

# FINDINGS OF FACT

## John S. Gibson Truck & Chassis Parking Lot Project Environmental Impact Report

APP#: 201015-162, SCH# 2023100743



February 2026

Prepared for:

Los Angeles Harbor Department  
Environmental Management Division  
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With assistance from:

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# Chapter 1 Introduction

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These Findings of Fact have been prepared by the Los Angeles Harbor Department (LAHD or Port) as the Lead Agency pursuant to Section 21081 of the Public Resources Code (PRC) and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines (14 Cal. Code of Regs. [CCR], Section 15000 et. seq.), to support a decision to adopt the John S. Gibson Truck and Chassis Parking Lot Project (proposed Project) considered in the Environmental Impact Report (EIR). Section 21081 of the PRC and Section 15091 of the State CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

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1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
2. Such changes or alterations are the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

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The Findings of Fact are based on substantial evidence, including the evaluations and impact determinations made in the EIR prepared pursuant to CEQA. The Lead Agency must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project outweigh the unavoidable adverse environmental effects, thereby rendering them “acceptable” to the decisionmaker. (PRC Section 21081(b); State CEQA Guidelines Section 15093). As the proposed Project did not have any significant and unavoidable impacts, the Board of Harbor Commissioners (Board) would not be required to adopt a Statement of Overriding Considerations.

# Chapter 2

## Project Overview

This section describes the proposed Project, which staff is recommending for adoption and as analyzed in the John S. Gibson Truck and Chassis Parking Lot Project EIR. The EIR analyzes the environmental impacts of construction and operation of the proposed Project.

### 2.1 Background

The LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Section 601) and the California Coastal Act (PRC Division 20 Section 30700 et seq.), which identify the Port and its facilities as a primary economic and coastal resource of the State of California and an essential element of the national maritime industry for the promotion of commerce, navigation, fisheries, and Harbor operations. Activities should be water dependent and the LAHD must give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce. The LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a landlord by leasing Port properties to more than 200 tenants.

### 2.2 Project Purpose

State CEQA Guidelines Section 15124(b) requires that an EIR's project description contain a statement of objectives, including the underlying purpose of a proposed project. As explained in the EIR, the purpose of the proposed Project is to alleviate truck traffic congestion and reduce the distance required for trucks to access shipping containers within the Port of Los Angeles (POLA). To meet that purpose, the proposed Project would construct a short-term truck and chassis parking facility with 393 truck and chassis stalls and related site improvements.

### 2.3 Project Objectives

To achieve its purpose, the proposed Project has the following objectives:

- Increase the efficiency of goods movement by providing off-terminal maritime support to help meet the demands of current and anticipated containerized cargo from the various San Pedro Bay port marine terminals;
- Provide a facility that will increase the efficiency of terminal operations by providing storage and staging of trucks and chassis;

- 33 • Provide a facility that alleviates truck traffic congestion and illegal parking in
- 34 the area by providing truck and chassis parking; and
- 35 • To develop an underutilized property that is conveniently located in vicinity to
- 36 the I-110 and has access to available infrastructure, including roads and utilities
- 37 to accommodate the growing need for goods movement facilities within
- 38 Southern California.

## 39 2.4 Project Description

40 The Project site is located at 1599 John S. Gibson Boulevard in the community of San Pedro  
 41 in the southwestern portion of the City of Los Angeles partially within the POLA Master Plan  
 42 planning area. The proposed Project would develop the 18.63-acre site with a short-term  
 43 truck and chassis parking facility and related site improvements. The proposed Project  
 44 would alleviate truck traffic congestion and reduce the distance required for trucks to  
 45 access shipping containers. The proposed Project would also implement an entrance gate  
 46 at the driveway to provide adequate queuing capacity for Project operations as a truck  
 47 and chassis parking lot. Further, if the Project site were to be operated with chassis only  
 48 or chassis with wheeled containers in the future, then two more gate lanes would be  
 49 needed at the guard booth.

50 The proposed Project includes grading and paving of the site and striping of 393 truck  
 51 and chassis stalls. The proposed Project would also require a Coastal Development  
 52 Permit (CDP) and a Port Master Plan (PMP) Amendment from LAHD to change the  
 53 designation of three parcels of the Project site from Open Space to Maritime Support. In  
 54 addition, the Project would require a CDP from the City of Los Angeles.

55 The proposed Project would be constructed over a period of approximately 8 months.  
 56 Construction of the proposed Project would remove and relocate existing abandoned  
 57 structures, including the existing cell phone towers and abandoned pipeline materials;  
 58 construct an access road and driveway from John S. Gibson Boulevard; grade and pave  
 59 the site; install slab-on-grade foundations; install retaining walls and lights; and install  
 60 landscaping. The maximum anticipated excavation depth would be approximately 15  
 61 feet below the existing grade. As part of the construction activities, approximately  
 62 12,000 cubic feet of soils contaminated with total petroleum hydrocarbons (TPH) and  
 63 volatile organic compounds (VOCs) located within the northern portion of the site near  
 64 the oil and gas pipeline infrastructure would be removed and disposed of pursuant to  
 65 existing California Department of Toxic Substances Control (DTSC), South Coast Air  
 66 Quality Management District (SCAQMD), and Los Angeles Regional Water Quality  
 67 Control Board (RWQCB) regulations.

68 During construction of the proposed retaining walls, the contractor would control  
 69 stormwater drainage near the walls by collecting and discharging stormwater away  
 70 from the wall and reinforced backfill. Staging for equipment and materials and parking  
 71 for workers would be located in the southwest portion of the proposed Project site  
 72 adjacent to John S. Gibson Boulevard. Temporary lane closure may be required on  
 73 John S. Gibson Boulevard during construction of the proposed Project driveway,  
 74 during signal installation, and median reconstruction; however, full roadway closure is  
 75 not anticipated.

76 Proposed Project operations would involve a to-be-determined company that would  
 77 operate the site as a parking lot for the parking of trucks and loaded and unloaded  
 78 chassis. The parking lot would have approximately 393 spaces accommodating chassis

79 with shipping containers up to 40 feet long. During proposed Project operations, trucks  
80 would travel to and from the Project site to pick up or drop off chassis, and shipping  
81 containers would be “parked” on top of the chassis. The proposed Project is anticipated  
82 to be used for short-term parking, as chassis and containers are not anticipated to be  
83 parked on site for longer than 24 hours. No fueling, maintenance, or other industrial  
84 activity would occur on the Project site. However, charging for electric on-site  
85 equipment would occur during proposed Project operations.

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# Chapter 3 CEQA Findings

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## 3.1 Environmental Impacts of the Proposed Project

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The Findings of Fact are based on information contained in the Draft EIR and the Final EIR for the proposed Project, as well as information contained within the administrative record. The administrative record includes, but is not limited to, the proposed Project application, project staff reports, reports and studies referenced in the Initial Study (IS), Draft EIR and Final EIR, Project public hearing records, public notices, written comments on the proposed Project and responses to those comments, proposed decisions and findings on the proposed Project, and other documents relating to the agency decision on the proposed Project. When making CEQA findings required by PRC Section 21081(a), a public agency shall specify the location and custodian of the documents or other materials, which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, Los Angeles Harbor Department, 425 South Palos Verdes Street, San Pedro, California 90731.

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The Draft EIR addresses the proposed Project’s potential effects on the environment and was circulated for public review and comment pursuant to the State CEQA Guidelines for a period of 60 days. Comments were received from a variety of public agencies, organizations, and Individuals. The Final EIR contains copies of all comments and recommendations received on the Draft EIR, a list of persons, organizations, and public agencies commenting on the Draft EIR, responses to comments received during the public review, and changes to the Draft EIR. A summary of the public comments, the responses to those comments, and the resultant revisions to the Final EIR are summarized in Chapter 7. This section provides a summary of the environmental impacts of the proposed Project that are discussed in the EIR and provides written findings for each of the significant impacts which are accompanied by a brief explanation of the rationale for each finding.

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### 3.1.1 Environmental Impacts Found to Be Significant and Unavoidable

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The EIR concludes that the proposed Project would not result in significant and unavoidable impacts to any environmental resource.

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### **3.1.2 Environmental Impacts Found to Be Less Than Significant after Mitigation**

The EIR concludes that significant impacts of the proposed Project to the following environmental resource would be less than significant after mitigation:

- Biological Resources
- Cultural Resources
- Geology and Soils

The Board hereby finds that the following environmental impacts of the proposed Project would be less than significant after implementation of mitigation measures, as summarized in Table 1, which also lists the mitigation measures applied and the impacts after mitigation.

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**Table 1: Significant Environmental Impacts that Can be Mitigated for the Proposed Project**

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
<b>Biological Resources</b>			
<b>BIO-1:</b> The proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (USFWS) (Draft EIR at p. 5.3-17 — 5.3-19).	Potentially Significant	MM BIO-1: Pre-Construction Survey and Biological Monitoring	Less than Significant
<b>BIO-4:</b> The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Draft EIR at p. 5.3-20).	Potentially Significant	MM BIO-2: Pre-Nesting Bird Survey	Less than Significant
<b>Cultural Resources</b>			
<b>CUL-2:</b> The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5 (Draft EIR at p. 5.4-11).	Potentially Significant	MM CUL-1: Cultural Resources Monitoring Plan	Less than Significant
<b>Geology and Soils</b>			
<b>GEO-6:</b> The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Draft EIR at p. 5.6-4).	Potentially Significant	PAL-1: Paleontological Monitoring	Less than Significant

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### 3.1.3 Environmental Impacts Found to Be Less Than Significant

An IS was prepared that determined that potentially significant environmental effects could occur and that an EIR should be prepared for the proposed Project. The scope of the EIR was determined based upon the IS. Based upon the IS (included as Appendix A to the Draft EIR), it was determined that the proposed Project would have *no impact* or *a less than significant impact without mitigation* related to the following environmental resource areas and that no further analysis of these topics was required in the EIR:

- Agriculture and Forestry Resources
- Hydrology and Water Quality
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Further, the proposed Project EIR determined that all impacts to the following environmental resource areas would result in no impact or a less than significant impact without mitigation:

- Aesthetics
- Air Quality
- Energy
- Greenhouse Gases
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Transportation

The proposed Project EIR also determined that some, but not all impacts to the following environmental resources would be less than significant:

- Biological Resources
- Cultural Resources
- Geology and Soils

The Board finds that the following environmental impacts of the proposed Project would be less than significant or that there would be no impact, and hereby makes the same determination based on the conclusions in the Final EIR, as summarized in Table

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2. No mitigation measures are required for impacts that are less than significant (State CEQA Guidelines Section 15126.4(3)(a)).

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**Table 2: No Impact and Less than Significant Impacts for the Proposed Project**

<b>Environmental Impact</b>	<b>Impact Determination</b>	<b>Mitigation Measures</b>	<b>Impacts After Mitigation</b>
<b>AE-1:</b> The Project would not have a substantial adverse effect on a scenic vista (IS at p. 57).	Less than Significant	Mitigation not required	Less than Significant
<b>AE-2:</b> The Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (IS at p. 57).	No Impact	Mitigation not required	No Impact
<b>AE-3:</b> The Project would not conflict with applicable zoning and other regulations governing scenic quality (Draft EIR at p. 5.1-3).	Less than Significant	Mitigation not required	Less than Significant
<b>AE-4:</b> The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (IS at p. 57).	Less than Significant	Mitigation not required	Less than Significant
<b>AG-1:</b> The Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agriculture use (IS at p. 58).	No Impact	Mitigation not required	No Impact
<b>AG-2:</b> The Project would not conflict with existing zoning for agriculture use or a Williamson Act contract (IS at p. 59).	No Impact	Mitigation not required	No Impact
<b>AG-3:</b> The Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526),	No Impact	Mitigation not required	No Impact

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
or timberland zoned Timberland Production (as defined by Government Code section 51104(g)) (IS at p. 59).			
<b>AG-4:</b> The Project would not result in the loss of forest land or conversion of forest land to non-forest use (IS at p. 59).	No Impact	Mitigation not required	No Impact
<b>AG-5:</b> The Project site does not support forest land, nor is any forest land located in the vicinity. Therefore, the Proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use (IS at p. 59).	No Impact	Mitigation not required	No Impact
<b>AQ-1:</b> The Project would not conflict with or obstruct implementation of an applicable air quality plan (Draft EIR at p. 5.2-22).	Less than Significant	Mitigation not required	Less than Significant
<b>AQ-2:</b> The Project would not result in a cumulatively considerable net increase of a criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (Draft EIR at p. 5.2-24).	Less than Significant	Mitigation not required	Less than Significant
<b>AQ-3:</b> The Project would not expose sensitive receptors to substantial pollutant concentrations (Draft EIR at pp. 5.2-25 — 5.2-30).	Less than Significant	Mitigation not required	Less than Significant
<b>AQ-4:</b> The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (IS at p. 61).	Less than Significant	Mitigation not required	Less than Significant
<b>BIO-2:</b> The Project would not have an adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the	No Impact	Mitigation not required	No Impact

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
California Department of Fish and Game or US Fish and Wildlife Service (Draft EIR at p. 5.3-19).			
<b>BIO-3:</b> The Project would not have substantial adverse effects on state or federally protected wetlands (including but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Draft EIR at p. 5.3-19).	No Impact	Mitigation not required	No Impact
<b>BIO-5:</b> The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Draft EIR at p. 5.3-20).	Less than Significant	Mitigation not required	Less than Significant
<b>BIO-6:</b> The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (IS at p. 63).	No Impact	Mitigation not required	No Impact
<b>CUL-1:</b> The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines Section 15064.5 (Draft EIR at pp. 5.4-10 – 5.4-11).	Less than Significant	Mitigation not required	Less than Significant
<b>CUL-3:</b> The Project would not disturb any human remains, including those interred outside of formal cemeteries (Draft EIR at p.5.4-12).	Less than Significant	Mitigation not required	Less than Significant
<b>E-1:</b> The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation (Draft EIR at pp. 5.5-5 – 5.5-7).	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
<b>E-2:</b> The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (Draft EIR at p. 5.5-7).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-1i:</b> The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (IS at p. 65).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-1ii:</b> The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking (IS at pp. 65-66).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-1iii:</b> The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction (IS at p. 66).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-1iv:</b> The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides (IS at p. 66).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-2:</b> The Project would not result in soil erosion or the loss of topsoil (IS at pp. 66-67).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-3:</b> The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse (IS at pp. 67-68).			
<b>GEO-4:</b> The Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property (IS at p. 68).	Less than Significant	Mitigation not required	Less than Significant
<b>GEO-5:</b> The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (IS at pp. 68-69).	No Impact	Mitigation not required	No Impact
<b>GHG-1:</b> The Project would not generate greenhouse gas (GHG) emissions, either directly or indirectly, in a way that would have a significant impact on the environment (Draft EIR at pp. 5.7-10 – 5.7-12).	Less than Significant	Mitigation not required	Less than Significant
<b>GHG-2:</b> The Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (Draft EIR at pp. 5.7-12 – 5.7-15).	Less than Significant	Mitigation not required	Less than Significant
<b>HAZ-1:</b> The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (Draft EIR at pp. 5.8-11 –5.8-13).	Less than Significant	Mitigation not required	Less than Significant
<b>HAZ-2:</b> The Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
hazardous materials into the environment (Draft EIR at pp. 5.8-13 – 5.8-15).			
<b>HAZ-3:</b> The Project would not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (IS at p. 71).	No Impact	Mitigation not required	No Impact
<b>HAZ-4:</b> The Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment (Draft EIR at p. 5.8-15).	No Impact	Mitigation not required	No Impact
<b>HAZ-5:</b> The Project would not result in a safety hazard or excessive noise for people residing or working in the Project area for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport (IS at p. 72).	No Impact	Mitigation not required	No Impact
<b>HAZ-6:</b> The Project would not impair implementation of an adopted emergency response plan or emergency evacuation plan (IS at p. 72).	Less than Significant	Mitigation not required	Less than Significant
<b>HAZ-7:</b> The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (IS at p. 73).	No Impact	Mitigation not required	No Impact
<b>HYD-1:</b> The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
ground water quality (IS at p. 73).			
<b>HYD-2:</b> The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin (IS at p. 74).	Less than Significant	Mitigation not required	Less than Significant
<b>HYD-3:</b> The Project would not substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in a substantial erosion or siltation on- or off-site (IS at p. 74).	Less than Significant	Mitigation not required	Less than Significant
<b>HYD-4:</b> The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (IS at p. 75).	Less than Significant	Mitigation not required	Less than Significant
<b>HYD-5:</b> The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (IS at p. 76).	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
<p><b>HYD-6:</b> The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows (IS at p. 77).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>
<p><b>HYD-7:</b> The Project would not risk release of pollutants due to Project inundation within a flood hazard, tsunami, or seiche zone (IS at p. 77).</p>	<p>Less than Significant</p>	<p>Mitigation not required</p>	<p>Less than Significant</p>
<p><b>HYD-8:</b> The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (IS at p. 77).</p>	<p>Less than Significant</p>	<p>Mitigation not required</p>	<p>Less than Significant</p>
<p><b>LU-1:</b> The Project would not physically divide an established community (IS at p. 78).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>
<p><b>LU-2:</b> The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Draft EIR at pp. 5.9-6 – 5.9-31).</p>	<p>Less than Significant</p>	<p>Mitigation not required</p>	<p>Less than Significant</p>
<p><b>MIN-1:</b> The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (IS at p. 78).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>
<p><b>MIN-2:</b> The Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the General Plan, specific plan or other land use plan (IS at p. 78).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
<b>NOI-1:</b> The Project would not generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local General Plan or noise ordinance, or applicable standards of other agencies (Draft EIR at p. 5.10-13).	Less than Significant	Mitigation not required	Less than Significant
<b>NOI-2:</b> The Project would not result in the generation of excessive groundborne vibration or groundborne noise levels (Draft EIR at p. 5.10-16).	Less than Significant	Mitigation not required	Less than Significant
<b>NOI-3:</b> The Project would not expose people residing or working in the Project area to excessive noise levels, for a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport (IS at p. 79).	No Impact	Mitigation not required	No Impact
<b>POP-1:</b> The Project would not induce substantial unplanned population growth in an area, either directly or indirectly (IS at pp. 79-80).	No Impact	Mitigation not required	No Impact
<b>POP-2:</b> The Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (IS at p. 80).	No Impact	Mitigation not required	No Impact
<b>PS-1:</b> The Project would not result in substantial adverse physical impacts associated with fire protection services or the provision of new or physically altered fire station facilities (IS at p. 80).	Less than Significant	Mitigation not required	Less than Significant
<b>PS-2:</b> The Project would not result in substantial adverse physical impacts associated with police services or the provision of new or physically altered	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
police facilities (IS at pp. 80-81).			
<b>PS-3:</b> The Project would not result in substantial adverse physical impacts associated with schools (IS at p. 81).	No Impact	Mitigation not required	No Impact
<b>PS-4:</b> The Project would not result in substantial adverse physical impacts associated with parks (IS at p. 81).	No Impact	Mitigation not required	No Impact
<b>PS-5:</b> The Project would not result in substantial adverse physical impacts associated with other public facilities. (IS at p. 81-82).	No Impact	Mitigation not required	No Impact
<b>REC-1:</b> The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated (IS at p. 82).	No Impact	Mitigation not required	No Impact
<b>REC-2:</b> The Project does not include employee recreational facilities and would not require the construction or expansion of recreational facilities in a manner which might have an adverse physical effect on the environment (IS at p. 82).	No Impact	Mitigation not required	No Impact
<b>TR-1:</b> The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (Draft EIR at p. 5.11-6)	Less than Significant	Mitigation not required	Less than Significant
<b>TR-2:</b> The Project would not conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (B) regarding vehicle miles traveled (VMT) (IS at p. 83).	Less than Significant	Mitigation not required	Less than Significant
<b>TR-3:</b> The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Draft EIR at pp. 5.11-18 – 5.11-20).			
<b>TR-4:</b> The Project would not result in inadequate emergency access (IS at p. 84).	Less than Significant	Mitigation not required	Less than Significant
<b>TCR-1:</b> The Project would not cause a substantial adverse change in the significance of a tribal cultural resource (TCR), defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resource Code Section 5020.1(K) (IS at p. 85).	Less than Significant	Mitigation not required	Less than Significant
<b>TCR-2:</b> The Project would not cause a substantial adverse change in the significance of a TCR, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 (IS at p. 85).	Less than Significant	Mitigation not required	Less than Significant
<b>UT-1:</b> The Project would not require or	Less than Significant	Mitigation not required	Less than Significant

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
result in the relocation or construction of new water or wastewater facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects (IS at p. 86).			
<b>UT-2:</b> Sufficient water supplies are available to serve the Project and reasonably foreseeable development during normal, dry, and multiple dry years (IS at p. 87).	Less than Significant	Mitigation not required	Less than Significant
<b>UT-3:</b> The Project would not result in a determination by the wastewater treatment provider that would serve the Project that it has inadequate capacity to serve the Project's projected demand in addition to the providers existing commitments (IS at p. 88).	Less than Significant	Mitigation not required	Less than Significant
<b>UT-4:</b> The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals (IS at p. 88).	Less than Significant	Mitigation not required	Less than Significant
<b>UT-5:</b> The Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (IS at p. 89).	No Impact	Mitigation not required	No Impact
<b>WF-1:</b> The Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones (VHFHSZ) and would not substantially impair an adopted emergency response plan or emergency evacuation plan (IS at p. 90).	No Impact	Mitigation not required	No Impact

Environmental Impact	Impact Determination	Mitigation Measures	Impacts After Mitigation
<p><b>WF-2:</b> The Project is not located in or near state responsibility areas or lands classified as VHFHSZs and would not involve slope, prevailing winds, and other factors, that could exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire (IS at p. 90).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>
<p><b>WF-3:</b> The Project is not located in or near state responsibility areas or lands classified as VHFHSZs and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment (IS at p. 90).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>
<p><b>WF-4:</b> The Project is not located in or near state responsibility areas or lands classified as VHFHSZs and would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes (IS at p. 90).</p>	<p>No Impact</p>	<p>Mitigation not required</p>	<p>No Impact</p>

1                   **3.2           Findings Regarding Environmental Impacts**  
2                   **Found to Be Less Than Significant after Mitigation**

3                   The Final EIR concludes that less than significant impacts would occur after  
4                   mitigation on the following environmental resources if the proposed Project was  
5                   implemented.

- 6                   • Biological Resources
- 7                   • Cultural Resources
- 8                   • Geology and Soils

9                   The following Findings pertain to environmental impacts of the proposed Project  
10                  for which mitigation measures have been identified in the Final EIR that would  
11                  avoid or substantially lessen the significant environmental effects to less than  
12                  significant.

13                  **3.2.1       Biological Resources**

14                  As discussed in Section 5.3 of the Draft EIR, there would be two significant  
15                  impacts to Biological Resources that would be mitigated to less than significant  
16                  levels as a result of mitigation measures incorporated into the proposed Project.  
17                  The impacts and the mitigation measures are discussed below.

18                  **Impact BIO-1: The proposed Project has the potential to result in the**  
19                  **loss of individuals or the reduction of habitat of a state- or federally**  
20                  **listed endangered, threatened, rare, protected, or candidate species,**  
21                  **or a Species of Special Concern or the loss of federally listed critical**  
22                  **habitat.**

23                  As shown in Draft EIR Table 5.3-1, a total of 17 rare plant species are listed as  
24                  State and/or federally Threatened, Endangered, or Candidate species, or 1B.1  
25                  listed plants, and have potential to exist on the Project site. As described in Draft  
26                  EIR Table 5.3-3, no special-status plants were detected on the Project site during  
27                  the field survey and no special-status plant species are expected to occur on the  
28                  Project site due to the absence of suitable habitat. As a result, proposed Project  
29                  development and operation would not result in a substantial adverse effect either  
30                  directly or indirectly, or through habitat modification, on any plant species  
31                  identified as a candidate, sensitive, or special status species in local or regional  
32                  plans, policies, or regulation or by the California Department of Fish and  
33                  Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS).  
34                  Therefore, impacts to special-status plant species would be less than significant.  
35                  However, a total of 15 sensitive animal species, as shown on Table 5.3-2 of the  
36                  Draft EIR, are listed as Threatened, Endangered, or Candidate Species under  
37                  State and federal endangered species laws and have the potential to exist in the  
38                  vicinity of the Project site. None of these animal species were observed during  
39                  the general biological surveys, and no suitable habitat exists for all species with  
40                  the exception of Southern California legless lizard and monarch, which have a

41 low potential to be present. No animal species listed as State and/or federal  
42 Threatened, Endangered, or Candidate were detected on the Project site during  
43 the reconnaissance surveys. Southern California legless lizard and California  
44 overwintering populations of monarch have a low potential to occur onsite.  
45 Therefore, construction of the proposed Project has the potential to impact these  
46 species.

47 **Finding**

48 The Board hereby finds that changes or alterations have been required in, or  
49 incorporated into, the proposed Project that avoid or substantially lessen the  
50 environmental effect identified in the Final EIR. The implementation of  
51 mitigation measure MM BIO-1, shown below, would reduce potential impacts to  
52 sensitive animal species or their habitat during construction to less than  
53 significant.

54 **MM BIO-1: Pre-Construction Survey and Biological Monitoring.** To avoid  
55 impacts to special-status animal species, the Applicant must conduct pre-  
56 construction biological surveys prior to initiating vegetation removal/clearing.  
57 Surveys shall be conducted by a qualified biologist within three days of  
58 vegetation removal. Should the qualified biologist find any special-status species,  
59 they shall be relocated to nearby open space (i.e., Palos Verdes peninsula) or  
60 shall be allowed to leave the site on their own, pursuant to the qualified  
61 biologist’s recommendations. In addition, the qualified biologist shall be present  
62 for initial site preparation and grading to ensure that special-status animal species  
63 do not repopulate the site.

64 **Rationale for Finding**

65 Mitigation Measure BIO-1 would require a pre-construction survey and  
66 biological monitoring during initial site preparation and grading. Therefore, with  
67 implementation of Mitigation Measure BIO-1, construction and operation of the  
68 proposed Project would not result in a substantial adverse effect, either directly  
69 or through habitat modification, on any animal species identified as a threatened,  
70 endangered, or candidate species in local or regional plans, policies, regulation or  
71 by CDFW or USFWS. Hence, potential impacts to sensitive animal species or  
72 their habitat would be less than significant with mitigation.

73 **Impact BIO-4: The proposed Project has the potential to**  
74 **substantially interfere with the movement of any native resident or**  
75 **migratory fish or wildlife species or with established native resident**  
76 **or migratory wildlife corridors or impede the use of native wildlife**  
77 **nursery sites.**

78 The Project site is within an urban and developed area and is surrounded by  
79 developed areas that include roadways and port-related uses. No wildlife  
80 corridors are located on or adjacent to the Project site. Therefore, impacts related  
81 to wildlife corridors would not occur. However, the Project site contains shrubs  
82 and trees that can support nesting birds and raptors protected under the Federal

83 Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5, and 3513 of the  
84 California Fish and Game Code during the nesting season.

85 **Finding**

86 The Board hereby finds that changes or alterations have been required in, or  
87 incorporated into, the proposed Project that avoid or substantially lessen the  
88 environmental effect identified in the Final EIR. The implementation of  
89 mitigation measure MM BIO-2, shown below, would reduce potential impacts to  
90 migratory nesting birds and raptors during construction to less than significant.

91 **MM BIO-2: Nesting Bird Survey.** Vegetation removal shall occur outside of  
92 the nesting bird season (generally between February 1 and September 15). If  
93 vegetation removal is required during the nesting bird season, the Applicant must  
94 conduct take avoidance surveys for nesting birds prior to initiating vegetation  
95 removal/clearing. Surveys shall be conducted by a qualified biologist(s) within  
96 three days of vegetation removal. If active nests are observed for one or more  
97 species protected under the federal Endangered Species Act (ESA), the  
98 California Endangered Species Act (CESA) or the Migratory Bird Treaty Act, the  
99 Applicant and contractor shall maintain a minimum 300-foot buffer around the  
100 active nests. For raptor species, the buffer is to be expanded to 500 feet. The  
101 approved buffer zone shall be marked in the field with construction fencing,  
102 within which no vegetation clearing or ground disturbance shall commence until  
103 the qualified biologist verifies that the nests are no longer occupied and the  
104 juvenile birds can survive independently from the nests. Once the young have  
105 fledged and left the nest, or the nest otherwise becomes inactive under natural  
106 conditions, normal construction activities may occur.

107 **Rationale for Finding**

108 Mitigation Measure BIO-2 would reduce potentially significant impacts to  
109 migratory nesting birds and raptors during construction, as it would require a  
110 nesting bird survey to be conducted three days prior to initiating vegetation  
111 clearing. With the implementation of Mitigation Measure BIO-2, impacts related  
112 to nesting birds and any other migratory wildlife would be reduced to a less than  
113 significant level.

114 **3.2.2 Cultural Resources**

115 As discussed in Section 5.4 of the Draft EIR, there would be one significant  
116 impact to Cultural Resources that would be mitigated to a less than significant  
117 level as a result of a mitigation measure incorporated into the proposed Project.  
118 The impact and the mitigation measure are discussed below.

119 **Impact CUL-2: The proposed Project has the potential to cause a**  
120 **substantial adverse change in the significance of an archaeological**  
121 **resource pursuant to Section 15064.5.**

122 The Project site is an undeveloped, vacant site that has been previously disturbed  
123 by development and land modifications over time. The Phase I and Phase II  
124 Cultural Resources Assessment prepared for the proposed Project included an

125 archaeological records search that was completed at the South Central Coastal  
 126 Information Center at California State University, Fullerton which included a  
 127 standard review of the National Register of Historic Places and the Office of  
 128 Historic Preservation Built Environment Resources Directory. The records search  
 129 indicated that 16 cultural resources have been recorded within 0.5-mile of the  
 130 Project site. One of the prehistoric shell middens was found adjacent to the east  
 131 of the site. The Phase I and II Cultural Resources Assessment also identified  
 132 marine shell fragments during the pedestrian survey which included, one  
 133 Monterey Chert flake tool, seven debitage, and fragments of faunal bone that are  
 134 likely related to the general prehistoric occupation of what was once Wilmington  
 135 Lagoon. However, no archaeological soil/midden was observed during the Phase  
 136 II testing, and noted disturbances included rodent activity as well as intermixed  
 137 construction debris. The Phase I and II Cultural Resources Assessment  
 138 determined that although artifacts were identified, there are no intact subsurface  
 139 components.

140 The proposed Project includes excavation and grading of the Project site to  
 141 depths of approximately 15 feet below the ground surface. Although the Phase I  
 142 and II Cultural Resources Assessment determined that no significant subsurface  
 143 intact resources exist, there is a potential for previously unknown archaeological  
 144 resources to be below the soil surface. The potential exists that grading of the site  
 145 could encounter archaeological deposits not encountered during testing.

146 **Finding**

147 The Board hereby finds that changes or alterations have been required in, or  
 148 incorporated into, the proposed Project that avoid or substantially lessen the  
 149 environmental effect identified in the Final EIR. The implementation of  
 150 mitigation measure MM CUL-1, shown below, would reduce potential impacts to  
 151 archaeological resources during construction to less than significant.

152 **MM CUL-1: Cultural Resources Monitoring Plan.** Prior to the issuance of a  
 153 grading permit, a Cultural Resources Monitoring Plan shall be prepared by a  
 154 qualified archaeologist and reviewed and approved by the City of Los Angeles  
 155 Planning Department. This plan shall include, but not be limited to, the following  
 156 actions:

- 157 • Prior to issuance of a grading permit, the Applicant shall provide written  
 158 verification to the City of Los Angeles Planning Department in the form of a  
 159 letter from the qualified archaeologist to the lead agency stating that a  
 160 qualified archaeologist has been retained to implement the monitoring  
 161 program.
- 162 • The certified archaeologist shall attend the pre-grading meeting with the  
 163 contractors to explain and coordinate the requirements of the monitoring  
 164 program.
- 165 • During ground disturbing activity of previously undisturbed deposits, the  
 166 archaeological monitor(s) shall be on-site to perform full-time inspections of  
 167 the excavations. The frequency of inspections shall depend upon the rate of

- 168 excavation, the materials excavated, and the presence and abundance of  
169 artifacts and features.
- 170 • Isolates and clearly non-significant deposits shall be minimally documented  
171 in the field and collected, as determined by the qualified archaeologist, so the  
172 monitored grading can proceed.
  - 173 • In the event that previously unidentified intact cultural resources are  
174 discovered, the qualified archaeologist shall have the authority to divert or  
175 temporarily halt ground disturbance operations in the area of the discovery to  
176 allow for the evaluation of potentially significant cultural resources. The  
177 qualified archaeologist shall contact the lead agency at the time of discovery.  
178 The qualified archaeologist, in consultation with the lead agency, shall  
179 determine the significance of the discovered resources. The lead agency must  
180 concur with the evaluation before construction activities would be allowed to  
181 resume in the affected area. For significant cultural resources, a Research  
182 Design and Data Recovery Program to mitigate impacts shall be prepared by  
183 the qualified archaeologist and approved by the lead agency before being  
184 carried out using professional archaeological methods. If any human bones  
185 are discovered, the county coroner and lead agency shall be contacted. In the  
186 event that the remains are determined to be of Native American origin, the  
187 most likely descendant, as identified by the Native American Heritage  
188 Commission (NAHC), shall be contacted in order to determine proper  
189 treatment and disposition of the remains.
  - 190 • In the event of an unanticipated discovery, before construction activities are  
191 allowed to resume in the affected area, the artifacts shall be recovered, and  
192 features recorded using professional archaeological methods. The qualified  
193 archaeologist shall determine the amount of material to be recovered for an  
194 adequate artifact sample for analysis.
  - 195 • All cultural material collected during the grading monitoring program shall  
196 be processed and curated according to the current professional repository  
197 standards. The collections and associated records shall be transferred,  
198 including title, to an appropriate curation facility, to be accompanied by  
199 payment of the fees necessary for permanent curation.
  - 200 • A report documenting the field and analysis results and interpreting the  
201 artifact and research data within the research context shall be completed and  
202 submitted to the satisfaction of the lead agency prior to the issuance of any  
203 building permits. The report shall include Department of Parks and  
204 Recreation Primary and Archaeological Site Forms.
  - 205 • A monitoring report shall be prepared by the qualified archaeologist upon  
206 completion of grading and submitted prior to the issuance of any building  
207 permit(s).

208 **Rationale for Finding**

209 Mitigation Measure CUL-1 would reduce potentially significant impacts to  
210 archaeological resources as it would require monitoring during ground-disturbing  
211 activities, such as grading or trenching, by a qualified archaeologist and if buried

212 archaeological deposits are unearthed, they shall be handled in a timely and proper  
213 manner. With implementation of Mitigation Measure CUL-1, potential impacts  
214 to archaeological resources from development of the proposed Project would be  
215 less than significant.

### 216 3.2.3 Geology and Soils

217 As discussed in Section 5.6 of the Draft EIR, there would be one significant  
218 impact to Geology and Soils that would be mitigated to a less than significant  
219 level as a result of a mitigation measure incorporated into the proposed Project.  
220 The impact and the mitigation measure are discussed below.

#### 221 **Impact GEO-6: The proposed Project has the potential directly or** 222 **indirectly destroy a unique paleontological resource or site or** 223 **unique geologic feature.**

224 The proposed Project would construct a truck and chassis parking lot on a  
225 currently vacant site that has been previously disturbed by urban agricultural and  
226 development activities. Project-related earthmoving activities, including grading  
227 and trenching activities, are anticipated to extend to approximately 15 feet below  
228 the existing ground surface and would have the potential to disturb previously  
229 unknown paleontological resources. The majority of the Project site is overlain  
230 by non-marine terrace deposits which have a low to unknown paleontological  
231 sensitivity. However, the Paleontological Assessment states that paleontological  
232 resources have been previously found on site and within the Project vicinity and  
233 that the Project site is underlain by late to middle Pleistocene-aged shallow  
234 marine deposits, which have been recorded to be fossiliferous. Therefore, the  
235 Palos Verdes Sands onsite have a high potential to yield paleontological  
236 resources.

#### 237 **Finding**

238 The Board hereby finds that changes or alterations have been required in, or  
239 incorporated into, the proposed Project that avoid or substantially lessen the  
240 environmental effect identified in the Final EIR. The implementation of  
241 mitigation measure MM PAL-1, shown below, would reduce potential impacts to  
242 archaeological resources during construction to less than significant.

243 **MM PAL-1: Paleontological Monitoring.** Prior to the issuance of grading  
244 permits, the Applicant shall provide a letter to the City of Los Angeles Planning  
245 Department, or designee, from a professional paleontologist, stating that a  
246 qualified paleontologist (who meets the Society of Vertebrate Paleontology’s  
247 (SVP, 2010) definition for qualified professional paleontologist) has been  
248 retained to provide services for the Project. The paleontologist shall develop a  
249 Paleontological Resources Impact Mitigation Plan (PRIMP), consistent with the  
250 provisions of CEQA and Society of Vertebrate Paleontology’s Guidelines, to  
251 mitigate the potential impacts to unknown buried paleontological resources that  
252 may exist onsite. The PRIMP shall be provided to the City for review and  
253 approval. The PRIMP shall require that the paleontologist be present at the pre-  
254 grading conference to establish procedures for paleontological resource

255 surveillance and provide worker training regarding paleontological monitoring.  
256 The PRIMP shall also require full-time paleontological monitoring by a qualified  
257 paleontological monitor starting at the ground surface (below any  
258 disturbed/artificial fill deposits) during grading, excavation, or utility trenching  
259 activities.

260 In the event paleontological resources are encountered, ground disturbing activity  
261 within 50 feet of the area shall cease. The paleontologist shall examine the  
262 materials encountered, assess the nature and extent of the find, and recommend a  
263 course of action to further investigate and protect or recover and salvage those  
264 resources that have been encountered pursuant to the guidelines of the Society of  
265 Vertebrate Paleontology (SVP, 2010).

266 Criteria for discarding specific fossil specimens shall be made explicit in the  
267 PRIMP. If the qualified paleontologist determines that impacts to a sample  
268 containing significant paleontological resources cannot be avoided by Project  
269 construction, then recovery techniques may be applied as identified within the  
270 PRIMP. Actions include recovering a sample of the fossiliferous material prior to  
271 construction, monitoring construction activities and halting construction if a  
272 significant fossil needs to be recovered, and/or cleaning, identifying, and  
273 cataloging fossil specimens for curation and research purposes. Recovery,  
274 salvage, and treatment shall be done at the Applicant's expense. All recovered  
275 and salvaged resources shall be prepared to the point of identification and  
276 permanent preservation by the paleontologist. Resources shall be identified and  
277 curated into an established accredited professional repository. The paleontologist  
278 shall have a repository agreement in hand prior to initiating recovery of the  
279 resource. If no institution accepts the fossil(s), they shall be donated to a local  
280 school in the area for educational purposes. Accompanying notes, maps, and  
281 photographs shall also be filed at the repository and/or school. A report  
282 documenting the results of the monitoring, including any salvage activities and  
283 the significance of any fossils, shall be prepared and submitted to the City of Los  
284 Angeles Planning Department, or designee.

285 Prior to commencement of grading activities, the City of Los Angeles Planning  
286 Department, or designee, shall verify that all Project grading and construction  
287 plans specify the requirements herein related to the PRIMP and the unanticipated  
288 discovery of paleontological resources.

### 289 **Rationale for Finding**

290 Mitigation Measure PAL-1 would reduce potentially significant impacts to  
291 paleontological resources with the preparation of a PRIMP and the requirement  
292 of ground disturbing activities to be monitored by a qualified paleontologist to  
293 identify, salvage, and recover any potential paleontological resources, such as  
294 significant fossil remains. With implementation of Mitigation Measure PAL-1,  
295 potential impacts to paleontological resources from implementation of the  
296 proposed Project would be less than significant.

297

### 298 **3.3 Cumulative Impacts**

299 Cumulative impacts include “two or more individual effects which, when  
300 considered together, are considerable or which compound or increase other  
301 environmental impacts” (State CEQA Guidelines, Section 15355). According to  
302 State CEQA Guidelines Section 15130(b): “The discussion of cumulative  
303 impacts shall reflect the severity of the impacts and their likelihood of  
304 occurrence, but the discussion need not provide as great detail as is provided for  
305 the effects attributable to the project alone. The discussion should be guided by  
306 the standards of practicality and reasonableness...” The information presented in  
307 Chapter 5 (“Cumulative Impacts”) of the Draft EIR meets this criterion.

308 As shown on Draft EIR Figure 5-1 and detailed in Draft EIR Table 5-1, a total of  
309 40 current or reasonably foreseeable future projects (approved or proposed) were  
310 identified in the Ports of Los Angeles and Long Beach as well as the  
311 communities of San Pedro and Wilmington that have the potential to contribute  
312 to cumulative impacts.

313 The discussion below identifies cumulatively significant impacts that are either  
314 less than significant or can be mitigated to less than significant. All feasible  
315 mitigation measures to reduce or avoid the cumulatively considerable  
316 contribution of the proposed Project to these impacts have been required in, or  
317 incorporated into, the proposed Project. The Draft EIR determined that the  
318 proposed Project would not make a cumulatively considerable contribution to a  
319 cumulative impact in any environmental resource areas (Draft EIR Table 1-1). A  
320 summary analysis of the cumulative impacts of resource areas for which the  
321 IS/NOP determined that the proposed Project’s potential impacts would be less  
322 than significant is included in Section 3.3.1, below.

#### 323 **3.3.1 Other Cumulative Impacts**

324 The IS for the proposed Project evaluated the environmental issues in accordance  
325 with State CEQA Guidelines Appendix G and concluded that the proposed  
326 Project’s impacts in a number of resource areas would be less than significant  
327 and eliminated those areas from further analysis in the Draft EIR. LAHD has  
328 determined that it is appropriate to consider the potential for those less than  
329 significant impacts to make cumulatively considerable contributions to existing  
330 cumulative impacts. The analysis for the proposed Project determined that none  
331 of the impacts identified as less than significant in the IS would result in making  
332 a cumulatively considerable contribution to a cumulative impact in any  
333 environmental resource areas as described in Table 3.

334 Additionally, as shown in Table 2, some environmental resource areas would  
335 result in no impact, therefore the lack of impact would preclude the possibility of  
336 the proposed Project to make a considerable contribution to any cumulative  
337 impact.

338  
339

**Table 3: Findings Regarding Cumulative Environmental Impacts Found to Be Less than Significant**

Appendix G Checklist Question	Would the Project:	Basis For Finding
Aesthetics-1a	Have a substantial adverse effect on a scenic vista?	The Project site is currently undeveloped and surrounded by industrial and cargo uses. Panoramic views of the Port and Pacific Ocean are available from distant public and private vantages, including panoramic views from public roads in hillside residential areas of San Pedro. However, there are no sensitive public viewpoints in the immediate vicinity of the Project site. The public roads on the hillsides of San Pedro that have views of the Pacific Ocean at the Port are at least 2 miles from the coastline and the Project site. At these distances, during long-term Project operations, the proposed Project would not substantially interrupt views of the Pacific Ocean, as it would alter a minor part of the overall landscape. Therefore, implementation of the proposed Project would not significantly affect designated scenic views of the Pacific Ocean and Port and impacts would not be cumulatively considerable.
Aesthetics-1d	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	The proposed Project would install pole mounted LED fixtures in the parking lot and driveway to provide illumination during evening and overnight operations but would be designed to face downward directly onto the parking lot and driveway, minimizing spillover and avoiding glare to surrounding area. The proposed light fixtures would not cause substantial light or glare to nearby receptors such as motorists. Therefore, impacts would not be cumulatively considerable.
Air Quality-3d	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	During construction, emissions from construction equipment and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and not expected to affect a substantial number of people. During operations, trucks and vehicles operating on site may emit odor. The nearest sensitive receptors are residences located on the southwest corner of Gatun Street and N. Gaffey Street, approximately 1,400 feet north of the Project site. Thus, there are no sensitive receptors within 300 feet of the proposed parking stalls. By the time any diesel exhaust emissions reach the nearest receptor, they would be diluted and not generate an objectionable odor. In addition, all solid waste generated would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations and would not generate objectionable

		odors. Therefore, impacts would not be cumulatively considerable.
Geology-7a	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: fault rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides?	The Project site is located in a seismically active region with several nearby active faults, with the nearest being the Palos Verdes Fault Zone. The proposed Project would construct structures including an occupiable prefabricated guard booth and restrooms onsite. However, retaining walls and foundations for the guard booth and restrooms constructed on the site would be designed and constructed per recommendations from the required geotechnical studies and pursuant to the California Building Code (CBC) and City of Los Angeles grading requirements. Therefore, impacts would not be cumulatively considerable.
Geology-7b	Result in substantial soil erosion or the loss of topsoil?	Grading activities would expose and loosen topsoil, which could be eroded by wind or water. To reduce the potential for soil erosion and the loss of topsoil, construction activities would require a Storm Water Pollution Prevention Plan (SWPPP), which is mandated by the National Pollution Discharge Elimination System (NPDES) General Construction Permit and enforced by the Los Angeles Regional Water Quality Control Board (LARWQCB). In addition, the proposed Project includes installation of Portland concrete cement pavement and landscaping throughout the Project site, which would protect the underlying soil on the site from wind and water erosion during proposed Project operation. Implementation of the Project requires City approval of a Low Impact Development (LID) plan, which would ensure that LARWQCB requirements and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. Therefore, impacts would not be cumulatively considerable.
Geology-7c	Be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse	The Geotechnical Investigation concluded that the slope stability has adequate static and seismic factors for safety and that potential impacts related to landslides would be reduced through the proposed grading and addition of retaining walls; that the potential for lateral spreading on the Project site is considered very low; and that the recommended remedial grading would remove all undocumented fill soils, including collapsible/compressible soils, to replace these soils as compacted structural fill. The proposed Project would also comply with CBC requirements, as ensured through the City's permitting process.  The proposed Project would not include the extraction of oil, gas, or groundwater and would not

		contribute to or cause subsidence. Therefore, impacts would not be cumulatively considerable.
Geology-7d	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Soil testing during the Geotechnical Investigation indicated very low expansion potential. Therefore, impacts would not be cumulatively considerable.
Hazards-9f	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<p>The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. In addition, the proposed Project would implement a construction traffic control plan, pursuant to standard City of Los Angeles requirements.</p> <p>The proposed Project would be required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with the California Fire Code. The Los Angeles Fire Department (LAFD) would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in the International Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). Therefore, impacts would not be cumulatively considerable.</p>
Hydrology & Water Quality-10a	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<p>Construction equipment may accidentally leak or spill fluids such as lubricants, oil, and fuel that can contaminate stormwater runoff. A SWPPP would be prepared to comply with the latest Construction General Permit issued by the State Water Resources Control Board . All vehicle maintenance and fueling operations would be conducted at least 50 feet away from inlets and drainage facilities on a level graded area. During construction of the mechanically stabilized earth (MSE) walls, the contractor would control stormwater drainage near the walls by collecting and discharging stormwater away from the wall and reinforced backfill.</p> <p>During operation, no fueling, maintenance, or other industrial activity would occur on site. However, the proposed Project would comply with the regulations and requirements under the LAFD, DTSC, U.S. Department of Transportation, California Environmental Protection Agency (EPA), and City of Los Angeles LID Ordinance to minimize contaminants entering stormwater runoff. Additionally, the proposed Project would implement</p>

		a Project-specific WQMP including BMPs to be used in Project design and operation as required by the City's LID Ordinance. Therefore, impacts would not be cumulatively considerable.
Hydrology & Water Quality-10b	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	The proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge. Groundwater beneath the Project site is located south of the Dominguez Gap Barrier. The Project site is also not used or designated for groundwater recharge. No substantial additional water use is anticipated during operations. Therefore, impacts would not be cumulatively considerable.
Hydrology & Water Quality-10c(i-iii)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<p>The site would be graded prior to paving, which could cause erosion and siltation. However, construction activities would comply with the requirements of the most recent Construction General Permit by implementing a SWPPP, inclusive of BMPs.</p> <p>The proposed Project would increase the amount of impervious surface at the site. Because more than 500 SF of paving would occur, the development would comply with the City of Los Angeles LID Ordinance requirements that would minimize off-site erosion and siltation. During operations, the paved portion of the Project site would not cause erosion or siltation, as there would be no exposed soil. Further, the proposed Project would maintain the existing drainage pattern on the site, and the on-site storm drain system would be sized to adequately accommodate the stormwater flows on the Project site. The proposed Project would also grade the existing slope and install MSE walls to reduce the overall slope of the site to 2:1 (horizontal: vertical) and any areas with a 3:1 slope would have jute netting, which would reduce erosion on site. Therefore, impacts would not be cumulatively considerable.</p>
Hydrology & Water Quality-10d	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	The site is currently 100 percent pervious and the site in the post-Project condition would be 38 percent pervious. Construction of the site's new impervious surface would increase the rate of surface runoff. However, the proposed Project would collect all developed on-site runoff within an on-site storm drain system which would collect stormwater and direct it to ten belowground capture and use cisterns. During construction, a SWPPP would be implemented to control drainage and maintain drainage patterns across the Project site. While the proposed Project would modify the

		<p>existing drainage infrastructure on site, it would maintain the existing on-site drainage pattern and the on-site storm drain system would be sized to adequately accommodate the stormwater flows on the Project site. Further, the Project would comply with the City of Los Angeles LID Ordinance requirements, which would minimize surface runoff and reduce impacts. Off-site flooding would not occur during the 85th percentile 24-hour storm event, as stormwater would be transported using existing drainage facilities into an existing storm drain network that eventually discharges to the harbor. Therefore, impacts would not be cumulatively considerable.</p>
<p>Hydrology &amp; Water Quality-10e</p>	<p>Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>	<p>During construction, a portion of the Project site would be graded and paved, which could increase the likelihood of polluted runoff from sedimentation and contaminants from motorized construction equipment and disturbed soil. Construction of the proposed Project would require a Construction General Permit and would comply with NPDES and City of Los Angeles LID Ordinance requirements as part of its management of stormwater runoff during construction and operations. The proposed Project would implement SWPPP BMPs to reduce or eliminate sediment pollutants in runoff by providing erosion and sediment control. With implementation of SWPPP BMPs, construction would not provide substantial additional sources of polluted runoff. Therefore, construction of the proposed Project would not exceed the capacity of the stormwater drainage system.</p> <p>The operation of the proposed Project would not result in a substantial source of runoff or source of polluted runoff. The parking lot would increase the amount of impervious surface at the Project site; however, the proposed Project would not cause a substantial increase in runoff because existing drainages would be utilized, and new rain cisterns and storm drains would be constructed to capture, filter, and reuse runoff and direct any overflow runoff to existing storm drains off site. During the operation of the proposed Project, , on-site employees would be trained to handle and clean up incidental leaks as applicable pursuant to U.S. Occupational Safety and Health Administration (OSHA). Compliance with the regulations and requirements under LAFD, DTSC, U.S. Department of Transportation, EPA, City of Los Angeles LID Ordinance, through implementation of a SWPPP during construction and LID plan during operation, would minimize substantial amounts of</p>

		hazardous pollution in runoff. Therefore, impacts would not be cumulatively considerable.
Public Services-15a	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection?	LAFD provides fire protection and paramedic services within the City of Los Angeles. LAFD has a required response time of 9 minutes by land and 14 minutes by water. According to the LAFD Fire Station map, the Project site is within the service area of Station 36, located approximately 0.7 roadway miles southwest of the site. The operational response times for Station 36 in 2022 were within the required thresholds, as shown in Draft EIR Table PS-1. The proposed Project would not develop any flammable habitable structures, and a maximum of two employees would be required to operate the proposed truck and chassis parking lot at a given time. Therefore, impacts would not be cumulatively considerable.
Public Services-15b	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection?	<p>Crime and safety issues during proposed Project construction may include theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. Further, during temporary construction of the proposed Project, construction of the new driveway and utility connections may result in temporary closure of travel lanes, but full roadway closure and traffic detours which could result in impacts to the operations of the Harbor Community Police Station are not expected to be necessary. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the safe passage of persons and vehicles through/around any required temporary road restrictions in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which requires that prior to any activity encroaching into a right-of-way, the area be safeguarded through the installation of safety devices as specified by the City's Department Building and Safety during the construction permitting process. As such, construction activities would not physically interfere with the operations of the Harbor Community Police Station.</p> <p>Operation of the parking lot may generate a typical range of police service calls, such as burglaries, thefts, and employee disturbances. However, with security surveillance from on-site employees and use of security lighting, demand for police services</p>

		would not substantially increase. Therefore, impacts would not be cumulatively considerable.
Transportation-17b	Conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b)?	<p>As discussed in detail in the VMT Screening Memo prepared for the proposed Project, a preliminary trip generation analysis run by the LAHD Goods Movement Division determined that the proposed Project would generate 10 daily one-way passenger vehicle trips and 4 daily one-way vendor trips, which would be fewer than 250 daily trips. While the proposed Project would generate 1,794 daily one-way truck trips at peak operations, the screening thresholds do not apply to these heavy-duty truck trips. Therefore, the proposed Project would be screened out of a VMT analysis based on the first threshold.</p> <p>State CEQA Guidelines Section 15064.3(a) states that VMT refers to the amount and distance of automobile travel generated by a proposed Project, in which automobile travel refers to passenger cars and light trucks. The Los Angeles Department of Transportation (LADOT) VMT screening thresholds do not apply to heavy-duty trucks. Therefore, impacts would not be cumulatively considerable.</p>
Transportation-17d	Result in inadequate emergency access?	The proposed construction activities, including equipment and supply staging and storage would occur within the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. Temporary lane closure may be required on John S. Gibson Boulevard during construction; however, full roadway closure is not anticipated. In addition, a traffic control plan would be prepared by the Applicant and reviewed by the LADOT to ensure adequate levels of safety and access during construction. Operation of the proposed Project would not result in inadequate emergency access. The proposed Project would include a 40-foot-wide driveway connecting to John S. Gibson Boulevard, and the design would be reviewed and approved by LAFD. Therefore, impacts would not be cumulatively considerable.
Tribal Cultural Resources-18a	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape,	<p>Pursuant to AB 52, the LAHD contacted the NAHC regarding the proposed Project to identify tribes traditionally and culturally affiliated with the geographic area of the proposed Project. On August 18, 2021, the NAHC provided a list of tribes affiliated with the area. Additionally, the NAHC determined that a Sacred Lands File search yielded negative results for known TCRs or sacred lands within a one-mile radius of the Project site.</p> <p>On August 24, 2021, LAHD sent notices of request for consultation to seven California Native</p>

	<p>sacred place, or object with cultural value to a California Native American tribe, and that is (i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or (ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?</p>	<p>American tribes as described in Initial Study Section 4.18, Tribal Cultural Resources. The LAHD did not receive any requests for consultation on the proposed Project as of September 2023. In addition, the Project site is vacant and undeveloped, with the surrounding vicinity fully developed. Therefore, impacts would not be cumulatively considerable.</p>
<p>Utilities and Service Systems-19a</p>	<p>Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<p>The proposed Project would connect to the existing water and sewer infrastructure in John S. Gibson Boulevard.</p> <p>The proposed Project would also collect all developed on-site runoff within an on-site storm drain system and ten belowground capture and use cisterns. Stormwater captured within the drainage system would be utilized for landscaping irrigation and would not connect to any existing stormwater drainage infrastructure.</p> <p>The proposed Project would not use natural gas during operation and would not require connections to any natural gas facilities.</p> <p>The proposed Project would connect to the existing electric utility poles on John S. Gibson Boulevard.</p> <p>The proposed Project would not require the construction of new public utilities or expansion of existing public facilities. Development of water, stormwater drainage, sewer, and electric infrastructure would be limited to supporting on-site operations. Therefore, impacts would not be cumulatively considerable.</p>
<p>Utilities and Service Systems-19b</p>	<p>Have sufficient water supplies available to serve the project and reasonably foreseeable future development during</p>	<p>As concluded in the 2020 LADWP Urban Water Management Plan (UWMP) Section ES.6, water supplies are anticipated to meet demands under all hydrologic scenarios.</p>

	<p>normal, dry and multiple dry years?</p>	<p>Water demand forecasts are based on major sectors of land use designations. Since the proposed Project proposes an amendment to the PMP, its water use demand would not be accounted for in the 2020 UWMP. However, water use from the proposed parking lot is anticipated to result in an increase in demand due to the restroom buildings on-site. The restroom buildings would require approximately 16,235 gallons of water per day based on the wastewater generation factor from the City of Los Angeles Bureau of Engineering. Water infrastructure would connect to the existing water line in John S. Gibson Boulevard. The proposed landscaping would use native and drought-tolerant plants, and the irrigation system would primarily rely on reclaimed water when available therefore would not result in a substantial increase in water use. Therefore, impacts would not be cumulatively considerable.</p>
<p>Utilities and Service Systems-19c</p>	<p>Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<p>Based on the City of Los Angeles Bureau of Engineering's (LABOE) wastewater generation rates for parking lots, the proposed Project would result in approximately 16,235 gallons of wastewater per day from primarily restroom uses. Due to the existing average additional capacity of 15 mgd, the existing facilities at the Terminal Island Water Reclamation Plant would be able to accommodate the additional 16,235 gallons of wastewater per day from operation of the proposed Project. As a result, implementation of the proposed Project would not result in inadequate capacity of the wastewater treatment plant to serve the proposed Project's demand in addition to existing service commitments. Therefore, impacts would not be cumulatively considerable.</p>
<p>Utilities and Service Systems-19d</p>	<p>Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<p>Construction of the proposed Project would include demolition of the existing abandoned structures, and excavation of soil which would be reused for fill. In addition, the proposed Project would be required to comply with Section 5.408.1 of the existing California Green Building Standards Code, therefore construction of the proposed Project would not result in an excess of solid waste related to State or local standards.</p> <p>An estimated 503.6 tons of solid waste would be generated by the proposed Project annually during operations. Pursuant to AB 341, the volume of landfilled solid waste would be reduced to 125.9 tons per year, or approximately 0.34 tons per day. The two landfills (Chiquita Canyon Sanitary Landfill and Sunshine Canyon Landfill) have a combined available capacity of approximately 9,846 tons per</p>

		day and would be able to accommodate the volume of solid waste generated by the proposed Project. Therefore, impacts would not be cumulatively considerable.
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## Chapter 4

**The Proposed Project and Alternatives**

Three alternatives were considered during the preparation of the Draft EIR; 1) The No Project/No Development Alternative (Alternative 1), which is required under CEQA, 2) the No Project/Buildout of Port of Los Angeles Master Plan Designation Alternative (Alternative 2) that consists of the proposed Project not being approved and the Project site being fully developed based on the existing underlying POLA PMP Land Use designation of Open Space for APNs 7440-016-002, 7440-016-003, and 7412-024-007, and 3) the Reduced Project Alternative (Alternative 3), which consists of development of the Project site in a manner similar to the proposed Project, but with a substantial reduction in square footage of the parking lot and operational intensity. Chapter 7 of the Draft EIR contains an analysis of these alternatives because they were found to achieve some of the Project’s objectives and may reduce environmental impacts associated with the proposed Project. Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make project alternatives identified in the Final EIR infeasible.

**4.1 Reasonable Range of Alternatives**

Lead agencies are required to evaluate a “reasonable range” of alternatives but are not required to evaluate every possible alternative: “an EIR need not consider every conceivable alternative to a project” (State CEQA Guidelines Section 15126.6(a)). The “range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice” (State CEQA Guidelines Section 15126.6(f)).

Based on the primary purpose and objectives associated with the proposed Project, the three alternatives analyzed in the Draft EIR constitute a reasonable range of alternatives, which permits the decision makers to make a reasoned choice regarding proposed Project approval (or approval of one of its alternatives), approval with modifications, or disapproval. Furthermore, CEQA does not require an EIR to consider multiple variations of the alternatives analyzed in the Draft EIR. Similarly, “[a]bsolute perfection is not required; what is required is the production of information sufficient to permit a reasonable

35 choice of alternatives so far as environmental aspects are concerned” (*Village*  
36 *Laguna of Laguna Beach, Inc. v. Board of Supervisors of Orange County* (1982)  
37 134 Cal.App.3d 1022, 1029).

## 38 **4.2 Alternatives Considered in the Draft EIR**

39 Under CEQA, the analysis of alternatives need not be as in-depth as the analysis  
40 for the proposed Project but should be at a level that allows the decision-makers  
41 to make an informed determination regarding the differences in impacts between  
42 the proposed Project and each of its alternatives. The three alternatives analyzed  
43 in Chapter 7 of the Draft EIR are summarized below.

### 44 **4.2.1 Alternative 1 – No Project Alternative**

45 The No Project/No Development Alternative would result in continuation of the  
46 existing uses within the Project site, and development would not occur. This  
47 alternative consists of the proposed Project not being approved and the Project  
48 site remaining vacant and undeveloped (Draft EIR at p. 7-3).

### 49 **4.2.2 Alternative 2 – No Project/Buildout of Port of Los** 50 **Angeles Master Plan Designation Alternative**

51 This alternative consists of the proposed Project not being approved, and the  
52 Project site being fully developed based on the existing underlying POLA PMP  
53 Land Use designation of Open Space for APNs 7440-016-002, 7440-016-003,  
54 and 7412-024-007. Thus, Alternative 2 would include development of 13.25  
55 acres into an open space recreation area inclusive of walking paths, grass areas  
56 for active recreation, on-site parking lot with 30 parking spaces, a restroom, and  
57 landscaping. APN 7440-016-001 would be left vacant and undeveloped. Thus,  
58 13.25 acres of the 18.63-acre Project site would be developed with an open space  
59 recreation area (Draft EIR at p. 7-3).

### 60 **4.2.3 Alternative 3 – Reduced Project Alternative**

61 The Reduced Project Alternative consists of development of the Project site in a  
62 manner similar to the proposed Project, but with less paved acreage and parking  
63 spaces and reduced operational intensity. This alternative would develop 10 acres  
64 of the Project site with 196 parking spaces accommodating trucks and chassis  
65 with shipping containers up to 40 feet long. This alternative would require the  
66 same number of employees on site and same on-site operational equipment as the  
67 proposed Project but would result in 830 fewer trips per day. The reduced  
68 development acreage would cause the remaining 8.63 acres of the Project site to  
69 remain in its existing vacant and undeveloped condition. This alternative would  
70 also include intersection modifications, including installation of a northbound left  
71 turn pocket and signals to provide full access to the site. This alternative would  
72 still require a PMP Amendment to amend the designation of the site from Open  
73 Space to Maritime Support; however, this alternative would not require a CDP

74 from the City of Los Angeles as no development would occur within the City of  
75 Los Angeles parcel (Draft EIR at p. 7-3).

### 76 **4.3 Environmentally Superior Alternative**

77 Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of  
78 alternatives to a proposed project shall identify an environmentally superior  
79 alternative among the alternatives evaluated in an EIR. The Environmentally  
80 Superior Alternative for the Project would be the No Project/No Development  
81 Alternative. Pursuant to State CEQA Guidelines Section 15126.6(e)(2), an  
82 additional alternative needs to be selected alongside the No Project/Development  
83 Alternative. The second Environmentally Superior Alternative for the Project is  
84 the No Project/Buildout of POLA Master Plan Designation.

85 The No Project/No Development Alternative would avoid the less than  
86 significant impacts of the Project and would not require implementation of the  
87 mitigation measures that are identified in Draft EIR Chapter 5.0 that are related  
88 to biological resources, cultural resources, geology and soils, and hazards and  
89 hazardous materials. The No Project/Buildout of POLA Master Plan Designation  
90 Alternative would reduce impacts to 8 of the 20 environmental topics analyzed in  
91 the Draft EIR. However, this alternative would be required to implement  
92 applicable mitigation measures regarding biological resources, cultural resources,  
93 geology and soils, and hazardous materials. Thus, although environmentally  
94 superior, mitigation measures would continue to be required (Draft EIR p. 7-19).

95 CEQA does not require the lead agency (the LAHD) to choose the  
96 environmentally superior alternative. Instead, CEQA requires the LAHD to  
97 consider environmentally superior alternatives, weigh those considerations  
98 against the environmental impacts of the proposed Project, and make findings  
99 that the benefits of those considerations outweigh the harm. Based on the  
100 considerations described herein, the LAHD finds that the No Project/No  
101 Development Alternative and No Project/Buildout of POLA Master Plan  
102 Designation are infeasible based on failure to meet Project objectives, as further  
103 discussed below.

## 104 **4.4 CEQA Findings for the Alternatives Analyzed**

### 105 **4.4.1 Alternative 1 – No Project Alternative**

106 The No Project Alternative (Alternative 1) is required under State CEQA  
107 Guidelines Section 15126.6(e) and would not result in any physical  
108 improvements to the existing site.

#### 109 **Finding**

110 The Board hereby finds that the No Project/No Development Alternative would  
111 not necessitate mitigation measures related to biological resources, cultural  
112 resources, and hazards and hazardous materials. However, the potential benefits  
113 of the proposed Project would also not be realized, such as disposing of

114 contaminated on-site soil through a remediation plan. This alternative would also  
115 not meet any of the Project objectives.

#### 116 **Facts in Support of the Finding**

117 The No Project/No Development Alternative would result in the Project site  
118 remaining in its existing undeveloped condition, and development would not  
119 occur. This alternative would result in fewer impacts and would not require  
120 mitigation for biological resources, cultural resources, and hazards and hazardous  
121 materials. As a result, the mitigation measures that are identified in Draft EIR  
122 Chapter 5.0 would not be required. However, the environmental benefits of the  
123 proposed Project would also not be realized, such as disposing of contaminated  
124 on-site soil through a remediation plan.

125 Implementation of the No Project/No Development Alternative would not meet  
126 any of the proposed Project objectives. This alternative would not increase the  
127 efficiency of goods movement as it would not develop the Project site.  
128 Additionally, a facility would not be provided that could increase the efficiency  
129 of terminal operations or alleviate truck traffic congestion. Furthermore, an  
130 underutilized property would not be developed to accommodate the growing  
131 need for goods movement within Southern California. The No Project/No  
132 Development Alternative comparison to the Project objectives is listed in Table  
133 7-5 of the Draft EIR (Draft EIR at p. 7-8).

### 134 **4.4.2 Alternative 2 – No Project/Buildout of Port of Los** 135 **Angeles Master Plan Designation Alternative**

136 Under the Reduced Project Alternative (Alternative 2), the Project site would be  
137 fully built out based on the existing underlying POLA PMP Land Use  
138 designation of Open Space for APNs 7440-016-002, 7440-016-003, and 7412-  
139 024-007 (approximately 13.25 acres). However, APN 7440-016-001 would be  
140 left vacant and undeveloped.

#### 141 **Finding**

142 The Board hereby finds that the No Project/Buildout of the POLA Master Plan  
143 Designation Alternative would result in reduced impacts to 8 of the 16  
144 environmental topics. However, this alternative would require the same  
145 mitigation measures as the proposed Project. This alternative would not meet any  
146 of the objectives of the proposed Project.

#### 147 **Facts in Support of the Finding**

148 The No Project/Buildout of the Port of Los Angeles Master Plan Designation  
149 Alternative would develop 13.25-acres into a recreation area with walking paths,  
150 grass areas for active recreation, an on-site parking lot with 30 parking spaces, a  
151 restroom, and landscaping. APN 7440-016-001 would be left vacant and  
152 undeveloped. Thus, 13.25 acres of the 18.63-acre Project site would be  
153 developed with an open space recreation area. This alternative would decrease  
154 impacts related to air quality, energy, greenhouse gas emissions, hazards, noise,

155 public services, transportation, and utilities and service systems. In addition, this  
156 alternative would require the same mitigation measures as the proposed Project.

157 As shown in Table 7-5 of the Draft EIR, the No Project/Buildout of Port of Los  
158 Angeles Master Plan Designation Alternative would not meet any of the  
159 proposed Project objectives. This alternative would develop an underutilized  
160 property with areas for active recreation, walking paths, and landscaping. This  
161 alternative would not increase the efficiency of goods movement as it would not  
162 develop a truck and chassis parking lot on the Project site. Additionally, this  
163 alternative would not provide a facility that could increase efficiency of terminal  
164 operations or alleviate truck traffic congestion. Furthermore, an underutilized  
165 property would not be developed to accommodate the growing need for goods  
166 movement within Southern California.

### 167 **4.4.3 Alternative 3 – Reduced Project Alternative**

168 Development of the Project site under this alternative would be similar to the  
169 proposed Project, but with a substantial reduction in square footage of the  
170 parking lot and operational intensity. Additionally, development under this  
171 alternative would result in a maximum of six employees during peak construction  
172 and a maximum of two employees on site at any given time during operations.  
173 The Reduced Project Alternative would reduce the proposed Project footprint by  
174 approximately 54 percent. The remaining 8.63 acres of the developable portion  
175 of the Project site would be left in its existing vacant and undeveloped condition.

#### 176 **Finding**

177 The Board hereby finds that the Reduced Project Alternative could reduce the  
178 Project footprint by approximately 54 percent. It could also result in decreased  
179 impacts to 8 of the 16 environmental topics. However, this alternative would not  
180 eliminate the need for mitigation. The Reduced Project Alternative would meet  
181 the proposed Project objectives but would not be able to help meet the demands  
182 of current and anticipated containerized cargo to the same degree as the proposed  
183 Project.

#### 184 **Facts in Support of the Finding**

185 The Reduced Project Alternative would result in development of a 10-acre truck  
186 and chassis parking lot with 196 parking spaces accommodating chassis with  
187 shipping containers up to 40 feet long and landscaping. Consistent with the  
188 proposed Project, development of this alternative would include 39 percent  
189 landscaping coverage. Thus, 3.9 acres of the Project site would consist of  
190 landscaping. Development of the Project site under this alternative would be  
191 similar to the proposed Project, but with a substantial reduction in square footage  
192 of the parking lot and operational intensity. Additionally, development under this  
193 alternative would result in a maximum of six employees during peak construction  
194 and a maximum of two employees on site at any given time during operations.  
195 The Reduced Project Alternative would reduce the proposed Project footprint by  
196 approximately 54 percent. This alternative would reduce impacts to air quality,  
197 energy, geology, greenhouse gas emissions, noise, public services, transportation,

198 and utilities and service systems. However, mitigation measures would still be  
199 required for biological resources, cultural resources, paleontological resources,  
200 and hazards and hazardous materials.

201 As shown in Draft EIR Table 7-5, the Reduced Project Alternative would meet  
202 the proposed Project objectives, but to a lesser extent compared to the proposed  
203 Project. This alternative would develop an underutilized property by adding  
204 employment-generating uses and would attract new businesses and employment.  
205 Furthermore, the Reduced Alternative would reduce the need for the local  
206 workforce to commute outside of the Project vicinity. This alternative would  
207 develop a parking lot with landscaping in the Port of Los Angeles near port  
208 activities with close proximity to I-110. This alternative would meet the proposed  
209 Project objectives but would not be to help meet the demands of current and  
210 anticipated containerized cargo to the same degree as the proposed Project,  
211 because this alternative would reduce the number of parking stalls to 196 (Draft  
212 EIR p. 7-19).

## Chapter 5

**Findings Regarding Irreversible  
Environmental Changes**

Irreversible and irretrievable environmental changes caused by a project include long-term uses of non-renewable and non-recoverable resources during construction and operation (State CEQA Guidelines Section 15126.2(c)).

**Finding and Rationale**

The proposed Project would result in or contribute to the following irreversible environmental changes:

- Lands in the Project site would be committed to truck, chassis, and trailer parking once the proposed parking lot is constructed. Secondary effects associated with this irreversible commitment of land resources include:
  - Changes in views associated with construction of the new parking and associated development, including a retaining wall (Draft EIR Section 5.1, Aesthetics).
  - Increased local traffic on John S. Gibson Boulevard from re-routed trips already accessing Port of Los Angeles (Draft EIR Section 5.11, Transportation).
  - Emissions of air pollutants and GHGs associated with proposed Project construction and operation (Draft EIR Section 5.2, Air Quality, and Section 5.7, Greenhouse Gases).
  - Consumption of non-renewable energy associated with construction and operation of the proposed Project due to the use of automobiles, trucks, lighting, etc. (Draft EIR Section 5.5, Energy).
  - Increased ambient noise associated with an increase in activities and traffic from the proposed Project (Draft EIR Section 5.9, Noise).
- Construction of the proposed Project as described in Draft EIR Section 3.0, Project Description, would require the use of energy produced from non-renewable resources and construction materials.

30 In regard to energy usage from the proposed Project, as demonstrated in the  
31 analysis contained in Draft EIR Section 5.5, Energy, the proposed Project would  
32 not involve wasteful or unjustifiable use of non-renewable resources, and  
33 conservation efforts would be enforced during construction and operation of  
34 proposed development. As listed in Draft EIR Section 5.5, Energy, the proposed  
35 development would incorporate sustainability features and energy-conserving  
36 Project design features, including those required by the CBC, California Energy  
37 Code Title 24, which specify green building standards for new developments.  
38 Project specific information related to energy consumption is provided in Section  
39 5.5, Energy, of the Draft EIR.

## Chapter 6

**Changes to the Draft EIR**

Changes were made to the Draft EIR following the public review period. Actual changes to the text can be found in Chapter 3, Revisions to the Draft EIR, of the Final EIR. Changes made to the Draft EIR, as shown in Chapter 3, are identified in strikeout text to indicate deletions and in bold and double underlined text to indicate additions. Changes to the Draft EIR include:

- Revisions to the Executive Summary to reflect minor clarifications to proposed mitigation measures for Biological Resources, Cultural Resources, and Geology and Soils and revisions to the Project Description to specify the configuration of the entrance gate;
- Revisions to Section 5.2, Air Quality, to incorporate additional regional regulations applicable to the Project;
- Revisions to Table 5-1 in Section 5, Environmental Impact Analysis, to update project status information for cumulative projects and add two additional cumulative projects;

**Finding and Rationale**

Although Chapter 3 of the Final EIR includes minor amounts of new information and clarification, generated in response to comments received on the Draft EIR, the information is not significant new information that would require recirculation per State CEQA Guidelines Section 15088.5. For instance, no new information was included that would result in: (1) A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented; (2) A substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance; and/or (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed were added that would clearly lessen the environmental impacts of the project (State CEQA Guidelines Section 15088.5(a).) All information included in the Final EIR merely clarifies or amplifies or makes insignificant modifications to the EIR (see *Laurel Heights Improvement Assn. v. Regents of Univ. of California* (1992) 6 Cal.4th 112, 1129–1130). Consequently, the changes and clarifications presented in Chapter 3 of the Final EIR were reviewed by the Board to determine whether

34 they constitute “significant new information” requiring recirculation prior to  
35 certification of the EIR. The information contained in Chapter 3 of the Final EIR  
36 was found to merely clarify or amplify the information presented in the Draft  
37 EIR. No new feasible alternatives or mitigation measures that are considerably  
38 different from others previously analyzed were identified that would clearly or  
39 substantively lessen the significant effects of the proposed Project.

40 Further, as discussed in Chapter 3, revisions to mitigation measures (MM BIO-1,  
41 MM BIO-2, MM CUL-1, MM PAL-1) would not reduce their effectiveness in  
42 reducing significant impacts. As a result, all clarifying information included in  
43 the Final EIR does not constitute significant new information requiring  
44 recirculation because the EIR is not changed in a way that deprives the public of  
45 a meaningful opportunity to comment upon a substantial adverse effect of the  
46 proposed Project. The information presented in Chapter 3 does not result in or  
47 disclose any new significant impacts or a substantial increase in the severity of  
48 any impact already identified in the EIR.

49 Therefore, recirculation of the Draft and Final EIR is not required, and the EIR  
50 can be certified without additional public review, consistent with PRC Section  
51 21092.1 and State CEQA Guidelines Section 15088.5.

52 The Board finds that all information added to the Final EIR after public notice of  
53 the availability of the Draft EIR for public review but before certification merely  
54 clarifies or makes insignificant modifications to an adequate Draft EIR that does  
55 not require recirculation.

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Chapter 7

## Findings on Suggested Project Revisions in Comments on the Draft EIR

The Final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The EIR also includes minor clarifications and modifications. The Board has reviewed and considered the Final EIR and this information. The Board finds that responses to comments made on the Draft EIR and revisions made in the Final EIR merely clarify, amplify, or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per State CEQA Guidelines Section 15088.5. State CEQA Guidelines Section 15088.5 provides: (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification.... “Information” can include changes in the project or environmental setting as well as additional data or other information.... “Significant new information” requiring recirculation includes, for example... (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented. (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance. (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it. (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure considerably different from others previously analyzed and that would clearly lessen the significant environmental impacts of the proposed Project.

35 Comment letters were received on the Draft EIR suggesting mitigation  
36 modifications, mitigation additions, and impact determination revisions. Where  
37 the suggestions (1) requested minor modifications in adequate mitigation  
38 measures, (2) requested mitigation for impacts that the Draft EIR determined  
39 were less than significant, or (3) requested mitigation for impacts for which the  
40 Draft EIR already identified measures that would reduce the impact to less than  
41 significant, these requests were declined as unnecessary or not appropriate.  
42 LAHD has identified and proposes to incorporate all feasible mitigation  
43 measures, including feasible revisions to the existing mitigation measures  
44 recommended by commenters, or otherwise initiated by the Port. No additional  
45 mitigation measures to reduce significant impacts disclosed in the EIR have been  
46 determined to be feasible.

47 The suggested mitigation measures and revisions and the reasons supporting why  
48 the recommendations were accepted or rejected are summarized below.  
49 Additional detail can be found in the comments and responses to comments  
50 chapter of the Final EIR (Chapter 2). The Board adopts and incorporates by  
51 reference the specific reasons for declining such measures contained in the  
52 responses to comments in the Final EIR as its grounds for rejecting those  
53 measures.

## 54 **Air Quality**

55 A comment from the Los Angeles School District suggested that the proposed  
56 Project coordinate construction activity with the District and provide measures to  
57 avoid construction impacts on school operations. The Draft EIR considered the  
58 potential impacts of air quality impacts to sensitive receptors and concluded  
59 impacts were less than significant; therefore, the response to comment concluded  
60 that additional measures are unnecessary.

61 Additionally, a comment from SCAQMD also suggested that the proposed  
62 Project implement Tier 4 equipment and other measures within the SCAQMD's  
63 CEQA Air Quality Handbook in order to reduce construction emissions. As  
64 described in the Draft EIR, construction emissions would not exceed SCAQMD  
65 regional thresholds for criteria pollutants (VOCs, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and  
66 PM<sub>2.5</sub>) and would not exceed localized significance thresholds. Therefore, air  
67 quality impacts would be less than significant, and no mitigation is required for  
68 construction-related air emissions.

69 The SCAQMD also provided a list of additional resources with project design  
70 features and mitigation measures to help reduce air quality and GHG impacts and  
71 eliminate significant and unavoidable impacts. However, as described in the  
72 Draft EIR, the proposed Project would result in less than significant air quality  
73 and GHG impacts, therefore, no mitigation is required.

74 The Wilmington Neighborhood Council suggested that the proposed Project  
75 should have considered: SCAQMD MATES V data in the Health Risk  
76 Assessment; Volunteers of America Pre-School and Field of Dreams  
77 Park/Recreation as sensitive receptors; the SCAQMD Clean Port Initiative  
78 Workplan, which included implementation of a Federal Implementation Plan

79 (FIP) with NO<sub>x</sub>-related mitigation; and should adequately analyze diesel  
80 particulate matter (DPM) emissions.

81 As described in the Draft EIR, cancer risk thresholds are based on SCAQMD's  
82 *White Paper on Potential Control Strategies to Address Cumulative Impacts from*  
83 *Air Pollution*. Based on existing SCAQMD recommendations for Mobile Source  
84 Health Risk Assessments, the operational impacts of the proposed Project at the  
85 closest affected receptor are estimated at 7.84 in one million, which is less than  
86 the threshold of 10 in one million. At this same location, non-cancer risks were  
87 estimated to be less than 0.01, which would not exceed the applicable threshold  
88 of 1.0. As such, the Project would result in emissions that are far below existing  
89 SCAQMD thresholds. Therefore, based on SCAQMD guidance, the proposed  
90 Project's impacts on human health risks, including DPM emissions, would not be  
91 cumulatively considerable and would be less than significant. While the  
92 SCAQMD MATES V data shows that the existing condition of the area is  
93 already cumulatively significant, pursuant to SCAQMD guidelines, the proposed  
94 Project would not contribute to the already impacted existing condition.

95 Further, based on SCAQMD's definition of sensitive receptors, the Field of  
96 Dreams Park/Recreation is not considered a sensitive receptor for air quality  
97 because people do not typically remain on site for an extended period, such as an  
98 8-hour shift or school day, or the full 24 hours of a residential receptor; but rather  
99 are present for shorter periods of time. Therefore, people visiting the Field of  
100 Dreams Park/Recreation would have a lower exposure than people living and  
101 working near the Project site. Also, the Volunteers of America Pre-School is  
102 located more than 500 feet farther away from the proposed Project than the  
103 identified sensitive MEI. In addition, trucks accessing the site would utilize I-110  
104 and would not pass by the school. Therefore, health risk at the Volunteers of  
105 America Pre-School would be lower than the risks identified for the sensitive  
106 MEI and would also be below thresholds. Therefore, no significant health risk  
107 would occur from proposed Project construction and operational emissions at  
108 Volunteers of America Pre-School.

109 As described in the Draft EIR, construction and operation of the proposed Project  
110 would not result in air emissions, including NO<sub>x</sub> emissions, that exceed the  
111 thresholds established by the SCAQMD and utilized by the LAHD, and air  
112 quality impacts would be less than significant. Thus, there is no nexus for  
113 additional mitigation measures. The analysis of Project-generated air emissions  
114 determines whether the proposed Project would result in a cumulatively  
115 considerable net increase of any criteria pollutant for which the South Coast Air  
116 Basin (SCAB) is in non-attainment under applicable National Ambient Air  
117 Quality Standards and California Ambient Air Quality Standards. The thresholds  
118 were set intentionally low by SCAQMD in order to get the SCAB into  
119 attainment. These thresholds are health-protective and are based on Clean Air  
120 Act standards and recommendations by the U.S. Environmental Protection  
121 Agency. Therefore, the proposed Project would not conflict with or obstruct  
122 implementation of the SCAQMD Air Quality Management Plan.

123

## Biological Resources

124 A comment from the California Coastal Commission recommended that any  
125 amendment of the certified PMP is enhanced to include the addition of policies to  
126 make certain the land use conversion is compliant with sections 30708(a) and  
127 30708(d) of the California Coastal Act, which require all port-related  
128 development to be located, designed, and constructed to minimize environmental  
129 impacts and provide for uses consistent with the public trust like recreation and  
130 wildlife. As discussed throughout the Draft EIR, the proposed Project would not  
131 result in any significant and unavoidable environmental impacts. The Project site  
132 is within an urban and developed area and is surrounded by developed areas that  
133 include roadways and port-related uses. With implementation of Mitigation  
134 Measure BIO-1, construction and operation of the proposed Project would not  
135 result in a substantial adverse effect, either directly or through habitat  
136 modification, on any animal species identified as a threatened, endangered, or  
137 candidate species in local or regional plans, policies, regulations, or by the  
138 CDFW or USFWS. Thus, potential impacts to sensitive animal species or their  
139 habitat would be less than significant with mitigation. Further, Section 30708  
140 states to "[g]ive highest priority to the use of existing land space within harbors  
141 for port purposes," thus the proposed Project should be given the highest priority  
142 as a maritime support use, and would not conflict with Sections 30708(a) and  
143 30708(d) of the California Coastal Act. Additional mitigation is not warranted.

144 A comment from the Wilmington Neighborhood Council suggested that the  
145 proposed Project consider impacts to the Bixby Slough/Lake Machado which is a  
146 natural wetland with many native birds, fish, and insect species present. As  
147 described in the Final EIR, Bixby Slough/Lake Machado is located  
148 approximately 0.81-mile north of the Project site with I-110, industrial uses, and  
149 the Philips 66 Los Angeles Refinery located between the Project site and the  
150 Bixby Slough/Lake Machado site. Furthermore, Bixby Slough/Lake Machado is  
151 not federally-designated critical habitat. Additionally, given the distance between  
152 the Project site and Bixby Slough/Lake Machado as well as the intervening urban  
153 and industrial development, the proposed Project would not impact habitat within  
154 Bixby Slough/Lake Machado or any species.

155

## Greenhouse Gas Emissions

156 The SCAQMD provided a list of additional resources with project design  
157 features and mitigation measures to help reduce air quality and GHG impacts and  
158 eliminate significant and unavoidable impacts. However, as described in the  
159 Draft EIR, the proposed Project would result in less than significant air quality  
160 and GHG impacts; therefore, no mitigation is required.

161 A comment from the California Coastal Commission recommended that a PMP  
162 amendment resulting in increased GHGs include policies aimed at addressing  
163 impacts to environmental justice communities. As discussed in the IS (Appendix  
164 A to the Draft EIR), the proposed Project would result in approximately 4,914.3  
165 MTCO<sub>2</sub>e/yr, which would be below the SCAQMD Threshold of 10,000 MT  
166 CO<sub>2</sub>e/yr. Therefore, operation of the proposed Project would not generate

167 significant GHG emissions that would have a significant effect on the  
168 environment, and mitigation is not required.

### 169 **Hazards and Hazardous Materials**

170 A comment from the Los Angeles School District suggested that the proposed  
171 Project implement mitigation for the transportation of hazards and hazardous  
172 materials to be away from District school sites. The Draft EIR determined that  
173 the trucks would not pass by the closest school in the proximity of the Project  
174 Thus, the addition of mitigation would not be required.

175 A comment from the California Coastal Commission expressed concerns that  
176 landform alterations could result in substantial hazards including spreading  
177 hazardously contaminated soils and materials present on the site from abandoned  
178 petroleum pipelines. As described in the Draft EIR, identified contaminated soils  
179 in areas of Project ground disturbance would be removed and disposed of during  
180 construction of the proposed Project. Additionally, pursuant to SCAQMD Rule  
181 1166, a mitigation plan would be prepared to be used during earthwork and  
182 grading to manage VOC emissions. A Soil Management Plan and a Health and  
183 Safety Plan would also be prepared for the proper management and disposal of  
184 waste and to minimize worker and public exposure to hazardous materials  
185 consistent with OSHA Safety and Health Standards (29 Code of Federal  
186 Regulations 1910.120) and Cal/OSHA requirements (CCR Title 8, General  
187 Industry Safety Orders and California Labor Code, Division 5, Part 1, Sections  
188 6300-6719).

### 189 **Land Use**

190 A comment from the California Coastal Commission suggested that any PMP  
191 amendment prepared for the Project include specific policies that ensure the  
192 Project (and any future Project with a Maritime Support use) avoids  
193 environmental impacts and, if avoidance is not feasible, minimizes and mitigates  
194 for such impacts, as well as provides for public trust uses if at all feasible. As  
195 described previously, no significant and unavoidable impacts would occur from  
196 implementation of the Project and the proposed PMP amendment, therefore no  
197 additional mitigation beyond what was included in the Draft EIR is warranted.

198 Members of the Northwest San Pedro Neighborhood Council committee and the  
199 Wilmington Neighborhood Council expressed concerns that the proposed Project  
200 violates City Ordinance No. 188287 and undermines decades of POLA buffer  
201 zone policies protecting residential communities from industrial activities in the  
202 Harbor. As described in the Final EIR, only a portion of the Project site is located  
203 within the City Ordinance No. 188287, however, that portion of the Project site  
204 would not be utilized for trucking activity as it would only be developed with  
205 landscaping. Thus, the proposed Project would not be in conflict with the  
206 Ordinance. Further, although the proposed Project would require a PMP  
207 amendment to change the open space land use designation for APNs 7440-016-  
208 002, 7440-016-003, and 7412-024-007, it would be consistent with the City of  
209 Los Angeles's General Plan land use designation and zoning for the site. Thus,  
210 the proposed PMP amendment is necessary in order to render the PMP land use

211 consistent with City of Los Angeles land use and zoning designations. As  
212 evidenced by the site's current land use and zoning designations, urbanization of  
213 the site has been anticipated and accounted for since the adoption of the City of  
214 Los Angeles General Plan.

### 215 **Noise**

216 A comment from the Los Angeles School District suggested that the proposed  
217 Project implement mitigation that will comply with the District's exterior noise  
218 standard of 67 A-weighted decibels (dBA) and interior noise standard of 45 dBA.  
219 The Draft EIR determined that the Project would not result in reasonably  
220 foreseeable significant adverse noise impacts on sensitive receptors, including  
221 schools either directly, from construction-related impacts or, indirectly, from  
222 truck haul routes. Thus, no mitigation is required.

### 223 **Transportation**

224 A comment from the Los Angeles School District suggested mitigation related to  
225 construction and operation related transportation impacts on District sites. As  
226 described in Section 2 of the Final EIR, the proposed Project would connect to  
227 the existing curb lines and circulation system and would implement the City's  
228 traffic engineering design standards. Further, the driveway would be signal-  
229 controlled at John S. Gibson Boulevard and would allow for all turning  
230 movements with right-on-red restrictions from the proposed Project driveway  
231 onto John S. Gibson Boulevard, as well as would configure the entrance gate to  
232 provide adequate queueing capacity, thereby reducing any potential safety  
233 hazards between trucks and other vehicles. The Project would be conditioned to  
234 provide three gates if, in the future, it were to be operated with chassis only or  
235 chassis with wheeled containers. The proposed Project does not include any  
236 additional offsite roadway improvements that would impact traffic near schools  
237 that would warrant mitigation.

238 Additionally, the Los Angeles School District suggested mitigation related to  
239 pedestrian safety impacts on District sites during construction and operation.  
240 However, as described previously, the Draft EIR determined that trucks would  
241 not pass by the closest school to the Project site. Thus, the addition of mitigation  
242 is not required.

243 A comment from the California Coastal Commission recommended that a PMP  
244 amendment resulting in increased VMT include policies aimed at addressing  
245 impacts to environmental justice communities. As discussed in the IS (Appendix  
246 A to the Draft EIR), VMT impacts were determined to be less than significant;  
247 therefore, the Project would not result in significant impacts that would warrant  
248 mitigation.

249 Members of the Northwest San Pedro Neighborhood Council committee as well  
250 as members of the public expressed concerns suggesting the Draft EIR does not  
251 provide adequate traffic analysis and design and suggests additional intersections  
252 the Project should consider. The quantified traffic analysis (including VMT) is  
253 based upon a more conservative trip generation with the site operating only as a

254 chassis storage facility. As described in the VMT Screening Memo (Appendix K  
255 to the Draft EIR), the proposed Project would not result in new trips and is less  
256 than the established threshold of 250 trips; therefore, impacts related to VMT  
257 would be less than significant. In addition, level of service (LOS) or automobile  
258 delay at intersections is no longer considered an impact under CEQA. Therefore,  
259 the Draft EIR is not required to discuss congestion related to trucks. Pursuant to  
260 LADOT's Transportation Assessment Guidelines' project access, safety and  
261 circulation evaluation non-CEQA transportation analysis requirement, a site  
262 ingress/egress and LOS analysis was conducted at three locations (Appendix J to  
263 the Draft EIR). Given the estimated number of hourly Project site trips, the LOS  
264 of all adjacent intersections cited in the comment would be minimally degraded.

265 Additionally, as described in the Draft EIR, the Project accounted for the size and  
266 nature of the vehicles by applying the appropriate truck percentages for each  
267 movement at all study intersections. Further, truck turning templates were  
268 thoroughly reviewed by LADOT and LAHD staff to ensure that the proposed  
269 Project would not result in any unsafe turning movements from John S. Gibson  
270 Boulevard onto the site.

## 271 **Tribal Cultural Resources**

272 A comment from the California Coastal Commission recommended that further  
273 engagement with Tribal communities should occur to ensure full consideration  
274 for the site's tribal cultural resources. As described in the NOP/IS (Appendix A  
275 to the Draft EIR), the LAHD did not receive any requests for consultation under  
276 Assembly Bill 52 from any of the seven tribes traditionally and culturally  
277 affiliated with the Project vicinity. LAHD received a request for information  
278 from the Gabrieleño Band of Mission Indians - Kizh Nation; however, the Tribe  
279 did not request consultation. In addition, a Sacred Lands File search of the  
280 Project site yielded negative results. Therefore, no further consultation or  
281 mitigation is required.