management. Based on the terminal-specific forecast, with implementation of the proposed Project, the Everport Container Terminal is projected to reach its capacity in 2033 and maintain that throughput level through 2038, the final year of the lease. Other Project alternatives reach their maximum capacity in 2032 (Alternatives 1 through 4) or 2033 (Alternative 5), but similar to the proposed Project would maintain that throughput level through 2038. For the purpose of this Draft EIR, references to the terminals maximum capacity at 2038 assumes that the proposed Project or Project alternatives reach maximum capacity earlier than the end of the proposed lease period (2038).

2.2.1.2 Port Master Plan Update (2013)

In August 2013, the LAHD Board of Harbor Commissioners adopted an update of the Port Master Plan (PMP). The update to the PMP is a consolidated planning document that clarifies LAHD's short- and long-term plans in an easily accessible manner and is intended to serve as a long-range plan to establish policies and guidelines for future use of Port lands within the coastal zone, as required under the California Coastal Act. The purpose of the update to the PMP is to align policies and guidelines to reflect current community and environmental conditions and account for trends in foreign and domestic waterborne commerce, navigation, and fisheries that influence needs for future development in the Port. The update to the PMP consolidates areas characterized by predominant land use patterns, thereby reducing the number of planning areas, and allocates a single allowable land use to most sites. While the 1979 PMP divided the Port into nine planning areas, the updated PMP consolidates some of the previous planning areas into five new planning areas. The reduction in the number of planning areas is intended to consolidate general areas with predominant land use patterns within the Port.

The Everport Container Terminal is in Planning Area 3 – Terminal Island of the update to the PMP (see PMP, page 35, Figure 7). Planning Area 3 is the largest planning area and focuses on container operations. This area comprises all of Terminal Island, with the exception of Fish Harbor. The Terminal Island Land Use Plan provides the framework for land uses in Planning Area 3. The plan optimizes cargo-handling operations on Terminal Island while restricting non-cargo and non-water-dependent uses. Existing and proposed Project operations are consistent with the land use designation of the updated PMP, as explained in the Initial Study/Notice of Preparation (NOP) (Appendix A of this Draft EIS/EIR).

Goal 1 of the PMP, *Optimize Land Use*, has the objective of ensuring that development and the land uses designated on Port land are compatible with surrounding land uses in order to maximize efficient utilization of land and minimize conflicts. This goal also acknowledges that cargo-handling facilities should be primarily focused on Terminal Island and other properties that are buffered from the neighboring residential communities of San Pedro and Wilmington. Goal 2, *Increase Cargo Terminal Efficiency*, is intended to ensure that cargo

terminals are utilized to their maximum potential in order to meet current and future needs of the Port's customers and region. Further, this goal states that the Port should develop and maintain the infrastructure necessary to support the terminals, while Port tenants should be encouraged to modernize their facilities and implement new technologies.

2.2.2 Project Overview

The existing Everport Container Terminal occupies approximately 205 acres, of which 180 acres are under a lease that expires in 2028, and 25 acres are under space assignment. The 180 acres includes approximately 20 acres for use as a railyard (the Everport Container Terminal portion of the TICTF). The proposed Project area encompasses approximately 229 acres, comprised of the existing 205-acre terminal, and two expansion areas: a 1.5-acre area near the southern end and a 22-acre area located between Terminal Way and Cannery Street. The proposed Project would also extend the terminal's lease by 10 years from 2028 through 2038.

The existing terminal consists of two operating berths, Berths 226-229 and Berths 230-232, with eight operational 100-foot gauge wharf gantry cranes. Physical improvements proposed at the Everport Container Terminal include dredging and installing sheet piles[1] and king piles[2] at Berths 226-229, dredging and installing sheet piles at Berths 230-232, installation of spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles, adding five new 100-foot gauge wharf gantry cranes, modifying the wharf to install five additional AMP vaults near the water's edge, expanding the backlands to a 1.5-acre parcel at the southern end and a 22-acre parcel between Terminal Way and Cannery Street. The 1.5-acre parcel is vacant. As part of the backland development, existing structures within the 22-acre parcel would be demolished, and the streets vacated. All dredged material would be disposed of at an approved site, such as U.S. Environmental Protection Agency (EPA)-approved Ocean Disposal Site LA-2 (LA-2), an approved upland facility, or a combination of the two. After construction and the addition of five new cranes, the terminal would have a total of 13 operational 100-foot wharf gantry cranes along its two operating berths. These improvements would enable the terminal to accommodate the projected fleet mix of larger container ships (up to 16,000 TEUs) that are anticipated to call at the terminal through 2038, and would increase the throughput capacity of the terminal from 1,818,000 TEUs to 2,379,525 TEUs annually.

2.3 NEPA Purpose and Need

2.3.1 Project Purpose

The purpose of the proposed Project is to optimize marine shipping and commerce by upgrading the Everport Container Terminal's infrastructure in, over, and under water and increasing and improving terminal backlands to accommodate the projected throughput and

[1] Sheet piles are used in earth retention and excavation support to retain soil, using steel sheet sections with interlocking edges, and are installed in sequence along a planned excavation perimeter or seawall alignment. The interlocked sheet piles form a wall for lateral earth support.

[2] King piles are steel, wide-flange H-beam piles that are driven into the soil, and provide structural support for the installation of sheet piles.

fleet mix of larger container ships (up to 16,000 TEUs) that are anticipated to call at the Terminal through 2038.

2.3.2 Project Need

The proposed Project is needed for several reasons; however, it is primarily related to an increase in the size of vessels that will be entering the fleet mix throughout the life of the proposed Project. Forecasts show that vessel fleets calling at the Port of Los Angeles and the Everport Container Terminal would include larger vessels (up to 16,000 TEUs), and there is a need to improve Port facilities to accommodate larger vessels. The existing berths that serve the Everport Container Terminal are not deep enough to accommodate the projected fleet mix through 2038 (the existing berths can only accommodate up to 8,000 TEU vessels). These berths would be upgraded (deepened) as part of the proposed Project. In addition to existing berth depth restrictions, additional cranes are needed to efficiently load and unload the larger container ships. Finally, additional container yard backlands are needed to accommodate future operations and the projected Portwide throughput (The Tioga Group, 2009).

2.4 CEQA Project Objectives

The underlying fundamental purpose and Project objective is to optimize the container-handling efficiency and capacity of the Port to accommodate the projected fleet mix of larger container vessels (up to 16,000 TEUs) that are anticipated to call at the Everport Container Terminal (i.e., Project site) through 2038. The fundamental purpose, in turn, gives rise to the following additional project objectives:

- Optimize the use of existing land at the Everport Container Terminal and associated waterways in a manner that is consistent with the LAHD's public trust obligations;
- Provide sufficient depth along Berths 226-229 (-53 MLLW plus 2' of overdepth tolerance for a total depth of -55 feet MLLW) and Berths 230-232 (-47 MLLW plus 2' of overdepth tolerance for a total depth of -49 feet MLLW) to ensure the terminal's ability to accommodate up to 16,000 TEU vessels anticipated to call at the terminal;
- Provide new cranes and raise existing cranes to efficiently service the larger container ships anticipated to call at the terminal;
- Improve the container terminal and container handling facilities to accommodate more efficient loading/unloading of the larger and increased number of ships anticipated to call at the terminal;
- Improve the container terminal backland capacity;
- Maximize container land use and operations at the Everport Container Terminal consistent with the Port Master Plan; and
- Promote the long-term development and growth of the Port.

2.5 Project Location and Setting

2.5.1 Regional Setting

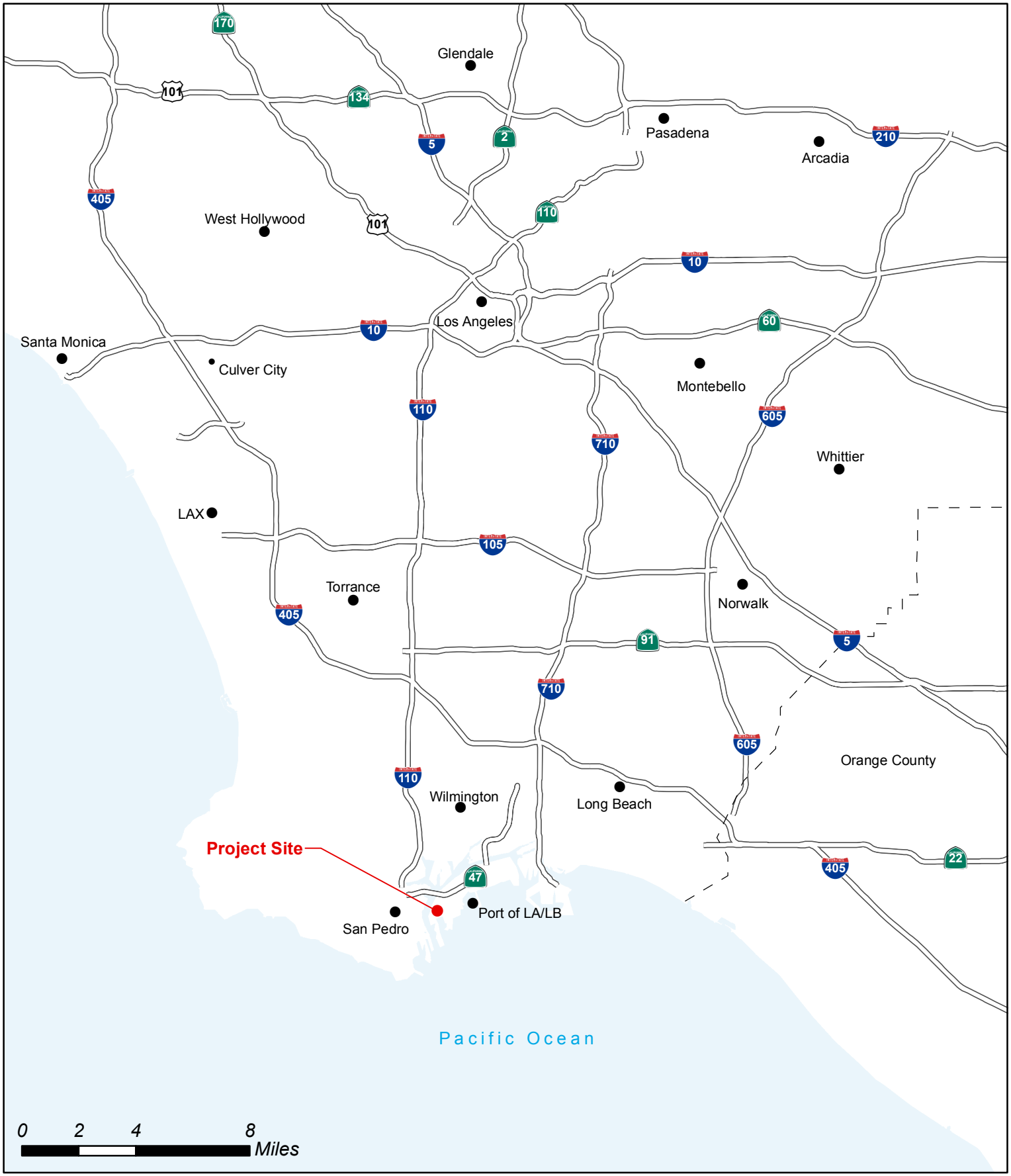
The Port Complex, which includes the Port of Los Angeles and the Port of Long Beach, is located in the San Pedro Bay approximately 20 miles south of downtown Los Angeles and serves as one of the nation's primary gateways for international trade (Figure 2-1). International trade is a key economic engine for the region and the country. The Port Complex serves as a vital link in the goods movement chain delivering goods for local markets as well as those shipped by truck and rail throughout the country. The Port Complex serves as the country's primary gateway for Asian-based trading partners. Approximately half of the cargo coming through the Ports is delivered by truck to the regional market, which is an area roughly 500 to 700 miles from the Port Complex. The local freeways that directly serve the Port Complex are Interstate (I) 110, I-710, State Route (SR) 47, and SR-103. The Alameda Corridor is the primary rail line between the Port and downtown Los Angeles railyards (Union Pacific [UP] East LA Yard and Burlington Northern Santa Fe [BNSF] Hobart Yard). Other rail lines extend from the downtown area north and east.

2.5.2 Local Setting

The Port consists of 7,500 acres and 43 miles of waterfront and provides a major gateway for international goods and services. The Port is administered by LAHD under the California Tidelands Trust Act of 1911. LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a property owner by leasing Port properties to more than 300 tenants. With 23 major cargo terminals, including dry and liquid bulk, container, breakbulk, automobile, and passenger facilities, the Port handled about 176.5 million metric revenue tons of cargo in fiscal year 2013/2014 (July 2013–June 2014) (POLA, 2015). Of the 23 major cargo terminals, nine are container terminals and include 86 container cranes. In addition to cargo business operations, the Port is home to commercial fishing vessels, a shipyard, a boat repair facility, and recreational, community, and educational facilities.

2.5.3 Project Site and Surrounding Uses

The Project site is located at 389 Terminal Way on Terminal Island in the Port of Los Angeles within the Port of Los Angeles Community Plan area of the City, and within the County of Los Angeles, California. The Project site is near the communities of San Pedro and Wilmington and is approximately 20 miles from downtown Los Angeles (Figure 2-1). The site is generally bounded on the west and northwest by the Main Channel; to the north by State Route 47 and the Yusen Terminals, Inc. (YTI) Container Terminal at Berths 212-224; to the east by Los Angeles Export Terminal (LAXT), ExxonMobil SA Inland Tanks facility, and U.S. Customs House; and to the south by the PBF Energy (formerly ExxonMobil) liquid bulk terminal at Berths 238-240, Cannery Street, TriMarine Seafood and both vacant and developed land south of Cannery Street (Figure 2-2). Land uses in the vicinity of the Project site support a variety of cargo handling operations (including container, liquid bulk, dry bulk) commercial fishing, seafood processing, maritime support, and ship repair.



Source: U.S. Census Bureau, Geography Division, 2010

Figure 2-1
Regional Location Map

Berths 226-236 [Everport] Container Terminal Improvements Project

The existing 205-acre container terminal at the Project site (Berths 226-236) is operated by Everport Terminal Services Inc. (ETS) (a wholly owned subsidiary of Evergreen Marine Corporation). ETS is the permit holder under a lease agreement (Permit No. 888, as amended and hereafter referred to as 'the lease') between LAHD and ETS. The main terminal under the current lease agreement totals approximately 180 acres that includes approximately 20.5 acres associated with the existing on-dock railyard behind the YTI Container Terminal, known as the TICTF, which is shared between the YTI and Everport terminals. In addition to the 180 acres under lease, ETS has an existing space assignment for 25 acres of backland area behind Berths 232-236.

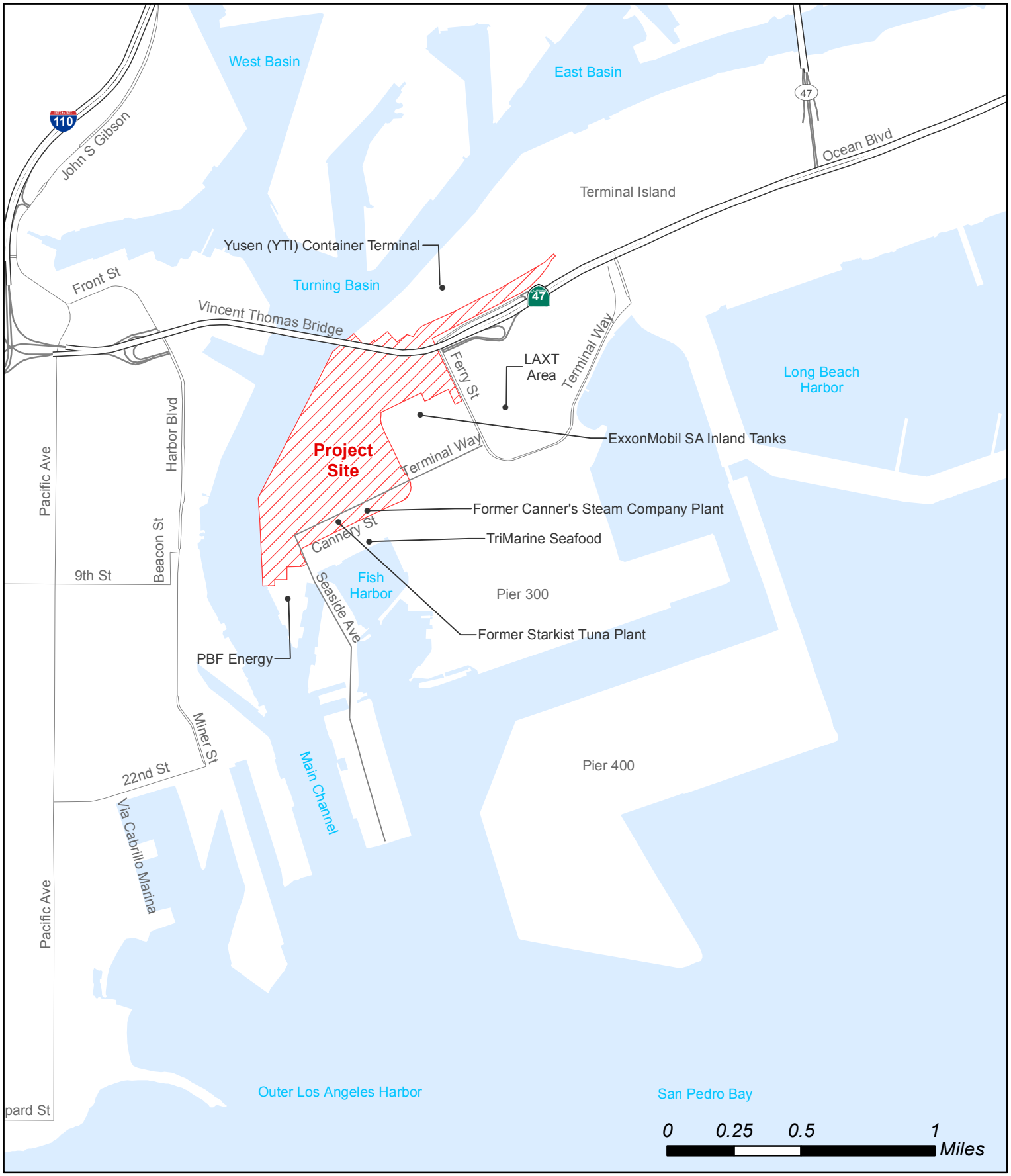
The proposed Project would increase the existing terminal size from 205 acres to approximately 229 acres by incorporating into ETS's lease an additional 23.5 acres (consisting of a 1.5-acre parcel and a 22-acre parcel). The 1.5-acre parcel (located adjacent to the 25-acre space assignment and ExxonMobil tank storage yard) that is being proposed for development as backlands is vacant and adjacent to the existing terminal, but separated by a chain-link fence. The 22-acre area proposed for development as backlands and the relocation of the main gate (located immediately south of the existing terminal boundary) is currently developed with various structures (including, but not limited to, buildings associated with the former StarKist Tuna Plant, the former Canner's Steam Company Plant, and an electrical substation), vacant parcels, and portions of Terminal Way, Barracuda Street, Tuna Street, and Ways Street. The development of the 22 acres would require closure (vacation) of streets within that portion of the Project site and demolition of the existing buildings, with the electrical substation to remain.

2.5.4 Existing Terminal Facilities, Operations, and Project Site

2.5.4.1 Terminal Facilities

The 205-acre Everport Container Terminal consists of a cargo ship loading/unloading area, a large container handling and 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 (Figure 2-3). The Everport Container Terminal is fully paved (i.e., there are no pervious areas).

There are eight existing A-frame over-water gantry (wharf) cranes located at the Everport Container Terminal. The existing eight wharf cranes consist of three smaller 100-gauge Bardella cranes and five larger 100-gauge cranes manufactured by ZPMC. Table 2-2 provides information on the existing terminal cranes. The three smaller wharf cranes are located along the southern portions of the existing wharves, and the five larger wharf cranes are located along the northern portion of the wharves. Photograph 2-1 shows existing cranes unloading a container ship at Berths 230-232.



Source: U.S. Census Bureau, Geography Division, 2010

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Figure 2-2
Project Vicinity Map

Berths 226-236 [Everport] Container Terminal Improvements Project

Aerial Source: County of Los Angeles, 2012

Figure 2-3
Project Site Map

Table 2-2: Existing Everport Container Terminal Crane Specifications

Crane No.	Year Installed	Crane Height	Stow Height	Maintenance Height	Maximum Outreach	Vessel Size[1]	Containers Across
1	1997	206	262	326	165'	10,000	19
2	1997	206	262	326	165'	10,000	19
3	1997	206	262	326	165'	10,000	19
4	2003	259	330	394	207'	16,000	22
5	2003	259	330	394	207'	16,000	22
6	2015	259	330	394	207'	16,000	22
7	2015	259	330	394	207'	16,000	22
8	2015	259	330	394	207'	16,000	22

Notes: [1] The vessel size that the cranes can service are a function of crane capacity and the maximum vessel size that the wharves can accommodate after deepening (to -55 feet at Berths 226-229 and -49 feet at Berths 230-232).

Photograph 2-1: Cranes unloading a container ship at Berths 230-232.

AMP, which is the technique of utilizing shoreside electrical power from the City of Los Angeles Department of Water and Power's power grid to operate the container ships when they are berthed at an appropriately equipped wharf, has been installed and is currently in use at Berth 227 (two existing AMP vaults) and Berth 230 (one existing AMP vault). The provision of AMP is being provided to help the Port meet California Air Resources Board (CARB) regulations for existing and future operations.

The TICTF, which opened in 1997, currently serves the Everport Container Terminal as well as the YTI Container Terminal in the Project area. TICTF features eight rail tracks, each approximately 2,300 feet long. The Everport Container Terminal currently operates the four southernmost rail tracks within the TICTF on-dock railyard (the YTI Container Terminal operates the four northernmost rail tracks within TICTF). Figure 2-3 shows the existing TICTF on-dock railyard associated with the Everport Container Terminal.

The proposed Project would include the development of two new backland areas: a 1.5-acre parcel adjacent to the southern end of the terminal, and a 22-acre area located between Terminal Way and Cannery Street west of Earle Street (see Section 2.6.1.2 below for further details on these areas). The 1.5-acre parcel is currently vacant (unpaved) and next to the PBF Energy (formerly ExxonMobil) liquid bulk terminal at Berths 238-240. Ruderal vegetation is present on this site (see Photograph 2-2).

Photograph 2-2: Existing conditions at the 1.5-acre expansion area.

The 22-acre area includes Terminal Way between Seaside Avenue and Earle Street, as well as various buildings (approximately 11 buildings and structures), vacant lots (paved and unpaved), and short sections of Ways Street, Tuna Street, and Barracuda Street. Ways Street, Tuna Street, and Barracuda Street provide access between Terminal Way and Cannery Street, as well as to and from adjacent land uses. Traffic in the vicinity of the 22-acre parcel primarily consist of through traffic along Terminal Way and Cannery Street accessing uses along Seaside Avenue, and drayage traffic on Terminal Way that enters and exits the existing Everport Container Terminal. The 22-acre area also includes an existing electrical substation. Photograph 2-3 shows a vacant parcel within the 22-acre expansion area (taken from Cannery Street between Tuna Street and Ways Street).

Photograph 2-3: Vacant (paved) parcel within the 22-acre expansion area (taken from Cannery Street between Tuna Street and Ways Street). The electrical substation (to remain) is in the background.

A majority of the existing buildings and structures located within the 22-acre area are older than 50 years of age. The former Canner's Steam Company Plant, which has been determined to be a potential historic resource (see Section 3.4, Cultural Resources), is a 21,000-square foot steel frame structure built in 1951 that was used as a food-grade steam production plant for the adjacent cannery/food storage industry (see Photograph 2-4).

Photograph 2-4: Former Canner's Steam Company Plant (photo taken looking northwest from intersection of Ways Street and Cannery Street).

Construction materials used in this plant include asbestos-containing material (ACM), such as transite panel walls, ceilings, floor tiles and flooring material that contains chrysotile asbestos. Furthermore, lead surveys (Kleinfelder, 2005; TRC, 2008) found lead-based paint (LBP) at various locations with the structure. Interior ACM and ACM associated with exterior equipment have been removed, but exterior building panels, roof mastic, and window and door putty still contain asbestos (TRC, 2012a and 2012b). A previously existing leaking exterior storage tank associated with the plant resulted in a plume of fuel oil contaminating the soil and groundwater at the site. In early 2002, following confirmation of the impact of the contamination to groundwater, the LAHD, the former Canner's Steam Company Plant, and Los Angeles Regional Water Quality Control Board (LARWQCB) entered into the Spills, Leaks, Investigation and Cleanup (SLIC) Program (now known as the Site Cleanup Program) for self-directed cleanup, which is ongoing. Subsequent to the site being entered into the LARWQCB's SLIC program (State Regional Water Quality Control Board File No. 2040131), Canners Steam was recognized as the responsible party and has taken the lead in all site restoration activities. Working under the 2012 LARWQCB-approved remedial action plan, Canners Steam excavated contaminated soil from exterior and interior areas to remove hydrocarbon-contaminated soil resulting from the fuel oil release. As part of ongoing cleanup associated with the site, contaminated groundwater was recovered and chemical additives were placed in the ground to clean residual concentrations of the fuel from soil and groundwater. In 2014, additional chemical additives were placed into the ground and groundwater in an attempt to complete the cleanup of the site in accordance with LARWQCB standards for the property. Semi-annual groundwater monitoring and sampling is conducted to document site conditions and to determine whether the site groundwater quality meets site cleanup requirements. In March 2015, representatives of the former Canner's Stream Company Plant sent the LARWQCB as memorandum documenting the rationale for regulatory case closure for the former plant site (TRC, 2015). The LARWQCB required an

additional well and monitoring, which was subsequently completed in December 2015. The well was sampled and was determined to be below laboratory detection limits for various petroleum hydrocarbon compounds. In January 2016, Canners requested case closure, and the matter is currently under consideration by the LARWQCB (TRC, 2016).

In addition to the former Canner's Steam Company Plant building, other buildings within the 22-acre area, such as the former StarKist buildings, may contain ACM, LBP, and/or other hazardous materials.

The former StarKist buildings were determined to not be eligible as historic resources and the property also does not appear to contribute to any potential historic district (see Section 3.4, Cultural Resources). The buildings associated with the former StarKist Tuna Cannery consists of a Research Laboratory Complex, which includes the Pet Products Division building and Pilot Plant and Net Repair Sheds. The Research Laboratory Complex is located at the southeast corner of the intersection of Tuna Street and Terminal Way, between Terminal Way and Cannery Street (see Photograph 2-5). Today, the complex continues to serve as a research laboratory operated by the Del Monte Corporation. The Pet Products Division building was originally constructed in 1950 and consisted of a small one-story building fronting on Terminal Way east of the intersection with Tuna Street. The Pilot Plant, located directly to the south at 642 Tuna Street, was constructed in 1979 and is an example of 1970s industrial architecture with a concrete foundation and concrete block exterior. The Net Repair Sheds Buildings, or "Boneyard", are located at 250 Terminal Way, at the southwest corner of Terminal Way and Ways Street, serve today as two "paired" one-story industrial storage units. The buildings were originally built as Net Repair Sheds by the StarKist Company and are now used for temporary equipment storage.

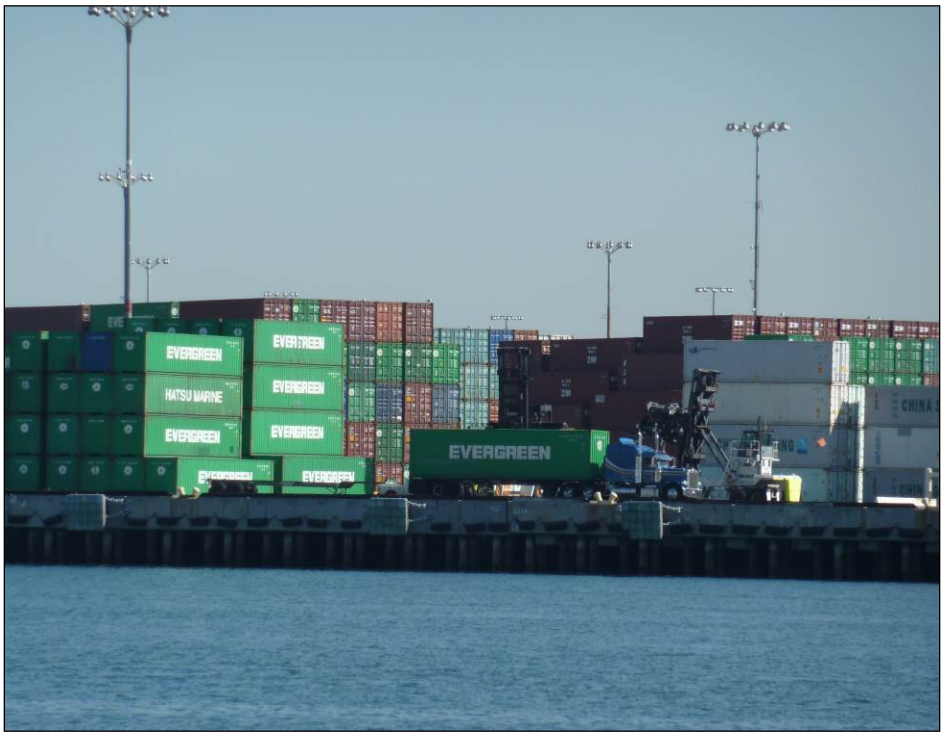
Photograph 2-5: Looking southeast across Terminal Way at the northwestern corner of the Research Laboratory Complex.

2.5.4.2 Terminal Operations

The existing Everport Container Terminal operates using traditional cargo handling methods, as compared to automated methods, to service containerized cargo. Once containers have been off-loaded from a ship or received through the gates on trucks and trains, the containers are stored and moved around the backlands area of the terminal using diesel-powered cargo-handling equipment including diesel powered rubber-tire gantry cranes (RTGs) and/or diesel-powered top handlers and yard tractors. Through the use of this cargo handling equipment, containers are stored by either stacking containers on top of each other, up to five containers high with the bottom container placed directly on the ground, or with a container stored directly on a chassis (trailer). All of the unloading/loading equipment used in the backland operations is performed and operated by workers. Outbound containers are transported by both truck and rail. Containers may be forwarded to peel-off yards upon being off-loaded from a ship, where they would subsequently be transported by truck and rail. Photograph 2-6 shows a container being transferred from the ship to a yard tractor at the wharf. Photograph 2-7 shows a top handler lifting a container from a yard tractor. Photograph 2-8 shows stacked containers in the backlands behind Berth 234.

Photograph 2-6: Container being loaded onto yard tractors at the wharf.

Photograph 2-7: Top handler loading a yard tractor.



Photograph 2-8: Stacked containers behind Berth 234.

Existing Throughput and Vessel Calls

In 2013, the Everport Container Terminal moved 1.24 million TEUs and had 166 vessel calls. The majority of vessels calling at the terminal were 2,000- and 6,000-TEU-capacity vessels. No vessels over 8,000-TEU-capacity called on the Everport Container Terminal in 2013, as the existing depth of berths limits the vessel sizes to 8,000 TEUs. The terminal handled a maximum of two vessel calls in a peak day. With existing infrastructure, maximum throughput capacity at the Everport Container Terminal is approximately 1,818,000 TEUs annually.

Ship Operations

Currently the terminal can berth up to three smaller vessels along the two operating berths. However, the occasions when three ships are berthed simultaneously are rare, and the terminal primarily handles up to two vessels at a time. To accommodate berthing, tugboat operations are required. For the Everport Container Terminal, two tugs generally are required during docking and undocking, for a total of four tugs per vessel call. In the case of the 2,000-TEU class vessels, one tug is required each for ship docking and undocking, for a total of two tugs per call.

Transportation Modes

Currently, about 24.8 percent of Port-wide cargo throughput passes through on-dock rail facilities, 10.5 percent through off-dock rail facilities, and the remaining 64.7 percent via truck to the local and regional markets, including transload facilities. However, the mode split (percent of containers that are conveyed by different transportation modes such as rail or truck) at individual terminals varies. Mode splits differ from terminal to terminal on the basis of the existence and capacity of a terminal's on-dock rail facility, as well as the demands of shipping lines, which are sensitive to the receiving market. Further, the percentage of cargo from a terminal that can be transported via an on-dock railyard is limited because on-dock railyards assemble trains that are destined for a single destination, and only a limited number of containers handled by a terminal have a common rail destination. In 2013, mode splits at the terminal were 18.6 percent through the TICTF, 4.3 percent through off-dock rail facilities, and 77.1 percent by truck to local and regional markets, including transload facilities.

Truck Operations

The Everport Container Terminal's 2013 throughput required a total of 1,112,735 annual one-way truck trips, with 4,505 daily one-way truck trips in the peak month. Those trips included cargo hauled entirely by truck (principally within Southern California, with some trips to and from northern California, Arizona, Nevada, and Utah) and intermodal cargo bound for, or coming from, locations farther east. Of the approximately 956,755 TEUs transported by trucks, approximately 53,791 TEUs were intermodal cargo trucked between the terminal and off-dock railyards.

Rail Operations

The Everport Container Terminal's 2013 throughput required an annual average of 1.6 trains per day, and an average of 1.8 trains per day during the peak month. The portion of the TICTF on-dock railyard that serves the Everport Container Terminal handled 230,227 TEUs (124,674 TEU imports and 105,553 TEU exports) in 2013. Containers are hauled by yard tractors between the vessel berths and the on-dock railyard. In addition to the throughput handled by TICTF, off dock yards handled 53,791 TEUs. At the railyard, containers are lifted

on and off railcars by top handlers. Both inbound and outbound trains carry an average of the equivalent of 270 40-foot containers; however, the maximum number of containers a train can handle is based on weight considerations. Trains usually carry a mix of 20- and 40-foot containers.

Rail operations at the TICTF involve a number of entities. As the terminal operator, ETS moves containers to and from the on-dock facility. Containers are off-loaded and loaded directly from and onto train components known as wells, with each well capable of carrying two 40-foot containers stacked (i.e., equivalent to four TEU's). Five wells make up a railcar, and each railcar is then coupled with other railcars traveling to the same destination. The coupled railcars are called a unit train. Unit trains vary in length between 21 and 28 railcars (105 and 140 wells). The average on-dock train length at the Everport Container Terminal is 25 railcars (125 wells), or 7,500 feet. These unit trains are usually built by Pacific Harbor Line (PHL). PHL is a third-party, independent rail company that provides rail transportation, yard switching, maintenance, and dispatching services to the Port Complex.

PHL manages all rail dispatching and switching functions at the on-dock railyards within the Port Complex, including:

- scheduling and overseeing all train movements;
- organizing railroad cars carrying containers of imported goods and switching them onto various tracks to form unit trains;
- breaking down unit trains arriving at the ports, switching railroad cars onto various tracks and distributing them to nine marine terminals where containers are loaded onto ships for export;
- maintaining 60 miles of railroad tracks within the Port Complex; and
- breaking and storing railroad cars awaiting dispatch.

The Port is served by two Class 1 railroads,[3] BNSF and UP, often referred to as the "main line" or "line-haul" rail companies. After PHL has built a unit train, BNSF or UP will hook up their line-haul locomotive(s) to the train and pull the train out of the on-dock railyard on to the main-line tracks to the eventual destination. PHL locomotives will occasionally pull portions of a unit train out of the on-dock facility to the near dock intermodal container transfer facility (ICTF). A loaded double-stack train is typically pulled by three or four line-haul locomotives although it would be hauled by two or three smaller locomotives if PHL pulls the train.

PHL contracts with LAHD and the Port of Long Beach to operate the centralized traffic control (signaling) system. Agreements with BNSF and UP for international cargo are usually handled by the shipping lines. Many shipping lines have a contract with both BNSF and UP.

[3] Any large freight railroad company in the United States, Mexico, or Canada is classified based on operating revenue as Class I, Class II, or Class III. The exact revenues required to be in each class have varied over time and are now continuously adjusted for inflation. In the United States, the Surface Transportation Board defines a Class I railroad as "having annual carrier operating revenues of $250 million or more" after adjusting for inflation using the Railroad Freight Price Index developed by the Bureau of Labor Statistics.

Cargo-handling Equipment

The existing fleet of cargo-handling equipment used at the Everport Container Terminal is as follows:

- 11 forklifts (see Photograph 2-9);
- 14 RTG cranes (see Photograph 2-10);
- 18 top handlers (see Photograph 2-11);
- 6 side picks (similar to top handler shown in Photograph 2-11), and
- 123 yard tractors (see Photograph 2-12).

Photograph 2-9: Forklift.

Photograph 2-10: Rubber Tired Gantry Crane (RTG).

Photograph 2-11: Top Handler or Toppick.

Photograph 2-12: Yard tractor (without chassis).

Cargo-handling equipment have useful operating lives, which correspond to the period during which continued operation - with routine maintenance and periodic retrofits - is still cost - effective. At the expiration of useful operating lives or sooner if required by CARB, cargo-handling equipment would be replaced or modified to meet any newly adopted CARB standards.

Terminal Operating Hours

Currently, Everport Container Terminal operations occur six to seven days per week, and approximately 305 days per year, in two shifts per day (7:00 AM to 6:00 PM, and 6:00 PM to 3:00 AM). The Everport Container Terminal employs approximately 145 union labor employees per day on a typical day, and up to approximately 245 union labor employees under peak conditions.

Everport Enhanced Cargo Demonstration Project

ETS (through the LAHD) was awarded a grant from the California Energy Commission in late 2016 to commission a demonstration project to test 20 near-zero yard tractors (i.e., liquefied natural gas) as well as 5 battery electric yard tractors at the Project site. This demonstration project will begin in Summer 2017 and last for 12 months.

In addition, the LAHD is also in the process of submitting an additional grant application to CEC for two battery electric top picks and 3 additional battery electric yard tractors to undergo a demonstration project at the Project site as well. If this grant is awarded, the demonstration project would last approximately 15 months to ensure the successful implementation of the equipment. If successful, this demonstration project will be included

into lease measure LM AQ-1 regarding the periodic review and replacement of new technology.

2.5.5 Historical Use of the Proposed Project Site

In 1914, the Port of Los Angeles began dredging what would become Fish Harbor, a specialized area for fish processing and canning at Terminal Island. It was operational by 1915, and most of the Port's canneries moved to the new harbor, making tuna fishing and processing the most prominent activity on that part of the island. By the 1920s, 11 canneries operated from the Port, served by a large fleet of fishing vessels and employing 1,800 cannery workers and 4,800 fishermen. The workforce was diverse and included a large number of Japanese and Japanese Americans, many of whom lived on the island just north of Fish Harbor where they formed a distinct dialect and culture unique to the Port. A small but vigorous commercial core emerged on Tuna and Cannery Streets, and by the 1920s the block of Tuna Street between Cannery and Fish Harbor was lined with restaurants, barber shops, pool halls, markets, clothing stores, hardware stores, and grocery and dry goods stores.

Fish Harbor continued to expand through the 1930s and by 1940 the Japanese American population had grown to 3,000. Following the bombing at Pearl Harbor however, the Port's Japanese Americans were forcibly removed from their homes on Terminal Island and taken to internment camps. The Navy bulldozed their homes and most of the businesses, leaving nothing to return to at the war's end.

After World War II, fish canneries expanded their operations throughout Fish Harbor, particularly French Sardine Company, which constructed new facilities on Tuna Street and the east side of Fish Harbor. Across Terminal Island, the Port of Los Angeles expanded into the now-vacant land that had once contained hundreds of Japanese and Japanese-American residences, significantly changing the function and character of the area. The once-bustling commercial district along Tuna Street now primarily housed canneries and other fishing-related businesses.

This growth was short-lived however, and by the 1960s many of the larger canning operations (i.e., Van Camp and StarKist) began establishing other, more cost-effective, canneries overseas. By 1975, most of the Port's canneries had been bought out by multinational corporations, and by the mid-1980s many of their operations had moved out of Los Angeles. The last plant, Chicken of the Sea, closed in 2001. Since that time, many of the buildings associated with the once-vibrant fishing industry at Fish Harbor have been demolished or abandoned.

The Everport Container Terminal gradually developed through infill between 1971 and 1988. Prior to this, it was used for shipping, but had slips for shipping boats with adjacent warehouse buildings (no longer extant).

The 1.5-acre area was part of the former ExxonMobil oil terminal, which was initially constructed in 1925. Historic photos indicate the 1.5-acre parcel housed oil tanks beginning in 1925 until they were demolished sometime between 1979 and 1987. The lot has been vacant since this time.

2.6 Proposed Project Development

This section describes the proposed improvements on the Everport Container Terminal, the anticipated construction phasing, and the anticipated terminal operations once the improvements are completed. Figure 2-4 shows the Project site improvements.

2.6.1 Proposed Project Elements

2.6.1.1 Overview

The proposed Project would be constructed in one phase over approximately 24-months and the earliest it could begin would be the end of 2017. Construction would be performed in a manner that maintains ongoing terminal operations. Under the proposed lease amendment, operation of the proposed Project would continue until 2038. Below is a summary of the improvements that would occur at the terminal, with more detailed descriptions following.

The proposed Project includes improvements to and expansion of the existing Everport Container Terminal currently in operation at Berths 226-236 on Terminal Island in the Port of Los Angeles. This EIS/EIR evaluates the potential impact of the construction and operation of the proposed Project and the Project alternatives. The proposed Project includes:

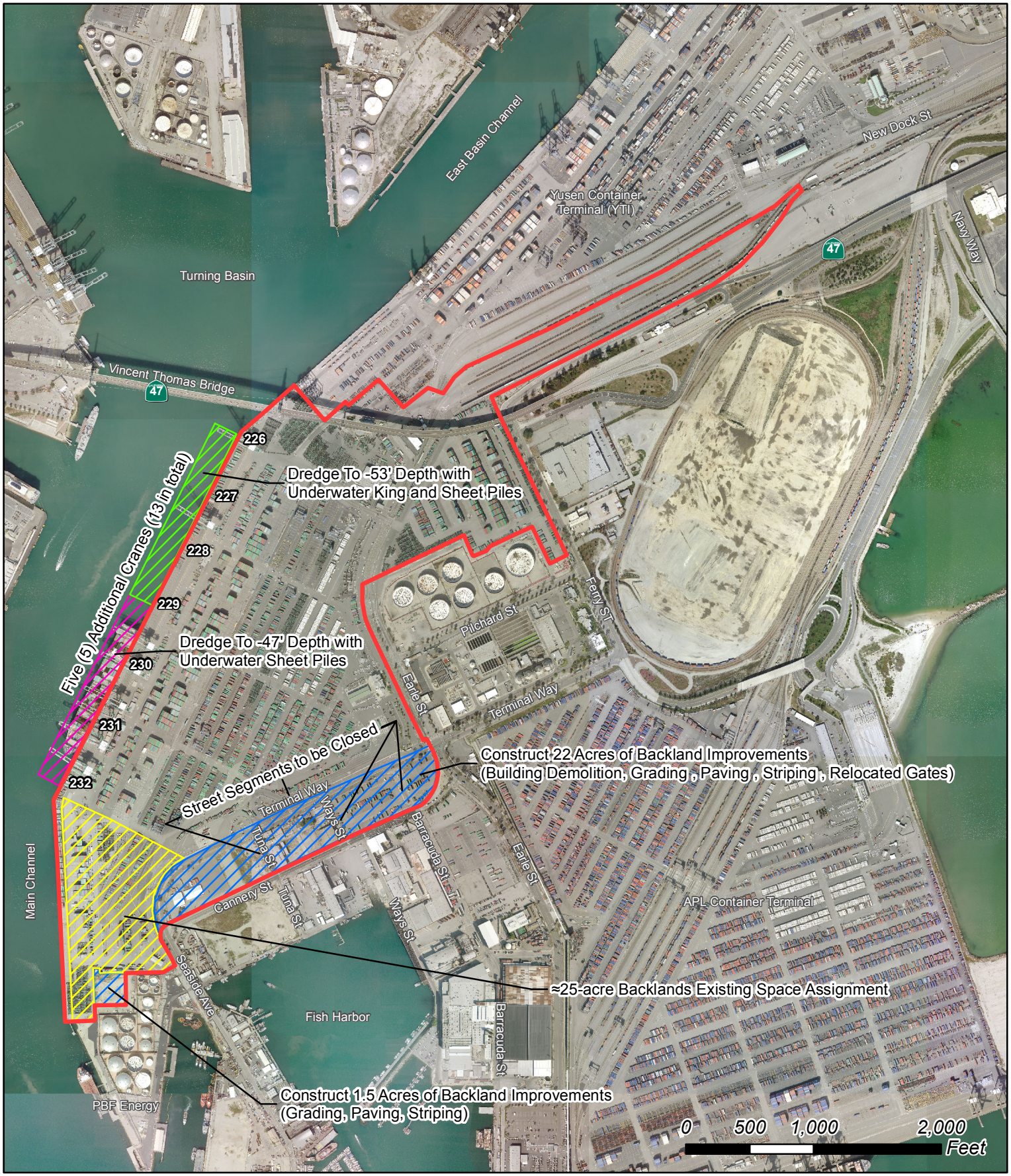
- Dredging (including installation of king piles and approximately 1,400 linear feet of sheet piling to stabilize the wharf) at Berths 226-229 to a design depth of -53 feet MLLW plus two feet of overdepth tolerance (for a total depth of -55 feet MLLW) to accommodate larger ships (the existing design depth is -45 feet MLLW);

- Dredging (including installation of approximately 1,400 linear feet of sheet piling to stabilize the wharf) at Berths 230-232 to a design depth of -47 feet MLLW plus two feet of overdepth tolerance (for a total depth of -49 feet MLLW) to accommodate larger ships (the existing design depth is -45 feet MLLW);

- Disposal of approximately 38,000 cubic yards of dredged materials (30,000 cubic yards from Berths 226-229 and 8,000 cubic yards from Berths 230-232) at an ocean disposal site (i.e., LA-2), an approved upland disposal facility, or a combination of the above;

- Addition 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 226-229 to accommodate larger ships at the proposed deeper berths. Addition of the new cranes would require infrastructure improvements (such as cable and electrical upgrades);

- The raising of up to five of the existing operational cranes (existing crane heights listed in Table 2-2) in order to accommodate larger vessels.



Aerial Source: County of Los Angeles, 2012

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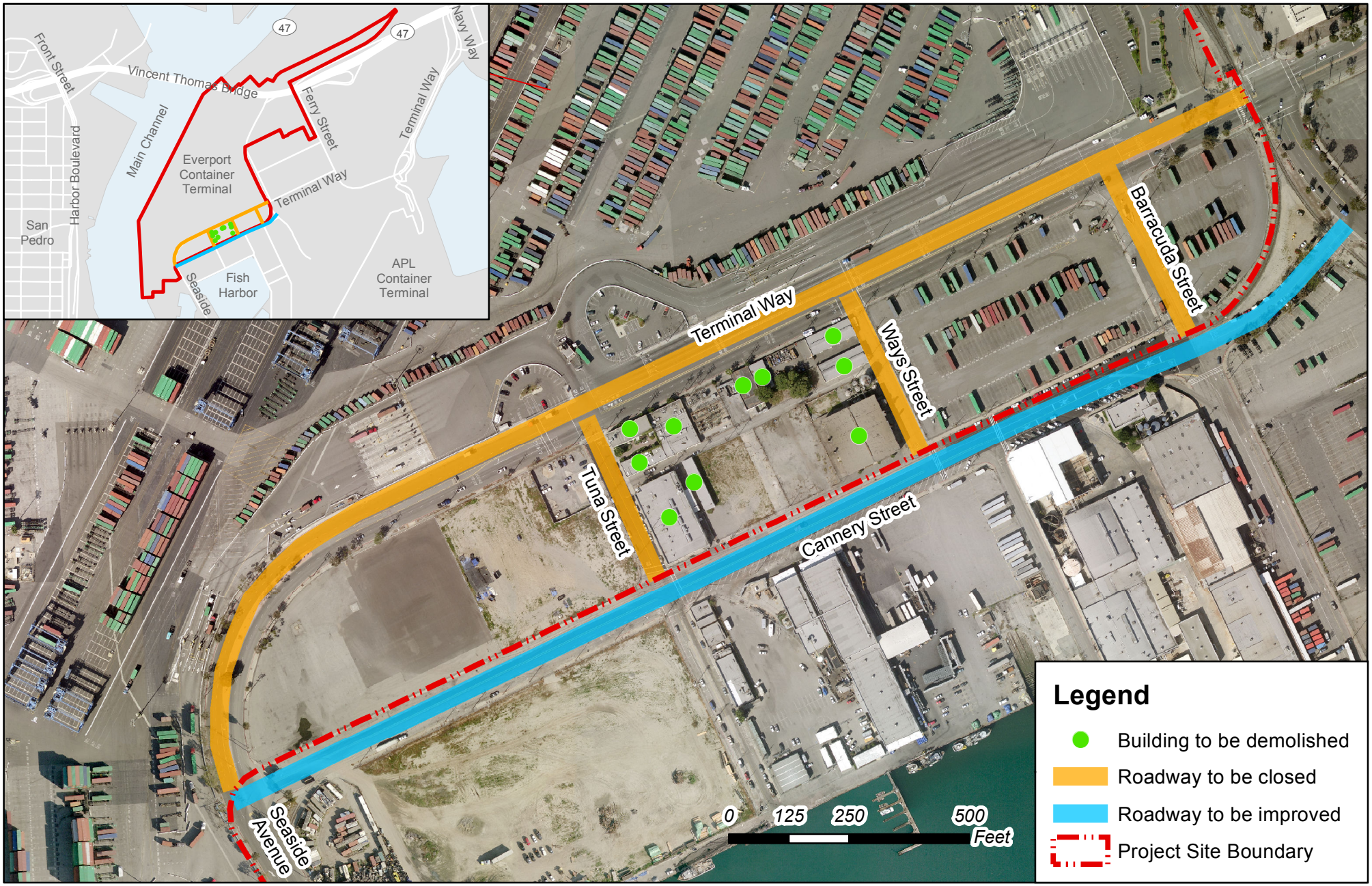
Figure 2-4
Proposed Project

Berths 226-236 [Everport] Container Terminal Improvements Project

- Addition of five AMP vaults (throughout wharf area adjacent to Berths 226 to 232) and associated infrastructure (e.g., electrical conduit and wires);[4]
- Installation of three foot spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles;
- Development of approximately 1.5 acres of vacant land as new backlands;
- Development of approximately 22 acres as new backlands and modified inbound and outbound gates associated with the relocation of the main gate. The development of the 22 acres would require closure (vacation) of streets within this backlands expansion area (see next bullet) and demolition of existing structures (with the exception of the existing electrical substation, see Figure 2-5);
- 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 acres) 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.

[4] Subsequent to release of the Notice of Intent/Notice of Preparation/Initial Study (included as Appendix A of this Draft EIS/EIR), refinements to the proposed Project have been made to include an additional three AMP vaults (for a total of five new vaults, instead of two). AMP connection voltage would be 6.6 kilovolt, 3-phase, 60 Hertz. 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.



Aerial Source: County of Los Angeles, 2011

Figure 2-5
Buildings to be Demolished and Streets to be Closed or Improved

2.6.1.2 Terminal Improvements

Dredging and Pilings

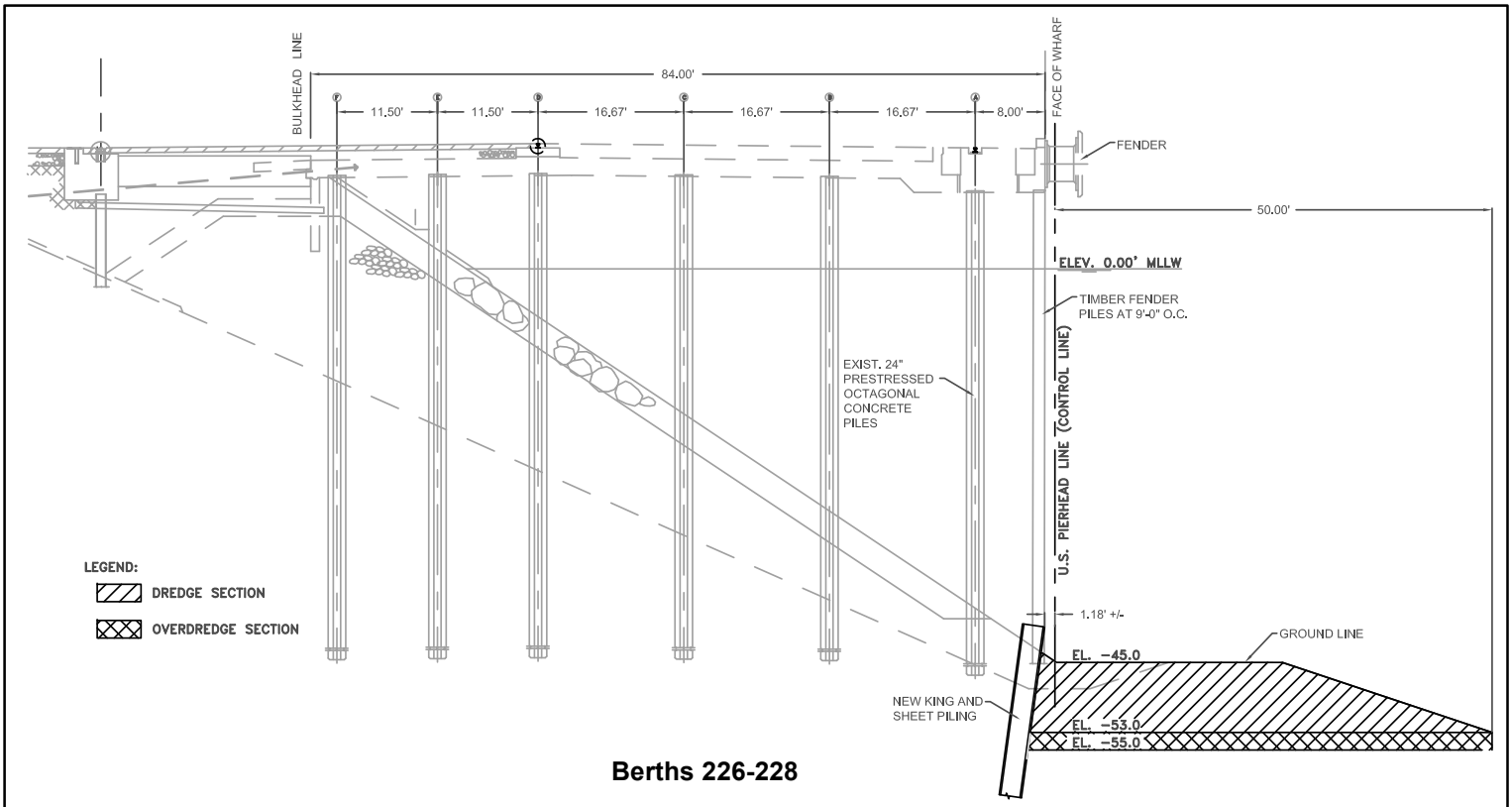
The proposed improvements to Berths 226-229 include 1) dredging to increase the depth from -45 to -53 feet MLLW plus two feet of overdepth tolerance (for a total of -55 feet MLLW); and 2) the installation of approximately 1,400 linear feet of king piles and sheet piles to accommodate the dredging activities and deeper design depth. The maximum tip elevations of the king piles and sheet piles would be approximately 110 feet MLLW (see Figure 2-6), or up to 55 feet below the mudline. Dredging would remove approximately 30,000 cubic yards of sediment from alongside Berths 226-229.

The proposed improvements at Berths 230-232 would include 1) dredging to increase the depth from -45 to -47 feet MLLW plus two feet of overdepth tolerance (for a total of -49 feet MLLW); and 2) the installation of sheet piles to accommodate the dredging activities and increased design depth. Dredging would remove approximately 8,000 cubic yards of sediment from alongside Berths 230-232. The sheet piles would be installed to approximately -85 feet MLLW (maximum sheet pile tip elevation of about 36 feet below the mudline) and over approximately 1,400 linear feet along these berths (see Figure 2-7).

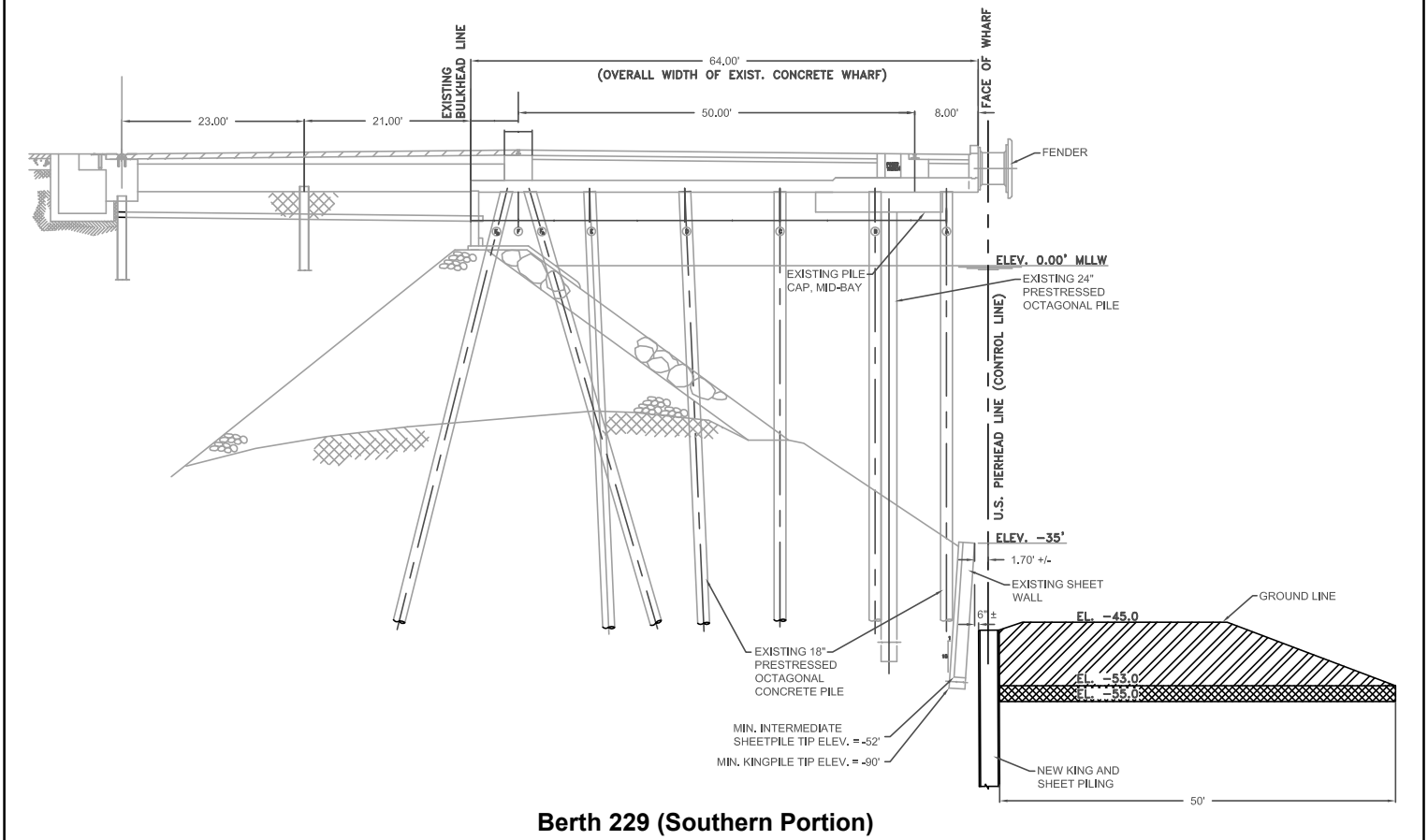
Dredging would occur 24 hours per day, for up to eight weeks. In total, approximately 38,000 cubic yards of sediment would be dredged and would require disposal. Disposal options include placement within an approved upland facility or approved ocean disposal site (i.e., LA-2). In addition, a combination of the above dredge material management options could be used.

Wharf and Crane Improvements

The proposed Project includes installation of three foot spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles. In addition, the proposed Project includes the raising of up to five of the existing cranes, as well as the installation of five new 100-foot gauge wharf cranes along the existing crane rail at Berths 226-229. The gauge represents the distance between a crane's rail supports. The new wharf cranes are expected to be similar in size and height as the five largest 100 gauge cranes currently at the Project site, which have an approximate height of 330 feet when stowed at a 45-degree angle (during crane maintenance activities the cranes can be placed in an 80-degree angle with a height of about 394 feet) (see Photograph 2-13 for an example of crane positions). The raised and new cranes would be able to offload cargo from ships loaded up to 22 containers wide. With the addition of the five new cranes under the proposed Project, there would be a total of 13 wharf cranes operating at the Everport Container Terminal. The new larger cranes are expected to be added to the northern end of the wharf, such that the largest cranes would be located along the portion of the wharf with the deepest berth, and the smaller cranes along the southern portions of the wharf.



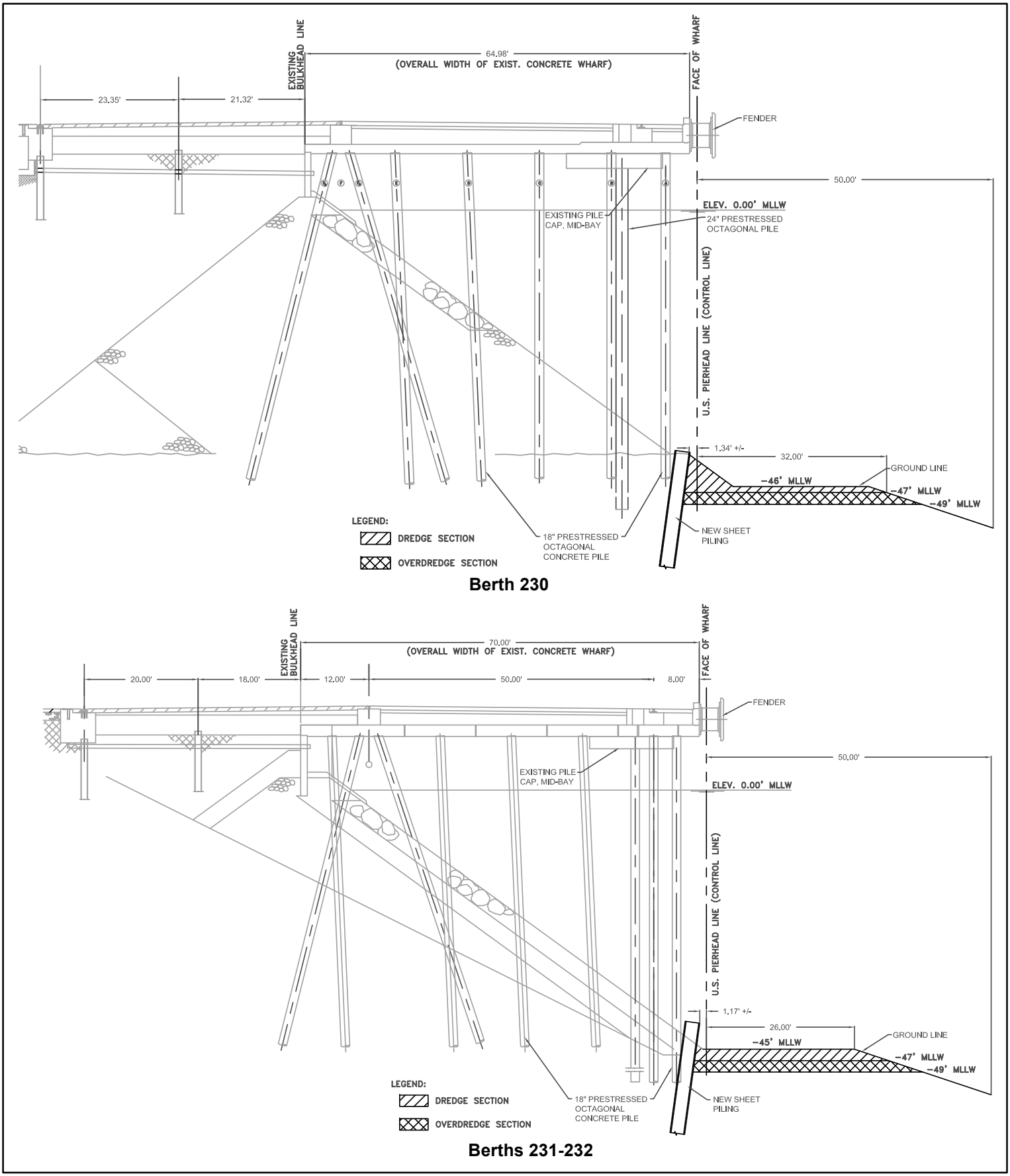
Berths 226-228



Berth 229 (Southern Portion)

Source: POLA, Engineering Division, 2013, 2016

Figure 2-6
Berth 226-229 Typical Cross Sections

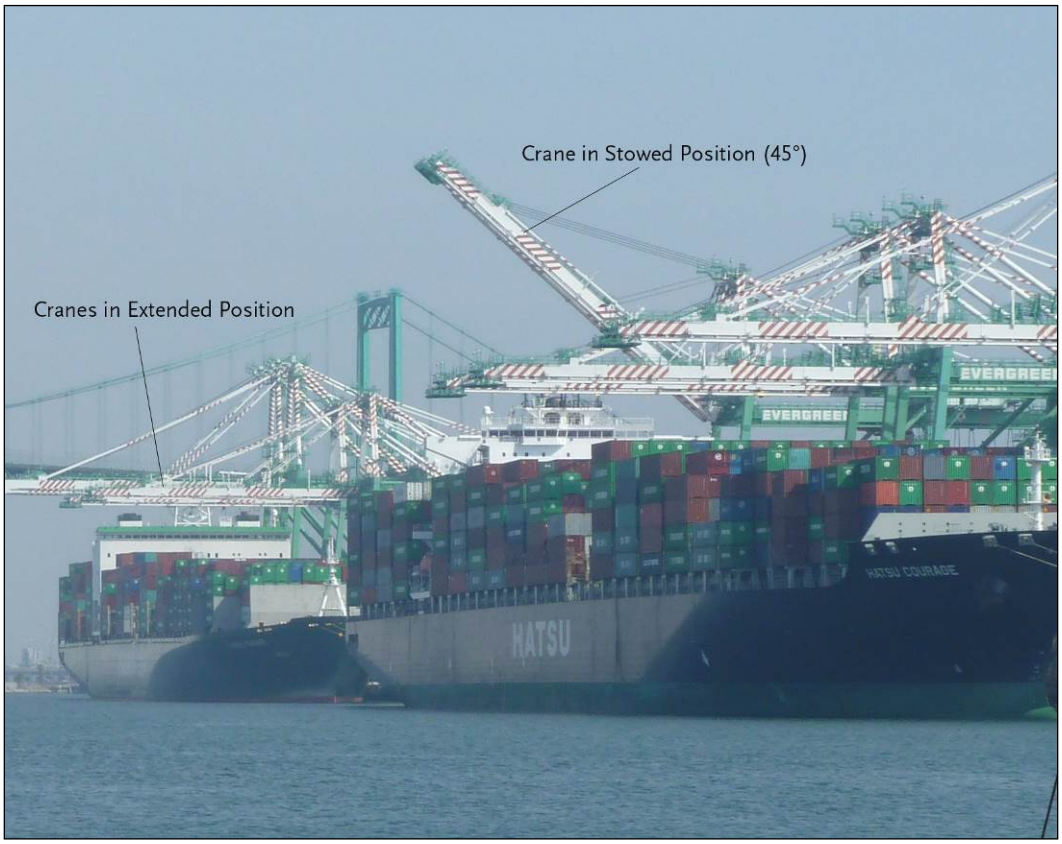


Source: POLA, Engineering Division, 2013

Figure 2-7
Berth 230-232 Typical Cross Sections

Improvements associated with the installation of the new cranes include cable and other electrical infrastructure. Trenching/excavating associated with electrical infrastructure required to support the five new cranes would occur within the backlands and adjacent to the existing crane rails. To provide power and communication lines to the five new cranes, five new cable vaults (approximately 10 feet x 8 feet x 9 feet), one high voltage vault (approximately 10 feet x 10 feet x 12 feet), two new fiber optic vaults (approximately 5 feet x 5 feet x 6 feet), and approximately 1,400 feet of conduit (within trenches ranging from 42 to 54 inches deep and 2 feet wide) would be installed. The proposed vaults and trenching would not include over-excavation.

In addition, two new high voltage vaults (approximately 10 feet x 10 feet x 12 feet), a new switchgear skid (approximately 30 feet x 20 feet x 3 feet), and approximately 1,850 feet of conduit in trenches ranging from 42 to 54 inches deep and 2 feet wide) would be installed in the terminal backlands in order to connect the new crane infrastructure to an existing power source on the terminal.



Photograph 2-13: Example of Crane Positions at the Everport Container Terminal.

Further, five new AMP vaults and associated infrastructure (e.g., electrical conduit and wires) would be constructed at various locations within the wharf face of Berths 226 to 232 for a total of eight AMP vaults. The AMP vaults would be approximately 12 feet x 6 feet x 4 feet. The existing substation would be utilized for the new AMP vaults. Three additional pull boxes would be installed to connect the new AMP vaults with the existing substation. The trench depth for the electrical conduit/wires is 42 inches.

Backland Improvements

Backlands improvements would occur at two locations: the approximately 1.5-acre area adjacent to the PBF Energy (formerly ExxonMobil) liquid bulk terminal at Berths 238-240 and the approximately 22-acre area immediately south of the existing terminal boundary and north of Cannery Street (see Figure 2-4).

The 1.5-acre site is currently vacant and unpaved. The improvements would consist of placement of engineered fill, followed by the placement of base and pavement. Infrastructure, such as electrical lines, lighting, and drainage would also be installed. The new 1.5 acre backlands could be used for storing empty containers, chassis, wheeled containers, stacked containers or other purposes, depending on terminal needs.

The 22-acre site is comprised of vacant lots (paved and unpaved) as well as approximately 11 buildings/structures. Development of this 22-acre area would require demolition of all structures except the electrical substation (see Figure 2-5), site cleanup, grading, followed by paving and development. Lands within the 22-acre area are currently under lease to commercial tenants by the LAHD under revocable permits, and permit revocation would not result in a requirement to relocate the tenants. Infrastructure, such as electrical lines, lighting, and drainage would also be installed. The existing electrical substation would remain operational within the redeveloped terminal, but would be fenced and segregated. Further, electrical infrastructure and connections to the substation may have to be relocated to avoid damage during development of the surrounding areas as backlands. The proposed layout of the Project includes the relocation of the main gate (inbound and outbound lanes) to the newly developed 22-acre area, and would include direct access onto the Project site from Earle Street at Terminal Way. Portions of the 22-acre area would also be used to improve the terminal circulation system, and to store chassis' and wheeled or stacked containers, or other terminal uses.

In addition, as part of ongoing and separate activities associated with the former Canner's Steam Company Plant site (a related project), contaminated soil and groundwater cleanup of that site would continue in accordance with LARWQCB standards for the property. Ongoing remediation activities could include groundwater monitoring, extraction, and in-situ chemical oxidation. If required by the LARWQCB and/or LAHD and until the site case is officially closed, semi-annual groundwater monitoring and sampling would continue to document site conditions and to determine whether the site groundwater quality meets site cleanup requirements.

Street Closures

The expansion of the existing terminal to the 22-acre area south of the existing boundary would require the closure (vacation) of Terminal Way from Earle Street (on the east) to Seaside Avenue (on the west) and Tuna Street, Ways Street, and Barracuda Street from Terminal Way (on the north) to Cannery Street (on the south). Closure of these streets would require rerouting of traffic. Vehicles traveling on Terminal Way west of Earle Street would be rerouted to Cannery Street. Tuna Street, Ways Street, and Barracuda Street between Terminal Way and Cannery Street are limited north-south roadways that serve only the buildings or parcels that would be demolished or become part of the proposed Project. Vehicles traveling east from Seaside Avenue would travel east on Cannery Street, north on Earle Street, then east on Terminal Way. Drayage trucks going to/from the Project site would access the terminal from Earle Street (through the new gate), and through traffic going to and

from Fish Harbor and the portions of Terminal Island along Seaside Avenue would utilize Cannery Street and Seaside Avenue after Terminal Way (between Seaside Avenue and Earle Street) is vacated. All the roadways that would be affected are designated "Local Roads," which would require street vacation approval from the City's Bureau of Engineering. The proposed Project would require utility relocations associated with the street closures.

In addition, the proposed Project would include realignment of Cannery Street, as well as pavement improvements, widening, striping, traffic lighting and signals, drainage, and sidewalk improvements along Cannery Street.

2.6.1.3 Project Construction Phasing and Schedule

Construction of the proposed Project is expected to take approximately 24 months and the earliest it could begin would be the end of 2017. In-water construction would be staged such that one vessel could be at berth at any given time. Under this scenario, installation of sheet piles would occur along Berths 230-232, followed by dredging along these berths. Installation of spacers between the wharf and existing wharf fenders at Berths 230-232 would then occur. Operation of the terminal would continue during construction, with vessels utilizing Berths 226-229. Once work is completed at Berths 230 through 232, sheet and king piles would be installed along Berths 226-229, followed by dredging. Installation of spacers between the wharf and existing wharf fenders at Berths 226-229 would then occur. The AMP vaults (to be located at various locations along the wharf) would be constructed beginning the fifth month. Operation of the terminal would continue during construction, with vessels using Berths 230-232. The new cranes would be delivered and installed along the northern berths following in-water construction. The raising of up to five existing cranes would occur throughout the construction period. Backland construction at the 1.5-acre expansion area would occur concurrent with in-water construction. The following components would be subject to negotiations and an agreement between the Port and ETS: development of the approximately 22 acres as new backlands and relocation of the main gate, the 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, as well as the demolition of the remaining buildings within the 22-acre area, including, but not limited to, buildings associated with the former StarKist Tuna Plant and the former Canner's Steam Company Plant. To be conservative, for the purposes of this Draft EIS/EIR's analysis, it is assumed that the agreement would be finalized such that the demolition and backland construction at the 22-acre expansion area would occur concurrent with the backland development at the 1.5-acre expansion area and in-water construction. Table 2-3 shows the estimated construction phasing and schedule.

Table 2-3: Construction Schedule

Activity	Month																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Mobilization																									
Berths 230-232 Pile Installation and Dredging																									
Sheet Piles																									
Dredging & Disposal																									
Berths 226-229 Pile Installation and Dredging																									
King & Sheet Piles																									
Dredging & Disposal																									
Crane Electrical Infrastructure																									
AMP Installation																									
Backlands Development - Parcel H																									
Backlands Development - 22 Acres																									
Street Re-Alignment																									
Demolition																									
Backland Improvements																									
Crane Delivery																									

2.6.2 Proposed Project Operations

2.6.2.1 Lease Amendment

The existing 205-acre container terminal is operated by ETS. ETS (a wholly owned subsidiary of Evergreen Marine Corporation) is the permit holder under a lease agreement (Permit No. 888, as amended) between LAHD and ETS.

As part of the proposed Project, the lease would be amended to include the addition of approximately 25 acres of existing terminal backlands currently under space assignment and the addition of approximately 23.5 acres (1.5 acres and 22 acres) proposed for backlands development under the proposed Project. The total terminal acreage for the proposed Project is approximately 229 acres. The existing lease began in 1997 and ends in 2028, and the lease amendment would extend the lease period by 10 years, for continued operations through 2038.

2.6.2.2 Terminal Operations

The Everport Container Terminal would continue container handling operations, as occurs under existing conditions. At this time, no foreseeable changes in the type of operations, such as terminal automation, are expected through 2038.

Anticipated Throughput

The proposed Project would improve the container-handling efficiency of the existing Everport Container Terminal at the Port to accommodate the projected fleet mix of larger container vessels (up to 16,000 TEUs) that are anticipated to call at the terminal through 2038. The proposed Project would increase the throughput capacity of the Everport Container Terminal from 1,818,000 TEUs to up to 2,379,525 TEUs annually. Under the proposed Project, maximum throughput is projected to occur by 2033 and remain at that level through 2038. Analysis of the impacts in this EIS/EIR assumes the maximum physical capacity to represent the worst-case scenario and ensure that all reasonably foreseeable and potentially significant adverse environmental impacts are identified and mitigated to the extent feasible. This EIS/EIR analyzes the proposed Project at the end of the new lease term at 2038 with the throughput ramping up in interim study years (2019, 2026, and 2033) as presented in Table 2-1. The actual throughput levels for the proposed Project may be lower than the projected throughput at capacity as analyzed in this document due to market conditions.

Ship Operations

Currently, the terminal can service up to two larger vessels (up to 8,000 TEUs) concurrently at the two operating berths. After construction of the proposed Project, the terminal would be able to accommodate up to two larger vessels (one 16,000 TEU vessel and one 10,000 TEU vessel) concurrently. Although the proposed Project would not increase the number of vessels the terminal could manage concurrently, increasing the design depths along the wharf would allow the terminal to accommodate larger vessels with deeper drafts (up to 16,000 TEU vessels). The existing berth depths can accommodate vessels up to 8,000 TEUs, which constrains the existing terminal's capacity to approximately 1.82 million TEUs with 166 existing annual ship calls. The proposed Project would deepen the operating berths to accommodate larger vessels (up to 16,000 TEUs), which would remove the existing berth

capacity constraint and allow the terminal to handle up to 2,379,525 TEUs annually. By 2038, at 2,379,525 TEUs, the terminal is anticipated to receive 208 annual ship calls, along with associated tugboats (2 tugs are required for each vessel move).

Rail Operations

In 2013, the Everport Container Terminal's throughput required an annual average of 1.6 trains per day, and an average of 1.8 trains per day during the peak month. The portion of the TICTF on-dock railyard that serves the Everport Container Terminal handled 230,227 TEUs (124,674 TEU imports and 105,553 TEU exports) in 2013. Under the proposed Project, the volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 606,341 TEUs through 2038. The Everport Container Terminal's 2038 throughput is projected to result in an annual average of 5.0 trains per day, and an average of 5.6 trains per day during the peak month. The proposed Project would not make changes to the capacity of the Everport portion of TICTF, which would remain at 606,341 TEUs annually.

The existing TICTF on-dock railyards is projected to have slightly less capacity than the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 2,379,525 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 345,469 TEUs through 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.6 percent in 2013 to approximately 25.5 percent by 2038, and off-dock railyards from approximately 4.3 percent in 2013 to approximately 14.5 percent by 2038. Loading, unloading, and hauling of rail cars would occur as it does under existing conditions.

In addition to transportation of cargo by on-dock rail, draying of containers to near- and off-dock facilities would continue to occur under the proposed Project, just as it occurs under existing conditions. Generally, trains are composed of containers that are all destined for one location. Where there is not a sufficient number of containers destined for the same location to make up a train, those containers are hauled to near- and off-dock facilities to be grouped with containers from other terminals bound for that same destination. Trucks would haul those containers on public highways to and from off-dock railyards, including the UP Carson ICTF, the BNSF Hobart Yard in Vernon, and the UP East Los Angeles Yard.

Truck Operations

In 2013, existing terminal operations resulted in 4,505 daily one-way truck trips (within the peak month) and 1,112,735 annual truck trips. Based on the anticipated mode splits for the proposed Project, the throughput capacity of 2,379,525 TEUs by 2038 would require a total of 7,028 average daily truck trips in the peak month, and 1,735,916 annual truck trips. Of the approximately 1,427,715 TEUs projected to be transported by trucks by 2038, approximately 345,469 TEUs (approximately 24 percent) would be intermodal cargo trucked to off-dock railyards.

Cargo-handling Equipment

The existing types of cargo handling yard equipment (such as RTG, side picks, top handlers, yard tractors and forklifts) are not expected to change as part of the proposed Project. As throughput increases, equipment would be added.

Terminal Operating Hours

The terminal operating hours are not expected to change from existing conditions (24-hour operations). Existing container handling activities largely occur across two shifts, but occasionally across three shifts during periods of high demand. Under the proposed Project, container-handling activities would occur across three shifts to accommodate the higher throughput levels. The number of employees working at the terminal is expected to increase from an average daily total of 145 in 2013 to approximately 999 by 2038. The terminal is run as a continuous operation, in which more employees are hired to supplement operations as needed.

2.7 Analysis Baselines

To determine significance, reasonably foreseeable impacts of a project, and each alternative to a project, are compared to a baseline condition. The difference between the conditions expected with the proposed Project or alternative and the baseline level (i.e., the incremental impact) is then compared to a threshold to determine if the difference between the two is significant. As discussed below, the NEPA lead agency and CEQA lead agency use different baselines against which to determine significance.

The baselines used to analyze the impacts of the proposed Project and alternatives are described below. The NEPA baseline changes over time in response to increases or decreases in activity or other factors that would or could occur at the proposed Project site absent federal action, in this case the issuance of a DA permit. The CEQA baseline normally includes a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, from both a local and regional perspective. Depending on the circumstances of a project, this environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant (CEQA Guidelines, Section 15125, subd. (a)). The CEQA baseline is comprised of the actual existing operations which occurred in the baseline year of January 2013 to December 2013. The fundamental difference between how the NEPA baseline is characterized and how the CEQA baseline is characterized is described below. Given that the baselines are different, review under NEPA and CEQA could reach different conclusions concerning impacts at a given point in time from the same proposed Project activity. Although this environmental document is a joint EIS/EIR, the baseline and impact evaluations under CEQA are presented first, followed by NEPA, because the CEQA impact evaluations are generally more conservative and the results under CEQA are referenced in the NEPA evaluations.

2.7.1 CEQA Baseline

CEQA provides for an EIR to assess the significance of a project's impacts in comparison to a baseline that consists of the existing physical environmental conditions at and near the Project site. Baseline conditions are normally measured at the time of commencement of environmental review of a proposed project. CEQA Guidelines, Section 15125, subdivision (a), provides:

> *An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced,*

> *from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.*

For this EIS/EIR, the CEQA baseline reflects the existing 2013 conditions leading up to issuance of the 2014 NOP. The CEQA baseline takes into account the throughput for the 12-month calendar year preceding October 2014 (January through December 2013) in order to provide a representative characterization of activity levels throughout the year. A full calendar year is used for the baseline because throughput varies from month to month. Using a calendar year for the baseline and project study year analyses allows an "apples-to-apples" comparison between baseline and future year conditions, without skewing the results based on daily or seasonal fluctuations.

For the 12-month period between January 1 and December 31, 2013, the Everport Container Terminal encompassed approximately 205 acres (181 acres under its long-term lease plus an additional 25 acres on month-to-month space assignment), supported eight cranes, and handled 1,240,773 TEUs (LAHD, 2014). The existing conditions for specific resource areas are described in more detail in Chapter 3 Environmental Analysis of this Draft EIS/EIR.

2.7.2 NEPA Baseline

Sections 1.5.1 and 1.6.6 in Chapter 1 Introduction, presents the scope of the NEPA analysis and rationale for the NEPA baseline. The evaluation of significance under NEPA is defined by comparing the proposed Project or alternative to the NEPA baseline scenario in future years. The NEPA baseline is not bound by statute to a "flat" or "no-growth" scenario; rather, it includes activities that would and are likely to occur absent federal action, including increases in terminal backland acreage, operations, and throughput over the life of a project. In addition, the NEPA baseline also could include improvements that require a local action, such as a local permit or approval for backland improvements that do not result in impacts to waters of the United States (U.S.).

The NEPA baseline would not include any dredging or installation of king piles or sheet piles, ocean disposal of dredged material, wharf improvements, crane modifications, or new cranes (with related electrical infrastructure) in, over, or under navigable waters of the U.S. related to the proposed Project. However, under the NEPA baseline scenario, the backlands improvements (addition of 23.5 acres), certain wharf efficiency improvements (those not associated with USACE jurisdiction or determined to be within the USACE's federal control and responsibility) and lease amendment could occur in the absence of a USACE permit (Department of the Army - DA permit). The NEPA baseline includes installation of AMP vaults along the existing wharf, which is considered an operational efficiency improvement that does not require a DA permit because it does not affect the course, condition or capacity of navigable waters of the U.S. Existing terminal operations would continue to grow up to the terminal's maximum physical capacity of approximately 1,818,000 TEUs (i.e., approximately 1.82 million TEUs) and 208 annual vessel calls by 2038. Because the NEPA baseline is dynamic, it includes increasing levels of terminal operations for each study year over time as shown in Table 2-4 below.

Table 2-4: Terminal Throughput for NEPA Baseline Study Years

Baseline Study Year	Throughput (TEUs)
2013	1,240,773
2017	1,249,538
2018	1,263,742
2019	1,278,107
2026	1,429,798
2033	1,818,000
2038	1,818,000

The NEPA baseline assumes implementation of existing and future Port-wide CAAP measures and mitigation measures identified as part of the LAHD's CEQA action that would be applied. Any mitigation measures under the No Federal Action alternative would be required and enforced only by LAHD because USACE does not have legal authority to require or enforce mitigation in the absence of a federal permit.

2.8 Federal Scope of Analysis

In general, the scope of federal review for evaluating the potential impacts of a proposed project is focused on those aspects of the project that affect federal agency jurisdiction. USACE has jurisdiction over activities affecting navigable waters and other waters of the U.S., as well as transport of dredged material for the purpose of ocean disposal.

As presented in Section 1.5.1, under federal law, "the District Engineer should establish the scope of the NEPA document to address the impacts of the specific activity requiring the DA permit and those portions of the entire project over which the District Engineer has sufficient control and responsibility to warrant Federal review" (33 CFR Part 325, Appendix B).

USACE regulations identify four factors to be considered in determining "sufficient federal control and responsibility," which include:

1) whether or not the regulated activity represents merely a link in a corridor-type project;
2) whether there are aspects of the upland facility in the immediate vicinity of the regulated activity that affect the location and configuration of the regulated activity;
3) the extent to which the entire project would be within USACE jurisdiction; and
4) the extent of cumulative federal control and responsibility.

With respect to the first factor, the proposed Project is a container terminal improvement project, which consists of dredging, wharf improvements, addition of overwater cranes, disposal of dredge material, including potential transport of dredged material for the purpose of ocean disposal, expansion of backlands, and closure of local street sections and rerouting of local traffic. Thus, the regulated activities (dredging, wharf improvements, overwater cranes and potential ocean disposal of dredged material) do not represent "merely a link" in a corridor-type project, such as a highway or a utility line crossing.

Considering the second factor, because the Everport Container Terminal is an existing terminal in the Port, there is a physical connection between the upland areas of the container terminal (the backlands and its portion of the TICTF railyard) and the adjacent wharves and associated cranes in and over waters of the U.S. that support the Everport Container Terminal's operations. While this factor might suggest expanding the scope of analysis to include the upland container yard/backlands, the existing Everport Container Terminal is a fully functioning container terminal that has been operating at this location for many years, and, as such, many of the upland/backland impacts that would or could occur at the site under the proposed Project represent non-jurisdictional activities or operations and the resultant impacts could occur regardless of whether activities regulated by the USACE, as proposed, are authorized. Therefore, the backlands are not considered to be within the Federal Scope of Analysis.

In evaluating the third factor, the extent of waters of the U.S. that would be affected by the proposed Project represents a relatively small portion of the approximately 229-acre Project area. The proposed dredging at Berths 226–229 would impact up to approximately 105,000 square feet (2.4 acres) and the dredging at Berths 230–232 would impact approximately 105,000 square feet (2.4 acres) of navigable waters of the U.S. The proposed wharf improvements (new king piles and sheet piles) would take place immediately adjacent to the existing wharf structure and could require access from navigable waters. The five new overwater cranes would be installed on existing crane rails and no direct impact to navigable waters of the U.S. would occur as a result; however, the proposed overwater cranes could affect navigable capacity in the Main Channel by increasing the number or cranes that extend over navigable waters. Based on the above, the USACE's has determined that the extent of the proposed Project within its jurisdiction is based on the area of navigable water potentially affected by the proposed Project (approximately 5.28 acres) and the upland area within 100 feet of the water's edge (wharf pier head line), the area on which the overwater cranes would be installed.

For the fourth factor, other than the requirement to obtain the DA permit, there is no other federal involvement on this site that would warrant broadening the federal scope of analysis, such as use, transfer, or sale of federal property; federal funding including cost sharing, guarantee, or financial assistance; or impacts to federally listed historic resources, threatened or endangered species, designated critical habitat, or other federally recognized natural resources. There is also no other federal agency that controls the environmental effects of land development on the upland portions of the Project area, and state and local regulations would control the design of the proposed Project. Further, the federal and non-federal portions of the proposed Project could take place independently of each other.

Based on USACE regulations, including the four factors evaluated above, the appropriate scope of analysis for the federal action consists of permanent and temporary, direct and indirect impacts to waters of the U.S. associated with dredging, dredged material disposal, installation of subsurface king piles and sheet piles, wharf improvements, raising the heights of up to five of the existing overwater gantry cranes, five new overwater gantry cranes, and construction-related activities in uplands within 100 feet of the water's edge and which are directly traceable to the proposed in/over/under water work and structures. As such, the USACE has determined that construction activities which would take place within 100 feet of the water's edge and are required to complete work and structures in waters of the U.S. (e.g., electrical infrastructure and the travel zone for the new cranes along the existing crane rails) are included in the USACE's scope of analysis and under the USACE's federal control and

responsibility. Figure 2-8 shows the USACE permit area considered in the federal scope of analysis.

Based on potential significant indirect and cumulative impacts that are directly traceable to jurisdictional work and structures in navigable waters of the U.S., which are associated with the proposed Project, the USACE is preparing an EIS for the proposed Project and its alternatives. While operational impacts in the uplands would occur outside the jurisdiction and permit authority of USACE, NEPA requires USACE to disclose potentially significant direct, indirect, and cumulative impacts occurring as a result of a proposed federal action. As such, the NEPA analysis herein evaluates construction and operational impacts that would occur within and outside jurisdictional areas of the terminal. Significance of the proposed Project or alternative under NEPA is defined by comparing the impacts of the proposed Project or alternative to the NEPA baseline (i.e., the Project increment). This represents the incremental difference between implementation of the proposed Project or alternative and the future conditions that are likely to occur without federal action, in this case, the issuance of the DA permit. However, the USACE permit decision, mitigation measures and special conditions would focus on direct impacts to the aquatic environment.

2.9 Alternatives

2.9.1 Alternatives Evaluated in this Draft EIS/EIR

This document evaluates a reasonable range of potentially feasible alternatives that would avoid or substantially lessen the significant adverse impacts of the proposed Project. The identification by LAHD and USACE of a reasonable range of feasible alternatives is informed by legal mandates of LAHD and USACE. The Port is one of only five locations in the state identified in the Coastal Act (PRC Sections 30700 and 30701) for the purposes of international maritime commerce. These mandates identify the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries, and operations of a harbor. Activities at Port terminals typically include impacts to water, and LAHD is required to give highest priority to safe navigation, shipping and necessary support, and access facilities to accommodate the demands of foreign and domestic waterborne commerce. Based on existing demand and capacity limitations on industrial Port uses and Public Trust purposes, all or most of the industrial facilities adjacent to deep water are needed to accommodate maritime commerce, specifically containerized cargo over the long term.

In addition to the proposed Project, four alternatives were identified in the NOP for further evaluation in this Draft EIS/EIR. Following publication of the NOP, the Port identified another Project alternative that meets the project objectives and that addresses issues raised by the public as part of the environmental process for past container terminal projects, namely, increased use of on-dock rail for container transport. These five alternatives (in addition to the proposed Project) have been carried forward for detailed co-equal analysis in Chapter 3 Environmental Analysis of this Draft EIS/EIR. Four alternatives also were considered and withdrawn from further consideration and evaluation (see Section 2.9.2 below for details).

USACE Permit Area

- Dredging of Berths 226-232*
- 100 feet from water's edge
- Installation and operation of three new cranes (at Berths 226-228), including AMP

* For the purpose of the air quality general conformity analysis, maintenance dredging at Berth 229 is not included becasue it is exempt from general conformity regulations.

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Figure 2-8
USACE Scope of Federal Rview Permit Area

CDM Smith

Berths 226-236 [Everport] Container Terminal Improvements Project

Table 2-5 provides a summary of the quantitative differences in the construction, operation, and vessel sizes of the proposed Project in 2038, as well as for each of the alternatives carried forward. In addition, this table identifies if the proposed Project and alternatives are berth-constrained (terminal throughput limited by berth capacity) or backland-constrained (terminal throughput limited by backland capacity), and how the availability of peel-off yard capacity would or would not increase the terminal capacity. Refer to Section 1.2.2.4 in Chapter 1, Introduction for a description of berth- and backland-constrained terminal operations. A more detailed description of each alternative, along with a general discussion of how the characteristics of the alternative would result in impacts different from those of the proposed Project, is provided in Chapter 6, Comparison of Alternatives, of this Draft EIS/EIR.

Each alternative includes compliance with any future legally enacted Port-wide environmental program, such as a tariff change to support the CAAP (although generally applicable tariff changes that conflict with the terms of an individual operating lease would not apply). In addition, any adopted rules and regulations, such as from SCAQMD or other regulatory agencies, would also be applied to each alternative, including the No Project Alternative.

Table 2-5: Summary of Proposed Project and Alternatives

	Proposed Project (2038)	Alt. 1: No Federal Action (NEPA Baseline) (2038)	Alt. 2: No Project (2038)	Alt. 3: Reduced Wharf (2038)	Alt 4: No Backland Improvements (2038)	Alt 5: Expanded On-Dock Railyard (2038)
Annual TEUs	2,379,525	1,818,000	1,818,000	2,250,000	2,115,133	2,379,525
Annual Peel-Off Yard Throughput[1]	129,525	None	None	None	115,133	129,525
Annual Ship Calls[2]	208	208	208	208	208	208
24-hour Peak Day Ship Calls	2	2	2	2	2	2
Average Daily Truck Trips (peak month)	7,028	4,815	4,815	6,516	5,985	6,818
Average Daily Train Trips (peak month)	5.5[3]	4.2	4.2	5.2	4.9	5.5[3]
Operating Cranes	13	8	8	13	13	13
Total Dredging (cy)	38,000	0	0	30,000	38,000	38,000
Maximum Vessel Size						
Berths 226-229	16,000	8,000	8,000	16,000	16,000	16,000
Berths 230-232	10,000	8,000	8,000	8,000	10,000	10,000

Note: [1] Peel-off yards serve as off-site backlands to the terminal. Peel-off yard throughput is included in the total annual throughput for the proposed Project and alternatives that are not berth-constrained.

[2] Although various alternatives handle different throughout, the vessel calls are the same because of vessel strings, which is described in Chapter 1, Section 1.2.2.3.

[3] Although the proposed Project and Alternative 5 have the same average daily train trips (during the peak month), there is a difference between the number of on-dock and off-dock trains.

2.9.1.1 Alternative 1 – No Federal Action

Alternative 1 is a NEPA-required no action alternative and represents the NEPA baseline. This alternative includes the activities that would occur absent a DA permit, and could include improvements that require a local permit. Absent a DA permit, no dredging, dredged material disposal, in-water pile installation, or raised and new crane installation would occur. The existing terminal's ability to handle larger ships would be facilitated by activities that require a DA permit (dredging, in-water pile driving, and raised and new cranes). Therefore, without the activities that address the capacity constraints of the terminal's berths (which would allow the terminal to service larger ships), the existing terminal capacity would not be increased. The No Federal Action Alternative includes additional backlands (addition of the 1.5-acre and 22-acre expansion areas) to improve efficiency; however, the additional backland area would not change the throughput capacity of the existing terminal.

The terminal would continue to operate as an approximately 229-acre container terminal where cargo containers are loaded to/from vessels, temporarily stored on backlands, and transferred to/from trucks or on-dock rail. In addition, the No Federal Action alternative would include a lease extension to 2038, which would require a local action, but not a federal action. Based on the throughput projections, the Everport Container Terminal is expected to operate at its capacity of approximately 1,818,000 TEUs by 2038 and require 208 annual vessel calls. This alternative would result in a maximum of two ship calls (over a 24-hour period), the same as for the proposed Project, although the vessels would be limited in size to 8,000 TEUs. The terminal would require an average of 792 daily employees by 2038 under this alternative. AMP facilities have been installed and are currently in use at Berths 227 (two AMP vaults) and 230 (one AMP vault). Five additional AMP vaults would also be added to the wharf under the No Federal Action Alternative.

Under Alternative 1, the terminal's 2038 throughput is projected to result in an annual average of 3.8 trains per day, and an average of 4.2 trains per day during the peak month. This alternative would also result in 4,815 average daily truck trips during the peak month. The volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 606,341 TEUs through 2038. The existing TICTF under Alternative 1 is projected to have sufficient capacity to handle the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 1,818,000 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 120,859 TEUs by 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.6 percent in 2013 to up to approximately 33.4 percent by 2038 under this alternative and off-dock rail facilities from approximately 4.3 percent in 2013 to approximately 6.6 percent by 2038.

2.9.1.2 Alternative 2 – No Project

Alternative 2 is a CEQA-only alternative. The No Project Alternative is not evaluated under NEPA because NEPA requires an evaluation of the No Federal Action Alternative (see Section 2.9.1.1). Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a no project alternative. This no project analysis must discuss the existing conditions as well as what would be reasonably expected to occur in the foreseeable future if the proposed Project is not approved. Because the proposed Project is a development project, Section 15126.6(e)(3)(B) of the State CEQA Guidelines is directly applicable to the proposed Project:

> *If the project is…a development project on an identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects that would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the "no project" alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.*

Under Alternative 2, none of the proposed construction activities would occur in water or in water-side or backland areas. LAHD would not implement any terminal improvements or increases in backland acreage. Raising of cranes would not occur, no new cranes would be added, and no dredging would occur. The current lease that expires in 2028 has an option for a ten-year extension, which would mean the existing terminal could operate through 2038.

Under the No Project Alternative, the existing Everport Container Terminal would continue to operate as an approximately 205-acre container terminal. Based on the throughput projections for the Port, the Everport Container Terminal is expected to operate at its existing capacity of approximately 1,818,000 TEUs by 2038 and require 208 annual vessel calls. This alternative would result in a maximum of two ship calls (over a 24-hour period), the same as for the proposed Project, however the vessels would be a maximum size of 8,000 TEUs. The terminal would require an average of 792 daily employees by 2038 under this alternative. AMP facilities have been installed and are currently in use at Berths 227 (two existing AMP vaults) and 230 (one existing AMP vault).

Under Alternative 2, the terminal's 2038 throughput is projected to result in an annual average of 3.8 trains per day, and an average of 4.2 trains per day during the peak month. This alternative would also result in 4,815 average daily truck trips during the peak month. The volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 606,341 TEUs through 2038. The existing TICTF under Alternative 2 is projected to have sufficient capacity to handle the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 1,818,000 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 120,859 TEUs by 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.6 percent in 2013 to up to approximately 33.4 percent by 2038 under this alternative and off-dock rail facilities from approximately 4.3 percent in 2013 to approximately 6.6 percent by 2038.

2.9.1.3 Alternative 3 – Reduced Project: Reduced Wharf Improvements

This alternative includes improvements to Berths 226-229 and backland improvements, as follows:

- 30,000 cubic yards of dredging from a depth of -45 to -53 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -55 feet MLLW), and installing 1,400 linear feet of sheet piles and king piles to support and stabilize the existing slope at Berths 226-229;
- disposal of approximately 30,000 cubic yards of dredged materials at an approved upland facility, disposal at an approved ocean disposal site, or a combination of these options;
- addition of five new cranes and associated support infrastructure (such as cable and electrical upgrades);
- the raising of up to five of the existing operating cranes in order to accommodate larger vessels;
- addition of five AMP vaults along the wharf with associated infrastructure;
- installation of spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles;
- development of approximately 1.5 acres of vacant land as new backlands;
- development of approximately 22 acres as new backlands and modified inbound and outbound gates associated with the relocation of the main gate. The development of the 22 acres would require closure (vacation) of streets within this backland expansion area (see next bullet) and demolition of existing structures (with the exception of the existing electrical substation);
- 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 plus 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 acres) 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.

Under this alternative, there would be two operating berths after construction, similar to the proposed Project, but Berths 230-232 would remain at their existing depth (-45' MLLW). This alternative would require less dredging (by approximately 8,000 cubic yards) and sheet pile driving than the proposed Project. Based on the throughput projections, this alternative

is expected to operate at its capacity of 2,250,000 TEUs by 2038. This alternative would accommodate the largest vessels (16,000 TEUs) at Berths 226-229. The existing design depth that remains at Berths 230-232 would only be capable of handling vessels up to 8,000 TEUs. While the terminal could handle greater throughput than the No Project and No Federal Action alternatives, this reduced project alternative would not achieve the same level of operational efficiency as achieved by the proposed Project, because it would only accommodate the larger vessels at one wharf location compared to two wharf locations under the proposed Project. Under this alternative, 208 vessels would call on the terminal by 2038, the same as for the proposed Project. Additionally, because this alternative would have the same number of operating berths as the proposed Project, this alternative would result in a maximum of two ship calls (over a 24-hour period), the same as for the proposed Project. The terminal would require as average of 949 daily employees by 2038 under this alternative.

Under Alternative 3, the terminal's 2038 throughput is projected to result in an annual average of 4.7 trains per day, and an average of 5.2 trains per day during the peak month. This alternative would also result in 6,516 average daily truck trips during the peak month. The volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 606,341 TEUs through 2038. The existing TICTF under Alternative 3 is projected to have sufficient capacity to handle the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 2,250,000 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 293,659 TEUs by 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.5 percent in 2013 to up to approximately 26.9 percent by 2038 under this alternative and off-dock rail facilities from approximately 4.3 percent in 2013 to approximately 13.1 percent by 2038.

2.9.1.4 Alternative 4 – Reduced Project: No Backland Improvements

This alternative would include improvements to Berths 226-229, Berths 230-232, and limited backland improvements, as follows;

- 30,000 cubic yards of dredging from a depth of -45 to -53 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -55 feet MLLW), and installing 1,400 linear feet of sheet piles and king piles to support and stabilize the existing slope at Berths 226-229;
- 8,000 cubic yards of dredging from a depth of -45 to -47 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -49 feet MLLW), and installing 1,400 linear feet of sheet piles to support and stabilize the existing wharf structure at Berths 230-232;
- disposal of 38,000 cubic yards of dredged materials at an approved upland facility, disposal at an approved ocean disposal site, or a combination of these options;
- addition of five new cranes and associated support infrastructure (such as cable and electrical upgrades);
- the raising of up to five of the existing operating cranes in order to accommodate larger vessels;
- addition of five AMP vaults (throughout wharf area adjacent to Berths 226 to 232) and associated infrastructure;

- installation of spacers between the wharf and existing wharf fenders to provide better clearance between the berthed vessels and the new king and sheet piles;
- amendment of the lease to add approximately 25 acres of terminal backlands comprised of the approximately 25 acres of terminal backlands currently under space assignment, for a total terminal acreage of approximately 205 acres; and
- extension of the facility lease by 10 years for continued operations from the current end date of 2028 to 2038.

Under this alternative, there would be two operating berths after construction, similar to the proposed Project. This alternative would require the same dredging as the proposed Project. This alternative would accommodate the largest vessels (16,000 TEUs) at Berths 226-229. The new design depth at Berths 230-232 would be capable of handling vessels up to 10,000 TEUs. Based on the throughput projections, this alternative is expected to operate at its capacity of approximately 2,115,133 TEUs by 2038, which is less than the proposed Project. Under this reduced project alternative, the container terminal would not improve or relocate the gate complex and would not result in any development on the 22-acre backlands expansion area (and would therefore not affect the former Canner's Steam Company Plant or archaeological resources); however, this alternative would handle a lower level of cargo throughput (up to 264,392 TEUs) than the proposed Project. Under this alternative, 208 vessels would call on the terminal by 2038, the same as for the proposed Project. Additionally, because this alternative would have the same number of operating berths as the proposed Project, this alternative would result in a maximum of two ship calls (over a 24-hour period), the same as for the proposed Project. The terminal would require an average of 897 daily employees by 2038 under this alternative.

Under Alternative 4, the terminal's 2038 throughput is projected to result in an annual average of 4.4 trains per day, and an average of 4.9 trains per day during the peak month. This alternative would also result in 5,985 average daily truck trips during the peak month. The volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 606,341 TEUs through 2038. The existing TICTF under Alternative 4 is projected to have sufficient capacity to handle the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 2,115,133 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 239,712 TEUs by 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.6 percent in 2013 to up to approximately 28.7 percent by 2038 under this alternative and off-dock rail facilities from approximately 4.3 percent in 2013 to approximately 11.3 percent by 2038.

2.9.1.5 Alternative 5 – Expanded On-Dock Railyard: Wharf and Backland Improvements with an Expanded TICTF

This alternative would include improvements to Berths 226-229, Berths 230-232, backland improvements, and an additional on-dock rail track at the TICTF, as follows;

- 30,000 cubic yards of dredging from a depth of -45 to -53 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -55 feet MLLW), and installing 1,400 linear feet of sheet piles and king piles to support and stabilize the existing slope at Berths 226-229;

- 8,000 cubic yards of dredging from a depth of -45 to -47 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -49 feet MLLW), and installing 1,400 linear feet of sheet piles to support and stabilize the existing wharf structure at Berths 230-232;
- disposal of approximately 38,000 cubic yards of dredged materials at an approved upland facility, disposal at an approved ocean disposal site, or a combination of these options;
- addition of five new cranes and associated support infrastructure (such as cable and electrical upgrades);
- the raising of up to five of the existing operating cranes (see Table 2-2) in order to accommodate larger vessels;
- addition of five AMP vaults (throughout the wharf area adjacent to Berths 226 to 232) and associated infrastructure;
- development of approximately 1.5 acres of vacant land as new backlands;
- development of approximately 22 acres as new backlands and modified inbound and outbound gates associated with the relocation of the main gate. The development of the 22 acres would require closure (vacation) of streets within this backlands expansion area and demolition of existing structures (with the exception of the existing electrical substation);
- 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);
- addition of one rail track at the TICTF to increase the capacity of the Everport portion of the on-dock railyard;
- 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 acres) 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.

Under this alternative, there would be two operating berths after construction, the same as the proposed Project. This alternative would require the same dredging as the proposed Project. This alternative would accommodate the largest vessels (16,000 TEUs) at Berths 226-229. The new design depth at Berths 230-232 would be capable of handling vessels up to 10,000 TEUs. Based on the throughput projections, this alternative is expected to operate at its capacity of approximately 2,379,525 TEUs by 2038, the same as the proposed Project. Under this alternative, 208 vessels would call on the terminal by 2038, the same as the proposed Project. Additionally, because this alternative would have the same number of operating berths as the proposed Project, this alternative would result in a maximum of two ship calls

(over a 24-hour period), the same as for the proposed Project. The terminal would require up to 999 employees by 2038 under this alternative.

Under Alternative 5, the terminal's 2038 throughput is projected to result in an annual average of 4.9 trains per day, and an average of 5.5 trains per day during the peak month. This alternative would also result in 6,818 average daily truck trips during the peak month. The terminal would have added capacity at the TICTF and be able to transport a greater number of containers via rail than the proposed Project (the additional rail at the TICTF would increase its capacity from 606,341 TEUs to 659,841 TEUs). Under Alternative 5, the volume of cargo passing through the Everport Container Terminal's portion of the TICTF on-dock railyard is projected to increase from 230,227 TEUs in 2013 to 659,841 TEUs through 2038. The improved TICTF under Alternative 5 is projected to have sufficient capacity to handle the full amount of anticipated demand for on-dock rail facilities associated with the maximum terminal throughput of 2,379,525 TEUs. The volume of cargo passing through off-dock railyards is projected to increase from 53,791 TEUs in 2013 to 291,969 TEUs by 2038. The percentage of terminal throughput that would be handled by on-dock rail is expected to increase from approximately 18.6 percent in 2013 to approximately 27.7 percent by 2038 under this alternative and off-dock rail facilities from approximately 4.3 percent in 2013 to approximately 12.3 percent by 2038.

2.9.2 Alternatives Considered but not Further Evaluated

An EIS/EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agencies may make an initial determination as to which alternatives are ostensibly feasible and therefore merit in-depth consideration, and which are infeasible. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (CEQA Guidelines, Section 15126(f)(2); CEQ Regulations for Implementing NEPA, Section 1502.14(a)). Under CEQA, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or would not avoid or substantially reduce any significant environmental effects (CEQA Guidelines, Section 15126.6(c)). Similarly, under NEPA, only reasonable alternatives need be evaluated (CEQ Regulations for Implementing NEPA, Section 1502.14(a)). The five alternatives carried forward for further analysis in this EIS/EIR represent a reasonable range of alternatives in light of the Project Purpose, Need, and Objectives, and the requirements of NEPA and CEQA. Alternatives considered but eliminated from further discussion and detailed are described below along with an explanation of the rationale leading to their exclusion from further analysis. Alternatives considered but eliminated from further evaluation include the following:

- Use of West Coast Ports Outside of the Port Complex
- Other Sites in the Port Complex

2.9.2.1 Use of West Coast Ports Outside of the Port Complex

Under this alternative, the LAHD would not expand the existing Everport Container Terminal, but would instead assume that the additional cargo would be accommodated by U.S. West Coast ports outside the Port Complex (i.e., Port Hueneme, Oakland, Seattle, Tacoma, and Portland to the north and San Diego to the south). It is important to note that the LAHD has no authority to direct cargo to ports outside its jurisdictional boundaries. The LAHD could only refuse to provide the discretionary actions necessary to increase Port

capacity within its own boundaries, thus providing shippers with an incentive to route cargo to other ports. Such a course is not consistent with the Tidelands Trust or Coastal Act.

To evaluate this alternative, it is important to recognize the current and expected role of the Port in U.S. foreign trade. Between 40 and 45 percent of all the containers handled by U.S. ports come through the Port Complex (USACE and POLA, 2007) and more than 75 percent of all containers shipped through U.S. West Coast ports pass through the Ports of Los Angeles, Long Beach, and Oakland because those ports are geographically positioned to best accommodate Asian trade and have the specialized facilities and navigational channels of sufficient depth to safely accommodate the new generation of deep-draft ships, some of which are over 1,300 feet (AECOM, 2015). The value of goods handled by the Ports of Los Angeles and Long Beach was a combined $470 billion in 2014 (POLA, 2015b; POLB, 2015), whereas the value of goods handled by the combined Ports of Oakland, Seattle, and Tacoma was approximately $88 billion in the same year (NoSA, 2015; POAK, 2015). As described in Section 1.2.2, the extensive transportation connections to the rest of the country make the two San Pedro Bay ports (Port Complex) prime destinations for foreign trade.

A survey of U.S. West Coast ports prepared for the Deep Draft Navigation Improvements Project showed that other U.S. West Coast ports are not capable of absorbing additional cargo diverted from the Port without constructing new facilities (USACE and LAHD, 1992). A number of additional studies on goods movement in California, such as the governor's Goods Movement Action Plan (CalEPA and the Business, Transportation, and Housing Agency, 2005) have identified capacity constraints at other U.S. West Coast ports. A review of the U.S. West Coast ports (POP, 2014: PMA, 2014; Caltrans, 201420142014) show that their 2014 throughput levels of loaded containers were considerably below those of the Port of Los Angeles (5,892,982 TEUs), as follows:

- Port Hueneme 56,040 TEUs
- Port of Oakland: 1,780,355 TEUs
- Port of Seattle: 835,120 TEUs
- Port of Tacoma: 1,551,760 TEUs
- Port of Portland 164,931 TEUs
- Port of San Diego 102,156 TEUs[5]

In addition, several ports (San Diego and Port Hueneme) do not have the depths required to service larger container vessels expected to be required in the future to transport the throughput associated with the proposed Project, and would require substantial channel deepening to accommodate the larger vessels.

Other major U.S. West Coast ports have operated at or near current physical capacity, have recently expanded, or are undergoing expansion to accommodate their projected future throughput demand. Although small temporary diversions from the Port can be accommodated elsewhere, large permanent diversions would, in the long-term, require substantial further physical improvements at other major U.S. West Coast ports to accommodate even the incremental increase in throughput associated with the proposed Project.

[5] Throughput for San Diego is for 2013.

This alternative would not meet the underlying fundamental purpose of optimizing container handling efficiency and capacity within the Port, and would actually conflict with this purpose because the demand for containerized throughput within the Port of Los Angeles is expected to grow over the long-term, based on cargo forecasts.

In addition, this alternative would not be consistent with the following Project objectives:

- Optimize the use of existing land at the Everport Container Terminal and associated waterways in a manner that is consistent with the LAHD's public trust obligations;
- Ensure the terminal's ability to accommodate the larger container ships (10,000 to 16,000 TEU vessels) anticipated to call at the terminal;
- Improve the container terminal and container handling facilities to accommodate more efficient loading/unloading of the larger and increased number of ships anticipated to call at the terminal;
- Improve the container terminal backland capacity; and
- Maximize container land use and operations at the Everport Container Terminal consistent with the Port Master Plan; and
- Promote the long-term development and growth of the Port.

Improvements necessary, for other U.S. West Coast ports to meet the objectives of the proposed Project would generate environmental impacts similar to or more pronounced than those associated with the proposed Project (LAHD, 1997a). Moreover, even with the expansion of other ports, the Port is expected to grow in the long-term. Because use of other U.S. West Coast Ports would not achieve proposed Project objectives to promote the long-term development and growth of the Port, and would not otherwise meet the Project objectives, this alternative is considered infeasible.

2.9.2.2 Other Sites in the Port Complex

Under this alternative, the LAHD would develop or expand and reconfigure a different container terminal in such a way as to accommodate an additional 562,000 TEUs by 2038 (the incremental throughput difference between the proposed Project and the No Project Alternative or No Federal Action Alternative). It is likely that berth dredging and wharf upgrades and extensions would be needed to accommodate the additional vessel traffic, but the need for additional landfill would be site-dependent. Increased backland acreage would also be required.

This alternative would not achieve any of the Project objectives, which focus on optimizing, expanding, and improving water-dependent facilities at Berths 226-236. Moreover, other container terminals within the Port Complex already have approved terminals or expansions, or are expected to be expanded and modernized with associated NEPA/CEQA review in the near future. There are no other large tracts of land in the Port with water access and with a minimum of -53-foot MLLW channel depth available at this time that have the potential to support container terminal operations under the proposed Project. Furthermore, as described in Section 1.2.2.1, there is a need for container terminals within the Port to accommodate larger vessels and forecasted cargo demand. The following two locations within the Port Complex were considered:

Alternative Location within the Port of Los Angeles

One alternative site for a new marine container terminal or supplemental backlands within the Port of Los Angeles was considered but rejected as infeasible. The former LAXT site, is approximately 78 acres, and does not have direct water access (rail lines are located between the LAXT site and Sea Plane Lagoon). The only feasible way to use the LAXT site for stand-alone marine container operations would be to reconfigure the on-dock railyard on Pier 300 (at the APL Container Terminal) and the associated rail lines that travel between the LAXT site and Sea Plane Lagoon. However, there is no alternate rail line corridor if the LAXT site is developed as a container terminal. In addition, vessels would have to access the LAXT site via the Shallow Water Habitat, which would also require substantially greater in-water construction (dredging of the Shallow Water habitat, and new wharf construction) than the proposed Project. Such activities would result in impacts to biological resources. Due to the site constraints, use of the LAXT site as an alternative marine terminal site to the Berths 226-236 Container Terminal site was determined to be infeasible.

The LAXT site was also considered as dedicated supplemental backlands to the Everport Container Terminal. The Everport Container Terminal would not be able to fully utilize the 78-acre LAXT site, as only 23.5 acres of expansion would be needed under the proposed Project. Further, since the LAXT site is located approximately one-third mile from the existing Everport Container Terminal entrance, it would not be able to be efficiently integrated into the existing terminal backland operations. Based on this, the LAHD determined that the LAXT site would better be served as a peel off yard (see Section 1.2.2.2 for further details). Based on the above, the use of the LAXT site as dedicated supplemental backlands to the Everport Container Terminal was determined to be infeasible.

Alternative Location within the Port of Long Beach

Locations outside of the Port of Los Angeles are not feasible alternatives to the proposed Project, primarily because any site outside of the Port is beyond the jurisdiction of the Board of Harbor Commissioners (BOHC) and, thus, not subject to BOHC approval. The chief candidate within the Port Complex but outside of the Port of Los Angeles for an alternative container terminal location is the Port of Long Beach because that port is similar in size to the Port, has modern container terminals, relatively deep-water access, and is geographically close. However, the Port of Long Beach faces future increases in cargo volumes and projected vessel size increases similar to those forecasted for the Port (see Section 1.2.2). To satisfy that demand, the Port of Long Beach, like the Port of Los Angeles, is implementing its own program of modernization and expansion of container terminals. Furthermore, even if the proposed container terminal could be located in the Port of Long Beach, it would have impacts very similar to those of the proposed Project at the Port of Los Angeles given the proximity of the two ports.

Theoretically, containerized cargo for the region could be handled by the Port of Long Beach instead of by the Port of Los Angeles. However, relying on a Port of Long Beach location would not address the need to improve Port of Los Angeles facilities to be able to accommodate larger vessels, nor would a Port of Long Beach location meet the Project objectives of maximizing container land use and operations consistent with the Port Master Plan or promote the long-term development and growth of the Port of Los Angeles. In addition, as described in Section 1.2.3 (San Pedro Bay Ports Cargo Growth and Port Capacity), both ports have forecasted growth that would exceed their respective capacities within the planning horizon. Accordingly, both ports anticipate needing container terminal

development beyond currently planned capacity optimization and maximization to accommodate future cargo forecasts. Furthermore, given the proximity of the two ports, diverting cargo to the Port of Long Beach would not eliminate the environmental impacts of that cargo on area communities and natural resources. Because the use of a location within the Port of Long Beach would not meet the fundamental Project purpose or objectives, the Port of Long Beach location has been rejected as an alternative location for a replacement or supplemental container terminal to the existing terminal.

2.10 Relationship to Existing Statutes, Plans, Policies, and Other Regulatory Requirements

One of the primary purposes of the USACE and LAHD approval processes is to ensure that the proposed Project or alternative is consistent with applicable statutes, plans, policies, and other regulatory requirements. Table 2-6 lists the statutes, plans, policies, and other regulatory requirements applicable to the proposed Project and alternatives. Additional analysis of plan consistency is contained in individual resource sections of Chapter 3 Environmental Analysis of this Draft EIS/EIR.

Table 2-6: Consistency with Applicable Plans, Policies, and Regulatory Requirements

Act/Plan/Policy	Description
California Coastal Act of 1976	The California Coastal Act (20 PRC 30700 et seq.) identifies the Port and its facilities as "one of the state's primary economic and coastal resources and…an essential element of the national maritime industry" (PRC Section 30701). LAHD is responsible for the modernizing and construction of necessary facilities to accommodate deep-draft vessels and to accommodate the demands of foreign and domestic waterborne commerce and other traditional and water-dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state (Sections 30007.5 and 30701(b)). The act also establishes that the highest priority for any water or land area use within LAHD's jurisdiction will be for developments that are completely dependent on such harbor water areas and/or harbor land areas for their operations (Sections 30001.5(d), 30255, and 31260). The act further provides that LAHD should "[g]ive highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities" (Section 30708 (c)). Under the California Coastal Act, water areas may be diked, filled, or dredged when consistent with a certified PMP only for specific purposes, including: (1) construction, deepening, widening, lengthening, or maintenance of ship channel approaches, ship channels, turning basins, berthing areas, and facilities that are required for the safety and the accommodation of commerce and vessels to be served by port facilities; and (2) new or expanded facilities or waterfront land for port-related facilities. In accordance with provisions of the California Coastal Act, LAHD has a certified master plan that provides LAHD with coastal development permit authority for actions/developments consistent with that master plan. Inconsistent items, such as new fills in water, would require a master plan amendment through the California Coastal Commission (CCC). The proposed Project would be consistent with the master plan's provisions.
Coastal Zone Management Act (CZMA)	Section 307 of the federal CZMA requires that all federal agencies with activities directly affecting the coastal zone, or with development projects within that zone, comply with the state coastal acts (in this case, the California Coastal Act of 1976) to ensure that those activities or projects are consistent to the maximum extent practicable. CCC will use this EIS/EIR when considering whether to find the proposed Project consistent with the California Coastal Act, and USACE will use that approval as a demonstration that the proposed Project would be in compliance with the CZMA.
Port Master Plan	In August 2013, the LAHD Board of Harbor Commissioners approved an update to the PMP, which it intends to serve as a long-range plan to establish policies and guidelines for future use of Port lands within the coastal zone, as required under the California Coastal Act. The Project site is in Planning Area 3 of the updated PMP: Terminal Island. The plan optimizes cargo-handling operations on Terminal Island while restricting non-cargo and non-water-dependent uses. The proposed Project would be consistent with the updated PMP.
California Coastal Plan	Under provisions of the California Coastal Act, the PMP is incorporated into the City's Local Coastal Program. LAHD has coastal development permit authority for activities throughout the Port. Therefore, if the proposed Project would be consistent with the PMP, the proposed Project would also be considered consistent with the Local Coastal Program.

Table 2-6: Consistency with Applicable Plans, Policies, and Regulatory Requirements

Act/Plan/Policy	Description
California Tidelands Trust Act, 1911	Submerged lands and tidelands within the Port, which are under the Common Law Public Trust, were legislatively granted to the City pursuant to Chapter 656, Statutes of 1911, as amended. Those properties are held in trust by the City and administered by LAHD to promote and develop commerce, navigation, fisheries, and other uses of statewide interest and benefit, including commercial, industrial, and transportation uses; public buildings and public recreational facilities; wildlife habitat; and open space. LAHD would fund the proposed Project with trust revenues. All property and improvements included in the proposed Project would be dedicated to maritime-related uses and would, therefore, be consistent with the trust.
San Pedro Bay Ports Clean Air Action Plan (CAAP)	LAHD, in conjunction with the Port of Long Beach and with guidance from SCAQMD, CARB, and USEPA, has developed the CAAP, which was approved by the Los Angeles and Long Beach Boards of Harbor Commissioners on November 20, 2006. The CAAP focuses on reducing diesel PM, NO_X, and SO_X, with two main goals: (1) to reduce Port-related air emissions in the interest of public health; and (2) to disconnect cargo growth from emissions increases. The CAAP includes near-term measures implemented largely through the CEQA/NEPA process and new leases at both ports. On April 7, 2010, the Ports of Los Angeles and Long Beach released for public review a proposed, updated document, the 2010 San Pedro Bay Ports Clean Air Action Plan (CAAP Update) that includes new, far-reaching goals for curbing port-related air pollution over the next decade. The proposed Project includes air quality control measures outlined in the CAAP, both as mitigation that would be imposed via a lease amendment and as standard measures that would be implemented through agreements with other agencies and business entities, and LAHD contracting policies.
Port Strategic Plan	The Port of Los Angeles Strategic Plan 2012–2017 (LAHD, 2012) serves to align the broad spectrum of activities of the Port with a focused vision—embracing a new economic era and remaining the leading container port in the nation. The Plan provides the high-level areas of focus, with which divisions and staff align their activities, and serves as the roadmap to ensure that the Port remains competitive over the coming years, aptly and proactively meeting the needs of a new era of international trade. The 2012–2017 Strategic Planning process identified three key result areas: (1) Competitive Operations identifies how the Port can best meet the increasing competitive challenges it faces from rival ports; (2) Strong Relationships encompasses the Port's challenges and opportunities in dealing with its customers, its stakeholders, its political environment, and its own internal culture; and (3) Financial Strength enables the Port to implement its competitive development strategy and face its own challenges in the current turbulent economic environment. Under these key result areas, the Plan prioritizes seven objectives for 2012–2017: (1) Develop and Maintain World Class Infrastructure; (2) Retain and Grow Market Share; (3) Advance Technology and Sustainability; (4) Optimize Land Use; (5) Create a Positive Workplace Culture; (6) Increase Stakeholder and Community Awareness and Support; and (7) Strengthen Financial Performance. Among the Strategic Priorities for Fiscal Year 2012/2013 is the need to deliver critical terminal and infrastructure projects on time and within budget through the execution of the Capital Improvement Program. The proposed Project would be consistent with the Strategic Plan because it would improve infrastructure for goods movement, help to optimize land use and maximize the efficiency and capacity of container terminal operations, and help to retain and grow market share by keeping one of its key tenants.

Table 2-6: Consistency with Applicable Plans, Policies, and Regulatory Requirements

Act/Plan/Policy	Description
Port Risk Management Plan (RMP)	The Port RMP, an amendment to the PMP, was adopted in 1983, in accordance with requirements of CCC. The purpose of the Port RMP is to provide siting criteria relative to vulnerable resources and the handling and storage of potentially hazardous cargo such as crude oil, petroleum products, and chemicals. The plan provides guidance for future development of the Port to minimize or eliminate the hazards to vulnerable resources from accidental releases (LAHD, 1983). As part of the PMP Update in 2013, the Port updated and incorporated the RMP as Chapter 8 of the PMP. The proposed Project would be consistent with the RMP and would not pose significant risks.
Port of Los Angeles and Long Beach, Water Resources Action Plan (WRAP)	The WRAP is a plan to protect and improve water and sediment quality in the San Pedro Bay. The WRAP establishes programs and water quality improvement measures necessary to achieve the goals and targets established by the Regional Water Quality Control Board (RWQCB). The plan targets four basic types of potential sources of pollutants to harbor waters: Land Use Discharges, On-Water Discharges, Sediments, and Watershed Discharges. The proposed Project would include dredging and, if the material were contaminated, would help improve sediment quality in the bay by removing and properly treating or disposing of such material.
City of Los Angeles: Port of Los Angeles Plan	The Port of Los Angeles Plan is one of 35 community plans that make up the General Plan of the City of Los Angeles (City of Los Angeles, 1982). This plan provides a 20-year official guide to the continued development and operation of the Port. It is designed to be consistent with the PMP discussed above. The proposed Project would be consistent with allowable land uses and the goals and policies of the General Plan—Port of Los Angeles Plan.
City of Los Angeles: San Pedro Community Plan	The San Pedro Community Plan (City of Los Angeles, 1999) serves as a basis for future development of the community. It is also the land use plan portion of the City's Local Coastal Program for San Pedro. The Port is not part of the San Pedro Community Plan area. However, the San Pedro Community Plan does make recommendations regarding the Port, particularly for areas adjacent to commercial and residential areas of San Pedro. The proposed Project would be consistent with these recommendations, as LAHD has taken into consideration the residential and commercial communities of San Pedro during proposed Project development through the scoping process.
City of Los Angeles: Wilmington – Harbor City Community Plan	The Wilmington – Harbor City Community Plan (City of Los Angeles, 1999) serves as a basis for future development of the community. It is also the land use plan portion of the City's Local Coastal Program for Wilmington. Although the Port is not part of the Wilmington – Harbor City Community Plan area, the Wilmington – Harbor City Community Plan does make recommendations regarding the Port, particularly for areas adjacent to the Wilmington community. The proposed Project would be consistent with the Community Plan, as LAHD has taken into consideration the Wilmington community during proposed Project development, including through the scoping process.
City of Los Angeles General Plan: Air Quality Element	The City of Los Angeles General Plan has an Air Quality Element (City of Los Angeles, 1992) that contains general goals, objectives, and policies related to improving air quality in the region. Policy 5.1.1 relates directly to the Port and requires improvements in harbor operations and facilities to reduce emissions. LAHD is actively planning for and implementing such improvements. The proposed Project and alternatives would be consistent with the Air Quality Element in that they would incorporate CAAP measures to reduce air quality impacts.

Table 2-6: Consistency with Applicable Plans, Policies, and Regulatory Requirements

Act/Plan/Policy	Description
Water Quality Control Plan: Los Angeles River Basin	The Water Quality Control Plan for the Los Angeles River Basin (Region 4) (Basin Plan) was adopted by the Los Angeles RWQCB in 1978 and updated in 1994 (RWQCB, 1994), with amendments through October 2014. The proposed Project and alternatives would not affect waste discharges or changes to beneficial uses, and would be consistent with the Basin Plan.
Water Quality Control Policy: Enclosed Bays and Estuaries of California	In 1974, the State Water Resources Control Board (SWRCB) adopted a water quality control policy that provides principles and guidelines to prevent degradation and to protect the beneficial uses of waters of enclosed bays and estuaries (SWRCB 1974). Los Angeles Harbor is considered to be an enclosed bay under this policy. The policy addresses activities such as the discharge of effluent, thermal wastes, radiological waste, dredge materials, and other materials that adversely affect beneficial uses of the bay and estuarine waters. Among other requirements, waste discharge requirements developed by the RWQCB must be consistent with this policy. The proposed Project would be constructed and operated in conformance with objectives of the water quality control policy through controls on construction activities (e.g., dredging) and on operations (stormwater and other discharges).
Air Quality Management Plan	The federal Clean Air Act (CAA) and its subsequent amendments establish the National Ambient Air Quality Standards (NAAQS) and delegate the enforcement of these standards to the states. In areas that exceed the NAAQS, the CAA requires states to prepare a State Implementation Plan that details how the NAAQS would be met within mandated timeframes. The CAA identifies emission reduction goals and compliance dates based on the severity of the ambient air quality standard violation within an area. The California Clean Air Act (CCAA) outlines a program to attain the California Ambient Air Quality Standards (CAAQS) for ozone, nitrogen dioxide, sulfur dioxide, and carbon monoxide by the earliest practical date. The Lewis Air Quality Act of 1976 established the SCAQMD, created SCAQMD's jurisdiction over the four-county South Coast Air Basin, and mandated a planning process requiring preparation of an air quality management plan (AQMP). The Final 2012 AQMP was adopted by the AQMD Governing Board on December 7, 2012 (SCAQMD, 2013). In addition, the AQMD Governing Board adopted a Clean Air Plan Amendment to include control measure IND-01 in the Final 2012 AQMP at the February 1, 2013 Governing Board meeting. The AQMD asserts that Control Measure IND-01 would ensure that the Ports of Los Angeles and Long Beach meet their voluntary commitments to reducing air pollution from port-related sources. The AQMD states that this represents a backstop measure to enforce emission reduction goals that the Ports voluntarily adopted in the Clean Air Action Plan by 2015. The AQMD asserts that, under control measure IND-01, any additional port emission reductions must be technically feasible, cost-effective, and within the legal authority of the Ports. LAHD provided cargo forecasts that were used by the Southern California Association of Governments (SCAG) to simulate future growth and emission scenarios in the 2012 AQMP. These cargo forecasts include the operational activities associated with the Everport Container Terminal. As a result, activities associated with the proposed Project would not exceed the future emission growth projections in the 2012 AQMP. SCAQMD staff is initiating an early development process for the 2016 AQMP, which will be a comprehensive and integrated plan primarily focused on addressing the ozone standards. The 2016 AQMP will incorporate the latest

Table 2-6: Consistency with Applicable Plans, Policies, and Regulatory Requirements

Act/Plan/Policy	Description
	scientific and technical information and planning assumptions, including the latest applicable growth assumptions, Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories. Construction and operational activities associated with the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan.
California Air Resources Board: Emission Reduction Plan for Ports and Goods Movement	CARB approved the Emission Reduction Plan for Ports and Goods Movement (CARB, 2006) on April 20, 2006. All of the proposed air quality mitigation measures in this Draft EIS/EIR were developed as part of the CAAP (Port of Los Angeles and Port of Long Beach, 2006; see Chapter 1, Introduction, Section 1.6.8, Port of Los Angeles Plans and Programs). Therefore, LAHD's air quality plan complies with CARB's goals and meets and/or exceeds all reduction strategies.
AB 32	On September 27, 2006, the Governor of California signed AB 32, the Global Warming Solutions Act. AB 32 caps California's greenhouse gas (GHG) emissions at 1990 levels by 2020. This legislation represents the first enforceable statewide program in the United States to cap all GHG emissions from major industries that includes penalties for noncompliance. It requires CARB to establish a program for statewide GHG emissions reporting and to monitor and enforce compliance with this program. The proposed Project or an alternative would be required to comply with Port requirements, such as the CAAP, to reduce air emissions. The proposed Project would thereby implement energy and emission reduction requirements in compliance with GHG emission reduction strategies and would thus be in compliance with AB 32.
Southern California Association of Governments (SCAG) Regional Plans	SCAG is responsible for developing regional plans for transportation management, growth, and land use, as well as developing the growth factors used in forecasting air emissions within the South Coast Air Basin. SCAG has developed a Growth Management Plan, a Regional Housing Needs Assessment, a Regional Mobility Plan, and, in cooperation with the SCAQMD, the AQMPs. The proposed Project would not generate a measurable change in population distribution, nor would it result in a change to housing demand on a regional or local scale. It would fit within population and housing projections for the local area and region as a whole and thus would be consistent with these plans.
Congestion Management Program (CMP)	The CMP is a state-mandated program intended as the analytical basis for transportation decisions made through the State Transportation Improvement Program process (Los Angeles County Metropolitan Transportation Authority, 2010). The CMP was developed to: (1) link land use, transportation, and air quality decisions; (2) develop a partnership among transportation decision makers on devising appropriate transportation solutions that include all modes of travel; and (3) propose transportation projects that are eligible to compete for state gas tax funds. The CMP includes a Land Use Analysis Program, which requires local jurisdictions to analyze the impacts of land use decisions on the regional transportation system. For development projects, an EIR is required based on local determination and must incorporate a transportation impact analysis into the EIR. This Draft EIS/EIR includes a transportation impact analysis and thus is consistent with the CMP.

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Act/Plan/Policy	Description
Water Resource Regulations	The Rivers and Harbors Act of 1899, Section 10 (33 USC 403); federal Water Pollution Control Act (as amended by the Clean Water Act of 1977), Section 401 and 402 (33 USC 1341 and 1342)[6]; Marine Protection, Research, and Sanctuaries Act of 1972, Section 103 (33 USC 1413); California Hazardous Waste Control Act; State Water Resources Control Board, Enclosed Bays and Estuaries Plan; and Water Quality Control Plan for the Los Angeles River Basin (Region 4B), adopted by the Regional Water Quality Control Board, Los Angeles Region. This Draft EIS/EIR addresses the federal water resources regulations associated with the proposed Project; therefore, the proposed Project or an alternative would be consistent with water resource laws, regulations, and plans.
Air Quality Regulations	CAA, Title 40 CFR Parts 50 and 51 as amended; Prevention of Significant Deterioration, Titles 40 CFR Part 51.24 and 40 CFR Part 52.21; CCAA; AQMP of the City of Los Angeles General Plan, Air Quality Element; and SCAQMD Regulations X111 and XV, New Source Review and Rules 212, 401, 403, and 431.2. Refer to Section 3.2, Air Quality and Meteorology, of this Draft EIS/EIR for discussion of applicable air quality laws, regulations, and plans.
Transportation Regulations	CPUC Guidelines; Federal Railroad Administration Guidelines; Federal Highway Administration Guidelines; California Transportation Guidelines; California Administrative Code Section 65302 (f)-Noise Element; Federal Aid Highway Program Manual 7-7-3; USACE Regulation 1105-2-100; National Environmental Compliance, 91-190; U.S. Coast Guard Regulations Pertaining to Navigation Safety and Waterfront Facilities; State and Federal Department of Transportation Requirements regarding Track and Rail Transportation of Hazardous Materials; NEPA of 1969 as Amended (Public Law 91-190); and USACE Regulation 1105-2-100, Economic and Environmental Principles and Guidelines for Water and Related Land Resource Implementation Studies. The proposed Project would comply with all applicable transportation laws, regulations, and guidelines.
Biological Resources Protection	Endangered Species Act of 1973, as amended; Marine Mammal Protection Act; Migratory Bird Conservation Act; California Endangered Species Act; Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972; U.S. Fish and Wildlife Act of 1956 (16 USC 742a et seq.); Fish and Wildlife Coordination Act (16 USE 661 et seq.); Magnuson-Stevens Fishery Conservation and Management Act, as amended; Executive Order 13112, Invasive Species; Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (P.L 01-646), as amended by the National Invasive Species Act of 1996; Ballast Water Management for Control of Nonindigenous Species Act of 1999 (PRC Sections 71200–71271); and federal Water Pollution Control Act (as amended by the Clean Water Act of 1977. The proposed Project is expected to comply with the applicable laws and regulations protecting biological and marine resources.

[6] The proposed Project does not involve a discharge of dredged or fill material as defined under USACE's Clean Water Act, Section 404 implementing regulations (33 CFR 323).

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Act/Plan/Policy	Description
Cultural Resources Protection	Section 106 of the National Historic Preservation Act of 1966, as amended, and Corps implementing regulations (36 CFR 800; 33 CFR 325, Appendix C); the Archaeological and Historical Preservation Act and Executive Order 11593 "Protection and Enhancement of the Cultural Environment." In compliance with federal laws, regulations, and other guidelines, USACE will use this Draft EIS/EIR and resource evaluation studies to consult with the State Historic Preservation Officer (SHPO) if USACE determines the proposed Project may affect cultural resources listed or eligible for listing on the National Register of Historic Places.
Environmental Justice	Executive Order 12898 requires that "to the greatest extent practicable, each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations." California adopted legislation addressing environmental justice in 1999 with the passage of Senate Bill (SB) 115 (Government Code Section 65040.12(c)), which established the Governor's Office of Planning and Research as the lead agency responsible for implementation of federal and state environmental justice policies in California. SB 115 defines environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws and policies." In 2000, the Governor signed the related SB 89 requiring that the Secretary for Environmental Protection convene a Working Group to assist California Environmental Protection Agency in developing an environmental justice strategy. This Draft EIS/EIR includes an environmental justice analysis (Chapter 5 of this Draft EIS/EIR) and would be thus consistent with requirements and policies pertaining to environmental justice.

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