

DATE: JUNE 22, 2021

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - ADOPTION OF THE FINAL INITIAL STUDY/NEGATIVE DECLARATION AND APPROVAL OF THE BERTH 200 ROADWAY EXTENSION PROJECT (LOS ANGELES HARBOR DEPARTMENT APPLICATION FOR PORT PERMIT NO. 190314-037/STATE CLEARINGHOUSE NUMBER 2021040388)

SUMMARY:

Staff requests adoption of the Final Initial Study/Negative Declaration (IS/ND) for the proposed Berth 200 Roadway Extension Project (Project) along with comments and responses to comments, and approval of the proposed Project as described in the Final IS/ND. The proposed Project includes the widening and extension of the Berth 200 roadway between South Avalon Boulevard and North Henry Ford Avenue. The City of Los Angeles Harbor Department (Harbor Department) is financially responsible for staff and consultant time used for the preparation of the Final IS/ND and the construction of the proposed Project.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that, pursuant to the State California Environmental Quality Act (CEQA) Guidelines Section 15074, the Final Initial Study/Negative Declaration for the proposed Berth 200 Roadway Extension Project (a) has been completed in compliance with the State CEQA Guidelines and the Los Angeles City CEQA Guidelines; (b) was presented to the Board of Harbor Commissioners for review and was reviewed and considered by the Board of Harbor Commissioners prior to approving the proposed Project; and (c) reflects the independent judgment and analysis of the City of Los Angeles Harbor Department as the Lead Agency;
2. Find that, based on the whole record before it, including (a) the information contained in this report and (b) the Final Initial Study/Negative Declaration for the Berth 200 Roadway Extension Project, the proposed Project would not have a significant effect on the environment pursuant to Public Resources Code Section 21080 and State California Environmental Quality Guidelines Section 15070;

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3. Find that all information added to the Final Initial Study/Negative Declaration after the public review period, but before adoption, merely clarifies, amplifies, or makes insignificant modifications, and that recirculation is not necessary;
4. Adopt the Final Initial Study/Negative Declaration for the Berth 200 Roadway Extension Project;
5. Authorize the Environmental Management Division to file the Notice of Determination for the Berth 200 Roadway Extension Project with the Los Angeles County Clerk; and
6. Adopt Resolution No. _____.

DISCUSSION:

Project Background/Context – The extension and widening of the Berth 200 Roadway will allow necessary upgrades to better serve the area as secondary ingress and egress for Berths 148-200, future Wilmington Waterfront Promenade guests, and tenants within South Wilmington affected by the proposed closure of Avalon Boulevard and Fries Avenue. The proposed Project involves widening and extending the existing Berth 200 roadway between South Avalon Boulevard and connecting it to North Henry Ford Avenue. This proposed Project will be competitively bid; Engineering Design and Construction Management work will be performed by the Harbor Department. Construction is expected to take approximately 18 months.

Project Objectives – The objectives of the proposed Project are to improve terminal efficiency, divert trucks away from the future Wilmington Waterfront Park, improve the visual experience from the park with trucks being restricted from accessing Water Street, and improve an existing thoroughfare. The proposed Project affects South Avalon Boulevard and North Henry Ford Avenue and is accessible from South Avalon Boulevard and North Henry Ford Avenue.

Project Description – The proposed Project would widen and extend the Berth 200 Roadway between South Avalon and North Henry Ford Avenue. Work will include widening 4,000 linear feet of the existing roadway by approximately 11 feet, which would allow for an 8-foot safety shoulder in both directions. The road would also be extended approximately 3,000 linear feet to connect it to North Henry Ford Avenue. Future truck traffic would continue down the extended roadway where it is required that they make a right-turn onto North Henry Ford Avenue. At the intersection of Avalon and the Berth 200 Roadway, a new right-hand turn lane will be included for the required turn onto the roadway while driving north on Avalon. The remaining segment of Avalon will be permanently closed. In addition to paving, widening, and realigning the street itself, part

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of the road development project involves: paving over an abandoned oil well, paving a 4-acre lot, adjusting the elevations of the Leeward Bay Marina parking lot entrance to match the proposed road and modifications to two existing rail crossings.

ENVIRONMENTAL ASSESSMENT:

CEQA Documentation and Public Involvement – The Harbor Department, as the CEQA Lead Agency, has prepared an IS/ND for the proposed Project in compliance with the State CEQA Guidelines and the Los Angeles City CEQA Guidelines which contains the following: a description of the proposed Project and location, an initial study checklist, an analysis of potential impacts, and proposed findings.

The Draft IS/ND was initially circulated for public review and comment from May 21, 2020, to June 20, 2020. Due to public comments received and additional components added to the Project Description, an updated Draft IS/ND was circulated for public review and comment for a period of 30 days beginning on April 15, 2021, and ending on May 14, 2021. In accordance with State CEQA Guidelines §15072, a Notice of Intent (NOI) to adopt the IS/ND was issued on April 15, 2021. Approximately 90 notices were mailed to agencies, stakeholders, neighbors and other interested parties. The NOI and accompanying Draft IS/ND were filed with the Los Angeles County Clerk and State Clearinghouse as well as made available for public review on the Port of Los Angeles website at: <http://www.portoflosangeles.org>. In addition, the NOI was published in the Los Angeles Times. A public hearing was not conducted during the public review period for the Draft IS/ND and is not required pursuant to State CEQA Guidelines §15202.

Public Comments Received and Response to Comments – A comment from Vopak Terminal Los Angeles, Inc. (Vopak) was received during the public review period for the Draft IS/ND. Vopak's letter recommended a traffic light or alternate solution be included at the intersection of Berth 200 Roadway and Henry Ford Avenue due to concerns about potential traffic congestion from an adjacent rail crossing. The City of Los Angeles Department of Transportation (LADOT), who maintains jurisdictional control over this matter, determined that a new traffic signal is not feasible, and the intersection cannot be signalized. However, any possible delays for the eastbound right turns from the Berth 200 Roadway should be minimal due to the following: a rail crossing safety mechanism within adjacent traffic signals that prevents vehicular queue spillover at the intersection of Henry Ford Avenue with the proposed Berth 200 roadway, current levels of traffic and corresponding operating conditions at adjacent intersections, and rail crossings consisting of predominantly cuts of trains (not full-length trains). Additionally, the Harbor Department routinely monitors roadway operating conditions and rail crossings on an on-going basis in collaboration with LADOT and will monitor traffic operations after the road is constructed. This letter did not require any changes or clarifications to the document.

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Copies of the comment letter and staff response to comment are included in the Final IS/ND (Transmittal 1).

Based on the comments provided, staff identified no new environmental effects that were not assessed in the Draft IS/ND and no mitigation is required. Changes added to the Final IS/ND after the public review period merely clarify, amplify, or make insignificant modifications. None of the issues raised during the comment period trigger the need to re-circulate the Final IS/ND pursuant to the requirements of State CEQA Guidelines §15073.5.

Finding and Conclusions – The Final IS/ND includes a discussion of the proposed Project's effects on the existing environment.

Record of Proceedings – When adopting an IS/ND as required by State CEQA Guidelines §15074, the public agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, City of Los Angeles Harbor Department, 425 S. Palos Verdes Street San Pedro, CA 90731.

Notice of Determination – In accordance with the State CEQA Guidelines §15075, a Notice of Determination (NOD) will be filed with the Los Angeles County Clerk after the proposed Project is approved. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA.

FINANCIAL IMPACT:

Costs associated with the preparation of the IS/ND amounted to approximately \$115,000 and were borne by the Harbor Department. This Board action neither authorizes any expenditures related to the proposed Project nor commits the Harbor Department to complete the proposed Project. Award of any capital construction contract related to the proposed Project would require Board approval under separate future actions.

CITY ATTORNEY:

Based on the information presented to the City Attorney's Office, the Board may find that the Final IS/ND for the proposed Project has been completed in accordance with CEQA.

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TRANSMITTALS:

1. Final Initial Study/Negative Declaration for the Berth 200 Roadway Extension Project

FIS Approval: *MB*
CA Approval: *JS*



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