

# **Appendix A Notice of Intent/ Notice of Preparation/Initial Study**

# Notice of Intent/Notice of Preparation

June 26, 2003

425 S. Palos Verdes Street

Post Office Box 151

San Pedro, CA 90733-0151

Tel/TDD 310 SEA-PORT

www.portoflosangeles.org



James K. Hahn, Mayor  
City of Los Angeles

Board of Harbor  
Commissioners

Nicholas G. Tonsich, President

Edward Lui, Vice President

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Thomas H. Warren

Harry A. Keller  
Executive Director

**SUBJECT: NOTICE OF INTENT/PREPARATION (NOI/NOP) OF AN  
ENVIRONMENTAL IMPACT STATEMENT/REPORT (EIS/EIR)**

The Los Angeles Harbor Department in conjunction with the U.S. Army Corps of Engineers has prepared an Environmental Impact Statement/Report (EIS/EIR) for the following project in the Port of Los Angeles:

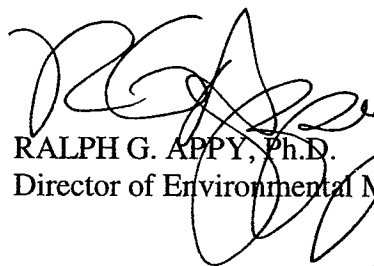
**Berth 97-109 Container Terminal Project  
(China Shipping Line Phases I, II & III)  
Environmental Impact Statement/Report**

We transmit this Notice of Intent/Preparation, Initial Study, and Environmental Assessment Checklist to you for review, in accordance with current City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act (CEQA) of the 1970, (Article I); the State CEQA Guideline, (Title 14, California Code of Regulations); the California Public Resources Code Section 21000, et seq.) and in accordance with the National Environmental Policy Act (NEPA).

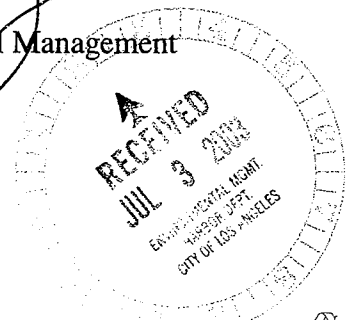
Two public scoping meetings will be held simultaneously on this project on July 10, 2003 at 6:30 PM at the Peck Park Recreation Center, 560 N. Western Avenue, San Pedro, CA 90732 and at the Wilmington Recreation Center 325 Neptune Avenue, Wilmington, CA 90744. Simultaneous Spanish/English translations will be provided at both locations.

Written comments concerns, suggested mitigation measures and alternatives, and any other pertinent information that may enable us to prepare a comprehensive and meaningful EIS/EIR for the subject project should be sent to Joshua Burnam/Dr. Ralph G. Appy c/o U.S. Army Corps of Engineers, Los Angeles District, Regulatory Branch, ATTN: File Number 2003-0-1029-JLB P.O. Box 532711, Los Angeles, CA 90053-2325, no later than August 1, 2003.

Sincerely,

  
RALPH G. APPY, Ph.D.  
Director of Environmental Management

RGA:TLG:GS:pn



25 de junio, 2003

TEMA: AVISO DE PROPÓSITO Y PREPARACIÓN (NOI/NOP-POR SUS SIGLAS EN INGLÉS) PARA FORMULAR UNA DECLARACIÓN E INFORME SOBRE EL IMPACTO MEDIOAMBIENTAL

El Puerto de Los Angeles (*Harbor Department*) junto con el Cuerpo de Ingenieros del Ejercito han preparado la Declaración e Informe sobre el Impacto Medioambiental (EIS/EIR) del siguiente proyecto en el Puerto de Los Angeles:

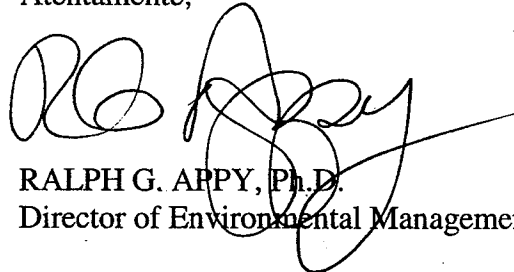
Embarcadero 97-109 Proyecto para la Terminal de Contenedores  
(China Shipping Line Fases I, II, y III)  
Declaración e Informe sobre el Impacto Medioambiental

Se expide este aviso de propósito/preparación, estudio inicial, y lista de control medioambiental para su revisión, de acuerdo con las normas vigentes de la Ciudad de Los Angeles para la puesta en práctica de la Ley de Calidad Medioambiental de 1970 (*California Environmental Quality Act-CEQA*), (Artículo I); Regla Estatal CEQA, (Título 14, Normas del Código); Código de Recursos Públicos Sección 21000, et seq.) y de acuerdo con la Ley de Política Medioambiental Nacional (*National Environmental Policy Act-NEPA*).

Habrán dos audiencias de alcance al público sobre este proyecto que tomarán lugar simultáneamente el 10 de julio, 2003 a las 6:30 PM en el Peck Park Recreation Center, 560 N. Western Avenue, San Pedro, CA 90732 y en el Wilmington Recreation Center, 325 Neptune Avenue, Wilmington, CA 90744.

Sus comentarios, inquietudes, y sugerencias sobre como proceder o alternativas de considerar, o cualquier otra información relacionada y pertinente que nos permita elaborar el mas amplio y valioso documento para este proyecto y la EIS/EIR, favor de enviarlo a Joshua Burnam/Dr. Ralph G. Appy c/o U.S. Army Corps of Engineers, Los Angeles District, Regulatory Branch, ATTN: File Number 2003-0-1029-JBL P.O. Box 532711, Los Angeles, CA 90053-2325, a mas tardar el 1º de agosto, 2003.

Atentamente,



RALPH G. APPY, Ph.D.  
Director of Environmental Management

RGA:TLG:GS:pn

CITY OF LOS ANGELES  
 OFFICE OF THE CITY CLERK  
 ROOM 395, CITY HALL  
 LOS ANGELES, CALIFORNIA 90012

DOCUMENT FILED  
 City Clerk's Office  
 No. HD11-03  
 Certified by [Signature]  
 Date: JUL 02 2003

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**NOTICE OF PREPARATION**  
 (Article VI, Section 2 -- City CEQA Guidelines)

<b>TO:</b>	RESPONSIBLE OR TRUSTEE AGENCY	<b>FROM:</b>	LEAD CITY AGENCY Los Angeles Harbor Department
	ADDRESS (Street, City, Zip)		ADDRESS (Street, City, Zip) <b>P.O. Box 532711 Los Angeles, CA 90053-2325</b>

**► SUBJECT:** Notice of Preparation of a Draft Environmental Impact Report

PROJECT TITLE Berths 97-109 Container Terminal Project <b>(China Shipping Line Phases I, II, &amp; III)</b>	CASE 030127-018
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PROJECT APPLICANT, IF

The City of Los Angeles will be the Lead Agency and will prepare an environmental impact report for the project identified above. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by this City when considering your permit or other approval for the project.

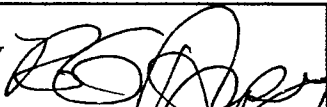
The project description, location and probable environmental effects are contained in the attached materials.

- A copy of the Initial Study is attached.
- A copy of the Initial Study is not attached.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 45 days after receipt of this notice.

Please send your response to Ralph G. Appy Director of Environmental Management at the address of the lead City Agency as shown above. We will need the name of a contact person in your agency.

Note: If the Responsible or trustee agency is a state agency, a copy of this form must be sent to the State Clearinghouse in the Office of Planning and Research, 1400 Tenth Street, Sacramento, California 95814. A state identification number will be issued by the Clearinghouse and should be thereafter referenced on all correspondences regarding the project, specifically on the title page of the draft and final EIR and on the Notice of Determination.

SIGNATURE Ralph G. Appy 	TITLE Director of Environmental Management	TELEPHONE (310) 732-3675	DATE 06/26/2003
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## Environmental Checklist Form

1. Project title:  
Berth 97-109 Container Terminal Project  
(China Shipping Line Phases I, II, and III)  
Environmental Impact Report
2. Lead agency name and address:  
Los Angeles Harbor Department  
c/o U. S. Army Corps of Engineers,  
Los Angeles District, Regulatory Branch  
Attn: File Number 2003-0-1029-JBL  
P.O. Box 532711  
Los Angeles, CA 90053-2325
3. Contact person and phone number:  
Ralph G. Appy, Ph.D.  
Director of Environmental Management  
(310) 732-3675
4. Project location: Port of Los Angeles Berth 97-109, in the San Pedro Area.  
The project area is bounded on the north by the Southwest Slip; on the south by Pacific Avenue, Knoll Hill, Front Street and the Vincent Thomas Bridge; on the east by the Main Channel; and on the west by John S. Gibson Blvd.
5. Project Applicant and address:  
China Shipping Container Line (CSCL)  
111 West Ocean Blvd.  
Long Beach, CA 90802
6. General plan designation: Port of Los Angeles
7. Zoning: [Q] M3
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
See Attachment A
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
Ferry and cruise passenger terminal, container terminals, liquid bulk marine terminals, residential and a dog park.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Chief Legislative	Analyst National Marine Fisheries Service
California Department of Fish and Game	U.S. Army Corp of Engineers
State Lands Commission	Regional Water Quality Control Board
U.S. Fish and Wildlife Service	Department of Toxic Substances Control Board
California Coastal Commission	South Coast Air Quality Management District
California Department of Transportation	US Coast Guard –Bridge Permits

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

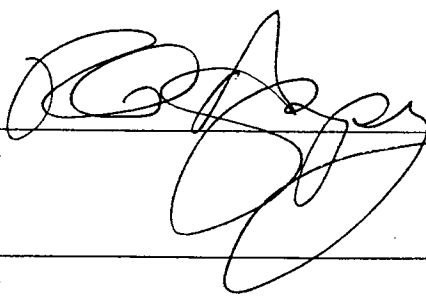
- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources                         | <input checked="" type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources                 | <input checked="" type="checkbox"/> Geology /Soils         |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality          | <input checked="" type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources                        | <input checked="" type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing              |
| <input checked="" type="checkbox"/> Public Services               | <input checked="" type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities / Service Systems   | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



Date

6/26/03

Signature

Date

#### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources



for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

	<b>Potentially Significant Impact</b>	<b>Less Than- Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>I. AESTHETICS -- Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
<b>III. AIR QUALITY --</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES --</b> Would the project:				
a) 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 Game or U.S. Fish and	<input type="checkbox"/>	×	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>Wildlife Service?</b>				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	×	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh; vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	×	<input type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
<b>V. CULTURAL RESOURCES -- Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VI. GEOLOGY AND SOILS -- Would the project:</b>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) 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? Refer to Division of Mines and Geology Special Publication 42.	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit 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?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
<b>VII. HAZARDS AND HAZARDOUS MATERIALS B</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) 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 it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
e) 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, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×

VIII. HYDROLOGY AND WATER QUALITY

-- Would the project:

a) Violate any water quality standards or waste discharge requirements?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
e) 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?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
j) Inundation by seiche, tsunami, or mudflow?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>IX. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**X. MINERAL RESOURCES -- Would the project:**

a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

**XI. NOISE B Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

**XII. POPULATION AND HOUSING -- Would the project:**

a) Induce substantial population growth in an

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×

### XIII. PUBLIC SERVICES

a) Would the project 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 any of the public services:

Fire protection?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×
Other public facilities?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

×
  |  |  |

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

×
  |  |  |



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC -- Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
e) Result in inadequate emergency access?	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

**XVI. UTILITIES AND SERVICE SYSTEMS B**  
Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
cause significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	×	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	×	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	×

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	×	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **Berth 97-109 Container Terminal Project (China Shipping Line Phases I, II & III) Environmental Impact Statement/Report**

### **Introduction**

This Notice of Intent/Preparation (NOI/NOP) is to inform Responsible, Trustee, Public Agencies, the public and others interested that the Port of Los Angeles (Port) in conjunction with the U.S. Army Corps of Engineers (Corps) Los Angeles District will be preparing an Environmental Impact Statement/Report (EIS/EIR) for the waterside, terminal, and transportation improvements in the Berth 97-109 area the of the Port of Los Angeles (Figure 1). The Berth 97-109 Container Terminal Project EIS/EIR will be prepared under the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code § 21000 et seq. and the National Environmental Policy Act (NEPA). The Port of Los Angeles seeks comments from agencies and the public regarding the scope and content of the Berth 97-109 Container Terminal Project (China Shipping Line Phases I, II, & III) EIS/EIR. For agencies, the Port seeks comment regarding the scope and content of environmental information which is relevant to your agency's statutory responsibilities in connection with the Berth 97-109 Container Terminal Project EIS/EIR and the various actions and activities to be evaluated in the EIS/EIR.

The Port of Los Angeles is officially the City of Los Angeles Harbor Department (LAHD). The Port comprises 45 kilometers (28 miles) of waterfront and 3,035 hectares (7,500 acres) of water. LAHD administers automobile, container, omni, lumber, cruise ship, liquid, dry bulk terminal facilities, recreation, community and educational facilities.

The Port prepared and certified "The West Basin Transportation Improvements Program EIR (WBTIP EIR, LAHD 1997)" that assessed the optimization of terminals and infrastructure in the entire West Basin of the Port including the Berth 97-109 area. That document has been used to support the approval of numerous projects in the West Basin. Since the 1997 document was certified, many of the actions and activities evaluated in that document have been completed.

On October 30, 2002 the State of California 2nd District Court of Appeal signed an order to halt construction of the Phase I of the Berth 97-109 Container Terminal Project until all proposed future Phases of the terminal improvements referenced in the WBTIP EIR are evaluated for environmental impact. In March 2003 the Port of Los Angeles entered into a settlement agreement with the NRDC and other parties, the Port agreed to prepare a project-specific EIR to evaluate the impacts of the construction and operation of all three phases combined of the China Shipping Project.

This EIS/EIR will assess Phases I, II, and III of the Berth 97-109 Container Terminal Project. The EIS/EIR will also evaluate the impacts of redeveloping the Catalina Terminal area. This EIS/EIR will establish a baseline of the current condition, prior to the issuance of the lease by the Board of Harbor Commissioners in May 2001, of the

China Shipping Berth 97-109 Terminal and provide project specific analysis to determine the impacts of this project.

### **Project Purpose and Need**

The overall goal of the project is to optimize the container handling efficiency and capacity in the Berth 97-109 Terminal and improve transportation infrastructure needed to accommodate forecasted and planned increases in volume of containerized goods shipped through the Port. In order to meet this goal, the following objectives need to be accomplished:

- Establish needed container facilities that would maximize the use of existing waterways and integrate into the Port's overall utilization of available shoreline, while maintaining opportunities for the future integration with adjacent terminals;
- Construct sufficient container berthing and infrastructure capacity that would contribute to accommodating foreseeable containerized cargo volumes entering the Port;
- Create sufficient backland area for optimal container terminal operations including, storage, transport, and on/offloading of container ships in a safe and efficient manner;
- Provide access to land-based rail and truck infrastructure locations capable of – minimizing surface transportation congestion or delays while promoting conveyance to both local and distant cargo destinations; and
- Provide needed container terminal accessory buildings and structures to support containerized cargo handling requirements.

These specific objectives would be met with the establishment of the following Project elements.

### **Project Elements**

The Berth 97-109 Container Terminal Project total container area is 142 acres. The site is located at the southern end of the City of Los Angeles, adjacent to the Wilmington and San Pedro Districts of the City of Los Angeles (Figure 2). The project elements within this project area that will be evaluated include the following:

#### **Phase I Berth 97-109 2003 (Reassessment of completed project elements)**

- 1) Discharge of fill material in 1.3 acres of waters of the U.S. associated with the construction and operation of a new 1,200-foot wharf (134,000 square feet) at Berth 100.
- 2) Dredging of 41,000 cubic yards (cy) of material along the waterfront at Berths 100-102 to match approved –53 MLLW channel depths, with material to be placed at the Anchorage Road Soil Storage Site.
- 3) Construction of 88,000 cy of rock dike, placement of 14,000 cy of fill behind the dike, and placement of 652 concrete piles and 950 pin-piles at Berth 100.

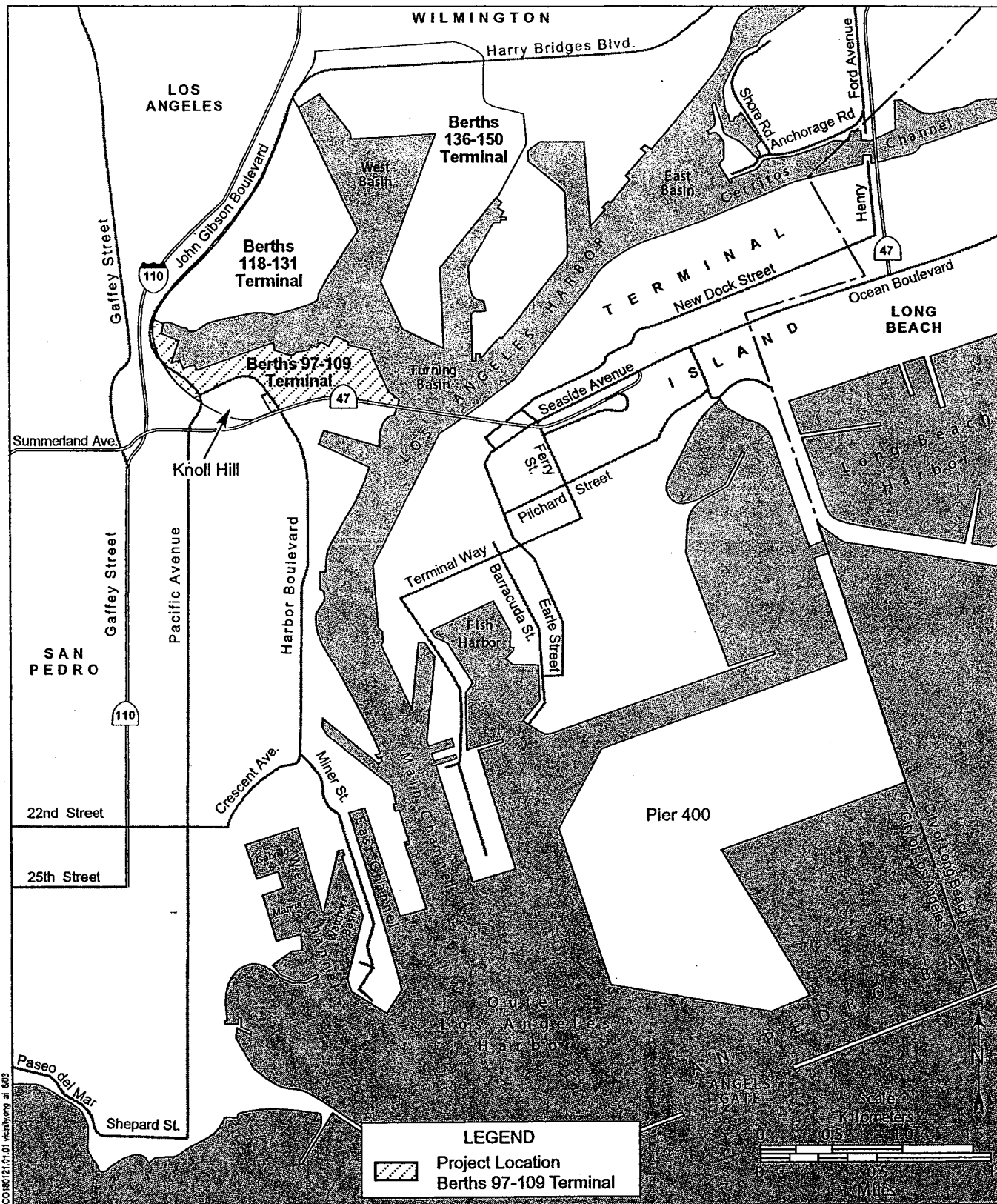
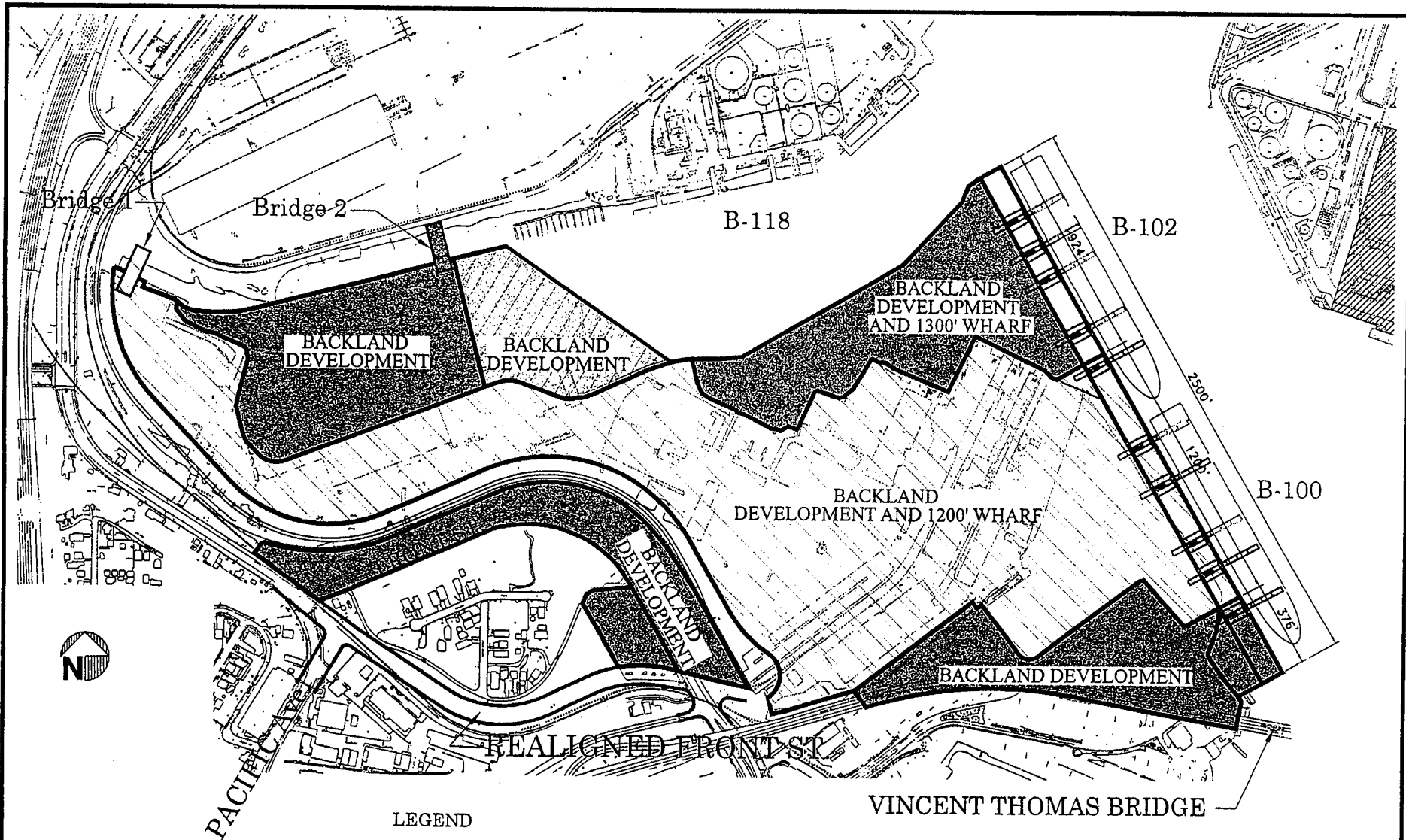





Figure 1. Project Site and Vicinity



LEGEND

-  PHASE I - 2003 (75 acres)
-  PHASE II - 2005 (35 acres)
-  PHASE III - 2015 (8 + 24 acres)

TOTAL PHASES = 142 acres

**Figure 2**  
**Proposed Project**  
**Construction Phases I-III**  
 Berths 97-109 Container  
 Terminal Project

**CH2MHILL**

Source: POLA, 2003



## Berth 97-109 Terminal Improvements EIS/EIR

- 4) Construction and development of a 75-acre container terminal adjacent to the Berth 100 wharf (35 acres added to the 40 acres that were operating in 2001-2002).
- 5) Construction of a bridge from the Berth 100-102 terminal to the Berth 121-131 terminal to facilitate cargo movement between the terminals.
- 6) Installation of 4 shore-side gantry cranes (each 243-feet tall) at Berth 100.
- 7) Construction of accessory terminal buildings and structures.

### **Phase II Berth 97-109 (2005)**

- 1) Construction and operation a new 924 linear-foot wharf (114,000 square feet) at Berth 102. Direct impacts to waters of the U.S. associated with the discharge of dredge or fill materials at Berth 102, with the exception of the placement of 560 concrete piles at Berth 102, are associated with the 43-acre landfill in the Southwest Slip that is assessed in the USACE Channel Deepening Project.
- 2) Discharge of fill in 1.2 acres of waters of the U.S. associated with the construction and operation of a new 376 linear-foot extension (43,000 square feet) at the southern end of the Phase I wharf.
- 3) Construction of 91,000 cy of rock dike and placement of 19,000 cy of fill behind the dike at the Berth 100 extension.
- 4) Placement of 560 concrete piles at Berth 102 and placement of 215 concrete piles at the Berth 100 extension.
- 5) Development of 35 acres of container terminal backlands on the 43-acre sediment disposal area.
- 6) Construction of a second bridge from the Berth 100-102 terminal to the Berth 121-131 terminal to facilitate cargo movement between the terminals.
- 7) Installation of 6 shore-side gantry cranes (each 243-feet tall) at Berth 102.
- 8) Construction of additional accessory terminal buildings and structures.

### **Phase III Berths 97-109 (2010)**

- 1) Development of 8 acres of container terminal backlands on the 43-acre sediment disposal area.
- 2) Expansion of backland container storage capacity by an additional 24 acres by realigning Front Street and redeveloping the Catalina Terminal area and the former Todd Shipyard parking lot.

### **Initial Study Checklist**

An initial study checklist for the Berth 97-109 Container Terminal Project is attached (Attachment B).

## ENVIRONMENTAL IMPACTS

1a. AESTHETICS. Have a substantial adverse effect on a scenic vista?

[Potentially Significant Impact] – Installation and operation of cranes may partially obstruct scenic vistas of the bridge available from public and private vantages, including City-designated Scenic Highways (John S. Gibson Boulevard, Pacific Avenue, Front Street, and Harbor Boulevard. This potentially significant impact will be addressed in the EIR.

1b. AESTHETICS. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

[Potentially Significant Impact] – Project implementation may directly affect geographic features of the project area. John S. Gibson Boulevard, Pacific Avenue, Front Street, and Harbor Boulevard are city-designated scenic highways because of Port and bridge views. Additionally, relocation of Front Street, a city-designated scenic highway, would preclude Port and bridge views from that roadway. No historic resources are expected to be affected by the project. This potentially significant impact will be addressed in the EIR.

1c. AESTHETICS. Substantially degrade the existing visual character or quality of the site and its surroundings?

[Potentially Significant Impact] –Project implementation could affect the visual character of the project area. Specifically, proposed shoreside cranes could partially obstruct public and private vantages of the Vincent Thomas Bridge because of their size and proximity to the bridge. Additionally, relocation of Front Street, would preclude Port and bridge views from that roadway. This potentially significant impact will be addressed in the EIR.

1d. AESTHETICS. Create a new source of substantial light or nighttime views in the area?

[Potentially Significant Impact] - The amount of on-site lighting would be increased above existing levels as a result of the need to illuminate the expanded backland area, cranes and terminal equipment. This issue will be evaluated in the EIR.

2a. AGRICULTURE RESOURCES. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

[No Impact] - No agricultural resources or operations exist within the project limits or adjacent areas. Therefore, this issue will not be discussed in the EIR.

2b. AGRICULTURE RESOURCES. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

[No Impact] - No agricultural resources or operations exist within the project limits or adjacent areas. Therefore, this issue will not be discussed in the EIR.

2c. AGRICULTURE RESOURCES. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

[No Impact] - No agricultural resources or operations exist within the project limits or adjacent areas. Therefore, this issue will not be discussed in the EIR.

3a. AIR QUALITY. Would the project conflict with or obstruct implementation of the applicable air quality plan?

[Potentially Significant Impact] - Project operations will result in increases in air emissions compared with current levels of activity from the project site. Initially most of these emissions are expected to be relocated from the adjacent Berth 121-131 container terminal however over the long-term throughput at both facilities are expected to increase to accommodate increased cargo throughput. These potentially significant impacts will be assessed in the EIR.

3b. AIR QUALITY. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?



[Potentially Significant Impact] – Project construction, including backland, wharf, and infrastructure improvements would result in fugitive dust and combustion emissions. Project operations will result in increases emissions of air pollutants as compared with current levels of activity. These potentially impacts will be assessed in the EIR.

3c. AIR QUALITY. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

[Potentially Significant Impact] – Project construction, including backland, wharf, and infrastructure improvements would result in fugitive dust and combustion emissions. Project operations will result in increases in air emissions compared with current levels of activity. Over time the throughput or the amount of cargo moved through the terminal will increase. These potentially significant impacts will be assessed in the EIR.

3d. AIR QUALITY. Would the project expose sensitive receptors to substantial pollutant concentrations?

[Potentially Significant Impact] - Construction activities may expose nearby occupants to air pollution conditions in the form of dust, and exhausts. Compliance with the SCAQMD rules and regulation will be required during these construction phases of the proposed project. Operational activities may expose nearby occupants to increased levels of air pollution in the project area. In addition to evaluating the level of pollution of the criteria pollutants identified in the Federal and California Clean Air Act, 1) National Ambient Air Quality Standards, 2) California Ambient Air Quality Standards and 3) in addition an evaluation of the impacts of Diesel Air Toxics (DAT) will added as a subject of special concern. These potentially significant issues will be discussed in the EIR.

3e. AIR QUALITY. Would the project create objectionable odors?

[Potentially Significant Impact] – Short term objectionable odors will likely occur at the proposed project site during construction, with the use of diesel powered heavy equipment, paving and asphaltting, and temporary storage/stockpiling of dredged sediments for wharf construction/renovation. Odors produced from the operation of the proposed facility will be activity-dependent and are likely to be similar to the odors produced from existing terminal operations in the area. These potentially significant issues will be examined further in the EIR.

4a. BIOLOGICAL RESOURCES. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

[Less Than Significant Impact Unless Mitigated] - No candidate, sensitive, or special status species are found on the proposed project site. Pelicans and Least Terns, both of which are on the endangered species list, are found in the harbor area. The proposed project site in not a nesting, roosting or feeding area for any species of special concern and no adverse affect on these species is anticipated as a result of the proposed project. However biological resources will be addressed in the EIR.

4b. BIOLOGICAL RESOURCES. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

[Less Than Significant Impact Unless Mitigated] - Dredging activities during wharf construction will result in temporary impacts to marine biota. This issue will be discussed in the EIR.

4c. BIOLOGICAL RESOURCES. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

[Potentially Significant Unless Mitigation Incorporated] – No known federally protected wetlands exist in the project area. Construction/renovation of wharves at the proposed project site may temporarily disrupt benthic marine habitat until recolonization can occur. No terrestrial wildlife habitats will be affected. Biological resources will be addressed in the EIR.

4d. BIOLOGICAL RESOURCES. 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?

[Less Than Significant Impact] - The proposed project is not expected to 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. This and other potential Biological Resource impacts will be addressed in the EIR.

4e. BIOLOGICAL RESOURCES. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

[Less Than Significant Impact] - The proposed project is not expected to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No known protected biological resources including trees exist in the project area. The Port proposed to increase green areas and improve landscaping including tree planting adjacent to the project site. This impact will be addressed in the EIR.

4f. BIOLOGICAL RESOURCES. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

[Less Than Significant Impact] - The proposed project is not expected to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. However this impact will be addressed in the EIR.

5a. CULTURAL RESOURCES. Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

[No Impact] - There are no known historical resources in the project area. This issue will not be discussed further in the EIR.

5b. CULTURAL RESOURCES. Cause a substantial adverse change in significance of an archaeological resource pursuant to 15064.5?

[Potentially Significant Impact] - There are no known archaeological resources in the project area. However potential archaeological resources may be impacted due to earthwork activities related to the realignment of Front Street to the south side of Knoll Hill. This issue will be addressed in the EIR.

5c. CULTURAL RESOURCES. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

[Potentially Significant Impact] - Paleontological resources may be located in the project area. Paleontological resources may be impacted by the realignment of Front Street to the south side of Knoll Hill. This issue will be addressed in the EIR.

5d. CULTURAL RESOURCES. Disturb any human remains, including those interred outside of formal cemeteries?

[Potentially Significant Impact] - No known human remains are known to exist on the project boundary; however, if human remains are discovered, they would be classified as significant. This potentially significant impact will be addressed in the EIR.

6a. GEOLOGY AND SOILS. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: impacts involving fault rupture?

[Potentially Significant Impact] - The Los Angeles basin, including the harbor, is an area of known seismic activity. Building and construction design codes are meant to minimize structural damage resulting from a seismic event but cannot constitute a guarantee from structural failure. The exposure of people to fault rupture is a potential risk with or without any project undertaken in the harbor. This issue will be addressed in the EIR.

6a(i) GEOLOGY AND SOILS. 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? Refer to Division of Mines and Geology Special Publication 42.

[Potentially Significant Impact] - The Los Angeles basin, including the harbor, is an area of known seismic activity. The risk of seismic hazards such as ground shaking cannot be avoided. Building and construction design codes are

meant to minimize structural damage resulting from a seismic event but cannot constitute a guarantee. The exposure of people to seismic ground shaking is a potential risk with or without any project undertaken in the harbor. Potential impacts of an earthquake on faults of concern, including the San Andreas fault will be discussed in the EIR.

6a(ii) GEOLOGY AND SOILS. Strong seismic ground shaking?

[Potentially Significant Impact] - The Los Angeles basin, including the harbor, is an area of known seismic activity. The risk of seismic hazards such as ground shaking cannot be avoided. Building and construction design codes are meant to minimize structural damage resulting from a seismic event but cannot constitute a guarantee. The exposure of people to seismic ground shaking is a potential risk with or without any project undertaken in the harbor. This potentially significant issue will be discussed in the EIR.

6a(iii) GEOLOGY AND SOILS. Seismic-related ground failure, including liquefaction?

[Potentially Significant Impact] - The project area may be impacted by seismic-related ground failure, including liquefaction since it is partly constructed on existing and proposed landfill areas. Consolidation of these areas to minimize the potential of ground failure and liquefaction will be discussed in the EIR.

6a(iv) GEOLOGY AND SOILS. Landslides?

[Potentially Significant Impact] - An existing dike structure may be susceptible to landslide or mudflow activity. This potentially significant issue will be discussed in the EIR.

6b. GEOLOGY AND SOILS. Result in substantial soil erosion or loss of topsoil?

[Potentially Significant Impact] - The improvements consist almost entirely of wharf and backland improvement, the majority of the project site will be paved. There is a potential for soil erosion or loss of fill material during construction. This potentially significant impact will not be evaluated in the EIR.

6c. GEOLOGY AND SOILS. Be located on a geologic unit 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?

[Potentially Significant Impact] - The project area is partly constructed on landfill and new landfill areas are also proposed to be constructed as part of the proposed project. Consolidation of these areas to stabilize and minimize the potential of ground failure will be discussed in the EIR.

6d. GEOLOGY AND SOILS. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

[Less Than Significant Impact] - Expansive soils exist in the project area that will require compaction according to approved engineering standards. This will be discussed in the EIR.

6e. GEOLOGY AND SOILS. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

[No Impact] - The project does not involve the use of septic tanks or alternative waste water disposal systems. This issue will not be evaluated in the EIR.

7.(a) HAZARDS AND HAZARDOUS MATERIALS. - Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

[Potentially Significant Impact] - The project will not pose a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Any material discovered during construction will be handled in accordance with existing regulations. Cargo movement may include the transport of material considered to be hazardous. These potentially significant impacts will be evaluated in the EIR.

7.(b) HAZARDS AND HAZARDOUS MATERIALS. - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

[Potentially Significant Impact] –Hazardous materials may be accidentally released while excavating soil contaminated by activities from former operations at the site. All construction and operations will be conducted in accordance with existing regulations. Health and Safety plans will be required for construction related activities. These issues will be evaluated in the EIR.

7. (c) HAZARDS AND HAZARDOUS MATERIALS. - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

[Potentially Significant Impact] –The Barton Hill Elementary School is located approximately a quarter mile from the proposed project. The proposed project will result in an increase in truck, ship and train traffic. As a result increase traffic there will be an increase emissions of air pollutants. Dredging operations may also emit objectionable nuisance odor. These issues will be evaluated in the EIR.

7.(d) HAZARDS AND HAZARDOUS MATERIALS. - 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 it create a significant hazard to the public or the environment?

[No Impact] – The project is not located on a site included on a list of hazardous materials sites. This issue will not be evaluated in the EIR.

7.(e) HAZARDS AND HAZARDOUS MATERIALS. - 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, would the project result in a safety hazard for people residing or working in the project area?

[No Impact] – The project is not located within an airport land use plan or, within two miles of a public airport or public use airport. This issue will not be evaluated in the EIR.

7.(f) HAZARDS AND HAZARDOUS MATERIALS. - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

[No Impact] – The project is not located within the vicinity of a private airstrip, and will not result in a safety hazard for people residing or working in the project area. This issue will not be evaluated in the EIR.

7.(g) HAZARDS AND HAZARDOUS MATERIALS. - Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

[Potentially Significant Impact] – The project area is currently used for the handling and transport of cargo, and operates in compliance with existing emergency response and evacuation plans. Proposed rail and roadway alterations will be designed to be consistent with emergency response and evacuation plans. The compliance of the proposed actions with emergency response and evacuation plans will be discussed in the EIR.

7.(h) HAZARDS AND HAZARDOUS MATERIALS. - Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

[No Impact] – There are no wild lands, with the exception of limited peripheral landscaping and the existing Knoll Hill site, the majority of the project site would be paved and no increased fire hazard is expected. Therefore this impact will not be discussed in the EIR.

8.(a) HYDROLOGY AND WATER QUALITY - Violate any water quality standards or waste discharge requirements?

[Potentially Significant Impact] – Construction of new landfill and waterside improvements and construction of wharfs may result in discharges to water. Activities will be performed in be compliance with US Army Corp of Engineers, Regional Water Quality Control Board dredge and construction requirements. Construction of additional landfill in the Southwest Slip will require additions and modification to existing storm drain systems. These potential impacts will be evaluated in the EIR.

8.(b) **HYDROLOGY AND WATER QUALITY** - Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

[No Impact] – The proposed project is not expected to change the quantity of groundwater or have any impact upon aquifers. This will not be discussed in the EIR.

8.(c) **HYDROLOGY AND WATER QUALITY** - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

[Less Than Significant Impact] – The majority of the proposed project area will be paved creating greater areas of impervious surface resulting in increased surface runoff. Some change in flow of drainage in to the Southwest Slip may result. These impacts will be evaluated in the EIR.

8.(d) **HYDROLOGY AND WATER QUALITY** - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

[Less Than Significant Impact] – The majority of the proposed project area will be paved and will alter existing drainage patterns. This issue will be evaluated in the EIR.

8.(e) **HYDROLOGY AND WATER QUALITY** - 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?

[Potentially Significant Impact] – The projects will be designed to have adequate storm water capacity. The proposed project is not expected to exceed the capacity of existing or planned stormwater drainage systems. However there may be a potential risk of polluted runoff from to accidental spills, leaks or tire wear. Therefore this impact will be evaluated in the EIR.

8.(f) **HYDROLOGY AND WATER QUALITY** - Otherwise substantially degrade water quality?

[Potentially Significant Impact] – Construction of new land and waterside improvements and construction of wharfs will have impacts on waters. Construction of additional landfill in the Southwest Slip may degrade water quality; construction permits will be required by the RWQCB and the US Army Corp of Engineers to perform work. Operations will be designed not to degrade the water quality and will be evaluated in the EIR.

8.(g) **HYDROLOGY AND WATER QUALITY** - Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

[No Impact] – No housing is proposed within the project area. Therefore this impact will not be evaluated in the EIR.

8.(h) **HYDROLOGY AND WATER QUALITY** - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

[No Impact] – The proposed structures included in the project area will be constructed not to impede or redirect flood flows. Therefore this impact will not be evaluated in the EIR.

8.(i) **HYDROLOGY AND WATER QUALITY** - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

[No Impact] – The proposed project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. Therefore this impact will not be evaluated in the EIR.

8.(j) **HYDROLOGY AND WATER QUALITY** - Inundation by seiche, tsunami, or mudflow?

[Potentially Significant Impact] – There are no areas susceptible to mudflow activity, or land-locked bodies of water subject to seiche impacts. The Port has historically been subject to tsunamis; therefore this will be discussed in the EIR.

9.(a) LAND USE AND PLANNING - Physically divide an established community?

[No Impact] – The proposed project area is within the Port boundaries and zoned for heavy industrial uses and does not divide established communities. Proposed road and railway realignments will be designed with continued access to all residential communities. Therefore, this issue will not be discussed in the EIR

9.(b) LAND USE AND PLANNING - Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

[Potentially Significant Impact] – The project is located within the Port Master Plan Areas and is zoned for heavy industrial uses, [Q] M3. Creation of new landfill, not already approved under the Port Master Plan, will require amendment of the Master Plan and approval by the California Coastal Commission. The consistency of the proposed project with applicable plan policies, including environmental justice policies, will be evaluated in the EIR.

9. (c) LAND USE AND PLANNING - Conflict with any applicable habitat conservation plan or natural community conservation plan?

[Potentially Significant Impact] – The project area does not conflict with any habitat conservation plan or natural community; however elements of the Port Master Plan will be evaluated for consistency. The proposed project elements will be evaluated for consistency with applicable habitat conservation plans or natural community conservation plans.

10.(a) MINERAL RESOURCES - 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?

[Less than Significant Impact] – Sediment beneficial use may be impacted by the proposed project development. Therefore, this impact will be discussed in the EIR.

10.(b) MINERAL RESOURCES - Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

[No Impact] – No known locally-important mineral resources would be impacted by the proposed project development. Therefore, this will not be discussed in the EIR.

11.(a) NOISE B - (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

[Potentially Significant Impact] – Demolition and construction activities could generate substantial noise levels which people would be exposed to on a periodic basis. Expanded operational activities could also result in increased noise levels above existing conditions. Therefore, this will be discussed in the EIR.

11.(b) NOISE - Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

[Potentially Significant Impact] – Demolition and construction activities could generate excessive groundborne vibration or groundborne noise levels on a periodic basis. Therefore, this will be discussed in the EIR.

11.(c) NOISE - A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

[Potentially Significant Impact] – Expanded operations could result in increased noise above ambient conditions. Therefore, this will be discussed in the EIR.

11.(d) NOISE – A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

[Potentially Significant Impact] – Demolition and construction activities may generate temporary or periodic increases in ambient noise levels. Therefore, this will be discussed in the EIR.

11.(e) NOISE - 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, would the project expose people residing or working in the project area to excessive noise levels?

[No Impact] – The project is not 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; therefore this will not be discussed in the EIR

11.(f) NOISE - For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

[No Impact] – The project is not located within the vicinity of a private airstrip; therefore this impact will not be discussed in the EIR

12.(a) POPULATION AND HOUSING - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[Less than Significant Impact] – The proposed project involves marine terminal improvements designed to accommodate projected increases in cargo throughput volumes. Growth-inducing impacts of the project are expected to be less than significant, however, these impacts will be evaluated in the EIR.

12.(b) POPULATION AND HOUSING - Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

[No Impact] – There is no housing within the proposed project boundaries that would be displaced as a result of this project. Therefore, this impact will not be discussed in the EIR.

12.(c) POPULATION AND HOUSING - Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

[No Impact] – There is no housing within the proposed project boundaries that would be displaced as a result of this project. Therefore, this impact will not be discussed in the EIR.

13.(a) PUBLIC SERVICES - Would the project 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 any of the public services:

Fire Protection?

[Potentially Significant Impact] – Although expected to be minimal the increase in operations may require additional fire protection. The terminal improvements will be designed with adequate fire protection infrastructure. This impact will be discussed in the EIR.

Police Protection?

[Potentially Significant Impact] – Increased terminal operations may require additional police protection to enforce special cargo permits and manage increased traffic. This impact will be discussed in the EIR.

Schools?

[Less Than Significant Impact] - Although expected to be minimal, the increase in employment resulting from the proposed projects will be evaluated to determine whether it results in any significant impacts relating to schools.

Parks?

[No Impact] – There is expected to be some minor increase in the number of employees but this is not expected to place much increased demand for parks beyond that which currently exists. Therefore, this impact will not be discussed in the EIR.

Other public facilities?

[Potentially Significant Impact] – Increased truck traffic may impact the public roadways in the vicinity of proposed project site given the limited number of routes, of special concern would be increased train traffic impeding access to Bannings Landing Community Center. The proposed actions will incorporate improvements to transportation infrastructure to minimize these impacts, and this issue will be evaluated in the EIR.

14.(a) RECREATION - Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

[Potentially Significant Impact] - There is expected to be some minor increase in the number of employees but this is not expected increase demand for parks beyond that which currently exists. Redevelopment of Catalina Terminal area could result in decreased access to recreation facilities on Catalina Island. This issue will be evaluated in the EIR.

14.(b) RECREATION - Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

[Potentially Significant Impact] - There is expected to be some minor increase in the number of employees, but this is not expected increase demand for parks beyond that which currently exists, or require the construction of new recreational facilities (if not replaced elsewhere). Therefore this issue will not be evaluated in the EIR.

15.(a) TRANSPORTATION/TRAFFIC - Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

[Potentially Significant Impact] – Increased vehicular movement would occur during construction and as a result of terminal operations. These impacts will be evaluated in the EIR.

15.(b) TRANSPORTATION/TRAFFIC - Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

[Potentially Significant Impact] – Increased vehicular movement would occur during construction and as a result of terminal operations. These impacts will be evaluated in the EIR.

15.(c) TRANSPORTATION/TRAFFIC - Result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

[Potentially Significant Impact] – Increased marine vessel movements would occur as a result of the project; therefore this impact will be evaluated in the EIR.

15.(d) TRANSPORTATION/TRAFFIC - Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

[Less Than Significant Impact] - The proposed realignment of Front Street, and entrance/egress gates at terminals, would be designed to improve traffic flow and improve safety. These impacts will be addressed in the EIR.

15.(e) TRANSPORTATION/TRAFFIC - Result in inadequate emergency access?

[Potentially Significant Impact] – Increased vehicular movement would occur and may inhibit emergency access. This issue will be discussed in the EIR.

15.(f) TRANSPORTATION/TRAFFIC - Result in inadequate parking capacity?

[Less Than Significant Impact] – Facility parking areas already exist and are expected to be expanded in the project area as part of the project. Although no significant impacts are expected, this impact will be discussed in the EIR.

15.(g) TRANSPORTATION/TRAFFIC - Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?



[Less Than Significant Impact] – The project is expected to have less than significant impact on alternative transportation policies or facilities. This issue will be discussed in the EIR.

16.(a) UTILITIES AND SERVICE SYSTEMS - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

[Less Than Significant Impact] -The project will be required to comply with requirements of the Regional Water Quality Control Board. Although no significant environmental impacts are anticipated, this issue will be discussed in the EIR.

16.(b) UTILITIES AND SERVICE SYSTEMS - Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

[Less Than Significant Impact] – The proposed project will not require, or result in the need for development of new water and wastewater treatment facilities. The existing sewer system may need to be altered to accommodate additional sewer needs. This impact will be discussed in the EIR.

16.(c) UTILITIES AND SERVICE SYSTEMS - Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

[Potential Significant Impact] – The proposed project will require construction of an extension of the Southwest Slip storm water drainage channel. Therefore, these impacts will be evaluated in the EIR.

16.(d) UTILITIES AND SERVICE SYSTEMS - Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

[Less Than Significant Impact] – The proposed project may require minor modifications to existing distribution systems. Although no significant environmental impacts are anticipated, this issue will be discussed in the EIR.

16.(e) UTILITIES AND SERVICE SYSTEMS - Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?

[Less Than Significant Impact] –The proposed project will not result in minor increases in wastewater treatment services. No significant environmental impacts are anticipated; therefore, this issue will not be discussed in the EIR.

16.(f) UTILITIES AND SERVICE SYSTEMS - Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?

[Less Than Significant with Mitigation Incorporation] – During construction, the Port will mitigate the generation of landfill waste through recycling of demolition debris. No significant increases in landfill waste generation during operation are anticipated. This issue will be discussed in the EIR.

16.(g) UTILITIES AND SERVICE SYSTEMS - Comply with federal, state, and local statutes and regulations related to solid waste?

[No Impact] – The project will comply with federal, state, and local statutes and regulations related to solid waste. This issue will not be discussed in the EIR.

17.(a) MANDATORY FINDINGS OF SIGNIFICANCE - Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

[Potentially Significant Impact] –As set forth, the proposed actions have the potential to degrade the quality of the environment with regard to several resource areas. These potential impacts will be evaluated in the EIR and where feasible, measures will be identified to mitigate these impacts.

17.(b) MANDATORY FINDINGS OF SIGNIFICANCE - Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

[Potentially Significant Impact] – The EIR will evaluate potential cumulative impacts.

17.(c) MANDATORY FINDINGS OF SIGNIFICANCE - Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

[Potentially Significant Impact] – As part of the EIR analysis the various impacts described above in this checklist. The EIR will evaluate any potential substantial adverse effects on human beings.

# Notice of Intent

**DEPARTMENT OF DEFENSE**

**Corps of Engineers, Department of the Army**

**Intent to Prepare a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for a Permit Application for the Berths 97-109 Terminal Improvement Project, also known as the China Shipping Line (CSL) Phases I, II, and III in the Port of Los Angeles, Los Angeles County, CA.**

**AGENCY:** U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of Intent (NOI).

**SUMMARY:** The U.S. Army Corps of Engineers (Corps) Los Angeles District in conjunction with the Los Angeles Harbor Department (Port) is examining the feasibility of waterside, terminal and transportation improvements at Berths 97-109 in the Port of Los Angeles. The Corps is considering the Port's application for a Department of the Army permit under Clean Water Act Section 404 and River and Harbor Act Section 10 to conduct dredge and fill activities and construct two wharves associated with the proposed project. Some of the project elements are completed and others, previously approved by the Corps and the Port, such as the Channel Deepening Project, are presently under construction.

Major project elements to be covered in the Draft EIS/EIR include: wharf construction and landside improvements. The landside developments will include expansion, redevelopment and construction of marine terminal facilities, and transportation

infrastructure improvements including construction of bridge structures, and potential realignment of road and railways.

The primary Federal involvement is the discharge of dredge and/or fill materials within waters of the United States, work (e.g. dredging) and structures in or affecting navigable waters of the United States, and potential impacts on the human environment from such activities. Therefore, in accordance with the National Environmental Policy Act (NEPA), the Corps is requiring the preparation of an Environmental Impact Statement (EIS) prior to rendering a final decision on the Port's permit application. The Corps may ultimately make a determination to permit or deny the above project or permit or deny modified versions of the above project.

Pursuant to the California Environmental Quality Act (CEQA), the Port will serve as Lead Agency for the Preparation of an Environmental Impact Report (EIR). The Corps and the Port have agreed to jointly prepare a Draft EIS/EIR for the improvements at Berth 97-109 (CSL Phases I, II and III) in order to optimize efficiency and avoid duplication. The Draft EIS/EIR is intended to be sufficient in scope to address both the Federal and the state and local requirements and environmental issues concerning the proposed activities and permit approvals.

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and Draft EIS/EIR can be answered by Mr. Joshua Burnam, Corps Project Manager, at (213) 452-3294. Comments shall be addressed to: U.S. Army Corps of Engineers, Los Angeles District, Regulatory Branch. ATTN: File Number 2003-0-1029-JLB P.O. Box 532711, Los Angeles, CA 90053-2325, and Dr. Ralph Appy, Director of Environmental Management, Port of Los Angeles, 425 S. Palos Verdes St., San Pedro, CA 90731.

## **SUPPLEMENTARY INFORMATION:**

**1. Project Site and Background Information.** The proposed project is located in the northwestern portion of the Port of Los Angeles, adjacent to the San Pedro District of the City of Los Angeles, CA. The proposed project involves dredge and fill operations; new wharf construction, coupled with terminal expansion on adjacent areas of existing and newly created land, and improvement of transportation infrastructure at Berths 97-109.

The project's overall goals are to optimize the container cargo handling efficiency in the Berths 97-109 Terminal, increase its cargo handling capacity, and to improve transportation infrastructure in order to accommodate forecasted and planned increases in the volume of containerized goods shipped through the Port. In order to meet these goals, the following objectives must be met:

- Establish needed container facilities that would maximize the use of existing waterways and integrate into the Port's overall utilization of available shoreline, while maintaining opportunities for the future integration with adjacent terminals;
- Construct sufficient container berthing and infrastructure capacity to accommodate foreseeable increases in containerized cargo volumes entering the Port;
- Create sufficient backland area for optimal container terminal operations including, storage, transport, and on/offloading of container ships in a safe and efficient manner;
- Provide access to rail and truck infrastructure locations in order to minimize surface transportation congestion or delays and promote transport to both local and distant cargo destinations; and

- Provide needed container terminal accessory buildings and structures to support containerized cargo handling requirements.

**2. Proposed Action.** Wharf and backland construction elements include: 1) Construction of the Berth 100 wharf and associated backlands (CSL Phase I), including associated dredging and filling activities, and the placement of piles, rock dike, and construction of concrete wharf deck, 2) Construction of the Berth 102 wharf and development of a marine terminal, including all associated infrastructure and backlands improvements on the Channel Deepening fill, 3) Construction of a 376 linear-foot southern extension of Berth 100 (CSL Phase III), including the placement of rock dike, piles, and construction of concrete wharf deck, and 4) Realignment of rail and roads to create additional backland acreage. Upon completion of all project elements, there will be 2500 linear-feet of continuous concrete wharf deck at Berths 97-109. In addition, project elements that may arise from the public scoping process will also be evaluated in the EIS/EIR.

The proposed improvement project includes the following elements:

**Phase I Berth 100-102**

- Construction Stage I (2003)<sup>1</sup>
  - 1) Discharge of fill material in 1.3 acres of waters of the U.S. associated with the construction and operation of a new 1,200-foot wharf (134,000 square feet) at Berth 100.
  - 2) Dredging of 41,000 cubic yards (cy) of material along the waterfront at Berths 100-102 to match approved -53 MLLW channel depths, with material to be placed at the Anchorage Road Soil Storage Site.

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<sup>1</sup> The Port anticipates completion of all Construction Phase I elements by August 15<sup>th</sup>, 2003.

- 3) Construction of 88,000 cy of rock dike, placement of 14,000 cy of fill behind the dike, and placement of 652 concrete piles and 950 pin-piles at Berth 100.
- 4) Construction and development of a 75-acre container terminal adjacent to the Berth 100 wharf (35 acres added to the 40 acres that were operating in 2001-2002).
- 5) Construction of a bridge from the Berth 100-102 terminal to the Berth 121-131 terminal to facilitate cargo movement between the terminals.
- 6) Installation of 4 shore-side gantry cranes (each 243-feet tall) at Berth 100.
- 7) Construction of accessory terminal buildings and structures.

#### **Phase II Berth 100-102**

- Construction Stage II (2005)
  - 1) Construction and operation a new 924 linear-foot wharf (114,000 square feet) at Berth 102. Direct impacts to waters of the U.S. associated with the discharge of dredge or fill materials at Berth 102, with the exception of the placement of 560 concrete piles at Berth 102, are associated with the 43-acre landfill in the Southwest Slip that is assessed in the USACE Channel Deepening Project.
  - 2) Discharge of fill in 1.2 acres of waters of the U.S. associated with the construction and operation of a new 376 linear-foot extension (43,000 square feet) at the southern end of the Phase I wharf.
  - 3) Construction of 91,000 cy of rock dike and placement of 19,000 cy of fill behind the dike at the Berth 100 extension.
  - 4) Placement of 560 concrete piles at Berth 102 and placement of 215 concrete piles at the Berth 100 extension.



- 5) Development of 35 acres of container terminal backlands on the 43-acre sediment disposal area.
- 6) Construction of a second bridge from the Berth 100-102 terminal to the Berth 121-131 terminal to facilitate cargo movement between the terminals.
- 7) Installation of 6 shore-side gantry cranes (each 243-feet tall) at Berth 102.
- 8) Construction of additional accessory terminal buildings and structures.

**Phase III (2010)**

Expansion of backland container storage capacity by an additional 24 acres by realigning Front Street and redeveloping the Catalina Terminal area and the former Todd Shipyard parking lot.

**3. Issues.** There are several potential environmental issues that will be addressed in the EIS/EIR. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

- a) Land use and planning impacts;
- b) Geological issues, including dredging and stabilization of fill areas in an area of known seismic activity;
- c) Impacts to water quality;
- d) Potential impacts to marine biological resources and endangered species of birds;
- e) Impacts to air quality;
- f) Impacts to traffic, including marine navigation and ground transportation;
- g) Potential for noise impacts;
- h) Impacts to public utilities and services;
- i) Potential impacts to aesthetic resources, including cranes, light and glare;

- j) Potential impacts on public health and safety;
- k) Potential impacts to recreation;
- l) Cumulative impacts.

**4. Alternatives.** Alternatives initially being considered for the proposed improvement project include the following:

- a) Alternate location(s) for the Terminal Improvements (within the State or within the Ports of Los Angeles/Long Beach).
- b) Non-containerized use of terminal (lumber, autos)
- c) Non-shipping use- park, cruise terminal, commercial development, empty container storage
- d) No Federal action (Construction of only backlands developments at Phases II and III).
- e) Larger facility (consolidation of joint facilities).

**5. Scoping Process.** The Corps and the Port will jointly conduct separate, simultaneous English and Spanish language public scoping meetings on July 10, 2003 at 6:30 P.M., to receive public comment and assess public concerns regarding the appropriate scope and preparation of the Draft EIS/EIR. The Spanish language meeting will be held in Wilmington, and the English language meeting will be held in San Pedro, specific locations TBD. Parties interested in being added to the Corps' electronic mail notification list for the Port of Los Angeles can register at: [www.spl.usace.army.mil/regulatory/register.html](http://www.spl.usace.army.mil/regulatory/register.html). This list will be used in the future to notify the public about scheduled hearings and availability of future public notices. Participation in the public meeting by federal, state and local agencies and other interested organizations and persons are encouraged. The Corps and

the Port will make location information available in both English and Spanish once the specific locations are determined.

**6. Availability of the Draft EIS/EIR.** The joint lead agencies expect the Draft EIS/EIR to be made available to the public in November 2003. A public hearing will be held during the public comment period for the Draft EIS/EIR.

DATE

Richard G. Thompson  
Colonel, US Army  
District Engineer