

**DATE: APRIL 2, 2025**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - FINAL ENVIRONMENTAL  
IMPACT REPORT FOR BERTHS 191-194 ECOCEM LOW-CARBON  
CEMENT PROCESSING FACILITY PROJECT (APP NO. 180628-  
109/STATE CLEARINGHOUSE NO. 2022030294)**

**SUMMARY:**

Staff requests certification of the Final Environmental Impact Report (Final EIR) for the Berths 191-194 Ecocem Materials Ltd (Ecocem) Low-Carbon Cement Processing Facility Project (Project) prepared in accordance with the California Environmental Quality Act (CEQA).

The proposed Project would construct and operate a new dry bulk processing facility at Berth 191 and on the backlands adjacent to Berths 192-194. The facility would import raw materials by ship and truck, produce a low-carbon intensity binder (ground granulated blast furnace slag [GGBFS]), and load third-party trucks that would transport the GGBFS to local consumers. As part of the proposed Project, Ecocem has also applied for a new 32-year permit.

In this action, the Board of Harbor Commissioners (Board) will need to independently review and consider the Final EIR and, if deemed adequate under CEQA, certify the Final EIR; adopt specific Findings of Fact (FOF) regarding the significant environmental impacts; adopt a Statement of Overriding Considerations (SOC); and adopt a Mitigation Monitoring and Reporting Program (MMRP). With the application of mitigation, lease measures, and a standard condition, significant and unavoidable impacts and considerable contributions to significant cumulative impacts would remain in the areas of air quality and meteorology as well as noise.

The Harbor Department will be financially responsible for the repairs at Berth 191. All other portions of the proposed Project are the financial responsibility of Ecocem Materials Ltd.

**RECOMMENDATION:**

It is recommended that the Board:

1. Certify the Final Environmental Impact Report for the Berths 191-194 Low-Carbon Cement Processing Facility Project and that the document: (a) has been completed

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in compliance with the California Environmental Quality Act (Public Resources Code §21000 et seq.), with the California Environmental Quality Act Guidelines (14 Cal. Code Regs. §15000 et. seq.), and the City of Los Angeles California Environmental Quality Act Guidelines; (b) was presented to the Board of Harbor Commissioners for review and was reviewed and considered by the Board prior to approving the proposed Project; and (c) reflects the independent judgment and analysis of the City of Los Angeles Harbor Department as the Lead Agency;

2. Find that, in accordance with the information contained in the Final Environmental Impact Report, the Proposed Project will have significant environmental effects on air quality, meteorology and noise, as defined by Public Resources Code Sections 21068, 21080, 21082.2, and 21083 and the State California Environmental Quality Act Guidelines Sections 15064, 15064.4, 15064.5, and 15382;
3. Find that, in accordance with the provisions of the California Environmental Quality Act Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the Berths 191-194 Ecocem Low-Carbon Cement Processing Facility Project that substantially lessens or avoids one or more of the significant adverse environmental impacts identified in the Final Environmental Impact Report;
4. Find that, in accordance with the provisions of the California Environmental Quality Act Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible certain mitigation measures such that environmental impacts remain significant and unavoidable;
5. Find that all information added to the Final Environmental Impact Report after public notice of the availability of the Draft Environmental Impact Report for public review but before certification, merely clarifies, amplifies, or makes insignificant modifications in an adequate Environmental Impact Report, and recirculation is not necessary;
6. Find that, in accordance with Public Resources Code Section 21081(b) and California Environmental Quality Act Guidelines Section 15093, the benefits outweigh the significant and unavoidable environmental impacts;
7. Adopt the Findings of Fact and Statement of Overriding Considerations;
8. Adopt the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6. The Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation and lease measures and a standard condition adopted to mitigate or avoid significant effects on the environment, and identifies the responsibilities of the City of Los Angeles Harbor Department, as Lead Agency, to monitor and verify project compliance with those mitigation and lease measures and a standard condition;

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9. Approve the Berths 191-194 Ecocem Low-Carbon Cement Processing Facility Project identified in the Final Environmental Impact Report including all feasible mitigation measures, lease measures and a standard condition with consideration of the Findings of Fact and Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program;
10. Direct the City of Los Angeles Harbor Department to incorporate by reference the Final Environmental Impact Report, mitigation measures, lease measures, standard condition, and Mitigation Monitoring and Reporting Program into any and all lease agreements or assignments encompassed in the approved Project;
11. Authorize the Environmental Management Division to file the Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse; and
12. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context - The primary goal of the proposed Project is to help Southern California avoid further shortages of a construction material that is vital to provide the safe and durable infrastructure required for sustained economic growth, while at the same time meeting California's goals for reducing future greenhouse gas (GHG) emissions. The purpose of the Proposed Project is to provide Southern California's construction industry with a robust supply chain for GGBFS, and to use GGBFS in combination with Ecocem's proprietary technologies to help the State of California:

1. Meet its net-zero emission targets for all cement used in the state; and
2. Construct durable, resilient, and eco-efficient infrastructure required for a sustainable economy.

The Proposed Project would construct and operate a new dry bulk processing facility at Berth 191 and on the backlands adjacent to Berths 192-194. The facility would import raw materials by ship and truck, produce a low-carbon intensity binder (GGBFS), and load third-party trucks that would transport the GGBFS to local consumers. As part of the proposed Project, Ecocem has also applied for a 32-year permit.

Project Objectives – The primary objectives of the Project are to:

- Provide necessary raw material import capacity for an environmentally sustainable product.
- Establish a processing facility to produce the binder at a deep-water berth in Southern California, with permanent local manufacturing jobs, that is:

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- Capable of adapting to changes in raw material sources in order to maintain a steady supply of product;
  - Capable of providing storage capacity for the rapid unloading of bulk ships delivering raw materials and for loading product on bulk tanker trucks; and
  - Located near the center of Southern California market to reduce the traffic burden, road wear, and energy requirements associated with truck transport of product.
- Facilitate the future development of improved low-carbon, high-performance binders.

**ENVIRONMENTAL ASSESSMENT:**

CEQA Responsibilities - The City of Los Angeles Harbor Department (Harbor Department) is the Lead Agency for the proposed Project under CEQA. As such, the Board is responsible for independently reviewing and considering the Final EIR and, if deemed adequate under CEQA, certify the Final EIR; adopt specific FOF's regarding the significant environmental impacts; adopt an SOC and adopt an MMRP.

Scope and Content of Environmental Document - The Draft EIR, dated October 12, 2023, incorporates, as appropriate, information received on the Initial Study/Notice of Preparation (IS/NOP) for the proposed Project, assesses environmental impacts of the proposed Project, and analyzes alternatives and mitigation measures to reduce or avoid significant environmental effects. The Final EIR clarifies and amplifies the Draft EIR, incorporates modifications and corrections, contains responses to all public comments made on the Draft EIR, and contains records of the public process.

Intended Uses of the EIR - The EIR informs public agency decision-makers and the general public of the significant environmental effects of the proposed Project, recommends mitigation measures to minimize the significant effects, and describes a reasonable range of alternatives to the proposed Project. This EIR also intends to support future discretionary actions of the Board and the permitting/approval process of all agencies whose discretionary approvals must be obtained for particular elements of this Project. For the Harbor Department, these actions include but are not limited to: issuance of a coastal development permit, issuance of engineering permits, approval and issuance of a new permit, and certification from the California Coastal Commission to amend the Port Master Plan.

Environmental Documentation Process and Public Involvement - The proposed Project was subject to the required environmental documentation process that included public disclosure as required by CEQA. The procedural steps of the process are described below.

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1. Notice of Preparation (NOP) – In accordance with the Los Angeles City CEQA Guidelines, Article VI, Section 1.5 and the State CEQA Guidelines Section 15082, the responsible agencies, participating City agencies, and other concerned parties were consulted through an NOP released on March 10, 2022, and a public scoping meeting held on March 30, 2022, via Zoom. Two comments were received during the scoping meeting and a total of 11 written comment letters were received during the comment period, which closed on May 11, 2022.

Copies of the NOP were made available for review online at [www.portoflosangeles.org/ceqa](http://www.portoflosangeles.org/ceqa) and at the City of Los Angeles Harbor Department Environmental Management Division office.

2. Draft EIR – The Draft EIR was released for public review on October 12, 2023. Copies of the Draft EIR document were made available on the Port of Los Angeles (Port) website and the City of Los Angeles Harbor Department Environmental Management Division office. Notices of Availability were mailed directly to over 100 interested parties. The 45-day comment period was set to close on November 27, 2023. A 15-day extension was granted at the request of two entities, concluding the comment period on December 11, 2023.

Public notices stating that the Draft EIR was available for review were published in six newspapers: Los Angeles Times, Torrance Daily Breeze, Long Beach Press Telegram, Random Lengths, Metropolitan News-Enterprise, and HOY.

A public hearing was held on November 1, 2023, to present the findings of the environmental analysis and accept oral comments. Eight people provided comments at the public hearing: Bruce Heyman, Pat Nave, Monica Garcia Diaz, Tommy Faavae, Henry Rogers, Yolanda De La Torre, Ryan Saxton, and Carlos Rodarte. Additionally, 35 written comments were received during the 60-day public comment period. The comment letters were from the following entities: California Department of Fish and Wildlife, California Department of Toxic Substances Control, City of Los Angeles Bureau of Sanitation, South Coast Air Quality Management District, Action Sales & Metal, Allied Cement Co., Central San Pedro Neighborhood Council, Coastal San Pedro Neighborhood Council, Coalition for a Safe Environment et al., E4 Strategic Solutions, FuturePorts, Harbor Association of Industry and Commerce, International Brotherhood of Electrical Workers Local Union No. 11, Konveio, Los Angeles Maritime Institute/Children's Maritime Institute, Los Angeles Unified School District, Northwest San Pedro Neighborhood Council, Rotary Club of Wilmington, South Bay Association of Chambers of Commerce, Wilmington Chamber of Commerce, Wilmington Neighborhood Council, Wilmington YMCA, Dennis Casey, Paul Cole, Wayne Ettl, Mallissa Morris, Tim Murray, Samuel Hernandez, Jonathan Lennard, Sam Rade, Ryan Saxton, Enrique Sanchez, James C. Smith, and Wayne Widner. Copies of the comment letters and responses to comments are included in the Final EIR.

Additional changes added to the Final EIR after the public review period are minor and

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merely clarify, amplify, or make minor modifications.

3. Responses to Comments – As required by Public Resources Code Section 21092.5, all public agencies that commented on environmental issues in the Draft EIR were provided with responses to comments 10 days prior to the Final EIR being submitted to the Board for certification.
4. Final EIR – In accordance with the Los Angeles City CEQA Guidelines Article I, and the State CEQA Guidelines Section 15088, comments received on the Draft EIR were evaluated. The comment letters and responses to comments, along with minor modifications to the Draft EIR are presented in the Final EIR. The Final EIR was completed in March 2025 (Transmittal 1) and made available for public review on the Port of Los Angeles website at [portoflosangeles.org/ceqa](http://portoflosangeles.org/ceqa).
5. Findings and Conclusions – The Final EIR transmitted herewith, identifies major findings and conclusions, including a discussion of areas of environmental concern, feasible mitigation measures, and unavoidable impacts. The discussion below summarizes the proposed Findings of Fact and Statement of Overriding Considerations for the Board's consideration (Transmittal 2).

Areas of Environmental Concern – Through the public review process, 35 comment letters were received during the public review period and 8 comments were presented at the public hearing held on November 1, 2023. This section summarizes the key areas of environmental concern expressed by commenters and the Harbor Department's resolution of the issues. Detailed responses to all comments received on the document are included in Chapter 2, Responses to the Comments, of the Final EIR.

*Scope of the Greenhouse Gas Emissions Analysis* – A comment by **E4 Strategic Solutions** criticized the DEIR's analysis of GHG emissions for not including overseas transport of GBFS, the proposed Project's main raw material, by ocean-going vessels (OGV). The Draft EIR properly analyzed the proposed Project's GHG emissions by calculating those generated within the California Air Resources Board's California over-water boundary off the California coast (a maximum one-way transit distance of 178 nautical miles). Analysis of overseas transportation would be speculative, as the exact sources of GBFS and the exact composition of the vessel fleet over the life of the Proposed Project are unknown at this time. The analysis required by CEQA and presented in the Draft EIR is based on the fleet composition information available to the preparers at the time of the document preparation.

*Rail-based Product Distribution Alternative* – An alternative that would convey the finished product by rail to inland customers was proposed by the **Central, Coastal, Northwest San Pedro, and Wilmington Neighborhood Councils** as written comments, as well as by **Pat Nave** during the public hearing. Chapter 2 of the Final

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EIR provided responses to those comments explaining that for the following reasons, the rail-based alternative is infeasible: there is insufficient space on the Project site to accommodate a railcar loading facility; Orcem California Inc. (Orcem) potential customers do not have any rail access; the short distances between the Orcem site and its customers is inconsistent with the operations of the region's railroad companies, and even if it were technically feasible, adding a new rail line would unacceptably disrupt Vopak's operations.

*Zero-Emissions Technology* – **South Air Quality Management District and Coalition for a Safe Environment et al. (CFASE)** suggested retrofitting OGVs with emission reduction technology and using only zero-emissions or near-zero-emissions trucks to service the facility. Chapter 2 of the Final EIR provided responses to those suggestions explaining that Ecocem has no control over the types of third-party vessels that would call at Berth 191 and thus cannot control the tier level of those vessels, nor can they control the third-party trucks that would service the facility. Accordingly, the suggestions in the comments do not constitute feasible mitigation measures.

*Use of Vibratory Pile Driving* – **California Department of Fish and Wildlife** suggested that the timber piles that would be installed as part of the necessary wharf repairs and upgrade should be driven with vibratory, rather than impact, methods in order to reduce underwater noise impacts on marine wildlife. Chapter 2 of the Final EIR provided a response explaining that vibratory methods are infeasible in this case because of the nature of the sediments at the proposed Project site.

*Comparison with the Orcem Vallejo Project* – Several commenters, including the **Central San Pedro Neighborhood Council, Ryan Saxton,** and **CFASE,** suggested that the concerns raised by agencies and the public over an Ecocem project in the Vallejo area several years ago are equally applicable to the proposed Project. The comments pointed out that those concerns led to the Vallejo project being abandoned and suggested that the proposed Project should therefore also be abandoned. Chapter 2 of the Final EIR pointed out that the Vallejo project in which Ecocem was involved was a different project in a different environmental setting than the proposed Project. It also pointed out that the analyses in the Draft EIR confirmed that the proposed Project would not have significant health impacts on sensitive receptors.

*Third-Party Truck Emissions* – Several comments were received criticizing the Draft EIR's analyses. Specifically, **CFASE** claimed that the Draft EIR did not account for various movements by third-party trucks unrelated to the transport of the proposed Project's raw materials and product. Chapter 2 clarifies that CEQA does not require such analyses because they would be speculative, uncertain, and unquantifiable.

*Local Traffic Impacts* – The **Central San Pedro Neighborhood Council** claimed that the Draft EIR should have analyzed truck traffic impacts using the VMT (vehicle miles

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traveled) approach rather than the level-of-service approach used in the Draft EIR. The City of Los Angeles Transportation Assessment Guidelines, promulgated by the Los Angeles Department of Transportation (LADOT), establishes criteria for project review objectives and requirements, provides instructions and sets standards for preparation of a transportation assessment in the City of Los Angeles. The LADOT Transportation Assessment Guidelines do not require a VMT analysis of commercial vehicles, only of passenger vehicles. Furthermore, trucks would be required to use designated truck routes, so that neighborhoods would not experience additional truck traffic. **Allied Cement Company** suggested that the Draft EIR did not adequately account for traffic impacts from the combination of the proposed Project's trucks and those of the proposed cement operation at the adjacent Vopak leasehold. Chapter 2 pointed out that the Draft EIR did include a cumulative analysis of local traffic that determined that there would not be a significant impact on levels of service or freeway congestion. **Los Angeles Unified School District** expressed concern about the effects of project-related traffic on LAUSD school bus routes. Chapter 2 explained that the amount of traffic would be far less than what the comment assumed, and that because trucks would be required to use truck routes, there would be no impact on bus routes. Chapter 2 also points out that the required construction traffic management plan would include measures to maintain traffic safety on public roads.

6. Proposed Mitigation Measures – In accordance with the provisions of the Los Angeles City CEQA Guidelines Article I, the State CEQA Guidelines Section 15091, and the information contained in the EIR, changes or alterations have been required in, or incorporated into, the proposed Project in the form of feasible mitigation that substantially lessen or avoid significant adverse environmental impacts identified in the EIR.

Mitigation measures contained in the EIR would be incorporated as appropriate in permits such as: engineering specifications, construction bid specifications, engineering construction permits, real estate entitlements, and/or coastal development permits for the proposed Project. All mitigation measures, lease measures and any standard condition of approval can be found in the Mitigation Monitoring and Reporting Program (MMRP) (Transmittal 3).

Unavoidable Significant Impacts – Significant impacts that could not be reduced below a level of significance are described in the Findings of Fact and Statement of Overriding Considerations with findings for each impact. The following impact areas could not be mitigated to a level of insignificance under CEQA:

- Air Quality
- Noise
- Cumulative for Air Quality and Noise

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Significant Impacts that can be Mitigated, Avoided, or Substantially Lessened – The following significant impacts can be reduced to below a level of significance under CEQA through implementation of mitigation measures as described in the Findings of Fact and Statement of Overriding Considerations:

- Biological Resources
  - Greenhouse Gases
7. Overriding Considerations – Pursuant to Public Resources Code Section 21081(b), no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects unless the agency makes the specific findings discussed above with respect to each significant impact; and finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects. The Findings of Fact and Statement of Overriding Considerations must identify the substantial adverse environmental impacts that cannot be mitigated or avoided; make recommendations, if any, by the lead agency that the project or alternatives be approved as proposed; and explain the reasons why, if in the opinion of the decision-making body, the project warrants approval despite such consequences or recommendations. Transmittal 2 provides discussion of these Overriding Considerations, summarized here as the following: fulfill the Harbor Department’s legal mandates and objectives, further California’s emission reduction goal aiming to reduce the GHG emission intensity of the cement sector, optimize land use, implement the San Pedro Bay Clean Air Action Plan, and foster economic growth including provision of employment opportunities for highly trained workers.
  8. EIR Certification and Project Approval – In light of these findings and conclusions, staff recommends certification of the Final EIR which has been prepared in accordance with CEQA and implementing guidelines.
  9. Implementation of Mitigation – When making the CEQA findings required by Public Resources Code Section 21081(a), a public agency shall adopt a reporting or monitoring program in accordance with Public Resources Code Section 21081.6 for changes to the proposed Project which it has adopted or made a condition of the Project approval in order to mitigate or avoid significant effects on the environment. An MMRP is transmitted herein for Board consideration and adoption.
  10. Record of Proceedings – When making CEQA findings required by Public Resources Code Section 21081(a), a public agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. These records are in the care of the Environmental Management Division, City of Los Angeles Harbor Department, 425 S. Palos Verdes Street, San Pedro, California 90731.

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11. Notice of Determination – In accordance with Los Angeles City CEQA Guidelines Article I, and the State CEQA Guidelines Section 15094, a Notice of Determination will be filed with the Los Angeles County Clerk and the State Clearinghouse after the proposed Project is approved. Public Resources Code Section 21167(c) provides that any action or proceeding alleging that an EIR does not comply with the provisions of CEQA shall commence within 30 days after filing the Notice of Determination.

**FINANCIAL IMPACT:**

Certification of the Final EIR is an administrative action that would allow for implementation of the proposed Project. This Board action does not authorize any expenditures related to the proposed Project nor does it commit the Harbor Department to complete the proposed Project.

Award of any capital construction contract related to the proposed Project would require Board approval under separate future actions.

**CITY ATTORNEY:**

Based on the information provided to it, the Office of the City Attorney has reviewed and approved the FEIR as to form and legality.

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**TRANSMITTALS:**

1. Final Environmental Impact Report
2. Findings of Fact and Statement of Overriding Considerations
3. Mitigation Monitoring and Reporting Program

FIS Approval: JS

CA Approval: SO



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